

ORDINANCE NUMBER O- 17001 (NEW SERIES)

ADOPTED ON JAN 4 1988

AN ORDINANCE AMENDING SECTIONS 1., 3. AND 10. AND REPEALING SECTION 5. OF ORDINANCE NO. O-16855 (NEW SERIES), ADOPTED MAY 4, 1987, LIMITING ISSUANCE OF DEMOLITION PERMITS, BUILDING PERMITS AND COMMENCEMENT OF CONSTRUCTION IN PORTIONS OF THE UPTOWN COMMUNITY PLAN AREA.

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

Section 1. That Section 1. of Ordinance No. O-16855 (New Series), adopted May 4, 1987, is amended to read as follows:

Section 1. Within the area known as the Uptown Community Plan Area and generally bounded by Interstate 5 on the west and south, Interstate 8 on the north and Park Boulevard and Balboa Park on the east, as shown on Zone Map Drawing No. C-734, a copy of which is on file in the office of the City Clerk as Document No. 00-16855-1, no building permits shall be issued for construction of any structure if the total number of existing and proposed dwelling units of any one project exceeds eleven units, or if the residential density for all proposed and existing buildings on the premises exceeds one dwelling unit for every 3000 square feet of lot area, unless a Planned Infill Residential Development Permit, Planned Commercial Development Permit, or Conditional Use Permit is obtained, except as

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otherwise provided by this ordinance. The Planned Residential Infill Development ordinance standards will be used for all projects. For the purposes of this ordinance, the density of the project shall not exceed the density as prescribed in the adopted community plan, the underlying zoning or the draft Uptown Community Plan as approved by the Planning Commission on October 15, 1987, whichever is less.

Section 2. That Section 3. of Ordinance No. O-16855 (New Series), adopted May 4, 1987, is amended to read as follows:

Section 3. No permits shall be issued for the demolition and/or removal of any building or structures, unless the application for the permit has been approved by the Planning Director. If any structure or building is demolished or substantially damaged without obtaining a demolition permit, a building permit for that site will not be issued for the period of one year. The Planning Director shall approve such an application if it is determined that the structure in question is not a potential historical structure. The Planning Director shall make the determination within ten working days of the receipt of the application. If the Planning Director does not make the determination within the specified period, the building or structure shall be deemed not to be a potential historical structure. If a potential historical structure is found, the demolition or removal permit application shall not be approved for

90 days or until the Historical Site Board has evaluated and acted on the site's historical significance, whichever occurs first. The provisions of this section shall not apply to the following:

A. Any building or structure found by the City Manager of The City of San Diego to present a hazard to public health or safety, and for which an emergency permit for demolition must be issued; or

B. Any permit approved by the Planning Director, Planning Commission or City Council as part of a development project submitted, reviewed and approved in accordance with this ordinance, and provided that such development application includes an environmental document prepared in accordance with the California Environmental Quality Act which describes and addresses the historic/architectural significance of the property and such report is reviewed by the Historical Site Board for the purpose of recommending to the Planning Director whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

Section 3. That Section 5. of Ordinance No. O-16855 (New Series), adopted May 4, 1987, is repealed.

Section 4. That Section 10. of Ordinance No. O-16855 (New Series), adopted May 4, 1987, is amended to read as follows:

Section 10. 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, except as provided by this ordinance, no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to May 6, 1987.

Provided, however, the provisions of this ordinance shall not apply to applications for Planned Residential Permits which applications were submitted prior to December 7, 1987, if such applications are consistent with the Uptown Community Plan as approved by the Planning Commission on October 15, 1987.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

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

FCC:cc:ta
11/09/87
11/30/87 REV. 1
01/08/87 REV. 2
Or.Dept:Plan.
O-88-81
Form=o.none

Passed and adopted by the Council of The City of San Diego on JAN 4 1988,
 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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

(Seal)

By *June A. Blackwell*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 7 1987, and on JAN 4 1988.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	<u>0-17001</u> Adopted <u>JAN 4 1988</u>