

ORDINANCE NO. 10772
(New Series)

JAN 25 1972

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

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 in the assessment district.

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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:

1. 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 Deputy

FCC:plm
12-6-71

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JAN 25 1972

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

RECEIVED

1971 DEC -9 AM 8:05
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By *LaVerne E Miller*, 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 11 1972

JAN 25 1972

, 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.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By *LaVerne E Miller*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10772 Adopted JAN 25 1972

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FORM CC-1255-A (8-71)

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ATTORNEY (S)

* CITY OF SAN DIEGO
202 "C" Street
Community Concourse
San Diego, California 92101

RECEIVED
1972 FEB -7 AM 10:30
SAN DIEGO, CALIF. *RM*

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

LEGALIZATION OF PARCELS IN ASSESSMENT
DISTRICTS

ORDINANCE NO. 10772
(NEW SERIES)

A. OBJECT AND PURPOSE
AN ORDINANCE AMENDING
ARTICLE 2 OF THE
SAN DIEGO MUNICIPAL CODE BY
ADDING DIVISION 4, LEGALIZA-
TION OF PARCELS WHICH ARE
NOT LEGAL LOTS AND SECTION
10.0000, LEGALIZATION OF PAR-
CELS IN ASSESSMENT DISTRICTS,
AS CONTAINED IN THE COUNCIL
RESOLUTION OF THE CITY OF SAN
DIEGO, CALIFORNIA, AS FOLLOWS:

**Section 10.0000. Legaliza-
tion of Parcels Which Are Not Legal
Lots.**

Section 10.0001. Purpose and Intent.
The purpose and intent
of this ordinance is to estab-
lish a procedure for the legaliza-
tion of parcels which are
not legal lots and which are
located in assessment districts
as defined in Section 10.0002
of this Code and which are
used as legal buildings and
which are not located in
assessment districts.
The ordinance requires all
parcels in an assessment district
which are not legal lots and
which are necessary to discount
bonds because of uncertainty as to
whether or not such parcels can
be built upon if acquired by bond
holders. Such discounting of bonds
results in higher assessments against
everyone participating in the assess-
ment 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, des-
ignate any parcel of land or any
two or more contiguous parcels of
land lying within the district bound-
aries as legal buildings and if the
Council concludes from the evidence
presented that

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

Patricia M. Applestill
(Signature)

00614

10 1/2" \$44.10

