JAN 25 1972

ORDINANCE NO.

10772

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE, BY ADDING DIVISION 4, LEGALIZATION OF PARCELS WHICH ARE NOT LEGAL LOTS, AND SECTION 102.0400, LEGALIZATION OF PARCELS IN ASSESSMENT DISTRICTS.

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

Section 1. That Chapter X, Article 2 of the San Diego Municipal Code be amended by adding Division 4, Legalization of Parcels Which Are Not Legal Lots, and Section 102.0400 to read as follows:

## DIVISION 4

LEGALIZATION OF PARCELS WHICH ARE NOT LEGAL LOTS

SEC. 102.0400 LEGALIZATION OF PARCELS IN ASSESSMENT DISTRICTS

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## A. PURPOSE AND INTENT

It is the purpose and intent of this section to establish a procedure whereby parcels of land lying within assessment districts which are not lots as defined in Section 101.0101.34 of this Code may be designated as legal building sites.

When such parcels are located within assessment districts, the buyer of bonds required in implementing an assessment district may find it necessary to discount the bonds because of uncertainty as to whether or not such parcels can be built upon if acquired by foreclosure. Such discounting of bonds results in higher assessments against everyone participating

MICROF in the assessment district.

## B. PROCEDURE

At any time after the Council's adoption of the resolution ordering the work for the assessment district, the Council may, after hearing recommendations from the Planning Director and the City Manager, designate any parcel of land or any two or more contiguous parcels of land lying within the district boundaries a legal building site if the Council concludes from the evidence presented that:

- Each site has been separately assessed by the Tax Assessor of the County of San Diego for a period of not less than five years.
- 2. Each site meets the minimum lot area dimensions of the zone in which the site is located and has not less than 15 feet of frontage on a dedicated street.
- 3. No structure located on any site is nonconforming with respect to yard or other zoning requirements as set forth in Chapter 10, Article 1, Division 4 of this Code.
- 4. Normal public improvements will be provided by the assessment district proceedings or no public dedications or improvements as specified in Section 102.0221 are necessary for the site.

The designation of legal building sites shall be by adopted Council resolution. The resolution shall include a finding of facts relied upon by the Council in reaching

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its decision. Unless otherwise specified in the resolution, the lots or parcels referred to shall not become legal building sites until after the date of the award of the contract for the assessment district improvements.

The City Clerk shall deliver copies of the adopted resolution to the Director of Building Inspection, the Community Development Director and the Planning Director. Attached to the resolution and to each copy shall be a map showing the entire assessment district and the legal building sites designated by the resolution.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad. Chief Deput

FCC:plm 12-6-71

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Passed and adopted by the Council of The	e City of San	Diego on		JAN 25 1972		
Councilmen Helen Cobb Sam T. Loftin  So Henry L. Landt Leon L. Williams Floyd L. Morrow Bob Martinet Allen Hitch Mike Schaefer Mayor Frank Curran	Yeas bbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbbb	Nays	Excused	Absent		
AUTHENTICATED BY:	FRANK CURRAN  Mayor of The City of San Diego, California.					
(Seal)	Ву	. ^	EDWARD N -k of The City of	San Diego, Califo	ornia.,	
	on and the day	of its final	JAN 251	it, on 9 <b>72</b>	ar days had	
I FURTHER CERTIFY that said ording in the read less than a majority of the members electer of each member of the Council and the said ordinance.	ling of said or ed to the Coun	dinance in	full was dispen t there was ava	nsed with by a villable for the co.	nsideration	
(Scal)		EDWARD NIELSEN  City Clerk of The City of San Diego, California.  By La Verul & Mille, Deputy.				
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	And the same of th	Office of the City Clerk, San Diego, California				
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ATTORNEY (S)

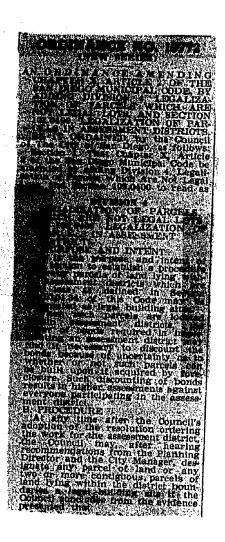
\* CITY OF SAN DIEGO 202 "C" Street Community Concourse San Diego, California 92101 1972 FEB - 7 MH 10: 30 SAN CHEGO, CALIF. WAY

## CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

LEGALIZATION OF PARCELS IN ASSESSMENT DISTRICTS



I, Patricia M. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10772 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

February 3, 1972

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

February 3, 1972

Signature)

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