

ORDINANCE NUMBER O- 16594 (NEW SERIES)

ADOPTED ON FEB 10 1986

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0405 RELATING TO THE OPEN SPACE ZONE.

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

Section 1. That Chapter X, Article 1, Division 4, of the San Diego Municipal Code be and the same is hereby amended by adding Section 101.0405 to read as follows:

SEC. 101.0405 OPEN SPACE ZONE ("OS")

A. PURPOSE AND INTENT

The purpose of the "OS" Zone is to protect open space for the preservation of natural resources, for the managed production of the resources, for outdoor recreation and education, for public health and safety, for controlling urban form and design, and for scenic and visual enjoyment. This zone is intended to be applied to publicly owned parks, and private land where development rights have been transferred.

Within this zone, open space will be provided by limiting development in areas which are located, configured and possessed of physical features that may provide valuable and functional open space for the purposes of shaping urban form. The zone provides open space in the form of parks,

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historic and cultural resources, and natural resources including but not limited to areas required for the preservation of plant and animal life, areas required for ecologic and other scientific study purposes, rivers, streams, bay and estuaries, and coastal branches, lakeshores, banks of rivers and streams, and watershed lands.

It is the intent of this legislation to apply this zone to public land indicated for open space and park purposes, and to private land where the application for the zone is requested by the property owner as part of a community plan identified density transfer program.

B. SUBDISTRICT CLASSIFICATION APPLICATION

The "OS" Zone may be applied to properties which warrant the protection provided by this zone. The "OS" Zone may be applied to the following types of open space with the appropriate index:

- OS-P To be applied to all population-based parks and facilities including both neighborhood parks and facilities and community parks and recreation centers, as defined by the Progress Guide and General Plan.
- OS-R To be applied to all resource-based parks as defined by the Progress Guide and General Plan such as sites of distinctive scenic, natural or cultural features intended for City-wide use.
- OS-OSP To be applied to all Open Space Parks defined as City-owned land acquired for the purpose of providing such benefits as scenic vistas, preservation of natural resources, and outdoor recreation potential. Lands within this classification are lands included within the City's Open Space inventory.

OS-TDR-(00DU) To be applied to private land where all or a portion of the development rights have been transferred to another site.

C. PERMITTED USES

No structure or improvement or portion thereof shall be erected, converted, constructed, established, altered or enlarged, nor shall any premise be used, except for one or more of the following purposes:

1. OS-P, OS-R and OS-OSP.

a. Parks.

b. Recreation Centers.

c. Community Centers.

d. Facilities for park and recreation purposes.

e. Public improvements including overhead and underground utilities. The placement of these facilities to be reviewed by the Planning Director for compatibility with individual Open Space plans.

f. Any other use determined appropriate by the Planning Director.

2. OS-TDR.

Any use which does not denude, deface, grade or otherwise disturb in any manner at anytime the natural open space qualities of the site, except for the following uses:

a. Public improvements including overhead and underground public utilities. The placement of these facilities to be reviewed by the Planning

Director for compatibility with individual Open Space plans.

b. Single family dwellings.

D. PROPERTY DEVELOPMENT REGULATIONS

The following development regulations are intended to provide for the reasonable and orderly development of the City's open lands and to assure adequate levels of light, air and intensity of development, to maintain and enhance the locally recognized values of open space and to promote the safe and efficient circulation of pedestrian and vehicular traffic. The following regulations shall apply and are found necessary for the preservation of the community health, safety and general welfare:

1. OS-P, OS-R and OS-OSP.

a. All development regulations including lot area, width and frontage; building setbacks, coverage, and height; and parking and landscaping standards shall be as determined appropriate by the City Manager and the Planning Director.

2. OS-TDR-(00DU).

a. Density Regulations.

Development rights on the lot or parcel area indicated in the parenthesis suffix and represent dwelling units. (Example: OS-TDR-(2DU) - two units total for subject property).

b. Property Development Regulations.

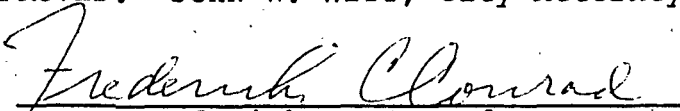
(1) No minimum lot area, width, or frontage is required.

(2) The minimum yard dimensions, floor area ratios, maximum building height and parking regulations shall be subject to the property development regulations of the R1-40000 Zone.

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:cc:600
12/11/85
Or.Dept:Plan.
O-86-105
Form=o.none

0-16594

Passed and adopted by the Council of The City of San Diego on

FEB 10 1986

by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy 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

JAN 28 1986

FEB 10 1986

~~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

00173

Ordinance Number 0-16594

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00174

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
OFFICE OF CITY CLERK
ATTN: ELLEN BOVARD
202 C STREET - 12TH FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF
THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0405

**ORDINANCE NUMBER O-16594 (NEW SERIES)
ADOPTED ON FEB 10 1986**

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0405 RELATING TO THE OPEN SPACE ZONE.

The ordinance establishes an Open Space Zone which may be applied to property which is publicly owned or property which has been affected by transfers of development rights. Subclassifications of the zone are provided for land used for public parks, resource-based parks, open space parks and property which is subject to transfer of development rights. Property development regulations are specified for each subclassification of the Open Space Zone. The Open Space Zone may be applied to qualifying property following noticed public hearings.

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.

Introduced on January 28, 1986

Passed and Adopted by the Council of The City of San Diego on February 10, 1986.

AUTHENTICATED BY:

ED STRUIK SMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By **ELLEN BOVARD**, Deputy.

Pub. Feb. 24, 1986

39378

I, Gerald F. Blair, 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

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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:

FEBRUARY 24, 1986

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

Dated at San Diego, California this 24th day of FEB., 1986.

Gerald F. Blair
(Signature)

00175

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