

ORDINANCE NUMBER O- 19993 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 08 2010

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 19, APPENDIX A OF THE SAN DIEGO MUNICIPAL CODE, RELATING TO THE PERMITTING OF SCHOOL USES WITHIN THE COMMERCIAL ZONES OF THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT.

WHEREAS, the permitted uses and development controls within the Southeastern San Diego Planned District do not allow school uses in commercial zones, which is inconsistent with citywide permitted uses within commercial zones; and

WHEREAS, on June 3, 2010, the Planning Commission of the City of San Diego voted 6-0-1 to recommend City Council approval of an amendment to the Southeastern San Diego Planned District to allow school uses in commercial zones; and NOW, THEREFORE,

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

Section 1. That an amendment is initiated to Chapter 15, Article 19, of the San Diego Municipal Code amending Appendix A to provide for the permitting of schools within the commercial zones of the Southeastern San Diego Planned District.

Section 2. That Chapter 15, Article 19, of the San Diego Municipal Code is amended by amending Appendix A to read as follows:

**Article 19: Southeastern San Diego Planned District
Appendix A: Uses**

Legend: P = Permitted

- = Not Permitted

L = subject to Limitations

SP = Special Permit

Special Permit for Alcohol Sales and Distribution - See Appendix C

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Residential							
Single Family Dwelling	P	P	-	-	-	-	-
Two-Family Dwelling	-	P	-	-	-	-	-
Apartment Houses (No Temporary Residence)	-	P	-	-	-	-	-
Boarding and Lodging Houses (Not a Residential-Care Facility)	-	P	-	-	-	-	-
Child Day Care Center	SP	SP	SP	SP	-	-	-
Churches, Temples or Buildings of a Permanent Nature Used for Religious Purposes	SP	SP	SP	SP	SP	-	-
Companion Units	SP	P	-	-	-	-	-
Elderly or Handicapped Housing	-	SP	-	-	-	-	-
Fraternities, Sororities	-	SP	-	-	-	-	-
Guest Quarters	SP	P	-	-	-	-	-
Institutions / Home-Full Time Child Care (Maximum 15 Children under 16 Years)	SP	SP	L ⁽¹⁾	L ⁽¹⁾	-	-	-
City Operated Branch Library	P	P	P	P	-	-	-
Mobilehome Used for Temporary Watchman's Quarters ⁽²⁾	SP	SP	SP	SP	SP	SP	SP
Mobilehome Park	-	SP	-	-	-	-	-
Parks and Playgrounds - Public	SP	SP	-	-	-	-	-
Real Estate Offices / Model Homes (Temporary) New Subdivisions	P	P	-	-	-	-	-
Residential - Care Facilities	SP	SP	-	-	-	-	-
Schools Limited to Primary, Elementary, Junior High and Senior High	SP	SP	SP	SP	SP	-	-
Commercial							
Establishments engaged in the Retail, Wholesale, Service or Office Uses for the following unless otherwise indicated:							
Advertising, Secretarial & Telephone Answering Services	[No change in text.]						
Agencies for Tickets, Travel & Car Rental							
Ambulance Service							
Animal Hospital							
Antique Shop							
Apparel Shops							
Art Stores and Art Galleries							
Automobile & Truck Sales, Rental Agencies (Usable Vehicles Only)							
Automobile Wash Establishments							

