

ORDINANCE NO. 11772
(New Series)

FEB 24 1976

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4,
OF SECTION 101.0412 OF THE SAN DIEGO MUNICIPAL CODE RELATING
TO THE R-3A ZONE.

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

Section 1. That Chapter X, Article 1, Division 4 of the
San Diego Municipal Code be, and it is hereby amended by
amending Section 101.0412 to read as follows:

SEC. 101.0412 R-3A ZONE

A. PURPOSE AND INTENT

The R-3A Zone is intended primarily for the development
of multiple residential structures in the form of apartment
houses at a maximum density of approximately 73 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-high 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:

1. One-family dwellings.
2. Two-family dwellings.

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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. Offices for psychologists, social workers, religious practitioners, doctors and dentists,

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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.

12. 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:

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- (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 Sec. 101.1101.240 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

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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.
- (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

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MAY 8 1978

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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.

13. 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,

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MAY 8 1978

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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.

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 600 square feet of lot area.

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E. PROPERTY DEVELOPMENT REGULATIONS

No building 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 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 turn-around 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.

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- 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 the interior side yard specified herein shall be increased three feet for each story above two.

- (2) Street - 10 feet, except that the minimum shall be:

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01218

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- (a) Nine feet for any lot having a width of 45 feet but less than 50 feet;
 - (b) eight feet for any lot having a width of 40 feet but less than 45 feet;
 - (c) seven feet for any lot having a width of 35 feet but less than 40 feet;
 - (d) six feet for any lot having a width of 30 feet but less than 35 feet; and
 - (e) five feet for any lot having a width of less than 30 feet.
- c. Rear - 15 feet, except that the rear yard specified herein shall be increased three feet for each story above two.
- 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 lot line, provided

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MAY 8 1978

01219

11772

that each opposite interior side yard is not less than eight feet, which shall be increased three feet for each story above two.

3. Maximum Coverage.

- a. Interior lot coverage - 50 percent.
- b. Corner lot coverage - 60 percent.
- c. Maximum coverage for any premises, upon which is located a building of seven or more stories, shall be reduced in accordance with the following provisions of Table I below:

TABLE I

<u>STORIES</u>	<u>MAXIMUM PARCEL COVERAGE</u>
1-6	50/60%
7	40%
8	35%
9	32%
10	29%
11	27%
12 or more	25%

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MAY 8 1978

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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 area 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

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MAY 8 1978

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11772

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 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 the San Diego Municipal Code. 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.

6. Floor Area Ratio.

The basic floor area ratio shall be 2.70, except as otherwise provided herein, and shall be utilized only in accordance with the provisions of this paragraph.

- a. Two-thirds of the basic floor area ratio, or a total of 1.80, may be utilized for any use

or accessory use listed in paragraph "B." of this section.

- b. One-third of the basic floor area ratio, or a total of 0.90 may be utilized for off-street parking; provided, however, that all or part of the parking floor area ratio may instead be utilized for any other permitted use listed in paragraph "B." of this section in exact proportion to the amount of floor area provided in an underground parking structure or structures located on the premises and utilized exclusively for required parking, and further provided, that any required parking that is not placed in an underground structure is completely enclosed within a building or buildings located on the premises.

- c. A floor area ratio "reduced coverage bonus" of 0.30 maximum may be utilized in increments of 0.05, provided that parcel coverage is reduced in conformance following Table II:

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MAY 8 1978

01223

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TABLE II

<u>STORIES</u>	<u>INCREMENTAL BONUS</u>	<u>ACCUMULATED BONUS</u>	<u>TOTAL PERMITTED F.A.R.</u>	<u>MAXIMUM PARCEL COVERAGE</u>
1-6	None	None	2.70	50/60%*
7	0.05	0.05	2.75	40%
8	0.05	0.10	2.80	35%
9	0.05	0.15	2.85	32%
10	0.05	0.20	2.90	29%
11	0.05	0.25	2.95	27%
12 or more	0.05	0.30	3.00	25%

*See Paragraph "E.3."

