

ORDINANCE NUMBER O- 16650 (NEW SERIES)

ADOPTED ON MAY 27 1986

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 7, SECTIONS 101.0700, 101.0701, 101.0702, 101.0703, 101.0704, 101.0705, 101.0706, 101.0707 AND 101.0708, RELATING TO CITY-WIDE LANDSCAPE REGULATIONS.

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

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Division 7, entitled "City-Wide Landscape Regulations," and Sections 101.0700, 101.0701, 101.0702, 101.0703, 101.0704, 101.0705, 101.0706, 101.0707 and 101.0708, to read as follows:

**DIVISION 7**

**CITY-WIDE LANDSCAPE REGULATIONS**

**SEC. 101.0700 PURPOSE AND INTENT**

The purpose and intent of this Division is to improve the appearance, quality and quantity of landscaping visible from public rights-of-way and adjacent properties. The emphasis is on landscaping adjacent to or visible from dedicated public streets.

New structures, certain modifications to existing structures that require ministerial permits, and certain site improvements will conform to this Division, thereby implementing the aesthetic and environmental goals of the General Plan.

SEC. 101.0701

ADMINISTRATIVE REGULATIONS

The provisions of this Division shall constitute the landscaping requirements for all zones, except the R-1 (Single-family Residential) and A-1 (Agricultural) Zones, superseding any existing landscaping regulations.

The provisions of this Division apply to any construction, establishment, alteration, enlargement, or change in use that results in the provision of, or increase in parking, or increase in the gross floor area of a building by greater than 20 percent or 5,000 square feet.

For projects located in the zones listed above, no certificate of occupancy shall be issued unless:

A. Such development project is found to be in conformance with this Division; or

B. Such development project was granted a discretionary permit, including:

1. Planned Residential Developments (Municipal Code Section 101.0900).

2. Planned Commercial Developments (Municipal Code Section 101.0910).

3. Planned Industrial Developments (Municipal Code Section 101.0920).

4. Conditional Use Permits granted by the Zoning Administrator (Municipal Code Section 101.0500).

5. Conditional Use Permits granted by the Planning Commission (Municipal Code Section 101.0506).

6. Conditional Use Permits granted by the City Council (Municipal Code Section 101.0507).

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

8. Any other discretionary permit as identified by the Planning Director.

**SEC. 101.0702 ALTERNATIVE COMPLIANCE**

The Planning Director or a designated representative shall administer this Division. In a case where a landscape plan does not comply with the provisions of this Division, the Planning Director or a designated representative may approve a plan in accordance with the policies and procedures of Chapter X, Article 1, Division 5 of the Municipal Code. In a case where a landscape plan does not comply with the provisions of this Division, the Planning Director or a designated representative may approve the plan if the following findings can be made:

A. The proposed improvements will fulfill an individual and/or community need and will not adversely affect the General Plan or the Community Plan;

B. The proposed improvements, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity; and

C. The proposed improvements will meet the purpose and intent of this Division.

Under these circumstances, an advertised public hearing shall not be required.

#### SEC. 101.0703 DEFINITIONS

The following definitions shall apply only for the purposes of this Division.

A. Landscaped Area

An area not subject to vehicular traffic, which consists of living and nonliving landscape material.

B. Street Wall

Any wall fronting on a dedicated public street from which access to the subject property could be taken.

C. Street Wall Line

A line used to delineate the street yard. Such line extends outward, from the outermost corners of each building's street wall, parallel to the street, until such extensions of said line intersects the side and/or rear property line or encircles the building. Such street wall line shall follow and include the indentations of the building. If a building has a rounded front, the street wall line corners shall be the points closest to the side property lines. Unenclosed porches (at least three feet above grade) and site walls integral in material design and placement with the building (which maintain a minimum height of four feet) may be included in determining the street wall line of the structure.

D. Street Yard

The area of a lot which lies between the property line abutting a dedicated public street and the street wall line of a building.

On corner lots, the street yard shall consist of all the area of such lot between the property line abutting dedicated public streets and their corresponding street wall lines. Such lines are extended in the manner provided above.

When there are multiple buildings on a lot, the street yard shall consist of all the area of the lot between the property line abutting a dedicated public street and the outermost corners of each building's major street wall.

Isolated buildings such as fast food restaurants in a shopping center, photo processing drop-offs, bank drive-thrus, etc., constituting less than 25 percent of the project's total gross floor area, shall not be considered in delineating the street yard. The site area occupied by isolated buildings may be excluded in calculating the street yard area.

E. Remaining Yard

All of the required yard area in the side interior and/or rear yards established in each underlying zone that does not fall within the defined street yard.

F. Vehicular Use Area

All areas subject to vehicular traffic including accessways, driveways, loading areas, service areas, and parking stalls for all types of vehicles. This definition does not include parking structures or underground parking lots.

G. Trees

A self-supporting woody plant having at least one well defined stem or trunk and normally attaining a mature height of at least 15 feet, with an average mature spread of 15 feet and having a trunk that may, at maturity, be kept clear of leaves and branches at least six feet above grade.

H. Shrub

A permanent woody or perennial plant with a typically compact growth habit.

