

ORDINANCE NUMBER O- 16718 (NEW SERIES)

ADOPTED ON SEP 29 1986

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0601, 103.0608 AND 103.0609 RELATING TO NORTH CITY WEST PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 6, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 103.0601, 103.0608 and 103.0609 to read as follows:

**SEC. 103.0601            AREA OF APPLICABILITY**

The regulations contained herein shall apply in the North City West Planned District which is within the North City area in the City of san Diego. The area to which the provisions of this Division are applicable, is shown on those certain Map Drawing Nos. C-670.4, C-671.1, C-676.2, C-679.2, C-683.1, C-698 and C-694 and described in the appended boundary descriptions filed in the office of the City Clerk. Sections 103.0600 through 103.0618 shall apply to each precise plan within the North City West Community Plan area when adopted by the City Council.

**SEC. 103.0608            MULTI-FAMILY ZONES (MF)**

**A.    PURPOSE AND INTENT**

The multi-family zones are intended primarily for the development of cluster and multiple residential structures at densities of five to 44 dwelling units per net acre.

B. DEVELOPMENT REGULATIONS

All paragraphs of Section 101.0410 for the R-3000 Multiple Family Residential Zone of the Municipal Code shall apply with the exception of Paragraph E., DENSITY REGULATIONS, Paragraph F., MINIMUM LOT AREAS AND DIMENSIONS, Paragraph G., YARD REQUIREMENTS, Paragraph H., MAXIMUM BUILDING HEIGHTS, LOT COVERAGES, AND FLOOR AREA RATIOS (FAR), and Paragraph I., LANDSCAPING REGULATIONS. Instead, the following regulations shall apply:

1. Density Regulations

DWELLING UNITS PER NET ACRE PERMITTED

<u>Subarea</u>	<u>Minimum</u>	<u>Maximum</u>
MFL	5	9
MF1	7	15
MF2	13	22
MF3	15	29
MF4	29	44

2. Property Development Regulations

a. Minimum Project Area Regulations: The minimum project area in the MFL, MF1, MF2, MF3 and MF4 Subareas shall be 6,000 square feet.

b. Open space:

(1) The open space provided on the property shall not be less than that shown in the following table:

<u>Subarea</u>	<u>Total Required O.S. per D.U. (sq. ft.)</u>	<u>Required Usable O.S. per D.U. (sq. ft.)</u>
MFL & MF1	1,800	900
MF2 & MF3	900	450
MF4	500	250

(2) Usable open space shall not have an overall grade exceeding ten percent and shall not be occupied by buildings, streets, driveways, or parking areas; however, space under trellis areas which are 50 percent open to the sky shall be considered usable open space. Usable balconies, patios and decks shall be counted as usable open space, including those covered by balconies, patios and decks above.

c. Maximum Building Height. No building may be constructed to a height greater than 50 feet, or four stories, whichever is less.

**SEC. 103.0609 COMMERCIAL ZONES**

**A. NEIGHBORHOOD COMMERCIAL (NC)**

All paragraphs of Section 101.0426 (CN Zone) of the Municipal Code shall apply, except for the Neighborhood Commercial Center of Neighborhood 6 of the Development Units 4, 5 and 6 Precise Plan area. Within Neighborhood 6, a total of 15 acres (including a detention basin lake) may be developed with Visitor Commercial uses in conformance with all paragraphs of Section 101.0421.1 (CR Zone) of the Municipal Code. Within Neighborhood 6, one development plan shall be processed for the entire neighborhood

commercial area and one development plan shall be processed for the entire visitor commercial area, or a combined neighborhood commercial and visitor commercial development plan for the entire site may be processed.

B. VISITOR COMMERCIAL (VC)

All paragraphs of Section 101.0421.1 (CR Zone) of the Municipal Code shall apply.

