

(0-82-114)

ORDINANCE NUMBER O- **15662** (New Series)

Adopted on FEB 01 1982

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 12191 (NEW SERIES), ADOPTED OCTOBER 26, 1977, INCORPORATING PROPERTY IN THE SAN DIEGO RIVER FLOODPLAIN WHICH IS GENERALLY BOUNDED BY MORENA BOULEVARD ON THE WEST, THE NORTHERLY SLOPES OF MISSION VALLEY ON THE NORTH, MISSION GORGE ROAD ON THE EAST, AND THE SOUTHERLY SLOPES OF MISSION VALLEY ON THE SOUTH, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO FLOODWAY (FW) AND FPF OVERLAY ZONES, AS DEFINED BY SECTIONS 101.0403 AND 101.0403.1, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND THE ALTERNATIVE ALIGNMENT OF THE FW ZONE ON PROPERTY BETWEEN STATE ROUTE 163 ON THE WEST AND I-805 ON THE EAST OF SAID PROPERTY, WHICH AMENDMENT PROVIDES ADDITIONAL TIME IN WHICH TO SATISFY CONDITIONS IMPOSED BY ORDINANCE NO. 12191 (NEW SERIES).

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 2 of Ordinance No. 12191 (New Series), adopted October 26, 1977, is hereby amended to read as follows:

Section 2. That in the event that within ten years of the effective date of the initial application of the Floodway (FW) Zone by Zone Map C-523, the following conditions are met, the alternative alignment of the Floodway (FW) Zone shown on Zone Map Drawing C-523A, on file in the office of the City Clerk as Document No. 761230, shall attach and become applicable, and the zoning existing prior to the effective date of the initial application of the Floodway (FW) Zone as reflected on Zone Map C-523A shall attach and become applicable to the

property no longer required for the Floodway (FW) Zone:

1. Within five years of the effective date of the initial FW Zone application, a Development Plan shall be submitted by the property owners for the Floodway (FW) Zone alignment, between Interstate 805 on the east and State Freeway 163 on the west, in the San Diego River Floodplain, as indicated on Zone Map C-523A.

2. Said Development Plan shall be subject to approval by the City Engineer, the City Planning Commission, and the City Council.

3. Said Development Plan shall satisfactorily provide for the passage of floodwaters in accordance with the Purpose and Intent of the Floodway (FW) Zone and shall satisfactorily mitigate adverse effects of the proposals.

4. Those improvements and developments proposed in said Development Plan shall be done at the sole expense of the benefiting property owners.

5. An Environmental Impact Report on said Development Plan shall be prepared by the affected property owners.

6. The Development Plan shall take into account and satisfactorily mitigate any adverse environmental impacts identified, and shall provide for appropriate landscaping.

7. The Development Plan shall take into account the desires of the general public to use recreational trails within a corridor through Mission Valley, and said Plan shall make provisions for improvement which will provide for:

- a. Adequate protection of the public health and safety while using said corridor; and
- b. Adequate protection of adjacent private property.

8. The Alternate Floodway (FW) Zoning alignment and reversion of excess FW Zone lands to their previous zones, or conversion to whatever zones which may have been approved in the interim, will become effective with completion and City Council acceptance of improvements indicated in the approved Development Plan, providing such completion occurs within ten years of the effective date of the initial FW Zone application.

Section 2. 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: John W. Witt, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh:630
12/29/81
Or. Dept: Plan.
O-82-114
Case No. 42-76-07/EOT

FEB 01 1982

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Marjorie L. Patterson, 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

JAN 18 1982

FEB 01 1982

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Marjorie L. Patterson, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15662

Adopted FEB 01 1982