

ORDINANCE NUMBER O- **20505** (NEW SERIES)

DATE OF FINAL PASSAGE JUN 16 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 4.63-ACRES LOCATED AT 9850 DISTRIBUTION AVENUE WITHIN THE MIRA MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE IL-2-1 ZONE INTO THE IL-1-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0603; AND REPEALING ORDINANCE NO. 11231 (NEW SERIES), ADOPTED ON FEBRUARY 7, 1974, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

WHEREAS, Jacobs & Cushman San Diego, Food Bank, Applicant, requested a rezone for the purpose of changing 4.63 acres, located at 9850 Distribution Avenue, and legally described as Parcel 1 of Parcel Map No. 12403, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, October 29, 1982, in the Mira Mesa Community Plan area from the IL-2-1 zone into the IL-1-1 zone, as shown on Zone Map Drawing No. B-4303, on file in the Office of the City Clerk as Document No. OO- **20505** (Rezone No. 1297486); and

WHEREAS, on March 19, 2015, the Planning Commission of the City of San Diego considered Rezone No. 1297486, and voted 6-0 to recommend City Council approval of Rezone No. 1297486; and

WHEREAS, the matter was set for public hearing on JUN 16 2015, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; 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, as follows:

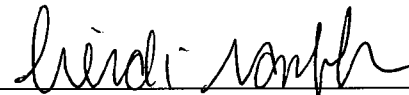
Section 1. That the 4.63-acre site located at 9850 Distribution Avenue, and legally described as Parcel 1 of Parcel Map No. 12403, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, October 29, 1982, in the Mira Mesa Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4303, on file in the Office of the City Clerk as Document No. OO- **20505**, is rezoned from the IL-2-1 zone into the IL-1-1 zone as the zone is described and defined by San Diego Municipal Code Chapter 13, Article 1, Division 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 11231 (New Series), adopted February 7, 1974, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

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. 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 I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
4/10/15
Or.Dept: DSD
Doc. No.: 993266

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 16 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Passed by the Council of The City of San Diego on JUN 16 2015, 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"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Chris Cate	<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 JUN 16 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

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

By Mary Hernandez, 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

JUN 02 2015

, and on

JUN 16 2015

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 Mary Hernandez, Deputy

Office of the City Clerk, San Diego, California

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