

(O-90-56)

ORDINANCE NUMBER O- 17382 (NEW SERIES)

ADOPTED ON OCT 30 1989

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 7, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 103.0700, 103.0701, 103.0702, 103.0703, 103.0704, 103.0705, 103.0706, 103.0707, 103.0707.1, 103.0708, 103.0708.1, 103.0708.2, 103.0708.3, 103.0708.4, 103.0708.5, 103.0709 AND 103.0710; AND BY ADDING SECTIONS 103.0701, 103.0702, 103.0703, 103.0704, 103.0705, 103.0706, 103.0707, 103.0708, 103.0709, 103.0710, 103.0711, 103.0712, 103.0713, 103.0714, 103.0715, 103.0716 AND 103.0717 RELATING TO THE GOLDEN HILL PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 7 of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 103.0700, 103.0701, 103.0702, 103.0703, 103.0704, 103.0705, 103.0706, 103.0707, 103.0707.1, 103.0708, 103.0708.1, 103.0708.2, 103.0708.3, 103.0708.4, 103.0708.5, 103.0709 and 103.0710.

Section 2. That Chapter X, Article 3, Division 7 of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.0701, 103.0702, 103.0703, 103.0704, 103.0705, 103.0706, 103.0707, 103.0708, 103.0709, 103.0710, 103.0711, 103.0712, 103.0713, 103.0714, 103.0715, 103.0716 and 103.0717 to read as follows:

**DIVISION 7**

**GOLDEN HILL PLANNED DISTRICT**

**SEC. 103.0701 PURPOSE AND INTENT**

The purpose of this District is to ensure that the development and redevelopment of multi-family and commercial neighborhoods in Golden Hill will be accomplished in a manner that will preserve and enhance the community's diverse architectural, historical and cultural characteristics, as well as the overall quality of life in the community. It is also intended to preserve and complement the historically and architecturally significant structures located throughout the district. In addition, the purpose of this District is to implement the goals and objectives of the adopted Golden Hill Community Plan (1988) and the Progress Guide and General Plan of The City of San Diego.

The intent of the residential zone regulations is to provide for the development and redevelopment of multi-family residential structures within the Golden Hill community which relate in scale and design to the preferred neighborhood character. Standards are designed to promote development that will complement and preserve the diverse and distinctive architectural character of the community.

The intent of the commercial zone regulations is to allow a variety of consumer goods and services for the

community and to promote the development of a pedestrian-oriented shopping environment. It is also intended to promote commercial development that is complementary to the historical and architectural heritage of the community.

**SEC. 103.0702 BOUNDARIES**

The regulations which follow shall apply in the Golden Hill Planned District which is within the boundaries of the Golden Hill community planning area in the City of San Diego, California, designated on that certain Map No. C-785, and described in the appended boundary description filed in the office of the City Clerk under Document No. 00 - 17382

**SEC. 103.0703 DEFINITIONS**

It is intended that the definitions in Chapter X, Article 1, Division 1, all sections, and Chapter X, Division 1, Division 7, Section 101.0703 (City-wide Landscaping Regulations) of the San Diego Municipal Code shall apply except where a conflict exists with the definitions set forth in this Division. Where such a conflict exists, the definitions in this Division shall take precedence.

1. Enclosed Parking. A parking area within a building serving a permitted use. Enclosed parking is completely walled and roofed, except that where, as an option, it has one open side facing an alley.

**SEC. 103.0704 ADMINISTRATIVE REGULATIONS**

A. ADMINISTRATION. The Planning Director or designated representative, shall administer the Golden Hill Planned District and ensure compliance with the regulations and procedures of this Division. In evaluating the appropriateness of any development for which a permit is applied under this Division, the Planning Director shall utilize the Golden Hill Community Plan, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the following design studies:

1. Golden Hill Fern Street and 30th Street Revitalization Plan (M.W. Steele Group, Patrick O'Connor and Urban Systems Associates, May 1987);
2. Golden Hill 25th Street Revitalization Plan (RNP Architecture and Planning, June 1987); and
3. Project First Class Urban Design Program (Southeast Urban Design Group); and
4. Any other design study or revitalization plan adopted by the City Council for the Golden Hill community.

B. PLANNING, ZONING, AND SUBDIVISION REGULATIONS WHICH SHALL APPLY. Where not otherwise specified in this Division, the provisions of Chapter X, Article 1, Divisions 1 through 8, 11, 11.1, 12, 13, 18, and 19, and all of Chapter X, Articles 2 and 5 shall apply. All other provisions of Chapter X, Article 1, of the Municipal Code are superseded, unless specifically

referenced in this Division. Where there is a conflict, the provisions of this Division shall apply.

C. ACTIVITIES REGULATED. No building, structure or improvement or portion thereof shall be erected, converted, altered, established or enlarged, nor shall the use of any building or structure be changed, nor any such building, structure or improvement be used or occupied unless it complies with the requirements of this Division.

The Department of Building Inspection and the Engineering and Development Department shall not issue any permit for the erection, construction, conversion, demolition, establishment, alteration or enlargement of any building or structure, or for the grading of any site, or portion thereof, or for the change in use of any building or structure in the Golden Hill Planned District until approval of the Planning Director has been obtained by the applicant or owner. Each application for a building, demolition or grading permit shall state the intended use of the proposed site, building, structure or improvement, shall specify the applicable zone, and describe any previously issued permits. Approval of the Planning Director is not required for modifications, repairs, or other alterations which do not require a building, demolition or grading permit. Additional application requirements are contained in Section 103.0706.

D. PUBLIC FACILITIES, STRUCTURES AND AREA. All public open areas, street sidewalks, street furniture, street signs, lighting installation, and any other incidental structures or monuments shall conform to the purpose and intent of this Division and shall be subject to all the regulations, conditions and standards established in this planned district. In evaluating the appropriateness of any development, the Planning Director shall utilize the Golden Hill Community Plan, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the studies referenced in Paragraph A, above.

E. NONCONFORMING USES AND STRUCTURES. Nonconforming uses and structures may be continued and maintained provided no enlargement or addition to such uses or structures are made unless as specified in Sections 101.0301, 101.0302 and 101.0303 of the San Diego Municipal Code. Structures not conforming to the yard requirements specified in this planned district may be altered or enlarged, provided the alterations and additions observe all other existing zoning requirements.

