

ORDINANCE NO. 11557
(New Series)

APR 17 1975

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISION 7 AND SECTIONS 91.0701 THROUGH
91.0705, ALL RELATING TO SPECIAL BUILDING
REGULATIONS PERTAINING TO HISTORICAL BUILDINGS.

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

Section 1. That Chapter IX, Article 1, of the San Diego
Municipal Code be, and the same is hereby amended by adding
Division 7, Historical Buildings, and Sections 91.0701 through
91.0705 to read as follows:

DIVISION 7

HISTORICAL BUILDINGS

SEC. 91.0701 PURPOSE AND SCOPE

The purpose of Sections 91.0701 through 91.0705
is to establish alternate building regulations to
facilitate the restoration and/or change of occupancy
of designated historic buildings so as to preserve
their original architectural elements and features,
yet provide for the safety of the building occupants
and the community.

SEC. 91.0702 LIMITATIONS

No provision of these sections shall be
construed to authorize the development or use of any
property in violation of any applicable provision of
Chapter X of this Code.

REVISED
3/10/75

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SEC. 91.0703 DEFINITIONS

For the purpose of these sections, certain terms are defined as follows:

A. Historic Building is a building or structure designated by the City Historic Site Board as a historic site.

B. Automatic sprinkler system shall mean an automatic fire extinguishing system of a type conforming with Uniform Building Code Standard No. 38-1 and supervised by a central station approved by the Fire Chief.

SEC. 91.0704 REQUIREMENTS FOR RESTORATION, REHABILITATION, OR REPAIR OF HISTORIC BUILDINGS

A. Restoration, rehabilitation, or repair of Historic Buildings shall comply with all of the provisions of this chapter except as provided herein.

B. Regardless of the location of a Historic Building, all requirements of this chapter pertaining to floor area, height, and fire-resistive construction, where applicable to such building, shall be those appropriate to buildings located in Fire Zone No. 3.

C. Where an approved automatic sprinkler system is installed throughout the building, the following conditions may be allowed if approved by both the Building Official and the Fire Chief.

1. One-hour fire-resistive corridor construction and wall opening protection thereinto required by this chapter may be omitted.

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2. The automatic sprinkler system may be used as alternate protection for only one of the following:

a. One-hour fire-resistive construction throughout as required by this Chapter, or

b. Building area increases in accordance with this Chapter, or

c. Building height increases in accordance with this Chapter.

3. The automatic sprinkler system may be used as alternate protection to one-hour fire-resistive exterior or court wall construction and fire-protected openings therein in locations where exterior wall openings are permitted by this Chapter, provided the sprinkler system includes sprinkler heads on the exterior of the building at such locations.

4. Projections beyond an exterior wall such as balconies, exterior stairways, and roof overhangs may extend into any yard or court where fire-protected openings in exterior walls are allowed, provided the automatic sprinkler system includes sprinkler heads on the exterior of the building in such locations.

5. On street-front facades, balconies, canopies, columns, doors, windows, signs and

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all miscellaneous trim may be constructed of wood.

6. Wood windows and plain glass may be used in locations where exterior wall openings are required to be fire-protected by this Chapter and the window area need not be limited.

7. Parapet walls which would violate the historic authenticity of the building may be omitted.

D. Attics. If mechanical equipment is installed in an attic area of a Historic Building, such attic area shall be enclosed by means of materials approved for one-hour fire-resistive construction on the equipment side. Access doors shall be self-closing, tight-fitting and of solid wood of 1 3/8 inch minimum thickness. Ducts piercing this enclosure shall be constructed of not less than No. 26 gauge galvanized steel.

E. Stairways. All existing stairways which do not comply with the requirements of this Chapter shall be well lighted and be provided with approved handrails on each side. Such stairways, however, shall not be used to satisfy the exit requirements of this Chapter. Additional complying stairways shall be provided.

F. Safety Glazing. All existing glazing in Historic Buildings which is subject to human impact and does not comply with the safety glazing requirements

of this Chapter shall be provided with an approved protective device.

G. Change in Occupancy. Existing one and two-story residential buildings may be used for certain commercial occupancies without making such buildings comply with all requirements of this Chapter applicable to new commercial buildings, provided all of the following conditions are met.

1. The commercial use must be of a type which entails an average combustible loading of ten pounds per square foot of floor area or less. Such uses would be classified as Group F-2 occupancies and would include real estate, insurance, medical, law, drafting, and similar offices and shops.

