

ORDINANCE NO.
(New Series)

10382

AUG 27 1970

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0432 RELATING TO THE CS ZONE.

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

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0432 to read as follows:

SEC. 101.0432 CS ZONE

A. PURPOSE AND INTENT

The CS Zone is intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale. Zone CS imposes minimal off-street parking requirements; therefore, application of this zone should be restricted to those locations where the nature of the commercial development is such as to make it impractical or undesirable to require off-street parking. The sign regulations of this zone are relatively restrictive.

B. PERMITTED USES

In the CS Zone, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the C Zone except outdoor advertising display signs.

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2. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.
3. Accessory uses for any of the foregoing permitted uses, including the following signs:
 - a. Signs on the faces of buildings are permitted provided that no such signs shall project above the nearest parapet or eave of the building to which the signs are attached. The aggregate sign area for each street frontage on a given premises shall not exceed one square foot for each linear foot of street frontage or 25 square feet, whichever is larger. In addition, the following identification signs shall be permitted:
 - (1) One single or double-faced freestanding sign located adjacent to each entrance or exit driveway to a parking lot. Such signs shall not exceed 12 square feet in area nor a height of 12 feet measured vertically from the base at ground level to the apex of the sign.
 - (2) One sign on the exterior wall at each side or rear entrance to a store, shop or place of business provided that no such sign shall project above the nearest parapet or eave of

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the building to which it is attached, and provided further that no such sign shall be attached to the perimeter framing of the building or to the face of canopies or porch roofs. No such sign shall have an area exceeding 12-1/2 square feet or one-half square foot for each linear foot of street frontage of the premises, whichever is larger.

- b. For each street frontage of a premises one sign attached to the wall or one freestanding sign designating the premises for sale, rent or lease is permitted, providing such sign has a maximum area of eight square feet and a height, if free-standing, not exceeding 12 feet measured vertically from the base at ground level to the apex of the sign.
- c. Where the face of the building sets back from the property line in excess of 20 feet, single or double-faced freestanding signs (in addition to those on the building) are permitted, provided that:
 - (1) No part of such signs shall extend over public property or have a height exceeding 20 feet measured vertically from the base at ground level to the apex of the sign.
 - (2) The total area of all such signs on any street frontage of the premises shall not exceed four-tenths of a square foot per linear foot of street frontage or 37-1/2 square feet, whichever is smaller.

- d. Any sign not in compliance with paragraph "B" herein upon the effective date of this ordinance shall be removed immediately. Any sign located on property subsequently zoned CS, not in compliance with paragraph "B" herein, shall be removed within three years from the effective date of the ordinance establishing the CS Zone on said property.
- e. Signs permitted by paragraph "B" herein which are attached to walls or a face of a building shall be parallel to the wall or the face of the building and shall project not more than 16 inches therefrom.
- f. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.
- g. All signs, except signs designating the premises for sale, rent or lease, shall refer only to the permitted use as set forth in Section 95.0305, paragraphs 2 and 3.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

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1. Minimum Lot Dimensions.

- a. Area - 2,500 square feet.
- b. Street frontage - 25 feet.
- c. Width - 25 feet.
- d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.

2. Minimum Yards.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.

3. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

4. Other applicable property development regulations are contained in Division 6 of this Article.

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E. OFF-STREET PARKING REGULATIONS

1. Every premises used for apartments shall be provided with a minimum of one off-street parking space for each dwelling unit.
2. Where ambiguity exists in the application of these off-street parking requirements or where any use not specified in paragraph "B" above is found to be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.
3. Off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on March 1, 1971, being a date more than 30 days from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Linnestrom
for Frederick C. Conrad, Deputy

FCC:mk

3-10-70

Rev. Page 2 4-9-70

Rev. Page 4 7-27-70

Rev. Page 6 8-20-70

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Passed and adopted by the Council of The City of San Diego on AUG 27 1970,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, 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 13 1970, and on AUG 27 1970.

