

ORDINANCE NUMBER O- 16389 (NEW SERIES)

ADOPTED ON MAR 18 1985

AN ORDINANCE LIMITING THE ISSUANCE OF BUILDING
PERMITS AND COMMENCEMENT OF CONSTRUCTION
OF PROJECTS WITHIN SOUTHEAST SAN DIEGO

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

Section 1. That the issuance of building permits and commencement of construction of projects within Southeast San Diego be, and the same are hereby limited as follows:

SECTION I. BOUNDARY

This ordinance is specifically applied to those areas commonly known as the Southeast Community Plan area and portions of the Skyline/Paradise Hills Community Plan areas, described as follows:

- 1) Beginning at the Junction of State Highway 94 with Interstate 5, proceeding eastward along State Highway 94 to the corporate boundary of The City of Lemon Grove, following that boundary southward, then eastward to its intersection with the boundary of The City of San Diego with The County of San Diego, following that boundary southward to its intersection with Paradise Valley Road, following Paradise

Valley Road to its intersection with Meadowbrook Drive, following Meadowbrook Drive to its intersection with Skyline Drive, following Skyline Drive to its intersection with Woodman Street, following the Woodman Street right-of-way to its intersection with the Plaza Boulevard right-of-way, following the Plaza Boulevard right-of-way to its intersection with the corporate limits of The City of National City, following that boundary west to Interstate 5, following Interstate 5 north to the junction to State Highway 94 and the beginning point.

Also included, as a part of the Skyline/Paradise Hills Community Plan area is the area described as follows:

- 2) Beginning at the intersection of the corporate boundary of The City of San Diego with The City of National City and State Highway 54, proceeding north along the corporate boundary to its intersection with Paradise Valley Road, following Paradise Valley Road to its intersection with Potomac Street, following Potomac Street to its intersection with Alta View Drive, following Alta View Drive to its intersection with Dusk Drive, following Dusk Drive to its intersection with Parkside Drive, following Parkside Drive east to its intersection with Garber Avenue, following Garber Avenue to its intersection with Hedges Way, following Hedges Way to its intersection with the SR 54 right-of-way,

following the SR 54 right-of-way west to its intersection with the corporate boundary of The City of National City, which is the beginning point.

SECTION II. PROHIBITION

Within the boundary as indicated in Section I above, no building permit shall be issued for construction of any structure unless:

- A. Such building permit is for the construction of a single-family house within the R-1 zones (Municipal Codes Section 101.0407 and Section 101.0407.1); or,
- B. Such building permit is for construction of a project where a Southeast Development Permit has been obtained per the process outlined in Section III of this Ordinance.
- C. Such building permit is for development projects where a discretionary permit incorporating design review has been granted, including:
 1. Planned Residential Developments (Code Section 101.0900),
 2. Planned Commercial Developments (Code

Section 101.0910),

3. Planned Industrial Developments (Code Section 101.0920),

4. Conditional Use Permits granted by the Planning Commission (Code Section 101.0506),

5. Conditional Use Permits granted by the City Council (Code Section 101.0507),

6. Development within a Planned District,

7. Development conducted under a Development Agreement where such agreement specifies the final design of structures and landscaping (Code Section 105.0101); or,

C. Such building permit is for a Development Project for which the Planning Commission and the Redevelopment Agency are afforded design review under the Operating Agreements established between the Southeast Economic Development Corporation and the City Council/Redevelopment Agency, including:

1. Disposition and Development Agreements,

2. Owner Participation Agreements,

3. Public developments or public improvement done by the Redevelopment Agency; or,

- D. Development which is a minor modification to an existing structure as defined by the Bureau of the Census (BC) Codes (January 10, 1983). These include BC codes 191, 200, 201, 210, 211, 212, 220, and 221.
- E. Subparagraphs A. through E. above notwithstanding, no Conditional Use Permit for vehicle recycling or dismantling uses shall be granted on any property which abuts or is located directly across any street or alley from lands which have "R" zoning (Municipal Code Sections 101.0407 through 101.0410).
- F. Within all the areas covered by the Emergency Ordinance, the following uses shall be required to obtain a Conditional Use Permit as following the procedures and processes indicated in Paragraphs B. through F. of Section 101.0506 of the San Diego Municipal Code:
1. Sale or repair of automobiles (usable).
 2. Sale or repair of boats (usable).
 3. Sale or repair of motorcycles and scooters.
 4. Sale or repair of trucks (usable).