F. DEMOLITION PERMITS. No permits shall be issued for the demolition and/or removal of any building or structures unless the application for the permit has been approved by the Planning Director. If any

structure or building is demolished or substantially damaged without first obtaining a demolition permit, the Planning Department will not accept plans for a planned district ordinance review nor will the Building Inspection Department accept a building permit application for that site for a period of one year or a previously issued permit may be revoked for the period of one year. If the structure or building was a designated historic site, or a Secondary Significant Structure as identified in the booklet, **Greater Golden Hills Historic District #2**, prepared by The City of San Diego Planning Department and the Greater Golden Hills Planning Committee, adopted October 6, 1978, the Planning Department will not accept plans for a planned district ordinance review nor will the Building Inspection Department accept a building permit application for two years or a previously issued permit may be revoked for the period of two years.

The Planning Director shall approve an application for a demolition permit if it is determined that the structure(s) in question is (are) not a potential historical structure(s). If the Planning Director identifies a potential historic structure, the demolition or removal permit application shall not be approved for ninety (90) days or until the Historical Site Board has evaluated and acted on the site's historical significance, whichever occurs first. The

provisions of this section shall not apply to the following:

1. Any building or structure found by the City Manager of The City of San Diego to present a hazard to the public health or safety, and for which an emergency permit for demolition must be issued; or

2. Any permit approved by the Planning Director, Planning Commission or City Council as part of a development project submitted, reviewed and approved in accordance with this Division, and provided that such development application includes an environmental document prepared in accordance with the California Environmental Quality Act (CEQA) which describes and addressed the historical/architectural significance of the property. Such environmental report shall be reviewed by the Historical Site Board for the purpose of recommending to the Planning Director whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

**SEC. 103.0705 DESIGN CRITERIA AND GUIDELINES**

Concurrent with the adoption of this Division, the City Council shall by resolution also adopt architectural criteria and design guidelines to be used in evaluating the appropriateness of any development



for which a permit is applied for under this Division. The Golden Hill Design Criteria and Guidelines shall be filed in the office of the City Clerk under Document No. RR-774598.

**SEC. 103.0706 SUBMITTAL REQUIREMENTS**

Application shall be made to the Planning Director prior to commencement of any work in the erection of any new building or structure, or alteration, addition to or demolition of any existing building or structure within the planned district or any building which is relocated into the Planned District. Said application shall include the following:

- A. A deposit or fee as indicated on the current fee schedule maintained in the Planning Department;
- B. The purpose for which the proposed building, structure or improvement is intended to be used;
- C. Site plans, floor plans, elevations and sections including the following information: datum points indicating both preexisting natural grade and finished grade, calculations indicating lot area, dwelling unit density, lot coverage, floor area ratio, and height (elevations), fully dimensioned floor plans with all rooms identified, setback lines shown, off-street parking location with dimensions and placement of landscaping material, including number of plants and plant sizes;

D. Site plans and elevations for the building and improvements which show all exterior finish materials, architectural design of all exterior features, and the relationship to adjacent structures;

E. Site plans and elevations including grade points and dimensions for any outbuilding, party walls, courtyards, fences, signs, lighting; and

F. Any other information deemed necessary by the Planning Director to evaluate the project for compliance with the regulations contained herein and other applicable laws and regulations.

G. To demonstrate the degree of compatibility between existing, new and rehabilitated construction, applicants are required to:

1. Submit a mounted color photo survey of both block faces within 300 linear feet of frontage from the subject site, identifying street addresses, clearly showing architectural styles, dominant building features, and massing, height, scale, colors and materials of existing buildings and structures;

2. Provide a written statement and/or diagram(s) which indicates how the overall design of the project proposal provides architectural features compatible with the preferred character of the community and incorporates the design standards contained in the Golden Hill Design Criteria and

Guidelines, filed in the Office of the City Clerk  
under Document No. RR-274598.

**SEC. 103.0707 MINISTERIAL REVIEW**

A. The Planning Director shall ministerially approve any and all development that complies with the regulations contained in this Division. Such approval shall not be subject to appeal.

B. Copies of the application and plans shall be forwarded to the Greater Golden Hill Community Planning Committee within 10 working days of receipt by the Planning Department.

C. The decision of the Planning Director shall be based on conformance with the regulations and the Purpose and Intent of the Golden Hill Planned District Ordinance, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the studies referenced in Section 103.0704.A.

D. The fee for a Ministerial Review shall be equivalent to that of a Plan Check Fee.

**SEC. 103.0708 ADMINISTRATIVE REVIEW**

A. The Planning Director or a designated representative may grant an administrative exception from selected provisions of the Golden Hill Planned District without an advertised public hearing, when the application is for one of the following:

1. New construction or remodeling which would result in a finished project (all structures on the premises) deviating 10 percent or less from one of the following development regulations: 1) minimum required front, street, side or rear yards, 2) offsetting planes; 3) diagonal plan dimension; or 4) maximum lot coverage regulations.

2. Minor facade improvements altering the front building facade of nonconforming structures which do not increase the building floor area and do not create above-grade pedestrian areas such as balconies.

3. Walls or fences which vary from the regulations of the fence ordinance (Section 101.0620 of the Municipal Code).

4. Sidewalks to vary from Section 103.0715, Paragraph C.

B. The Planning Director shall in no case grant an administrative exception when the application is for deviation from 1) density, 2) use, 3) floor area ratio, 4) parking requirements, 5) building height, 6) landscaping, 7) street design requirements as specified in Section 103.0711.B.8. of this Division, 8) average size of units, or 9) any development regulation for a designated historic structure.

C. The Greater Golden Hill Community Planning Committee shall have the opportunity to advise the

Planning Director, Board of Zoning Appeals and the City Council on all administrative exceptions. Prior to the Planning Director taking action on any administrative exception, copies of the application and plans shall be forwarded to the Greater Golden Hill Community Planning Committee, or their successor, to provide an opportunity to review within a period not to exceed 30 days.

