

(O-87-25)

ORDINANCE NUMBER O- 16705 (NEW SERIES)
SEP 8 1986
ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF
DIVISION 4 THE SAN DIEGO MUNICIPAL CODE BY
ADDING SECTION 101.0458 RELATING TO
PEDESTRIAN/COMMERCIAL OVERLAY 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 the same is hereby amended by adding
section 101.0458 to read as follows:

SEC. 101.0458 PEDESTRIAN/COMMERCIAL OVERLAY ZONE

A. PURPOSE AND INTENT

This section is intended to provide the means to
accomplish the following goals:

1. Implement pedestrian oriented commercial
districts as proposed in adopted community plans.
2. Preserve and encourage a compact and
continuous pedestrian environment in selected commercial
areas by creating street frontage conditions conducive to a
rich, diverse and pleasurable walking experience.
3. Establish criteria and standards for the
location and development of new buildings, and for the
location of parking and vehicular access in a way that
minimizes disruption of pedestrian continuity.

B. APPLICATION OF THE OVERLAY ZONE

After a public hearing conducted pursuant to Chapter X, Article 1, Division 2 of the Municipal Code, and upon finding that the public health, safety, general welfare and sound zoning practice will be served thereby, the Pedestrian/Commercial Overlay Zone may be applied to any commercially zoned property in the City which is designated for pedestrian-oriented uses in adopted community plans. Only those property frontages abutting a pedestrian-oriented street are subject to the requirements of this Overlay Zone. The provisions of this ordinance apply to new construction, floor area additions at the ground level, and the provision of new parking facilities.

C. ADMINISTRATION

The Building Inspection Department shall not issue any permit for new construction, floor area additions at the ground level, or provision of new parking facilities within the Pedestrian/Commercial Overlay Zone until compliance with said zone has been determined by The Planning Director or the designated representative. The applicant must provide a complete set of plans illustrating compliance with the regulations included herein.

D. PERMITTED USES

Permitted uses shall be those provided by the regulations of the underlying zone.

E. DEFINITIONS

1. Street Wall - Any wall abutting a dedicated public street(s) from which access to the subject property could be taken.

2. Blank Wall - Any wall or garage door not enhanced by architectural detailing, artwork, landscaping, windows, doors or similar features.

3. Transparency - Any clear or lightly tinted glass, of a light transmittance no less than 40% used for windows, doors and display windows.

4. Pedestrian-oriented Street - A public street which has or is proposed to have at least one of the following characteristics at the sidewalk level:

(a) A variety of land uses and activities;

(b) Building sizes and architectural details that relate to human scale;

(c) Private development integrated with the public sidewalk which creates a comfortable, pleasant and safe walking environment.

The above characteristics along the street edges at the ground level makes a street pedestrian-oriented, even if it carries large volumes of traffic.

F. DEVELOPMENT REGULATIONS

The development regulations shall be as required by the underlying zone and this overlay zone. In case of conflict, the standards of this overlay zone shall prevail.

1. Ground Level Development

(a) A new building wall at the ground level shall be extended for at least 65% of each street frontage abutting a pedestrian-oriented street, and shall be located at the property line or within five feet of the property line. (Ground floor additions to existing buildings which increase the gross floor area of a building by less than 20% or 5,000 square feet need not comply with the 65% requirement.) If a sidewalk cafe, public plaza, retail courtyard or arcade is provided, the said required new wall may be setback up to 15 feet along the portion of said cafe, plaza, courtyard or arcade. The required building wall at the street level shall have a minimum height of 13 feet.

(b) At least 50% of the area of all new or redeveloped first story street walls must be devoted to pedestrian entrances, display windows or windows affording views into retail, office, gallery or lobby space. Residential buildings are excluded.

(c) Blank walls shall be limited to segments of 15 feet in width except for garage doors which shall be limited to the width of the garage door plus five feet.

(d) The building wall subject to transparency requirements shall include the portion between three feet and ten feet above the sidewalk.

(e) All new developments abutting pedestrian-oriented streets shall provide at least one pedestrian entrance into or through the structure from each street frontage.

2. Parking/Vehicular Access

(a) All surface parking adjoining a pedestrian-oriented street shall be screened by a solid wall having a minimum continuous height of three feet. In addition, the wall must be separated from any adjacent public right-of-way by a minimum continuous width of two feet of landscaped area in compliance with the adopted City-wide landscaping regulations. (Temporary, at-grade parking during construction is exempted.)

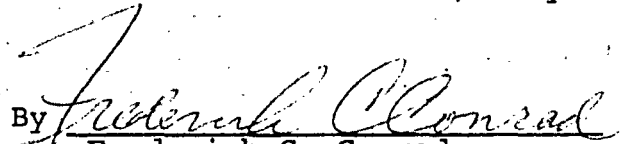
(b) All above grade parking spaces visible from the public right-of-way must be architecturally screened or enclosed.

(c) On corner parcels, parking shall not be permitted to occupy the corner facing the street intersection.

(d) Vehicular access to premises shall be permitted only from the abutting alley on those blocks shown on Map "B." (This requirement may be selectively applied or waived at the time the Pedestrian/Commercial Overlay Zone is applied to a specific commercial district).

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:mem
08/03/86
Or.Dept:Plan.
O-87-25
Form=o.code

SEP 8 1986

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

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

AUG 19 1986

SEP 8 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.

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

(Seal)

By *June A. Blackwell* Deputy.

Office of the City Clerk, San Diego, California

01028

Ordinance Number 0-16705 Adopted SEP 8 1986

REC'D
MAY 17 1963
U.S. AIR FORCE

01029

RECEIVED
CITY CLERK'S OFFICE
1986 SEP 25 AM 10:43
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE
DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
SECTION 101.0458 RELATING TO PEDESTRIAN/COMMERCIAL
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DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
SECTION 101.0458 RELATING TO PEDESTRIAN/
COMMERCIAL OVERLAY ZONE.**

This ordinance adds a section regarding Pedestrian/Commercial Overlay Zone to establish criteria and standards for the location and development of buildings at the street level, as well as for the location of parking facilities and related vehicular access in a way that minimizes disruption of pedestrian continuity.

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 AUG 19 1986
Passed and adopted by the Council of The City of San Diego on
SEP 8 1986
AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By JUNE A. BLACKNELL, Deputy.
Pub. September 22 57883

I, THOMAS D. KELLEHER, 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-16705

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:

SEPTEMBER 22, 1986.

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

Dated at San Diego, California this 22 day of Sept., 19 86.

Thomas D. Kelleher
(Signature)

2" x 2 x \$10.24 = \$40.96

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