

(O-89-61 REV. 3)

ORDINANCE NUMBER O- 17167 (NEW SERIES)

ADOPTED ON OCT 24 1988

AN INTERIM ORDINANCE LIMITING THE ISSUANCE OF BUILDING PERMITS AND COMMENCEMENT OF CONSTRUCTION WITHIN A PORTION OF THE LINDA VISTA COMMUNITY PLAN AREA UNTIL AMENDMENTS TO THE LINDA VISTA COMMUNITY PLAN ARE ADOPTED AND IMPLEMENTING ORDINANCES ARE IN EFFECT.


WHEREAS, The City of San Diego, under the police power delegated to it by the Constitution of the State of California, has the authority to react when the public health, safety and general welfare of its citizens are jeopardized; and

WHEREAS, the City Council adopted a Linda Vista Community Plan on July 12, 1983; and

WHEREAS, the City Council has initiated the preparation of and intends to adopt an amendment to the community plan for the Linda Vista Community; and

WHEREAS, it is the intention of the City Council 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 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

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development would compromise the implementation of the community plan; and

WHEREAS, the scale and character of new development is not compatible with existing neighborhoods, and such development would be detrimental to the health, safety, general welfare and good zoning practice, and such development appears imminent; and

WHEREAS, The City of San Diego is in the process of preparing new zoning and revisions to the Linda Vista Community Plan; and

WHEREAS, Section 101.0203.1 of the San Diego Municipal Code provides that the City Council may adopt as an interim measure a temporary ordinance prohibiting uses which may be in conflict with a contemplated zoning proposal or study which the City Council, Planning Commission, or the Planning Department is considering or studying; and

WHEREAS, major development controls pertaining to density, design, landscaping and parking have been applied in surrounding communities, but such controls have not yet been applied to the Linda Vista Community; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety or welfare and that the approval of additional subdivisions, rezonings, land use permits, building permits or any other applicable entitlement for use would result in a threat to the public safety or welfare unless such entitlements are subject to appropriate development design and density control; and

WHEREAS, the City Council held a hearing in compliance with Section 101.0203.1 of the San Diego Municipal Code; NOW,  
THEREFORE,

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

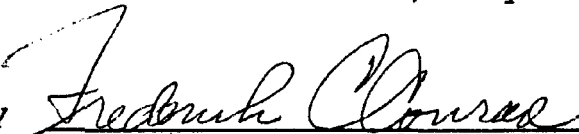
Section 1. Within the area known as the Linda Vista Community Plan area and generally bounded by Interstate 5, Genesee Avenue and Linda Vista Road, Friars Road on the south, Tecolote Canyon and Mesa College Drive on the north and Highway 163 on the east, and excluding the area known as the Morena Revitalization area, as shown on Zone Map Drawing No. C- 775, filed in the office of the City Clerk as Document No. 00-17167, that all property presently zoned R1-5000, R-3000, R-1500, R-1000, R-600, R-400, CP, CO and CA shall not be developed with more than one (1) dwelling unit per five thousand (5,000) square feet of parcel area unless a Planned Infill Residential Development Permit ("PIRD") in single-family zones, a Planned Residential Development Permit ("PRD") or a Conditional Use Permit ("CUP") in the multiple family zones, a CUP or a Planned Commercial Development Permit ("PCD") in the commercial zone is obtained.

Section 2. For purposes of this ordinance, the requirements of Section 101.0900.L. and Section 101.0930.M. of the San Diego Municipal Code requiring guest parking spaces in planned residential developments need not be observed. However, guest parking not to exceed 0.50 space per dwelling unit in Subareas 1 through 14 may be required as a condition of obtaining a PIRD, PRD, PCD, or CUP. In Subareas 15 through 20, guest parking of 1.0 space per dwelling unit shall be required as a condition of obtaining a PIRD, PRD, PCD, or CUP. In Subareas 1 through 14 the

guest parking may be required as a condition of approval of said permits until existing City-wide residential parking requirements are superseded by the currently proposed City-wide residential parking requirements through adoption by City Council.

Section 3. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage. This ordinance shall remain in effect until amendments to the Linda Vista Community Plan are adopted, and the necessary implementing ordinances are adopted and in effect.

APPROVED: John W. Witt, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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09/08/88  
09/26/88 REV. 1  
10/07/88 REV. 2  
10/11/88 REV. 3  
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OCT 24 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 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 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 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 *Jana Martin*, 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

OCT 11 1988

OCT 24 1988

....., and on .....

~~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 *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-17167*

OCT 24 1988

Adopted .....