ORDINANCE NO.

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, SECTION 101.0415 OF THE SAN DIEGO MUNICIPAL CODE RELATING TO THE R-4C 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 101.0415 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

SEC. 101.0415 R-4C ZONE

A. PURPOSE AND INTENT

The R-4C Zone is intended to designate areas where the highest density residential development may occur. This zone is principally designed to accommodate the high-rise apartment development anticipated within and immediately adjacent to the central business district. In addition, this zone may be applied adjacent to community facilities of a regional character, including major areas of recreation and open space.

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. Apartment houses.
- 2. Boarding and lodging houses.

- 3. Schools, limited to primary, elementary, junior high and senior high.
- 4. Public parks and public playgrounds.
- 5. Churches, temples or buildings of a permanent nature used primarily for religious purposes.
- 6. Branch public libraries.
- 7. 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.
- 8. Offices for psychologists, social workers, religious practitioners, doctors and dentists, provided that no overnight patients are permitted, and further provided that not more than two such professional persons and not more than three employees of each, shall be engaged in such work on the premises.
- 9. Electric distribution substations and communication equipment buildings for service of the immediate district provided:
 - a. That all equipment is within a walled area;
 - b. That yard and setback requirements are complied with; and
 - c. That such stations and buildings are constructed and improved according to plans, including landscaping plans, approved by the Zoning Administrator.

- 10. Hotels and motels.
- 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, hotels and motels, including tennis courts, putting greens, exercise rooms and sauna and steam baths.
 - c. Communal dining facilities may be included in apartment houses and boarding and lodging houses.
 - d. Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used and clearly intended for the primary convenience of occupants of the residential complex, including the following:
 - (1) Barber shops.
 - (2) Beauty shops.
 - (3) Snack bars.
 - (4) Dry cleaning and laundry pickup agencies.
 - e. Incidental businesses in hotels and motels

 may include, under the regulations presented

 herein, the following:

- (1) Restaurants and bars.
- (2) News and tobacco stores.
- (3) Barber shops.
- (4) Beauty shops.
- (5) Valet services (agency for laundering, cleaning and pressing of clothing).
- (6) Travel, ticket and car rental agencies.
- (7) Gift shops.
- (8) Florists.

f. Signs.

Wall signs as defined in Section 95.0101 (1)designating the permitted uses of the premises, provided that no such sign shall project above the ceiling of the second story or exceed a height of 30 feet above grade, whichever is higher; and further provided, that in no case shall signs project above the parapet or eaves of said building. 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.

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- (2) For parking lots one single or doublefaced 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.
- and freestanding signs on the premises,
 excluding signs designating the premises
 for sale, rent or lease, shall not exceed
 60 square feet in area, nor exceed twotenths of a square foot for each linear
 foot of street frontage of the premises,
 whichever is the smaller area.
- (4) For all premises one single or doublefaced 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.

- (5) Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.
- Any other uses, including accessory uses, which the 12. 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

All accessory uses shall be located in the same 1. 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 20 percent of the gross floor area of the permitted uses.

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 or two guest rooms for each 200 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 10,000 square feet.
 - b. Street frontage 75 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 45 feet.
 - c. Width.

- (1) Interior lot 75 feet.
- (2) Corner lot 80 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.

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 one foot for each story above two, but need not exceed 20 feet.
 - (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 four-tenths of a foot or fraction greater than onehalf foot by which the width of such lot exceeds 50 feet.
- 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 50 percent.
 - b. Corner lot 60 percent.
- 4. Maximum Driveway Width.

No driveway shall exceed a width of 25 feet measured at the property line and there shall be

no less than 45 feet measured at the property line between driveways serving the same premises. Driveways shall be so located as to provide at least one on-street parking space for each 50 feet of frontage of the premises; the said on-street parking space being not less than 20 feet in length measured along a full height curb; provided, however, that an alternative driveway spacing and location may be approved by the City Manager if such alternative will result in a maximum number of on-street parking spaces being provided.

