

12200

NOV 2 1977

O.77-56
Revised

ORDINANCE NO. _____
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 101.0436, RELATING TO
M-1A 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 101.0436, to read as follows:

SEC. 101.0436 M-1A ZONE

In the M-1A Zone, no building or premises shall be
erected, constructed, converted, established, altered,
and/or enlarged or used, except for one or more of the
uses permitted in the M-1 Zone, under conditions and
requirements set forth in Section 101.0437, provided,
however:

A. The following uses shall be prohibited:

1. Churches;
2. Dwellings, whether single-family or
multiple-family, including house trailers, except
one dwelling on the same lot or parcel of land which
is legally being used so as to require the continuous
supervision of a caretaker or superintendent and his
immediate family;
3. Hospitals, except for emergency hospitals
incident to uses permitted in this zone;

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4. Hotels, motels, rooming houses, boarding houses and all other similar uses offering lodging to guests.

5. Institutions or homes for the treatment or care of convalescent persons, children, aged persons, alcoholics, the wounded, or mentally infirm;

6. Schools, public and private, except for trade schools instructing in subjects incidental to a permitted use;

7. Trailer parks;

8. All signs not directly relating to the particular use of the property on which they are located.

B. That one half of the total area of the property within M-1A Zones shall be reserved to uses for automobile parking areas, driveways, and off-street loading platforms and docks; any areas set aside for parking shall have clear and unobstructed access of at least ten feet in width to a public street; and further providing that (except ways of ingress and egress), the perimeter of said M-1A Zone property adjoining streets, highways and public places shall consist of a ten-foot planting strip; that the areas herein required for said ten-foot strip may be deducted from the areas herein required for parking.

C. Except for loading and unloading docks and facilities and the necessary equipment thereto, be it permanent or stationary, all building material storage, carting express

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storage yards, contractor's plant or storage yards, cement-pipe storage, impound storage yards, lumberyards, concrete ready-mix plants, chilled water production plants, water soluble gums and derivatives production plants and electric generating plants, shall be carried on, maintained, or conducted entirely inside an enclosed building or buildings unless the premises on which such business is carried on, maintained, or conducted shall be entirely enclosed by fences or walls, as follows:

1. All fences shall be a minimum of six feet in height and shall be constructed in accordance with the requirements of Chapter IX (Building Code) of the Municipal Code.

2. Fences and walls constructed as required along abutting public rights-of-way and abutting properties with more restrictive zoning classifications as set forth in Sec. 101.0209, shall comply with one of the following alternatives:

a. Solid fences or walls constructed of wood, brick, block, stone, frame-stucco, tile, metal, or nontranslucent plastic or other similar material.

b. Open-style fences such as spaced wood, chain link with wood slats, ornamental iron, screen or decorative block, or translucent plastic or other similar material; provided, however, that said fences shall comply with one of the following landscaping requirements:

(1) Planting with sufficient vines or climbing ivy of an acceptable density to ensure adequate screening within one year of planting.

(2) Trees and shrubs of the evergreen variety or other similar year-round leaf-bearing type, set away and in front of the fence line so as not to provide ingress over the fence. Such plants shall be of such variety and shall be spaced so as to allow only minimal gaps between foliage of mature trees and shrubs within one year after planting.

(3) Evergreen shrubs or other similar year-round leaf-bearing shrubs, planted with such spacing so as to form a solid hedge a minimum of eight feet in height within one year after planting.

(4) For the purposes of these regulations a spaced wood fence shall be one on which the gaps between the fencing material do not exceed one half the width of the average board or slat, and in no instance shall any gap between two boards or slats exceed four inches.

c. Where parking areas abut walls and fences, wheel stops shall be installed so as to protect said walls and fences.

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3. Fences on property lines in common with properties in less restrictive zone classifications and the M-1B, M-1A, A-1, FW and FC zones may be an open-style fence as set forth in paragraph C.2.b., but need not observe the landscaping requirements set forth in said paragraph; provided, however, that where any portion of any such fence is within 50 feet of a public right-of-way (excluding alleys), then said portion shall be fenced in accordance with the provisions of paragraph C.2.

