

ORDINANCE NO. 11620
(New Series)

MAY 27 1975

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION
101.0435.1, M-IP 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 101.0435.1, of the
San Diego Municipal Code be amended to read as follows:

SEC. 101.0435.1 M-IP ZONE

A. PURPOSE AND INTENT

The M-IP Zone is intended to provide for areas in which industrial parks may be located. Restrictions on permitted uses, property development and off-street parking regulations and the performance standards of the zone are intended to insure, to the extent possible, relatively high-quality industrial development.

Property development regulations of the zone include a requirement that all lot areas not devoted to buildings, driveways and similar areas shall be landscaped in accordance with plans approved by the Planning Commission. In addition, architectural site plans must be approved by the Commission. These requirements are intended to insure industrial parks which are both attractive and efficient.

This zone will normally be applied to areas comprising at least 50 acres under one or more ownerships. Such areas will generally adjoin freeways or other major vehicular thoroughfares. Since industrial sites

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will be landscaped and storage and loading areas screened, it is expected that areas zoned M-IP will provide attractive boundaries to heavily traveled highways.

B. PERMITTED USES

No building, 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. Any use permitted in the SR (Scientific Research) Zone.
2. Field and seed crops, truck crops, orchards and vineyards, paddocks, pasture, irrigated range land, horticultural specialties, landscape gardening, forest nurseries.
3. Establishments engaged in the manufacturing, fabricating, assembly, testing, repair, servicing and processing of the following:
 - a. Aircraft manufacturing and assembly.
 - b. Aircraft parts other than engines.
 - c. Apparel belts.
 - d. Apparel except leather and fur goods.
 - e. Audio products.
 - f. Awnings - metal, wood or canvas.
 - g. Bags, except textile bags.
 - h. Bakery products.
 - i. Beverages.
 - j. Brooms and brushes.
 - k. Coated, plated and engraved metal.
 - l. Communication equipment.

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- m. Confectionery and related products.
- n. Costume jewelery, costume novelties, buttons, and miscellaneous notions.
- o. Cut stone and stone products.
- p. Cutlery, hand tools and general hardware.
- q. Diecut paper and paperboard, and cardboard.
- r. Dress and work gloves, except knit and leather products.
- s. Drugs.
- t. Electric lighting and wiring equipment.
- u. Electrical industrial apparatus.
- v. Electronic components and accessories.
- w. Electronic computing equipment other than desk top machines.
- x. Envelopes.
- y. Fabricated textile products.
- z. Fabricated wire products.
- aa. Farm machinery and equipment.
- bb. Furniture and fixtures.
- cc. Glass containers.
- dd. Glassware, pressed and blown.
- ee. Guided missiles and space vehicles.
- ff. Hats, caps and millinery.
- gg. Jewelry, silverware and plated ware.
- hh. Lamp shades, except metal and glass.
- ii. Luggage.
- jj. Metal cans.

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- kk. Mill work.
- ll. Miscellaneous apparel and accessories.
- mm. Motor vehicles, parts and accessories.
- nn. Mortician's goods.
- oo. Musical instruments and parts.
- pp. Office machines.
- qq. Paperboard containers and boxes.
- rr. Pens, pencils and other office and artists' materials.
- ss. Perfumes, cosmetics and other toilet preparations.
- tt. Plumbing fixtures and heating apparatus.
- uu. Pottery and related products.
- vv. Professional, scientific and controlling instruments.
- ww. Photographic and optical goods, watches and clocks.
- xx. Radio and television receiving sets, except communication types.
- yy. Roasted coffee and coffee products.
- zz. Robes and dressing gowns.
- aaa. Service industry machines.
- bbb. Sighting and fire-control equipment.
- ccc. Small arms.
- ddd. Special industry machinery, except metalworking machinery.
- eee. Toys, amusements, sporting and athletic goods.
- fff. Umbrellas, parasols and canes.
- ggg. Wooden containers.

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4. Establishments engaged in the wholesale distribution of the following:
 - a. Motor vehicles and automotive equipment.
 - b. Drugs, chemicals and allied products.
 - c. Dry goods and apparel.
 - d. Groceries and related products, except poultry and poultry products, fish and seafood, and fruit and vegetables.
 - e. Electrical goods.
 - f. Hardware, plumbing, heating equipment and supplies.
 - g. Machinery, equipment and supplies, except farm machinery and equipment.
 - h. Tobacco and tobacco products.
 - i. Beer, wine and distilled alcoholic beverages.
 - j. Paper, paper products and kindred supplies.
 - k. Furniture and commercial home furnishings.
5. Establishments engaged in the following:
 - a. Data processing services.
 - b. Motion picture production.
6. The following establishments:
 - a. Commercial parking lots and garages.
 - b. Public utility substations.
 - c. Regional and headquarters offices of businesses, industries and governmental agencies.
7. *The following business and professional establishments:*
 - a. *Accountants .*
 - b. *Architects .*