D. The fee for an Administrative Review shall be equivalent to that of a Preliminary Concept Review.

E. The Planning Director may grant an administrative exception provided the following finding of facts can be made:

1. The proposed project design meets the purpose and intent of the Golden Hill Planned District Ordinance and will be compatible with the goals and objectives of the Golden Hill Community Plan (1988), the Progress Guide and General Plan of The City of San Diego, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the design studies listed in Section 103.0704, Paragraph A; and,

2. The proposed development will be compatible with existing and planned land uses on adjoining properties, will not constitute a disruptive element to the neighborhood or community, and will

create architectural harmony with the preferred character of the neighborhood and community; and,

3. The proposed development, 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

4. The proposed development complies with all other relevant regulations in The City of San Diego Municipal Code.

F. In granting an administrative exception, the Planning Director may impose conditions as deemed necessary and desirable to protect the public health, safety and general welfare.

G. The decision of the Planning Director shall include findings which shall cite specific facts relied upon in rendering the decision. The copy of the decision shall be mailed to the applicant and to the Golden Hill Community Planning Committee, or their successor. A copy of this written finding, together with all evidence presented to the Planning Director, including plans required elsewhere in this Division, shall be filed with the Planning Director's decision in the office of the Planning Department.

H. The decision of the Planning Director may be appealed to the Board of Zoning Appeals and City

Council in accordance with Municipal Code  
Section 101.0240.

**SEC. 103.0709 GOLDEN HILL DEVELOPMENT PERMIT**

A. The following projects shall be required to obtain a Golden Hill Development Permit as described in this Division:

1. Projects where the gross commercial floor area of existing and proposed structures, exceeds 5,000 square feet.

2. Residential and mixed residential/commercial projects which exceed the number of threshold dwelling units listed below.

<b>ZONE</b>	<b>THRESHOLD UNITS</b>
GH-600	12
GH-1000	7
GH-1250	6
GH-1500	3
GH-2500	2
GH-3000	2
GH-CN and GH-CC	5

3. Any project which deviates from the development regulations of the Golden Hill Planned District and is not eligible for Administrative Review as described in Section 103.0708.

4. Any project which was denied ministerial approval on the basis that it does not conform with the Golden Hill Design Criteria and Guidelines.

5. Any project which utilizes the shared parking provision, as specified in Section 103.0716.G. of this Division.

6. Projects deviating from the development regulations of this District when such deviations are necessary to permit the preservation or restoration of an historic or architecturally significant building, structure or site so designated by the Historical Site Board. Such projects shall be subject to the following:

a. Landscaping (Chapter X, Article 1, Division 7 of the Municipal Code) and parking (Sections 103.0715 and 103.0716 of this Division) requirements shall be met in a manner which preserves the historic character of the building or site, including that of mature vegetation; and,

b. The proposed deviation shall be referred to the Historical Site Board for recommendation on said exception; and,

c. The Planning Director, in granting a deviation, shall make the following findings as well as those listed in Paragraph D, below: a) that the deviation is necessary to permit the preservation or restoration of an historic or architecturally significant building, structure or site; and b) that the granting of a



deviation will not be injurious to the community or detrimental to the public welfare.

7. Nonconforming signs, deemed by the Planning Director to have historical significance, to remain after the five (5) year compliance regulation as stated in Section 103.0713.K.2.k.

B. Application (including required deposits) and procedures for a Golden Hill Development Permit shall be consistent with the procedures for Planned Residential Development Permits (Section 101.0900 of the San Diego Municipal Code) for residential projects and with the procedures for Planned Commercial Development Permits (Section 101.0901 of the San Diego Municipal Code) for commercial and mixed commercial and residential projects.

C. The Greater Golden Hill Community Planning Committee shall have the opportunity to advise the Planning Director, Planning Commission and the City Council on matters of the Golden Hill Development Permit. Prior to the Planning Director taking action on any Golden Hill Development Permit, copies of the application and plans shall be forwarded to the Greater Golden Hill Community Planning Committee, or their successor, to provide an opportunity to review within a period not to exceed 30 days.

D. The Planning Director, or designated representative may grant a Golden Hill Development

Permit provided the following findings of fact can be made:

1. The proposed project design meets the purpose and intent of the Golden Hill Planned District Ordinance and will be compatible with the goals and objectives of the Golden Hill Community Plan (1988), the Progress Guide and General Plan of The City of San Diego, the Golden Hill Planned District Design Criteria and Guidelines as adopted by Council with this ordinance and the design studies listed in Section 103.0704, Paragraph A; and,

2. The proposed development will be compatible with existing and planned land uses on adjoining properties, will not constitute a disruptive element to the neighborhood or community, and will create architectural harmony with the preferred character of the neighborhood and community; and,

3. The proposed development, 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,

4. The proposed development complies with all other relevant regulations in The City of San Diego Municipal Code.

E. Neither the Planning Director, the Planning Commission nor the City Council shall grant a Golden Hill Development Permit for a project which exceeds the density as permitted by this ordinance.

F. In granting a Golden Hill Development Permit, the Planning Director may impose conditions as deemed necessary and desirable to protect the public health, safety and general welfare.

G. The written decision of the Planning Director shall include findings which shall cite specific facts relied upon in rendering the decision. The copy of the decision shall be mailed to the applicant and to the Golden Hill Community Planning Committee, or their successor. A copy of this written finding, together with all evidence presented to the Planning Director, including plans required elsewhere in this Division shall be filed with the Planning Director's decision in the office of the Planning Department.

H. The decision of the Planning Director may be appealed to the Planning Commission and City Council in accordance with Municipal Code Section 101.0240.

**SEC. 103.0710 REGULATIONS FOR HISTORIC AND  
ARCHITECTURALLY SIGNIFICANT STRUCTURES**

**A. DEVIATIONS FROM BUILDING CODE**

Notwithstanding the provisions of this Division or any other ordinance, it shall be lawful in the Golden Hill Planned District to repair, remodel or restore any

historic or architecturally significant buildings or structures so designated by the Historical Site Board. Such repair, remodel or restoration shall be in the same manner and with the same kind or similar materials with which they were originally constructed, consistent with the California State Historic Building Code and the Secretary of the Interior's Standards for Rehabilitation (see Appendix XX). Such building(s) or structure(s) shall be approved by the Planning Director and the Building Inspection Department and such building(s) or structure(s) shall be safe and not hazardous to its occupants or the public. The Planning Director and the Building Inspection Department shall require such repairs, modifications, and/or improvements to the building or structure as conditions permit, necessary to preserve the architectural and historic character and meet adequate life and safety standards. Requirements of the Planning Director may be appealed to the Planning Commission and City Council in accordance with Municipal Code Section 101.0240. Requirements of the Building Inspection Department concerning methods and materials or minor deviations to alleviate practical difficulties of construction may be appealed to the Board of Appeals and Advisors as provided for in Section 204A of the Building Code.

