

(0-85-170)

ORDINANCE NUMBER O- 16416 (NEW SERIES)

ADOPTED ON APR 29 1985

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTIONS 91.02 AND 91.02.2312, RELATING TO
DESIGN REQUIREMENTS IN LIVE/WORK QUARTERS.

WHEREAS, Sections 17922 and 17958 of the California Health and Safety Code provide that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in the most recent edition of the Uniform Building Code of the International Conference of Building Officials; and

WHEREAS, Sections 17958.5 and 17958.7 of the California Health and Safety Code provide that a city or county may make such changes or modifications in the requirements contained in the Uniform Building Code as it determines are reasonably necessary because of local conditions; and

WHEREAS, Section 17958.11 of the California Health and Safety Code provides that any city or county may adopt alternative building regulations for the conversion of commercial or industrial buildings, or portions thereof, to joint living and work quarters; and

WHEREAS, Section 17958.11 of the California Health and Safety Code further provides that the legislature recognizes that building code regulations applicable to residential housing may have to be relaxed to provide joint living and work quarters in

buildings previously used for commercial and industrial purposes;
and

WHEREAS, Section 17958.11 of the California Health and Safety Code further provides that the alternative building regulations need not impose the same requirements as regulations adopted pursuant to Section 17922 of the California Health and Safety Code; and

WHEREAS, the Council of The City of San Diego in recognition of the provisions of Section 17958.11 of the California Health and Safety Code expressly finds and declares that each amendment to the Uniform Building Code, 1982 Edition, contained in this ordinance is needed to provide the requisite flexibility in regulations applicable to the conversion of commercial and industrial buildings to joint living and work quarters and still in its determination protect the public health, safety and welfare; NOW, THEREFORE,

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 amending Sections 91.02 and 91.02.2312, to read as follows:

SEC. 91.02 SECTIONS OF THE UNIFORM BUILDING CODE NOT ADOPTED

The following sections of the Uniform Building Code, 1982 Edition, are not adopted by the City of San Diego as part of the Municipal Code:

SECTION 103	SCOPE
SECTION 104	APPLICATION TO EXISTING BUILDINGS AND STRUCTURES

	(b) Additions, Alterations or Repairs
	(c) Existing Installations
	(e) Moved Buildings and Temporary Buildings
	(f) Historic Buildings
SECTION 202	POWERS AND DUTIES OF BUILDING OFFICIAL
	(b) Deputies
SECTION 203	UNSAFE BUILDINGS OR STRUCTURES
SECTION 204	BOARD OF APPEALS
SECTION 205	VIOLATIONS
SECTION 301	PERMITS
	(b) Exempted Work
SECTION 302	APPLICATION FOR PERMIT
	(b) Plans and Specifications
SECTION 303	PERMIT ISSUANCE
SECTION 304	FEEES
	(a) Permit Fees
	(b) Plan Review Fees
	(d) Investigation Fees: Work Without a Permit
	(e) Refunds
SECTION 306	SPECIAL INSPECTIONS
	(b) Special Inspector
TABLE 3A	BUILDING PERMIT FEES
SECTION 404	DEFINITIONS
SECTION 417	DEFINITIONS
SECTION 420	DEFINITIONS
SECTION 710	HELISTOPS
SECTION 901	GROUP H OCCUPANCIES DEFINED
	(a) General
SECTION 1204	EXIT FACILITIES
SECTION 1213	ACCESS TO BUILDINGS AND FACILITIES
SECTION 1709	PARAPETS
	(a) General
SECTION 1807	SPECIAL PROVISIONS
SECTION 2301	SCOPE
SECTION 2312	EARTHQUAKE REGULATIONS
	(j) 2.A. Minor Alterations
	(l) Earthquake Recording Instrumentations
SECTION 2505	IDENTIFICATION
SECTION 2903	EXCAVATION AND FILLS
	(b) Protection of Adjoining Property
SECTION 3202	ROOF CONSTRUCTION AND MATERIALS
SECTION 3203	ROOF COVERINGS
	(f) Ordinary Roof Covering
SECTION 3301	GENERAL
	(b) Definitions
SECTION 3318	GROUP A, DIVISIONS 2, 2.1, 3 AND 4 OCCUPANCIES
	(a) Group A, Divisions 2, 2.1 and 3
SECTION 3401	SKYLIGHTS

SECTION 3800 TABLE 38-A STANDPIPE REQUIREMENTS
SECTION 5103 EMERGENCY OPERATION AND SPECIAL
PROVISIONS
(a) Automatic Elevators
SECTION 5401 SCOPE

SEC. 91.02.2312 EARTHQUAKE REGULATIONS

Section 2312(j)2.A. Minor alterations. Minor structural alterations may be made in existing buildings and other structures, but the resistance to lateral forces shall be not less than before such alterations were made, unless the building as altered meets the requirements of this section.

For the purpose of this section, the addition of floors in existing buildings shall be considered as a minor structural alteration if all of the following conditions are met to the satisfaction of the Building Official.

i. The building must be used for live/work quarters as defined in Section 17958.11 of the California Health and Safety Code, and the specific area of the floor addition shall be used only for live areas in live/work quarters.

ii. The floor area addition shall not exceed ten percent of the existing building's floor area and shall be located entirely within the existing building.

iii. A report of structural survey shall be submitted to the Building Official establishing that the building, with the floor additions, is not

any more subject to earthquake damage than it would have been under a previously permitted use, without the floor additions.

iv. The owner of the building or its successors in interest shall agree in writing, on a form provided by the Building Official, that he or she will not hold the City liable for the expense of any alterations completed pursuant to this section, if at some later time the City determines that a general structural reinforcement of the building is required. Such agreement shall be recorded with the County Recorder.

v. The owner of the building or its successors in interest shall agree in writing, on a form provided by the Building Official, that he or she will remove all floors that have been added pursuant to this section if the building ceases to be used for live/work purposes. Such agreement shall be recorded with the County Recorder.