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- c. Attorneys .
 - d. Contractors .
 - e. Engineers .
 - f. Financial institutions .
 - g. Insurance agencies .
 - h. Photographers .
 - i. Real estate brokers .
 - j. Surveys .
 - k. Graphic artists .
 - l. Business machine sales, display and service .
 - m. Drafting and blue-printing .
 - n. Electronic data processing .
 - o. Tabulating and record-keeping services.
 - p. Labor unions and trade associations.
 - q. Addressing and secretarial services.
8. 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.
9. Accessory uses for any of the foregoing permitted uses including the following signs:
- a. Wall signs, provided that no such sign shall project above the parapet or eaves of the building to which affixed, nor project more than 18 inches beyond the face of said building.

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- b. One single or double-faced freestanding sign facing or adjacent to each street fronting the premises.
- c. One directional sign located at each entrance and exit driveway.
- d. One wall or freestanding sign for each street frontage, having a maximum area of 16 square feet, designating the premises, for sale, rent or lease.
- e. 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 one-half square feet for each lineal foot of street frontage; provided, however, that the area of any face of any sign shall not exceed 200 square feet and provided further, that no freestanding sign shall exceed a height of 15 feet measured vertically from the base at ground level to the apex of the sign.
- f. All signs, except signs designating the property for sale, rent or lease shall refer only to the permitted uses as set forth in paragraph "B." of this section.
- g. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.
- h. All signs permitted by the provisions of paragraph "B.9." of this section shall also comply with the provisions of Chapter IX, Article 5, Division 1 of this Code.

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C. SPECIAL REGULATIONS

1. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences or buildings or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment is stored to a height greater than any adjacent wall, fence or building.
2. No mechanical equipment, tank, duct, elevator enclosure, cooling tower or mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers and latticework.
3. No merchandise, material or equipment shall be stored on the roof of any building.

D. PROPERTY DEVELOPMENT REGULATIONS

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

1. Minimum Lot Dimensions.
 - a. Area - 40,000 square feet.

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- b. Street frontage - 100 feet, except that for any lot which fronts on a turnaround or a curving street having a radius of curvature of less than 100 feet, the minimum frontage shall be 60 feet.
- c. Width - 100 feet.
- d. Depth - 150 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 - 25 feet.
- b. Interior side - 15 feet.
- c. Interior side abutting residentially zoned property - 30 feet.
- d. Side, street - 25 feet.
- e. Rear - 25 feet.
- f. Rear abutting residentially zoned property - 50 feet.
- g. 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 the opposite side yard is not less than 30 feet if it is an interior side yard, or not less than 40 feet if it is a street side yard.

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3. Maximum Floor Area Ratio.

The maximum floor area ratio shall be two.

4. Development Plan Approval.

Prior to the issuance of any permits or the use of any premises, preliminary development plans shall be submitted to the Planning Commission for approval. Plans shall include a site plan showing location of proposed buildings, signs, parking areas, storage and loading areas and generalized landscaping. *Also, building elevation plans indicating treatment of exterior building surface materials and relationships to pertinent topographical features shall be included.* In reviewing and approving development plans, the Planning Commission shall limit its review and consideration to the following:

- a. Landscaping, including preservation of large shrubs and trees, *and also including the use of landscaping to screen building walls.*
- b. Preservation of existing topography where feasible.
- c. Layout of site with respect to location and width of driveways and private streets.
- d. Orientation and location of principal buildings in respect to adjacent property.
- e. Signs in relation to site location and fronting streets.
- f. Parking lot location, traffic flow, marking of spaces, placement of lighting and screening from adjacent property.
- g. Location of loading docks and off-street loading facilities in relation to adjacent property.

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- h. Outdoor storage area location and screening in relation to adjacent property, streets and highways.
- i. *Building materials utilized for exterior walls and, when appropriate, roofs.*
- j. *Building elevations in relation to minimum yard requirements and topographical features of the premises.*

In approving development plans the Planning Commission may, after a public hearing which has been noticed in accordance with the procedures set forth in Chapter X, Article 1, Division 5 of this Code, grant a suspension or variance of any of the Property Development Regulations as set forth in this section, provided such suspension or variance shall be based on sufficient showing that there are special circumstances or conditions affecting the property in question and that such suspension or variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare and that the granting of the suspension or variance will not adversely affect the General Plan of the City.

The decision of the Planning Commission on the proposed development plan may be appealed to the City Council in accordance with the procedures set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code.

The premises shall be developed in substantial conformance with approved development plans and substantial conformance shall be determined by the Zoning Administrator.

