

(O-2014-39)

ORDINANCE NUMBER O- 20320 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 21 2013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONE OF 0.43 ACRES LOCATED AT 6736 MISSION GORGE ROAD, WITHIN THE NAVAJO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE EXISTING RS-1-1 ZONE INTO THE RM-3-7 ZONE AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406 (REZONE NO. 977263), AND REPEALING ORDINANCE NO. O-16069 (NEW SERIES), ADOPTED ON OCTOBER 31, 1983, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, Iraj Kesha Varzi and Touba N. Varzi, Applicants, requested a rezone for the purpose of changing 0.43 acres, located at 6736 Mission Gorge Road, and legally described as all that portion of Lot 65 of the partition of Rancho Mission of San Diego, in the City of San Diego, County of San Diego, State of California, according to partition map of Rancho Mission of San Diego, in the case of "Juan M. Luco et al, vs. the Commercial Bank of San Diego et al" Case No. 348 of Superior Court, San Diego, and on file in the Office of the County Clerk of San Diego, lying northwesterly of the centerline of the County of San Diego and County Road Survey No. 627 as described in Deed to the County of San Diego and recorded January 22, 1935, in Book 375, Page 115 of official records, and all that portion of Lot 64 of Rancho Mission of San Diego, in the County of San Diego, State of California, according to partition map thereof on file in the Office of the County Clerk in action No. 348, in Superior Court of San Diego County, entitled Juan M. Luco, et al, vs. the Commercial Bank of San Diego, et al, being a portion of Section 9, township 16 south, Range 2 west, San Bernardino meridian, in the County of San Diego, State of

California, in the Navajo Community Plan Area from the RS-1-1 zone to the RM-3-7 zone, as shown on Zone Map Drawing No. 4298, on file in the Office of the City Clerk as Document No. OO- 20320 (Rezone No. 977263); and

WHEREAS, on July 25, 2013, the Planning Commission of the City of San Diego considered Rezone No. 977263 and voted 6:0:1 to recommend City Council approval of Rezone No. 977263; and

WHEREAS, the matter was set for public hearing on NOV 05 2013, testimony having been heard, evidence having been submitted and the City Council having full 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 the Property is rezoned from the RS-1-1 zone to the RM-3-7 zone as the zone is described and defined by Chapter 13 Article 1 Division 4 of the San Diego Municipal Code. That the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006, is amended to reflect Rezone No. 977263 to the extent it conflicts with Rezone No. 977263.

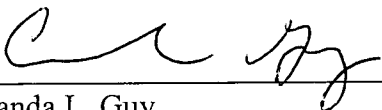
Section 2. That Ordinance No. 16069 (New Series), adopted October 31, 1983 of the ordinances of the City of San Diego is repealed insofar as the same conflicts with Rezone No. 977263.

Section 3. 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 4. That the Applicant and/or the Applicant's successors shall implement the mitigation measures identified in the Mitigation, Monitoring and Reporting Program.

Section 5. 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.

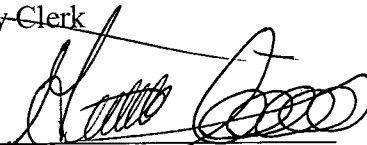
APPROVED: JAN GOLDSMITH, City Attorney

By 
Amanda L. Guy
Deputy City Attorney

ALG:mm
09/19/13
Or.Dept: DSD
Doc. No. 594116_3

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 05 2013.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i):

(date)

TODD GLORIA, Council President

Passed by the Council of The City of San Diego on NOV 05 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 NOV 21 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 *[Signature]*, 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

OCT 22 2013, and on NOV 21 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 *[Signature]*, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20320</u></p>
--