

ORDINANCE NO. 0-15548
(New Series)

O-81-258

JUL 20 1981

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0421.1, 101.0423, 101.0426, 101.0427, 101.0428.1, 101.0430.1 and 101.0432.1 RELATING TO INCREASED RESIDENTIAL DENSITY IN COMMERCIAL ZONES.

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 Sections 101.0421.1, 101.0423, 101.0426, 101.0427, 101.0428.1, 101.0430.1 and 101.0432.1 to read as follows:

SEC. 101.0421.1 CR ZONE (Commercial Recreation)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS.

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

Residential uses at a density higher than that of the R-2A Zone (one dwelling unit per 1,500 square feet of lot area) may be developed under the Planned Commercial Development process (Section 101.0910) in those cases where the increased residential density is in conformance with that designated in an adopted community plan.

6. through 9. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0423 CO ZONE (Commercial Office)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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6. through 9. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0426 CN ZONE (Neighborhood Commercial)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

0-15548

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6. through 10. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0427 CC (COMMUNITY COMMERCIAL) ZONE - COMMERCIAL CENTERS IN ESTABLISHED NEIGHBORHOOD AREAS

A. through D. [No amendment to these subsections.]

E. PROPERTY DEVELOPMENT REGULATIONS

1. through 3. [No amendment to these subsections.]

4. Regulations for Residential Development

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe the same development standards as other permitted uses in the CC Zone provided that the area used for residential purposes does not exceed one half of the permitted floor area ratio. No lot or parcel shall be developed or occupied by more than one unit for every 1,500 square feet of lot area.

Residential uses at a density higher than that of the R-2A Zone (one dwelling unit per 1,500 square feet

of lot area) may be developed under the Planned Commercial Development process (Section 101.0910) in those cases where the increased residential density is in conformance with that designated in an adopted community plan.

5. through 8. [No amendment to these subsections.]

F. [No amendment to this subsection.]

SEC. 101.0428.1 CA ZONE (Area Shopping Center)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards, maximum coverage and density shall be determined and computed without regard to the building or portions thereof to be occupied by the commercial uses.

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6. through 9. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0430.1 C-1 ZONE

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-2A Zone as set forth in Section 101.0410 of this Code. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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6. through 8. [No amendment to these subsections.]

E. No amendment to this subsection.]

SEC. 101.0432.1 C ZONE (General Commercial)

A. through D. [No amendment to these subsections.]

E. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410 in this Code. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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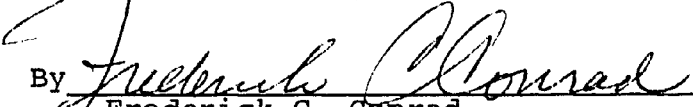
6. through 7. [No amendment to these subsections.]

F. [No amendment to this subsection.]

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
5/28/81
Or.Dept.:Planning
630

NEW LANGUAGE - Underlined
OLD LANGUAGE - Crossed Out

SEC. 101.0421.1 CR ZONE (Commercial Recreation)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS.

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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0- 15548

6. through 9. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0423 CO ZONE (Commercial Office)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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6. through 9 . [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0426 CN ZONE (Neighborhood Commercial)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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0-15548

6. through 10. [No amendment to these subsections.]

E. [No amendment to this subsection.]

SEC. 101.0427 CC (COMMUNITY COMMERCIAL) ZONE - COMMERCIAL
CENTERS IN ESTABLISHED NEIGHBORHOOD AREAS

A. through D. [No amendment to these subsections.]

E. PROPERTY DEVELOPMENT REGULATIONS

1. through 3. [No amendment to these subsections.]

4. Regulations for Residential Development

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe the same development standards as other permitted uses in the CC Zone provided that the area used for residential purposes does not exceed one half of the permitted floor area ratio. No lot or parcel shall be developed or occupied by more than one unit for every 1,500 square feet of lot area.

Residential uses at a density higher than that of the R-2A Zone (one dwelling unit per 1,500 square feet of lot area) may be developed under the Planned Commercial Development process (Section 101.0910) in those cases where the increased residential density is in conformance with that designated in an adopted community plan.

5. through 8. [No amendment to these subsections.]

F. [No amendment to this subsection.]

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SEC. 101.0428.1 CA ZONE (Area Shopping Center)

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards, maximum coverage and density shall be determined and computed without regard to the building or portions thereof to be occupied by the commercial uses.

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6. through 9. [No amendment to these subsections.]

E. [No amendment to this subsection.]

0 - 15548

SEC. 101.0430.1 C-1 ZONE

A. through C. [No amendment to these subsections.]

D. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes ~~shall-be-located-above the-ground-floor-and~~ shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-2A Zone as set forth in Section 101.0410 of this Code. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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6. through 8. [No amendment to these subsections.]

E. No amendment to this subsection.]

0-15548

SEC. 101.0432.1 C ZONE (General Commercial)

A. through D. [No amendment to these subsections.]

E. PROPERTY DEVELOPMENT REGULATIONS

1. through 4. [No amendment to these subsections.]

5. Regulations for Residential Development

All buildings, improvements or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall observe minimum front, side and rear yards, maximum coverage, density and floor area ratio as required in the R-2A Zone as set forth in Section 101.0410 in this Code. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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6. through 7. [No amendment to these subsections.]

F. [No amendment to this subsection.]

0-15548

JUL 20 1981

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raynell L. Pontecorvo, 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

JUL 6 1981

JUL 20 1981

, 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raynell L. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

0-15548

Adopted

JUL 20 1981

RECEIVED
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION 1981 AUG -7 AM 10: 29

SAN DIEGO, CALIF.
nya

SAN DIEGO, CITY OF
12th floor, 202 C St.
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NO. 0-15548

ORDINANCE NO. 0-15548
(New Series)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0421.1, 101.0423, 101.0426, 101.0427, 101.0428.1, 101.0430.1 AND 101.0432.1 RELATING TO INCREASED RESIDENTIAL DENSITY IN COMMERCIAL ZONES.
Ordinance No. 15548 (New Series) amends the property development regulations' subsection of the CR, CO, CN, CC, CA, C-1 and C Zones to allow for residential development at densities exceeding 29 dwelling units per acre when the adopted community plan designates a higher density and the development occurs under a Planned Commercial Development Permit.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on July 6, 1981.
Passed and adopted by the Council of The City of San Diego on July 20, 1981.
AUTHENTICATED BY:
PETE WILSON,
Mayor of The City of San Diego, California;
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
BY MAYDELL L. PONTECORVO, Deputy,
Publish August 3, 1981.

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15548
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

August 3, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 3rd day of Aug., 19 81.

Charlene Lance

(Signature)

2 5/8 x 2 x 8.06 = \$ 43.32