

ORDINANCE NUMBER O-16056 (New Series)

Adopted on OCT 10 1983

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0202.2, 103.0207.2, 103.0207.3, 103.0207.4 AND 103.0207.5 RELATING TO THE OLD SAN DIEGO PLANNED DISTRICT ORDINANCE.

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

Section 1. That Chapter X, Article 3, Division 2, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 103.0202.2, 103.0207.2, 103.0207.3, 103.0207.4 and 103.0207.5, to read as follows:

SEC. 103.0202.2 PROCEDURES FOR BUILDING PERMITS  
APPLICATION AND REVIEW

A. Application for a building permit shall be made to the Building Inspection Director before the commencement of any work in the erection of any new building or structure, or repainting of exterior surfaces, remodeling or repair, alteration, addition to or demolition of any existing building or structure within the Planned District or any building which is relocated into the Planned District.

B. The application shall include the following:

1. The purpose for which the proposed building, structure or improvement is intended to be used;

2. Adequate plans and specifications

indicating dwelling unit density, lot area, lot coverage and off-street parking;

3. Adequate plans and specifications for the building and improvements showing the exterior appearance, color and texture of materials, and architectural design of the exterior;

4. Adequate plans and specifications for any outbuildings, party walls, courtyards, fences, setbacks, landscaping, signs, lighting, traffic safety, or other dependency thereof; and

5. Any other information deemed necessary by the Review Board, Planning Director and Building Inspection Director to judge compliance with the regulations contained herein and other applicable laws and regulations.

C. The Building Inspection Director shall refer all applications made under "A" above to the Planning Director. The Planning Director may approve signs, reroofing, repainting of exterior surfaces and any addition to or alteration of any structure which the Planning Director determines to be minor in scope, providing the Planning Director can conclude that the application conforms to the regulations contained herein. The Planning Director may refer these types of applications to the Review Board for their action. All other applications shall be referred to the Review Board.

D. The Building Inspection Director or the Planning Director shall refer any application made under "A" above to the Historical Site Board if the subject property is a designated historical site of The City of San Diego. The Historical Site Board shall review any application referred to it under this section pursuant to Section 26.02 E. of the San Diego Municipal Code.

E. The Old San Diego Planned District Review Board may approve, modify, or disapprove any application for a building permit referred to it by the Planning Director. Approval or disapproval shall be by a majority vote of all of the members of the Review Board at any meeting where the vote is taken and shall include a statement that the Review Board finds that the building structure or improvement for which the permit was applied would or would not conform to the regulations contained herein.

F. Within 60 days after the submission of a complete application to the Building Inspection Director as required above, the Review Board or Planning Director shall send their decision in writing to the Director of Building Inspection with the application and documents, except when the applicant requests or agrees to an extension of time.

G. If the Review Board or Planning Director approves the application and the Building Inspection

Director finds that the application conforms to all other regulations and ordinances of The City of San Diego, he shall then issue the permit for the work.

H. All other applications under the Building Code and not under Section 103.0202.2 or involving interior work not subject to public view from the streets or alleys of the Planned District and not subject to any regulation contained within Division 2 of this Article shall be processed in the normal manner without referral to or approval by the Review Board or Planning Director.

SEC. 103.0207.2 RELOCATION OF HISTORIC BUILDINGS

Designated historical sites of The City of San Diego may be relocated into the Old San Diego area. Upon receipt of an application for permit to relocate such a building, the Building Inspection Director shall refer the application to the Historical Site Board for review as provided in Section 103.0202.2 D. Any building approved for relocation into the Old San Diego District by the Historical Site Board shall be referred to the Review Board for review and approval as provided in Section 103.0202.2 and shall be subject to all the exceptions and other provisions contained therein.

SEC. 103.0207.3 EXCEPTIONS TO OLD SAN DIEGO PLANNED DISTRICT REGULATIONS

A. Section 103.0203.2, Paragraphs "B" through "E," concerning alterations of nonconforming uses, shall not apply to designated historical sites.