5. Sale or repair of trailers, and
6. The manufacture, repair or sale of new and/or used motor vehicle parts, including tires.

SECTION III. PROCEDURE TO OBTAIN A SOUTHEAST INTERIM DEVELOPMENT PERMIT

Application for and processing procedure for a Southeast Interim Development Permit will follow the procedures below:

- A. Applications for permits shall be made in accordance with the Municipal Code, Chapter IX, and Chapter VI, Article 2. Approval of the Planning Director is not required for interior modifications, repairs or remodeling, nor any exterior repairs or alterations for which a permit is not now required.
- B. The application shall include the following:
 1. The purpose for which the proposed building, structure or improvement is intended to be used;
 2. Plans and specifications indicating dwelling unit density, lot area, coverage and off-street parking;

3. Plans and specifications for the building and improvements showing the exterior appearance and architectural design;
 4. Plans and specifications for any outbuildings, party walls, courtyards, fences, setbacks, landscaping, signs, lighting or traffic safety; and,
 5. Any other information deemed necessary by the Planning Director to judge compliance with the regulations contained herein and other applicable laws and regulations.
- C. The Building Inspection Director and the City Engineer shall refer all applications made under "A." above to the Planning Director.
- D. The Planning Director may approve or disapprove any application for a Southeast Interim Development Permit. Action by the Planning Director shall include a statement that the Planning Director finds that the building, structure, or improvements for which the permit was applied does or does not conform to the regulations contained herein. In the event the Planning Director determines that the proposed development does not conform to the regulations contained herein, the specific facts on which that

determination is based shall be included in the written decision provided for in paragraph "E." following.

- E. Within 45 days after the submission of a complete application to the Planning Director, the Planning Director shall as required above, send his decision in writing to the applicant, Building Inspection Director and City Engineer.

- F. If the Planning Director approves the application and the Building Inspection Director or City Engineer finds that the application conforms to all other regulations and ordinances of The City of San Diego, the appropriate department shall then issue the permit for the work.

SECTION IV. DEVELOPMENT STANDARDS

A. APPLICATION OF STANDARDS

The following development standards are to be applied within the interim ordinance area as described in Section I above. They are intended to be applied as an overlay, in addition to the development standards contained in the existing zoning of any given project site. Since these standards are in many ways more restrictive than existing zoning, wherever a conflict exists between the standards of the existing zoning and the standards contained in this section the standards contained in this section shall prevail.

B. OVERLAY STANDARDS FOR R-MULTI ZONES

1. Yards/Setbacks

a. Front Yard

- 1) For any lot having a depth of 200 feet or greater, the minimum front yard shall be 20 feet; and, further provided, that said front yard shall be increased three feet for each story over two.
- 2) Yard setback averaging per the regulations of the underlying multi-family zones will be allowed, and may be used to accomplish facade articulation as required in ten below.

b. Interior Side Yard

- 1) The minimum interior side yard shall be five feet.
- 2) For lots of 100 feet or greater in width, the minimum interior side yard shall be ten feet plus four feet for each story above two.

3) For lots of 200 feet or greater in width, the minimum interior side yard shall be 20 feet plus five feet for each story above two.

c. Street Side Yard

1) For any lot of 100 feet or greater in width, the minimum street side yard shall be increased three feet for each story above two; and further provided that for any lot of 200 feet or greater in width, the minimum side yard shall be 20 feet and shall be increased three feet for each story above two.

2. Coverage

- a. Maximum lot coverage for lots of 14,000 square feet or less in area shall be 50 percent.
- b. Lot coverage for lots of 14,000 to 28,000 square feet in area shall be 45 percent.
- c. Lot coverage for lots in excess of 28,000 square feet in area shall be 40 percent.

- d. Corner lots of 14,000 square feet or less in area shall be 60 percent.
- e. The lot coverage of corner lots of 14,000 to 28,000 square feet in area shall be 55 percent.
- f. The lot coverage of corner lots in excess of 28,000 square feet in area shall be 50 percent.

3. Driveway Width

- a. No driveway shall exceed a width of 20 feet measured at the property line.
- b. There shall be no less than 45 feet measured at the property line between driveways serving the same premises.

4. Landscaping

A minimum of 50 percent of all total yard area shall be landscaped prior to use and occupancy of any premises; provided, however, that in no instance shall a sideyard of less than 10 feet in required width be utilized in determining minimum landscaping requirements for all required yards; and further provided, that in no

instance shall any other minimum landscaping requirements set forth in this section or in the applicable sections of the underlying zone be reduced.

