

ORDINANCE NO. 10621
(New Series)

JUL 15 1971

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, SECTION 101.0411 OF THE SAN DIEGO
MUNICIPAL CODE RELATING TO THE R-3 ZONE.

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

Section 1. That Chapter X, Article 1, Division 4, Section
101.0411 of the San Diego Municipal Code be, and the same is hereby
amended to read as follows:

SEC. 101.0411 R-3 ZONE

A. PURPOSE AND INTENT

The R-3 Zone is intended primarily for the development of
multiple residential structures in the form of apartment houses
at a maximum density of approximately 43 dwelling units per net
acre. The provisions of this zone are designed to accommodate
a wide variety of apartment developments. This zone will
normally be applied adjacent to major arterials and collector
streets, shopping areas and other community facilities and in
areas where the permitted density of the zone would appropriately
satisfy the objectives of medium density designations of adopted
community plans.

B. PERMITTED USES

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 following purposes:

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1. One-family dwellings.
2. Two-family dwellings.
3. Apartment houses, excluding premises designed or used for the temporary residence of persons for less than one week.
4. Boarding and lodging houses.
5. Schools, limited to primary, elementary, junior high and senior high.
6. Public parks and public playgrounds.
7. Churches, temples or buildings of a permanent nature used primarily for religious purposes.
8. Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Section 101.0407.
9. Branch public libraries.
10. Institutions or homes for the day or full-time care of not more than 15 children under the age of 16 years, provided there is not more than one additional dwelling unit on the same premises.
11. Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:
 - a. Not more than two lodgers per dwelling unit.
 - b. Recreational and health facilities which are designed, used and clearly intended for the use of residents of apartment houses, boarding and

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lodging houses, including tennis courts, putting greens, exercise rooms and sauna and steam baths.

- c. Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used and clearly intended for the primary convenience of the occupants of the residential complex, including the following:

- (1) Barber shops.
- (2) Beauty shops.
- (3) Communal dining facilities.
- (4) Snack bars.
- (5) Dry cleaning and laundry pickup agencies.

- d. Signs.

- (1) For each dwelling unit - one nameplate having a maximum area of one square foot.
- (2) For apartment houses, boarding and lodging houses, churches, temples, buildings of a permanent nature used primarily for religious purposes and child day-care facilities - wall signs as defined in Section 95.0101 designating the permitted uses of the premises, provided that no such sign shall project above the parapet or eaves of the building to which affixed or exceed a height of 12 feet, whichever is lower. In addition, one single or

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double-faced freestanding sign designating the permitted uses of the premises facing or adjacent to each street abutting the property. The height of any freestanding sign shall not exceed eight feet measured vertically from the base at ground level to the apex of the sign.

- (3) For parking lots - one single or double-faced freestanding, directional sign located at each driveway. Said directional sign shall not exceed two square feet in total face area and four feet in height measured vertically from the base at ground level to the apex of the sign.
- (4) The combined total face area of all wall and freestanding signs on the premises, excluding signs designating the premises for sale, rent or lease, shall not exceed 20 square feet.
- (5) For all premises - one single or double-faced freestanding sign with a maximum area of eight square feet offering the premises for sale, rent or lease. Said sign shall not exceed a height of four feet measured vertically from the base at ground level to

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the apex of the sign. Such sign may be located anywhere on the premises.

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

12. Any other uses, including accessory uses, which the Planning Commission may find to be similar in character to the uses enumerated in "B." above and consistent with the purpose and intent of this zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

C. SPECIAL REGULATIONS

1. All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays or advertising relating to accessory uses shall be visible from any street. The combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than ten percent of the gross floor area of the permitted uses.

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2. No mechanical equipment, tank, duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls and roofs with construction and appearance similar to the main building.

D. DENSITY REGULATIONS

No lot shall be occupied by more than one dwelling unit for each 1,000 square feet of lot area.

E. PROPERTY DEVELOPMENT REGULATIONS

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

1. Minimum Lot Dimensions.

- a. Area - 7,000 square feet.
- b. Street frontage - 70 feet, except that for any lot which fronts principally on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum frontage shall be 42 feet.
- c. Width.

