

ORDINANCE NUMBER O- 18574 (NEW SERIES)

ADOPTED ON SEP 08 1998

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.1501, 103.1503, AND 103.1504, RELATING TO THE MID-CITY COMMUNITIES PLANNED DISTRICT ORDINANCE TO RESTRICT RESIDENTIAL DEVELOPMENT IN SELECTED AREAS OF THE MID-CITY COMMUNITIES PENDING THE PROVISION OF ADEQUATE PUBLIC FACILITIES.

WHEREAS, on June 18, 1998, the Planning Commission of The City of San Diego recommended approval of the Mid-City Communities Plan, an amendment to the Mid-City Communities Planned District Ordinance, and related actions; and

WHEREAS, on Aug. 4, 1998, by Resolution No. R- 290608, the Council of The City of San Diego adopted the 1998 Mid-City Communities Plan; and

WHEREAS, in order to meet the public facilities standards required by the General Plan, \$366 million in funding is required, which is not presently available; and more critically

WHEREAS, the General Plan recommends one neighborhood park per 3,500 to 5,000 residents within a one-half mile radius, with a minimum usable area of five acres if located adjacent to a school or ten acres if not so located; and

WHEREAS, the General Plan recommends one community park per 18,000 to 20,000 residents within a one and one-half mile radius, with a minimum usable area of thirteen acres if located adjacent to a middle school or twenty acres if not so located; and

WHEREAS, the Mid-City Communities have a population of over 132,000 but are served by only 145 acres of population based parks compared to 402 acres recommended by the General Plan; and

WHEREAS, the General Plan recommends that elementary schools be ten acres in size with a capacity of 500 students, while elementary schools in the Mid-City Communities are an average of 6.6 acres in size with an estimated average enrollment in the year 2000 of 829 students; and

WHEREAS, eleven neighborhoods or clusters of neighborhoods within the Mid-City communities are severely deficient in schools and/or parks as shown on Map Number B-4104; and

WHEREAS, the Mid-City Communities Plan recommends the addition of schools and parks in identified neighborhoods, including joint use agreements with the San Diego Unified School District to provide public recreation on school sites; and

WHEREAS, the Mid-City Communities Plan recommends that residential development be restricted until adequate public facilities are in place; and

WHEREAS, residential development without the provision of adequate public facilities would be detrimental to the public health, safety, and general welfare; NOW, THEREFORE,

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

Section 1. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 103.1501, 103.1503, and 103.1504, to read as follows:

Sec. 103.1501 Purpose and Intent

The purpose of this District is to assist in implementing the goals and objectives of the adopted community plans for older, developed communities

generally located east of Interstate 5 and south of Interstate 8 and to assist in implementation of the Progress Guide and General Plan of The City of San Diego. These adopted community plans include the Mid-City Communities Plan, the Greater North Park Community Plan, the State University Community Plan, and the Uptown Community Plan.

[No changes to the second through fourth paragraphs.]

For the facility-deficient neighborhoods shown on Map Number B-4104, it is also the purpose of this Division to limit residential development until adequate public facilities are available.

More detailed purpose and intent statements are located within the sections describing each of the zones.

Sec. 103.1503 Definitions

[No changes in the first paragraph.]

A. ENCLOSED PARKING is, for purposes of this Division, a parking area within a building serving a primary permitted use. Enclosed parking is completely walled and roofed, except where, as an option, it has one open side provided that side does not face a street.

B. [No changes.]

C. IMPROVED PARK ACREAGE is, for the purposes of this Division, (1) City-owned improved parkland, or (2) improved recreational area owned by a governmental entity for which there is a joint use agreement with The City of San Diego for public recreational use, or (3) other improved park or recreational use area that is open to the public at no cost. However, construction

of the 39th Street Park (4 acres), Park De La Cruz (6.93 acres), or Teralta Park (4 acres) shall not qualify as Improved Park Acreage, except to the extent these parks are expanded beyond the acres specified in this definition.

Sec. 103.1504 Project Review Regulations

A. through G. [No changes.]

H. MID-CITY COMMUNITIES DEVELOPMENT PERMIT

1. The following projects shall be required to obtain a Mid-City Communities Development Permit as described in this Division:

a. Residential and mixed residential/commercial projects within the facility-deficient neighborhoods shown on Map Number B-4104 that propose the addition of three or more dwelling units per lot, except as follows:

(1) The proposed development is within a neighborhood or combination of facility-deficient neighborhoods as shown on Map Number B-4104 where at least three acres of Improved Park Acreage have been added since August 4, 1998, or

(2) The proposed development is within 600 feet of a public park, a public school with a joint use agreement with The City of San Diego for public recreational use, or a school that is open during non-school hours for public recreational use.

- b. [No changes in text of this subsection.]
- c. [No changes in text of this subsection.]
- d. [No changes in text of this subsection.]
- e. [No changes in text of this subsection.]
- f. [No changes in text of this subsection.]
- g. [No changes in text of this subsection.]

2. and 3. [No changes.]

4. [No changes.]

a. through c. [No changes.]

d. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 103.1504(H)(1)(a)(1) or Section 103.1504(H)(1)(a)(2), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of ten feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities.

e. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site.

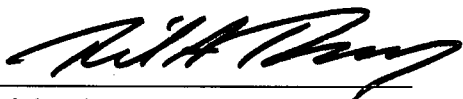
f. [No changes in text of this subsection.]

I. [No changes.]

Section 2. The City Clerk is hereby instructed to insert the adoption date of Resolution No. R- 290608 [R-99-152], once known, in the blank space provided in the Section 103.1504(H)(1)(a)(1).

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: CASEY GWINN, City Attorney

By 

Richard A. Duvernay
Deputy City Attorney

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