

ORDINANCE NO. 11973
(New Series)

DEC 22 1976

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0303.2 RELATING TO NONCONFORMING USES AND STRUCTURES IN THE LA JOLLA SHORES PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 3 of the San Diego Municipal Code be amended by amending Section 103.0303.2 to read as follows:

SEC. 103.0303.2 NONCONFORMING USES AND STRUCTURES

A. The lawful use of land which existed at the time the Planned District regulations became effective and which did not conform with said regulations may be continued except when specifically prohibited provided no enlargement or additions to such use is made.

The lawful use of buildings existing at the time the Planned District regulations became effective with which regulations such buildings did not conform may be continued, provided any enlargement, addition, or alterations to such buildings will not increase the degree of nonconformity and will conform in every respect with all the District regulations.

B. Any discontinuance of a nonconforming use for a continuous period of 12 months shall be deemed to

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constitute abandonment of any nonconforming rights existing at the time of the enactment of the Division.

C. Any change from a nonconforming use of land or buildings to a conforming use shall constitute abandonment of such nonconforming rights.

D. Improvements, repairs and alterations which do not increase the degree of nonconformity of a nonconforming building, structure or improvement shall be permitted.

E. If any nonconforming building be destroyed by fire, explosion, act of God, or act of the public enemy to the extent of twice the assessed value, according to the assessment thereof by the County Assessor for the fiscal year during which such destruction occurs, then and without further action by the City Council the said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all the regulations of this Division. In the event it is determined by the Fire Chief of The City of San Diego the destruction was incendiary in origin then the building may be completely restored or rebuilt not exceeding the size of the original building.

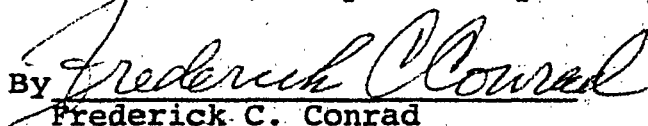
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11973
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Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:n
8-23-76
Or. Dept. Clerk

-3-

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MAY 15 1978

11973 00481

DEC 22 1976

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

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input checked="" 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"/>
Lee Hubbard	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez, 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

DEC 8 1976

DEC 22 1976

, 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 Kathleen Martinez, Deputy.

RECEIVED
1976 SEP -9 09:10:17
SAN DIEGO, CALIF.

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MAY 15 1978

Office of the City Clerk, San Diego, California

Ordinance
Number

11973

Adopted

DEC 22 1976

ATTORNEY(S)

San Diego, City of
202 C St., 12th Floor
San Diego, CA 92101
Attn: Kathleen Martinez

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

LA JOLLA SHORES PLANNED DISTRICT

ORDINANCE NO. 11973

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0303.2 RELATING TO NONCONFORMING USES AND STRUCTURES IN THE LA JOLLA SHORES PLANNED DISTRICT.

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SEC. 103.0303.2 NONCONFORMING USES AND STRUCTURES

A. The lawful use of land which existed at the time the Planned District regulations became effective and which did not conform with said regulations may be continued except when specifically prohibited provided no enlargement or additions to such use is made.

The lawful use of buildings existing at the time the Planned District regulations became effective with which regulations such buildings did not conform may be continued, provided any enlargement, addition, or alterations to such buildings will not increase the degree of nonconformity and will conform in every respect with all the District regulations.

B. Any discontinuance of a nonconforming use for a continuous period of 12 months shall be deemed to constitute abandonment of any nonconforming rights existing at the time of the enactment of the Division.

C. Any change from a nonconforming use of land or buildings to a conforming use shall constitute abandonment of such nonconforming rights.

D. Improvements, repairs and alterations which do not increase the degree of nonconformity of a nonconforming building, structure or improvement shall be permitted.

PATRICIA M. DUTRA

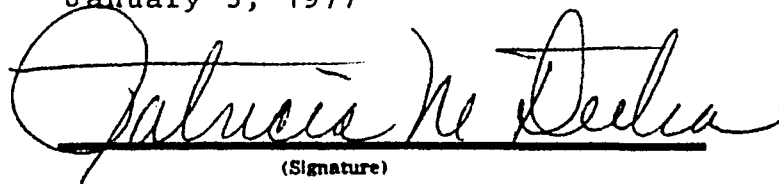
I, ^{1,} hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; and the

ORDINANCE NO. 11973

is a true and correct copy of which this certificate is annexed and was published in said newspaper on
January 5, 1977

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

January 5, 1977


(Signature)

$8\frac{3}{8}'' @ 5.08 = 42.55$
00483 ✓

...the assessed value...
...to the...
...by the County...
...for the fiscal year...
...such destruction occurs...
...without further...
...City Council...
...the...
...with...
...from...
...instructions...
...of this Division...
...the event it is determined...
...City of San Diego...
...the destruction was...
...in origin then the building...
...may be completely restored...
...rebuilt not exceeding the size...
...the original building...
...Section 2. This ordinance...
...effect and be in force...
...each day from and after...
...introduced on December 8, 1976...
...passed and adopted by the Council...
...of The City of San Diego...
...number 22, 1976...
...AUTHENTICATED BY:
...PETE WILSON,
...Mayor of The City of
...San Diego, California.
...EDWARD NIELSEN,
...City Clerk of The City of
...San Diego, California.
...MELISSA MARTINEZ