

(O-90-8)

ORDINANCE NUMBER O- 17364 (NEW SERIES)

ADOPTED ON OCT 16 1989

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0462 RELATING TO DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE AREAS OF THE CITY AND THE CITY OF SAN DIEGO LANDSCAPE TECHNICAL MANUAL.

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 Section 101.0462, to read as follows:

SECTION 101.0462 RESOURCE PROTECTION ORDINANCE

A. RESOURCE PROTECTION PERMIT REQUIRED

Within the areas regulated by the provisions of the Resource Protection Ordinance no building, improvement or portion thereof shall be erected, constructed, converted, established, altered, enlarged, used, or demolished, nor shall any lot or premises be excavated or graded nor shall any vegetation be cleared and grubbed until a separate Resource Protection Permit is obtained in accordance with the procedures set forth in this section. Resource Protection Permit shall not be required for installation of landscaping on preexisting single-family lots when grubbing, grading or other

development does not occur. Any person violating this ordinance shall be guilty of a misdemeanor and shall be punishable pursuant to the provisions of Section 11.12 of the San Diego Municipal Code.

B. through E. [No change.]

F. DEFINITIONS

The following definitions shall apply only for the purposes of this section.

1. and 2. [No change.]

3. "Clearing" shall mean the cutting and removal of vegetation from the land without disturbance to the soil surface or destruction of the root system.

4. "Grubbing" shall mean the removal or destruction of vegetation by the removal of or disturbance to the root system and/or soil surface by any means including chemical.

5. through 14. [Renumbered; no language changes.]

G. [No change.]

H. DEVELOPMENT REGULATIONS

1. and 2. [No change.]

3. Floodplain Fringe

a. through d. [No change.]

e. All development proposed in the floodplain fringe on property which borders the floodway, or is otherwise linked physically or visually with the floodway shall:

-PAGE 2 OF 5-

1) Provide not less than a twenty-five (25) foot-wide open space strip bordering the floodway, revegetated per Section 7.1 of the City of San Diego Landscape Technical Manual, on file in the office of the City Clerk.

2) [No change.]

f. All landscaping shall be in substantial conformance with the standards and specifications set forth in Chapter X, Division 7, of the San Diego Municipal Code (City-wide Landscaping Regulations) and the City of San Diego Landscape Technical Manual, on file in the office of the City Clerk.

4. Hillslides. Where a development is proposed on slopes of twenty-five percent (25%) grade and over, within the jurisdiction of the Resource Protection Overlay Zone as defined in Paragraph F. above the following regulations shall apply:

a. Hillslides shall be preserved in their natural state, provided a minimal encroachment into such slopes (areas disturbed by grading or development) may be permitted as set forth in the following table:

**TABLE FOR SECTION 101.0462
TWENTY-FIVE PERCENT (25%) SLOPE ENCROACHMENT ALLOWANCE**

[No change to table.]

1) through 6) [No change.]

b. through d. [No change.]

5. and 6. [No change.]

I. APPLICATION SUBMITTAL REQUIREMENTS

Every application for a Resource Protection Permit shall be accompanied by the following information (where applicable) prepared in accordance with the guidelines of Section 2 of the City of San Diego Landscape Technical Manual, on file in the office of the City Clerk:

1. through 10. [No change.]

J. through R [No change.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void within the Coastal Zone.

Section 3. In areas of the City of San Diego other than the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

Section 4. Within the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*
Frederick C. Conrad
Chief Deputy City Attorney

FCC:pev:lc
07/26/89
09/22/89 COR.COPY
Or.Dept:Plan.
O-90-8
Form=o.none

54 C
OCT 16 1989

Passed and adopted by the Council of The City of San Diego on.....
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 *Rhonda R. Barnes*, 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

OCT 3 1989

OCT 16 1989

, 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 *Rhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17364 Adopted OCT 16 1989

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

89 NOV -9 PM 3:40

SAN DIEGO, CALIF.

nd

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BLDG.
202 C STREET, SECOND FLOOR
SAN DIEGO, CA 92101
ATTN: RHONDA BARNES

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 101.0462 RELATING TO DEVELOPMENT
IN THE ENVIRONMENTALLY SENSITIVE AREAS OF THE
CITY AND THE CITY OF SAN DIEGO LANDSCAPE TECHNICAL MANUAL.

NO.

ORDINANCE NUMBER 0-17364 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0462 RELATING TO DEVELOPMENT IN THE ENVIRONMENTALLY SENSITIVE AREAS OF THE CITY AND THE CITY OF SAN DIEGO LANDSCAPE TECHNICAL MANUAL.
This ordinance amends Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by amending various sections for maintenance and installation criteria of citywide landscapes. This updates existing standards, introduces new standards, and prioritizes and consolidates these standards. In addition, it updates definitions to be consistent with the new brush management and slope revegetation guidelines as recommended by the Land Development Advisory Board.
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 OCT 3 1989 Passed and Adopted by the Council of The City of San Diego on OCT 16 1989
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 (SEAL)
By RHONDA B. BARNES, Deputy.
Pub. Nov. 2 158854

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

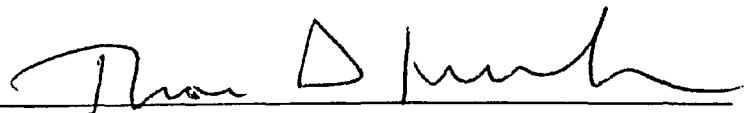
ORDINANCE NUMBER 0-17364 (NEW SERIES)

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:

NOV. 2

I certify under penalty of perjury that the foregoing is true and correct.
2 NOV. 89

Dated at San Diego, California this _____ day of _____, 19_____.



(Signature)

$2\frac{1}{2}'' \times 2 = 58.32$