

ORDINANCE NUMBER O- 17748 (NEW SERIES)  
ADOPTED ON MAR 16 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0101.96 AND BY ADDING A NEW SECTION 101.0101.0105; AND AMENDING CHAPTER X, ARTICLE 1, DIVISION 5, BY AMENDING SECTION 101.0510; ALL RELATING TO CORRECTIONAL PLACEMENT CENTER AND STANDARDS FOR CONDITIONAL USE PERMITS.

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 amending Section 101.0101.96 and by adding a new section 101.0101.0105 to read as follows:

**SEC. 101.0101.96 Residential Care Facility .**

A "residential care facility" means any building or place which is maintained and operated to provide sleeping accommodations, with or without food service(s) or kitchen facilities, for mentally disordered or otherwise disabled persons or dependent persons, or persons in rehabilitation or recovery programs; including, but not limited to, alcohol or substance abuse treatment, residential and community care facilities as defined by the state or county, facilities providing counseling services, and facilities receiving any form of government funding or

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subsidy, but excluding housing for the elderly, nursing and convalescent homes.

**SEC. 101.0101.0105 Correctional Placement Center**

A "Correctional Placement Center" means any building or place that is maintained and operated as a housing facility used for the confinement or placement of adults:

1. Who are ordered confined or placed, by County authorities, state courts or federal authorities, for one or more of the following purposes:

- a. post arraignment; or
- b. court hearing; or
- c. serving time in custody as a result of a criminal conviction; or
- d. as a term or condition of probation; or
- e. a probation or parole violation;

and

2. Who are:

- a. regularly employed; or
- b. regularly attending job training or learning institutions; or
- c. otherwise deemed appropriate due to other pertinent circumstances by the sentencing judge.

Section 2. That Chapter X, Article 1, Division 5, of the San Diego Municipal Code be and the same is hereby amended by

amending Section 101.0510 to read as follows:

**SEC. 101.0510 Conditional Use Permit**

A. and B. [No change.]

C. USES WHICH MAY BE CONSIDERED

1. and 2. [No change.]

3. Planning Commission as Decisionmaker.

The Planning Commission shall have the authority under conditions provided in Section 101.0510 to authorize by Conditional Use Permit the following uses in any zone, including interim zones, except as otherwise provided below:

a. through n. [No change.]

o. A Correctional Placement Center in any zone except residential, neighborhood commercial (CN), A-1 areas of the Coastal Zone, or in the Future Urbanizing Area, subject to the locational, operational and development requirements contained within the document entitled "Correctional Placement Center" Requirements as adopted by the Council of The City of San Diego, on file in the office of the City Clerk as Document No. <sup>RR</sup> ~~00-~~ 279736.

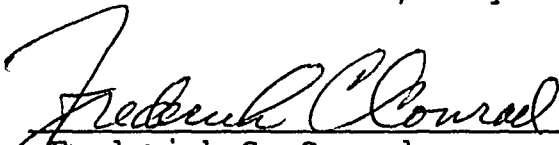
4. through 6. [No change.]

D. through Q. [No change.]

Section 3. 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.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc  
02/28/92:03/13/92 REV.1  
Or.Dept:Plan.  
O-92-116  
Form=o+t

#52

MAR 16 1992

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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  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 03 1992**

**MAR 16 1992**

....., 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  Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17748** Adopted **MAR 16 1992**

CERTIFICATE OF PUBLICATION

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92 APR -3 PH 1:28

SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK  
CITY ADMINISTRATION BLDG.  
202 C ST., 2ND FLOOR  
SAN DIEGO, CA 92101

b" = 79.86

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,...

**ORDINANCE NUMBER 0-17748 (NEW SERIES)**  
 AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0101.00 AND BY ADDING A NEW SECTION 101.0101.0108; AND AMENDING CHAPTER X, ARTICLE 1, DIVISION 8, BY AMENDING SECTION 101.0510; ALL RELATING TO CORRECTIONAL PLACEMENT CENTER AND STANDARDS FOR CONDITIONAL USE PERMITS.

The ordinance amends San Diego Municipal Code section 101.0510 to establish procedures for allowing correctional placement centers under a conditional use permit.

The ordinance further adds Section 101.0101.0108 to the Municipal Code to regulate correctional placement centers by establishing definitions, eligibility and administration criteria and regulations for such uses within any of the zones of San Diego, except residential, neighborhood commercial (CN), A-1 areas of the Coastal Zone or the Future Urbanizing Area.

The ordinance further amends Section 101.0101.00, defining residential care facility, by deleting references to work furlough programs.

A complete text of the ordinance is on file in the office of the City Clerk.

INTRODUCED ON March 3, 1992  
 Passed and Adopted by the Council of the City of San Diego on March 16, 1992.

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 Suzanne Oliva, Deputy

(SEAL)  
 Pub. Mar. 30 248524

I, Corey Donahue, 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 0-17748 (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:

MARCH 30

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

Dated at San Diego, California this 30TH day of MARCH, 1992.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)