

ORDINANCE NUMBER O- 20014 (NEW SERIES)

DATE OF FINAL PASSAGE APR 12 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.43 ACRES LOCATED AT THE SOUTHEAST CORNER OF TANG DRIVE AND CARMEL CREEK ROAD (APN 307-023-40), WITHIN THE CARMEL VALLEY NEIGHBORHOOD 8 PRECISE PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CARMEL VALLEY PLANNED DISTRICT MF1 ZONE INTO THE CARMEL VALLEY PLANNED DISTRICT MF3 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 153.0303, AND REPEALING ORDINANCE NO.O-19590 N.S. (NEW SERIES), ADOPTED MARCH 27, 2007, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 3.43 acres located at the southeast corner of Tang Drive and Carmel Creek Road (APN 307-023-40), and legally described as a portion of the east half of the southwest quarter of the southeast quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U.S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, as described in deed to Marvin Del Carmel, a General Partnership, filed in the Office of the County Recorder of San Diego County

on May 26, 1983 as File No. 83-175453 of Official Records, in the Carmel Valley Neighborhood 8 Precise Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4277, filed in the office of the City Clerk as Document No. OO- ~~20044~~ are rezoned from the Carmel Valley Planned District MF1 zone into the Carmel Valley Planned District MF3 zone, as the zone is described and defined by San Diego Municipal Code Chapter 15, Article 3, Division 3. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

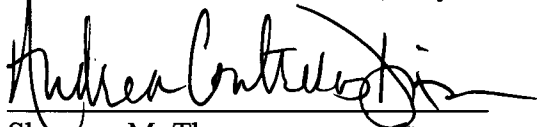
Section 2. That Ordinance No. O-19590 N.S. (New Series), adopted March 27, 2007, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Shannon M. Thomas  
Deputy City Attorney

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