

(O-89-175)

ORDINANCE NUMBER O- 17269 (NEW SERIES)

ADOPTED ON MAR 20 1989

AN INTERIM ORDINANCE LIMITING THE ISSUANCE OF BUILDING PERMITS FOR RESIDENTIAL CONSTRUCTION UNLESS A PLANNED RESIDENTIAL DEVELOPMENT PERMIT OR CONDITIONAL USE PERMIT IS FIRST OBTAINED, COMMERCIAL CONSTRUCTION UNLESS A PLANNED COMMERCIAL DEVELOPMENT PERMIT IS FIRST OBTAINED AND PROHIBITING THE ESTABLISHMENT OF A BUSINESS WITH A DRIVE-THRU FACILITY WITHIN THE GOLDEN HILL COMMUNITY PLAN AREA UNTIL THE GOLDEN HILL PLANNED DISTRICT ORDINANCE IS UPDATED AND IN EFFECT.

WHEREAS, on April 5, 1988, the Council of the City of San Diego adopted the Golden Hill Community Plan; and

WHEREAS, the Council is aware of inconsistencies between the adopted Community Plan and the current zoning regulations in the Golden Hill community; and

WHEREAS, the existing development regulations of the multi-family zones (R-600, R-1000, and R-1500) do not include requirements for facade articulation or offsetting planes or other architectural design features that are characteristic of older development in Golden Hill; and

WHEREAS, the existing development regulations of the Commercial Zones (CN, CC, CA, Subareas 5 and 6 of the Golden Hill Planned District) do not include design features or site design elements that would complement the existing historical heritage of the community or create a pedestrian-oriented environment as recommended by the adopted community plan; and

WHEREAS, under the existing zoning regulations, development may be in conflict with the goals and objectives of the adopted Golden Hill Community Plan (1988), and with existing and proposed revitalization plans for the area; and

WHEREAS, it is the intention of the Council that implementation of the goals and objectives for multi-family and commercial development will be achieved in Golden Hill by updating and expanding the existing Golden Hill Planned District Ordinance to include all multi-family and commercial areas in the community; and

WHEREAS, San Diego Municipal Code Section 101.0203.1 authorizes the City Council to enact as an interim measure in the interest of public safety, health and welfare an interim ordinance; NOW, THEREFORE

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

Section 1. Within the area of the Golden Hill Community Plan area, generally bounded by Balboa Park and Juniper Street on the north, State Route 94 on the south, the alley on the east side of 28th Street on the west, and then east along Marlton Drive to the 34th Street Canyon, and more specifically shown on Map No. C-763.1, a copy of which is on file in the office of the City Clerk as Document No. 00-17056, no building permits shall be issued for the construction of any new structure or enlargement of an existing structure if the residential density for all existing and proposed dwelling units exceeds one unit per 3,000 square feet of lot area unless a Planned Residential Development

permit or Conditional Use Permit is obtained, except as otherwise provided by this ordinance.

Section 2. Within the area known as the Golden Hill Community Plan Area and generally bounded by Balboa Park and Juniper Street on the north, 32nd Street between Juniper Street and Hawthorn Street, then along Marlton Drive to the 34th Street Canyon to Beech Street on the east, State Route 94 on the south and Interstate 5 on the west, and more specifically shown on Map No. C-763.2, no building permits shall be issued for the construction of any new commercial structure or enlargement of more than 500 square feet to an existing commercial structure unless a Planned Commercial Development Permit or Conditional Use Permit is obtained, except as otherwise provided by this ordinance.

Section 3. Planned Residential Development permits, Conditional Use Permits and Planned Commercial Development permits required by this ordinance shall conform to the residential densities and design guidelines of the Golden Hill Community Plan as adopted by the Council on April 5, 1988.

Section 4. Within the area shown on Map No. C-763.2, no building permits shall be issued for construction of any new structure or expansion or conversion of any existing structure if it provides drive-thru facilities.

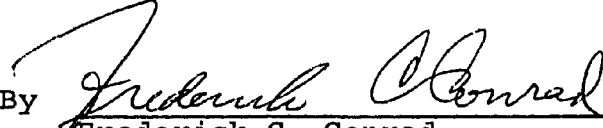
Section 5. Projects permitted under Planned Residential Development permits, Conditional Use permits, Planned Commercial Development permits or Hillside Review permits approved prior to the effective date of this ordinance may develop in accordance

with the provisions of the approved permit provided, however, that any requested amendments to the approved permits shall be subject to the provisions of this ordinance.

Section 6. The provisions of this ordinance shall remain in force and effect until the effective date of the adoption of the revisions to the Golden Hill Planned District Ordinance. Complete project applications for a Golden Hill Planned District Permit that were made prior to January 5, 1989, shall be exempt from the provisions of this ordinance. Complete building permit applications for commercial development that were submitted prior to January 5, 1989, shall also be exempt from the provisions of this ordinance.

Section 7. 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

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Or.Dept:Plan.  
O-89-175  
Form=o.none

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CITY CLERKS OFFICE  
SAN DIEGO, CA

TO: [Illegible]  
FROM: [Illegible]  
SUBJECT: [Illegible]

[The following text is extremely faint and largely illegible due to low contrast and scan quality. It appears to be a multi-paragraph letter or report.]

Passed and adopted by the Council of The City of San Diego on.....**MAR 20 1989**.....  
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 type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.  
By Maureen O'Connor 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 **MAR 07 1989**, and on **MAR 20 1989**.

~~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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.  
By Maureen O'Connor Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17269 Adopted **MAR 20 1989**

RECEIVED

89 FEB 24 AM 10:18

CITY CLERK'S OFFICE  
SAN DIEGO, CA

[Faint, mostly illegible text, possibly a header or introductory paragraph]

WVB 02 1989

WVB 02 1989

[Faint, mostly illegible text, possibly a body paragraph]

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WVB 02 1989

CERTIFICATE OF PUBLICATION

OFFICE OF THE CITY CLERK  
202 C ST., 12 FLOOR  
SAN DIEGO, CA 92101

RECEIVED  
CITY CLERK'S OFFICE  
89 APR 11 PM 1:28  
SAN DIEGO, CALIF.

NO.

IN THE MATTER OF  
AN INTERIM ORDINANCE LIMITING THE ISSUANCE OF BUILDING PERMITS FOR RESIDENTIAL DEVELOPMENT PERMIT OF CONDITIONAL USE PERMIT IS FIRST OBTAINED, COMMERCIAL CONSTRUCTION UNLESS A PLANNED COMMERCIAL DEVELOPMENT PERMIT IS FIRST OBTAINED AND PROHIBITING THE ESTABLISHMENT OF A BUSINESS WITH A DRIVE-THRU FACILITY WITHIN THE GOLDEN HILL COMMUNITY PLAN AREA UNTIL THE GOLDEN HILL PLANNED DISTRICT ORDINANCE IS UPDATED AND IN EFFECT.

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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.

Passed and adopted by the Council of The City of San Diego on MARCH 20, 1989, by the following vote:

YEAS: Wolfshelmer, Roberts, McCoil, Pratt, Henderson, McCarty, Fliner, Mayor O'Connor.

NAYS: Struikama.

NOT PRESENT: None.

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 MAYDELL L. PONTECORVO, 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 MARCH 7, 1989, and on MARCH 20, 1989.

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 MAYDELL L. PONTECORVO, Deputy.

Pub. April 3

137075

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 0-17269 (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:

APRIL 3

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

Dated at San Diego, California this 3 day of APRIL, 19 89.

(Signature)

42.49 x 3 3/4" x 2 = #84.46