

ORDINANCE NO. 11697
(New Series)

OCT 8 1975

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0101.25 GROSS FLOOR AREA; 101.0101.35 LOT COVERAGE; 101.0101.48 UNDERGROUND PARKING STRUCTURE; AND 101.0101.50 YARD; AND ADDING SECTIONS 101.0101.50.1 THROUGH 101.0101.72 ALL RELATING TO DEFINITIONS AND INTERPRETATIONS.

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

Section 1. That Chapter X, Article 1, Division 1 of the San Diego Municipal Code be amended by amending Sections 101.0101.25, 101.0101.35, 101.0101.48 and 101.0101.50 to read as follows:

SEC. 101.0101.25 GROSS FLOOR AREA

The total horizontal area expressed in square feet, of all the floors of a building included within the surrounding walls, including shafts, enclosed exterior stairwells, and above-ground parking structures.

Gross floor area shall include:

- A. Enclosed exterior stairwells, above-ground parking structures and exterior elevator shafts.
- B. The floor area of mezzanines and other similar interior balconies.

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- C. Exterior balconies, entrances, porches, canopies, rigid awnings, stoops, openly supported terraces, openly supported stairways, and sun baffles or shades which are constructed and maintained with less than 40 percent of the vertical surface permanently open.

- D. Half stories (attics) (Sec. 101.0101.65), basements (Sec. 101.0101.68), and cellars (Sec. 101.0101.69) shall also be included as gross floor area when said areas are utilized for residential purposes.

- E. Penthouses (Sec. 101.0101.71), except when specifically excepted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING), shall be included in gross floor area.

SEC. 101.0101.35 LOT COVERAGE

That portion of the area of a lot, expressed as a percentage, occupied by all buildings or structures which are roofed or otherwise covered and which extend more than three feet above grade level, as defined in Section 101.0101.62 - HEIGHT (BUILDING); provided, however, that the following shall be exempted:

- A. Exterior balconies, entrances, canopies, rigid awnings, stoops, openly supported terraces, openly supported exterior stairways and sun baffles or shades provided they:

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1. Do not encroach into required yards.
 2. Do not project more than six feet from the supporting structure.
 3. Are constructed and maintained with not less than 40 percent of the vertical surface permanently open.
- B. Roofed areas enclosed by no more than three exterior walls of a building which provide shelter to exterior balconies, entrances, stoops, terraces, and exterior stairways.
- C. Cornices, eaves and belt courses subject to limitations imposed by Section 101.0601, Paragraph 3.
- D. Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68), and cellars (Sec. 101.0101.69) lying partially above grade but not exceeding three feet above grade.

All horizontal dimensions shall be taken from the exterior faces of walls, including those structural and architectural appendages as defined and set forth herein.

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SEC. 101.0101.48 UNDERGROUND PARKING STRUCTURE

A parking structure constructed so that more than one-half of the vertical height of the uppermost story of the parking structure is below grade, as defined in Section 101.0101.62 HEIGHT (BUILDING).

Those portions of such structure lying entirely below grade are not subject to the lot coverage or yard regulations specified in this article. Those portions of such structure lying partially above grade, but not exceeding three feet above grade, are subject to the yard requirements defined in Section 101.0101.50.1 -FRONT YARD and Section 101.0101.50.2 - STREET SIDE YARD. Those portions of such a structure lying more than three feet above grade shall be subject to all appropriate lot coverage and yard regulations specified in this chapter.

SEC. 101.0101.50 YARD

An open, unoccupied space, other than a court, unobstructed from the ground upward, except where specifically permitted by this article, and located on the same lot with the building or use which it serves.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to yard requirements except as otherwise indicated in this chapter.

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Section 2. That Chapter X, Article 1, Division 1 of the San Diego Municipal Code be amended by adding Sections 101.0101.50.1 through Section 101.0101.72 to read as follows:

SEC. 101.0101.50.1 YARD, FRONT

A front yard is an open unoccupied space, as defined in Section 101.0101.50, extending across the full width of the lot and measured inward, perpendicularly, from the front property line of the lot and parallel thereto for a distance specified in this article, or as otherwise specified by setback ordinance.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying above grade are subject to the front yard requirements in any land use zone which requires landscaping in the required front yard.

SEC. 101.0101.50.2 YARD, STREET SIDE

A street side yard is an open unoccupied space, as defined in Section 101.0101.50, extending the full depth of the lot and measured inward, perpendicularly, from the street side property line of the lot and parallel thereto for a distance specified in this article; or as otherwise specified by setback ordinance; provided, however, that any area of the lot described as front yard in Section 101.0101.50.1 shall not be included as part of the street side yard.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and

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cellars (Sec. 101.0101.69) lying above grade are subject to the street side yard requirements in any land use zone which requires landscaping in the required street side yard.

