

ORDINANCE NO. **10484**
(New Series)

JAN 19 1971

AN ORDINANCE AMENDING CHAPTER X OF THE SAN
DIEGO MUNICIPAL CODE BY ADDING ARTICLE 3,
PLANNED DISTRICTS, DIVISION 1, GENERAL
PROVISIONS, AND SECTION 103.0101, DEFINITIONS
AND PROCEDURES.

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

Section 1. That Chapter X of the San Diego Municipal Code
be amended by adding thereto Article 3, Planned Districts, Division
1, General Provisions, and Section 103.0101, Definitions and
Procedures, to read as follows:

ARTICLE 3

PLANNED DISTRICTS

DIVISION 1

GENERAL PROVISIONS

SEC. 103.0101 DEFINITIONS AND PROCEDURES

A. PURPOSE AND INTENT

This section is intended to provide the means of
accomplishing both of the following goals:

1. To preserve and enhance the cultural, aesthetic
or economic value of neighborhoods having special
importance due to their historical significance
or because of their being part of older established
community centers.
2. To provide a method of implementing adopted plans
for such areas through the adoption of appropriate

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APR 28 1978

controls in lieu of conventional zoning.

It is anticipated that the development control regulations adopted for any Planned District will be comprehensive, generally encompassing several of the development controls listed in paragraph "C" of this section.

B. PLANNED DISTRICT DEFINED

For the purpose of Chapter X, Article 3 of this Code, Planned District means any single legally described geographic area having historical significance or serving as an established neighborhood or community center and which has been designated a Planned District by the City Council. The District shall be wholly within the boundaries of a precise plan adopted by the City Council and on file in the office of the City Clerk. The plan shall be in such detail as is necessary to permit the evaluation of proposed development controls for the District.

C. PERMITTED DEVELOPMENT CONTROLS

In a Planned District, no building or structure shall be erected, constructed, altered, moved or enlarged on any premises nor shall any premises be used unless the buildings, structures, and premises comply with the development controls in force in the Planned District.

The following development controls may be made applicable to a Planned District:

1. Architectural design
2. Color and texture of improvements

3. Construction materials
4. Development density
5. Grading and site development
6. Height and bulk of buildings
7. Landscaping
8. Land use, including accessory uses
9. Lot area and dimensions
10. Lot coverage
11. Off-street parking
12. On-street parking
13. Orientation of buildings
14. Public areas
15. Signs
16. Street furniture
17. Yards
18. Any other regulations necessary to the effectuation of the adopted plan covering the area of which the Planned District is a part.

D. INITIATION

The establishment, repeal, change in boundaries or change in development controls of a Planned District may be initiated by the Planning Commission, by the City Council or by a petition filed with the Planning Commission in the office of the Planning Department. Said petition shall contain the signatures of the record owners of at least 50% of the land area lying within the proposed or established District. Application shall be made upon a prescribed form which shall be accompanied by such data as may be required.

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10484 APR 28 1978

E. NOTICE OF HEARING

Upon receipt of an application filed pursuant to paragraph "D." of this section, the Planning Commission shall set a date for a public hearing and give notice of time, place and purpose of such hearing, by:

1. At least one publication of a notice in the City official newspaper not less than ten days prior to the date of the hearing; and
2. Depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owner of each parcel of land within the boundaries of the proposed Planned District and to the owner of each parcel of land within 300 feet of the boundaries of the proposed Planned District. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice.

Notice required in paragraph "E.2." of this section shall be headed "NOTICE OF PUBLIC HEARING" in letters not less than one inch in height. The notice shall briefly describe the boundaries of the proposed Planned District and shall state that the Planning Commission, at the conclusion of the hearing, reserves the right to make any of the following findings to the City Council:

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APR 28 1978

10484

1. That all or any portion of the property be placed in a Planned District and that appropriate development controls be made applicable to the said property.
2. That none of the property be placed in a Planned District.

F. ACTION BY THE PLANNING COMMISSION

After conducting the advertised public hearing, the Planning Commission may recommend to the Council by affirmative vote of not less than a majority of its total voting members, the adoption of an ordinance which will accomplish one or more of the following:

1. Incorporate all or a portion of the property described in the notice given pursuant to paragraph "E" in the Planned District and impose development controls.
2. Change the boundaries, as set forth in said notice, of an established Planned District and, when appropriate, impose development controls.
3. Change the development controls of an established Planned District.
4. Repeal the Planned District, as described in said notice.