5. Landscaping.

Prior to the use and occupancy of any premises, the entire required front and street side yards shall be suitably landscaped except for those areas occupied by driveways and walkways. In no case shall the required landscaped area be less than 40 percent of the total area included in the required front and street side yards. Prior to the issuance of any building permits, a complete landscaping plan shall be submitted to the Zoning Administrator for approval; said landscaping plan shall be in conformance with standards adopted by the Planning Commission as set forth in the document entitled, "Development and

R-4C Zone Corrected 8/16/71

Maintenance Standards - Landscaping," on file in the office of the Planning Department. Substantial conformance shall be determined by the Zoning Administrator; said determination shall be subject to appeal in the manner set forth in Sections 101.0504 and 101.0505. Required landscaping and required watering system shall be installed prior to the use of the premises. All required landscaped areas shall be permanently maintained in accordance with the adopted standards referred to in this paragraph.

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:
 - For apartments 1.3 spaces for each dwelling unit containing one bedroom or less and 1.6 spaces for each dwelling unit containing two or more bedrooms.
 - b. For boarding and lodging houses - one space for each lodger.

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- c. 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.
- d. 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.
- e. 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.
- f. For branch public libraries one space for each 400 square feet of floor area.
- g. 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.

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- h. For offices of psychologists, social workers, religious practitioners, doctors and dentists one space for each 300 square feet of gross floor area utilized for such purposes.
- i. For hotels and motels one space for each guest room, and one space for each 500 square feet of gross floor area used for incidental business.
- j. For areas used for dining, dancing, or the serving of drinks - one space for each 60 square feet of gross floor area.
- k. For accessory uses permitted under the provisions of "B.11.d." and "B.11.e." above, except restaurants and bars - one space for each 400 square feet of gross floor area shall be provided.
- 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.

SPECIAL EXCEPTIONS

- The regulations of Section 101.0415 relative to 1. maximum driveway width as set forth in "E.4." above, landscaping as set forth in "E.5." above, and the prohibition against parking in the front yard as set forth in Section 101.0800, paragraph 17, shall not be applicable to interior lots which have no alley frontage and which:
 - Have a width of 50 feet or less and are not a. joined in ownership, to any contiguous lot or parcel in the R-4C Zone on Sept 25/971;
 - b. Are a combination of contiguous lots or parcels joined in ownership which have a combined width of 50 feet or less and are not joined in ownership to any other contiguous lot or parcel in the R-4C Zone on <u>Sept. 25/97/.</u>
- Notwithstanding the provisions of "G.1." above, the excepted lots referred to in "G.1." above, shall be subject to the following regulation relative to landscaping:

That portion of the premises lying between the front of the building and the front property line shall be landscaped and maintained with plant materials in a ratio of not less than four square feet of landscaped area to each linear foot of street frontage.

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.

APPROVED: JOHN W. WITT, City Attorney

Frederick C. Conrad, Deputy

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ATTORNEY (5)

City of San Diego 202 C Street Community Concourse San Diego, California SAN DIEGO, CALIF

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

MUNICIPAL CODE RELATING TO THE R-4C ZONE

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. 10670 (NEW SERIES)

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

September 3, 1971

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

Beptember 3, 1971

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ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, SECTION 101.0415 OF THE SAN DIEGO MUNICIPAL CODE RELATING TO THE R-4C 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 101.0415 of the Diego Municipal Code be, and the same is hereby amended to read as over

AN OUTION TO THE SAN DIEGO MUNICIPAL CODE RELATING TO THE B 44 (2005) THE SAN DIEGO MUNICIPAL CODE RELATING THE B 47 (2005) THE B 46 (2005) THE B 46 (2005) THE B 46 (2005) THE B 46 (2005) THE SAN DIEGO MUNICIPAL CODE RELATING THE B 47 (2005) THE SAN DIEGO MUNICIPAL CODE B, AND THE SAN DIEGO MUNICIPAL CODE B, AND THE SAN DIEGO MUNICIPAL CODE B, AND THE B 46 (2004) THE B 46 (2004)

(6) Travel, ticket and car rental agencies.
(7) Gift shops.
(8) Florists.
(8) Florists.
(1) Wall signs as defined in Section 95.0101 designating the permitted uses of the premises, provided that no such sign shall project above the ceiling of the second story or exceed a relight of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher; and firth of 30 feet above grade, whichever is higher or double-faced free shuffle uses of the sign; distance of the sign; and a several distance of the sign; and the property. The height of any freestanding 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.

