

MAR 30 1972

EMERGENCY ORDINANCE NO. 10810  
(New Series)

AN EMERGENCY ORDINANCE TEMPORARILY ALLOWING AN EXTENSION OF TIME, FROM 60 DAYS TO ONE YEAR, FOR THE COMMENCEMENT OF CONSTRUCTION ON RESIDENTIAL BUILDINGS COVERED BY BUILDING PERMITS ISSUED IN MIRA MESA SINCE JANUARY 1, 1972.

WHEREAS, The City of San Diego has been considering the imposition of a building moratorium in the Mira Mesa Community area, more particularly described and shown on that certain map, filed in the office of the City Clerk as Document No. 738733; and

WHEREAS, such consideration was prompted by the fact that the housing and population growth in that area is proceeding at a rapid rate exceeding the ability of the City to provide essential services; and

WHEREAS, The City of San Diego has determined that a building moratorium is no longer necessary because of the fact that it appears that developers in the area as well as the City and the San Diego Unified School District will be able to cope with the problem of providing essential services; and

WHEREAS, nevertheless, the threat of a building moratorium, which has been imminent since at least January 1, 1972, has prompted developers to obtain building permits for construction far exceeding their immediate needs; and

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MAY 1 1978

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WHEREAS, the prospect of such developers proceeding with the construction of all permits so secured would create an intolerable situation of emergency proportions in that far more new construction will proceed than is warranted; and

WHEREAS, such emergency calls for measures necessary for the immediate preservation of the public peace, property, health and general welfare pursuant to Section 17 of the Charter of The City of San Diego in order to avoid the rapid construction of houses for which permits are presently outstanding; and

WHEREAS, such rapid construction can be avoided by the immediate adoption of an emergency ordinance extending the period within which construction must commence thus eliminating the necessity for beginning immediate construction and permitting the more orderly development of the area; NOW, THEREFORE,

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

Section 1. Notwithstanding any of the provisions of the Municipal Code or other ordinances of The City of San Diego to the contrary, those building permits issued since January 1, 1972, for construction of new single and multi-family residential buildings in that area generally described as Mira Mesa, and more particularly described on that certain

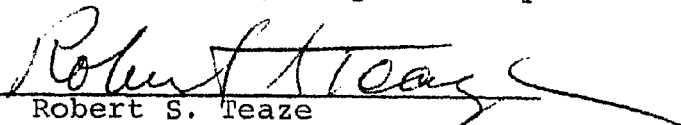
map, filed in the office of the City Clerk as Document No. 738733, be, and the same shall be valid for a period of one year from the date of issuance and if building or other work authorized by such permits is not commenced within one year, any such permit shall expire by limitation of this ordinance and become null and void.

Section 2. The provisions of Section 1 shall apply only to those permits issued since January 1, 1972, to the effective date hereof.

Section 3. This ordinance shall immediately take effect and be in force on MAR 30 1972, being the date of its adoption and shall remain in effect until February 1, 1973, unless earlier repealed by the City Council.

APPROVED: JOHN W. WITT, City Attorney

By

  
Robert S. Teaze  
Assistant City Attorney

Passed and adopted by the Council of The City of San Diego on MAR 30 1972,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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CITY CLERK'S OFFICE  
1972 MAR 28 AM 10:13  
SAN DIEGO, CALIF.

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Judith A. Wilson, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on MAR 30 1972, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Judith A. Wilson, Deputy.

MICROFILMED

Office of the City Clerk, San Diego, California MAY 1 1978

Ordinance Number 10810 Adopted MAR 30 1972  
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ATTORNEY (S)

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

RECEIVED  
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CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF  
AN EMERGENCY ORDINANCE TEMPORARILY ALLOWING AN  
EXTENSION OF TIME, FROM 60 DAYS TO ONE YEAR, FOR  
THE COMMENCEMENT OF CONSTRUCTION ON RESIDENTIAL  
BUILDINGS COVERED BY BUILDING PERMITS ISSUED ON  
MIRA MESA SINCE JANUARY 1, 1972

I, Patricia M. Applestill hereby certify  
that San Diego Daily Transcript is a daily newspaper of gen-  
eral 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

EMERGENCY  
ORDINANCE NO. 10810  
(NEW SERIES)

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

April 7, 1972

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

April 7, 1972

*Patricia M. Applestill*  
(Signature)

13  $\frac{3}{4}$ "

\$ 57.75

00805

**EMERGENCY ORDINANCE NO. 10810**  
(NEW SERIES)

AN EMERGENCY ORDINANCE TEMPORARILY ALLOWING AN EXTENSION OF TIME FROM 60 DAYS TO ONE YEAR, FOR THE COMMENCEMENT OF CONSTRUCTION ON RESIDENTIAL BUILDINGS COVERED BY BUILDING PERMITS ISSUED IN MIRA MESA SINCE JANUARY 1, 1972. WHEREAS, The City of San Diego has been considering the imposition of a building moratorium in the Mira Mesa Community area, more particularly described and shown on that certain map, filed in the office of the City Clerk as Document No. 738733; and

WHEREAS, such consideration was prompted by the fact that the housing and population growth in that area is proceeding at a rapid rate exceeding the ability of the City to provide essential services; and

WHEREAS, The City of San Diego has determined that a building moratorium is no longer necessary because of the fact that it appears that developers in the area as well as the City and the San Diego Unified School District will be able to cope with the problem of providing essential services;

WHEREAS, nevertheless, the threat of a building moratorium, which has been imminent since at least January 1, 1972, has prompted developers to obtain building permits for construction far exceeding their immediate needs;

WHEREAS, the prospect of such developers proceeding with the construction of all permits so secured would create an intolerable situation of emergency proportions in that far more new construction will proceed than is warranted; and

WHEREAS, such emergency calls for measures necessary for the immediate preservation of the public peace, property, health and general welfare pursuant to Section 17 of the Charter of The City of San Diego in order to avoid the rapid construction of houses for which permits are presently outstanding; and

WHEREAS, such rapid construction can be avoided by the immediate adoption of an emergency ordinance extending the period within which construction must commence thus eliminating the necessity for beginning immediate construction and permitting the more orderly development of the area.

NOW, THEREFORE,

BE IT ORDAINED, by The Council of The City of San Diego as follows: Section 1. Notwithstanding any of the provisions of the Municipal Code or other ordinances of The City of San Diego to the contrary, those building permits issued since January 1, 1972, for construction of new single and multi-family residential buildings in that area generally described as Mira Mesa, and more particularly described on that certain map, filed in the office of the City Clerk as Document No. 738733, be, and the same shall be valid for a period of one year from the date of issuance and if building or other work authorized by such permits is not commenced within one year, any such permit shall expire by limitation of this ordinance and become null and void.

Section 2. The provisions of Section 1 shall apply only to those permits issued since January 1, 1972, to the effective date hereof.

Section 3. This ordinance shall immediately take effect and be in force on March 30, 1972, being the date of its adoption and shall remain in effect until February 1, 1973, unless earlier repealed by the City Council.

Passed and adopted by the Council of The City of San Diego on March 30, 1972, by the following vote:

YEAS: Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, Wilson.

NAYS: None.

ABSENT: Williams.

AUTHENTICATED BY: PETER WILSON, Mayor of The City of San Diego, California.  
EDWARD NIELSEN, City Clerk of The City of San Diego, California.  
By JUDITH A. DILLON, Deputy.

(Seal) I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction to wit, on March 30, 1972, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was heard 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 and copy of said ordinance.

EDWARD NIELSEN, City Clerk of The City of San Diego, California.  
By JUDITH A. DILLON, Deputy.

Published April 7, 1972