In lieu of recommending adoption of an ordinance to accomplish one or more of the actions as set forth in paragraph "F" of this section, the Planning Commission may recommend denial of the petition or proposal.

The Planning Commission may recommend that the City - Council adopt, change or repeal, any or all of the development controls listed in paragraph "C." of this section.

All recommended development controls shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the adopted plans referred to in paragraph "B." of this section.

In recommending adoption of development controls, a change in Planned District boundaries, a change in development controls of an established Planned District, or the repeal of a Planned District, the Planning Commission may recommend City Council adoption of maps and diagrams graphically depicting the proposed development controls or delineating the areas in which specific development controls are to be adopted, changed or repealed. The said maps and diagrams shall be deemed an integral part of the regulations for the Planned District.

In addition, the Planning Commission may recommend that the City Council establish a Planned District Review Board to evaluate the appropriateness of any use or structure in relation to the development controls established in a Planned District.

G. HEARING SET BEFORE CITY COUNCIL

A notice of the action taken before the Planning Commission shall, as soon as possible after the public hearing or

continuance thereof, be filed with the City Clerk. The City Clerk shall thereupon set the matter for a public hearing before the City Council, giving notice of the time, place and purpose of such hearing in the same manner and in the same terms as provided in paragraph "E." of this section.

If the Planning Commission has recommended enactment of an ordinance creating a Planned District, changing boundaries or development controls of an existing Planned District, or repealing an existing Planned District, the City Clerk shall send said recommendation to the City Attorney who shall prepare an ordinance on the terms and conditions as recommended by the Planning Commission for presentation to the Council and introduction thereof at the public hearing.

In the event the Planning Commission fails to act upon an application pursuant to paragraph "D." of this section the City Council shall, after the expiration of 120 days from the date of the filing of said application, direct that a public hearing be held before the Council which shall be noticed as provided in paragraph "E." of this section.

H. ACTION BY THE CITY COUNCIL

During the duly advertised public hearing, the City Council shall consider the proposed establishment of a Planned District and the adoption of applicable development controls, the proposed change in the boundaries of an established District, the adoption of applicable development

controls to an area added to an established District, the proposed repeal of an established District and the development control regulations applicable to said District or the change in applicable controls in an established District.

At the conclusion of the public hearing, the City Council may take such action as it deems to be in the public interest as to the inclusion of property in a Planned District or the exclusion of property from a District or the adoption or modification of development controls to a District.

Any such action taken by the Council shall be consistent with public necessity, convenience and general welfare. All development controls adopted by ordinance shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the plan covering the area of which the Planned District is a part.

In addition, the City Council may establish a Planned District Review Board to evaluate the appropriateness of any use, construction, alteration or demolition of buildings, structures or premises in relation to development controls established in a Planned District. Any ordinance establishing a Planned District Review Board shall describe the precise powers and duties of the Board, method of appointing members, tenure of office and such other rules and regulations the City Council may deem necessary.

I. SUSPENSION OF ZONING REGULATIONS

Whenever the City Council shall establish a Planned

District and adopt development controls for said District or shall add additional land area to an established District, the ordinance or ordinances shall repeal those ordinances applying zoning restrictions to all property within the District boundaries.

J. REINSTATEMENT OF ZONING REGULATIONS

Whenever the City Council adopts an ordinance which eliminates territory from a Planned District or which repeals the development controls applicable to a Planned District in whole or in part, the City Council shall give consideration to the establishment of appropriate planning and zoning regulations.

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, Deputy

FCC:pn
12-29-70

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APR 28 1978

10484

Passed and adopted by the Council of The City of San Diego on JAN 19 1971,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, 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 5 1971

JAN 19 1971

~~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.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10484 Adopted JAN 19 1971

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APR 28 1978

ATTORNEY (S)

CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

No. 10484NS

RECEIVED
CITY CLERK'S OFFICE
1971 FEB -4 PM 4:29
SAN DIEGO, CALIF.

ORDINANCE NO. 10484
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X OF THE SAN DIEGO MUNICIPAL CODE BY ADDING ARTICLE 3, PLANNED DISTRICTS, DIVISION 1, GENERAL PROVISIONS, AND SECTION 103.0101, DEFINITIONS AND PROCEDURES.