- (1) The maximum applicable parcel coverage regulations shall be determined by the number of minimum required stories.
- (2) The accumulated bonus may be utilized for any use or accessory use permitted by paragraph "B." of this section or for off-street parking.
- (3) The "reduced coverage bonus" may be utilized only if the full basic floor

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MAY 8 1978

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area ratio set forth in this paragraph is utilized.

d. "Unenclosed area bonus" -- an additional amount of gross floor area may be added to the gross floor area permitted by the basic floor area ratio, including the maximum obtainable "reduced coverage bonus" floor area ratio. This "unenclosed area bonus" area may not exceed the unenclosed area at the first floor level and is subject to the following conditions:

- (1) The total combined basic and "reduced coverage bonus" floor area ratios of 3.00 must be fully utilized prior to utilizing any "unenclosed area bonus" gross floor area.
- (2) The "unenclosed area" must be provided by maintaining at least 25 percent of the parcel coverage area unenclosed at the first story level as illustrated in illustrations "A.1." and "A.2." below. This "unenclosed area" shall not be included in calculating the basic floor area ratio.

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MAY 8 1978

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ILLUSTRATION "A.1."
ELEVATION VIEW

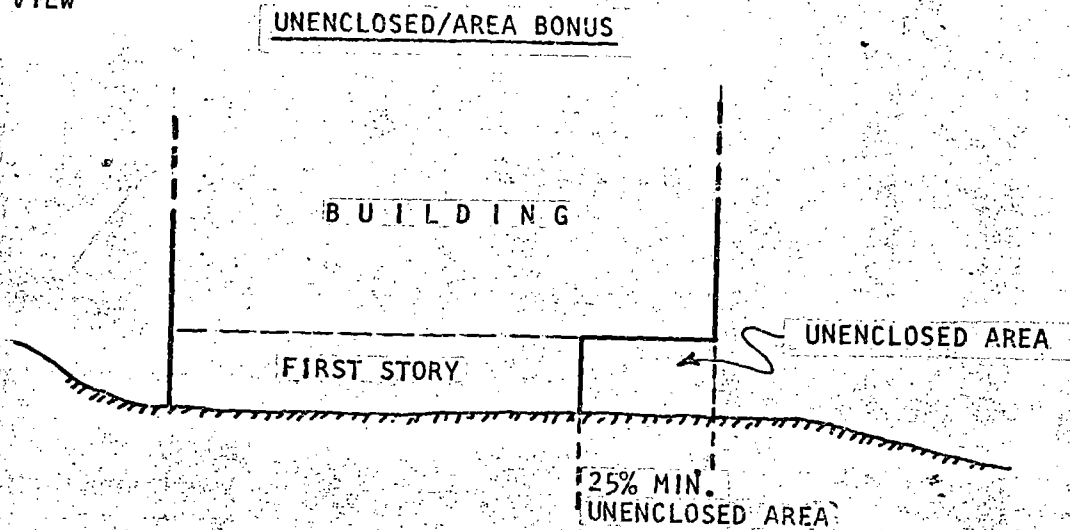
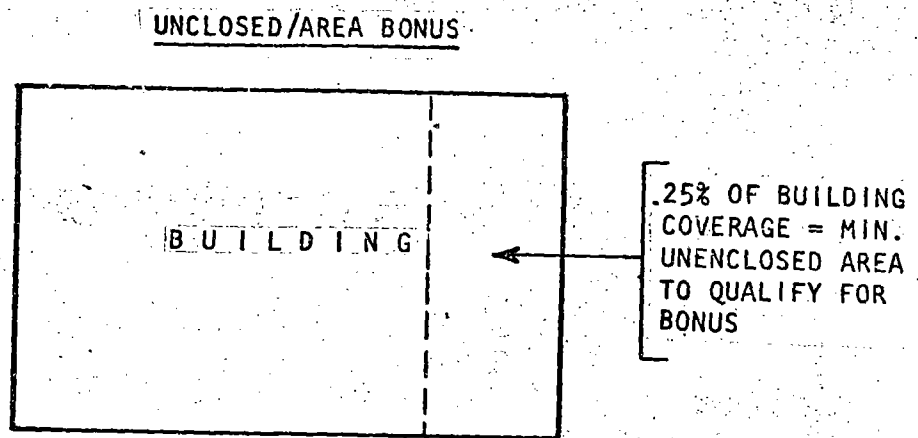
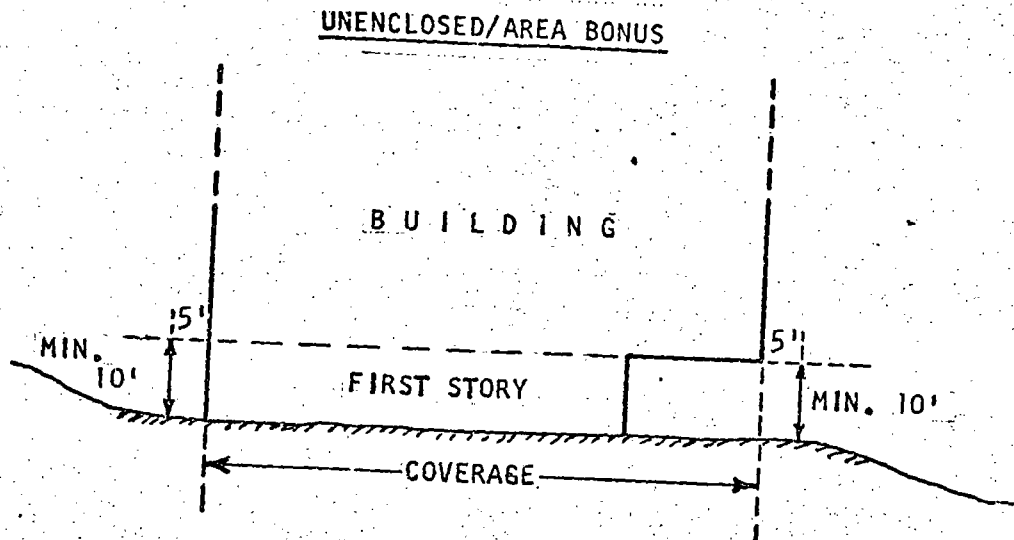