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Automobile Paint & Repair Shops (Including Body and Fender Work) ⁽³⁾							
Automobile Service Stations / Gas Stations							
Bakeries and Bakery Products							
Banks, Savings & Loan							
Barber Shops							
Beauty Shops							
Bicycle Shops							
Boat Sales Agencies							
Book Stores							
Building Materials Stores ⁽⁴⁾							
Business Machine Sales Display & Service							
Catering Services							
Cleaning & Dyeing Works (Including Rugs, Carpets, and Upholstery) ⁽³⁾⁽⁵⁾							
Cocktail Lounges							
Communication Facilities							
Confectioneries							
Curtain, Drapery and Upholstery Shops							
Custom Shop for Curtains, Draperies, Floor Coverings, Upholstery and Wearing Apparel							
Dairy Stores, Including Drive-ins							
Delicatessens							
Drafting and Blue Print Services							
Drug Stores							
Dry Cleaning Establishments (No Truck Delivery of Finished Cleaning)							
Dry cleaning & laundry agencies and self-service dry cleaning & laundry establishments							
Electronic Data Processing, Tabulating, and Record Keeping Services							
Employment Agencies							
Equipment and Tool Rental Establishments (No Man-ridden Equipment)							
Feed Stores							
Financial Institutions							
Florist							
Florist Supplies							
Food Stores							
Frozen Food Lockers							
Funeral Parlors							
Furniture Stores							
Gift Shops							
Greeting Card Shops							
Gymnasium and Health Studios							
Hardware Stores							
Hobby Shops							
Hospital/veterinary Clinic							
Hotels, Motels, and Time-Share Projects ⁽⁶⁾							

[No change in text.]

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Ice Delivery Stations							
Interior Decorators							
Jewelry Stores							
Labor Unions (Non Hiring Halls) & Trade Associations							
Laundromats							
Leather Goods and Luggage Shops							
Liquor Stores							
Lithography Shops							
Locksmith Shops							
Medical, Dental, Biological, and X-ray Laboratories							
Medical Appliance Sales							
Motor Vehicle, Parts and Accessories, Retail Sale of New Items Only							
Moving and Household Storage Facilities							
Music Stores, Video Stores							
Newspaper Plants							
Nurseries (Plants)							
Office Furniture and Equipment Sales							
Offices; Business and Professional ⁽⁷⁾							
Paint and Wallpaper Stores							
Parking Lots - Commercial							
Pawn Shops							
Pet Stores							
Pharmacies							
Photographic Equipment, Supplies and Film Processing Stores							
Photographic Studios and Retail Outlets							
Plumbing Shops ⁽⁴⁾							
Post Office							
Private Clubs, Fraternal Organizations and Lodges							
Public-body Operated Buildings and Uses							
Radio, Television and Home Appliance Repair Shops							
Radio and Television Broadcasting Studios							
Recreational Facilities (2,500 sq. ft. Maximum Floor Area)							
Recreational Facilities; Including Bowling Lanes, Miniature Golf Courses, Skating Rinks, Gymnasiums, and Health Centers							
Restaurants, Drive-thru and Drive-in							
Restaurants and Bars with Incidental Entertainment and Dancing							
Restaurants (Excluding Sale of Intoxicating Beverages Drive-in & Drive-thru, and Incidental Entertainment)							
Rug and Carpet Stores							
Shoe Stores							
Shoe Repair Shops							
Sporting Goods Stores							
Stationers							
Studios for Teaching Art, Dancing and Music							

[No change in text.]

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Theaters							
Trade and Business Schools							
Trailer Sales Agencies							
Travel Bureaus							
Variety Stores							
Wedding Chapels							
Wholesaling or Warehousing of Goods and Merchandise Associated with the Primary On-Site Use Provided That the Floor Area Occupied for Such Use per Establishment Does Not Exceed 25% of the Building Gross Floor Area ⁽³⁾							
[No change in text.]							
Industrial Establishments engaged in the manufacturing, fabricating, assembly, testing repair, servicing and processing of the following (For service, retail, wholesale or rental uses, see Appendix A pages 2 through 7):							
Aircraft Manufacturing and Assembly							
Aircraft Parts Other than Engines							
Apparel Belts							
Apparel Except Leather and Fur Goods							
Audio Products							
Awnings - Metal, Wood or Canvas							
Bags, Except Textile Bags							
Bakery Products							
Beverages							
Brooms and Brushes							
Cabinet Making							
Coated, Plated and Engraved Metal							
Communication Equipment							
Concrete and Clay Products							
Confectionery and Related Products							
Costume Jewelry, Costume Novelties Button, and Miscellaneous Notions							
Cut Stone and Stone Products							
Cutlery, Hand Tools and General Hardware							
Die-cut Paper and Paperboard, and Cardboard							
Dress and Work Gloves, Except Knit and Leather Products							
Drugs							
Electric Lighting and Wiring Equipment							
Electric Industrial Apparatus							
Electronic Components and Accessories							
Electronic Computing Equipment Other than Desk Top Machines							
Envelopes							
Fabricated Textile Products							
Fabricated Wire Products							
Farm Machinery and Equipment							
Furniture and Fixtures							
Glass Containers							
[No change in text.]							