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- (1) Interior lot - 70 feet.
 - (2) Corner lot - 75 feet.
 - d. Depth - 100 feet.
 - e. 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.
- a. Front - 15 feet, except that for any portion of a lot which fronts on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum front yard shall be ten feet.
 - b. Side.
 - (1) Interior - four feet, except that for a lot having a width of 50 feet or less, the minimum interior side yards shall be three feet. The required minimum interior side yards shall be increased two feet for each story above two.
 - (2) Street - ten feet, except that:

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- (a) No street side yard shall be required for any lot having a width of 50 feet or less.
 - (b) For any lot wider than 50 feet, but less than 70 feet, the street side yard shall be at least one-half foot for every foot or fraction greater than one-half foot by which the width of such lot exceeds 50 feet.
 - c. Rear - 15 feet, except that the rear yard specified herein shall be increased two feet for each story above eight.
 - d. Exception. Two adjoining lots which have a common side lot line and which are developed concurrently may be developed with zero side yards on the said common side lot line, provided that each opposite interior side yard is not less than eight feet, which shall be increased two feet for each story above two.
3. Maximum Coverage.
- a. Interior lot coverage - 50 percent.
 - b. Corner lot coverage - 60 percent.
4. Other Applicable Regulations.
- Other applicable property development regulations are contained in Division 6 of this Article.

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F. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in "B." above shall be provided with a minimum of permanently maintained off-street parking spaces in a parking area or private garage on the same premises as follows:
 - a. For one-family dwellings - one space per dwelling.
 - b. For two-family dwellings and apartments - one space for each dwelling unit.
 - c. For boarding and lodging houses - one space for each lodger.
 - d. For schools - primary, elementary and junior high:
 - (1) One and one-half spaces for each classroom where the school has no auditorium, gymnasium or other similar place of assembly; or
 - (2) One space for each 35 square feet of floor area used for seating in the school auditorium, gymnasium or other similar place of assembly.
 - e. For schools - senior high:
 - (1) One space for each eight students at ultimate enrollment.
 - (2) One space for each 1.25 staff members at full complement.

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- f. For churches, temples or buildings of a permanent nature used primarily for religious purposes - one space for each 35 square feet of floor area used for seating in the main sanctuary or other principal place of assembly.
 - g. For branch libraries - one space for each 400 square feet of floor area.
 - h. For institutions for the day or full-time care of children under the age of 16 years - one space for each two adult residents and employees.
 - i. For accessory uses permitted under provisions of "B.11.c." above - one space per 400 square feet of gross floor area.
- 2. Where ambiguity exists in the application of these off-street parking requirements or when any use not specified in "B." above is found by the Planning Commission to be a permitted use in accordance with "B.12." above, the off-street parking requirements shall be determined by the Planning Commission.
 - 3. Off-street parking facilities shall be constructed, maintained and operated in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no permits for

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construction, alteration or repair of any building or structure which does not conform with this ordinance shall be issued unless the application and all plans therefor have been filed prior to the effective date.

APPROVED: JOHN W. WITT, City Attorney

By

Frederick C. Conrad
Frederick C. Conrad, Deputy

FCC:cav
Rev.
7/13/71

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1971 JUL 14 AM 11:09
SAN DIEGO, CALIF. 42

Passed and adopted by the Council of The City of San Diego on JUL 15 1971
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.
EDWARD NIELSEN
~~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

JUL 1 1971, and on JUL 15 1971

~~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.

EDWARD NIELSEN
~~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 <u>10621</u>	Adopted <u>JUL 15 1971</u>

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APR 28 1978

ATTORNEY (S)

- City of San Diego
202 "C" Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

RELATING TO THE R-3 ZONE

RECEIVED
CITY CLERK'S OFFICE
1971 AUG -5 PM 4:35
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 said newspaper; that the

ORDINANCE NO. 10621 (NEW SERIES)

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

July 23, 1971

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

July 23, 1971

Patricia M. Applestill
(Signature)

39" \$163.80

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE RELATING TO THE R-3 ZONE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter X, Article 1, Division 4, Section 101.0411 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

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A. PURPOSE AND INTENT

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B. PERMITTED USES

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 following purposes:

1. One-family dwellings.
2. Two-family dwellings.
3. Apartment houses, excluding premises designed or used for the temporary residence of persons for less than one week.
4. Boarding and lodging houses.
5. Schools, limited to primary, elementary, junior high and senior high.
6. Public parks and public playgrounds.
7. Churches, temples or buildings of a permanent nature used primarily for religious purposes.
8. Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Section 101.0407.
9. Branch public libraries.
10. Institutions or homes for the day or full-time care of not more than 15 children under the age of 18 years, provided there is not more than one additional dwelling unit on the same premises.
11. Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:
 - a. Not more than two lodgers per dwelling unit.
 - b. Recreational and health facilities which are designed, used and clearly intended for the use of residents of apartment houses, boarding and lodging houses, including tennis courts, putting greens, exercise rooms and sauna and steam baths.
 - c. Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used and clearly intended for the primary convenience of the occupants of the residential complex, including the following:
 - (1) Barber shops.
 - (2) Beauty shops.
 - (3) Communal dining facilities.
 - (4) Snack bars.

(12) Dry cleaning and laundry pickup agencies.

C. SIGNS

(1) For all premises, one sign shall be permitted.