ILLUSTRATION "A.2."
PLAN VIEW



- (3) There shall be a minimum of ten feet between the ceiling of the first story and the highest point of finished grade (see illustration "B." below) as measured at any point within five horizontal feet of the area of building coverage.

ILLUSTRATION "B"
ELEVATION VIEW



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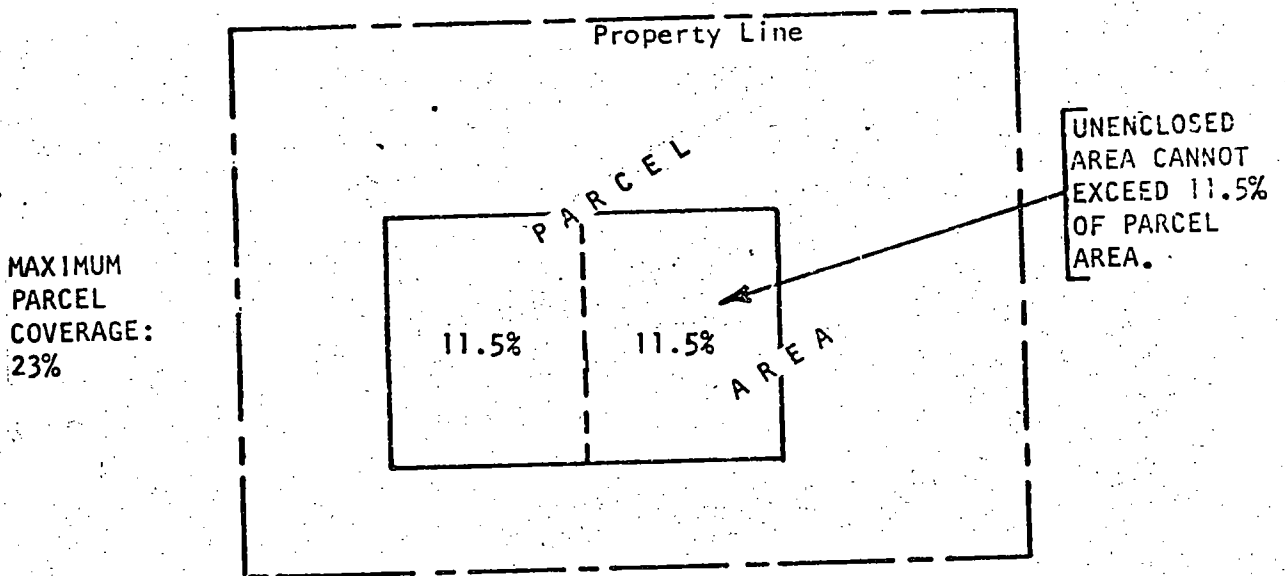
MAY 8 1978

