

ORDINANCE NUMBER O- 20303 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 01 2013

ITEM # 53a
10/1/13

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 203.64 ACRES LOCATED AT THE NORTH SIDE OF MAST BOULEVARD, BETWEEN MEDINA DRIVE AND WEST HILLS PARKWAY, ADJACENT TO THE CITY OF SANTEE BOUNDARY, WITHIN THE EAST ELLIOTT COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-8 ZONE INTO THE RX-1-1, RM-2-4 AND OC-1-1, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0404, 131.0406, AND 131.0203; AND REPEALING ORDINANCE NO. 10864 (NEW SERIES), ADOPTED JUNE 29, 1972, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, the specific rezoning result is contingent on a final decision by the San Diego Local Agency Formation Commission (LAFCO) to approve or deny the associated reorganization proposal to detach approximately 109-acres from the City of San Diego and attach them to the City of Santee ("Reorganization"); and

WHEREAS representatives of the City of San Diego, City of Santee, Padre Dam Municipal Water District, and Pardee Homes have negotiated an agreement, for the independent review and approval of public agency decision-makers, identifying the rights and duties of said parties that would facilitate orderly development of the Castlerock project described herein if the Reorganization is approved ("Annexation Agreement"); 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 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, that two separate and different rezoning actions are approved, with the outcome contingent on the final decision by LAFCO to approve or deny the proposed Reorganization, as follows:

Section 1. That 203.64 acres located between Medina Drive and West Hills Parkway, adjacent to the City of Santee boundary and legally described as Portions of Lots 4, 5, 8, and 9, of the resubdivision of a part of Fanita Rancho, Map No. 1703, in the East Elliott Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4215 (1), filed in the office of the City Clerk as Document No. OO- 20303¹ are rezoned from the RS-1-8 zone, into the RX-1-1, RM-2-4, and OC-1-1 as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1 Divisions 2 and 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006, by removing approximately 109 acres from the map and reflecting the rezoning of the remainder in accordance with Zone Map Drawing No. B-4215(1).

Section 2. That section 1 of this ordinance shall take effect only upon a final decision by the Local Agency Formation Commission to grant the proposed Reorganization, but not less than thirty days from and after its final 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 final passage of this ordinance.

Section 3. That 203.64 acres located between Medina Drive and West Hills Parkway, adjacent to the City of Santee boundary and legally described as Portions of Lots 4, 5, 8, and 9, of the resubdivision of a part of Fanita Rancho, Map No. 1703, in the East Elliott Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4215 (2), filed in the office of the City Clerk as Document No. OO- 20303², are rezoned from

the RS-1-8 zone, into the RX-1-1, RM-2-4, and OC-1-1 as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1 Divisions 2 and 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 4. That section 3 of this ordinance shall take effect only upon a final decision by the Local Agency Formation Commission to deny the proposed Reorganization or the failure of either the City of Santee to approve the Annexation Agreement within 45 days (or such date as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District) of the City of San Diego's introduction of an ordinance approving the Annexation Agreement or the failure of the Padre Dam Municipal Water District to approve the Annexation Agreement within 30 days of the latter of (i) the final passage of the City of San Diego ordinance approving the Annexation Agreement or (ii) the City of Santee's approval of the Annexation Agreement (or such dates as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District), or the City of Santee or the Padre Dam Municipal Water District's failure to adopt the Resolution of Application for Reorganization and Resolution of Support, respectively, within 60 days (or such date as extended by mutual consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District) of the Annexation Agreement effective date, but not less than thirty days from and after its final 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 final passage of this ordinance.

Section 5. That Ordinance No. 10864 (New Series), adopted June 29, 1972, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 6. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas

Shannon M. Thomas
Deputy City Attorney

SMT:als
08/19/13
Or.Dept:DSD
Doc. No. 613832



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



Portions of Lots 4, 5, 8, and 9 of the resubdivision of a part of Fanita Rancho, in the County of San Diego, State of California, according to the Map thereof No. 1703, filed in the Office of the Recorder of San Diego County, State of California, on February 28, 1918.

