

ORDINANCE NUMBER O- 20199 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 02 2012

EFFECTIVE DATE NOV 01 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 517 ACRES LOCATED AT 8514 MAST BOULEVARD, WITHIN THE EAST ELLIOT COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-2 AND RS-1-8 ZONES TO THE IH-2-1 ZONE, RELATING TO THE SYCAMORE LANDFILL MASTER PLAN – PROJECT NO. 5617

WHEREAS, Sycamore Landfill Inc. requested a rezone for the purpose of changing 517 acres located at 8514 Mast Boulevard, and legally described as Portions of Lots 3,4, 9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and all that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents excepting Easement Parcels 26202-2, 26202-3, 26203-2, 26203-4, 26204-3, 26204-4, 26429-2, and 26429-3, all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents, in the East Elliot Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4259, filed in the Office of the City Clerk as Document No. OO- 20199, from the AR-1-2 and RS-1-8 zones into the IH-2-1 zone (Rezone) in connection with the Sycamore Landfill Master Plan Project No. 5617 (Project); and

WHEREAS, on August 23, 2012, the Planning Commission of the City of San Diego considered the requested Rezone and voted 6-0 to recommend City Council approval; and

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 to by law to consider evidence at the hearing and to make legal findings based on evidence presented; and

WHEREAS, the matter was set for public hearing on SEP 17 2012, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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


Section 1. That 517 acres located at 8514 Mast Boulevard, and legally described as Portions of Lots 3,4, 9 and 10 of the resubdivision of part of Fanita Rancho, Map No. 1703, and a portion of Lot 73 of Rancho Mission, 330, and all that real property relinquished to the City of San Diego per document recorded March, 6, 2008 as Document No. 2008-0117850 of Official Documents excepting Easement Parcels 26202-2, 26202-3, 26203-2, 26203-4, 26204-3, 26204-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 dated March 7, 2001 as File/Page No. 2001-0129708 of Official Documents, in the East Elliot Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4259, filed in the Office of the City Clerk as Document No. OO-20199, are rezoned from the AR-1-2 and RS-1-8 zones to the IH-2-1 zone.

Section 2. 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 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Keith Bauerle
Deputy City Attorney

KB:sc
8/28/12
Or.Dept:DSD
Doc.No.:429284