

ORDINANCE NUMBER O- 20743 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 15 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 38.68 ACRES LOCATED GENERALLY SOUTH OF BERNARDO CENTER DRIVE/CARMEL VALLEY ROAD, WITHIN THE BLACK MOUNTAIN RANCH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE INTO THE RS-1-14 AND RX-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE CHAPTER 13, ARTICLE 1, DIVISION 4; AND REPEALING ORDINANCE NO. 8858 AND NO. 8703 (NEW SERIES), ADOPTED JULY 18, 1963 AND AUGUST 9, 1962, RESPECTIVELY, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith.

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 38.68 acres located generally south of Bernardo Center Drive/Carmel Valley Road and west of Interstate 15, and legally described as the Southwest Quarter of the Southeast Quarter of Section 32, Township 13 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California, except all crude oil, petroleum, gas, brea, asphaltum, and all kindred substances and other minerals under and in said land, as reserved in deed recorded May 30, 1960 as Instrument No. 111628

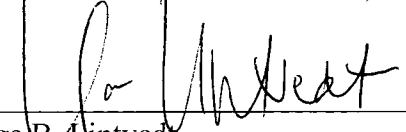
of official records and Government Lots 1 and 2 and the Southeast Quarter of the Northeast Quarter of Section 5, Township 14 South, Range 2 West, San Bernardino Base and Meridian per Official U.S. Survey Plat (1880), in the City of San Diego, County of San Diego, State of California, except all crude oil, petroleum, gas, brea, asphaltum, and all kindred substances and other minerals under and in said land, as reserved in deed recorded May 30, 1960 as Instrument No. 111628 of official records, in the Black Mountain Ranch Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4314, filed in the office of the City Clerk as Document No. OO- 20743, are rezoned from the AR-1-1 zone into the RS-1-14 and RX-1-1 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Division 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 8858 and No. 8703 (New Series), adopted July 18, 1963 and August 9, 1962, respectively, 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 unless application therefor was made prior to the date of adoption of this ordinance.

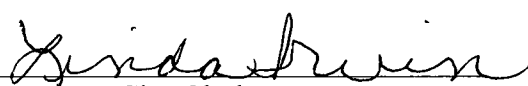
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Inga B. Lintved  
Deputy City Attorney

IBL:mcm  
September 29, 2016  
Or.Dept: DSD  
Doc. No.: 1357352\_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 15 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Passed by the Council of The City of San Diego on NOV 15 2016, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 15 2016

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 Linda Irwin, 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 18 2016, and on NOV 15 2016.

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 Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

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