

(O-91-91)

ORDINANCE NUMBER O-17585 (NEW SERIES)

ADOPTED ON JAN 22 1991

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 101.0303 RELATING TO THE
RECORDATION OF NONCONFORMING USES AND
STRUCTURES.

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

Section 1. That Chapter X, Article 1, Division 3, of the San Diego Municipal Code be and the same is hereby amended by adding the following paragraphs to Section 101.0303 Section, to read as follows:

**SEC. 101.0303 CONTINUANCE OF NONCONFORMING USES
AND STRUCTURES**

[Existing language of section unchanged.]


If an investigation by the Planning Department reveals that a particular property contains a legal, nonconforming use or structure, the Zoning Administrator may record a "Notice of Nonconforming Rights," in the County Recorder's office. This notice is designed to provide constructive notice to any successors in interest that nonconforming rights as to the property or structures existed at the time of the recordation of notice. Nothing in this notice shall permit the continuation of a nonconforming use or structure that was subsequently expanded, enlarged,

abandoned or destroyed which extinguishes the previous nonconforming right.

If a subsequent investigation reveals that a previous nonconforming right as to the property's use or structure has been lost, the Zoning Administrator shall record a cancellation of the Notice of Nonconforming Rights.

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 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:JMS:lc:lja
11/26/90
Or.Dept:Mgr.
O-91-91
Form=0.none

JAN 22 1991

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<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.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Blonda R. Burnes*, 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

JAN 9 1991

JAN 22 1991

....., 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 *Blonda R. Burnes*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	Adopted.....
0-17585	JAN 22 1991

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90 DEC 21 PM 4: 52

CIVIL RIGHTS OFFICE
SAN DIEGO, CA

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CERTIFICATE OF PUBLICATION

CITY CLERK'S OFFICE
CITY ADMIN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 3,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0303
RELATING TO THE RECORDATION OF NONCONFORMING USES AND STRUCTURES

NO.

ORDINANCE NUMBER O-17585 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0303 RELATING TO THE RECORDATION OF NONCONFORMING USES AND STRUCTURES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter X, Article 1, Division 3, of the San Diego Municipal Code be and the same is hereby amended by adding the following paragraphs to Section 101.0303 Section, to read as follows:
SEC. 101.0303 CONTINUANCE OF NONCONFORMING USES AND STRUCTURES
(Existing language of section unchanged.)
If an investigation by the Planning Department reveals that a particular property contains a legal, nonconforming use or structure, the Zoning Administrator may record a "Notice of Nonconforming Rights," in the County Recorder's office. This notice is designed to provide constructive notice to any successors in interest that nonconforming rights as to the property or structures existed at the time of the recordation of notice. Nothing in this notice shall permit the continuation of a nonconforming use or structure that was subsequently expanded, enlarged, abandoned or destroyed which distinguishes the previous nonconforming right.
If a subsequent investigation reveals that a previous nonconforming right as to the property's use or structure has been lost, the Zoning Administrator shall record a cancellation of the Notice of Nonconforming Rights.

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 Frederick C. Conrad
Chief Deputy City Attorney

INTRODUCED ON JAN 9 1991
Passed and Adopted by the Council of The City of San Diego on JAN 22, 1991.

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

By RHONDA R. BARNES, Deputy.

Pub. February 5

208785

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 O-17585 (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:

FEB. 5

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

Dated at San Diego, California this 5TH day of FEB, 19 91.

(Signature)

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CITY CLERK'S OFFICE

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SAN DIEGO, CALIF.