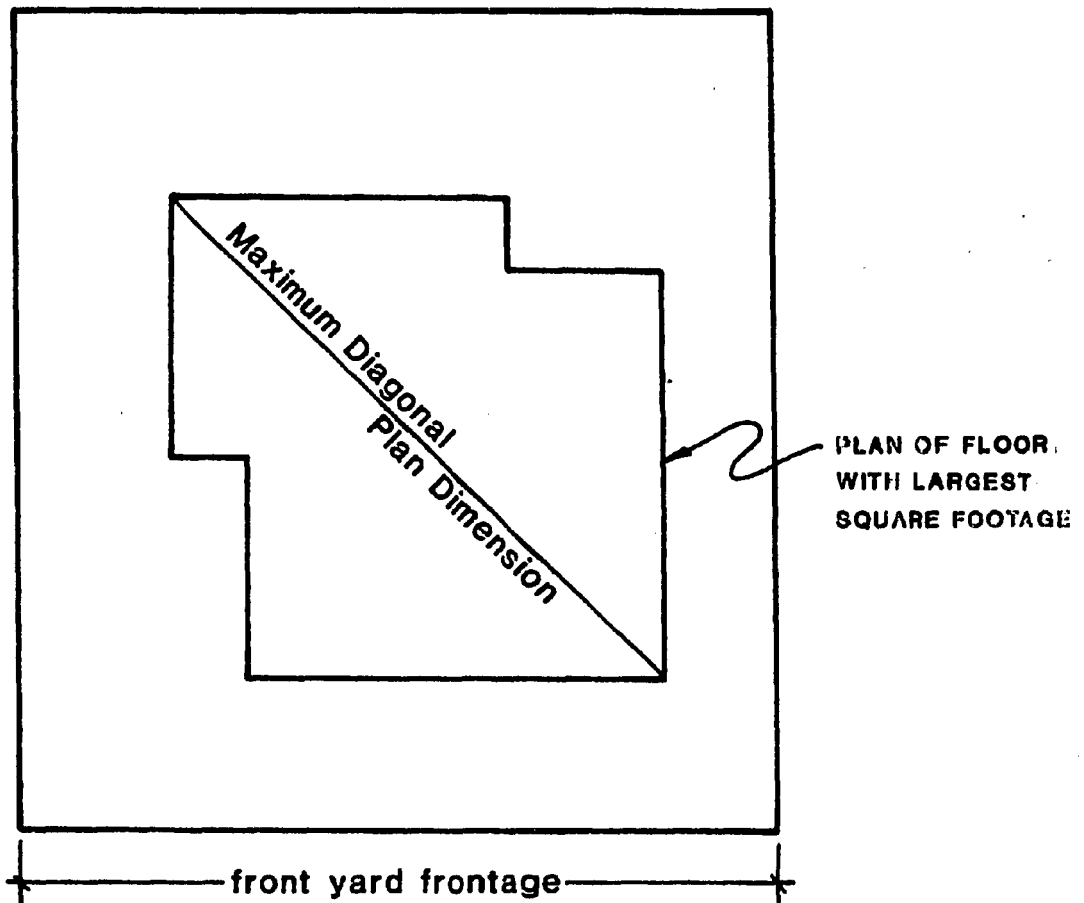
5. Maximum Diagonal Plan Dimension

The maximum diagonal plan dimension shall be measured between the two most extreme points on that floor in the structure containing the most gross floor area. The maximum diagonal plan dimension shall not exceed that numerical figure obtained from adding a given percentage of the maximum width of the lot as established below.

- a. For lots with 100 feet or less of lot width, measured from front yard frontage, the percentage shall be 100 percent.
- b. For lots with 200 feet or less of lot width, measured along the front yard frontage, the percentage shall be 85 percent.
- c. For lots with 300 feet or less of lot width, measured along the front yard frontage, the percentage shall be 70 percent.

- d. For lots in excess of 300 feet in lot width, measured along the front yard frontage, the percentage shall be 50 percent.

Figure 1 DIAGONAL PLAN DIMENSION EXAMPLE



6. Private Open Space

Private open space is an outdoor or semi-outdoor area such as a natural ground area, paved or rooftop area, balcony, patio, terraces, veranda, or similar area

developed for active or passive recreational activities. No such area shall include off-street parking spaces or driveways, nor shall any such area have a slope greater than 10 percent or any dimension of less than 10 feet; provided, however, that private balconies may be included if their least dimension is four feet or more.