2. The commercial use must entail occupancy by generally able-bodied, active persons.

3. The commercial use must not involve any hazardous operations or the handling or use of highly flammable or explosive materials.

4. The commercial use must entail no addition to, or enlargement of such building.

5. Requirements of this Chapter pertaining to exits, toilet facilities, and ventilation in commercial occupancies must be complied with.

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6. The floor structure of such building must be shown to be adequate for the live load appropriate to the commercial use as specified in this Chapter.

7. The commercial use must be compatible with the zoning for the area in which the building is located.

SEC. 91.0705 PROCEDURE

A. Compliance Survey. An applicant requesting approval of restoration, rehabilitation or repair of a Historic Building pursuant to these sections prior to submission of a building permit application, plans, and specifications shall request a Compliance Survey Inspection as provided in this Chapter.

B. Report of Structural Survey. A report of structural survey shall be submitted to the Building Official at the time of application for building permit. Such report shall conform to the requirements of Section 91.02.0203(i) of this code, shall indicate clearly whether or not the building is an unsafe structure, and shall indicate any corrective measures where appropriate.

C. Submission of Plans. Building plans and specifications defining the work necessary to make the Historic Building comply with the requirements of this Chapter shall also be submitted to the Building Official with the permit application.

D. Completion of the Project. Upon satisfactory completion of all work required for rehabilitation pursuant to these sections, the Building Official may issue a Certificate of Occupancy.

E. Appeals. Appeals from decisions of the Building Official or Fire Chief in the application of these sections may be made to the Board of Appeals and Advisors in accordance with the provisions of this Chapter. Such appeals regarding Historic Buildings may be initiated by the Historical Site Board as well as by the building owner.

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 Ted Bronfield
Ted Bronfield, Deputy

TB:lc:813
2/3/75
Or.Dept.: Bldg.Inspec.

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MAY 5 1978

Passed and adopted by the Council of The City of San Diego on APR 17 1975,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.
 By Patricia Polen, Deputy.

(Seal)

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

APR 3 1975, and on APR 17 1975

~~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.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.
 By Patricia Polen, Deputy.

(Seal)

1975 MAR -5 AM 9:45

MICROFILMED

MAY 5 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11557 Adopted APR 17 1975

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ATTORNEY(S)

San Diego, City of
12th Floor City Admin. Bldg.
San Diego, Ca. 92101

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

Historical Bldgs.

APR 25 1975 *eg*

I, PATRICIA M. APPLESTILL hereby certify that San Diego 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; and the

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is a true and correct copy of which this certificate is annexed and was published in said newspaper on

April 25, 1975

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

April 25, 1975

Patricia M. Applestill
(Signature)

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26 1/8" @ 4.42 \$115.47²⁴

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 7 AND SECTIONS 91.0701 THROUGH 91.0708, ALL RELATING TO SPECIAL BUILDING REGULATIONS PERTAINING TO HISTORICAL BUILDINGS, AS IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IX, Article 1, of the San Diego Municipal Code be, and the same is hereby amended by adding Division 7, Historical Buildings, and Sections 91.0701 through 91.0708 to read as follows:

**DIVISION 7
HISTORICAL BUILDINGS**

SEC. 91.0701 PURPOSE AND SCOPE

The purpose of Sections 91.0701 through 91.0708 is to establish alternate building regulations to facilitate the restoration and/or change of occupancy of designated historic buildings so as to preserve their original architectural elements and features, yet provide for the safety of the building occupants and the community.

SEC. 91.0702 LIMITATIONS

No provision of these sections shall be construed to authorize the development or use of any property in violation of any applicable provision of Chapter X of this Code.

SEC. 91.0703 DEFINITIONS

For the purpose of these sections, certain terms are defined as follows:

A. Historic Building is a building or structure designated by the City Historic Site Board as a historic site.

B. Automatic sprinkler system shall mean an automatic fire extinguishing system of a type conforming with Uniform Building Code Standard No. 99-1 and supervised by a central station approved by the Fire Chief.

SEC. 91.0704 REQUIREMENTS FOR RESTORATION, REHABILITATION OR REPAIR OF HISTORIC BUILDINGS

A. Restoration, rehabilitation, or repair of Historic Buildings shall comply with all of the provisions of this chapter except as provided herein.

B. Regardless of the location of a Historic Building, all requirements of this chapter pertaining to floor area, height, and fire-resistive construction, where applicable to such building, shall be those appropriate to buildings located in Fire Zone No. 2.

