

(O-88-174)

ORDINANCE NUMBER O- 17075 (NEW SERIES)

ADOPTED ON APR 18 1988

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,  
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 101.0426 AND 101.0426.1  
RELATING TO NEIGHBORHOOD COMMERCIAL AND  
COMMERCIAL VISITOR - SERVICE ZONES.

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 amending Section 101.0426 and 101.0426.1, to read as follows:

**SEC. 101.0426 CN ZONE (NEIGHBORHOOD COMMERCIAL)**

A. through E. [No change.]

**F. COASTAL ZONE REGULATIONS**

The Coastal Zone is a unique public resource of vital and enduring interest to all present and future residents of the City of San Diego. Existing developed uses, and future development consistent with the City's adopted Local Coastal Program, are essential to the economic and social well-being of the people of the City. To this end, the development of property within the Coastal Zone requires special regulations to protect the unique character of individual coastal communities and neighborhoods, while maintaining the public's right of access to the shoreline.

Within the Coastal Zone, the following regulations shall be supplementary to, and in the event of conflict shall supersede, the regulations set forth or referenced in preceding paragraphs of this Section.

1. Permitted Uses (see also Subsection B.).

Apartments, provided that dwelling units shall not be permitted on the ground floor of any building on the front half of the lot or premises.

2. Special Regulations (see also Subsection C.).

a. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearance similar to the main building.

b. A minimum of thirty-two (32) square feet of on-site refuse collection area shall be provided on each lot or premises and shall not be located in any front or street side yard. Said area shall be screened by a solid wall or fence with a minimum height of four (4) feet or the height of the refuse

container, whichever is greater; provided that a six (6) foot solid wall or fence shall be constructed between any such container and any adjoining residentially zoned property. In all cases where a lot or premises is served by an alley, all refuse collection areas shall be directly accessible to such alley.

3. Property Development Regulations (see also Subsection D.).

a. Driveways. A maximum of one (1) driveway for every one hundred (100) feet of street frontage shall be permitted for each premises; provided that for lots with less than one hundred (100) feet of street frontage, one (1) driveway shall be permitted for each frontage. No driveway shall exceed a width of twenty-five (25) feet measured at the property line, and there shall be no less than forty-five (45) feet measured at the property line between driveways serving the same lot or premises.

b. Facade Offsets. Any continuous facade greater than fifty (50) feet in length shall be provided with recessed offsets or indentations extending the full height of the facade at not more than fifty (50) foot intervals. Such recessed offsets or

indentations shall each have a minimum average depth of two (2) feet, and a minimum length of four (4) feet measured along the vertical plane of the facade; and their inward angles shall be not less than thirty (30) degrees when measured from such plane.

4. Special Regulations for the Beach Impact Area. Within the beach impact area of the Coastal Zone as designated on Map Drawing No. C-731 (on file in the office of the City Clerk as Document No. OO-17069) the following regulations shall be supplementary to, and in the event of conflict shall supersede, the regulations set forth as referenced in preceding paragraphs of this Section.

a. Off-street Parking Regulations (see also Subsection E.). For Residential Uses - one and one-half (1.5) spaces for each dwelling unit containing one (1) bedroom or less, and two (2.0) spaces for each dwelling unit containing two (2) or more bedrooms.

b. Curb Cuts. New curb cuts shall not be permitted and existing curb cuts shall be removed where safe and efficient vehicular access is available from an abutting alley, except that new commercial or residential developments with a frontage of one hundred fifty (150) feet or greater shall be permitted

one (1) curb cut (twenty-five (25) foot wide at the property line) for every full one hundred fifty (150) feet of street frontage. Where alley access is not available or where access from an abutting alley would be precluded by the proposed retention of an existing commercial or residential development, one (1) curb cut, not to exceed twenty-five (25) feet in width, at the property line, may be permitted.

**SEC. 101.0426.1 CV ZONE (COMMERCIAL VISITOR - SERVICE)**

A. through K. [No change.]

**L. COASTAL ZONE REGULATIONS**

The Coastal Zone is a unique public resource of vital and enduring interest to all present and future residents of the City of San Diego. Existing developed uses, and future development consistent with the City's adopted Local Coastal Program, are essential to the economic and social well-being of the people of the City. To this end, the development of property within the Coastal Zone requires special regulations to protect the unique character of individual coastal communities and neighborhoods, while maintaining the public's right of access to the shoreline.

Within the Coastal Zone, the following regulations shall be supplementary to, and in the event of conflict shall supersede, the regulations set forth or referenced in proceeding paragraphs of this Section.

