

ORDINANCE NUMBER O-19222 (NEW SERIES)

ADOPTED ON OCT 13 2003

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO INCORPORATING AND DELETING PROPERTY LOCATED IN THE CITY OF SAN DIEGO FROM THE MISSION TRAILS DESIGN DISTRICT ORDINANCE AS DEFINED IN CHAPTER 13, ARTICLE 2, DIVISION 12, OF THE SAN DIEGO MUNICIPAL CODE AND THE MISSION TRAILS DESIGN DISTRICT, AND REPEALING ORDINANCE NO. O-15566 (NEW SERIES), ADOPTED AUGUST 10, 1981, RESPECTIVELY, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

WHEREAS, in August 1981, by Ordinance No. O-15566 N.S., the City Council adopted the Mission Trails Design District [Design District] to respond to the community's desire to have design guidelines that provide direction to projects that have a direct visual relationship to Mission Trails Regional Park; and

WHEREAS, the Design District affects areas within the East Elliott, Navajo and Tierrasanta communities as shown on Map No. C-916; and

WHEREAS, in April 1985, the City Council adopted the Mission Trails Regional Park Plan [Park Plan], by Resolution No. R-263065, with the expectation that the Design District would be amended in light of the Park Plan; and

WHEREAS, since construction of State Route 52, the Mission Trails Regional Park boundaries were changed resulting in the exclusion of portions of the East Elliott community from the Design District regulations; and

WHEREAS, this action seeks to continue application of the Design District regulations to all of the East Elliott community; and

WHEREAS, any properties exempt from the Design District regulations shall become subject to the Design District regulations upon the rezone of the property to a use other than Residential-Estate, Single Unit, Small Lot or Townhouse; and

WHEREAS, based on the recommendations of the applicable officially recognized planning committees, the Mission Trails Citizen's Advisory Committee and the Mission Trails Regional Park Task Force, the Planning Commission initiated a rezone to incorporate certain properties into and delete certain properties from the Design District; and

WHEREAS, on May 15, 2003, the Planning Commission initiated the rezoning of properties relating to Mission Trails Design District; and

WHEREAS, on July 24, 2003, the Planning Commission held a public hearing to consider all testimony and recommended to the City Council to rezone properties relating to the Mission Trails Design District and to adopt amendments to the Mission Trails Design District regulations; NOW, THEREOFRE,

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

Section 1. That the properties in the City of San Diego on Zone Map Drawing No. C-916, filed in the office of the City Clerk as Document No. OO-15566, are incorporated into and

deleted from the Mission Trails Design District as such overlay zone is described and defined by Chapter 13, Article 2, Division 12 of the San Diego Municipal Code.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. O-15566 (New Series), adopted August 10, 1981, respectively, is repealed insofar as it conflicts with the rezoned uses of the land.

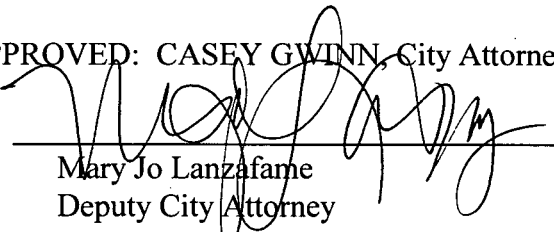
Section 3. That in the event the overlay zoning restrictions to be removed from certain properties previously shown on Map No. C-667.1 and no longer shown on Map No. C-916, Ordinance No. O-15566 (New Series), adopted August 10, 1981, is repealed insofar as it conflicts with the rezoned uses of the land.

Section 4. 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 5. 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: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
09/05/03
Or.Dept:Planning
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