

55A

(O-93-137)

ORDINANCE NUMBER O- 17944 (NEW SERIES)

ADOPTED ON JUL 26 1993

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0454 RELATING TO EROSION CONTROL MEASURES FOR THE HILLSIDE REVIEW OVERLAY ZONE.

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 101.0454, to read as follows:

SEC. 101.0454 HR (Hillside Review) Overlay Zone

A. through H. [No change.]

I. COASTAL ZONE REGULATIONS

Within the Coastal Zone, the following regulations shall be supplementary to, and in the event of conflict shall supersede, the regulations set forth or referenced in preceding paragraphs of this section.

1. through 3. [No change]

4. Special Regulations.

a. Where a development, including any land division, is proposed on slopes of twenty-five percent (25%) grade and over which possess environmentally sensitive habitats, or significant scenic amenities, or potential hazards to development, as identified on Map Drawing No.

C-720 (on file in the office of the City Clerk as Document No. 00-17065), the following regulations shall apply:

1) Slopes of twenty-five percent (25%) grade and over 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 1 OF SECTION 101.0454

25% SLOPE ENCROACHMENT ALLOWANCE

Percentage of Parcel in Slopes of 25% Grade and Over	Maximum Encroachment Allowance as Percentage of Area in Slopes of 25% Grade and Over
75% or less	10%
76% - 80%	12%
81% - 85%	14%
86% - 90%	16%
91% - 95%	18%
96% - 100%	20%

For the purposes of Section 101.0454, encroachment shall be defined as any area of twenty-five percent (25%) or greater slope in which the natural landform is altered by grading, is rendered incapable of supporting vegetation due to the displacement required for the building, accessory structures, or paving, or is cleared of vegetation, other

than allowed below.

The following uses or development features shall be exempt from the encroachment limitations set forth above:

a) through e) [No change]

f) Erosion control structures, devices or methods for purposes of protecting existing principal structures which do not cause the removal or disturbance of any native vegetation located on any portion of the property and which are not located within delineated "viewshed" areas of Map No. C-720.

2) and 3) [No change.]

b. through f. [No change.]

J. EROSION CONTROL STRUCTURES, DEVICES OR METHODS

1. A Hillside Review Permit is required for any erosion control structure, device or method if any portion of the property lies within the Hillside Review Overlay Zone. For purposes of Section 101.0454, erosion control structures, devices or methods include but are not limited to retaining walls, air placed concrete and other structures, devices or methods appropriate for controlling or minimizing erosion. Erosion control measures do not include those preventive measures required for soil stabilization or drainage. An erosion control structure, device or

method shall only be allowed if it is determined to be the only feasible means of erosion control necessary to protect the existing principal structure(s) or public improvement(s). A geotechnical report shall be required documenting the need for the erosion control structure, device or method, unless it is demonstrated by the responsible department through submittal of an appropriate investigative report, documentation or other evidence that unstable conditions on the site do not exist. The geotechnical report shall identify the type and design of the erosion control structure, device or method necessary, based upon site specific conditions. The use of air-placed concrete as an erosion control structure, device or method, either by gunite or shotcrete, shall be designed and applied in accordance with generally accepted engineering standards and specifications and shall also incorporate existing and adjacent landform characteristics, including but not limited to color coating, texturing, landscape and topographical features.

2. [No change.]

K. [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 day the California Coastal Commission concurs with the executive director's report of the acceptance of the suggested modifications. If the suggested modifications are

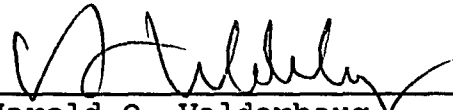
not approved by the City of San Diego as previously certified, the provisions of this ordinance shall not be applicable within the Coastal Zone.

In areas of the City of San Diego outside 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.

In areas of the City of San Diego 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 Coastal Commission concurred with the executive director's report of acceptance of the suggested modifications.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps:lc
05/11/93
Or.Dept:Plan.
0-93-137
Form=o+t

71044

RECEIVED

93 MAY 18 AM 9:20

SAN DIEGO, CALIF.

OLD LANGUAGE STRUCKOUT
NEW LANGUAGE SHADED

(O-93-137)

STRIKEOUT ORDINANCE

SEC. 101.0454 HR (Hillside Review) Overlay Zone

A. through H. [No change.]

I. COASTAL ZONE REGULATIONS

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1. through 3. [No change]

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table:

TABLE 1 OF SECTION 101.0454

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The following uses or development features shall be exempt from the encroachment limitations set forth above:

- a) through e) [No change]
- f) Erosion control structures, devices or methods for purposes of protecting existing principal structures which do not cause the removal or

disturbance of any native vegetation located on any portion of the property and which are not located within delineated "viewshed" areas of Map No. C-720.

2) and 3) [No change.]

b. through f. [No change.]

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that unstable conditions on the site do not exist. The geotechnical report shall identify the type and design of the erosion control structure, device or method necessary, based upon site specific conditions. The use of air-placed concrete as an erosion control structure, device or method, either by gunite or shotcrete, shall be designed and applied in accordance with generally accepted engineering standards and specifications and shall also incorporate existing and adjacent landform characteristics, including but not limited to color coating, texturing, landscape and topographical features.

2. [No change.]

K. [No change.]

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

JUL 26 1993

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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

.....
SUSAN GOLDING
Mayor of The City of San Diego, California.

.....
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Maybell G. Portwood*....., 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 **JUL 06 1993**, and on **JUL 26 1993**

~~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 *Maybell G. Portwood*....., Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number.....	17944 Adopted JUL 26 1993

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
93 AUG 11 PM 3:27
SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

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

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 0-17944 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0454 RELATING TO EROSION CONTROL MEASURES FOR THE HILLSIDE REVIEW OVERLAY ZONE.
This ordinance amends San Diego Municipal Code section 101.0454 by incorporating the California Coastal Commission suggested modifications relating to erosion control methods.
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 JULY 8, 1993
Passed and Adopted by the Council of The City of San Diego on JULY 28, 1993
AUTHENTICATED BY:
SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
(SEAL) By MAYDELL L. PONTECORVO, Deputy
Pub. Aug. 9 278929

ORDINANCE NUMBER 0-17944 (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:

AUGUST 9

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

Dated at San Diego, California this 9th day of AUGUST, 1993.

Corey Donahue

(Signature)

2 1/4" x 2 = \$ 58.88