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## Judge to decide if petitions against new Barrio Logan zoning plan are valid

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By City News Service

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SAN DIEGO (CNS) - A hearing was held today on a lawsuit filed by the Environmental Health Coalition in the struggle over a new zoning plan for Barrio Logan, but no ruling was issued.

A group representing the area's shipyards and other maritime businesses collected enough signatures to get the San Diego City Council to either rescind the new zoning plan or put it to a public vote. The Environmental Health Coalition sued two weeks ago in a bid to invalidate the petitions, claiming that signature-gatherers weren't honest when explaining what was at stake.

Superior Court Judge Jeffrey Barton heard the legal arguments from both sides before taking the matter under submission. He did not indicate when he would issue a ruling.

At issue is the nature of a buffer zone that seeks to separate maritime businesses from residential neighborhoods in the economically disadvantaged area south of downtown San Diego.

The Port of San Diego Ship Repair Association contends the plan -- approved by the City Council on a pair of 5-4 party line votes in September and October -- will drive maritime businesses out of the neighborhood, which will raise costs and limit jobs.

The coalition's complaint notes the city's Election Code prohibits signature gatherers from using falsehoods to prospective signers. The group contends the environmental impact report on the zoning plan forecasts an increase in the number of jobs.

Because one council action was for a resolution and the other an ordinance, shipyard operators had to qualify referendums on each. They turned in more than 53,000 signatures challenging the resolution, and 39,000 were deemed valid by the county Registrar of Voters Office, around 5,000 more than necessary.

The Ship Repair Association has been circulating petitions for the ordinance, and those signatures could be turned in to the City Clerk on Wednesday, according to spokesman Chris Wahl.

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