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(O-93-172 COR. COPY)  
07/12/93

ORDINANCE NUMBER O-17981 (NEW SERIES)

ADOPTED ON SEP 13 1993

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,  
DIVISION 7, OF THE SAN DIEGO MUNICIPAL CODE  
BY AMENDING SECTIONS 103.0708, 103.0709,  
103.0711 AND 103.0717 RELATING TO THE GOLDEN  
HILL PLANNED DISTRICT.

WHEREAS, May 18, 1993, was declared "Regulatory Relief Day";  
and

WHEREAS, one purpose of Regulatory Relief Day was to  
streamline and consolidate where appropriate, the City's land use  
regulatory procedures; and

WHEREAS, the Planning Department has reviewed San Diego  
Municipal Code section 103.0700 et seq. having to do with the  
Golden Hill Planned District, and has suggested several  
amendments to the code section to streamline the regulatory  
process; NOW, THEREFORE,

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

Section 1. That Chapter 10, Article 3, Division 7, of the  
San Diego Municipal Code be and the same is hereby amended by  
amending Sections 103.0708, 103.0709, 103.0711 and 103.0717, to  
read as follows:

**SEC. 103.0708 Exceptions**

A. The Planning Director may approve, or deny,  
in accordance with "Process Two," an exception from  
selected provisions of the Golden Hill Planned

District, when the application is for one of the following:

1. New construction or remodeling which would result in a finished project (all structures on the premises) deviating 20 percent or less from one of the following development regulations: 1) minimum required front, street, side or rear yards, 2) offsetting planes; 3) diagonal plan dimension; or 4) maximum lot coverage regulations. However, the "Planning Director" shall require additional landscaping that may be feasibly placed on the site or parkway according to city-wide landscape standards, and/or other architectural features or improvements.

2. through 4. [No change.]

B. The "Planning Director" shall in no case approve or conditionally approve an exception when the application is for deviation from 1) density, 2) use, 3) floor area ratio, 4) parking requirements, 5) building height, 6) landscaping, 7) street design requirements as specified in Section 103.0711(B)(8) of this Division, 8) average size of units, or 9) any development regulation for a designated historic structure.

C. The Greater Golden Hill Community Planning Committee shall have the opportunity to provide advice to a "Planning Director" on an application for an exception prior to the "Planning Director" taking

action on such exception. Copies of the application and plans shall be forwarded to the Greater Golden Hill Community Planning Committee, or their successor, to provide an opportunity for the Committee to review, for a period not to exceed thirty (30) days, the application and plans.

D. [No change.]

E. The decision of the "Planning Director" shall be based upon substantial conformance with the regulations and the Purpose and Intent of the Golden Hill Planned District. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.

The "Planning Director's" decision may be appealed to a "Hearing Officer" in accordance with Section 111.0504.

**SEC. 103.0709 Golden Hill Development Permit**

A. An application for a Golden Hill Development Permit may be approved, conditionally approved or denied by a "Hearing Officer" in accordance with "Process Three." The following projects shall be required to obtain a Golden Hill Development Permit:

1. Projects where the gross commercial floor area of existing and proposed structures exceeds a floor area ratio of 1.0.

2. through 4. [No change.]

5. [No change in text of this subsection.]

6. [No change in text of this subsection.]

B. through H. [No change.]

**SEC. 103.0711 Residential Zones**

A. [No change.]

1. through 8. [No change.]

9. Exception. Except in the Golden Hill Historic District, in those cases where an existing legal lot or parcel contains only one dwelling unit, the City-wide R1-5000 development criteria may be used. In all cases, however, the Landscape Regulations for multi-family development shall apply.

10. [No change.]

**SEC. 103.0717 Permitted Uses**

A. [No change.]

B. COMMERCIAL ZONES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the purposes indicted in the following chart. No use may be conducted outdoors except as indicted by footnote #6. Drive-thru facilities for any business are prohibited.

**TABLE IN SECTION 103.0717**

<b>PERMITTED USES</b>	<b>GH-CN</b>	<b>GH-CC</b>
[No change in table from Antique Shops through Dry Cleaning and Laundry.]		
Florists	X(6)	X(6)

[No change in table from Food  
Stores through Music Stores.]

Nurseries--Plants

X(6)


X(6)

[No change in table from Office  
Supply Store through the Footnotes.]

Section 2. 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

  
\_\_\_\_\_  
Allisyn L. Thomas  
Deputy City Attorney

ALT:lc:pev

05/26/93

07/07/93 COR.COPY

07/12/93 COR.COPY

Or.Dept:Plan.

0-93-172

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STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~  
NEW LANGUAGE: Shaded

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,  
DIVISION 7, OF THE SAN DIEGO MUNICIPAL CODE  
BY AMENDING SECTIONS 103.0708, 103.0709,  
103.0711 AND 103.0717 RELATING TO THE GOLDEN  
HILL PLANNED DISTRICT.

SEC. 103.0708 Exceptions

A. ~~A "Hearing Officer"~~ The Planning Director may approve, conditionally approve or deny, in accordance with "Process ~~Three~~, ~~Two~~," an exception from selected provisions of the Golden Hill Planned District, when the application is for one of the following:

1. New construction or remodeling which would result in a finished project (all structures on the premises) deviating ~~10-20~~ percent or less from one of the following development regulations: 1) minimum required front, street, side or rear yards, 2) offsetting planes; 3) diagonal plan dimension; or 4) maximum lot coverage regulations. However, the "Planning Director" shall require additional landscaping that may be feasibly placed on the site or parkway according to city-wide landscape standards, and/or other architectural features or improvements.

2. through 4. [No change.]

