

(O-89-76)

ORDINANCE NUMBER O- 17160 (NEW SERIES)

ADOPTED ON OCT 10 1988

AN EMERGENCY ORDINANCE AMENDING SECTION 1., OF ORDINANCE NUMBER O-17001 (NEW SERIES), ADOPTED JANUARY 4, 1988, NECESSARY TO PRESERVE THE PUBLIC SAFETY, HEALTH AND WELFARE, IMPOSING PARKING SPACE REQUIREMENTS ON CERTAIN LARGE RESTAURANT, BAR OR SIMILAR PROJECTS WITHIN THE UPTOWN COMMUNITY PLAN AREA OF THE CITY OF SAN DIEGO.

WHEREAS, on May 4, 1987, the City Council under the police power delegated to it by the Constitution of the State of California, adopted Ordinance Number O-16855 (New Series) as an emergency measure necessary to protect and preserve the public health, safety and general welfare; and

WHEREAS, from time to time the City Council has adopted certain amendments to said emergency ordinance, including Ordinance Number O-17001 (New Series) adopted January 4, 1988; and

WHEREAS, the City Council has adopted an updated community plan for the Uptown Community Plan Area the implementation of which will take place in the form of new zoning legislation and comprehensive rezonings in the community; and

WHEREAS, the existing zoning is in conflict with the newly updated Uptown Community Plan; and

WHEREAS, the existing zoning on certain properties does not specify parking requirements; and

WHEREAS, parking is deficient in the Uptown area; and

WHEREAS, certain large projects are being developed or proposed under existing regulations providing no or inadequate parking for such projects; and

WHEREAS, continued development of large projects without adequate parking would frustrate the goals of the community plan and be detrimental to the public safety, health and general welfare; and

WHEREAS, San Diego Municipal Code Section 101.0203.1 authorizes the City Council to enact as an emergency measure in the interest of public safety, health and general welfare, a temporary interim zoning ordinance, pending the adoption of ordinances to implement the Uptown Community Plan; and

WHEREAS, an emergency measure which will impose certain parking requirements for large restaurant, bar, cocktail lounge or similar establishments will protect the public safety, health and general welfare and ensure that development inconsistent with the goals and objectives of the community plan does not occur pending the development and adoption of permanent regulations addressing the need for parking facilities for such projects;
NOW, THEREFORE,

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

Section 1. That Section 1. of Ordinance Number O-17001 (New Series), adopted January 4, 1988, 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.

OO-16855-1, no building permits shall be issued for:

A. 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 3,000 square feet of lot area, unless a Planned Infill Residential Development Permit, Planned Commercial Development Permit, or Conditional Use Permit is obtained, except as otherwise provided by this ordinance. The Planned Infill Residential 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.

B. Any structure or alterations or repairs of an existing structure which is to be used for restaurant, bar, cocktail lounge or similar establishment, unless off-street parking is provided at a ratio of one space per 400 square feet of floor area or such other ratio as specified

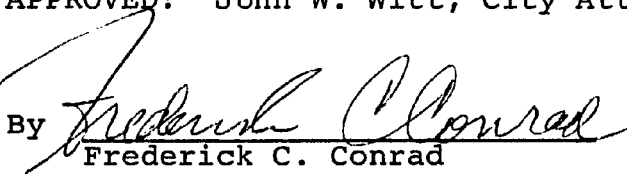
within a Planned Commercial Development Permit obtained for such structure; provided, however, the requirements of this subparagraph shall not apply to an existing restaurant, bar, cocktail lounge or similar establishment, or where any new such establishment is less than 3,000 square feet in floor area.

Section 2. The provisions of this ordinance shall remain in force and effect for one (1) year from the date of its enactment or until the effective date of ordinances enacted to implement the Uptown Community Plan, whichever first occurs.

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 except as provided by this ordinance, no building permits for development inconsistent with the provisions of this ordinance shall be issued.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:ta
09/28/88
10/04/88 COR.COPY
Or.Dept:Plan.
O-89-76
Form=o.none

#201

OCT 10 1988

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By June G. Blackwell, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
OCT 10 1988, 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 June G. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17160 Adopted OCT 10 1988

10 10 308

RECEIVED
88 OCT -4 PM 12:49
CITY CLERKS OFFICE
SAN DIEGO, CA

[Faint, illegible handwritten text]

001 10 308

10 10 308

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C ST., 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: JUNE A. BLACKNELL

IN THE MATTER OF
AN EMERGENCY ORDINANCE AMENDING SECTION 1., OF ORDINANCE
NUMBER 0-17001 (NEW SERIES), ADOPTED JANUARY 4, 1988,
NECESSARY TO PRESERVE THE PUBLIC SAFETY, HEALTH AND WEL-
FARE, IMPOSING PARKING SPACE REQUIREMENTS ON CERTAIN LARGE
RESTAURANT, BAR OF SIMILAR PROJECTS WITHIN THE UPTOWN
COMMUNITY PLAN AREA OF THE CITY OF SAN DIEGO

NO.

ORDINANCE NUMBER 0-17160 (NEW SERIES)
AN EMERGENCY ORDINANCE AMENDING SECTION 1., OF
ORDINANCE NUMBER 0-17001 (NEW SERIES), ADOPTED
JANUARY 4, 1988, NECESSARY TO PRESERVE THE PUBLIC
SAFETY, HEALTH AND WELFARE, IMPOSING PARKING
SPACE REQUIREMENTS ON CERTAIN LARGE RESTAU-
RANT, BAR OR SIMILAR PROJECTS WITHIN THE UPTOWN
COMMUNITY PLAN AREA OF THE CITY OF SAN DIEGO.
This ordinance amends emergency Ordinance No. 01-17001 (New
Series) by adding a provision requiring that off-street parking be pro-
vided for newly constructed or expanded restaurants, bars, cocktail
lounges or similar establishments at a ratio of one space for each 400
square feet of floor area.
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 by the City
Council of The City of San Diego on OCT 10 1988
ATTESTED 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 JUNE A. BLACKNELL Deputy
OCT 24 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 0-17160 (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:

OCT. 24

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

Dated at San Diego, California this 24 day of OCT., 19 88.


(Signature)

$4 \frac{3}{8}'' \times 2 = 53.56$