C. TOWN CENTER (TC)

All paragraphs of Section 101.0428 (CA Zone) and Section 101.0910 (Planned Commercial Development) of the Municipal Code shall apply with the exception of paragraph B. of Section 101.0428, Permitted Uses, paragraph D.5. of Section 101.0428, Regulations for Residential Development, and paragraph E. of Section 101.0428, Off-Street Parking Regulation. Instead, the following regulations shall apply:

1. Permitted Uses

In the TC Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

a. The following business and professional office uses from those uses permitted by the CO Zone (Section 101.0423) and the CA Zone (Section 101.0428) of the Municipal Code:

Business and professional office uses. Such uses may include accountants, advertising agencies, architects, attorneys, contractors, doctors, engineers,

financial institutions, insurance agencies, medical clinics (no overnight patients), photographers, real estate brokers, securities brokers, surveyors and graphic artists.

Such lot or parcel may not be used by one or more practitioners who, among them, medically treat, or medically or psychologically counsel, on a group or individual basis, five or more persons in one calendar year who have committed, been charged by criminal indictment or complaint, or convicted of a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment or recodification of any such sections, if such lot or parcel is located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Section 101.0503, paragraphs A.1., A.4., A.8., and Section 101.0506, paragraphs A.3., A.4., A.8., A.10. and A.12., or the office use shall become a nonconforming use and be subject to Section 101.0303. This restriction applies only to medical and counseling services which are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections. Court ordered forensic evaluations are exempt services.

b. The following uses only from those uses permitted in the CO Zone:

(1) Advertising, secretarial and telephone answering services.

(2) Apartments.

(3) Business machine sales display and service.

(4) Drafting and blueprint services.

(5) Electronic data processing, tabulating and record keeping services.

(6) Labor unions (no hiring halls) and trade associations.

(7) Medical appliance sales.

(8) Medical, dental, biological and X-ray laboratories.

(9) Office furniture and equipment sales.

(10) Pharmacies.

(11) Private clubs, fraternal organizations and lodges.

(12) Travel bureaus.

c. The following uses only from those permitted in the CN Zone:

(1) Apparel shops.

(2) Bakeries.

(3) Barber shops.

(4) Beauty shops.

(5) Bicycle shops.

- (6) Confectioneries.
- (7) Curtain and drapery shops.
- (8) Drug stores.
- (9) Dry cleaning establishments (no truck delivery of finished cleaning).
- (10) Dry cleaning and laundry agencies and self-service dry cleaning and laundry establishments.
- (11) Florists.
- (12) Food stores.
- (13) Hardware stores.
- (14) Hobby shops.
- (15) Jewelry stores.
- (16) Liquor stores.
- (17) Nurseries - plant.
- (18) Paint and wallpaper stores.
- (19) Photographic studios.
- (20) Radio, television and home appliance repair shops.
- (21) Shoe stores.
- (22) Shoe repair shops.
- (23) Stationers.
- (24) Studios for teaching of art, dancing and music.
- (25) Variety stores.

d. The following uses only from those permitted in the CA Zone:

- (1) Antique shops.
- (2) Automobile wash establishments.
- (3) Book stores.
- (4) Building materials stores, provided that any open storage areas are completely enclosed by walls or buildings or a combination thereof; said walls and buildings shall be not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods to a height greater than that of any enclosing wall or building.
- (5) Dairy stores, including drive-ins.
- (6) Dry goods stores.
- (7) Employment agencies.
- (8) Equipment and tool rental establishments (no man-ridden equipment); provided that any open storage areas are completely enclosed by walls or buildings or a combination thereof; said walls and buildings shall be not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods to a height greater than that of any enclosing wall or building.
- (9) Financial institutions.
- (10) Frozen food lockers.



- (11) Furniture stores.
- (12) Gymnasium and health studios.
- (13) Leather goods and luggage shops.
- (14) Locksmith shops.
- (15) Music stores.
- (16) Pet shops.
- (17) Photographic equipment, supplies, and film processing stores.
- (18) Post offices.
- (19) Recreational facilities including bowling lanes, miniature golf courses, skating rinks, gymnasiums and health centers.
- (20) Restaurants.
- (21) Sporting goods stores.
- (22) Theaters, nightclubs and bars, with or without live entertainment, or any combination thereof.
- (23) Trade and business schools.

e. Library.

f. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

g. Accessory uses for any of the foregoing permitted uses including signs constructed, fabricated,

erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with the regulations as set forth in Chapter X, Article 1, Division 11, and Chapter IX, Article 5, Division 1 of this Code.