B. REMOVAL OF DAMAGED HISTORIC STRUCTURES

In the event any building or structure deemed by the Historic Site Board to have architectural or historic significance is damaged by earthquake, fire, or act of God to such an extent that in the opinion of the Planning Director and the Building Inspection Director it cannot reasonably be repaired and restored, the same may be removed upon issuance of a permit for said removal, subject to Section 103.0704, Paragraph F.

**SEC. 103.0711 RESIDENTIAL ZONES - GH-600, GH-1000,  
GH-1250, GH-1500, GH-2500, GH-3000**

**A. PERMITTED USES**

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except as set forth in Section 103.0717 with maximum dwelling unit densities calculated as shown below.

Residential Density. The number of dwelling units permitted on any lot shall be determined by dividing the area of the lot by the number of square feet required for each dwelling unit as shown in the table below. If the quotient exceeds a whole number by .50 or more, the number of dwelling units may be increased to the next larger whole number.

The land area requirement for one dwelling unit in any Residential zone shall be as follows:

**TABLE I IN SECTION 103.0711**

<b>ZONE</b>	<b>REQUIRED SQ. FT. OF LOT AREA PER DWELLING UNIT</b>
GH-600	600
GH-1000	1000
GH-1250	1250
GH-1500	1500
GH-2500	2500
GH-3000	3000

**B. PROPERTY DEVELOPMENT REGULATIONS**

1. Floor Area Ratio (FAR) and Coverage. The maximum FAR and coverage shall be as follows:

**TABLE II IN SECTION 103.0711**

<b>Zone</b>	<b>Maximum FAR</b>	<b>Maximum Coverage</b>
GH-600	1.25	40%
GH-1000	1.00	40%
GH-1250	.70	40%
GH-1500	.60	35%
GH-2500	.45	35%
GH-3000*	.45	35%

**\*Footnote:** Projects located within the Historic District are permitted a maximum FAR of .75 and a maximum coverage of forty percent (40%).

a. Enclosed parking as defined in Section 103.0703 is not included in the calculation of FAR and coverage.

b. Except in the GH-3000 and GH-2500 zones, for any project with a density of less

than or equal to one dwelling unit per 1,000 square feet of lot area, a FAR bonus shall be provided equivalent to fifty percent (50%) of the area of enclosed parking and shall be excluded from the coverage calculation.

c. For any project with a density greater than one dwelling unit per 1,000 square feet of lot area, a FAR bonus shall be provided equivalent to twenty-five percent (25%) of the area of enclosed parking and shall be excluded from the coverage calculation.

2. Minimum Average Unit Floor Area.

a. Minimum Average Size Per Unit Type. Residential development shall average no less than the following minimum habitable floor areas per dwelling unit, excluding garages and preexisting dwellings:

**TABLE III IN SECTION 103.0711**

<b>Unit</b>	<b>Minimum Average Unit Floor Area</b>
Studio	450 sq. ft.
One-bedroom	600 sq. ft.
Two-+bedrooms	800 sq. ft.

b. Minimum Average Unit Size Per Project. Residential developments shall also average no less than 700 square feet of habitable floor area per dwelling unit, excluding garages and preexisting dwellings.

3. Height Limits.

TABLE IV IN SECTION 103.0711

Zone	Height Limitation
GH-600	40'; 50' where a building is above enclosed parking
GH-1000, GH-1250	30'; 40' where a building is above enclosed parking
GH-1500, GH-2500, GH-3000	30'

Exception: Twenty percent (20%) of the length of the building facade may exceed the height limit specified above in order to provide roofline and facade variations, accents, tower elements and other similar elements which do not increase the floor area of the structure.

4. Pedestrian Access. For each legal building site, one separate entry per 50 linear feet of street frontage shall be provided from the street into or through the residential use area.

5. Yard and Setback Requirements.

a. Minimum Size of Street Yard. A street yard shall be provided at a minimum area calculated by multiplying the street frontage of the lot along the front property line by "X" feet shown in the table below. For corner lots, the street yard shall be calculated by multiplying the average length of all street frontages by "X" feet shown in the table below.

TABLE V IN SECTION 103.0711

ZONE	"X" FEET
GH-600, GH-1000, GH-1250	20



In all residential zones, the required street yard shall not be measured beyond the front 70 feet or fifty percent (50%) of the lot depth, whichever is less, as measured from the front property line.

b. Minimum Yards. The minimum yard requirements for properties in the respective GH zones are shown in the following table.

TABLE VI IN SECTION 103.0711

Yard Location	GH-600	GH-1500	GH-2500
	GH-1000 GH-1250		GH-3000
Front	10 <sup>(a) (b)</sup>	10 <sup>(a)</sup>	10 <sup>(a)</sup>
Street Side	6	8	8
Interior Side	6 <sup>(c,d)</sup>	6 <sup>(c,d)</sup>	6 <sup>(c,d)</sup>
Rear	1, if alley <sup>(e)</sup> 15, if no alley	1 if alley <sup>(e)</sup> 15, if no alley	4, if alley <sup>(e)</sup> 15, if no alley

**Footnotes:**

(a) Front Yard Exception. Structures may observe the average front yard of the block when the average is less than 10 feet.

(b) Setback - Front Yard. Each story (or portion of a story) above the second shall be set back an additional seven feet from the requirement for the story below it. This area may be used as a balcony, provided the safety railings are a minimum of fifty percent (50%) open.

(c) Setback - Side Yards. Each story (or portion of a story) above the second shall be set back an additional three feet from the requirement for the story below it.

(d) Interior Side Yard Exception. On lots less than or equal to 50 feet in width, each interior side yard shall be calculated as ten percent (10%) of the lot width, not to be less than 4'-0".

(e) Rear Yard. Each story (or portion of a story) above the second shall be set back seven feet from the requirement for the story below it. This area may be used as a balcony, provided the safety railings are a minimum of fifty percent (50%) open.

