

ORDINANCE NUMBER O- 16764 (NEW SERIES)

ADOPTED ON NOV 18 1986

WHEREAS, the Council of The City of San Diego has adopted an updated community plan for the Greater North Park Community; and

WHEREAS, it is the intention of the Council of The City of San Diego that implementation of the updated community plan's land use designations take place in the form of a new zoning legislation and comprehensive rezonings in the community; and

WHEREAS, the majority of the existing zoning in the community is in conflict with the adopted GREATER NORTH PARK COMMUNITY PLAN; and

WHEREAS, the Council of The City of San Diego finds that development in conflict with the GREATER NORTH PARK COMMUNITY PLAN can occur and that such development would compromise the implementation of said community plan; and

WHEREAS, the City Council has initiated zone changes to implement the GREATER NORTH PARK COMMUNITY PLAN; and

WHEREAS, such development would be detrimental to the health, safety and general welfare and good zoning practice and such development appears imminent; and

WHEREAS, the provisions of Municipal Code Section 101.0205.2 provide that in the event the City Council initiates a change of zone, the City Council may adopt an ordinance providing that no development inconsistent with the provisions of the most restrictive zone under consideration shall take place pending a determination by the City Council of the proposed change of zone; such ordinance may be adopted only if the City Council finds that

development inconsistent with the proposed change of zone would be detrimental to the public health, safety, general welfare and good zoning practice and that such development appears imminent; and

WHEREAS, rezoning the subject property from its existing zoning to zoning consistent with the GREATER NORTH PARK COMMUNITY PLAN as reflected on Zone Map Drawing No. C-728 will prohibit development not in conformance with the community plan; NOW, THEREFORE,

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

Section 1. Within that area generally bounded by Interstate 805 and State Route 15 on the east; the south slopes of Mission Valley on the north; Park Boulevard on the west; Upas Street on the south; 28th Street on the west; Juniper Street on the south; 32nd Street on the west; and the 34th Street canyon area; that all residential property designated by the GREATER NORTH PARK COMMUNITY PLAN for development at densities equal to or less than that permitted by the R-1500 Zone is hereby incorporated into those residential zones reflected in the GREATER NORTH PARK COMMUNITY PLAN as delineated on Zone Map Drawing No. C-728, filed in the office of the City Clerk as Document No. 00-16764

Section 2. Within that area delineated in Section 1., that all residential property designated by the GREATER NORTH PARK COMMUNITY PLAN at densities in excess of that permitted in the R-1500 Zone is hereby incorporated into those residential zones reflected in the GREATER NORTH PARK COMMUNITY PLAN as delineated on Zone Map Drawing No. C-728, filed in the office of the City Clerk as Document No. 00-16764 but said property shall not be developed with more than one dwelling unit per 1500 square feet of parcel area unless a Planned Residential Development Permit or a Conditional Use Permit is obtained.

Section 3. For purposes of this ordinance, the requirements of Section 101.0900, paragraph L., and Council Policy 600-4, paragraph I.D.5.(a)(2), requiring guest parking spaces in planned residential developments need not be observed. However, guest parking, not to exceed 0.50 space per dwelling unit may be required as a condition of obtaining a Planned Residential Development Permit or Conditional Use Permit.

Section 4. Projects permitted under Planned Residential Development Permits or Conditional Use Permits approved prior to the effective date of this ordinance may develop in accordance with the provisions of the approved permit; provided, however, that any requested amendments to approved permits shall be subject to the provisions of this ordinance.

Section 5. The following provision shall be applicable to any development within all areas designated for residential development as set forth in Sections 1. and 2. herein and such provision shall prevail in the event of a conflict with the provisions of the zone applicable to the property: Front yards shall have a minimum of 75 percent landscaping.

Section 6. Property currently included within commercial zones and not designated as residential by the adopted GREATER NORTH PARK COMMUNITY PLAN shall not be affected by the provisions of this ordinance. Property currently included within commercial zones and designated as residential by the adopted GREATER NORTH PARK COMMUNITY PLAN shall be regulated by Section 1. or Section 2. herein, whichever is applicable.

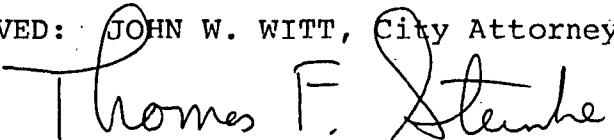
Section 7. The provisions of this ordinance shall remain in force and effect for a period of 90 days from the enactment of this ordinance unless such period is extended by action of the City Council of The City of San Diego. In the event this ordinance is not extended, the property hereby rezoned shall be, upon the expiration of 90 days from the enactment of this

ordinance, regulated by and incorporated into those land use zones which were in effect prior to the enactment of this ordinance.

Section 8. 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, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to November 6, 1986.