I. Living Landscape Material

Low growing woody or herbaceous groundcover, turf, shrubs, and trees.

J. Nonliving Landscape Material

Unattached unit pavers (i.e., brick), loose organic and inorganic materials (i.e. wood chips, pebbles), architectural landscape elements and hardscape.

K. Architectural Landscape Elements

Built improvements (i.e., water features, overhead trellis, fixed seating, and unenclosed building canopies that are supported by posts and columns).

L. Hardscape

Patterned paving material (i.e., tile or mortared pavers, wood timbers, colored patterned concrete providing a tile, brick or stone appearance), or an integral continuation of patterned paving material and enhanced concrete (i.e., washed aggregate, colored, salt finished).

SEC. 101.0704

REQUIREMENTS FOR ALL STREET YARDS

A. R and RV Zones

The minimum required landscape area is 60 percent of the total street yard. The street yard shall be planted with a combination of trees and shrubs to achieve an average of .06 points per square foot of total street yard area.

B. CP, CR, CO, CC, CN, CV, CA-RR, C-1, C, and CBD Zones

The minimum required landscape area is 20 percent of the street yard. The street yard shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total street yard area.

C. CA Zone

The minimum required landscape area is 18 percent of the street yard. The street yard shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total street yard area.

D. M-IP and M-LI, and SR Zones

The minimum required landscape area is 25 percent of the street yard. The street yard shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total street yard area.

E. M-1B Zone

The minimum required area is 20 percent of the street yard. The street yard shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total street yard area.

F. M-1A, M-1, M-2, and M-2A Zones:

The minimum required landscape area is 18 percent of the street yard. The street yard shall be planted with a combination of trees and shrubs to achieve a minimum of .02 points per square foot of total street yard area.

**SEC. 101.0705                    REQUIREMENTS FOR ALL REMAINING YARDS**

A. R and RV Zones

The minimum required landscape area is 60 percent of the remaining yards. The remaining yards shall be planted with a combination of trees and shrubs to achieve an average of .03 points per square foot of total remaining yard area.

B. CP, CR, CO, CC, CN, CV, CA, CA-RR, C-1, C, and CBD Zones

The minimum required landscape area is 60 percent of the remaining yards. The remaining yards shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total remaining yard area.

C. M-LI, M-IP and SR Zones

The minimum required landscape area is 70 percent of the remaining yard. This area shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total remaining yard area.

D. M-1B Zone

The minimum required landscape area is 40 percent of the remaining yards. This area shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total remaining yard.



E. M-1A, M-1, M-2, and M-2A Zones

The minimum required landscape area is 40 percent of the remaining yards. This area shall be planted with a combination of trees and shrubs to achieve a minimum of .025 points per square foot of total remaining yard area.

**SEC. 101.0706 LANDSCAPING REQUIREMENTS FOR FOR ALL ZONES**

The following additional landscaping requirements apply to all zones:

A. Vehicular Use Areas

For all vehicular use areas greater than 6,000 square feet, an area equivalent to a minimum of five percent of the total vehicular use area shall be landscaped. For vehicular use areas located outside of the street yard area, an area equivalent to three percent of the total vehicular use area shall be landscaped. These landscape areas shall be provided within the vehicular use area.

For vehicular use areas outside of the street yard area, a combination of trees and shrubs shall be planted in either the vehicular use area, or within ten feet of the perimeter, or both to achieve a minimum of .015 point per square foot of total vehicular use area.

Trees shall be arranged and planted so that no designated parking space is more than 60 feet from the trunk of a tree.

All landscaped areas in or adjacent to a vehicular use area shall be protected from vehicular damage by a raised concrete or other curb of at least six inches in height.

If the width of a required landscaped area is five feet or less it shall be protected from potential automobile intrusion by wheel stops placed at least two feet from the landscaped areas.

Wherever a vehicular use area is located adjacent to a dedicated public street, it shall be separated from the street curb by a landscaped area(s) of a depth totaling no less than ten feet measured perpendicular to the street. This requirement shall be eight feet in multi-family residential and commercial zones.

Vehicular use areas must terminate at least four feet from the street wall of the structure, excluding vehicular access ways to the building. The CBD Zone shall be exempt from this requirement.

B. Dimensional Criteria

Areas less than 40 square feet in size or having an average dimension of less than three feet, shall not be included for purposes of calculating the required landscape area in the vehicular use area.

C. Street Planting

A combination of trees or shrubs shall be planted in either the public right-of-way, or the street yard, or both, to achieve a minimum of .75 points per linear foot of street frontage.

D. Maintenance

All required landscape areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy growing condition. Diseased or dead plant material shall be satisfactorily treated or replaced within 30 days with material of an equivalent point value.

E. Irrigation

An irrigation system shall be provided as required for proper irrigation, development and maintenance of the vegetation. The design of the system shall provide adequate support for the vegetation selected.

F. Multi-Family Residential Development

For multi-family residential developments in zones other than multi-family zones (R and RV), the multi-family residential landscaping requirements of this Division shall apply.

G. Development in Industrial Zones

For business and professional office development in industrial zones, the landscape requirements of the M-LI Zone shall apply.

