

(O-85-69)

ORDINANCE NUMBER O- **16343** (NEW SERIES)

ADOPTED ON **DEC 17 1984**

AN ORDINANCE LIMITING FOR A PERIOD OF ONE YEAR
THE ISSUANCE OF BUILDING PERMITS AND
COMMENCEMENT OF CONSTRUCTION IN PORTIONS OF
THE MID-CITY COMMUNITY PLAN AREA.

WHEREAS, The City of San Diego, under the police power delegated 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 Planning Commission and Council of The City of San Diego have held public hearings to consider the Mid-City Community Plan; and

WHEREAS, it has been determined that Mid-City is deficient in school and park facilities; and

WHEREAS, the Council of The City of San Diego has adopted a revised Mid-City Community Plan which recommends a lower density of development than permitted under the existing zoning; and

WHEREAS, there are certain areas in the Mid-City community of The City of San Diego where a great number of applications for building permits are imminent; and

WHEREAS, it is necessary that a method be established immediately to control construction so that development does not take place contrary to the revised Mid-City Community Plan; and

WHEREAS, Municipal Code Section 91.01 empowers the City Council to limit or prohibit the issuance of any type, number or

geographical distribution of permits where such issuance would detrimentally affect the public health, safety or the general welfare of the citizens of The City of San Diego; NOW, THEREFORE,

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

Section 1. Within that area bounded by Interstate 805 on the West; Interstate 8, Fairmount Avenue and Montezuma Road on the North; Collwood Boulevard, 54th Street and Euclid Avenue on the East and Federal Boulevard on the South which is within the R-1000 and R-600 Zones, Municipal Code Sections 101.0411 and 101.0412, as shown on Zone Drawing No. C-682, a copy of which is on file in the office of the City Clerk as Document No.

00-16343, no building permits shall be issued for construction of any structure if the residential density for all proposed and existing buildings on the premises exceeds one dwelling unit for every 1500 square feet of lot area unless a Planned Residential Development Permit or Conditional Use Permit is obtained.

Section 2. For purposes of this ordinance, the requirements of (i) paragraph "L" of SEC. 101.0900 and (ii) clause (2) of paragraph I.D.5.(a) of Council Policy No. 600-4 need not be observed.

Section 3. Planned Residential Development Permits obtained pursuant to this ordinance shall comply with the design criteria and development standards contained in the Urban Design Element of the Mid-City Community Plan and to all other provisions of the Mid-City Community Plan. Provisions of Municipal Code SEC. 101.0900, Planned Residential Development Permits, shall also apply, except as otherwise provided by this ordinance.

Section 4. Deviations from the community plan density and parking standards may be granted for the following:

- a. Projects for which an Affordable Housing Density Bonus Agreement or a Density Bonus and Affordable Housing Deviation has been approved.
- b. Projects for which a Conditional Use Permit has been obtained.

Section 5. Building permits for buildings which comply with all applicable provisions of this Code shall be approved for construction where the residential density of all existing and proposed buildings on the premises is less than one dwelling unit for every 1500 square feet of lot area.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its adoption, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the effective date of this ordinance.

Section 7. This ordinance shall continue in force until the zoning within the Mid-City Community Plan area is consistent with the Mid-City Community Plan or one year from the effective date hereof, whichever shall first occur.

APPROVED: John W. Witt, City Attorney

By *Frederick C. Conrad*
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:630
10/18/84
Or.Dept:Plan.
O-85-69
Form=o.none

DEC 17 1984

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<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"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raynell G. Portecor 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 4 1984

DEC 17 1984

_____ , 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raynell G. Portecor Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16343 Adopted DEC 17 1984

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1985 JAN - 8 PM 12: 26
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C St., 12th Floor
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBER O-16343

**ORDINANCE NUMBER O-16343
(NEW SERIES)**

**AN ORDINANCE LIMITING FOR A PERIOD OF ONE YEAR
THE ISSUANCE OF BUILDING PERMITS AND COMMENCE-
MENT OF CONSTRUCTION IN PORTIONS OF THE MID-CITY
COMMUNITY PLAN AREA.**

The ordinance restricts development in Zones R-1000 and R-600 to one dwelling unit per 1500 square feet of lot area, unless a Planned Residential Development Permit is obtained, within that area bounded by Interstate 805 on the West; Interstate 8, Fairmount Avenue and Montezuma Road on the North; Collwood Boulevard, 54th Street and Euclid Avenue on the East and Federal Boulevard on the South.

The ordinance will be in effect until the zoning in the area is consistent with the Mid-City Community Plan or for one year, whichever occurs first.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

Introduced on DECEMBER 4, 1984.

Passed and adopted by the Council of The City of San Diego on DECEMBER 17, 1984.

AUTHENTICATED BY:

ROGER HEDGECOCK,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

(SEAL)

By MAYDELL L. PONTECORVO, Deputy.

Pub. Dec.31 8202

I, Michael L. Ungashick, 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 NUMBER O-16343
(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:

December 31, 1984

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

Dated at San Diego, California this 31st day of Dec., 19 84.

Michael L. Ungashick
(Signature)

01974

2 3/4 x 2 x 9.76 = 53.68