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

Section 1. That Chapter X of the San Diego Municipal Code be amended by adding thereto Article 3, Planned Districts, Division 1, General Provisions, and Section 103.0101, Definitions and Procedures, to read as follows:

ARTICLE 3
PLANNED DISTRICTS
DIVISION 1
GENERAL PROVISIONS
SEC. 103.0101 DEFINITIONS AND PROCEDURES

A. PURPOSE AND INTENT

This section is intended to provide the means of accomplishing both of the following goals:

1. To preserve and enhance the cultural, aesthetic or economic value of neighborhoods having special importance due to their historical significance or because of their being part of older established community centers.

2. To provide a method of implementing adopted plans for such areas through the adoption of appropriate controls in lieu of conventional zoning.

It is anticipated that the development control regulations adopted for any Planned District will be comprehensive, generally encompassing several of the development controls listed in paragraph "C" of this section.

B. PLANNED DISTRICT DEFINED

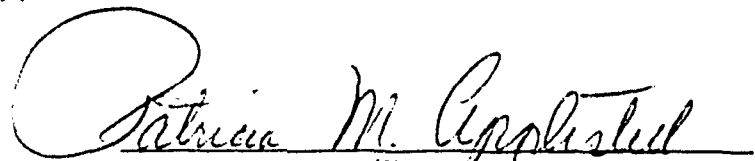
For the purpose of Chapter X, Article 3 of this Code, Planned District means any single legally described geographic area having historical significance or serving as an established neighborhood or community center and which has been designated a Planned District by the City Council. The District shall be wholly within the boundaries of a precise plan adopted by the City Council and on file in the office of the City Clerk. The plan shall be in such detail as is necessary to permit the evaluation of proposed development controls for the District.

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10484 N.S.

to a true and correct copy of which this certificate is annexed was published in said newspaper on January 26, 1971

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 28, 1971


(Signature)

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C. PERMITTED DEVELOPMENT CONTROLS

In a Planned District, no building or structure shall be erected, constructed, altered, moved or enlarged on any premises nor shall any premises be used unless the buildings, structures, and premises comply with the development controls in force in the Planned District.

The following development controls may be made applicable to a Planned District:

1. Architectural design
2. Color and texture of improvements
3. Construction materials
4. Development density
5. Grading and site development
6. Height and bulk of buildings
7. Landscaping
8. Land use, including accessory uses
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18. Any other regulations necessary to the effectuation of the adopted plan covering the area of which the Planned District is a part.

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1. At least one publication of a notice in the City official newspaper not less than ten days prior to the date of the hearing; and
2. Depositing in the United States mail, postage prepaid, at least ten days prior to the date of the hearing, a notice addressed to the owner of each parcel of land within the boundaries of the proposed Planned District and to the owner of each parcel of land within 300 feet of the boundaries of the proposed Planned District. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice.

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1. That all or any portion of the property be placed in a Planned District and that appropriate development controls be made applicable to the said property.
2. That none of the property be placed in a Planned District.

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4. Repeal the Planned District, as described in said notice.

In lieu of recommending adoption of an ordinance to accomplish one or more of the actions as set forth in paragraph "F." of this section, the Planning Commission may recommend denial of the petition or proposal.

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All recommended development controls shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the adopted plans referred to in paragraph "B." of this section.

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H. ACTION BY THE CITY COUNCIL

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At the conclusion of the public hearing, the City Council may take such action as it deems to be in the public interest as to the inclusion of property in a Planned District or the exclusion of property from a District or the adoption or modification of development controls to a District.

Any such action taken by the Council shall be consistent with public necessity, convenience and general welfare. All development controls adopted by ordinance shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the plan covering the area of which the Planned District is a part.

In addition, the City Council may establish a Planned District Review Board to evaluate the appropriateness of any use, construction, alteration or demolition of buildings, structures or premises in relation to development controls established in a Planned District. Any ordinance establishing a Planned District Review Board shall describe the precise powers and duties of the Board, method of appointing members, tenure of office and such other rules and regulations the City Council may deem necessary.

I. SUSPENSION OF ZONING REGULATIONS

Whenever the City Council shall establish a Planned District and adopt development controls for said District or shall add additional land area to an established District, the ordinance or ordinances shall repeal all ordinances applying zoning restrictions to all property within the District boundaries.

J. REINSTATEMENT OF ZONING REGULATIONS

Whenever the City Council adopts an ordinance which eliminates territory from a Planned District or which repeals the development controls applicable to a Planned District in whole or in part, the City Council shall give consideration to the establishment of appropriate planning and zoning regulations.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 5, 1971.

Passed and adopted by the Council of The City of San Diego on January 19, 1971.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HANEL,
Deputy.

(SEAL)
Published Jan. 28, 1971

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