B. The Old San Diego Planned District Review Board shall have the power to grant an exception to any development regulation within Division 2 of this Article including permitted uses, when such exception is necessary to permit the preservation or restoration of a historic or architecturally significant building structure or site. Such exception shall be subject to the following conditions:

1. The subject building, structure or site must be a designated historical site;

2. The proposed exception shall be referred to the Historical Site Board for a report and recommendation;

3. The Old San Diego Planned District Review Board, in granting an exception, shall make a finding that the exception is necessary to permit the preservation or restoration of a designated historical site; that strict application of the provisions contained within Division 2 of this Article would result in economic or other practical difficulties in securing the preservation or restoration of a designated historical site; and that the granting of an exception will not be injurious to the community or detrimental to the public welfare; and

4. In granting any exception, the Review Board shall make a written finding which shall

specify facts relied upon in rendering its decision. A copy of this written finding, together with all evidence presented to the Review Board, including plans required elsewhere in Division 2 of this Article shall be filed with the Review Board's decision in the office of the City Clerk, the Department of Building Inspection and the Planning Department. The written finding and decision shall be mailed to the applicant and shall be subject to appeal by any interested person in the manner as provided in Section 103.0202.3.

SEC. 103.0207.4 DEVIATIONS FROM BUILDING CODE ALLOWED

Notwithstanding the provisions of this ordinance or any other ordinance, it shall be lawful in the Old San Diego Planned District to repair, remodel or restore all designated historical sites pursuant to the State Historical Building Code regulations adopted by The City of San Diego to facilitate restoration, change of occupancy and preservation of original or restored architectural elements and features and to provide for the safety of the building occupants. Any application to remodel, restore, alter or move a designated historical site shall first be referred to the Historical Site Board pursuant to Section 26.02 E. of the San Diego Municipal Code. The Building Inspection Director shall require such repairs, modifications, and/or improvements to the building or

structure as conditions to the permit, as are deemed necessary to provide minimum life and fire safety. Requirements of the Historical Site Board and the Building Inspection Director may be appealed to the San Diego City Council as provided by Section 26.02 E. and Section 91.0707 of the San Diego Municipal Code.

SEC. 103.0207.5 REMOVAL OF DAMAGED HISTORIC STRUCTURES

In the event any designated historical site shall be damaged by earthquake, fire or act of God and a permit for demolition or removal of the property is applied for, the permit shall be referred to the Historical Site Board pursuant to Section 26.02 E. of the San Diego Municipal Code.

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 Thomas F. Steinke  
Thomas F. Steinke  
Deputy City Attorney

TFS:ta:920.2  
8/31/83  
Or.Dept:Plan.  
Form=o.none

Passed and adopted by the Council of The City of San Diego on OCT 10 1983,  
 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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
 Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Board, 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

SEP 27 1983, and on OCT 10 1983.

~~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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>16056</u>	Adopted <u>OCT 10 1983</u>



RECEIVED  
CITY CLERK

1983 OCT 25 AM 11:36  
CERTIFICATE OF PUBLICATION

SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
ATTN: ELLEN BOYARD  
202 C ST., 12th Floor  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. O-16056

**ORDINANCE NO. O-16056**  
**(New Series)**  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0207.2, 103.0207.3, 103.0207.4 AND 103.0207.5 RELATING TO THE OLD SAN DIEGO PLANNED DISTRICT ORDINANCE.  
This ordinance amends the Old San Diego Planned District Ordinance by clarifying the roles of the Historical Site Board and the Old San Diego Planned District Review Board when projects within the Planned District involve designated historical sites.  
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of The City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Passed on September 27, 1983.  
Passed and adopted by the Council of The City of San Diego on October 10, 1983.  
AUTHENTICATED BY:  
ROGER HEDGECOCK,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of The City of San Diego, California.  
(SEAL)  
By ELLEN BOYARD, Deputy.  
Publish Oct. 24, 1983 80-1803

I, Carrie Gedeon, 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-16056  
(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:

October 24, 1983

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

Dated at San Diego, California this 24th day of Oct., 1983.

Carrie Gedeon  
(Signature)

01180

4 1/4" X 8.87 = 37.70