

(O-2012-4)

ORDINANCE NUMBER O- 20086 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 28 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONE OF 45.46 ACRES OF PROPERTY LOCATED IN THE 6100 BLOCK OF OTAY MESA ROAD IN THE OTAY MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE (PREVIOUSLY REFERRED TO AS THE A-1-10 ZONE) INTO THE OMDD-C ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 1517.0301(b) (REZONE NO. 388241); AND REPEALING ORDINANCE NO. 10862 (NEW SERIES), ADOPTED JULY 29, 1972, AND ORDINANCE NO. O-19216 (NEW SERIES), ADOPTED ON SEPTEMBER 29, 2003, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, Gerald Handler, Trustee of the Handler Trust UDT, Applicant, requested a rezone for the purpose of changing 45.46 acres, located in the 6100 block of Otay Mesa Road (temporarily addressed as 6175 Otay Mesa Road) west of Heritage Road, and legally described as the northeast quarter of the northwest quarter of Section 32, Township 18 South, Range 1 West, San Bernardino base and meridian, in the County of San Diego, State of California, according to the official plat thereof and the west quarter of the northwest quarter of Section 32, Township 18 South, Range 1 West, San Bernardino base and meridian, in the County of San Diego, in the Otay Mesa Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4246 (portion of C-919) filed in the Office of the City Clerk as Document No. OO-_____ (Property), from the AR-1-1 zone (previously referred to as the A-1-10 Zone) to the Otay Mesa Development District-Commercial (OMDD-C) Zone (the Rezone); and

WHEREAS, on September 16, 2003, the City Council adopted Resolution No. R-298378, certifying Mitigated Negative Declaration, LDR No. 99-0555 (MND) and adopting a Mitigation,

Monitoring and Reporting Program (MMRP) for the Otay Mesa East Project, on file in the Office of the City Clerk as Document No. RR-298378; and

WHEREAS, on April 7, 2011, the Planning Commission of the City of San Diego considered Rezone No. 388241, and pursuant to Resolution No. 4689-PC voted 5-0-1 to recommend City Council approval of the Rezone; NOW THEREFORE,

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

Section 1. That the Property is rezoned from the AR-1-1 zone (previously referred to as the A-1-10 zone) to the OMDD-C zone, as the zone is described and defined by Chapter 15, Article 17, Division 3 of the San Diego Municipal Code.

Section 2. That the Official Zoning Map, adopted by Resolution R-301263 on February 28, 2006, is amended to reflect the Rezone to the extent it conflicts with the Rezone.

Section 3. That Ordinance No. 10862 (New Series), adopted July 29, 1972, and Ordinance No. O-19216 (New Series), adopted on September 29, 2003, are repealed insofar as they conflict with the Rezone.

Section 4. That the Applicant and/or the Applicant's successors shall implement the mitigation measures identified in the MMRP.

Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage or upon recordation of a final subdivision map by Applicant or Applicant's successor, whichever occurs last.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Heidi K. Vonblum
Heidi K. Vonblum
Deputy City Attorney

HKV:hm
07/06/2011
Or.Dept:DSD

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 13 2011

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 9-28-11
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor