

ORDINANCE NUMBER O- 16949 (NEW SERIES)

ADOPTED ON OCT 12 1987

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 101.0426 AND 101.0428
RELATING TO THE CN AND CA ZONES.

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 amending Sections 101.0426 and 101.0428 to read as follows:

SEC. 101.0426 CN ZONE (NEIGHBORHOOD COMMERCIAL)

- A. [No changes to paragraph A.]
- B. [No changes to paragraph B.]
 - 1. [No changes to paragraph 1.]
 - 2. [No changes to paragraph 2.]
 - a. through g. [No changes to paragraphs a. through g.]
 - h. Drug stores (no more than ten percent of the gross floor area to be utilized for display of alcoholic beverages).
 - i. through l. [No changes to paragraphs i. through l.]
 - m. Food stores (no more than ten percent of the gross floor area to be utilized for display of alcoholic beverages).

n. through p. [No changes to paragraphs n. through p.]

q. Nurseries - plant.

r. Paint and wallpaper stores.

s. Photographic studios.

t. Radio, television and home appliance repair shops.

u. Restaurants (excluding drive-in and drive-thru restaurants and further excluding live entertainment and the sale of all intoxicating beverages except beer and wine).

v. Shoe stores.

w. Shoe repair shops.

x. Stationers.

y. Studios for teaching of art, dancing and music.

z. Variety stores.

aa. Bookstores.

3. through 8. [No changes to paragraphs 3. through 8.]

C. through F. [No changes to paragraphs C. through F.]

SEC. 101.0428 CA ZONE (AREA SHOPPING CENTER)

A. [No changes to paragraph A.]

B. [No changes to paragraph B.]

1. and 2. [No changes to paragraphs 1. and 2.]

3. [No changes to paragraph 3.]

a. through r. [No changes to paragraphs a. through r.]

s. Liquor stores.

t. Locksmith shops.

u. Music shops.

v. Pet shops.

w. Photographic equipment supplies and film processing stores.

x. Post offices.

y. Restaurants.

z. Sporting goods stores.

aa. Theaters, nightclubs and bars, with or without live entertainment, or any combination thereof shall not be permitted except by Conditional Use Permit if the size of the establishment exceeds 5,000 square feet in gross floor area.

bb. Tire sale, repair and recapping establishments if entirely within an enclosed building.

cc. Trade and business schools.

dd. Trailer sales agencies.

4. and 5. [No changes to paragraphs 4. and 5.]

C. through F. [No changes to paragraphs C. through F.]

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
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
07/16/87
Or.Dept:Plan.
O-88-7
Form=o.code

STRIKE-OUT ORDINANCE

OLD LANGUAGE: Stricken Out
NEW LANGUAGE: Underlined

SEC. 101.0426 CN ZONE (NEIGHBORHOOD COMMERCIAL)

- A. [No changes to paragraph A.]
- B. [No changes to paragraph B.]
 - 1. [No changes to paragraph 1.]
 - 2. [No changes to paragraph 2.]
 - a. through g. [No changes to paragraphs a. through g.]
 - h. Drug stores (no more than ten percent of the gross floor area to be utilized for display of alcoholic beverages).
 - i. through l. [No changes to paragraphs i. through l.]
 - m. Food stores (no more than ten percent of the gross floor area to be utilized for display of alcoholic beverages).
 - n. through p. [No changes to paragraphs n. through p.]
 - ~~q.~~ hiquer stores.
 - ~~r.~~g. Nurseries - plant.
 - ~~s.~~r. Paint and wallpaper stores.
 - ~~t.~~s. Photographic studios.
 - ~~u.~~t. Radio, television and home appliance repair shops.
 - ~~v.~~u. Restaurants (excluding drive-in and drive-thru restaurants and further excluding live entertainment and the sale of all intoxicating beverages except beer and wine).
 - ~~w.~~v. Shoe stores.
 - ~~x.~~w. Shoe repair shops.
 - ~~y.~~x. Stationers.

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~~s-y.~~ Studios for teaching of art, dancing and music.

~~aa-z.~~ Variety stores.

~~bb-aa.~~ Bookstores.

3. through 8. [No changes to paragraphs 3. through 8.]

C. through F. [No changes to paragraphs C. through F.]

SEC. 101.0428 CA ZONE (AREA SHOPPING CENTER)

A. [No changes to paragraph A.]

B. [No changes to paragraph B.]

1. and 2. [No changes to paragraphs 1. and 2.]

3. [No changes to paragraph 3.]

a. through r. [No changes to paragraphs a. through r.]

s. Liquor stores.

~~s-t.~~ Locksmith shops.

~~t-u.~~ Music shops.

~~u-v.~~ Pet shops.

~~v-w.~~ Photographic equipment supplies and film processing stores.

~~w-x.~~ Post offices.

~~x-y.~~ Restaurants.

~~y-z.~~ Sporting goods stores.

~~z-aa.~~ Theaters, nightclubs and bars, with or without live entertainment, or any combination thereof shall not be permitted except by Conditional Use Permit if the size of the establishment exceeds 5,000 square feet in gross floor area.

~~aa-bb.~~ Tire sale, repair and recapping establishments if entirely within an enclosed building.

~~bb-cc.~~ Trade and business schools.

~~ee-dd.~~ Trailer sales agencies.

4. and 5. [No changes to paragraphs 4. and 5.]

C. through F. [No changes to paragraphs C. through F.]

FCC:cc

07/16/87

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

OCT 12 1987

| Council Members | Yeas | Nays | Not Present | Ineligible | |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Bill Cleator | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Gloria McColl | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| District 4 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | VACANT |
| Ed Struiksmā | <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"/> | |
| Celia Ballesteros | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By *Maurell G. P. McConor*, 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 29 1987

OCT 12 1987

....., 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 *Maurell G. P. McConor*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number O-16949 Adopted OCT 12 1987

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1987 NOV -3 AM 11:41
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: MAYDELL L. PONTECORVO

IN THE MATTER OF

NO.

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

I, THOMAS D. KELLEHER, 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 O-16949 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0426 AND 101.0428 RELATING TO THE CN AND CA ZONES.

This ordinance amends Municipal Code Section 101.0426, CN ZONE (Neighborhood Commercial), by deleting liquor stores from the list of uses permitted in the zone, and amends Section 101.0428, CA ZONE (Area Shopping Center), by adding liquor stores as a permitted use in the zone.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON SEPTEMBER 29, 1987

Passed and Adopted by the Council of The City of San Diego on OCTOBER 12, 1987

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, CA

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, CA

By MAYDELL L. PONTECORVO, Deputy

(SEAL)

Pub. October 29

94292

ORDINANCE NUMBER O-16949 (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:

OCT. 29

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

Dated at San Diego, California this 29 day of OCT., 19 87.

25 Lines x .98 = 49
Thomas D. Kelleher
(Signature)

(2 3/4" x 10.78 x 25 \$ 51.20)