

ORDINANCE NUMBER O- 209501 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 12 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING APPROXIMATELY 40 ACRES LOCATED APPROXIMATELY SOUTH OF STATE ROUTE 56, BETWEEN CAMINO DEL SUR AND BLACK MOUNTAIN ROAD, WITHIN THE TORREY HIGHLANDS COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CR-2-1 (COMMERCIAL REGIONAL) AND RM-3-9 (RESIDENTIAL-MULTI UNIT) ZONES INTO THE CC-3-5 (COMMERCIAL COMMUNITY) AND RX-1-2 (RESIDENTIAL-SMALL LOT) ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0507 AND 131.0404; AND REPEALING ORDINANCE NO. O-19273 (NEW SERIES), ADOPTED APRIL 12, 2004, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, Sea Breeze 56, LLC, a Delaware Limited Liability Company, requested to rezone approximately forty-six acres of land from the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones into the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones in the Torrey Highlands Subarea Plan area; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; 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 approximately forty-six acres located approximately south of State Route 56, between Camino Del Sur and Black Mountain Road, within the Torrey Highlands Subarea Plan area, and legally described as Lots 4, 5 and 10, Rhodes Crossing, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 15578, filed in the Office of the County Recorder of San Diego County, July 11, 2007 as File No. 2007-0466189 of Official Records, in the Torrey Highlands Subarea Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4328, filed in the office of the City Clerk as Document No. OO- 20950, are rezoned from the CR-2-1 (Commercial-Regional) and RM-3-9 (Residential-Multiple Unit) zones into the CC-3-5 (Commercial-Community) and RX-1-2 (Residential-Small Lot) zones, as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1 Divisions 131.0507 and 131.0404. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

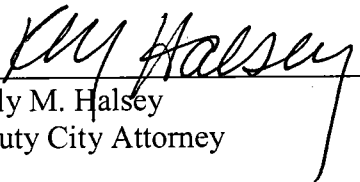
Section 2. That Ordinance No. O-19273 (New Series), adopted April 12, 2004, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written copy having been made available to the City Council and the public prior to the day of its 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

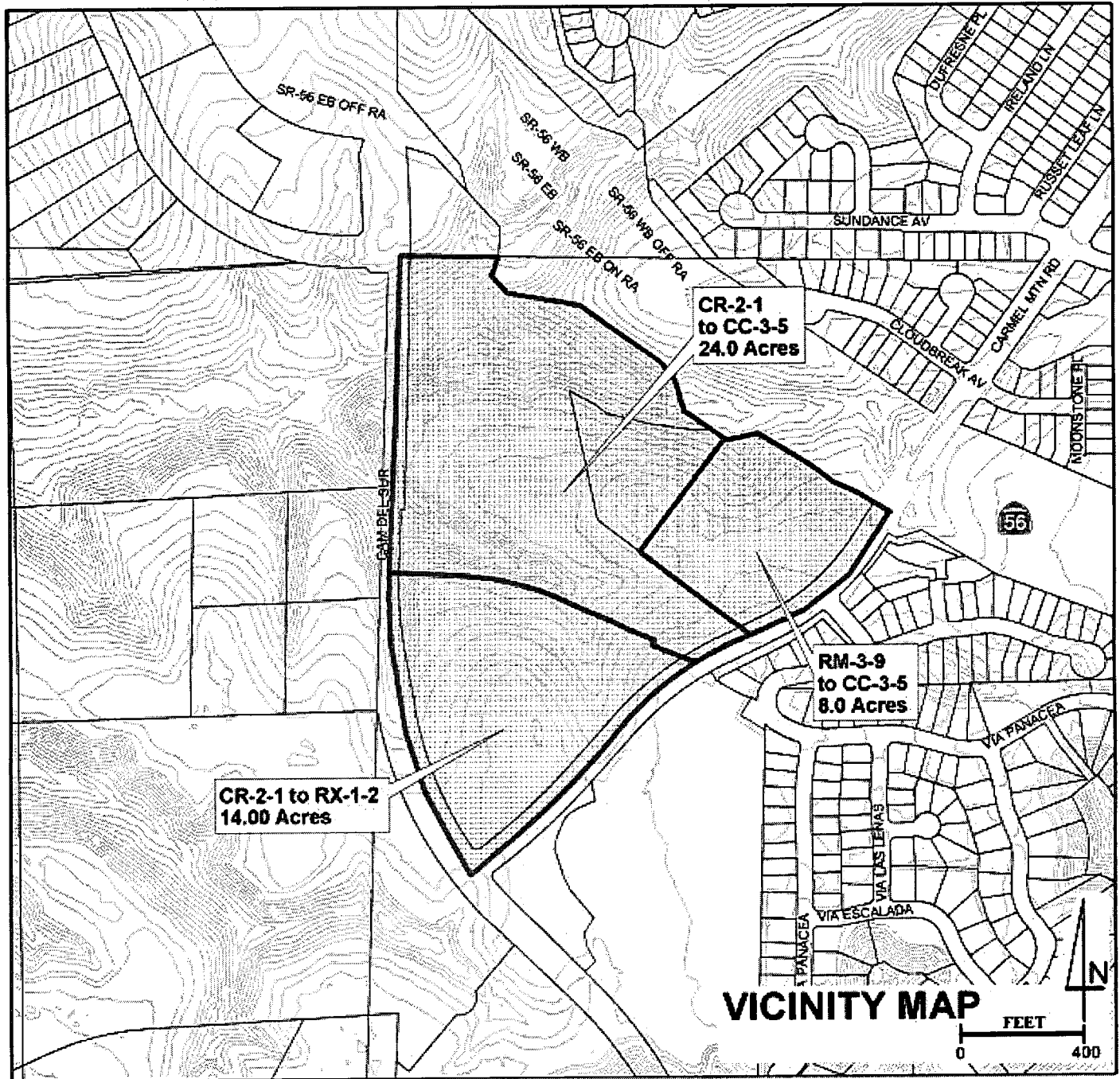
By 
Keely M. Halsey
Deputy City Attorney

KMH:als
05/02/18
Or.Dept:DSD
Doc. No.: 1683856

Attachment: Rezoning Map



PROPOSED REZONING



Lots 4, 5, and 10 of Doc.#484915

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

REQUEST **CC-3-5 & RX-1-2**
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. PTS 360009

DEVELOPMENT SERVICES MANAGER

B-4328

APN: 306-420-04, 05 & 10

(286-1722) 12-13-17 ldj

Passed by the Council of The City of San Diego on JUN 12 2018, 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 JUN 12 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

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

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

(Seal)

By *City Clerk*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 20950