4. All gates shall be constructed of solid, view-obscuring material except vehicular gates and gates regulated by the provisions of paragraph C.3 above.

5. Maintenance.

(a) All fences and walls shall be constructed of new material or of used material of similar quality and shall be maintained in a state of good repair. Any dilapidated, dangerous or unsightly fences or walls shall be repaired or removed.

(b) All required landscaping shall be permanently maintained in accordance with the provisions of paragraph D.4. of Sec. 101.0435.2 (M-1B Zone).

6. The Zoning Administration shall review and approve all used materials and all new materials not specifically listed in this paragraph C.

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D. No sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of, or which does advertise or bring to notice any persons or persons, or article or articles, or merchandise, or any business or profession, or anything that is to be or has been sold, bartered, or given away, shall be placed or cause to be placed, or to be maintained or cause to be maintained, upon the outward face of such fence or wall; and shall be located a minimum of 100 feet from any public street, highway, or public place or property.

E. That every lot or building site shall contain not less than fifteen thousand (15,000) square feet in area, excepting that any lot or building site appearing as lot of record on an approved subdivision map prior to the 13th day of October, 1957, may be used as site for M-1A use regardless of the fact that it may contain less than 15,000 square feet.

F. Front yard required. No building or portion thereof shall be located closer to the front property line than 25 feet.

G. Side yard required. Ten percent (10%) of width of lot with a maximum of 25 feet.

H. Street frontages. Any lot or building site in Zone M-1A, subsequent to October 13, 1957, shall have a width of at least 75 feet and shall have a frontage on a dedicated street of at least 75 feet.

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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 Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
REV. 6/8/77
Or. Dept.: T&LU

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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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joel M. Strobl	<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 Jan Johnson 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

OCT 18 1977

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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 Jan Johnson Deputy.

RECEIVED
CITY CLERK'S OFFICE
1977 JUN 14 PM 4: 54
SAN DIEGO, CALIF.

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OCT 4 1978

Office of the City Clerk, San Diego, California

Ordinance Number **12200** Adopted **NOV 2 1977**

01736

ATTORNEYS

San Diego, City of
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101
Attn: Jan Johnson

CERTIFICATE OF PUBLICATION

No. 12200

IN THE MATTER OF

M-1A ZONE

ORDINANCE NO. 12200

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0436, RELATING TO M-1A 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 101.0436, to read as follows:

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A. The following uses shall be prohibited:

1. Churches;

2. Dwellings, whether single-family or multiple-family, including house trailers, except one dwelling on the same lot or parcel of land which is legally being used so as to require the continuous supervision of a caretaker or superintendent and his immediate family;

3. Hospitals, except for emergency hospitals incident to uses permitted in this zone;

4. Hotels, motels, rooming houses, boarding houses and all other similar uses offering lodging to guests;

5. Institutions or homes for the treatment or care of convalescent persons, children, aged persons, alcoholics, the wounded, or mentally infirm;

6. Schools, public and private, except for trade schools instructing in objects incidental to a permitted use;

7. Trailer parks;

8. All signs not directly relating to the particular use of the property on which they are located.

B. That one half of the total area of the property within M-1A Zones shall be reserved to uses for automobile parking areas, driveways, and off-street loading platforms and docks; any areas set aside for parking shall have clear and unobstructed access of at least ten feet in width to a public street; and further providing that (except ways of ingress and egress), the perimeter of said M-1A Zone property adjoining streets, highways and public places shall consist of a ten-foot planting strip; that the areas herein required for said ten-foot strip may be deducted from the areas herein required for parking.

C. Except for loading and unloading docks and facilities and the necessary equipment thereto, be it permanent or stationary, all building material storage, carting express storage yards, contractor's plant or storage yards, cement-pipe storage, impound storage yards, lumberyards, concrete ready-mix plants, chilled water production plants, water soluble gums and derivatives production plants and electric generating plants, shall be carried on, maintained, or conducted entirely inside an enclosed building or buildings unless the premises on which such business is carried on, maintained, or conducted shall be entirely enclosed by fences or walls, as follows:

1. All fences shall be a minimum of six feet in height and shall be constructed in accordance with the requirements of Chapter IX (Building Code) of the Municipal Code.

