

(R-88-1932)
(ALTERNATE 2)

RESOLUTION NUMBER R- 270591

ADOPTED ON MAR 22 1988

WHEREAS, Section 6 of the SAVE MISSION BEACH PARK (BELMONT PARK) initiative (Proposition G), enacted by the voters of the City of San Diego and effective as of November 4, 1987, recognizes the existence of vested rights and exempts any development project meeting standards specified therein; and

WHEREAS, supporters of the Giant Dipper, the Belmont Park roller coaster, have made application for exemption under Section 6 of Proposition G with respect to the Belmont Park Project; and

WHEREAS, on March 10, 1988, the City duly noticed a public hearing for the purpose of receiving testimony and evidence with respect to said application for exemption; and

WHEREAS, on March 21, 1988, the City Council conducted a public hearing with respect to said application for exemption at which time the City Council received and considered evidence on the matter, both oral and written; and

WHEREAS, at said public hearing testimony and evidence was also submitted to the effect that the roller coaster had obtained a "vested right" to continue commercial operation by virtue of approximately 50 years of commercial operation on the site; and

WHEREAS, at said hearing testimony and evidence was also submitted to the effect that prior to the effective date of Proposition G the roller coaster had obtained its final discretionary approval for continuing commercial operation and

R-270591
3/22/88

that substantial expenditures have been incurred in good faith reliance on the final discretionary approval and substantial construction has been performed on the property in good faith reliance on the discretionary approval; NOW, THEREFORE,

BE IT RESOLVED, based upon the testimony and evidence submitted at said public hearing, the City Council of The City of San Diego hereby finds that:

1. The roller coaster has obtained a "vested right" to continue commercial operation as a result of approximately 50 years of commercial operation on the Belmont Park site prior to the effective date of Proposition G.


2. The roller coaster has obtained a "vested right" to continue commercial operation in that final discretionary approval for such operation has been obtained, substantial expenditures have been incurred on good faith reliance on such final discretionary approval, and substantial construction has been performed on the property in good faith reliance on the final discretionary approval.

BE IT FURTHER RESOLVED, that in adopting this resolution the City Council hereby incorporates all of the testimony and documentary evidence submitted at said public hearing as its basis for the above findings.

R-270591

Corrected page 7/18/88

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Deputy City Attorney

HOV:ps
03/22/88
Or.Dept:Prop.
R-88-1932 - ALTERNATE 2
Form=r.none

R 270591

MAR 22 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ed Struiksmma	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

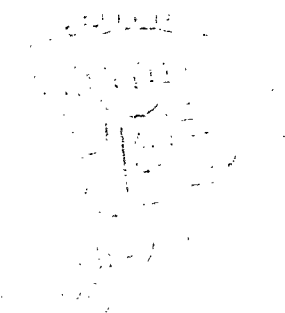
AUTHENTICATED BY:

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 *Ellen Board*, Deputy.



Office of the City Clerk, San Diego, California

Resolution Number **R-270591** Adopted **MAR 22 1988**