

ORDINANCE NO. 0-15450  
(New Series)

O.81-157  
REV.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,  
DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 103.0408 RELATING TO PERMITTED  
USES IN THE GASLAMP QUARTER PLANNED DISTRICT.

FEB 17 1981

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

Section 1. That Chapter X, Article 3, Division 4 of the  
San Diego Municipal Code be and it is hereby amended by amending  
Section 103.0408 to read as follows:

SEC. 103.0407 PERMITTED USES

In the Gaslamp Quarter no building or improvement or  
portion thereof shall be erected, constructed, converted,  
established, altered, or enlarged, nor shall any premises  
be used except for one or more of the following purposes:

1. [No amendment to this subsection.]
2. [No amendment to this subsection.]
3. [No amendment to this subsection.]
4. Other uses typically conducted within the street  
right-of-way during the 1880-1910 era; such as: flower  
sales, musicians, newsstands, shoeshine stands and sales  
of merchandise typically sold by street vendors during  
the 1880-1910 era, when such uses are in conjunction with  
the use of adjacent private property and have been  
authorized by an encroachment permit issued by the City  
Engineer pursuant to Sections 62.0301 and 62.0302 of the  
Code and paragraph 5 of this section.

5. Specialized uses in the street right-of-way which are consistent with the 1880-1910 era may be considered on all streets with the exception of Broadway. Proposed uses must meet safety and design criteria set forth in the Gaslamp Quarter Urban Design and Development Manual as adopted by resolution by the City Council. Prior to the use of street right-of-way for a specialized use, an encroachment permit shall have been obtained from the City Engineer, pursuant to Sections 62.0301 and 62.0302 of this Code. A clear separation of the encroachment area and the remainder of the sidewalk shall be provided. A special use shall be conducted in conjunction with the use of the adjacent private property.

In addition to special uses, an encroachment permit may be granted to provide for:

- a. Stairways to the basement and from upper floors of a building which provide access to under-utilized areas of a building and/or improve circulation for life-safety aspects of a building;
- b. Awnings, canopies and marquees no closer than two (2) feet from the curb line; and
- c. Street furniture including street lights, benches, fountains, flags, water troughs and similar items.

Sidewalk cafes, authorized pursuant to this subsection, which propose to serve alcoholic beverages, shall be exempt

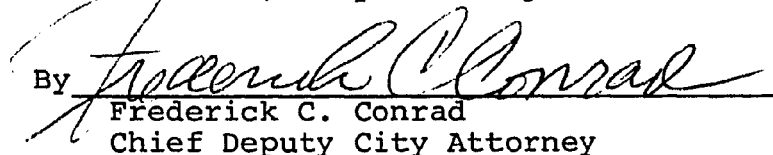
from the provisions of Municipal Code, Section 56.54, providing the serving and consumption of alcoholic beverages is within the confines of the encroachment area.

6. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this district. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

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:clh  
1/5/81  
REV. 1/27/81  
630/613.3  
Or.Dept:Planning

FEB 17 1981

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

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

(Seal)

By *Jane A. Blacknell*, 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

FEB 2 1981

and on

FEB 17 1981

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)

*Jane A. Blacknell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15450 Adopted FEB 17 1981

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1981 MAR 10 PM 12:11  
SAN DIEGO, CALIF.

San Diego, City of  
202 C St., 12th floor  
San Diego, CA 92101  
Attn: June Blacknell

ORDINANCE NO. O-15450  
(New Series)

NO.

0-15450

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0408 RELATING TO PERMITTED USES IN THE GASLAMP QUARTER PLANNED DISTRICT.

ARTICLE 3, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0408 RELATING TO PERMITTED USES IN THE GASLAMP QUARTER PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 4 of the San Diego Municipal Code be and it is hereby amended by amending Section 103.0408 to read as follows:

SEC. 103.0407 PERMITTED USES  
In the Gaslamp Quarter no building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premises be used except for one or more of the following purposes:

- 1. (No amendment to this subsection.)
- 2. (No amendment to this subsection.)
- 3. (No amendment to this subsection.)
- 4. Other uses typically conducted within the street right-of-way during the 1890-1910 era; such as: flower sales, musicians, newsstands, shoeshine stands and sales of merchandise typically sold by street vendors during the 1890-1910 era, when such uses are in conjunction with the use of adjacent private property and have been authorized by an encroachment permit issued by the City Engineer pursuant to Sections 62.0301 and 62.0302 of the Code and paragraph 5 of this section.

5. Specialized uses in the street right-of-way which are consistent with the 1890-1910 era may be considered on all streets with the exception of Broadway. Proposed uses must meet safety and design criteria set forth in the Gaslamp Quarter Urban Design and Development Manual as adopted by resolution by the City Council. Prior to the use of street right-of-way for a specialized use, an encroachment permit shall have been obtained from the City Engineer, pursuant to Sections 62.0301 and 62.0302 of this Code. A clear separation of the encroachment area and the remainder of the sidewalk shall be provided. A special use shall be conducted in conjunction with the use of the adjacent private property.

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- a. Stairways to the basement and from upper floors of a building which provide access to underutilized areas of a building and/or improve circulation for life safety aspects of a building;
- b. Awnings, canopies and marquees no closer than two (2) feet from curb line; and
- c. Street furniture including street lights, benches, fountains, flags, water troughs and similar items.

Sidewalk cafes, authorized pursuant to this subsection, which propose to serve alcoholic beverages, shall be exempt from the provisions of Municipal Code, Section 56.54 providing the serving and consumption of alcoholic beverages is within the confines of the encroachment area.

6. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this district. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

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

Introduced on January 19, 1981 and reintroduced on February 2, 1981.

Passed and adopted by the Council of The City of San Diego on February 17, 1981.

AUTHENTICATED BY:  
PETE WILSON,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of The City of San Diego, California.  
(SEAL)  
By JUNE A. BLACKNELL, Deputy.

Published March 3, 1981 60-3021

I, Camille Simpson, 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 NO. O-15450 (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:

March 3, 1981

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

Dated at San Diego, California this 3rd day of Mar., 19 81.

Camille Simpson  
(Signature)

6 7/8" x 2 = 100.79