SEC. 101.0101.50.3 YARD, REAR

A rear yard is an open unoccupied space, as defined in Section 101.0101.50, extending across the full width of the lot and measured inward, perpendicularly from the rear property line of the lot and parallel thereto for a distance specified in this article; provided, however, that any area of the lot described as street side yard in Section 101.0101.50.2 shall not be included as part of the rear yard.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to rear yard requirements.

SEC. 101.0101.50.4 YARD, INTERIOR SIDE

An interior side yard is an open unoccupied space, as defined in Section 101.0101.50, extending the full depth of the lot and measured inward, perpendicularly from the interior side property line of the lot and parallel thereto for a distance specified in this article; provided, however, that any area of the lot described as front yard in Section 101.0101.50.1 or as rear yard in Section 101.0101.50.3 shall not be included as part of the interior side yard.

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Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to interior side yard requirements.

SEC. 101.0101.63 STORY

Story shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Story shall include:

1. A half-story or attic (Sec. 101.0101.65) when utilized for one or more dwelling units;
2. A basement (Sec. 101.0101.68) which has a vertical distance, at any point, between its floor and grade (as defined in Sec. 101.0101.62 HEIGHT (BUILDING)) of three feet or less.
3. A mezzanine or interior balcony (Sec. 101.0101.66) utilized for one or more dwelling units.

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4. A mezzanine or interior balcony which exceeds 33-1/3 percent of the total gross floor area of the first full floor immediately below it.
5. A penthouse (Sec. 101.0101.71), except as specifically excepted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING).

For purposes of determining incremental yard requirements, the maximum floor to floor vertical height of a story shall be 12 feet. Any story exceeding 12 feet but not more than 20 feet in height shall be counted as two stories for purposes of determining incremental yard requirements, with each additional ten feet of floor to floor height counting as an additional story; provided, however, that the uppermost increment of floor to floor height shall not be counted as an additional story if it is less than five feet.

SEC. 101.0101.64 STORY, FIRST

First story shall mean the lowest story or the ground story of any building, the floor of which is not more than three feet below grade, except that any basement or cellar utilized for residential purposes shall be deemed the first story.

SEC. 101.0101.65 STORY, HALF (ATTIC)

Half story shall mean a story with at least two of its opposite sides situated immediately under a sloping roof, the walls of said

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opposite sides not greater than four feet in height, with the floor area of said story not in excess of two-thirds of the floor area of the first full story as defined in Section 101.0101.63 - STORY, immediately below it; provided, however, that any such story used for one or more dwelling units shall be deemed a full story. A half story shall not be used to compute incremental yard requirements, as defined in Sec. 101.0101.70 - INCREMENTAL YARDS, nor shall a half story be computed as gross floor area as defined by Sec. 101.0101.25 unless said half story is used for one or more dwelling units.

SEC. 101.0101.66 MEZZANINE (INTERIOR BALCONY)

Mezzanine shall mean any intermediate floor placed between two full stories in a building, with major orientation to the story immediately beneath it; provided, however, if the total gross floor area of said "mezzanine floor" exceeds 33-1/3 percent of the total gross floor area of the first full story, as defined in Section 101.0101.63 - STORY, immediately below it, it shall be considered as constituting a full story.

If a mezzanine is used for one or more dwelling units it shall be considered as constituting a full story.

SEC. 101.0101.67 BALCONY, EXTERIOR

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A roofed or unroofed platform, enclosed by a railing or parapet, projecting from an exterior supporting wall of a building. When a

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balcony is roofed and has less than 40 percent of its vertical surface permanently open, it is considered to be part of the room or interior area it serves and is included in computations of gross floor area.

SEC. 101.0101.68 BASEMENT

That portion of a building which is partly below and partly above grade but located so that vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. If the vertical distance at any point between floor and grade is three feet or less then said basement shall be included for purposes of computing gross floor area and floor area ratio.

SEC. 101.0101.69 CELLAR

That portion of a building which is wholly or partly below grade and located so that the vertical distance from grade to floor is equal to, or greater than the vertical distance from grade to ceiling. If the vertical distance, at any point, between floor and grade is three feet or less then said cellar shall be considered a story for purposes of computing gross floor area and floor area ratio.

SEC. 101.0101.70 INCREMENTAL YARDS

Incremental or sliding-scale yards, required by certain sections of this chapter, are directly related to increases, by story, in building height and are correspondingly increased in horizontal width or depth.

