

ORDINANCE NUMBER O- 17219 (NEW SERIES)

ADOPTED ON JAN 9 1989

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0462 RELATING TO DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE AREAS OF THE CITY.

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

Section 1. That Chapter X, Article 1, Division 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0462 to read as follows:

**SEC. 101.0462 INTERIM RESOURCE PROTECTION OVERLAY ZONE**

A. through B. [No change.]

C. EXCLUSIONS

1. through 7. [No change.]

8. Land Exchange Agreements

The provisions of this ordinance shall not be applicable to any property which the City is contractually obligated to zone for its highest and best use pursuant to the Land Exchange Agreement between the United States of America and the City of San Diego, filed with the City Clerk on December 8, 1986, as Document No. RR-267203-1.

D. through M. [No change.]

N. DURATION OF THE RESOURCE PROTECTION OVERLAY ZONE

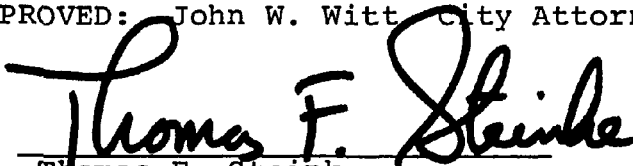
The provisions of this ordinance shall remain in effect until September 5, 1989, or until such time as the City Council adopts an ordinance (or ordinances) which supersedes this ordinance and is designed to protect the City's environmentally sensitive areas, whichever comes first.

O. [Repealed.]

Section 2. 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



Thomas F. Steinke  
Deputy City Attorney

TFS:lc  
12/07/88  
01/04/89 REV. 1  
Or.Dept:Plan.  
O-89-122  
Form=o.none

THE CITY CLERK OF THE CITY OF SAN DIEGO

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SAN DIEGO, CALIFORNIA

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89 JAN -4 AM 11:14  
CITY CLERKS OFFICE  
SAN DIEGO, CA

15838

NEW LANGUAGE: UNDERLINED  
OLD LANGUAGE: STRUCK OUT

**SEC. 101.0462 INTERIM RESOURCE PROTECTION OVERLAY ZONE**

A. through B. [No change.]

C. EXCLUSIONS

1. through 7. [No change.]

8. Land Exchange Agreements

The provisions of this ordinance shall not be applicable to any property which the City is contractually obligated to zone for its highest and best use pursuant to the Land Exchange Agreement between the United States of America and the City of San Diego, filed with the City Clerk on December 8, 1986, as Document No. RR-267203-1.

D. through M. [No change.]

N. CONDITIONAL USE PERMITS WITHIN DURATION OF THE  
RESOURCE PROTECTION OVERLAY ZONE

The provisions of this ordinance shall remain in effect for such time as the Interim Development Ordinance No-  
O-16908 (New Series), adopted July 21, 1987, remains effective, until September 5, 1989, or until such time as the City Council adopts an ordinance (or ordinances) which supersedes this ordinance and is designed to protect the City's environmentally sensitive areas, whichever comes first.

0. APPLICABILITY OF PROVISIONS

That upon the effective date of this ordinance, Section-5.7 entitled "ENVIRONMENTALLY SENSITIVE LANDS" of Ordinance No. 0-16908 (New Series), adopted July-21, 1987, is hereby superseded by this ordinance. In the event that any provision of this ordinance is invalidated, voided, or its enforcement stayed by a court of competent jurisdiction, the applicable provision(s) of Section 5.7 of the Interim Development Ordinance No. 0-16908 (New Series), shall have full force and effect in place of the invalidated provision(s). "Applicable provision(s)" means those provisions of Section 5.7 pertaining to the same subject matter(s) as those which have been invalidated.

TFS:lc  
12/07/88  
01/04/89 REV. 1

0-17219

# 201 B

JAN 9 1989

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 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 *Rhonda R. Barnes*, 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 12 1988

JAN 9 1989

....., 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 *Rhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	O-17219
Adopted	JAN 9 1989

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
89 JAN 30 PM 12:22  
SAN DIEGO, CALIF. *AS*

CITY OF SAN DIEGO  
202 C ST., 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: RHONDA R. BARNES

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0462  
RELATING TO DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE  
~~AREAS OF THE CITY.~~

**ORDINANCE NUMBER 0-17219 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0462 RELATING TO DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE AREAS OF THE CITY.  
BE IT ORDAINED, by the Council of The City of San Diego, as follows:  
Section 1. That Chapter X, Article 1, Division 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0462 to read as follows:  
SEC. 101.0462. INTERIM RESOURCE PROTECTION OVERLAY ZONE  
A. through B. [No change.]  
C. EXCLUSIONS  
1. through 7. [No change.]  
B. Land Exchange Agreements  
The provisions of this ordinance shall be applicable to any property which the City is contractually obligated to zone for its highest and best use pursuant to the Land Exchange Agreement between the United States of America and the City of San Diego, filed with the City Clerk on December 8, 1986, as Document No. RR 267203-1. D. through M. [No change.]  
N. DURATION OF THE RESOURCE PROTECTION OVERLAY ZONE  
The provisions of this ordinance shall remain in effect until September 5, 1989, or until such time as the City Council adopts an ordinance (or ordinances) which supersedes this ordinance and is designed to protect the City's environmentally sensitive areas, whichever comes first.  
O. [Repealed.]  
Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.  
INTRODUCED ON DEC 12 1988  
Passed and Adopted by the Council of The City of San Diego on JAN 9 1989  
AUTHENTICATED BY: MAUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA  
(SEALED)  
By RHONDA R. BARNES, Deputy.  
Pub. January 24 128338

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

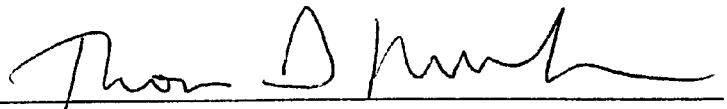
ORDINANCE NUMBER 0-17219 (NEW SERIES)

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:

JAN. 24

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

Dated at San Diego, California this 24 day of JAN., 1989



(Signature)

4" x 2 x 45.32 = \$90.64