~~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.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10382 Adopted AUG 27 1970

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ATTORNEY (S)

*City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No. 10382

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
SECTION 101.0432 RELATING TO THE CS ZONE

RECEIVED
CITY CLERK'S OFFICE
1970 SEP 11 PM 1:09
SAN DIEGO, CALIF.

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

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(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

September 4, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,
on
September 4, 1970

Patricia M. Applestill
(Signature)

22 1/8" #92.93

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0433 RELATING TO THE CS ZONE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0433 to read as follows:

SEC. 101.0433 CS Zone

A. PURPOSE AND INTENT

The CS Zone is intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale. Zone CS imposes minimal off-street parking requirements; therefore, application of this zone should be restricted to those locations where the nature of the commercial development is such as to make it impractical or undesirable to require off-street parking. The sign regulations of this zone are relatively restrictive.

B. PERMITTED USES

In the CS Zone, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the C Zone except outdoor advertising display signs.
2. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

3. Accessory uses for any of the foregoing permitted uses, including the following signs:

a. Signs on the faces of buildings are permitted provided that no such signs shall project above the nearest parapet or eave of the building to which the signs are attached. The maximum sign area for each street frontage on a given premises shall not exceed one square foot for each linear foot of street frontage or 25 square feet, whichever is larger. In addition, the following identification signs shall be permitted:

- (1) One single or double-faced freestanding sign located adjacent to each entrance or exit driveway to a parking lot. Such signs shall not exceed 12 square feet in area nor a height of 12 feet measured vertically from the base at ground level to the apex of the sign.

- (2) One sign on the exterior wall at each side or rear entrance to a store, shop or place of business provided that no such sign shall project above the nearest parapet or eave of the building to which it is attached, and provided further that no such sign shall be attached to the perimeter framing of the building or to the face of canopies or porch roofs. No such sign shall have an area exceeding 12½ square feet or one-half square foot for each linear foot of street frontage of the premises, whichever is larger.

b. For each street frontage of a premises one sign attached to the wall or one freestanding sign designating the premises for sale, rent or lease is permitted, providing such sign has a maximum area of eight square feet and a height, if freestanding, not exceeding 12 feet measured vertically from the base at ground level to the apex of the sign.

c. Where the face of the building sets back from the property line in excess of 20 feet, single or double-faced freestanding signs (in addition to those on the building) are permitted, provided that:

- (1) No part of such signs shall extend over public property or have a height exceeding 20 feet measured vertically from the base at ground level to the apex of the sign.

- (2) The total area of all such signs on any street frontage of the premises shall not exceed 12½ square feet.

Any sign located on property subsequently zoned CS not in compliance with paragraph "B" herein, shall be removed within three years from the effective date of the ordinance establishing the CS Zone on said property.

e. Signs permitted by paragraph "B" herein which are attached to walls or a face of a building shall be parallel to the wall or the face of the building and shall project not more than 10 inches therefrom.

f. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.

g. All signs, except signs designating the premises for sale, rent or lease, shall refer only to the permitted use as set forth in Section 95.0303, paragraphs 2 and 3.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

1. Minimum Lot Dimensions.

- a. Area—2,500 square feet.
- b. Street frontage—25 feet.
- c. Width—25 feet.

d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.

2. Minimum Yards.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.

3. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

4. Other applicable property development regulations are contained in Division 6 of this Article.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for short-term storage shall be provided with a minimum of one off-street parking space for each dwelling unit.

2. Where ambiguity exists in the application of these off-street parking requirements or where any use not specified in paragraph "B" above is found to be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.

3. Off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on March 1, 1971, being a date more than 30 days from and after its passage.

Introduced on August 13, 1970.

Passed and adopted by the Council of The City of San Diego on August 27, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of the City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of the City of
San Diego, California.
By ELFA F. HAMEL,
Deputy City Clerk.

SEAL
Filed Aug 4 1970