APPROVED: JOHN W. WITT, City Attorney

By



Thomas F. Steinke  
Deputy City Attorney

TFS:cc:600  
11/07/86  
Or.Dept:Clerk  
O-87-109

NOV 18 1986

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

Council Members	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 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Baxter*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
**NOV 18 1986**, 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 *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California

01452

Ordinance Number **0-16764** Adopted **NOV 18 1986**

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET 12TH FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

GREATER NORTH PARK COMMUNITY PLAN

**ORDINANCE NUMBER O-16764 (NEW SERIES)**

WHEREAS, the Council of The City of San Diego has adopted an updated community plan for the Greater North Park Community; and

WHEREAS, it is the intention of the Council of The City of San Diego that implementation of the updated community plan's land use designations take place in the form of a new zoning legislation and comprehensive rezonings in the community; and

WHEREAS, the majority of the existing zoning in the community is in conflict with the adopted GREATER NORTH PARK COMMUNITY PLAN; and

WHEREAS, the Council of The City of San Diego finds that development in conflict with the GREATER NORTH PARK COMMUNITY PLAN can occur and that such development would compromise the implementation of said community plan; and

WHEREAS, the City Council has initiated zone changes to implement the GREATER NORTH PARK COMMUNITY PLAN; and

WHEREAS, such development would be detrimental to the health, safety and general welfare and good zoning practice and such development appears imminent; and

WHEREAS, the provisions of Municipal Code Section 101.0205.2 provide that in the event the City Council initiates a change of zone, the City Council may adopt an ordinance providing that no development inconsistent with the provisions of the most restrictive zone under consideration shall take place pending a determination by the City Council of the proposed change of zone; such ordinance may be adopted only if the City Council finds that development inconsistent with the proposed change of zone would be detrimental to the public health, safety, general welfare and good zoning practice and that such development appears imminent; and

WHEREAS, rezoning the subject property from its existing zoning to zoning consistent with the GREATER NORTH PARK COMMUNITY PLAN as reflected on Zone Map Drawing No. C-728 will prohibit development not in conformance with the community plan; NOW, THEREFORE,

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

Section 1. Within that area generally bounded by Interstate 805 and State Route 16 on the east; the south slopes of Mission Valley on the north; Park Boulevard on the west; Upas Street on the south; 28th Street on the west; Juniper Street on the south; 32nd Street on the west; and the 34th Street canyon area; that all residential property designated by the GREATER NORTH PARK COMMUNITY PLAN for development at densities equal to or less than that permitted by the R-1500 Zone is hereby incorporated into those residential zones reflected in the GREATER NORTH PARK COMMUNITY PLAN as delineated on Zone Map Drawing No. C-728, filed in the office of the City Clerk as Document No. OO-16764.

Section 2. Within that area delineated in Section 1., that all residential property designated by the GREATER NORTH PARK COMMUNITY PLAN at densities in excess of that permitted in the R-1500 Zone is hereby incorporated into those residential zones reflected in the GREATER NORTH PARK COMMUNITY PLAN as delineated on Zone Map Drawing No. C-728, filed in the office of the City Clerk as Document No. OO-16764, but said property shall not be developed with more than one dwelling unit per 1500 square feet of parcel area unless a Planned Residential Development Permit or a Conditional Use Permit is obtained.

I, DEAN F. ABBOTT, 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

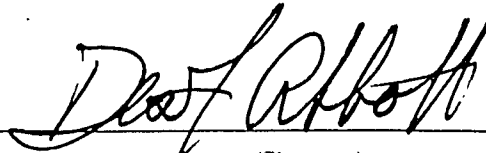
ORDINANCE NUMBER O-16764  
(NEW SERIES)

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 2, 1986

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

Dated at San Diego, California this 2 day of DEC, 19 86.



(Signature)

Pg. 1 of 2 20 1/4" x 110-24 = #207-36

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Section 3. For purposes of this ordinance, the requirements of Section 101.0900, paragraph L., and Council Policy 600-4, paragraph L.D.5. (a) (2), requiring guest parking spaces in planned residential developments need not be observed. However, guest parking, not to exceed 0.50 space per dwelling unit may be required as a condition of obtaining a Planned Residential Development Permit or Conditional Use Permit.

Section 4. Projects permitted under Planned Residential Development Permits or Conditional Use Permits approved prior to the effective date of this ordinance may develop in accordance with the provisions of the approved permit; provided, however, that any requested amendments to approved permits shall be subject to the provisions of this ordinance.

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Section 6. Property currently included within commercial zones and not designated as residential by the adopted GREATER NORTH PARK COMMUNITY PLAN shall not be affected by the provisions of this ordinance. Property currently included within commercial zones and designated as residential by the adopted GREATER NORTH PARK COMMUNITY PLAN shall be regulated by Section 1. or Section 2. herein, whichever is applicable.

Section 7. The provisions of this ordinance shall remain in force and effect for a period of 90 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 this ordinance is not extended, the property hereby rezoned shall be, upon the expiration of 90 days from the enactment of this ordinance, regulated by and incorporated into those land use zones which were in effect prior to the enactment of this ordinance.

Section 8. 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, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to November 8, 1986.

Passed and adopted by the Council of The City of San Diego on 11-18-86, by the following vote:

YEAS: Wolfsheimer, Cleator, McColl, Jones, Struikama, Gotch,

McCarty, O'Connor.

NAYS: None.

NOT PRESENT: None.

VACANT: District 8.

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(Seal)

By BARBARA BAXTER, Deputy

Pub. December 2

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