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Glassware, Pressed and Blown							
Guided Missiles and Space Vehicles							
Hats, Caps and Millinery							
Jewelry, Silverware and Plated Ware							
Laboratories - Research, Development, Testing							
Lamp Shades, Except Metal and Glass							
Luggage							
Metal Cans							
Mill Work							
Miscellaneous Apparel and Accessories							
Mortician's Goods							
Motor Vehicles, Parts and Accessories							
Musical Instruments and Parts							
Office Machine							
Paperboard Containers and Boxes							
Pens, Pencils and Other Office and Artists Materials							
Perfumes, Cosmetics and Other Toilet Preparations							
Plumbing Fixtures and Heating Apparatus							
Pottery and Related Products							
Professional, Scientific and Controlling Instruments							
Photographic and Optical Goods, Watches and Clocks							
Radio and Television Receiving Sets, Except Communication Types							
Roasted Coffee and Coffee Products							
Robes and Dressing Gowns							
Service Industry Machines							
Sighting and Fire-Control Equipment							
Special Industry Machinery, Except Metal-working Machinery							
Toys, Amusements, Sporting and Athletic Goods							
Umbrellas, Parasols and Canes							
Wooden Containers							
Establishments engaged in the wholesale distribution of the following:							
Automotive Equipment							
Drugs, Chemicals and Allied Products							
Dry Goods and Apparel							
Flowers and Florist Supplies							
Fruit, Vegetables and Plant Products							
Groceries, and Related Products, Except Poultry and Poultry Products, Fish and Seafood							
Electrical Goods							
Hardware, Plumbing, Heating Equipment and Supplies							
Machinery, Equipment and Supplies, Except Farm Machinery and Equipment							
Tobacco and Tobacco Products							
Beer, Wine and Distilled Alcoholic Beverages							
Paper, Paper Products and Kindred Supplies							
Office and Home Furniture and Furnishings							

[No change in text.]

[No change in text.]


Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones	
	SF	MF	1	2	3	I-1	I-2
Establishments engaged in the following:							
Data Processing Services	[No change in text.]						
Motion Picture Production	[No change in text.]						
The Following Establishments							
Carpenter Shops	[No change in text.]						
Metal Working Shops							
Lumber Yards							
Machine Shops							
Public Utility Substations							
Regional and Headquarters Offices of Businesses, Industries and Governmental Agencies							
Storage Garages							
Welding Shops							
The following business and professional establishments:							
Accountants	[No change in text.]						
Architects							
Contractors							
Engineers							
Financial Institutions							
Insurance Agencies							
Photographers							
Real Estate Brokers							
Surveyors							
Graphic Artist							
Business Machine Sales, Display and Service							
Drafting and Blueprinting							
Electronic Data Processing							
Tabulating and Record-keeping Services							
Labor Unions and Trade Associations							
Addressing and Secretarial Services							
Any other use which the Planning Commission may find to be similar in character or compatible to the uses permitted in the specific zone or zones. The adopted resolution embodying such finding shall be filed in the Office of the City Clerk. Any other use allowed with a Conditional Use Permit decided in accordance with Process Five as identified in Section 151.0401(f) (General Provisions).							

Footnotes for Appendix A: [No change in text]

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

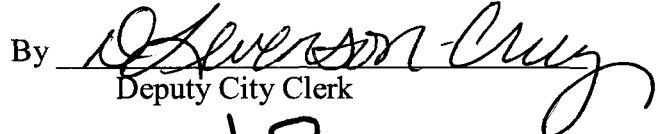
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keith Bauerle
Deputy City Attorney

KB:hm
08/26/10
Or.Dept: DSD
O-2011-22
PL No: 2010-00661

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at its meeting of SEP 28 2010.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 10.8.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor