

Item 54-4/25/17

(O-2017-119)

ORDINANCE NUMBER O- 20821 (NEW SERIES)

DATE OF FINAL PASSAGE APR 25 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 254 ACRES LOCATED AT THE NORTHWEST CORNER OF PACIFIC HIGHLANDS RANCH AND CARMEL VALLEY ROAD, WITHIN THE PACIFIC HIGHLANDS RANCH SUBAREA PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE OC, RS-1-11, AND RS-1-13 ZONES INTO THE RS-1-11, RS-1-12, RS-1-13 AND RS-1-14 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE CHAPTER 13, ARTICLE 1, DIVISION 4; AND REPEALING ORDINANCE NO. O-18580 (NEW SERIES), ADOPTED SEPTEMBER 8, 1998, INsofar AS THE SAME CONFLICT THEREWITH.

WHEREAS, Pardee Homes, a California Corporation (Pardee), Applicant, requested a rezone for the purpose of changing 98.13 acres located at the northwest corner of Pacific Highlands Ranch Parkway and Carmel Valley Road, and legally described below; and

WHEREAS, on February 23, 2017, the Planning Commission of the City of San Diego considered Rezone No. 1817514, and voted 5-0-2 to recommend City Council approval of this Rezone No. 1817514; and

WHEREAS, the matter was set for public hearing on April 11, 2017, with 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 98.13 acres located at the northwest corner of Pacific Highlands Ranch Parkway and Carmel Valley Road, and legally described as: The south half of the northwest quarter of Section 9, Township 14 south, Range 3 west, San Bernardino Meridian, in the City of san Diego, county of San Diego, State of California, according to the official plat thereof; and the southwest quarter of the northeast quarter of Section 9, Township 14 south, Range 3 west, San Bernardino meridian, in the City of san Diego, County of san Diego, State of California, according to the official plat thereof, excepting therefrom the easterly 24 acres; and all that portion of Parcel 1 of Parcel Map No. 11718, 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 3, 1981 lying westerly of the boundary of Pacific Highlands Ranch unit 18 per Map 16118; and all that land within the boundary of Pacific Highlands Ranch Unit 8, Map No. 16134 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 on September 13, 2016; and the northwest quarter and the northeast quarter of the southwest quarter of Section 9, Township 14 south, Range 3 west, San Bernardino meridian, in the City of San Diego, county of San Diego, State of California, according to the official plat thereof excepting therefrom that portion lying within the boundary of said pacific Highlands Ranch unit 8; and the northwest quarter of the southeast quarter of Section 9, Township 14 south, Range 3 west, San Bernardino meridian, in the city of San Diego, county of San Diego, State of California, according to the official plat thereof, excepting therefrom that portion of said land lying westerly of the boundary of Pacific Highlands Ranch Map Unit 17 per Map 16118, also

excepting therefrom that portion lying northerly of the boundary of said Pacific Highlands Ranch Map Unit 8; and the southwest quarter of southwest quarter of Section 9 Township 14 south, Range 3 west, San Bernardino meridian according to the official plat thereof excepting therefrom all that portion of the land lying southerly of the north boundary of Pacific Highlands Ranch Map Unit 1 per Map 14311; and the northeast quarter of the southeast quarter and the southeast quarter of the southeast quarter of Section 8 Township 14 south, Range 3 west, San Bernardino meridian according to the official plat thereof, excepting therefrom those portions of the land lying southerly of the north boundary of Pacific Highlands Ranch Map Unit 1 per Map 14311, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4322, filed in the office of the City Clerk as Document No. OO- 20821, are rezoned from the OC, RS-1-11, AND RS-1-13 zones into the RS-1-11, RS-1-12, RS-1-13 AND RS-1-14 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.

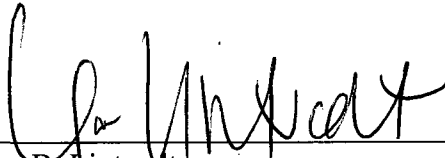
Section 2. That Ordinance No. O-18580 (New Series), adopted September 8, 1998 of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

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: MARA W. ELLIOTT, City Attorney

By 
Inga B. Lintvedt
Deputy City Attorney

IBL:mcm
3/23/2017
Or.Dept: DSD
Doc. No.: 1464087

Attachment(s): Exhibit A – Rezone Map B-4322

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 25 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Passed by the Council of The City of San Diego on APR 25 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 25 2017

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 Hay Bready, 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

APR 11 2017, and on APR 25 2017.

