

(O-93-70)

ORDINANCE NUMBER O- 17863 (NEW SERIES)

ADOPTED ON NOV 23 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 9, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 101.0901 RELATING TO
PLANNED RESIDENTIAL DEVELOPMENTS.

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

Section 1. That Chapter X, Article 1, Division 9, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0901, to read as follows:

SEC. 101.0901 Planned Residential Developments

A. through D. [No change.]

E. DECISION OF THE PLANNING DIRECTOR OR CITY
COUNCIL

1. through 6. [No change.]

7. Within the Future Urbanizing area, Planned Residential Development permits may be granted by the City Council, instead of the Planning Director, following the procedures specified in Section 101.0901. In considering an application for development at an increased density not to exceed one dwelling per four acres, the City Council may grant the permit if it finds from the evidence presented that all of the following additional facts exist:

a. through f. [No change.]

g. Within the North City Future Urbanizing Area, as defined by the *Progress Guide and General Plan*, the City shall prepare a Subarea Plan pursuant to the General Plan. Alternatively, the applicant must demonstrate that, at a minimum, all public facilities within the Subarea (as designated by the *Progress Guide and General Plan*) have been sited; a Purchase Agreement for the public facility sites has been completed; mixed use centers within the Subarea have been sited; the street system to access the mixed use centers and public facilities has been aligned; a financing plan for the project area, Subarea, or larger planning area has been completed; and open space boundaries have been refined if the project deviates from the Environmental Tier boundaries shown in the *General Plan*. This Section 101.0901(E)(7)(g) shall not apply to any project which has an application which has been deemed complete on or before December 10, 1990, which includes a golf course open to the public; provided, however, that any such project shall fully participate in the Public Facilities Financing Plan, Interim Fees, and the School Facilities

Master Plan, and that a development agreement shall be executed for such project.

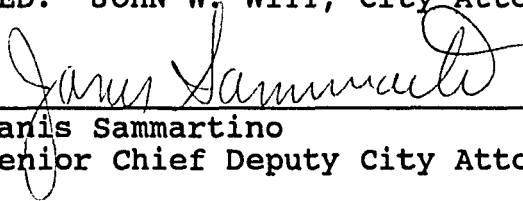
h. [No change.]

F. through S. [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.

APPROVED: JOHN W. WITT, City Attorney

By



Janis Sammartino
Senior Chief Deputy City Attorney

JS:lc
10/28/92
Or.Dept:Clerk
O-93-70
Form=o+t

17863
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Office of
The City Attorney
City of San Diego

AL
MAR 23 PM 3:21
SAN DIEGO, CALIF.

MEMORANDUM

236-6220

DATE: March 23, 1994
TO: Jan Johnson, City Clerk's Office
FROM: City Attorney
SUBJECT: Correction to San Diego Municipal Code Section 101.0901

It has been brought to my attention that a portion of San Diego Municipal Code ("SDMC") section 101.0901(E)(6)(g), which was added by Ordinance No. O-17863, November 23, 1992, has been inadvertently omitted in printing of that SDMC section. Section 101.0901(E)(6)(g) should read as follows:

g. Within the North City Future Urbanizing Area, as defined by the Progress Guide and General Plan, a Subarea Plan shall be prepared pursuant to the General Plan. The subarea plan shall be developed consistent with the North City Future Urbanizing Area Framework Plan, as approved by the California Coastal Commission on May 14, 1993. Alternatively, the applicant must demonstrate that, at a minimum, all public facilities within the Subarea (as designated by the Progress Guide and General Plan) have been sited; a Purchase Agreement for the public facility sites has been completed; mixed use centers within the Subarea have been sited; the street system to access the

O-17863

Jan Johnson
March 23, 1994
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mixed use centers and public facilities has been aligned; a financing plan for the project area, Subarea, or larger planning area has been completed; and open space boundaries have been refined if the project deviates from the Environmental Tier boundaries shown in the General Plan.

This Section 101.0901(E)(6)(g) shall not apply to any project which has an application which has been deemed complete on or before December 10, 1990, which includes a golf course open to the public; provided, however, that any such project shall fully participate in the Public Facilities Financing Plan, Interim Fees, and the School Facilities Master Plan, and that a development agreement shall be executed for such project.

Please call me if you have any questions.

JOHN W. WITT, City Attorney

By


Cristie C. McGuire
Deputy City Attorney

CCM:jrl:014

cc Hal O. Valderhaug,
Chief Deputy City Attorney
Ann Moore, Deputy City Attorney
Miriam Kirshner, Planning Department

0-17863

Passed and adopted by the Council of The City of San Diego on **NOV 23 1992**
by the following vote:

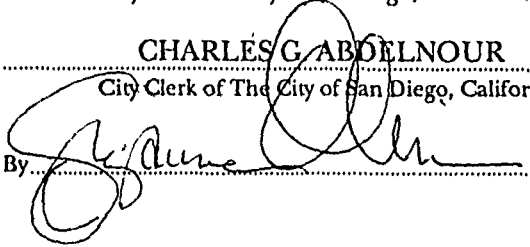
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

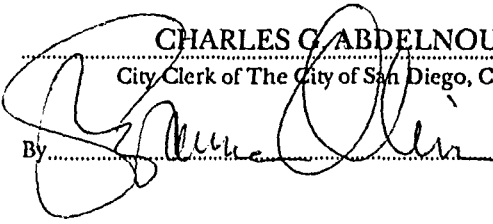
NOV 10 1992, and on **NOV 23 1992**

~~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 0-17863	NOV 23 1992
Number	Adopted

CERTIFICATE OF PUBLICATION

M. J. ...

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BUILDING
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

PLANNED RESIDENTIAL DEVELOPMENTS

0-17863 NS

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 O-17863 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 9 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0901 RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS.

This ordinance adds a pipeline provision for certain projects which have applications that have been deemed complete on or before December 10, 1990 and which include a golf course open to the public. Any such project will be required to enter into a development agreement with the City.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101

INTRODUCED ON November 10, 1992. Passed and Adopted by the Council of the City of San Diego on NOV 23 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

(SEAL)

By Suzanne Oliva, Deputy

Pub. Dec. 7

264099

ORDINANCE NUMBER O-17863 (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:

DECEMBER 7

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

Dated at San Diego, California this 7th day of DEC., 1992.

Corey Donahue

(Signature)

232 61.44