6. Corner Lots. For visibility reasons, structures over three feet in height may not be located within the triangular areas established by:

a. The street intersection corner of the lot and the points on the street property lines which are 25 feet from the intersection corner; and

b. The street side rear corner of the lot and the points on the rear property line, adjacent to an alley, that are 10 feet from the street side rear corner.

7. Diagonal Plan Dimension. The Diagonal Plan Dimension regulation shall be used for structures containing dwelling units in all residential projects, except for those on lots equal to or less than 50 feet in width. The maximum diagonal plan dimension shall be measured between the two most extreme points on the floor of the structure containing the most gross floor area (see Figure X). For lots where the depth is two and one-half or more times the width (see Figure XX), the maximum diagonal plan dimension shall be measured between the first extreme building corner to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations. The modulations shall have a minimum three feet differential and shall extend for a minimum of six feet in length.

Maximum Dimension. The maximum diagonal plan dimension shall not exceed the numerical figure obtained from the percentage of the lot frontage as established below.

**TABLE VII IN SECTION 103.0711**

<b>Street Frontage of Lot (along front property line)</b>	<b>Maximum Diagonal Plan Dimension</b>
50 ft. or less	No maximum
Over 50 ft., but not more than 100 ft.	100% of street frontage
Over 100 ft., but not more than 200 ft.	85% of street frontage

Over 200 ft., but not more  
than 300 ft.

70% of street frontage

More than 300 ft.

Subject to a Golden Hill  
Development Permit

8. Street Design Requirements. In all GH-residential zones, in addition to the criteria included in the Design Criteria and Guidelines, each residential building shall be designed in accordance with the following provisions.

a. Each residential project shall include the following design standards:

(1) Windows shall maintain a consistent design character throughout the project and shall be of the same material on all elevations facing a street and for the front thirty percent (30%) of the interior side elevation(s).

(2) Silver aluminum window frames shall not be permitted on any window.

(3) There shall be no more than two (2) wall siding materials used throughout a project.

b. In addition to the above standards, each residential building shall include architectural features, all to be chosen from only one of the following lists [(1), (2), (3), or (4)] as required by each list. If a project contains more than one residential building,

all buildings are to contain features from the same list. All accessory buildings on the premises are to include similar architectural features as the residential structure(s).

**(1) Victorian Style.** Features (a) through (c) are mandatory. Choose three (3) features from items (d) through (i).

Mandatory:

(a) Horizontal wood siding or shake shingles on all elevations facing a street.

(b) Narrow vertical windows with lintels, jambs and sills surrounding the windows. Sills are to be built out a minimum of three inches (3") from the outside face of the window sash.

(c) Covered entry area with a gable or dormer. Entry area to be a minimum of twenty-four (24) square feet in area if it serves one or two entrance doors and ten (10) square feet per entrance door if it serves more than two.

Choose three (3) of the following:

(d) Crafted lath ventwork at gables and dormers.

(e) Widow's walk or cresting (wood or metal).

(f) Turrets or cupolas.

(g) Special window shapes and types on twenty percent (20%) of all windows facing a street; bays, half-round, elliptical gothic, oval or palladian shapes, quatrefoils, bull's eyes, and stained glass (geometric, lattice or opalescent).

(h) Scalloped shingles in an amount typical with the Victorian style.

(i) Crafted open stickwork supports for the entry element.

**(2) Craftsman/Bungalow Style. Features**

- (a) through (d) are mandatory. Choose two (2) features from items (e) through (i).

**Mandatory:**

(a) Front entry element with elephantine or craftsman style support columns. Entry area to be twenty-four (24) square feet in area if it serves one or two entrance doors and ten (10) square feet per entrance door if it serves more than two.

(b) All windows are to be vertical sliding or fixed and all trim is to be of wood. All windows are to have a wood sill projecting at least three inches (3") beyond the sash.

(c) Exposed beams/rafters on overhanging eaves with articulated rafter ends.

(d) Exterior material to be of stucco, horizontal siding, shake, brick or stone.

Choose two (2) of the following:

(e) Projecting brackets or corbels on all exposed beams and rafters.

(f) A minimum of one (1) operable chimney, faced in brick or cobble rock, for every three (3) dwelling units.

(g) Entrance doors with transom panels and/or side lights (singular rectangular panes or multi-mullion panes).

(h) Windows with transom panels (singular rectangular panes or multi-mullion panes) on a minimum of forty percent (40%) of all windows facing a street.

(i) A projecting pergola, at least twenty-four (24) square feet in area.

**(3) Spanish Style.** Features (a) and (b) are mandatory. Choose four (4) features from items (c) through (j).

Mandatory:

(a) Use of stucco for the exterior material.

(b) Parapet with entablature or tile roof covering the eaves, overhangs, and entry elements.

Choose four (4) of the following:

(c) Crafted wood or wrought iron detailing for porches and/or balconies.

(d) Exposed beams/rafters on eaves.

(e) Drain tile attic vents on at least one elevation facing a street.

(f) Arched wing wall (plain or molded) on at least one elevation facing a street. (This feature may encroach into the interior side or rear yard.)

(g) Decorative plaster or tile trim around windows and entries facing a street.

(h) Entry supports of stucco, wood or iron articulated columns.

(i) A minimum of twenty percent (20%) of all windows, doors and entries facing a street to be arched.

(j) Entry element continued through all stories (applies only to structures over one story in height).



(4) Contemporary Style. Feature (a) is mandatory. Choose six (6) features from items (b) through (n).

Mandatory:

(a) Exterior material is to be stucco, horizontal siding, shake, brick or stone.

Choose six (6) of the following:

(b) Multiple pitched roofs with a minimum eighteen inch (18") overhang or a flat or low hipped roof with overhanging eaves (real or suggested cantilever).

(c) Large plain rectangular windows, grouped in bands with shared/continuous projecting window sills on all elevations facing a street and on at least the front thirty percent (30%) of the interior side elevations.

(d) Use of colored or leaded glass on at least one (1) window band on at least one (1) elevation facing a street.

(e) Wood window frames on all windows.

(f) A minimum of fifty percent (50%) of all windows on all street elevations to be recessed at least two inches (2").

(g) A minimum of one (1) clerestory window for every two (2) dwelling units.

(h) Beltcourse matching frieze at each story level on each elevation facing a street and on at least the front thirty percent (30%) of the interior side elevations.

