

ORDINANCE NUMBER O-16960 (NEW SERIES)

ADOPTED ON OCT 13 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

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, a noticed public hearing has been conducted to consider the extension of this emergency ordinance, as required by Municipal Code Section 101.0205.2, which extension is necessary to provide the opportunity to implement the goals of the LINDA VISTA COMMUNITY PLAN and City revitalization strategies; NOW, THEREFORE,

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

Section 1. That Section 1 of Ordinance No. O-16926 (New Series), adopted August 11, 1987, is hereby amended to read 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. For purposes of this ordinance, the requirements of Section 101.0900, paragraph L., Section 101.0930, paragraph M., 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, Planned Infill Residential Development Permit, Planned Commercial Development Permit, or Conditional Use Permit.

Section 2. That Section 2 of Ordinance No. O-16926 (New Series), adopted August 11, 1987, is hereby amended to read as follows:

Section 2. The provisions of this ordinance shall remain in force and effect for a period which shall expire on November 10, 1988. The property hereby rezoned shall be, upon the expiration of ordinance, regulated by and incorporated into those land use zones which were in effect prior to the enactment of this ordinance.

Section 3. That Ordinance No. O-16926 (New Series), adopted August 11, 1987, is hereby amended by renumbering Section 3. to Section 4., and by adding thereto Section 3. to read as follows:

Section 3. Any project which does not add more than one residential unit to an existing development shall be exempt from the provisions of this ordinance if, prior to the enactment of this ordinance, the property owner has entered into a valid agreement with the San Diego Unified School District for the construction of said unit by students.

Section 4. 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.

APPROVED: JOHN W. WITT, City Attorney

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

FCC:cc:600  
08/25/87  
10/05/87 Rev. 1  
11/04/87 Rev. 2  
Or.Dept.:Council Struiksma  
O-88-35

0-16960

3724

OCT 13 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vacant
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.

(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  
**OCT 13 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 Board*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <i>O-16960</i>	<b>OCT 13 1987</b>
Adopted .....	

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE

1987 NOV 18 PM 3:16

SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

This ordinance extends the effective period of Ordinance NO.  
16926 (New Series) to November 10, 1988

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-16960 (NEW SERIES)**

This ordinance extends the effective period of Ordinance No. O-  
16926 (New Series) to November 10, 1988, and adds an exemption  
from the provisions of the ordinance for a specified project devel-  
oped under an agreement with the San Diego Unified School District.  
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 Ad-  
ministration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced, reading dispensed with and adopted as amended by  
City Council of The City of San Diego  
October 13, 1987  
AUTHENTICATED BY: MAUREEN O'CONNOR  
Mayor of The City of San Diego, California  
By: CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California  
By: ELLEN BOVARD, Deputy  
Pub. November 12 95182

ORDINANCE NUMBER O-16960 (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:

NOV. 12

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

Dated at San Diego, California this 12 day of NOV., 19 87

( 19 Lines x .98 x 2 = \$37.24 ) Thomas D. Kelleher  
(Signature)

\$1.75 x 2 x 10.78 = \$37.74