2. Residential Density Regulations. The maximum density allowed within the TC Zone shall be 60 dwelling units per net residential acre. The maximum dwelling units allowed in the total TC Zone area shall be 799 dwelling units.

3. Regulations for Residential Development.

a. Minimum Project Area Regulations. The minimum project area in the TC Zone shall be 6,000 square feet.

b. Open Space.

(1) The open space provided on the property shall not be less than that shown in the following table:

<u>Total Required O.S. Per D.U. (sq. ft.)</u>	<u>Required Usable O.S. Per D.U. (sq. ft.)</u>
300	150

(2) Usable open space shall not have an overall grade exceeding ten percent and shall not be occupied by buildings, streets, driveways or parking areas; however, space under trellis areas which are 50 percent open to the sky shall be considered usable open space. Usable balconies, patios and decks shall be counted as usable open

space, including those covered by balconies, patios and decks above.

4. Off-Street Parking Regulations. Every premises used for one or more of the permitted uses listed in paragraph C.1. above shall be provided with a minimum of off-street parking spaces on the same lot or premises as follows:

a. For apartments - 1.3 parking spaces for each dwelling unit containing not more than one bedroom and 1.6 parking spaces for each dwelling unit containing two or more bedrooms.

b. For private clubs and similar establishments - one parking space for each guest room or one parking space for each 200 square feet of gross floor area, whichever is greater.

c. For theaters (other than drive-in theaters) and places of public assembly not otherwise provided for in this section - one parking space for each three fixed seats or one parking space for each 21 square feet of floor area where there are not fixed seats.

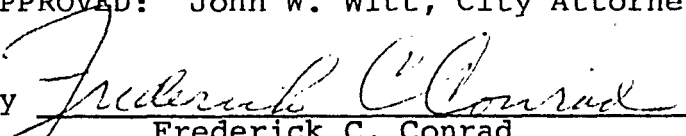
d. For business and professional office uses - one parking space for each 300 square feet of gross floor area.

e. For other permitted uses - one parking space for every 200 square feet of gross floor area.

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:cc:600

06/02/86

09/15/86 Rev. 1

09/18/86 Rev. 2

Or.Dept:Plan.

O-86-208

Form=o.none

01109

RECEIVED  
CITY OF LOS ANGELES  
1913 SEP 22 PM 1:20  
SAN DIEGO, CALIF.

01110

SEP 29 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 type="checkbox"/>	<input checked="" 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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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)

*June G. 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

SEP 16 1986

SEP 29 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)

*June G. Blackwell*, Deputy.

01111

Office of the City Clerk, San Diego, California

Ordinance Number 0-16718 Adopted SEP 29 1986

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1996 SEP 22 PM 1:20

SAN DIEGO, CALIF.

**01112**

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 3,  
DIVISION 6, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 103.0601, 103.0608 AND 103.0609  
RELATING TO NORTH CITY WEST PLANNED DISTRICT

NO.

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AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.0601, 103.0608 AND 103.0609 RELATING TO NORTH CITY WEST PLANNED DISTRICT.

The ordinance amends the provisions of the Municipal Code relating to the North City West Planned District by revising the boundaries of the area to which the provisions of the planned district apply.

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 SEP 16 1986

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

SEP 29 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. October 30

68927

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

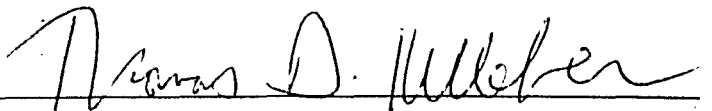
ORDINANCE NUMBER O-16718  
(NEW SERIES)

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:

OCTOBER 30, 1986.

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

Dated at San Diego, California this 30 day of OCT., 1986.

  
(Signature)

01113

4" x \$10.24 = \$40.96