(i) Wide projecting molding (minimum of four inches (4") fascia) on the frieze.

(j) Projecting roofed entry porch with piers for support columns. Porch to be a minimum of twenty-four (24) square feet if it serves one or two entrance doors and ten (10) square feet per entrance door if it serves more than two.

(k) Triangular or arched porch entry.

(l) Portecochere or wing wall, articulating the driveway. (This element may encroach into an interior side or rear yard.)

(m) A projecting pergola, a minimum of twenty-four (24) square feet in area.

(n) A minimum of one (1) operable fireplace for every two (2) dwelling units.

c. The following roof shapes and roof materials are to be used for Styles (1), (2), (3) and (4), above.

**(1) Victorian Style.**

Shape: Medium or high gable or hip with a minimum of three (3) distinct rooflines on all elevations facing a street.

Materials: Shake, slate or shingle.

**(2) Craftsman/Bungalow Style.**

Shape: Broadly pitched hipped or gabled roof. A minimum of two (2) overhanging gables are required on all elevations facing a street. Materials: Shingle or shake.

**(3) Spanish Style.**

Shape: Flat with articulated parapet, espadana, false front, or sloped with plain or projecting eaves.

Materials: Flat portion to be built-up roofing or its equivalent. Sloped portion to be concrete or clay tile.

**(4) Contemporary Style.**

Shape: Flat or sloped.

Materials: Flat portion to be built-up roofing or its equivalent. Sloped portion to be concrete or clay tile, shingle or slate.

9. Exception. In those cases where an existing legal lot or parcel can only yield one dwelling unit because of the size of the lot or parcel, the City-wide R1-5000 development criteria may be used. In all cases, however, the Landscape Regulations for multi-family development shall apply.

10. Other Regulations. The Special Regulations (Section 103.0713), the Design Standards (Section 103.0714), Curb Cuts and Driveways (Section 103.0715) and Off-Street Parking Requirements (Section 103.0716) also serve to regulate development, as do all those Divisions and Sections of Articles 1, 2 and 5 which are referenced in Section 103.0704.B.

**SEC. 103.0712 COMMERCIAL ZONES (GH-CN AND GH-CC)**

A. PERMITTED USES. No building or improvement or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premise be used except as set forth in Section 103.0717. The maximum dwelling unit density

for most properties is one unit for every 1,500 square feet of lot area. The two parcels with the following legal descriptions: 1) Lots 45 through 48, Block 6, Breed and Chases Subdivision; and 2) Lots 7 through 9, Block 4, Bartlett Estate Co. Subdivision, may develop at a density level of one unit per 1,000 square feet of lot area. Residential development may only be developed in conjunction with commercial development and may only be developed on floors above the first.

B. PROPERTY DEVELOPMENT REGULATIONS

1. Minimum Commercial Area. A minimum square footage of the ground floor shall be reserved for exclusive commercial use. Said square footage to be calculated by multiplying the property's street frontage along the front property line by 20. For corner lots, the minimum commercial square footage on the ground floor shall be calculated by multiplying the average length of all street frontages by 20.

2. Floor Area Ratio (FAR) and Coverage.

a. The maximum permitted FAR for any commercial development is listed in the second column below. The maximum permitted floor area ratio for a mixed commercial/residential project is listed in the third column below.

TABLE IN SECTION 103.0712

ZONE	MAXIMUM PERMITTED FAR FOR COMMERCIAL DEVELOPMENT	MAXIMUM PERMITTED FAR FOR A MIXED COMMERCIAL/ RESIDENTIAL DEVELOPMENT
GH-CN	.75	1.75
GH-CC	1.00	2.00

b. The minimum lot coverage shall be thirty-five percent (35%).

3. Residential Vehicular Access.

a. Where alley access exists, vehicular access for the residential units must be provided from the alley.

b. Exception: This provision shall not apply where parking is being provided under the shared parking provision.

4. Height Limit.

a. The height limit in commercial zones shall be 30 feet.

b. Exception: Twenty percent (20%) of the length of the building facade may exceed the thirty (30)-foot height limit in order to provide roofline and facade variations, accents, tower elements and other similar elements which do not increase the floor area of the structure.

5. Street Wall. Commercial projects must meet one of the following requirements:

a. Unenclosed parking is to be located in the rear fifty percent (50%) of the parcel and if the parcel is a corner lot, unenclosed parking may not be located within 5'-0" of the street side property line; or

b. There shall be a building wall of at least 12 feet in height located within five feet of any street frontage property line, along not less than sixty-five percent (65%) of both the front and, if applicable, street side property lines, except as required for driveway access where no alternative access is available. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for the exclusive use of pedestrians.

(1) Kiosks used for the selling of flowers are exempt from this provision.

(2) Pushcarts, established in conformance with Section 101.0560 are exempt from this provision.

6. Yard and Setback Requirements. Commercial and Mixed Commercial Residential Development.

a. No minimum front, street side, side, or rear yards are required for the commercial portions of the structure unless the property abuts residentially zoned property, in which case, six-foot side and rear yards shall be provided adjacent to that property. Each story above the second that is adjacent to residentially zoned property shall be setback an additional three feet.

b. The residential portions of the structure shall conform to the yard requirements for the GH-1500 zone as described in Section 103.0711, Paragraph B.5.

c. Subject to the issuance of an encroachment permit from the Engineering and Development Department, balconies and window bays may encroach up to four feet into the right-of-way starting at no less than 12 feet above street level.

7. Automobile Repair Shop Requirements. The following regulations shall be applicable to newly established auto repair shops and existing auto repair shops that are adding gross floor area or service bays to the establishment except nonconforming businesses:



a. All repair work is to be conducted within an entirely enclosed building. The doors to the new service bays are not to face a street unless they are with a minimum 5'-0" landscaped strip between the wall and the property line adjacent to the street.

b. Access to the establishment is to be off an alley, where available and feasible.

c. No outdoor storage of supplies or equipment is permitted.

d. Open parking areas are to be screened from the public right-of-way with a minimum 4'-0" high block wall. The area between the wall and the property line is to be landscaped. If the wall is located on the property line, the wall is to be a raised planter, at least 4'-0" in height (planted with landscape material).

e. The landscape point totals are to equal 1.5 times those required by the City-wide Landscape Ordinance.