There shall be provided a minimum of 150 square feet of usable private open space per dwelling unit, in addition to any other open space requirements which are made by the underlying zone. Provided, however, that each square foot within a usable private open space which is designated for private use of one dwelling unit and is contiguous and is on the story as said dwelling unit may be counted as one and one half square feet of the required usable open space. Usable open space as defined herein and developed for active or passive recreational activities shall meet the following conditions.

- a. Such areas shall be at least six feet in the smaller dimension.
- b. The length shall not exceed three times the width of the areas having a width of less than 10 feet.

c. Areas accessible from only one dwelling unit may count toward meeting the usable open space requirement only up to a maximum of three times the area required per dwelling unit.

d. Required usable private open space areas shall not be utilized or obstructed by garbage cans, (including commercial type containers), clotheslines, fences or similar obstructions.

e. Such areas shall be opened to the sky unless they meet the requirements of semi-outdoor open space as follows:

1) Roofed areas having no enclosing walls on at least three sides.

2) Areas not more than one half roofed, provided that any such roofed area shall be designed to be used with the contiguous unroofed area for activity related to the out of doors and provided further that not more than a depth of six feet of roof area shall be counted toward meeting the requirement of usable open space.

- 3) Nothing contained herein shall be construed to mean that for the purposes of determining usable private open space one balcony or deck shall be permitted to roof another balcony or deck.

7. Trash Collection Areas

- a. Enclosed trash collection areas shall be provided for each lot.
- b. Such areas shall be screened by a solid fence or wall so as to be hidden from public view.
- c. The minimum height of such enclosures shall be four feet, or where commercial-type containers are used, not less than the height of said container, whichever is higher; provided, however, where interior side yards are utilized, solid fences or walls of not less than five feet nor more than six feet in height shall be placed between said trash collection areas and the immediately adjoining premises.
- d. The minimum area provided shall be as follows:

- 1) Eight square feet per dwelling unit;
- 2) Four square feet per boarding or lodging unit;
and
- 3) Ten square feet per 500 square feet of gross floor area or fraction thereof for any other permitted or accessory use.

e. The square footage requirements set forth in this paragraph shall not be computed as lot coverage.

f. Such enclosures shall not be placed, situated or located in such a manner so as to interfere with the normal or emergency functions of service vehicles of public agencies.

8. Outdoor Storage

Outdoor storage of personal belongings of occupants of dwelling units, material or equipment, shall be permitted only when incidental to a permitted or other similar items use located on the same premises and provided that:

- a. The storage area shall be completely enclosed by wall, fences or buildings or a combination thereof. Any walls or fences shall be solid and not less than six feet in height.
- b. There shall be no outdoor storage of personal belongings of occupants of dwelling units, materials or equipment or other similar items to a height greater than that of any enclosing wall, fence or building.
- c. Operable motor vehicles shall not be considered as items of outdoor storage and shall not be regulated by this paragraph.
- d. Outdoor storage shall be restricted to only those items which are considered to be the personal property of the occupants of the premises or the owner of the premises.
 1. For the purposes of this paragraph an individual shall be considered to be an occupant of the premises for a period not exceeding 30 days prior to occupancy of the premises and a smaller period not exceeding 30 days following discontinuance of occupancy of the premises.

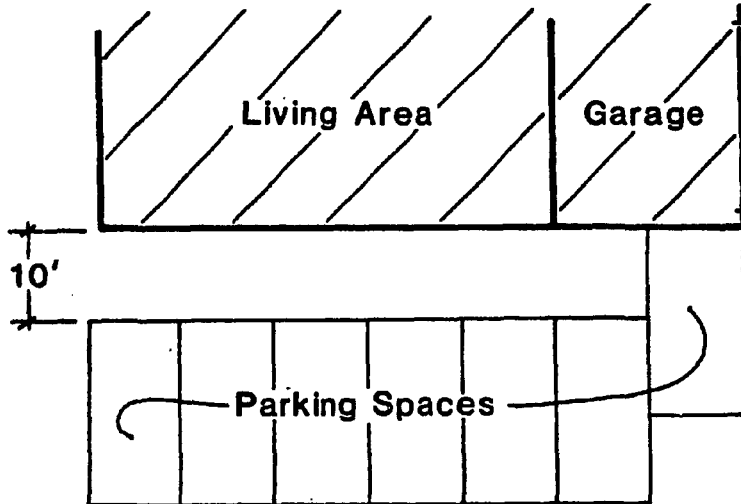
2. No portion of any premises shall be leased or rented to a non-occupant for storage purposes.