B. The ~~"Hearing Officer"~~ "Planning Director" shall in no case approve or conditionally approve an exception when the

6) landscaping, 7) street design requirements as specified in Section 103.0711(B) (8) of this Division, 8) average size of units, or 9) any development regulation for a designated historic structure.

C. The Greater Golden Hill Community Planning Committee shall have the opportunity to provide advice to a "Hearing Officer" ~~"Planning Director"~~ on an application for an exception prior to the ~~"Hearing Officer"~~ ~~"Planning Director"~~ taking action on such exception. Copies of the application and plans shall be forwarded to the Greater Golden Hill Community Planning Committee, or their successor, to provide an opportunity for the Committee to review, for a period not to exceed thirty (30) days, the application and plans.

D. [No change.]

E. ~~The "Hearing Officer" may approve or conditionally approve an exception provided the following finding of facts can be made:~~

~~1. The proposed project design meets the purpose and intent of the Golden Hill Planned District Ordinance and will be compatible with the goals and objectives of the Golden Hill Community Plan (1988), the Progress Guide and General Plan of The City of San Diego, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the design studies listed in Section 103.0704, Paragraph A, and,~~

~~2. The proposed development will be compatible with existing and planned land uses on adjoining properties, will not constitute a disruptive element to the neighborhood or community,~~

~~and will create architectural harmony with the preferred character of the neighborhood and community; and,~~

~~3. The proposed development will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity; and~~

~~4. The proposed development complies with all other relevant regulations in The City of San Diego Municipal Code.~~

~~F. In granting the exception, the "hearing Officer" may impose conditions as deemed necessary and desirable to protect the public health, safety and general welfare.~~

~~G. The decision of the "Hearing Officer" shall include findings which shall cite specific facts relied upon in rendering the decision. The copy of the decision shall be mailed to the applicant and to the Golden Hill Community Planning Committee, or their successor. A copy of this written finding, together with all evidence presented to the "Hearing Officer", including plans required elsewhere in this Division, shall be filed with the office of the Planning Department.~~

~~H. The decision of the "Hearing Officer" may be appealed to the Board of Zoning Appeals in accordance with Section 111.0506.~~

~~The decision of the "Planning Director" shall be based upon substantial conformance with the regulations and the Purpose and Intent of the Golden Hill Planned District. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.~~



The "Planning Director's" decision may be appealed to a "Hearing Officer" in accordance with Section 111.0504.

**SEC. 103.0709 Golden Hill Development Permit**

A. An application for a Golden Hill Development Permit may be approved, conditionally approved or denied by a "Hearing Officer" in accordance with "Process Three". The following projects shall be required to obtain a Golden Hill Development Permit:

1. Projects where the gross commercial floor area of existing and proposed structures, exceeds 5,000 square feet a floor area ratio of 1.0.

2. through 4. [No change.]

~~5. Any project which utilizes the shared parking provision, as specified in Section 103.0716.G. of this Division.~~

~~6-5.~~ [No change in text of this subsection.]

~~7-6.~~ [No change in text of this subsection.]

B. through H. [No change.]

**SEC. 103.0711 Residential Zones**

A. [No change.]

1. through 8. [No change.]

9. Exception. ~~In~~ Except in the Golden Hill Historic District, in those cases where an existing legal lot or parcel ~~can contains~~ only yield one dwelling unit ~~because of the size of the lot or parcel~~, the City-wide R1-5000 development criteria may be used. In all cases, however, the Landscape Regulations for multi-family development shall apply.

10. [No change.]

**SEC. 103.0717 Permitted Uses**

A. [No change.]

B. COMMERCIAL ZONES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the purposes indicted in the following chart. No use may be conducted outdoors except as indicted by footnote #76. Drive-thru facilities for any business are prohibited.

**TABLE IN SECTION 103.0717**

<b>PERMITTED USES</b>	<b>GH-CN</b>	<b>GH-CC</b>
[No change in table from Antique Shops through Dry Cleaning and Laundry.]		
Florists	X(6)	X(6)
[No change in table from Food Stores through Music Stores.]		
Nurseries--Plants	X(6)	X(6)
[No change in table from Office Supply Store through the Footnotes.]		

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05/26/93  
07/07/93 COR.COPY  
07/12/93 COR.COPY  
Or.Dept:Plan.  
0-93-172  
Form=o+t

Passed and adopted by the Council of The City of San Diego on **SEP 13 1993**  
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

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

(Seal)

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

By *Blonde B. Burns*, 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

**AUG 10 1993**

**SEP 13 1993**

, 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 *Blonde B. Burns*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance *17981*  
 Number .....

**SEP 13 1993**

Adopted .....

RECEIVED  
93 JUL 29 AM 11:55  
CITY CLERKS OFFICE  
SAN DIEGO, CA

NOV 10 1993

NOV 10 1993

51T

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
93 OCT -1 AM 10:38

SAN DIEGO, CALIF.

05

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 3, DIVISION...

**ORDINANCE NUMBER 0-17981 (NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 7, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0708, 103.0709, 103.0711 AND 103.0717 RELATING TO THE GOLDEN HILL PLANNED DISTRICT.

This ordinance allows the Planning Director to approve or deny, under "Process Two," exceptions to the Golden Hill Planned District Ordinance in which the new construction or remodeling would result in a twenty percent (20%) or less deviation from certain set out development regulations, and the exception shall be for the purpose of providing design flexibility that results in a project which benefits the surrounding properties and the community.

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 AUG 10 1993

Passed and Adopted by the Council of The City of San Diego on SEP 13 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 RHONDA R. BARNES, Deputy

Pub. Sept. 28

278888

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 0-17981 (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:

SEPT. 28

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

Dated at San Diego, California this 28th day of SEPT., 1993.

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

2 5/8" x 2 = \$ 69.12