ORDINANCE NO. _____	REQUEST RS-1-8 TO OC-1-1, RX-1-1 and RM-2-4
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION 4-2 Approval
ZONING SUBJ. TO _____	CITY COUNCIL ACTION
BEFORE DATE _____	
EFF. DATE ZONING _____	
MAP NAME AND NO. CASTLEROCK NO. 10046	

CASE NO. 23421653

Jeanette Sen
 DEVELOPMENT SERVICES MANAGER

B- 4215(i) Annexation Scenario

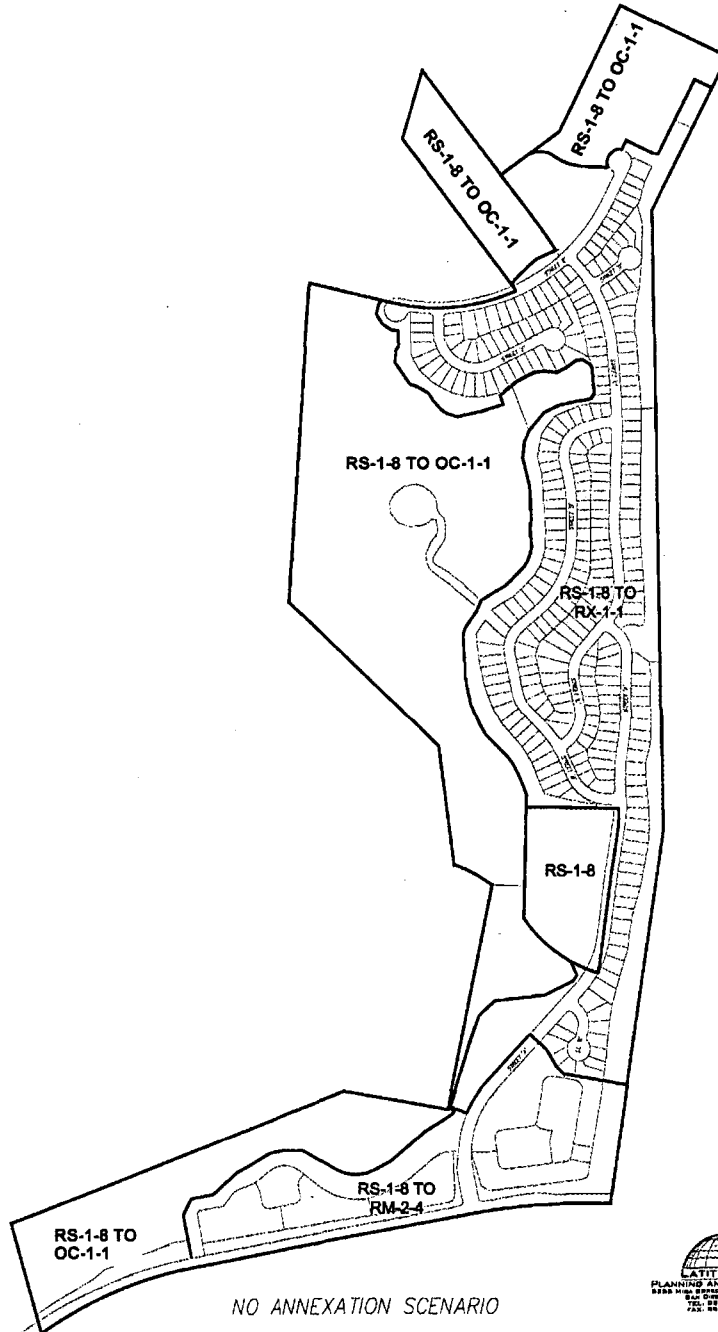
APN: SEE LIST ON MAP
 (248-1763) 6-21-12 LDJ

00-20303-1

DOCUMENT NO. FILED **OCT 01 2013**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA



PROPOSED REZONING



- APN:
- 366-050-17
 - 366-050-18
 - 366-050-19
 - 366-050-20
 - 366-050-21
 - 366-050-22
 - 366-080-21
 - 366-080-22
 - 366-081-07
 - 366-081-08
 - 366-081-09
 - 366-081-10
 - 366-090-21
 - 366-090-22
 - 366-090-23
 - 366-090-24
 - 366-090-25
 - 366-090-26
 - 366-090-27
 - 366-090-28
 - 366-090-29

Portions of Lots 4, 5, 8, and 9 of the resubdivision of a part of Fanita Rancho, in the County of San Diego, State of California, according to the Map thereof No. 1703, filed in the Office of the Recorder of San Diego County, State of California, on February 28, 1918.

ORDINANCE NO. _____	REQUEST RS-1-8 TO OC-1-1, RX-1-1 and RM-2-4	CASE NO. 23421653
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION: 4-2 Approve	<i>Jeanette Lee</i> DEVELOPMENT SERVICES MANAGER
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4215(2) No Annexation Scenario
BEFORE DATE _____	MAP NAME AND NO. CASTLEROCK NO. 10046	APN: SEE LIST ON MAP
EFF. DATE ZONING _____	00-20303-2	(248-1763) 6-21-12 LDJ

DOCUMENT NO. _____
 FILED **OCT 07 2013**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

Passed by the Council of The City of San Diego on OCT 01 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 01 2013.

AUTHENTICATED BY: TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Janette J. Parks*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 16 2013, and on OCT 01 2013.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Janette J. Parks*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20303