9. Parking

- a. Off-street parking spaces shall not be located in any required front or street side yard or in any area lying between the public street and a setback line. In addition, off-street parking spaces shall not be located in any required interior side yard; nor, in any instance where a lot is in excess of 100 feet in width, shall off-street parking spaces be permitted in any unrequired interior yard which abuts both the required front yard and required interior side yard.
- b. For any lot containing four or more dwelling units, a minimum of 50 percent of the required off-street parking spaces shall be enclosed entirely within the building or buildings located on said lot.
- c. Landscaped areas shall be provided for the purpose of separating ground floor living areas or bedroom windows from exterior parking spaces. There shall be a minimum distance of 10 feet between the building line and any exterior parking space, five

feet of which shall be landscaped in accordance with the requirements of the underlying zone and this section.

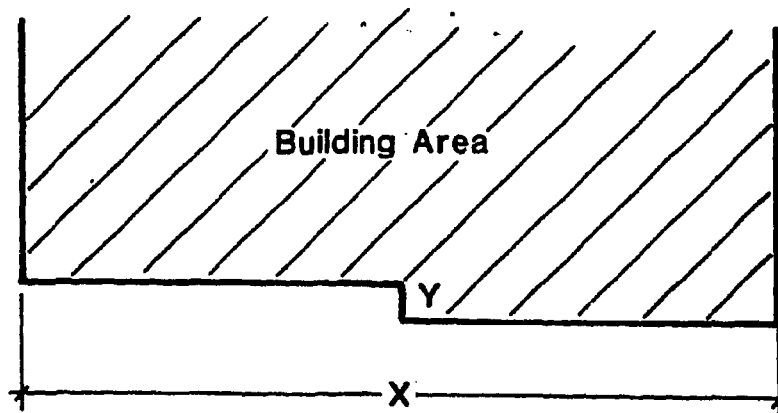
Figure 2 LIVING AREA/PARKING SEPERATION EXAMPLE



10. Facade Articulation

- a. The particular face, side or elevation of a building which is nearest the front property line shall vary in setback from the front property line by at least two feet for each 20 feet of the particular face, side or elevation. The front of every building will be offset in plan for every floor.

Figure 3 FACADE ARTICULATION EXAMPLE



STANDARDS FOR FACADE ARTICULATION ARE TO BE CALCULATED AS FOLLOWS:

WHERE: X = LENGTH IN FEET OF THE FRONT OF A BUILDING, AND;

Y = THE NUMBER OF TWO-FOOT MINIMUM OFFSETS:

$$\text{THEN: } \left\lfloor \frac{X}{20} \right\rfloor - 1 = Y$$

C. COMMERCIAL/INDUSTRIAL ZONE STANDARDS

1. Parking

- a. Where off-street parking is provided, either voluntarily or as a requirement of the underlying zone, the paved area of the parking shall be set back from the front yard property line no less than 15 feet; further, the intervening area shall be landscaped.
- b. Wherever available, access for parking shall be taken from a minor street or an alley.

2. Landscaping

- a. A minimum of 10 percent of all off-street parking areas shall be landscaped; this area may include the setback area as required in C.1.a. above.

3. Facade Articulation

The particular face, side or elevation of a building which is nearest the front property line shall be required to change and set back from the front property line, a minimum of two feet for each 20 feet of building face, side or elevation. The front of every building will be offset in plan for every floor.


4. Fencing/Screening

- a. All voluntary or required fencing shall be setback five feet from the edge of the nearest public right-of-way. The setback area is to be landscaped.
- b. Fence setback distance will be required to vary by a minimum of six inches for each 12 linear feet of fence face along a property line.
- c. All gates on fences shall be clearly identifiable as entries by material, finish or structure.

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: (JH Plan.):ib:630
01/16/85
Or.Dept:Plan.
O-85-115
Rev. 1 02/12/85
Rev. 2 02/27/85
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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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: ROGER HEDGECOCK
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Baxter, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its ~~introduction~~ ^{reintroduction} and the day of its final passage, to wit, on

MAR 4 1985, and on MAR 18 1985.

~~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 Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number O-16389 Adopted MAR 18 1985

MAR 18 1985

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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Baxter*, Deputy.

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MAR 4 1985, and on MAR 18 1985

~~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 *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16389 Adopted MAR 18 1985

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