2. Fences and walls constructed as required along abutting public rights-of-way and abutting properties with more restrictive zoning classifications as set forth in Sec. 101.0209, shall comply with one of the following alternatives:

a. Solid fences or walls constructed of wood, brick, block, stone, frame-stucco, tile, metal, or nontranslucent plastic or other similar material.

b. Open-style fences such as spaced wood, chain link with wood slats, ornamental iron, screen or decorative block, or translucent plastic or other similar material; provided, however, that said fences shall comply with one of the following landscaping requirements:

I, PATRICIA M. DUTRA hereby certify that the 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

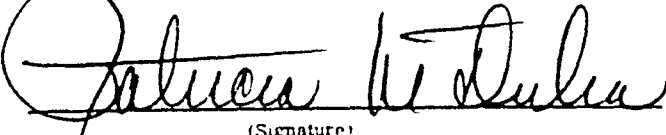
ORDINANCE NO. 12200

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

November 16, 1977

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

December 21, 1977


(Signature)

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(2) Trees and shrubs of the evergreen variety or other similar year-round leaf-bearing type, set away and in front of the fence line so as not to provide ingress over the fence. Such plants shall be of such variety and shall be spaced so as to allow only minimal gaps between foliage of mature trees and shrubs within one year after planting.

(3) Evergreen shrubs or other similar year-round leaf-bearing shrubs, planted with such spacing so as to form a solid hedge a minimum of eight feet in height within one year after planting.

(4) For the purposes of these regulations a spaced wood fence shall be one of which the gaps between the fencing material do not exceed one half the width of the average board or slat, and in no instance shall any gap between two boards or slats exceed four inches.

c. Where parking areas, walks and fences, where stops shall be installed so as to protect said walks and fences.
2. Fences on property lines in common with properties in the restrictive zone classifications and the M-1B, M-1A, A-1, F-1, F-2, F-3 zones may be an open-style fence as set forth in paragraph C.2.b. but need not observe the landscaping requirements set forth in said paragraph; provided, however, that where any portion of any such fence is within 50 feet of a public right-of-way (including alleys), then said portion shall be fenced in accordance with the provisions of paragraph C.2.

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5. The Zoning Administration shall review and approve all new materials and all new materials not specifically listed in this paragraph C.

D. No sign, picture, transparency, advertisement, or mechanical device which is used for the purpose of, or which does advertise or bring to notice any person or persons, or article or articles, or merchandise, or any business or profession, or anything that is to be or has been sold, bartered, or profession, or anything that is to be or placed, or to be maintained, or given away, shall be placed or cause to be placed, or to be maintained or cause to be maintained, upon the outward face of such fence or wall; and shall be located a minimum of 100 feet from any public street, highway, or public place or property.

E. That every lot or building site shall contain not less than fifteen thousand (15,000) square feet in area, excepting that any lot or building site appearing as lot of record on an approved subdivision map prior to the 13th day of October, 1977, may be used as site for M-1A use regardless of the fact that it may contain less than 15,000 square feet.

F. Front yard required. No building or portion thereof shall be located closer to the front property line than 25 feet.

G. Side yard required. Ten percent (10%) of width of lot with a minimum of 25 feet.

H. Street frontages. Any lot or building site in Zone M-1A, subsequent to October 13, 1977, shall have a width of at least 75 feet and shall have a frontage on a dedicated street of at least 75 feet.

Section 2. This ordinance shall take effect and be in force on the 13th day from and after its passage.

Introduced on October 15, 1977.

Passed and adopted by the Council of The City of San Diego on November 7, 1977.

AUTHENTICATED BY:
PETE WILSON,
Mayor of The City of San Diego, California.
CHARLES G. ANJELMUR,
City Clerk of The City of San Diego, California.

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