

ORDINANCE NUMBER O- 16530 (NEW SERIES)

ADOPTED ON OCT 28 1985

AN EMERGENCY INTERIM ZONING ORDINANCE REZONING CERTAIN LAND IN THE NORMAL HEIGHTS COMMUNITY FROM ZONE R-3000, SAN DIEGO MUNICIPAL CODE SECTION 101.0410, TO ZONE R1-5000, SAN DIEGO MUNICIPAL CODE SECTION 101.0407, FOR A PERIOD OF 45 DAYS.

WHEREAS, a portion of the Normal Heights Community has been devastated by fire; and

WHEREAS, that portion of the devastated area reflected on Zone Map Drawing No. C-703 was developed at a density substantially below the density permitted by the R-3000 Zone which is applicable to the area; and

WHEREAS, redevelopment of this area at the density of one dwelling unit per 3,000 square feet of lot area could occur; and

WHEREAS, such redevelopment would adversely impact the health, safety and general welfare of a significant segment of the population of the City of San Diego, in that:

1. The current zoning is in conflict with the Mid-City Community Plan;
2. The current zoning is in conflict with the implementation of the proposed Mid-City Planned District;
3. Implementation of the General Plan may be compromised by allowing the current zone designation to persist;

and

WHEREAS, the provisions of California Government Code Section 65856 empowers the City Council to enact as an emergency measure an interim ordinance prohibiting any uses which may be in conflict with a general plan, community plan, specific plan, or zoning proposal; and

WHEREAS, rezoning the subject property from Zone R-3000 to Zone R1-5000 will permit development of one dwelling unit per 5,000 square feet of lot area and will prohibit uses which conflict with said plans or zoning proposals; and

WHEREAS, the rezoning of the subject property must become effective immediately upon its enactment in order to protect the public health, safety and welfare of the community; NOW, THEREFORE,


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

Section 1. That property generally located westerly of West Mountain View Drive, northerly of Collier Avenue, and southerly of North Mountain View Drive, within the boundary of the area designated R1-5000 on Zone Map Drawing No. C-703, filed in the office of the City Clerk as Document No. 00-16530 is hereby incorporated into and shall be regulated by the provisions of the R1-5000 Zone, as such zone is described and defined by Section 101.0407 of the San Diego Municipal Code.

Section 2. The provisions of this ordinance shall remain in force and effect for a period of 45 days from the enactment of this ordinance unless such period is extended by action of the City Council of The City of San Diego. In the event that this ordinance is not extended, the property hereby rezoned shall be, upon the expiration of 45 days from the enactment of this ordinance, regulated by and incorporated into the R-3000 Zone, as such zone is described and defined by Section 101.0410 of the San Diego Municipal Code.

Section 3. For the reasons expressed in the preamble hereto, this ordinance shall take effect immediately upon its passage as an emergency measure necessary to protect and preserve the public health, safety and general welfare.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:631
08/23/85
10/10/85, Rev. 1
Or.Dept:Plan.
O-86-34
Form=o.none

Passed and adopted by the Council of The City of San Diego on OCT 28 1985,
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 Struiksma	<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"/>	
District 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
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.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Maybell L. Portecor, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on OCT 28 1985, 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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Maybell L. Portecor, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16530 Adopted OCT 28 1985