

ORDINANCE NUMBER O- 16502 (NEW SERIES)

ADOPTED ON DEC 16 1985

AN INTERIM ORDINANCE RESTRICTING FOR A PERIOD OF ONE YEAR THE ISSUANCE OF PERMITS FOR THE CONVERSION AND/OR DEMOLITION OF SINGLE ROOM OCCUPANCY (SRO) HOTELS IN THE CITY OF SAN DIEGO.

WHEREAS, the City of San Diego's housing market is not meeting the need for affordable housing, especially for lower income households; and

WHEREAS, single room occupancy (SRO) hotel units traditionally house the City's lowest income households; and

WHEREAS, the City of San Diego has documented the loss of 1,247 SRO hotel units since 1976; and

WHEREAS, a Housing Commission sponsored study has anticipated a decrease of approximately 953 additional SRO units, a decrease equivalent to a loss of approximately 72 percent of the city's present total stock of public housing units; and

WHEREAS, The San Diego Association of Governments has forecast for the City of San Diego an increase of 7,264 very low income households by 1990; and

WHEREAS, the Regional Task Force on the Homeless, established by joint action of the Board of Supervisors and the City Council has recommended a housing preservation ordinance to preserve existing SRO units; and

WHEREAS, the City Draft Housing Element 1987 has called for consideration of a one-year moratorium on the demolition or conversion of single room occupancy hotels; and

WHEREAS, further loss of SRO hotel rooms could impact the ability of The City of San Diego to implement housing programs which are in the interest of the public health, safety and general welfare; and

WHEREAS, Municipal Code Section 91.01 empowers the City to regulate the conversion and/or demolition of buildings in the City of San Diego and also empowers the City to limit or prohibit the issuance of any type of building permit within any geographical area of the City for a specified period of time; ~~and~~  
THEREFORE,

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

Section 1. Conversion and/or Demolition of Hotels Prohibited

Within the City of San Diego, no building permit for demolition of or conversion of a building, structure, or portion thereof, used as a hotel shall be issued unless

A. The demolition or conversion is necessary to implement a specific project approved by the Redevelopment Agency of The City of San Diego; or

B. The building, structure, or portion thereof, is not a single room occupancy (SRO) hotel.

2. The application for a demolition permit or  
permit to alter the structure of the building  
shall be accompanied by a plan showing the building  
to be demolished or altered, and the proposed  
use of the building after demolition or alteration, as  
approved by the Department on or  
before the date of the permit.

3. The building structure or any portion thereof being  
demolished or altered shall be determined  
to be a building for the purposes of the Building, Health or Fire  
Department of the City of New York.

4. The applicant for a demolition permit who proposes to  
demolish or alter a building registered by this ordinance is hereby  
required to provide, on a one-for-one basis, replacement units  
which are comparable in size, quality and type to each SRO living  
unit proposed for demolition or alteration prior to their  
demolition or alteration.

Section 2. Definitions

Unless the context clearly requires otherwise, the words  
used herein shall have the following meanings:

4. "Hotel" means a building designed for occupancy as  
a place where persons are lodged with or  
without meals, and which contains two or more guest rooms, and  
has in each room a sink or other fixture for the use of the  
occupant.

4. "Kitchen" means a portion of each suite  
or room designed for the use of a kitchen, and which includes a  
sink, a refrigerator and a sink other than a bathroom sink.

C. "Single room occupancy" (SRO) means any hotel rooms within a hotel intended or designed to be used, or which is used, rented or hired out, to be occupied or which is occupied, for sleeping purposes by guests and which is also the primary residence of such guests. The term shall not include any hotel room which is used by transient guests who do not occupy such hotel room as their primary residence.

D. "Converted" means to change any room designed or used for sleeping purposes, whether occupied or vacant, to a nonresidential use.

E. "Demolition" means to disassemble or destroy any room designed or used for sleeping purposes, whether occupied or vacant.

Section 3. Emergency. The facts constituting the emergency are the immediate need to protect the public health, safety and general welfare by preserving for low income households the remaining supply of SRO hotels in the City of San Diego.

Section 4. This ordinance shall, for the reasons set forth in the preamble hereto, constitute an emergency interim ordinance and shall become effective immediately upon its introduction and adoption by the City Council. The noticing requirements set forth in Section 91.01 shall not be applicable to this ordinance.

The provisions of this ordinance shall remain in force and effect for a period of one year from the enactment of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

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

FCC:cc:600  
12/05/85  
12/16/85 Rev. 1  
Or.Dept:Plan.  
0-86-103  
Form=o.none

Passed and adopted by the Council of The City of San Diego on DEC 16 1985,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible	
Abbe Wolfsheimer	<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"/>	
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	vacant

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

(Seal)

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

By Ellen Board, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
DEC 16 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 Ellen Board, Deputy.

01752

Office of the City Clerk, San Diego, California		
Ordinance Number	<u>0-16562</u>	Adopted <u>DEC 16 1985</u>

RECEIVED  
CITY CLERK'S OFFICE

1985 DEC 18 AM 11:04

SAN DIEGO, CALIF.

01753

CERTIFICATE OF PUBLICATION

THE CITY OF SAN DIEGO  
OFFICE OF THE CITY CLERK  
202 "C" STREET  
12TH FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN INTERIM ORDINANCE RESTRICTING FOR A PERIOD OF ONE  
YEAR THE ISSUANCE OF PERMITS

**ORDINANCE NUMBER O-16562 (NEW SERIES)**  
AN INTERIM ORDINANCE RESTRICTING FOR A PERIOD OF ONE YEAR THE ISSUANCE OF PERMITS FOR THE CONVERSION AND/OR DEMOLITION OF SINGLE ROOM OCCUPANCY (SRO) HOTELS IN THE CITY OF SAN DIEGO.  
The ordinance imposes limitations on the demolition or conversion of single room occupancy hotel facilities within the City of San Diego which are used as the primary residence of occupants for a period of one year from the enactment of the ordinance. For reasons specified in the ordinance, the ordinance became effective immediately upon its enactment.  
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.  
Passed and adopted by the Council of The City of San Diego on December 16, 1985, by the following vote: Yeas: Wolfheimer, Cleator, McCall, Jones, Struikema, Golph, McCarthy, Martinez.  
NAYS: None.  
NOT PRESENT: Mayor-vacant.  
AUTHENTICATED BY:  
ED STRUIKEMA  
Deputy Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.  
By ELLEN BOVARD, Deputy.  
I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on December 16, 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 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 ELLEN BOVARD, Deputy  
Pub. Dec. 30, 1985

I, Gerald F. Blair, 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-16562 (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 30, 1985

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

Dated at San Diego, California this 30th day of Dec., 19 85.

Gerald F. Blair  
(Signature)

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