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For purposes of determining incremental yard requirements, the maximum floor to floor vertical height of a story shall be 12 feet. Any story exceeding 12 feet but not more than 20 feet in height shall be counted as two stories for purposes of determining incremental yard requirements, with each additional ten feet of floor to floor height counting as an additional story; provided, however, that the uppermost increment of floor to floor height shall not be counted as an additional story if it is less than five feet.

A half story (Sec. 101.0101.65), first story (Sec. 101.0101.64), basement (Sec. 101.0101.68), or cellar (Sec. 101.0101.69) used to accommodate one or more dwelling units shall be considered to be a story for purposes of computing incremental yard requirements.

A penthouse (Sec. 101.0101.71), except as specifically excepted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING), shall be considered to be a story for purposes of computing incremental yard requirements.

If a basement (Sec. 101.0101.68) or cellar (Sec. 101.0101.69) has a vertical distance, at any point, of three feet or less between floor and grade then said basement or cellar shall be considered to be a story for purposes of computing incremental yard regulations.

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A structure located upon the roof of a multi-story building or structure and which is set back from the vertical projections of the main wall of the building or structure or that portion of the building or structure upon which the penthouse is located. Any such structure shall be considered to be gross floor area, as defined in Sec. 101.0101.25 and to be a story, as defined in Sec. 101.0101.63, except when specifically excepted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING).

SEC. 101.0101.72 FLOOR

A continuous, supporting surface extending horizontally throughout a building. The floor shall be considered to be a continuous plane and shall include interior elevator shafts, interior stairwells, other similar interior spaces, and those items set forth in Sec. 101.0101.25 - GROSS FLOOR AREA.

Section 3. 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

FCC:nb
9-15-75
Or. Dept. Plng

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Passed and adopted by the Council of The City of San Diego on OCT 8 1975,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input 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 Edward J. Salter Jr., 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

SEP 25 1975

OCT 8 1975

~~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 Edward J. Salter Jr., Deputy.

Office of the City Clerk, San Diego, California

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Ordinance
Number

Adopted **OCT 8 1975**

CC-1255-A (REV. 1-75)

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ATTORNEY(S)

San Diego, City of
* 12th Floor City Admin. Bldg.
San Diego, Ca. 92101
Martinez

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CITY CLERK'S OFFICE

1975 OCT 29 PM 1:07 *pp*
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

RELATING TO THE DEFINITIONS AND INTERPRETATIONS

I, PATRICIA M. APPELSTILL hereby certify that San Diego 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; and the

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

October 17, 1975

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

October 17, 1975

Patricia M. Appelstill

(Signature)

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ORDINANCE NO. 11697

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0101.25 GROSS FLOOR AREA; 101.0101.35 LOT COVERAGE; 101.0101.48 UNDERGROUND PARKING STRUCTURE; AND 101.0101.50 YARD; AND ADDING SECTIONS 101.0101.50.1 THROUGH 101.0101.72 ALL RELATING TO DEFINITIONS AND INTERPRETATIONS.

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

Section 1. That Chapter X, Article 1, Division 1 of the San Diego Municipal Code be amended by amending Sections 101.0101.25, 101.0101.35, 101.0101.48 and 101.0101.50 to read as follows:
SEC. 101.0101.25 GROSS FLOOR AREA

The total horizontal area expressed in square feet, of all the floors of a building included within the surrounding walls, including shafts, enclosed exterior stairwells, and above-ground parking structures.
Gross floor area shall include:

- A. Enclosed exterior stairwells, above-ground parking structures and exterior elevator shafts.
- B. The floor area of mezzanines and other similar interior balconies.
- C. Exterior balconies, entrances, porches, canopies, rigid awnings, stoops, openly supported terraces, openly supported stairways, and sun baffles or shades which are constructed and maintained with less than 40 percent of the vertical surface permanently open.
- D. Half stories (attics) (Sec. 101.0101.65), basements (Sec. 101.0101.68), and cellars (Sec. 101.0101.69) shall also be included as gross floor area when said areas are utilized for residential purposes.
- E. Penthouses (Sec. 101.0101.71), except when specifically exempted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING), shall be included in gross floor area.

SEC. 101.0101.35 LOT COVERAGE
That portion of the area of a lot, expressed as a percentage, occupied by all buildings or structures which are roofed or otherwise covered and which extend more than three feet above grade level, as defined in Section 101.0101.62 - HEIGHT (BUILDING); provided, however, that the following shall be exempted:

- A. Exterior balconies, entrances, canopies, rigid awnings, stoops, openly supported terraces, openly supported exterior stairways and sun baffles or shades provided they:
 1. Do not encroach into required yards.
 2. Do not project more than six feet from the supporting structure.
3. Are constructed and maintained with not less than 40 percent of the vertical surface permanently open.
- B. Roofed areas enclosed by no more than three exterior walls of a building which provide shelter to exterior balconies, entrances, stoops, terraces, and exterior stairways.
- C. Cornices, eaves and belt courses subject to limitations imposed by Section 101.0601, Paragraph 3.
- D. Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68), and cellars (Sec. 101.0101.69) lying partially above grade but not exceeding three feet above grade.