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 Hay Bready, Deputy

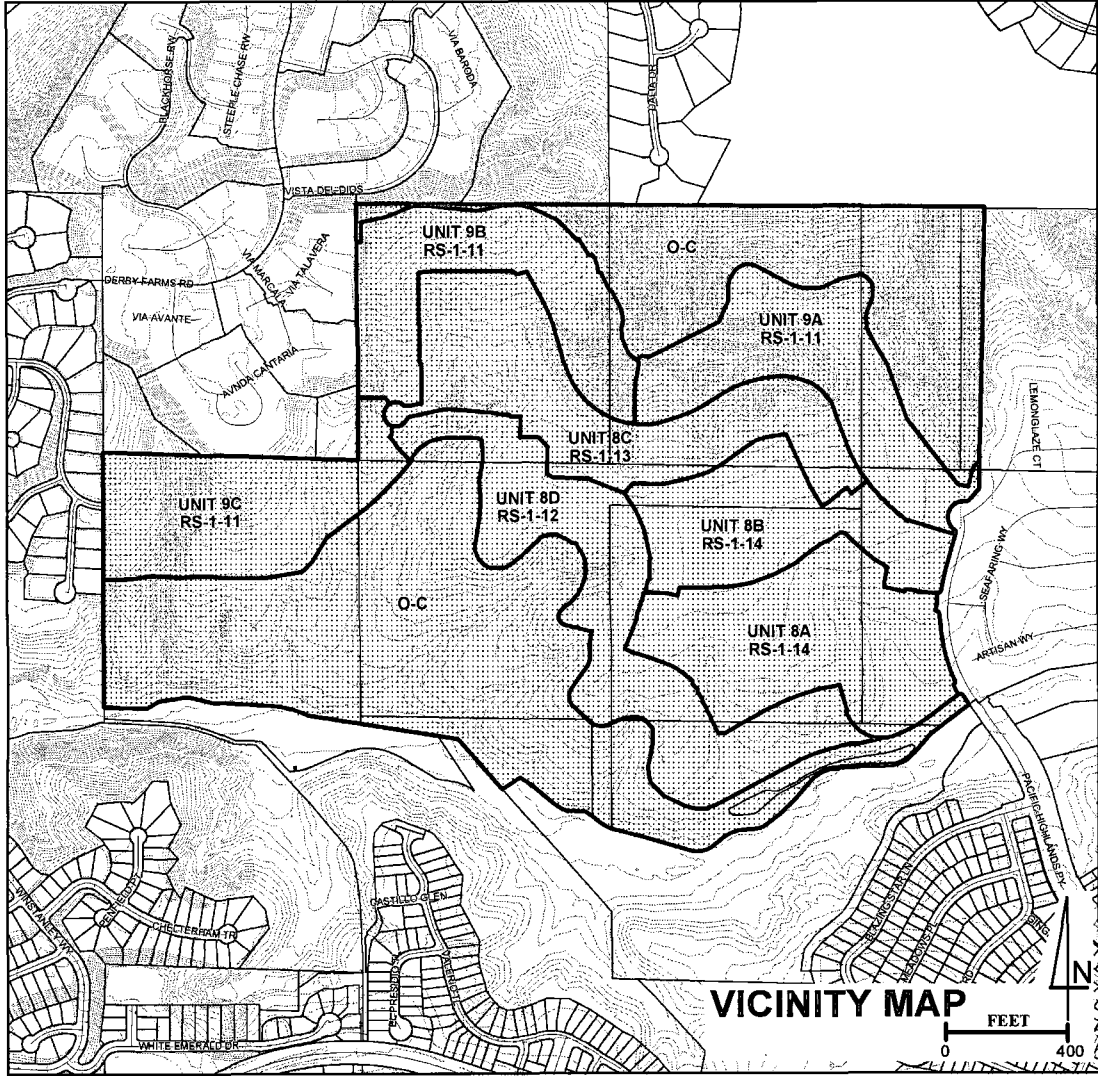
<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20821</u></p>
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EXHIBIT A
REZONING MAP B-4322



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



PAR 1&2 SEC 9-14-3W

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST RS-1-11,RS-1-12,RS-1-13 & RS-1-14
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. 500058

DEVELOPMENT SERVICES MANAGER

B- 4322

APN: 305-010-19,31,36&37, 305-011-03,04&05

(292-1707) 1-13-17 ldj