

ORDINANCE NUMBER O-16926 (NEW SERIES)

ADOPTED ON AUGUST 11, 1987

WHEREAS, the City Council of The City of San Diego adopted a LINDA VISTA COMMUNITY PLAN on July 12, 1983; and

WHEREAS, it is the intention of the City Council of The City of San Diego that implementation of the LINDA VISTA COMMUNITY PLAN's central retail and multi-family land use designations take place in the form of upgraded development which may require new zoning legislation to be prepared in order to adequately implement the community plan; and

WHEREAS, the existing citywide zoning standards in certain areas are in conflict with the goals of the adopted LINDA VISTA COMMUNITY PLAN or proposed new zoning and revitalization programs or both; and

WHEREAS, the City Council finds that, under presently applicable zoning regulations, development is in conflict with the goals of the LINDA VISTA COMMUNITY PLAN and with existing and proposed City revitalization strategies, and that such development would compromise the adequate implementation of the community plan; and

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

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CITY CLERK'S OFFICE
1987 AUG 18 AM 11:31
SAN DIEGO, CALIF.

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; NOW, THEREFORE,

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

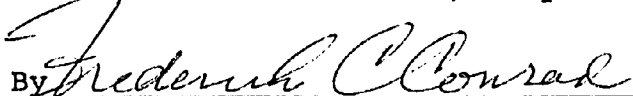
Section 1. Within a portion of that area known as the LINDA VISTA COMMUNITY PLAN, and more particularly described in the Community Plan as Subarea 2 (Chesterton), Subarea 4 (Linda Vista), Subarea 8 (Mission Heights), Subarea 9 (Tait-Kelly), and Subarea 11 (Alcala Knolls) as described in the Community Plan adopted by this Council on July 12, 1983, as delineated on Zone Map Drawing No. C-736, filed in the office of the City Clerk as Document No. 0-16926, that all property presently zoned R-2, R-2A, R-3, R-3A, CP, CO and CA shall not be developed with more than one dwelling unit per 5,000 square feet of parcel area unless a Planned Infill Residential Development Permit in single-family zones, a Planned Residential Development Permit in multiple-family zones, a Conditional Use Permit or a Planned Commercial Development Permit is obtained. Provided, however,

that any project which provides for the rehabilitation of existing units which exceed 30 percent of the total number of units in the project and the total number of units in the project exceeds 40 units shall be exempted from the provisions of this ordinance.

Section 2. 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 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, and no building permits for development inconsistent with the provisions of this ordinance shall be issued after the enactment of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
07/13/87
08/17/87 Rev. 1
O-87-207

Passed and adopted by the Council of The City of San Diego on AUG 11 1987,
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Ellen Bovard, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on AUG 11 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 Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16926 Adopted AUG 11 1987

CERTIFICATE OF PUBLICATION

CITY OF
1987 SEP -3 AM
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: ELLEN BOVARD

IN THE MATTER OF

NO.

limits residential development of property in the
LINDA VISTA COMMUNITY PLAN AREA

ORDINANCE NUMBER 0-16926 (NEW SERIES)
This ordinance, enacted as an emergency measure which became effective immediately upon its enactment, limits residential development of property in the LINDA VISTA COMMUNITY PLAN AREA in the R-2 (R-3000), R-2A (R-1500), R-3 (R-1000), R-3A (R-600), CP, CO and CA Zones to a density which does not exceed one dwelling unit per 5,000 square feet of lot or parcel area. The ordinance remains in effect for 90 days and thereupon expires unless extended by the City Council following a noticed public hearing.
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 on August 11, 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. August 28 87572

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 0-16926 (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:

AUG. 28

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

Dated at San Diego, California this 28 day of AUG., 19 87

22 lines x .5¢ = \$11.00

Thomas D. Kelleher
(Signature)

(2" x 10.7¢ x 2 = \$43.12)