#### 8. Other Regulations.

a. All uses except off-street parking, sidewalk cafes, signs and the storage and display of nursery plants shall be operated entirely within enclosed buildings.

b. Within the GH-CN zone, no permitted use shall commence operating prior to 6:00 a.m. nor continue later than 2:00 a.m.

c. No commercial establishment shall be constructed, expanded or converted to provide a drive-thru facility.

d. The Special Regulations (Section 103.0713), the Design Standards (Section 103.0714), Curb Cuts and Driveways (Section 103.0715) and Off-street Parking Requirements (Section 103.0716) also serve to regulate development, as do all those divisions and sections of Articles 1, 2, and 5 which are referenced in Section 103.0704.B.

**SEC. 103.0713 SPECIAL REGULATIONS**

**A. MINIMUM LOT DIMENSIONS AND AREAS**

For newly created lots, the minimum lot areas and dimensions shall be as follows:

**TABLE I IN SECTION 103.0713**

<b>Zones</b>	<b>Minimum Lot Area (Sq. Ft.)</b>	<b>Minimum Street Frontage</b>	<b>Minimum Width Interior</b>	<b>Minimum Width Corner</b>	<b>Minimum Depth</b>
All Zones	5,000	50	50	55	100

**B. MAXIMUM NUMBER OF DWELLING UNITS**

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In no case shall any project exceed the maximum number of dwelling units listed below unless the project is on a single lot which (1) was created or consolidated, or for which an application has been submitted to the City to create a lot or consolidate lots, prior to 11-29-89, [the effective date of this ordinance]; or (2) was created from a lot or lots which had a larger average square footage than the lot created.

**TABLE II IN SECTION 103.0713**

<b>Zone</b>	<b>Maximum Units</b>
GH-600	40
GH-1000	24
GH-1250	16
GH-1500	14
GH-2500	5
GH-3000	4
GH-CN and	14
GH-CC	

**C. PRIVATE EXTERIOR USABLE AREA**

1. Private exterior usable areas shall be provided for residential and mixed residential/commercial projects. Such areas shall be adjacent to and accessible from selected dwelling units and shall be bounded by a minimum 36-inch high barrier.

These areas shall be exclusive of public rights-of-way, shall have a minimum dimension of five feet and, in their entirety, shall have a natural or man-made gradient of ten percent (10%) or less.

2. Private exterior usable areas shall have a minimum size of 25 square feet, with a project average of 50 square feet per dwelling unit. At least fifty percent (50%) of all units in a development shall have private exterior usable area.

#### D. LANDSCAPING REQUIREMENTS

Prior to the use and occupancy of any premises, residential and commercial development shall conform to provisions of the City-wide Landscape Regulations, Chapter X, Article 1, Division 7 of the San Diego Municipal Code. If a structure is remodeled or enlarged in which a building permit is required, the premises shall conform to the regulations of the City-wide Landscape Ordinance. The GH-Residential Zones shall conform with the regulations for the residential zones and the GH-Commercial Zones shall conform with the regulations for the commercial zones.

#### E. SCREENING OF EQUIPMENT REGULATIONS

No utility equipment, mechanical equipment, tank, duct, elevator enclosure, cooling tower or device, 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 and roofs with construction, materials, colors and appearance similar to that of the main building.

#### F. REFUSE FACILITIES

For properties with three or more dwelling units, a minimum of 32 square feet or 5 square feet per dwelling unit, whichever is greater, of on-site refuse collection area shall be provided on each lot or premises, and shall not be located in any front, street side, or street yard or any parking space. Said area shall be screened from view by a solid masonry wall or an equivalent wall as determined by the Planning Director, with a minimum height of four feet or the height of the container, whichever is higher, and be architecturally compatible with the main structure. In all cases where a lot or premises is served by an alley, the refuse facility shall be directly accessible from the alley. Doors to the refuse facility shall be closable and constructed of solid materials. Refuse

shall not be visible from outside the enclosed area. In addition, all refuse collection areas shall not be located so as to interfere with pedestrian access or vehicular access to required on-site parking. The square footage requirements set forth in this paragraph shall not be computed as lot coverage.

G. RECYCLING COLLECTION AREA

For properties with three or more units, an enclosed recycling collection area shall be provided with each refuse facility. The minimum area provided shall be two square feet per dwelling unit. Containers for paper, aluminum cans and glass shall be provided. The square footage requirements set forth in this paragraph shall not be computed as lot coverage.

H. STORAGE FACILITIES

A minimum of 100 cubic feet of secured storage space, accessible from a common circulation area or garage and not part of a habitable area shall be provided per dwelling unit.

I. WALLS AND FENCES

1. A solid wall or fence, not less than six feet in height shall be constructed along all portions of a commercially zoned premise that abuts residentially zoned property. For the portions abutting the required front yard of a residentially

zoned parcel, the fence or wall shall be of 3'-0" high solid material or a combination of 3'-0" high solid material fifty percent (50%) open material on top.

2. Chain link fencing or chicken wire material(s) shall not be permitted on the required front yard or street side yard.

3. All other walls and fences shall conform to the provisions of Municipal Code Section 101.0620.

#### J. LIGHTING

Artificial light used to illuminate a premise shall be directed away from adjacent properties.

#### K. SIGNS

##### 1. Residential Zones.

a. Sign provisions for residential uses in the residential zones shall comply with the regulations of the R (Multiple-Family Residential) Zone, Section 101.0410.D of the San Diego Municipal Code.

b. The total amount of commercial signs associated with business and professional office uses in residential zones or on historic sites shall not exceed eight square feet in area. None are to be backlighted.

