

(O-87-170)

ORDINANCE NUMBER O- 16831 (NEW SERIES)

ADOPTED ON MAR 17 1987

AN EMERGENCY ORDINANCE AMENDING SECTIONS 1 AND 2 OF EMERGENCY ORDINANCE NO. O-16413 (NEW SERIES), ADOPTED APRIL 23, 1985, RELATING TO THE BUILDING LIMITATIONS IN THE UNIVERSITY COMMUNITY.

WHEREAS, the existing recommendations and implementing mechanisms in the University Community Plan (1983) have not been effective in reducing levels of traffic congestion associated with the rapid development of said community; and

WHEREAS, traffic volumes on the major roads will continue to increase in relation to their present design capacities; and

WHEREAS, the construction of new commercial and residential development has accelerated during the recent two-year period; and

WHEREAS, under present zoning, potential development could greatly exceed community plan levels based upon a 1980 Land Use Forecast; and

WHEREAS, The City of San Diego is committed to the study and development of permanent solutions to the problems of traffic congestion; and

WHEREAS, continued development in excess of levels assumed by the University Community Plan, as identified in the 1980 Land Use Forecast (Appendix 3), could impair the ability of The City of San Diego to implement solutions which are in the interest of the public health, safety and general welfare; and

WHEREAS, Municipal Code Section 9101 empowers the City Council to limit or prohibit the issuance of any type, number or geographic distribution of permits where such issuance would detrimentally affect the health, safety or general welfare of the citizens of The City of San Diego; and

WHEREAS, the present ordinance will expire on April 1, 1987, and its replacement will not be in effect; and

WHEREAS, the lapse of this ordinance would allow building permits to be issued which would detrimentally affect the health, safety or general welfare of the citizens of San Diego; NOW, THEREFORE,

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

Section 1. That Sections 1 and 2 of Ordinance No. O-16413 (New Series), adopted April 23, 1985, be and the same are hereby amended to read as follows:

Section 1. That within the boundaries of the University Community Plan, a copy of which is on file in the office of the City Clerk as Document No. OO-16413, no building permits shall be issued for the construction, alteration or expansion of any structure unless:

(a) A Planned Development or Specific Plan is considered by the Planning Commission and approved by the City Council and participation in the Facilities Benefit Assessment Program is assured; or

(b) Building permits for buildings are found by the Planning Department to be consistent with the University Community Plan and the 1980 Land Use Forecast (Appendix 3); or

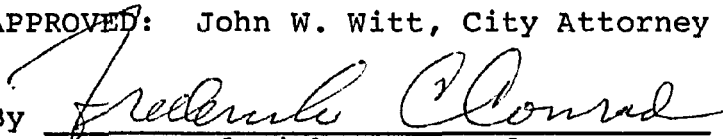
(c) Building permit applications are for the construction of the Scripps Molecular Biological Building addition and associated parking structure, and participation in the Facilities Benefit Assessment Program, commitment to traffic improvements as required by the City Engineer are assured; or

(d) Building permit applications are for the construction of an automobile dealership of approximately 33,500 square feet on a portion of Lot 2, Section 10, Township 15 South, Range 3 West, S.B.B.M., in the City of San Diego, California (Miramar Industrial Tract Unit 9, Map No. 10867), and participation in the Facilities Benefit Assessment Program and commitment to traffic improvements as required by the City Engineer and insulation of office spaces to ensure that office workers are not exposed to interior noise levels exceeding 50db CNEL are assured. Site plan approval in accordance with the requirements of the Planned Industrial Development Permit process by the Planning Director shall also be required.

Section 2. The provisions of this ordinance shall be in force and effect until Ordinance No. O-16837 (New Series), amending Ordinance No. O-16413 (New Series) becomes effective.

Section 2. 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.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
03/05/87
Or.Dept:Plan.
O-87-170
Form=o.none

MAR 17 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 Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Maureen O'Connor*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
MAR 17 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.

(Seal)

By *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16831 Adopted MAR 17 1987

RECEIVED
CLERK'S OFFICE

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1997 MAR -9 AM 8:54

SAN DIEGO, CALIF.

2000

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

IN THE MATTER OF
AN EMERGENCY ORDINANCE AMENDING SECTION 1 AND 2
OF EMERGENCY ORDINANCE NO. O-16413 (NEW SERIES),
ADOPTED APRIL 23, 1985, RELATING TO THE BUILDING
LIMITATION IN THE UNIVERSITY COMMUNITY

NO.

ORDINANCE NUMBER O-16831 (NEW SERIES)

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WHEREAS, under present zoning, potential development could greatly exceed community plan levels based upon a 1980 Land Use Forecast; and

WHEREAS, The City of San Diego is committed to the study and development of permanent solutions to the problems of traffic congestion; and

WHEREAS, continued development in excess of levels assumed by the University Community Plan, as identified in the 1980 Land Use Forecast (Appendix 3), could impair the ability of The City of San Diego to implement solutions which are in the interest of the public health, safety and general welfare; and

WHEREAS, Municipal Code Section 9101 empowers the City Council to limit or prohibit the issuance of any type, number or geographic distribution of permits where such issuance would detrimentally affect the health, safety or general welfare of the citizens of The City of San Diego; and

WHEREAS, the present ordinance will expire on April 1, 1987, and its replacement will not be in effect; and

WHEREAS, the lapse of this ordinance would allow building permits to be issued which would detrimentally affect the health, safety or general welfare of the citizens of San Diego; NOW, THEREFORE,

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

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(a) A Planned Development or Specified Plan is considered by the Planning Commission and approved by the City Council and participation in the Facilities Benefit Assessment Program is assured; or

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-16831 (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:

APRIL 13

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

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

Thomas D. Kelleher
(Signature)

14 1/2 " x \$10.24 = \$148.48

(b) Building permits for buildings are found by the Planning Department to be consistent with the University Community Plan and the 1980 Land Use Forecast (Appendix 3); or

(c) Building permit applications are for the construction of the Scripps Molecular Biological Building addition and associated parking structure, and participation in the Facilities Benefit Assessment Program, commitment to traffic improvements as required by the City Engineer are assured; or

(d) Building permit applications are for the construction of an automobile dealership of approximately 33,500 square feet on a portion of Lot 2, Section 10, Township 15 South, Range 3 West, S.B.M., in the City of San Diego, California, Planned Industrial Tract Unit 9, Map No. 10867, and participation in the Facilities Benefit Assessment Program and commitment to traffic improvements as required by the City Engineer and insulation of office spaces to ensure that office workers are not exposed to interior noise levels exceeding 50db CNEL are assured. Site plan approval in accordance with the requirements of the Planned Industrial Development Permit process by the Planning Director shall also be required.

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Section 2. 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.

Introduced, reading dispensed with and adopted by the City Council of The City of San Diego on MARCH 17, 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 MAYDELL L. PONTECORVO Deputy

Pub. April 13

78148