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- (4) The maximum amount of first story gross floor area by which the "unenclosed area bonus" gross floor area is determined shall not exceed 12.5 percent of the parcel area, as shown in illustration "C." below.

ILLUSTRATION "C"



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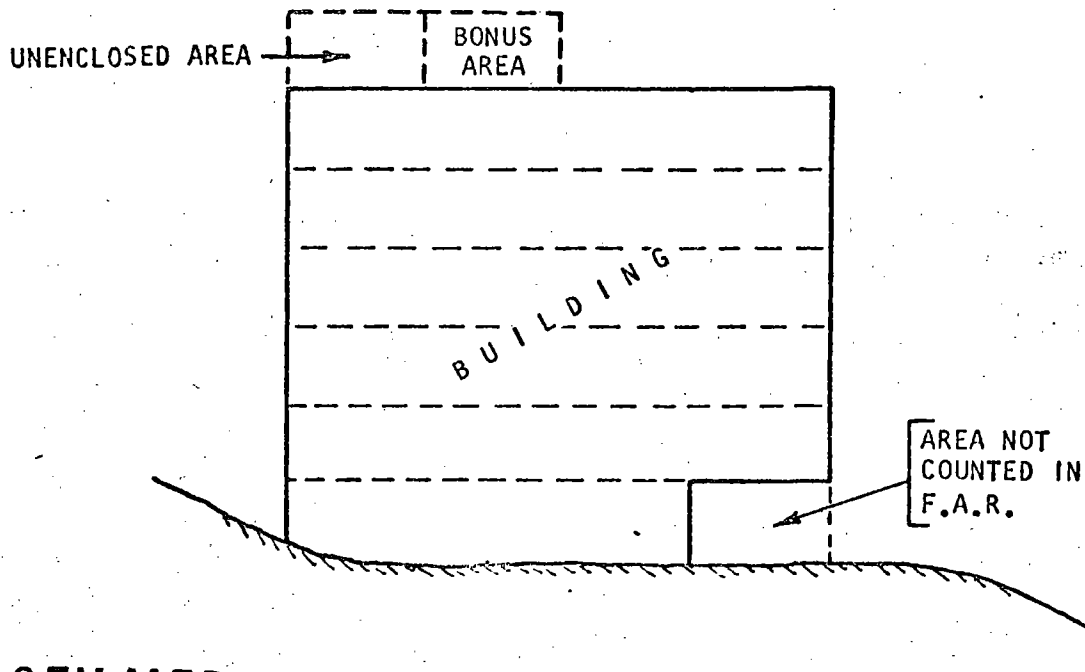
MAY 8 1978

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- (5) The maximum parcel coverage shall be 25 percent.
- (6) The "unenclosed area bonus" gross floor area, plus the unenclosed area at the first story level, may be added to the maximum permitted gross floor area of 3.00 (see illustration "D").

ILLUSTRATION "D"



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MAY 8 1978

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(7) The "unenclosed area bonus" gross floor area may be utilized to accommodate any use permitted by the provisions of paragraph "B." of this section.