In industrial zones, any landscaping provided between the property line and the maximum side yard building setback may be counted towards the remaining yard landscape requirement.

H. Residential Buffering

For commercial or industrial remaining yards abutting residential zones, the area shall be planted with a combination of trees and shrubs to achieve a minimum of .05 per square foot of total remaining yard.

**SEC. 101.0707 MEASURED COMPLIANCE**

The following point schedule and conditions apply to required landscaping in all zones:

A. The following point schedule shall be used in determining achieved points for required planting. Point values

for specimen sizes not listed below and for bare-root and balled-and-burlapped stock are available from the Planning Director.

Trees

48-inch box	100 points
36-inch box	55 points
24-inch box	30 points
15-gallon	10 points
5-gallon	3 points

Shrubs

15-gallon	10 points
5-gallon	4 points
1-gallon	2 points

Existing Trees in Required Landscaped Areas

8-inch caliper or greater	120 points
4 - 8-inch caliper	100 points

B. A minimum of 50 percent of all required points shall be achieved through tree plantings.

C. All trees in the interior of the vehicular use area shall be 24-inch box size or greater.

D. For plant material provided in the public right-of-way, increase points to 130 percent of the scheduled value. Any landscaped area, other than hardscape in the public right-of-way, may be counted towards fulfillment of the required street yard landscaped area.

E. In commercial zones, for living landscape material provided between the vehicular use area and the building street wall increase points to 130 percent of the scheduled value.

F. In multi-family residential zones, the landscape area requirement may not be achieved through the provision of hardscape.

G. In any single required landscape area, a point score in excess of that required may be used to reduce the required landscaped area at a rate of one square foot per excess point.

**SEC. 101.0708 APPLICATION PROCEDURES**

A. Permit applications shall be accompanied by a site plan and supplementary information required to establish conformance.

B. A fee in accordance with established cost recovery funding procedures shall be paid by the applicant to cover all costs associated with administration of the landscape permit.

C. At the time of an application for a certificate of occupancy, the applicant will provide verification that the landscape improvements are in substantial conformance with the approved landscape plan.

D. If, at the time of an application for a certificate of occupancy, the required landscaping is not yet in place, the Planning Director may, at his discretion, require the owner to make fiscal arrangements by bond, certificate of deposit, or a nonrevocable letter of credit to ensure that the landscaping is installed. This option shall be considered by the Planning Director only in cases when demonstrated extenuating circumstances prevent the installation of landscape improvements before the issuance of the occupancy permit. The fiscal arrangements shall reflect the cost of required landscaping not yet in place to ensure that such landscaping is installed. Any owner wishing to make such fiscal arrangements must also grant license to the City or its licensed and contracted agent, to

enter upon the land for the purposes of installing the required landscaping, in the event that such landscaping is not in place by the date specified in the agreement. Such fiscal arrangements shall be released when landscape improvement verification is received.

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  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:cc:600  
03/17/86  
05/02/86 Rev. 1  
Or.Dept:Plan.  
O-86-123

Passed and adopted by the Council of The City of San Diego on MAY 27 1986,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

(Seal)

ED STRUIKSMA  
 Deputy Mayor of The City of San Diego, California.

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

By June A. Blackwell, 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

MAY 13 1986, and on MAY 27 1986.

~~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.

(Seal)

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

By June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16650 Adopted MAY 27 1986

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1986 MAY -6 PM 4:13 *ml*

SAN DIEGO, CALIF.

00609



CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET 12TH FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF THE SAN DIEGO  
MUNICIPAL CODE BY ADDING DIVISION 7, SECTIONS 101.0700 AND  
101.0702, 101.0703, 101.0704, 101.0705, 101.0706, 101.0707 AND  
101.0708 RELATING TO CITY-WIDE LANDSCAPE REGULATIONS

NO.

Thomas D. Kelleher

I, \_\_\_\_\_, 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 NUMBER O-16650 (NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF  
THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 7,  
SECTIONS 101.0700, 101.0701, 101.0702, 101.0703, 101.0704,  
101.0705, 101.0706, 101.0707 AND 101.0708 RELATING TO  
CITY-WIDE LANDSCAPE REGULATIONS.

The ordinance amends the Municipal Code by adding City-wide  
Landscape Regulations in Chapter X, Article 1, Division 7. The Divi-  
sion contains a comprehensive scheme of regulations which specify  
the amount, type and location of landscaping and establishes the  
process for administering the requirements of the Division.

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 Ad-  
ministration Building, 202 "C" Street, San Diego, CA 92101.

Introduced on MAY 13 1986

Passed and adopted by the Council of The City of San Diego on  
MAY 27 1986.

AUTHENTICATED BY: ED STRUIKSMA,  
Deputy Mayor of The City of San Diego, California.

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

(SEAL)

By JUNE A. BLACKNELL, Deputy.

Pub. June 16

49346

ORDINANCE NUMBER O-16650

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:

June 16, 1986.

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

Dated at San Diego, California this 16 June 86  
day of \_\_\_\_\_, 19\_\_\_\_\_.

*Thomas D. Kelleher*  
\_\_\_\_\_  
(Signature)

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