

ORDINANCE NUMBER O- 16868 (NEW SERIES)

ADOPTED ON MAY 26 1987

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE
BY ADDING SECTION 101.0461 RELATING TO
SINGLE-FAMILY RENTAL 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 101.0461, to read as follows:

SEC. 101.0461 SINGLE-FAMILY RENTAL OVERLAY ZONE

A. PURPOSE AND INTENT

It is found that there exists and may exist in the future within certain neighborhoods of the City, single-family, rental housing units which by their operation, use and occupancy, may and are likely to, adversely affect the public health, safety and welfare of its occupants and occupants of adjacent properties.

It is the purpose of the Single-family Rental Overlay Zone to provide regulations which insure a safe and adequate living habitat for residents of single-family detached dwellings where these units are zoned single-family, are rented or leased in its entirety or portion thereof.

The overlay zone is intended for application to specific areas of the city where nuisance problems have been identified. These nuisance problems include inadequate on-site and public street parking, excessive noise, litter and lack of adequate maintenance.

It is the intent of the overlay zone to reduce the nuisance problems derived from overcrowding by mandating certain property development regulations on single-family detached dwellings where the unit or rooms may be rented.

B. BOUNDARIES

After a public hearing conducted pursuant to Chapter X, Article 1, Division 2, of this Code, and upon finding that the public health, safety, general welfare and sound zoning practice will be served thereby, the Single-family Rental Overlay Zone shall be applied to single-family zones located within the boundaries as described and shown on Map No. C-733, filed in the office of the City Clerk as Document No. 00-16868, and the provisions herein shall be applicable only to the properties rented or leased.

C. PERMITTED USES

Permitted uses shall be those permitted by the underlying zone subject to the regulations and restrictions of the underlying zone in addition to the regulations and restrictions of this overlay zone.

D. DEVELOPMENT REGULATIONS

Development regulations shall be those of the underlying zone and the development regulations of this overlay. In case of conflict, the regulations of the Overlay Zone shall apply. No owner of real property within the Single-family Rental Overlay Zone shall rent, lease or allow to be occupied for any form of consideration, any single-family dwelling, or portion thereof, in violation of any of the following development regulations:

1. Floor Area - Requirements for Habitable Rooms

Each dwelling unit shall have at least one room which shall have not less than 150 square feet of floor area. Rooms used for sleeping purposes shall have an area of not less than 80 square feet per occupant exclusive of closets and storage space.

2. Sanitation

Each dwelling unit shall have a minimum of one bathroom for every four people, one-half bathroom shall be counted for use by a maximum of two people. The bathroom shall contain a water closet, lavatory and either a bathtub or shower.

3. Parking Requirements

The minimum on-site parking requirements shall be those of the R-1 Zone or one space per automobile used by the occupants, minus one, whichever is greater.

4. Curb Cuts

Only one curb cut in the front yard, per dwelling unit, shall be permitted.

5. Landscaping

Landscaping shall be required in accordance with Chapter 10, Division 7, "City-wide Landscaping Regulations," as required for the "R" Zones when property is subject to this overlay.

6. Age Requirement

The regulations as contained in this section shall not apply to persons under the age of eighteen.

E. YEARLY EVALUATION

At the end of one year from the date specified in Subsection F of this section, the regulations and restrictions of this overlay zone shall be reviewed by the Planning Commission.


F. Application of this Section to Nonconforming Structures and Uses

Notwithstanding the provisions of Municipal Code Sections 101.0301, 101.0302 and 101.0303 which provide for nonconforming structures and uses, any use of a single-family dwelling in violation of any provision of this section which use existed on May 1, 1987, shall be unlawful from and after June 30, 1988.

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

04/29/87

05/14/87 Rev. 1

Or.Dept:Plan.

O-87-193

Form=o.code

Passed and adopted by the Council of The City of San Diego on MAY 26 1987,
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input type="checkbox"/>	<input checked="" 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)

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 and the day of its final passage, to wit, on MAY 12 1987, and on MAY 26 1987.

~~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 0-16868 Adopted MAY 26 1987

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1987 JUN 12 PM 12:02
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: BARBARA BAXTER

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0461 RELATING TO SINGLE-FAMILY RENTAL OVERLAY ZONE.

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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 101.0461, to read as follows:

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C. PERMITTED USES

Permitted uses shall be those permitted by the underlying zone subject to the regulations and restrictions of the underlying zone in addition to the regulations and restrictions of this overlay zone.

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

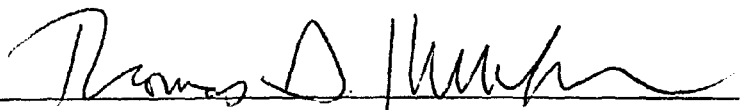
ORDINANCE NUMBER O-16888 (NEW SERIES)

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:

JUNE 9

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

Dated at San Diego, California this 9 day of JUNE, 19 87.


(Signature)

8.875 x 10.24 x 2 = \$181.76

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5. Landscaping
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E. YEARLY EVALUATION
At the end of one year from the date specified in Subsection F of this section, the regulations and restrictions of this overlay zone shall be reviewed by the Planning Commission.

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Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced 5-12-87
Passed and adopted by the Council of The City of San Diego
6-28-87

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 **BARBARA BAXTER** Deputy
Pub. June 9 78881