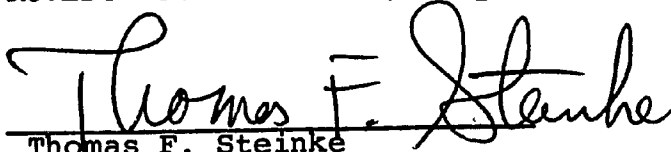
Section 2312(m). - No change.

Section 2. All building permit applications filed with The City of San Diego prior to the effective date of this ordinance shall be exempt from the provisions thereof.

Section 3. 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
Deputy City Attorney

TFS:ta:270

4/8/85

Or.Dept:Bldg.Insp.

O-85-170

Form=o.none

NEW LANGUAGE: UNDERLINED
OLD LANGUAGE: STRUCK OUT

SEC. 91.02 SECTIONS OF THE UNIFORM BUILDING CODE NOT ADOPTED

The following sections of the Uniform Building Code, 1982 Edition, are not adopted by the City of San Diego as part of the Municipal Code:

SECTION 103 SCOPE
SECTION 104 APPLICATION TO EXISTING BUILDINGS AND STRUCTURES
(b) Additions, Alterations or Repairs
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(e) Moved Buildings and Temporary Buildings
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SECTION 202 POWERS AND DUTIES OF BUILDING OFFICIAL
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(a) General
SECTION 1204 EXIT FACILITIES
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SECTION 1709 PARAPETS
(a) General
SECTION 1807 SPECIAL PROVISIONS
SECTION 2301 SCOPE
SECTION 2312 EARTHQUAKE REGULATIONS

	(j)2.A. Minor Alterations
	(1) Earthquake Recording Instrumentations
SECTION 2505	IDENTIFICATION
SECTION 2903	EXCAVATION AND FILLS
	(b) Protection of Adjoining Property
SECTION 3202	ROOF CONSTRUCTION AND MATERIALS
SECTION 3203	ROOF COVERINGS
	(f) Ordinary Roof Covering
SECTION 3301	GENERAL
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SECTION 3318	GROUP A, DIVISIONS 2, 2.1, 3 AND 4 OCCUPANCIES
	(a) Group A, Divisions 2, 2.1 and 3
SECTION 3401	SKYLIGHTS
SECTION 3800	TABLE 38-A STANDPIPE REQUIREMENTS
SECTION 5103	EMERGENCY OPERATION AND SPECIAL PROVISIONS
	(a) Automatic Elevators
SECTION 5401	SCOPE

SEC. 91.02.2312 EARTHQUAKE REGULATIONS

Section 2312(j)2.A. Minor alterations. Minor structural alterations may be made in existing buildings and other structures, but the resistance to lateral forces shall be not less than before such alterations were made, unless the building as altered meets the requirements of this section.

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ii. The floor area addition shall not exceed ten percent of the existing building's floor area and shall be located entirely within the existing building.

iii. A report of structural survey shall be submitted to the Building Official establishing that the building, with the floor additions, is not any more subject to earthquake damage than it would have been under a previously permitted use, without the floor additions.

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v. The owner of the building or its successors in interest shall agree in writing, on a form provided by the Building Official, that he or she will remove all floors that have been added pursuant to this section if the building ceases to be used for live/work purposes. Such agreement shall be recorded with the County Recorder.

Section 2312(m). - No change.

by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Marjorie G. Porterson*, 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

APR 15 1985

APR 29 1985

....., and on

~~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 *Marjorie G. Porterson*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16416 Adopted APR 29 1985

APR 29 1985

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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 *Marjell G. Portleau*, Deputy.

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_____, and on _____

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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 *Marjell G. Portleau*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

0-16416

Adopted

APR 29 1985

RECEIVED
CITY CLERK'S OFFICE
1985 APR 20 PM 2 16
SAN DIEGO, CALIF.

APR 20 1985

APR 20 1985

APR 20 1985

00583

APR 20 1985

RECEIVED
CITY CLERK'S OFFICE
CERTIFICATE OF PUBLICATION

1985 MAY 15 PM 2:57

SAN DIEGO, CALIF.

THE CITY OF SAN DIEGO
202 C Street, 12th Fl.
San Diego, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, OF THE SAN
DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 91.02 AND 91.02.2312
RELATING TO DESIGN REQUIREMENTS IN LIVE/WORK QUARTERS

ORDINANCE NUMBER 0-16416 (NEW SERIES)
SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 91.02 AND 91.02.2312 RELATING TO DESIGN REQUIREMENTS IN LIVE/WORK QUARTERS.
State of California Health and Safety Code Section 179200.1 allows cities to adopt alternative building standards for certain areas in order to encourage the conversion of existing commercial buildings to joint live/work quarters for artists, artisans and other skilled people.
This Ordinance clarifies a provision in the existing Building Code which provides for the addition of a limited amount of floor area to certain buildings for the purpose of providing live areas within live/work quarters.
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.
Adopted on APRIL 15, 1985.
Approved and adopted by the Council of The City of San Diego on MAY 13, 1985.
CERTIFICATED BY:
ROBERT HEDGECOCK
Mayor of The City of San Diego, California.
MICHAEL L. ABDELNOUR
City Clerk of the City of San Diego, California.
WITNESSED BY:
MICHAEL L. PONTECORVO, Deputy
City Clerk
San Diego, May 13, 1985

I, Michael L. Ungashick, 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 NUMBER 0-16416 (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:

May 13, 1985

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

Dated at San Diego, California this 13th day of May, 19 85.

Michael L. Ungashick
Signature

2" x 2" x 9.76 = 39.04

00584