(2) For apartment houses, boarding and lodging houses, churches, temples, buildings of a permanent nature used primarily for religious purposes and child day-care facilities - wall signs as defined in Section 98.0101 designating the permitted uses of the premises, provided that no such sign shall project above the parapet or eaves of the building to which affixed or exceed a height of 12 feet, whichever is lower. In addition, one single or double-faced freestanding sign designating the permitted uses of the premises facing or adjacent to each street abutting the property. The height of any freestanding sign shall not exceed eight feet measured vertically from the base at ground level to the apex of the sign.

(3) For parking lots - one single or double-faced freestanding, directional sign located at each driveway. Said directional sign shall not exceed two square feet in total face area and four feet in height measured vertically from the base at ground level to the apex of the sign.

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(5) For all premises - one single or double-faced freestanding sign with a maximum area of eight square feet offering the premises for sale, rent or lease. Said sign shall not exceed a height of four feet measured vertically from the base at ground level to the apex of the sign. Such sign may be located anywhere on the premises.

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

12. Any other uses, including accessory uses, which the Planning Commission may find to be similar in character to the uses enumerated in "B" above and consistent with the purpose and intent of this zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

C. SPECIAL REGULATIONS

1. All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory use except through a foyer, court, lobby, hall, porch or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving domestic recreational activities. No signs, displays or advertising relating to accessory uses shall be visible from the street or adjacent areas from any area of all accessory

equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls and roofs with construction and appearance similar to the main building.

D. DENSITY REGULATIONS

No lot shall be occupied by more than one dwelling unit for each 1,000 square feet of lot area.

E. PROPERTY DEVELOPMENT REGULATIONS

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

1. Minimum Lot Dimensions.

a. Area - 7,000 square feet.

b. Street frontage - 70 feet, except that for any lot which fronts principally on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum frontage shall be 42 feet.

c. Width.

(1) Interior lot - 70 feet.

(2) Corner lot - 75 feet.

d. Depth - 100 feet.

e. 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.

a. Front - 15 feet, except that for any portion of a lot which fronts on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum front yard shall be ten feet.

b. Side.

(1) Interior - four feet, except that for a lot having a width of 50 feet or less, the minimum interior side yards shall be three feet. The required minimum interior side yards shall be increased two feet for each story above two.

(2) Street - ten feet, except that:

(a) No street side yard shall be required for any lot having a width of 50 feet or less.

(b) For any lot wider than 50 feet, but less than 70 feet, the street side yard shall be at least one-half foot for every foot or fraction greater than one-half foot by which the width of such lot exceeds 50 feet.

c. Rear - 15 feet, except that the rear yard specified herein shall be increased two feet for each story above eight.

d. Exception. Two adjoining lots which have a common side lot line and which are developed concurrently may be developed with zero side yards on the said common side lot line, provided that each opposite interior side yard is not less than eight feet, which shall be increased two feet for each story above two.

3. Maximum Coverage.

a. Interior lot coverage - 50 percent.

b. Corner lot coverage - 60 percent.

4. Other Applicable Regulations.

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

F. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in "B." above shall be provided with a minimum of permanently maintained off-street parking spaces in a parking area or private garage on the same premises as follows:

a. For one-family dwellings - one space per dwelling.

b. For two-family dwellings and apartments - one space for each dwelling unit.

c. For boarding and lodging houses - one space for each lodger.

d. For schools - primary, elementary and junior high:

(1) One and one-half spaces for each classroom where the school has no auditorium, gymnasium or other similar place of assembly; or

(2) One space for each 35 square feet of floor area used for seating in the school auditorium, gymnasium or other similar place of assembly.

e. For schools - senior high:

(1) One space for each eight students at ultimate enrollment.

(2) One space for each 1.25 staff members at full complement.

f. For churches, temples or buildings of a permanent nature used primarily for religious purposes - one space for each 35 square feet of floor area used for seating in the main sanctuary or other principal place of assembly.

g. For branch libraries - one space for each 400 square feet of floor area.

h. For institutions for the day or full-time care of children under the age of 16 years - one space for each two adult residents and employees.

i. For accessory uses permitted under provisions of "B.11.c." above - one space per 400 square feet of gross floor area.

2. Where ambiguity exists in the application of these off-street parking requirements or when any use not specified in "B." above is found by the Planning Commission to be a permitted use in accordance with "B.12." above, the off-street parking requirements shall be determined by the Planning Commission.

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

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no permits for construction, alteration or repair of any building or structure which does not conform with this ordinance shall be issued unless the application and all plans therefor have been filed prior to the effective date.

Introduced on July 1, 1971.

Passed and adopted by the Council of The City of San Diego on July 15, 1971.

AUTHENTICATED BY:

FRANK CURRAN,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

Clerk of The City of San Diego, California.