7. Exception Procedure to Floor Area Ratio.

a. Application. Upon filing of a letter of request with the Planning Department for an exception to paragraph "E.6." of this section, which letter shall be accompanied by appropriate schematic plot plans, typical floor plans, building elevations and preliminary grading plans, the Planning Commission shall set a public hearing in accordance with the noticing and hearing procedures as set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code. It is the intent hereof that such plans shall be limited to such detail as will inform the Planning Commission as to the matters included within the criteria set forth below.

b. Decision. After the public hearing, the Planning Commission may, by resolution, grant an exception to paragraph "E.6." of this

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MAY 8 1978

01230

11772

section, if the Planning Commission finds from the evidence presented at the hearing that all of the following facts exist:

- (1) The proposed building or structure at the particular location and under the proposed conditions of development with regard to good planning practice, including provisions for height, building bulk, yards, open space, lot coverage, grading and related matters, will provide equally as well for light and air, for the public health, safety and convenience, and the preservation of the general welfare of the community as if developed to the limits imposed by the provisions of paragraph "E." of this section and other zoning regulations applicable to the property in question.
- (2) The proposed building or structure will comply with the regulations and conditions specified in the Code for such structures.
- (3) The granting of an exception will not adversely affect any adopted plan of any governmental agency.

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MAY 8 1978

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In addition to requiring compliance with applicable provisions of the San Diego Municipal Code, the Planning Commission in granting an exception to paragraph "E.6." may grant exceptions to or impose other and/or additional conditions relating to the requirements of paragraph "E." as it may deem necessary or desirable to meet the requirements of this section.

In granting any exception, the Planning Commission shall make a written finding which shall specify facts relied upon in rendering its decision and shall set forth wherein the facts and circumstances fulfill or fail to fulfill the requirements of this section. Copies of the resolution granting the exception shall be filed with the City Clerk, the Department of Building Inspection, the County Recorder of San Diego County, and shall be mailed to the applicant.

- c. Appeal to the City Council from the decision of the Planning Commission. The decision of the Planning Commission shall be final on the eleventh day following such filing in the Office of the City Clerk except when appeal is taken to the City Council in accordance

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MAY 8 1978

01232

11772

with the procedures as set forth in Chapter X, Article 1, Division 5 of the San Diego Municipal Code.

8. 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, provided there is not more than one dwelling unit on the premises. If there are two or more dwelling units on the premises, each one-family dwelling shall be provided with 1.3 spaces if the dwelling contains one bedroom or less, and 1.6 spaces if the dwelling contains two or more bedrooms.

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MAY 8 1978

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- b. For two-family dwellings and 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.

- 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.

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MAY 8 1978

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11772

- (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 offices of ^{psy}psychologists, social workers, religious practitioners, doctors and dentists--one space for 300 square feet of gross floor area utilized for such purposes.
- j. For accessory uses permitted under provisions of "B.12.c." above--one space for each 400 square feet of gross floor area.

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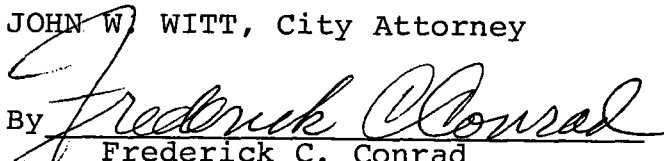
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2. Where ambiguity exists in the application of these off-street parking requirements or when any use not specified in "B." above is found by the Planning Commission to be a permitted use in accordance with "B.13." above, the off-street parking requirements 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.
4. No off-street parking, required and non-required, shall be permitted in any required interior side yard when said premises contains a building of six stories or greater.

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:clh
1/16/76
Or.Dept.Planning

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Passed and adopted by the Council of The City of San Diego on FEB 24 1976,
 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"/>
Tom Gade	<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 Kathleen Martinez, 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

FEB 11 1976

FEB 24 1976

, and on _____

~~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 Martinez, Deputy.

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CC-1255-A. (REV. 12-75)

Office of the City Clerk, San Diego, California

Ordinance
 Number

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Adopted

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