All horizontal dimensions shall be taken from the exterior faces of walls, including those structural and architectural appendages as defined and set forth herein.

SEC. 101.0101.48 UNDERGROUND PARKING STRUCTURE

A parking structure constructed so that more than one-half of the vertical height of the uppermost story of the parking structure is below grade, as defined in Section 101.0101.62 HEIGHT (BUILDING).

Those portions of such structure lying entirely below grade are not subject to the lot coverage or yard regulations specified in this article. Those portions of such structure lying partially above grade, but not exceeding three feet above grade, are subject to the yard requirements defined in Section 101.0101.50.1 - FRONT YARD and Section 101.0101.50.2 - STREET SIDE YARD. Those portions of such a structure lying more than three feet above grade shall be subject to all appropriate lot coverage and yard regulations specified in this chapter.

SEC. 101.0101.50 YARD

An open, unoccupied space, other than a court, unobstructed from the ground upward, except where specifically permitted by this article, and located on the same lot with the building or use which it serves.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to yard requirements except as otherwise indicated in this chapter.

Section 2. That Chapter X, Article 1, Division 1 of the San Diego Municipal Code be amended by adding Sections 101.0101.50.1 through 101.0101.72 to read as follows:

SEC. 101.0101.50.1 YARD, FRONT

A front yard is an open unoccupied space, as defined in Section 101.0101.50, extending across the full width of the lot and measured inward, perpendicularly, from the front property line of the lot and parallel thereto for a distance specified in this article, or as otherwise specified by setback ordinance.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying above grade are subject to the front yard requirements in any land use zone which requires landscaping in the required front yard.

SEC. 101.0101.50.2 YARD, STREET SIDE

A street side yard is an open unoccupied space, as defined in Section 101.0101.50, extending the full depth of the lot and measured inward, perpendicularly, from the street side property line of the lot and parallel thereto for a distance specified in this article; or as otherwise specified by setback ordinance; provided, however, that any area of the lot described as front yard in Section 101.0101.50.1 shall not be included as part of the street side yard.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying above grade are subject to the street side yard requirements in any land use zone which requires landscaping in the required street side yard.

SEC. 101.0101.50.3 YARD, REAR

A rear yard is an open unoccupied space, as defined in Section 101.0101.50, extending across the full width of the lot and measured inward, perpendicularly from the rear property line of the lot and parallel thereto for a distance specified in this article; provided, however, that any area of the lot described as street side yard in Section 101.0101.50.2 shall not be included as part of the rear yard.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to rear yard requirements in any land use zone which requires landscaping in the required rear yard.

SEC. 101.0101.50.4 YARD, INTERIOR SIDE

An interior side yard is an open unoccupied space, as defined in Section 101.0101.50, extending the full depth of the lot and measured inward, perpendicularly from the interior side property line of the lot and

parallel thereto for a distance specified in this article; provided, however, that any area of the lot described as front yard in Section 101.0101.50.1 or as rear yard in Section 101.0101.50.3 shall not be included as part of the interior side yard.

Those portions of underground parking structures (Sec. 101.0101.48), first stories (Sec. 101.0101.64), basements (Sec. 101.0101.68) and cellars (Sec. 101.0101.69) lying more than three feet above grade are subject to interior side yard requirements.

SEC. 101.0101.63 STORY

Story shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Story shall include:

1. A half-story or attic (Sec. 101.0101.65) when utilized for one or more dwelling units.
2. A basement (Sec. 101.0101.68) which has a vertical distance, at any point, between its floor and grade (as defined in Sec. 101.0101.62 HEIGHT (BUILDING)), of three feet or less.
3. A mezzanine or interior balcony (Sec. 101.0101.68) utilized for one or more dwelling units.
4. A mezzanine or interior balcony which exceeds 33-1/3 percent of the total gross floor area of the first full floor immediately below it.
5. A penthouse (Sec. 101.0101.71), except as specifically exempted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING).

For purposes of determining incremental yard requirements, the maximum floor to floor vertical height of a story shall be 12 feet. Any story exceeding 12 feet but not more than 20 feet in height shall be counted as two stories for purposes of determining incremental yard requirements, with each additional ten feet of floor to floor height counting as an additional story; provided, however, that the upper most increment of floor to floor height shall not be counted as an additional story if it is less than five feet.

