

ORDINANCE NUMBER O- 16801 (NEW SERIES)

ADOPTED ON JAN 27 1987

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

WHEREAS, it is the intention of the City Council 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 City Council 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; and

WHEREAS, the City Council, on November 18, 1986, adopted an emergency ordinance to be effective for a period of 90 days; and

WHEREAS, it is necessary to extend that 90-day emergency ordinance in order to provide for an adequate period of time during which to prepare and adopt zoning regulations implementing the adopted Greater North Park Community Plan; and

WHEREAS, a noticed public hearing has been conducted by the City Council in accordance with the provisions of Municipal Code Section 101.0205.2; 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 Municipal Code 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 until February 15, 1988.

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

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Or.Dept:Clerk
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0-16801

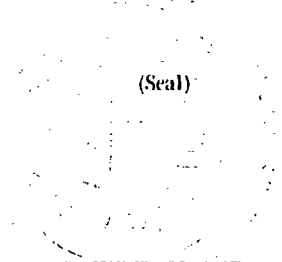
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JAN 27 1987

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 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"/>
Celia Ballesteros	<input checked="" 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.

By *Ellen Roward*, Deputy.

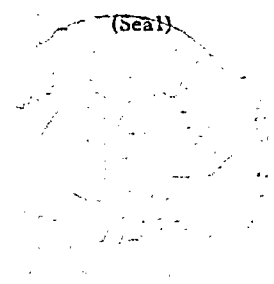
I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
JAN 27 1987, said ordinance being of the kind and character
authorized for passage on its introduction by Section 16 of the Charter.

~~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.

By *Ellen Roward*, Deputy.



Office of the City Clerk, San Diego, California		
Ordinance Number	<u>0-16801</u>	Adopted <u>JAN 27 1987</u>

IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET 2ND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING ORDINANCE NO. O-16764
(NEW SERIES) RELATING TO THE GREATER NORTH
PARK COMMUNITY PLAN.

I, THOMAS D. KELLEHER, 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-16801 (NEW SERIES)
ADOPTED ON January 27, 1987

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:

February 13

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

Dated at San Diego, California this 13 day of Feb., 19 87.

Thomas D. Kelleher
(Signature)

3 3/4" x \$10.24 = \$38.40

ORDINANCE NUMBER O-16801 (NEW SERIES)
ADOPTED ON January 27, 1987
AN ORDINANCE AMENDING ORDINANCE NO. O-16764 (NEW SERIES) RELATING TO THE GREATER NORTH PARK COMMUNITY PLAN.
This ordinance amends the provisions of Ordinance No. O-16764 (New Series), adopted November 18, 1986, by extending the period during which said ordinance shall remain in force and effect until February 15, 1988.
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced, reading dispensed with and adopted by the City Council of The City of San Diego January 27, 1987
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
By ELLEN BOVARD, Deputy
Pub. February 13 89203

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