

(O-88-170)

ORDINANCE NUMBER O-17071 (NEW SERIES)

ADOPTED ON APR 18 1988

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,  
DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY  
ADDING SECTION 101.0101.95 RELATING TO  
DEFINITIONS AND INTERPRETATIONS.

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

Section 1. That Chapter X, Article 1, Division 1, of the San  
Diego Municipal Code be and the same is hereby amended by adding  
Section 101.0101.95, to read as follows:

**SEC. 101.0101.95 DEFINITIONS AND INTERPRETATIONS**

1. Aquaculture. A form of agriculture  
devoted to the controlled growing and harvesting of  
fish, shellfish, and plants in marine, brackish,  
and fresh water.

2. Beach Impact Area. That area within the  
Coastal Zone lying adjacent to public beaches and  
which, therefore, experiences the highest levels of  
traffic congestion and parking need. The area lies  
seaward of a continuous line running north to south  
that connects the rear property lines on the  
landward side(s) of the properties fronting on  
segments of the following named streets, beginning  
at the northerly City limits: North Torrey Pines  
Road; La Jolla Shores Drive; Torrey Pines Road;

Prospect Place; Prospect Street; La Jolla Boulevard; Loring Street; Cass Street; Reed Street; Gresham Street; Pacific Beach Drive; Interstate Freeway 5; Interstate Freeway 8; Sunset Cliffs Boulevard; Point Loma Avenue; the unnamed alley between Point Loma Avenue and Adair Street; Devonshire Drive; Hill Street; and Cordova Street to its terminus at Ladera Street. In addition, the beach impact area, shall include: all properties fronting on Carmel Valley Road between the City limits of the City of Del Mar and Via Donada; all properties located on the bayward side of Rosecrans Street between Nimitz Boulevard and Talbot Street and between McCall Street and the Point Loma Naval Complex. A map of the beach impact area is filed with the City Clerk as Document No. 0-17069.

3. Coastal Bluff. Within the Coastal Zone, an escarpment or steep face of rock, decomposed rock, sediment, or soil resulting from erosion, faulting, folding, or excavation of the land mass. It may be flat, curved, or steplike. For the purposes of these regulations, a coastal bluff is limited to those features having vertical relief of ten (10) feet or more.

For purposes of mapping the Sensitive Coastal Resource Overlay District, coastal bluffs shall consist of those areas designated within Hazard

Category Nos. 41 through 47, inclusive, on the City's Geologic Hazard Maps, on file in the office of the City Engineer, plus an additional one hundred (100) foot landward strip contiguous to the coastal bluff edge.

4. Coastal Bluff Edge. The upper termination of a coastal bluff. When the top edge of the coastal bluff is rounded away from the face of the coastal bluff, the edge shall be defined as that point nearest the coastal bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the coastal bluff. In a case where there is a steplike feature at the top of the coastal bluff, the landward edge of the topmost riser shall be considered the bluff edge.

5. Environmentally Sensitive Area. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem, and which could be easily disturbed or degraded by human activities and development.

6. First Public Roadway. The nearest through public access route (open to vehicular traffic) paralleling the ocean shoreline, which forms a continuous linkage from the northernmost to southernmost limits of the City of San Diego

shoreline. The first public roadway is designated on Map Drawing No. C-731, filed in the office of the City Clerk under Document No. 00-17069.

7. Lateral Access. Public access along the shoreline paralleling the water's edge.

8. Public Vantage Point. Any publicly accessible location on dedicated or publicly owned property, including but not limited to roadways, parks, and cultural or recreational facilities, which affords a view of the ocean, a coastal lagoon, a canyon or hillside area, or any other open space area identified in an adopted community plan.

9. Riparian Habitat. An environment associated with freshwater watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water, and characterized by plants and animals which are dependent upon the availability of water in the resource.

10. Shared Parking. The sharing under legal agreement of an off-street parking facility or facilities by two (2) or more commercial uses or establishments for the purpose of accommodating their parking needs in a more efficient manner without conflict or encroachment.

11. Vertical Access. Physical public access from the first public roadway to the shoreline.

12. Wetland. Land which may be covered periodically or permanently with water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, mudflats, or fens. For the purposes of mapping the Sensitive Coastal Resource Overlay Zone, a wetland shall consist of those areas classifiable as wetlands in accordance with the "United States Fish and Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States," a copy of which is on file in the City Planning Department.

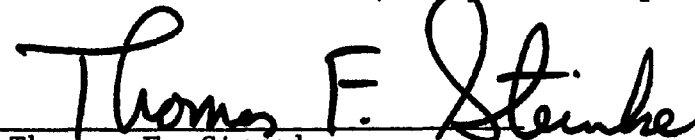
13. Fill. Any material or substance which is deposited, placed, pushed, dumped, pulled, transported, or moved to a new location and the conditions resulting therefrom. Fill also includes pilings placed for the purpose of erecting structures thereon when located in a submerged area. Examples of fill materials include but are not limited to earth, excavated or dredged materials, sand, gravel, rock, riprap, and concrete.

Section 2. This ordinance shall become effective on October 17, 1988, provided that by such date the Local Coastal Program of The City of San Diego (including Coastal Commission recommended rezonings) has been: (i) accepted by the Executive Director of the Coastal Commission; (ii) is finally and effectively certified by the Coastal Commission; and (iii) coastal development permit

issuing responsibility is authorized by the Coastal Commission to be undertaken by The City of San Diego. In the event the aforesaid conditions are not met, this ordinance is null and void.

APPROVED: John W. Witt, City Attorney

By



Thomas F. Steinke  
Deputy City Attorney

TFS:wk  
03/31/88  
Or.Dept:Plan.  
O-88-170  
Form=o.none

*Handwritten mark*

Passed and adopted by the Council of The City of San Diego on APR 18 1988,  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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 Ellen Bovard, 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 5 1988

APR 18 1988

~~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 Bovard, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17071 Adopted APR 18 1988

RECEIVED  
CITY CLERK'S OFFICE  
1988 APR -1 PM 3:23  
SAN DIEGO, CALIF.



CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: ELLEN BOVARD

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION  
1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION  
101.0101.95 RELATING TO DEFINITIONS AND INTERPRETATIONS.

NO.

**ORDINANCE NUMBER O-17071 (NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0101.95 RELATING TO DEFINITIONS AND INTERPRETATIONS:**

This ordinance adds several new definitions to the San Diego Municipal Code which are necessitated by the use of the terms in the Local Coastal Program. The new terms which are defined are: aquaculture, beach, impact area, coastal bluff, coastal bluff edge, environmentally sensitive area, first public roadway, lateral access, public vantage point, riparian habitat, shared parking, vertical access, wetland, and fill.

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 April 5, 1988  
Passed and adopted by the Council of The City of San Diego on April 18, 1988

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  
BY ELLEN BOVARD, Deputy  
MAY 2 107492

THOMAS D. KELLEHER

I, \_\_\_\_\_, 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-17071 (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 2

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

Dated at San Diego, California this 2 day of MAY, 1988.

*Thomas D. Kelleher*

(Signature)

26 lines x .98 = 50.96

23/8" x 2 x 10.78 = \$ 51.20