C. Where an approved automatic sprinkler system is installed throughout the building, the following conditions may be allowed if approved by both the Building Official and the Fire Chief:

1. One-hour fire-resistive corridor construction and wall opening protection thereto required by this chapter may be omitted.

2. The automatic sprinkler system may be used as alternate protection for only one of the following:

- a. One-hour fire-resistive construction throughout as required by this Chapter, or
- b. Building area increases in accordance with this Chapter, or
- c. Building height increases in accordance with this Chapter.

3. The automatic sprinkler system may be used as alternate protection to one-hour fire-resistive exterior or court wall construction and fire-protected openings therein in locations where exterior wall openings are permitted by this Chapter, provided the sprinkler system includes sprinkler heads on the exterior of the building at such locations.

4. Projections beyond an exterior wall such as balconies, exterior stairways, and roof overhangs may extend into any yard or court where fire-protected openings in exterior walls are allowed, provided the automatic sprinkler system includes sprinkler heads on the exterior of the building in such locations.

5. On street-front facades, balconies, canopies, columns, doors, windows, signs and all miscellaneous trim may be constructed of wood.

6. Wood windows and plain glass may be used in locations where exterior wall openings are required to be fire-protected by this Chapter and the window area need not be limited.

7. Parapet walls which would violate the historic authenticity of the building may be omitted.

D. Attics. If mechanical equipment is installed in an attic area of a Historic Building, such attic area shall be enclosed by means of materials approved for one-hour fire-resistive construction on the equipment side. Access doors shall be self-closing, tight-fitting and of solid wood of 1 3/8 inch minimum thickness. Ducts piercing this enclosure shall be constructed of not less than No. 35 gauge galvanized steel.

E. Stairways. All existing stairways which do not comply with the requirements of this Chapter shall be well lighted and be provided with approved handrails on each side. Such stairways, however, shall not be used to satisfy the exit requirements of this Chapter. Additional egress stairways shall be provided.

F. Safety Glass. All existing windows in historic buildings shall be subject to impact hazard and shall not comply with the safety glass requirements of this Chapter shall be provided with an approved protective device.

G. Change in Occupancy. Existing one and two-story residential buildings may be used for certain commercial occupancies without making such buildings comply with all requirements of this Chapter applicable to new commercial buildings, provided all of the following conditions are met:

1. The commercial use must be of a type which entails an average combustible loading of ten pounds per square foot of floor area or less. Such uses would be classified as Group F-3 occupancies and would include real estate, insurance, medical, law, drafting, and similar offices and shops.

2. The commercial use must entail occupancy by generally un-bodied, active persons.

3. The commercial use must not involve any hazardous operations or the handling or use of highly flammable or explosive materials.

4. The commercial use must entail no addition to, or enlargement of such building.

5. Requirements of this Chapter pertaining to exits, toilet facilities, and ventilation in commercial occupancies must be complied with.

6. The floor structure of such building must be shown to be adequate for the live load appropriate to the commercial use as specified in this Chapter.

7. The commercial use must be compatible with the zoning for the area in which the building is located.

SEC. 91.0705 PROCEDURE

A. Compliance Survey. An applicant requesting approval of restoration, rehabilitation or repair of a Historic Building pursuant to these sections prior to submission of a building permit application, plans and specifications shall request a Compliance Survey inspection as provided in this Chapter.

B. Report of Structural Survey. A report of structural survey shall be submitted to the Building Official at the time of application for building permit. Such report shall conform to the requirements of Section 91.02.003(1) of this code, shall indicate clearly whether or not the building is an unsafe structure, and shall indicate any corrective measures where appropriate.

C. Submission of Plans. Building plans and specifications showing the work necessary to make the Historic Building comply with the requirements of this Chapter shall also be submitted to the Building Official with the permit application.

D. Completion of the Project. Upon satisfactory completion of all work required for rehabilitation pursuant to these sections, the Building Official may issue a Certificate of Occupancy.

E. Appeals. Appeals from decisions of the Building Official or Fire Chief in the application of these sections may be made to the Board of Appeals and Advisors in accordance with the provisions of this Chapter. Such appeals regarding Historic Buildings may be initiated by the Historical Site Board as well as by the building owner.

Section 2. This ordinance shall take effect and be in force on the date hereof and after its passage.

Introduced on April 3, 1975.
Passed and adopted by the Council of The City of San Diego on April 21, 1975.

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California
EDWARD NIELSEN
City Clerk of The City of San Diego, California
By PATRICIA POORE, Deputy

(SEAL)
MAY 21 1975