5. Landscaping.

Prior to the use or occupancy of any lot or premises, all of the lot or premises not devoted to buildings, structures, driveways,

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sidewalks, parking, outdoor storage, or loading areas shall be suitably landscaped; provided, however, that landscaping within areas designated for expansion of facilities on the site plan referred to in paragraph "D.4." above need only be that required to adequately control dust and erosion. The total area landscaped, excluding any landscaping in parking lots, shall be not less than 25 percent of the total area of the premises. Prior to the issuance of any building permit, a complete landscaping plan shall be submitted to the Zoning Administrator for approval. This landscaping plan shall be in substantial conformance with standards adopted by the Planning Commission as set forth in the document entitled, "Development and 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 Chapter X, Article 1, Division 5 of this Code. Approved landscaping, including any required watering system, shall be installed prior to the use or occupancy of any lot or premises, and said landscaping and watering system shall be in substantial conformance with the approved landscaping plan. All required landscaping shall be permanently maintained in accordance with the adopted standards referred to in this paragraph.

6. Driveway Width.

Driveway width shall be limited to 30 feet for each 100-foot segment of property line abutting the street, but no single driveway shall have a width of more than 30 feet measured at the property line. Driveway width for an interior lot having a front property line less than 100 feet in length shall be not more than one-third

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the length of the front property line or 30 feet, whichever is greater.

7. Off-Street Loading Facilities.

No loading or unloading facilities shall be so located as to require that trucks be located in required front or street side yards during loading and unloading activities.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in paragraph "B." above shall be provided with minimum off-street parking accommodations on the same premises or on a lot or premises lying within 500 feet horizontal distance from the premises on which the permitted use or uses are located, as follows:

- a. One parking space for each one and one-half employees on the shift having the greatest number of employees.
- b. One parking space for each vehicle used in the conduct of a permitted use if said vehicle is regularly parked on the premises.

2. The land used for required off-premises parking shall be located in the M-IP Zone and shall be owned or controlled by the owner or owners of the use requiring the off-premises parking. In this connection, the owner or lessee of record of the off-premises parking site shall furnish evidence satisfactory to the Zoning Administrator that he owns or has sufficient interest in such property to provide the off-premises parking required by this section. Where off-premises parking is to be provided on property owned by the applicant or is in another

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ownership, there shall have been recorded in the office of the County Recorder a covenant executed by the owners of such property on which the off-premises parking is proposed for the benefit of the City on a form approved by the City Attorney to the effect that the owners will continue to maintain such parking space so long as the off-premises parking is required by this Code. Such covenant will also recite that the title to and the right to use the lots upon which the parking spaces are to be provided will be subservient to the title to the premises where the primary use which it serves is situated and shall warrant that such lots are not and will not be made subject to any other covenant or contract for such use without the prior written consent of the City. In the event the owners of such use shall thereafter provide parking space equal in area under the same conditions as to ownership upon another lot other than the premises made subservient in a prior such covenant, the City will, upon written application therefor accompanied by the filing of a similar covenant, release such original subservient premises from such prior covenant.

The owners shall furnish, at their own expense, such title reports or other evidence as the City may require to insure compliance with the provisions of paragraph "E." of this section.

Off-premises parking spaces required by paragraph "E" of this section shall be maintained so long as they are required by the provisions of this section. In no event shall off-

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premises parking facilities which are provided to meet the requirements of this section be considered as providing any of the required spaces for any other structure or use.

3. Where ambiguity exists in the application of these off-street parking requirements or when any use not specified in paragraph "B." above is found by the Planning Commission to be a permitted use in accordance with paragraph "B.8." above, the off-street parking requirements shall be determined by the Planning Commission.
4. All off-street parking facilities shall be constructed, operated, and maintained in compliance with Division 8 of this Article except that the portion of a parking area devoted to ~~parking area devoted to~~ parking of vehicles referred to in paragraph "E.1.b." above shall be developed in accordance with plans approved by the Zoning Administrator if any of the said vehicles exceed an overall width of six feet or an overall length of 20 feet.

F. EXTERNAL EFFECTS

The following effects shall not be permitted to emanate beyond the boundaries of the premises upon which a permitted use is located:

1. Air contaminants, including but not limited to smoke, charred paper, paper, dust, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof or any emissions that endanger human health, cause damage to vegetation or property or cause soiling.
2. Loud, unnecessary or unusual noise which endangers health, peace or safety of others, or objectionable changes in temperature or direct or sky-reflected glare.

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3. Radioactivity or electrical disturbance which unduly interferes with the normal operation of equipment or instruments.

The Zoning Administrator shall be responsible for determining whether or not any premises fails to meet the requirements of paragraph "F." of this section. Any decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals and the City Council in accordance with the procedures set forth in Division 5 of this Article.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:mmb
Corrected 5-13-75

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Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input type="checkbox"/>	<input checked="" 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"/>
Jim Ellis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By *Kathleen Martiniz*, 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

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~~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
City Clerk of The City of San Diego, California.

(Seal)

By *Kathleen Martiniz*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 11620 Adopted MAY 27 1975

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Office of the City Clerk

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