

(O-98-119)

ORDINANCE NUMBER O- 18507 (NEW SERIES)

ADOPTED ON MAY 04 1998

AN ORDINANCE ADOPTING THE MISSION CITY OVERLAY ZONE; APPLYING THE MISSION CITY OVERLAY ZONE TO 229 ACRES LOCATED WITHIN THE BOUNDARIES OF THE MISSION CITY SPECIFIC PLAN; AND APPLYING THE LAND DEVELOPMENT CODE TO DEVELOPMENT WITHIN THE BOUNDARIES OF THE MISSION CITY SPECIFIC PLAN.

WHEREAS, H. G. Fenton Material Company, a California corporation [Owner], is the owner or equitable owner of that certain real property consisting of approximately 229 acres located within the Mission Valley community planning area [Property]; and

WHEREAS, on July 26, 1996, Owner submitted an application to Development Services for a Specific Plan, Community Plan and General Plan amendments, Rezoning, Street Vacations, Tentative Subdivision Map, Development Agreement, amendment to Conditional Use Permit No. 82-0014 and Consideration of Interim Habitat Loss Findings; and

WHEREAS, on March 19, 1998, the Planning Commission of The City of San Diego conducted a public hearing for the purpose of providing a recommendation on the application to the City Council; and

WHEREAS, the application was subsequently set for public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, on April 21, 1998, the Council of The City of San Diego conducted a public hearing and has considered all maps, exhibits and written documents contained in the file for the project on record with The City of San Diego, and has considered the oral presentations given at

the public hearing;

WHEREAS, The Council, on April 21, 1998, approved, among other items related to the Property, the adoption of the Mission City Development Agreement and the adoption of the *Mission City Specific Plan*; and

WHEREAS, Government Code section 65453 provides that specific plans may be adopted by resolution or by ordinance; and

WHEREAS, the *Mission City Specific Plan* includes development regulations in a proposed *Mission City Overlay Zone* to be applied to all development projects within the boundaries of the *Mission City Specific Plan*; and

WHEREAS, Owner has requested that the Land Development Code adopted by the City Council on December 9, 1997, but not yet made effective, be applied to development within the boundaries of the *Mission City Specific Plan*; NOW THEREFORE,

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

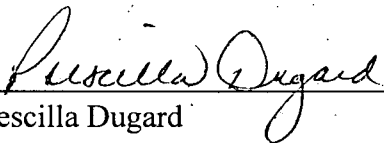
Section 1. The Council approves and adopts the development regulations of the *Mission City Specific Plan* on file in the office of the City Clerk as Document No. RR- 289995 as the *Mission City Overlay Zone* and applies the *Mission City Overlay Zone* to all property within the boundaries of the *Mission City Specific Plan*.

Section 2. The Council approves the application of the Land Development Code, as amended from time to time, to all development within the boundaries of the *Mission City Specific Plan* subject to the provisions of the Amended and Restated Development Agreement for Mission City.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and

after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Prescilla Dugard  
Deputy City Attorney

PD:cdk  
04/08/98  
Or.Dept:Dev.Svcs.  
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