(3) 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 60 square feet in area, nor exceed two-tenths of a square foot for each linear foot of street frontage of the premises, whichever is the sign with maximum area of eight square feet offering the sign with maximum area of eight square feet offering the sign with maximum area of eight square feet offering the sign with maximum area of eight square feet offering the sign with maximum area of eight square feet offering the sign with a square feet of the first premises.

(4) For a premises—one single or double-faced freestanding sign while 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.

(5) Signs permitted herein may be lightlet, howev

D. DENSITY REGULATIONS

No lot shall be supied by more than one dwelling unit or two guest rooms for each 200 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—10,000 square feet.

b. Street frontage—75 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 45 feet.

c. Width.

(1) Interior lot—75 feet.

c. Willin.

(1) Interior lot—75 feet.
(2) Corner lot—80 feet.
d. Depth—100 feet.
e. Exception. Any lot which qualifies under the definition of a iccas set forth in this Code and which does not comply in all re-

spects 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 Yarus.

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

on a turnaround or on a curying street having a radius of curyature of less than 100 feet, the minimum front yard shall be tenfect.

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 three feet. The required minimum interior side yards shall be increased one foot for each story above two, but need not exceed 20 feet.

(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 four-tentha of a 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—50 percent.

b. Corner lot—60 percent.

b. Corner lot—60 percent.

c. Maximum Driveway Width.

No driveway shall exceed a width of 25 feet measured at the property line between driveways serving the same premises. Driveway shall be so located as to provide at least one of street parking space being not less than 20 feet in length measured at the property line between driveways serving the same premises. Driveway spacing and location may be approved by the City Manager if such a full height curb; provided, however, that an alternative driveway spacing and location may be approved by the City Manager if such a full height curb; provided, however, that an alternative driveway spaces being provided.

c. Landscaping.

Prior to the use and occupancy of any premises, the entir

page 1 of 2

OFF-STREET PARKING REGULATIONS

1. Every premises used for one op doors 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:

1. For apartments—I.d spaces for each dwelling unit containing one bedroom or less and 1.6 spaces for each dwelling unit containing two or more bedrooms.

1. Defer poarding and louging houses—one space for each iodger.

2. 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.

4. For schools—senior high:

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

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

2. 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.

4. For branch public libraries—one space for each 400 square feet of floor area.

2. For institutions for the day or full-time care of children under the seg-oir 16 years—one space for each two sdult residents and employees.

3. For offices of psychologists, social workers, religious practition era doctors and dentists—one space for each sous quare feet of gross floor area used for dining, dancing, or the serving of drinks—one space for each sous quare feet of gross floor area used for incledent, buginess.

3. For areas used for dining, dancing, or the serving of drinks—one space for each 500 square feet of gross floor area used for incledent, buginess.

3. For areas used for dining, dancing, or the serving of drinks—one space for each 500 square feet of gross floor area shall be provided.

3. Where ambiguity exists in the application b. Are a combination of contiguous lots or parcels joined in owner, ship, which have a combined width of 50 feet or less and are not joined in ownership to any other contiguous lot or parcel in the R-4C Zone on Notwithstanding the provisions of "G.1." above, the excepted lots referred to in "G.1." above, shall be subject to the following regulation relative to landscaping:

That portion of the premises lying between the front of the building and the front property line shall be landscaped and maintained, with plant materials in a ratio of not less than four square feet of landscaped area to each linear foot of street front age. square reet or landscaped area to each linear foot of street frontage.

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 afteration 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 filled prior to the effective date.

Introduced on August 5, 1971.

Passed and adopted by the Council of The City of San Diego on August
26, 1971. 26, 1971. AUTHENTICATED BY: FRANK CURRAN,
Mayor of The City of San Diego, California,
EDWARD NIELSEN, City Clerk of The City of San Diego, California, By JUDITH A. DHLLON, Deputy. Published Sept. 3, 1971.