1. Facade Offsets. Any continuous facade greater than fifty (50) feet in length shall be provided with recessed offsets or indentations extending the full height of the facade at not more than fifty (50) foot intervals. Such recessed offsets or indentations shall each have a minimum average depth of two (2) feet, and a minimum length of four (4) feet measured along the vertical plane of the facade; and their inward angles shall be not less than thirty (30) degrees when measured from such plane.

2. Driveways (see also Subsection K.). A maximum of one (1) driveway for every one hundred (100) feet of street frontage shall be permitted for each premises; provided that for lots with less than one hundred (100) feet of street frontage, one (1) driveway shall be permitted for each frontage. No driveway shall exceed a width of twenty-five (25) feet measured at the property line, and there shall be no less than forty-five (45) feet measured at the property line between driveways serving the same lot or premises.

3. Required parking on ground floor (see also Subsection K.). Not more than 50 fifty percent (50%) of the ground floor may be used for required off-street parking.

4. Special Regulations for the Beach Impact Areas. Within the beach impact area of the Coastal Zone as designated on Map Drawing No. C-731 (on file in the office of the City Clerk as Document No. OO-17069 ) the following regulations shall be supplementary to, and in the event of conflict shall supersede, the regulations set forth as referenced in preceding paragraphs of this Section.

a. Off-street Parking Regulations (see also Subsection K.). For Residential Uses - one and one-half (1.5) spaces for each dwelling unit containing one (1) bedroom or less, and two (2.0) spaces for each dwelling unit containing two (2) or more bedrooms.

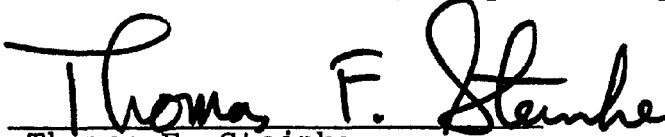
For private clubs and similar establishments - one (1.0) parking space for each guest room or one (1.0) parking space for each two hundred (200) square feet of gross floor area, whichever is greater.

b. Curb Cuts. New curb cuts shall not be permitted and existing curb cuts shall be removed where safe and efficient vehicular access is available from an abutting alley, except that new commercial or residential developments with a frontage of one hundred fifty (150) feet or greater shall be permitted one (1) curb cut (twenty-five (25) foot wide

at the property line) for every full one hundred fifty (150) feet of street frontage. Where alley access is not available or where access from an abutting alley would be precluded by the proposed retention of an existing commercial or residential development, one (1) curb cut, not to exceed twenty-five (25) feet in width, at the property line, may be permitted.

Section 2. This ordinance shall become effective on October 17, 1988, provided that by such date the Local Coastal Program of The City of San Diego (including Coastal Commission recommended rezonings) has been: (i) accepted by the Executive Director of the Coastal Commission; (ii) is finally and effectively certified by the Coastal Commission; and (iii) coastal development permit issuing responsibility is authorized by the Coastal Commission to be undertaken by The City of San Diego. In the event the aforesaid conditions are not met, this ordinance is null and void.

APPROVED: John W. Witt, City Attorney

By   
Thomas F. Steinke  
Deputy City Attorney

TFS:wk  
03/31/88  
Or.Dept:Plan.  
O-88-174  
Form=o.none



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APR 18 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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)

By *Ellen Bovard*, 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

APR 5 1988

APR 18 1988

~~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 *Ellen Bovard*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17075 Adopted APR 18 1988

RECEIVED  
CITY CLERK'S OFFICE  
1988 APR -1 PM 3:24  
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: ELLEN BOVARD

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION  
4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS  
101.0426 AND 101.0426.1 RELATING TO NEIGHBORHOOD  
COMMERCIAL AND COMMERCIAL VISITOR-SERVICE ZONES.

NO.

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

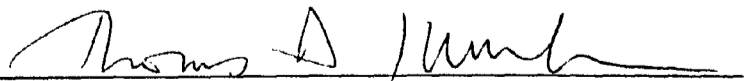
ORDINANCE NUMBER O-17075 (NEW SERIES)

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:

MAY 2

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

Dated at San Diego, California this 2 day of MAY, 1988.



(Signature)

24 lines x .98 = \$47.04  
2 1/4" x 2 x 10.78 = \$48.52

**ORDINANCE NUMBER O-17075 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0426 AND 101.0426.1 RELATING TO NEIGHBORHOOD COMMERCIAL AND COMMERCIAL VISITOR-SERVICE ZONES.  
The amendments to the CC, CV, C-1, CO, CN, R, and RV Zones are designed primarily to incorporate higher parking standards and greater restrictions on curb cuts for development within the Beach Impact Area of the Coastal Zone.  
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on April 5, 1988.  
Passed and adopted by the Council of The City of San Diego on April 18, 1988.  
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 ELLEN BOVARD, Deputy  
Pub. May 2, 1988 107380