

ORDINANCE NO. O 15459 (New Series)

(0-81-175)

Adopted on MAR 2 1981

An Ordinance Incorporating a Portion of Rancho de Los Penasquitos in the City of San Diego, California, Into R-1-5 Zone, as Defined by Section 101.0407 of the San Diego Municipal Code, and Repealing Ordinance No. 8858 (New Series), Adopted July 18, 1963, of the Ordinances of The City of San Diego Insofar as the Same Conflicts Herewith.

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

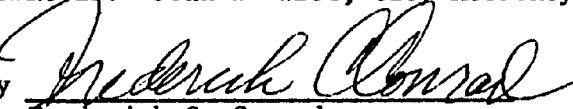
Section 1. That in the event that within two years of the effective date of this ordinance a portion of Rancho de Los Penasquitos, in the City of San Diego, California, designated "R-1-5" on Zone Map Drawing No. B-3378.1, is subdivided and a map or maps thereof duly submitted to the City and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0407 shall attach and become applicable to the said subdivided land, and the said subdivided land shall be incorporated into R-1-5 Zone, as described and defined by Section 101.0407, the boundary of such zone to be as indicated on Zone Map Drawing No. B-3378.1, filed in the office of the City Clerk as Document No. 768110. Said zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. 8858 (New Series), adopted July 18, 1963, be, and it is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: John W. Witt, City Attorney

By



Frederick C. Conrad  
Chief Deputy City Attorney

FCC:t1  
2/10/81  
5-80-092  
Or.Dept.:Clerk  
FORM=o.insub

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

**MAR 2 1981**

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Mike</del> Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Lucy Killea</del> Dick Murphy	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By Marjorie E. Postecover, 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

**FEB 17 1981**

**MAR 2 1981**

~~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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Marjorie E. Postecover, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15459 Adopted MAR 2 1981

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1981 MAR 26 AM 11:36  
SAN DIEGO, CALIF.

San Diego, City of  
202 C Street, 12th Floor  
San Diego, Calif. 92101  
ATTN: Maydell L. Pontecorvo, Deputy

IN THE MATTER OF

NO.

AN EMERGENCY ORDINANCE PURSUANT TO SECTION 17  
OF THE CHARTER OF THE CITY OF SAN DIEGO  
ESTABLISHING AN INTERIM ZONING ORDINANCE ETC.

ORDINANCE NO. 0-1546  
(New Series)  
AN EMERGENCY ORDINANCE PURSUANT TO SECTION 17  
OF THE CHARTER OF THE CITY OF SAN DIEGO  
ESTABLISHING AN INTERIM ZONING ORDINANCE  
PROHIBITING THE ESTABLISHMENT OR SUBSTANTIAL  
ENLARGEMENT OF ANY ADULT ENTERTAINMENT ACTIVITY  
WITHIN 1000 FEET OF A CHURCH.  
WHEREAS, The City of San Diego, under the police power  
granted to it by the Constitution of the State of California, has  
the authority to react when the public health, safety and general  
welfare of its citizens are jeopardized; and  
WHEREAS, The City of San Diego, under the provisions of  
Municipal Code, Section 101.0203.1, is empowered to adopt, as  
an emergency measure, a temporary interim zoning ordinance  
to protect and preserve the public health, safety and welfare;  
WHEREAS, the Council of The City of San Diego finds that  
the development and initiation of adult entertainment  
establishments, as listed in Municipal Code, Section 101.1210,  
within 1000 feet of churches will cause and is causing substantial  
adverse impact on the health, safety and welfare of vast  
numbers of citizens of the City of San Diego by substantially im-  
peding and interfering with the reasonable and orderly religious  
activities of those citizens; and  
WHEREAS, The City of San Diego is considering amend-  
ments to the zoning provisions of the Municipal Code which  
relate to the proximity of adult entertainment establishments to  
churches; and  
WHEREAS, the City Council finds that establishing adult  
entertainment activities within 1000 feet of churches would  
prevent City consideration of amendments to the Municipal Code  
relating to proximity of such activities; defeat and frustrate the  
oncoming public deliberations concerning the need for such  
amendments; and  
WHEREAS, the City Council finds that it is essential and im-  
perative to preserve the public health, safety and welfare that  
an ordinance be adopted which will become effective im-  
mediately upon its introduction to prohibit the location of adult  
entertainment activities within 1000 feet of any church pending  
consideration by the Planning Commission and City Council of a  
permanent ordinance concerning the proximity of adult enter-  
tainment activities and churches; NOW, THEREFORE,  
BE IT ORDAINED, by the Council of The City of San Diego,

I, Camille Simpson, am a citizen  
of the United States and a resident of the County aforesaid; I am over the  
age of eighteen years, and not a party to or interested in the above- entitled  
matter. I am the principal clerk of the San Diego Daily Transcript, a  
newspaper of general circulation, printed and published daily, except  
Saturdays and Sundays, in the City of San Diego, County of San Diego, and  
which newspaper has been adjudged a newspaper of general circulation by  
the Superior Court of the County of San Diego, State of California, under  
the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15460 (New Series)

is a true and correct copy of which the annexed is a printed copy and was  
published in said newspaper on the following date(s), to wit:

March 17, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 17th day of Mar., 1981.

*Camille Simpson*  
\_\_\_\_\_  
(Signature)

Ordinance No. 1000  
The City of San Diego, California, do hereby certify that the following is a true and correct copy of the ordinance as passed and adopted by the Council of the City of San Diego, California, on March 3, 1951.

**Church Defined:** For purposes of this ordinance, a church shall be defined as an institution which regularly attends to the holding of religious services, meetings, and other activities in which religious services shall include buildings in which religious services or other activities are held.

**Measure of Distance:** The distance between any church and any other building shall be measured in a straight line, without regard to intervening structures, to the closest property line of the church.

**Applicability:** The provisions of this ordinance shall apply to all land within the City of San Diego, including all districts now in existence or hereafter established.

**Emergency Measure:** This ordinance is declared an emergency measure required for the immediate preservation of the public health, safety and general welfare of the City of San Diego.

**Section 17 of the Charter of The City of San Diego shall take effect immediately and continue in force and effect for a period of 120 days from the day of adoption thereof by the members of the City Council.**

Introduced on March 3, 1951.  
Passed and adopted by the Council of The City of San Diego, California, on March 3, 1951.

**AUTHENTICATED BY:**  
J. WILSON,  
Mayor of The City of San Diego, California.  
W. J. BROWN,  
Clerk of The City of San Diego, California.  
MAYOR J. WILSON, Deputy  
March 17, 1951