

(O-99-139)

ORDINANCE NUMBER O- 18572 (NEW SERIES)

ADOPTED ON SEP 14 1999

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.1504 RELATING TO THE MID-CITY COMMUNITIES PLANNED DISTRICT TO RESTRICT RESIDENTIAL DEVELOPMENT IN THE MID-CITY COMMUNITIES.

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 August 4, 1998, the Council of The City of San Diego adopted the Mid-City Communities Plan, an amendment to the Mid-City Communities Planned District Ordinance, and related actions; and

WHEREAS, on January 28, 1999, the Planning Commission recommended approval of amendments to the Land Development Code and the rezoning of property to further implement the Mid-City Communities Plan; and

WHEREAS, zoning implementation of the 1998 Mid-City Communities Plan has been unduly delayed for more than six months due to delays in the approval of the Land Development Code by the California Coastal Commission; and

WHEREAS, in the interim, residential development can occur at the higher density of the existing zoning, further exacerbating facility deficiencies and other community problems that brought about the lower densities of the updated community plan; 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 is amended by amending Section 103.1504, to read as follows:

**SEC. 103.1504 Project Review Regulations**

A. through G. [No change.]

**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 projects within the Mid-City Communities — Normal Heights, Kensington-Talmadge, City Heights, and Eastern Area community plan areas — that propose the addition of three or more dwelling units per lot.

b. Residential and mixed residential/commercial projects which exceed the number of threshold dwelling units or the gross square footage of floor area (where applicable) listed in TABLE FOR SECTION 103.1504.H.1.b.:

**TABLE FOR SECTION 103.1504.H.1.b.**

[No changes in the table.]

c. through g. [No changes to text of these subsections.]

2. and 3. [No changes.]

4. The “Hearing Officer” may approve or conditionally approve a Mid-City Communities Development Permit if the “Hearing Officer” determines that the application is complete and conforms with all City regulations,

policies, guidelines, design standards and density, and finds from the evidence presented that all of the following facts exist:

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, 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. Exception: This provision does not apply to development where at least three acres of Improved Park Acreage have been added since August 4, 1998, or to development that is within 600 feet of a 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.

e. and f. [No changes.]

I. and J. [No changes.]

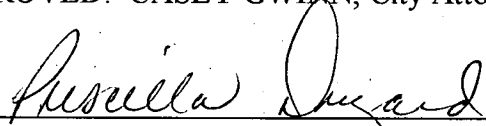
Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage and shall expire on the date the Land Development Code (adopted on

December 7, 1998, by Ordinance No. O-18451) becomes effective. 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

  
\_\_\_\_\_  
Mary Jo Lanzafame  
Deputy City Attorney

MJL:lc:cdk

07/06/99

Or.Dept.Plann.&Dev.Rvw./LRP

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**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**  
**NEW LANGUAGE: Underlined**

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ADOPTED ON \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,  
DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 103.1504 RELATING TO THE  
MID-CITY COMMUNITIES PLANNED DISTRICT TO  
RESTRICT RESIDENTIAL DEVELOPMENT IN THE  
MID-CITY COMMUNITIES.

**SEC. 103.1504 Project Review Regulations**

A. through G. [No change.]

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. Residential projects within the Mid-City Communities — Normal Heights, Kensington-Talmadge, City Heights, and Eastern Area community plan areas — that propose the addition of three or more dwelling units per lot.~~

b. Residential and mixed residential/commercial projects which exceed the number of threshold dwelling units or the gross square footage of floor area (where applicable) listed ~~below~~ in TABLE FOR SECTION 103.1504.H.1.b.

TABLE FOR SECTION 103.1504.H.1.b.

[No changes in the table.]

c. through g. [No changes to text of these subsections.]

2. and 3. [No changes.]

4. The “Hearing Officer” may approve or conditionally approve a Mid-City Communities Development Permit if the “Hearing Officer” determines that the application is complete and conforms with all City regulations, policies, guidelines, design standards and density, and ~~it is found~~ ~~finds~~ from the evidence presented that all of the following facts exist:

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. Exception: This provision does not apply to development where at least three acres of Improved Park Acreage have been added since August 4, 1998, or to development that is within 600 feet of a 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.

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