SEC. 101.0101.64 STORY, FIRST

First story shall mean the lowest story or the ground story of any building, the floor of which is not more than three feet below grade, except that any basement or cellar utilized for residential purposes shall be deemed the first story.

SEC. 101.0101.65 STORY, HALF (ATTIC)

Half story shall mean a story with at least two of its opposite sides situated immediately under a sloping roof, the walls of said opposite sides not greater than four feet in height, with the floor area of said story not in excess of two-thirds of the floor area of the first full story as defined in Section 101.0101.63 - STORY, immediately below it; provided, however, that any such story used for one or more dwelling units shall be deemed a full story. A half story shall not be used to compute incremental yard requirements, as defined in Sec. 101.0101.70 - INCREMENTAL YARDS, nor shall a half story be computed as gross floor area as defined by Sec. 101.0101.25 unless said half story is used for one or more dwelling units.

SEC. 101.0101.66 MEZZANINE (INTERIOR BALCONY)

Mezzanine shall mean any intermediate floor placed between two full stories in a building, with major orientation to the story immediately beneath it; provided, however, if the total gross floor area of said "mezzanine floor" exceeds 33-1/3 percent of the total gross floor area of the first full story, as defined in Section 101.0101.63 - STORY, immediately below it, it shall be considered as constituting a full story.

If a mezzanine is used for one or more dwelling units it shall be considered as constituting a full story.

SEC. 101.0101.67 BALCONY, EXTERIOR

A roofed or unroofed platform, enclosed by a railing or parapet, projecting from an exterior supporting wall of a building. When a balcony is roofed and has less than 40 percent of its vertical surface permanently open, it is considered to be part of the room or interior area it serves and is included in computations of gross floor area.

SEC. 101.0101.68 BASEMENT

That portion of a building which is partly below and partly above grade but located so that vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. If the vertical distance at any point between floor and grade is three feet or less then said basement shall be included for purposes of computing gross floor area and floor area ratio.

SEC. 101.0101.69 CELLAR

That portion of a building which is wholly or partly below grade and located so that the vertical distance from grade to floor is equal to, or greater than the vertical distance from grade to ceiling. If the vertical distance, at any point, between floor and grade is three feet or less then said cellar shall be considered a story for purposes of computing gross floor area and floor area ratio.

SEC. 101.0101.70 INCREMENTAL YARDS

Incremental or sliding-scale yards, required by certain sections of this chapter, are hereby related to increase, by story, in building height and are correspondingly increased in horizontal width or depth.

For purposes of determining incremental yard requirements, the maximum floor to floor vertical height of a story shall be 12 feet. Any story exceeding 12 feet but not more than 20 feet in height shall be counted as two stories for purposes of determining incremental yard requirements, with each additional ten feet of floor to floor height counting as an additional story; provided, however, that the upper most increment of floor to floor height shall not be counted as an additional story if it is less than five feet.

A half story (Sec. 101.0101.65), first story (Sec. 101.0101.64), basement (Sec. 101.0101.68), or cellar (Sec. 101.0101.69) used to accommodate one or more dwelling units shall be considered to be a story for purposes of computing incremental yard requirements.

A penthouse (Sec. 101.0101.71), except as specifically exempted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING), shall be considered to be a story for purposes of computing incremental yard requirements.

If a basement (Sec. 101.0101.68) or cellar (Sec. 101.0101.69) has a vertical distance, at any point, of three feet or less between floor and grade then said basement or cellar shall be considered to be a story for purposes of computing incremental yard requirements.

SEC. 101.0101.71 PENTHOUSE

A structure located upon the roof of a multi-story building or structure and which is set back from the vertical projections of the main wall of the building or structure or that portion of the building or structure upon which the penthouse is located. Any such structure shall be considered to be gross floor area, as defined in Sec. 101.0101.25 and to be a story, as defined in Sec. 101.0101.63, except when specifically exempted by the provisions of Sec. 101.0101.62 HEIGHT (BUILDING).

SEC. 101.0101.72 FLOOR

A continuous, supporting surface extending horizontally throughout a building. The floor shall be considered to be a continuous plane and shall include interior elevator shafts, interior stairwells, other similar interior spaces, and those items set forth in Sec. 101.0101.25 - GROSS FLOOR AREA.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on September 25, 1975.

Passed and adopted by the Council of The City of San Diego on October 6, 1975.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of San Diego, California.

By KATHLEEN MARTINEZ, Deputy.

(SEAL)

Pub. Oct. 17, 1975

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