

ORDINANCE NUMBER O- 20556 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 04 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 9.3 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 AND OC-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0404 AND 131.0203; AND REPEALING ORDINANCE NO. 10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. 20303 (NEW SERIES), ADOPTED OCTOBER 1, 2013, 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 44.9-acres from the City of San Diego and attach them to the City of Santee (“Reorganization”); and

WHEREAS, Pardee Homes, Applicant, requested a rezone for the purpose of changing 9.3 acres, located at the north side of Mast Boulevard, between Medina Drive and West Hills Parkway, and legally described as portions of Lots 4, 5, 8 and 9 of the re-subdivision of a part of Fanita Ranch, Map thereof No. 1703, filed in the Office of the County Recorder of San Diego February 28, 1918, in the East Elliott Community Plan area from the RS-1-8 zone into the RX-1-1 zone (7.18 acres), and from the RS-1-8 zone into the OC-1-1 zone (2.12 acres), as shown on Zone Map Drawing No. B-4311, on file in the Office of the City Clerk as Document No.

OO- 20556; and

WHEREAS, on June 25, 2015, the Planning Commission of the City of San Diego considered Rezone No. 1366474, and voted 3:2 to recommend City Council approval of Rezone No. 1366474 and 4:1 to forward the split vote to the City Council; and

WHEREAS, the matter was set for public hearing on July 21, 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:

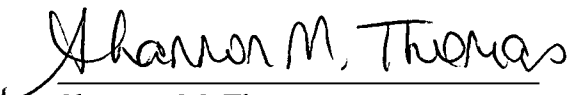
Section 1. That 9.3 acres located north of Mast Boulevard, between Medina Drive and West Hills Parkway, and legally described as portions of Lots 4, 5, 8 and 9 of the re-subdivision of a part of Fanita Ranch, Map thereof No. 1703, filed February 28, 1918, in the East Elliott Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4311, filed in the Office of the City Clerk as Document No. OO- 20556, are rezoned from the RS-1-8 zone into the OC-1-1 and RX-1-1 zones, 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 2. That Ordinance No. 10864 (New Series), adopted June 29, 1972 and Ordinance No. 20303 (New Series), adopted October 1, 2013, of the ordinances of the City of San Diego are repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. This ordinance shall take effect only upon a final decision by the Local Agency Formation Commission regarding the proposed Reorganization, 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 4. That a full reading of this ordinance is dispensed with prior to final passage, a written copy having been made available to the Council and the public prior to the day of its passage.

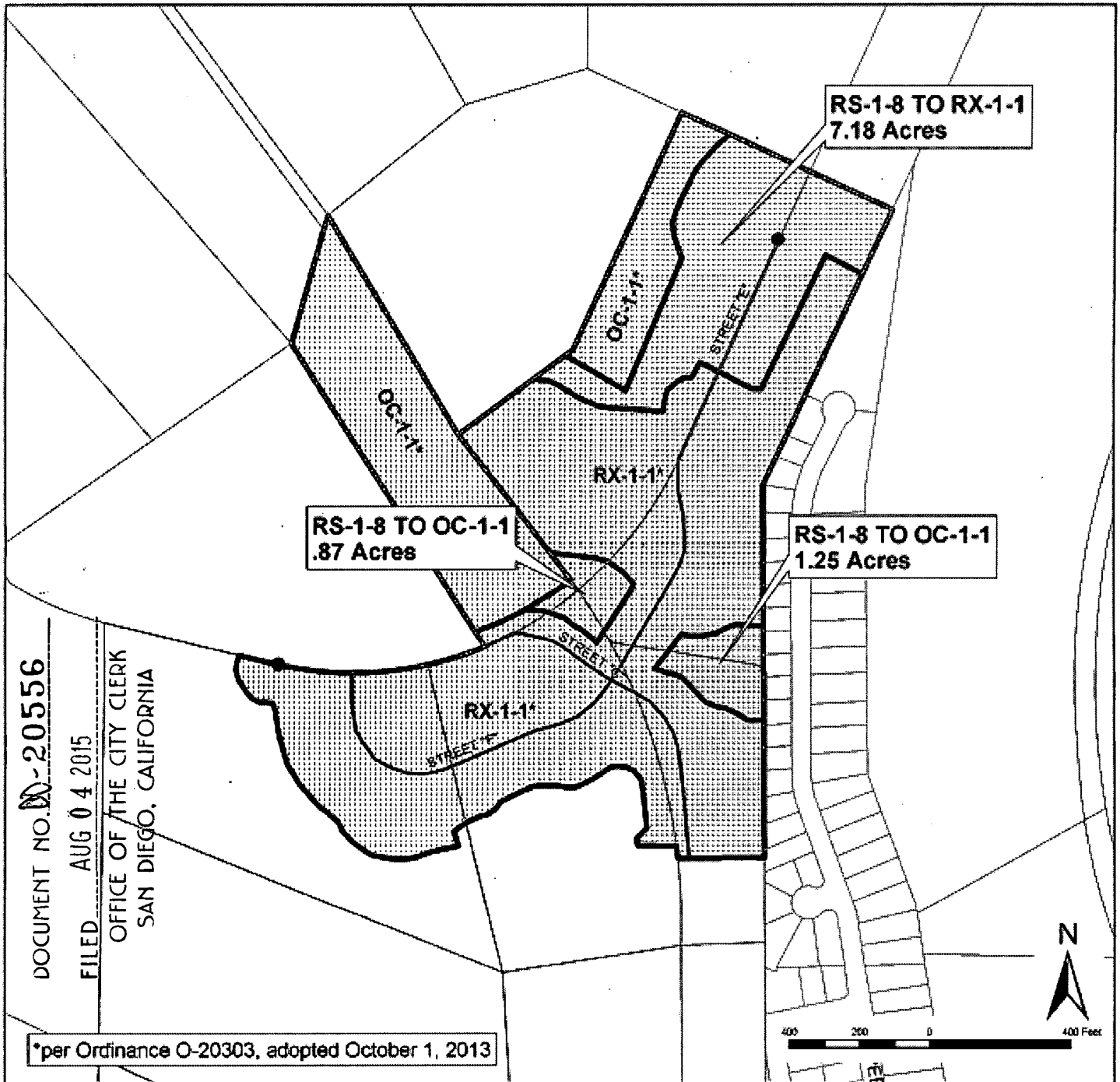
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
6/29/2015
Or.Dept: DSD
Doc. No. 1042259



PROPOSED REZONING



DOCUMENT NO. ~~00~~-20556

FILED AUG 04 2015

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

*per Ordinance O-20303, adopted October 1, 2013

Portions of Lots 8 and 9 of the resubdivision of a part of Fante 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. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____ **12** _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST- OC-1-1, RX-1-1
 PLANNING COMM. RECOMMENDATION *4:1:0 forward*
 CITY COUNCIL ACTION

CASE NO. 20121653

[Signature]
 DEVELOPMENT SERVICES MANAGER

B/4311

APN: SEE LIST ON MAP
 (248-1763) 4-22-15 LDJ

Passed by the Council of The City of San Diego on AUG 04 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 AUG 04 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 *Elizabeth S. Maland*, 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

JUL 21 2015, and on AUG 04 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 *Elizabeth S. Maland*, Deputy

Office of the City Clerk, San Diego, California

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