

APR 21 1980

WHEREAS, high rise structures are a permitted use in the certain zones in areas adjacent to Mission Trails Regional Park; and

WHEREAS, said high rise structures appear to be incompatible with the Master Development Plan Report for said park dated July 1976 and the Progress Guide and General Plan adopted February 1979; and

WHEREAS, the Council desires to adopt an ordinance to prohibit the construction of high rise structures within 1000 yards of the Mission Trails Regional Park for a period of time until the review of land uses surrounding the park are completed; and

WHEREAS, Section 91.01 of the San Diego Municipal Code provides for a procedure for notice and hearing for the purpose of determining whether the issuance of building permits for structures exceeding four (4) stories in height within 1000 yards of Mission Trails Regional Park would detrimentally affect the public health, safety and general welfare of the citizens of San Diego; NOW, THEREFORE,

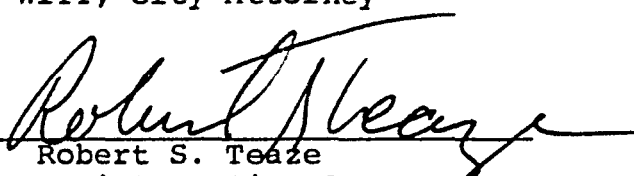
BE IT RESOLVED, by the Council of The City of San Diego, that a public hearing shall be set for Council meeting of May 5, 1980, 2:00 p.m., time certain for the purpose of considering the adoption of an ordinance to prohibit temporarily the construction of buildings exceeding four (4) stories in height in an area 1000

yards wide immediately adjacent to Mission Trails Regional Park on the grounds that such construction is inconsistent with the Master Plan Development Report for Mission Trails Regional Park and the Progress Guide and General Plan for The City of San Diego and will detrimentally affect the public health, safety or general welfare, all as more particularly set forth in Ordinance No. 0. 80-293, on file in the office of the City Clerk.

BE IT FURTHER RESOLVED, that notice of the time, date and place of said public hearing and a general description of the moratorium area shall be given by publication thereof for a period not less than five (5) days in a newspaper of general circulation that is published on five or more days in a calendar week in the City of San Diego. Such publication shall be completed at least five days prior to the hearing and the facts recited therein shall not limit the Council's power to determine the existence of other facts which might necessitate the adoption of the ordinance. The Council will also consider the adoption of said ordinance as an emergency ordinance under Section 17 of the Charter.

APPROVED: JOHN W. WITT, City Attorney

By


Robert S. Teaze
Assistant City Attorney

RST:rc:263.22
4/21/80
Or. Dept: Council

00316

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-251646 Adopted APR 21 1980