2. Commercial Zones. The following are exceptions to the otherwise applicable regulations of the City-wide Sign Regulations.

a. Wall signs and projecting signs as defined in Chapter X, Article 1, Division 11, are permitted, provided that no such sign shall project above the nearest parapet or eave of the building to which it is affixed or exceed a height of 12 feet, whichever is lower. Roof signs are prohibited.

b. Wall or ground signs may be utilized to identify the uses of the premises, to offer the premises for sale, rent, or lease, to advertise products, services or events related to or provided by businesses, persons or organizations located on the premises, or to display public interest messages.

c. One wall or ground sign, having a maximum area of four square feet, and designating the premises for sale, rent or lease shall be permitted for each street frontage.

d. The aggregate area of all signs permitted on the premises (excluding signs designating the premises for sale, rent or



lease) shall not exceed one-half of a square foot for each linear foot of the street frontage of the property, not to exceed two frontages, provided that the aggregate area of all signs used by a single place of business need not be less than 15 square feet.

e. No sign shall exceed 100 square feet in total area.

f. Paper signs shall be prohibited.

g. Signs permitted herein, may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing light.

h. Within the GH-CN zone, no sign shall be lighted prior to 6:00 a.m. or after 2:00 a.m.

i. A legal nonconforming structure containing permitted uses is permitted the same wall signage as would be allowed if the building observed all current development standards.

j. Applicability of Chapter IX, Article 5. All signs shall also comply with the provisions of Chapter IX, Article 5, Division 1 of the Municipal Code.

k. All signs not in compliance with these regulations shall be removed without

compensation to the sign owner upon completion of a fifteen year amortization period commencing on the effective date of this ordinance unless the sign is deemed historic by the Planning Director and obtains a Golden Hill Development Permit to remain.

L. OFF-STREET LOADING FACILITIES

1. Off-street loading facilities, having a minimum width of 12 feet, a minimum length of 35 feet and a vertical clearance of 14 feet shall be provided for all projects where the commercial portion exceeds a gross floor area of 10,000 or more square feet.

2. Off-street loading areas shall not be located within the front, street side or street yard and shall be screened from the public right-of-way.

3. Off-street loading areas shall not be used for parking.

M. VARIETY OR STREET WALLS

The street wall(s) of any project, defined by but not limited to the configuration of off-setting planes, transparencies and architectural features, shall not be substantially identical to the street wall(s) of any other project within a 600 foot radius.

**SEC. 103.0714 DESIGN REQUIREMENTS**

**A. OFFSETTING PLANE REQUIREMENT**

1. There shall be at least three separate building planes for each 50-foot length of building elevation facing a street. For each interior side building elevation, there shall be at least one and one-half separate building planes for each 50-foot length of building elevation. (If the quotient exceeds a whole number by .50 or more, the number of separate building plans is increased to the next whole number.)

A separate building plane is distinguished by an average horizontal difference of three feet in depth, measured perpendicular to the subject plane, by six feet in width (see Figure X). Building elements such as roofs with a minimum slope of thirty percent (30%) shall qualify as offsetting planes if they constitute the highest element of the structure. For sloped roofs, the average horizontal difference of three feet is measured to the midpoint of the slope. A covered porch, with minimum dimensions of three feet by six feet, shall qualify as offsetting planes.

2. The proportions of the three building planes along each elevation shall meet the following criteria:

TABLE IN SECTION 103.0714

Percentage of 50 Foot Increment Bldg. Elevation Area

Zones	Minimum Area	Maximum Area
GH-600	20%	60%
GH-1000, GH-1250, GH-1500, GH-2500, GH-3000, GH-CN, GH-CC	10%	50%

B. TRANSPARENCY REQUIREMENT

1. In all residential projects, a minimum of fifteen percent (15%) of each story's street wall shall be transparent (such as windows), affording views into living space.

2. For all commercial or mixed-use projects, a minimum of fifty percent (50%) of street wall area at the ground floor level shall be transparent. This may include all types of nonreflective windows and openings, with a light transmittance factor no less than seventy-five percent (75%). A minimum of fifteen percent (15%) of each story's street wall, above the first, shall be transparent.

3. No window or other transparency in a garage or other accessory structure shall qualify toward the minimum transparency requirement in any zone.

C. SCREENING OF PARKING

When unenclosed-above-grade parking is permitted, the perimeter of each parking area shall be screened with a wall or fence or landscape materials at least 3½ feet high measured from finished grade.

D. PLACEMENT OF PARKING

1. For any premise containing four or more dwelling units a minimum of fifty percent (50%) of the required residential off-street parking spaces shall be enclosed, in either a garage attached to the occupied building(s) or a detached garage located on the premises.

2. Parking spaces may not be located in any front street side or interior side yard.

3. For any premise adjacent to an alley, the parking or garage(s) shall be located off the alley. Where alleys do not exist garages facing the street are permitted.

E. SINGLE FAMILY SCALE REQUIREMENT. Development in the GH-1500, GH-2500 and GH-3000 zones which results in two or more units on a parcel (including existing units) shall comply with the following design requirements:

1. The building(s) on the premises must be single family in scale and character as viewed from the street elevation(s), as determined by the Planning Director.

2. The building(s) on the premises shall not be greater than two stories in height when viewed from any street elevation of the property unless it meets the following criteria: The third story is present only within the rear fifty percent (50%) of the lot. If the lot is a corner parcel, the third story may not encroach into the street side fifty percent (50%) of the lot.

3. An exception to subsection 2 above may be considered through the Golden Hill Development Permit process.

**SEC. 103.0715 CURB CUTS AND DRIVEWAY REGULATIONS**

**A. CURB CUTS**

1. If a lot or premises is served by an alley with a 20-foot wide right-of-way, no new curb cut will be permitted unless the site has a minimum of 100 feet of street frontage.

2. Any lot without alley access is permitted one driveway for each 100 feet of street frontage, with a minimum of one per street frontage permitted.

**B. MAXIMUM DRIVEWAY WIDTH AND PLACEMENT**

1. The chart below indicates minimum and maximum permitted driveway widths in the Golden Hill Planned District, as measured at the front or street side property line and at the minimum front or street-side setback line.

a. Residential Projects.

TABLE I IN SECTION 103.0715

Number of Parking Spaces Accessed by Driveway	Minimum Width	Maximum Width
1-3	12'-0"	16'-0"
4-14	16'-0"	18'-0"
15+	20'-0"	24'-0"

b. Commercial and Mixed

Commercial/Residential Projects.

TABLE II IN SECTION 103.0715

Number of Parking Spaces Accessed by Driveway	Minimum Width	Maximum Width
1-49	18'-0"	24'-0"
50+	24'-0"	30'-0"

2. In all zones of the Golden Hill Planned District, there shall be no less than 45 feet between driveways serving the same premises (as measured at the property line).

In the residential zones, driveways shall be located so as to provide at least one on-street parking space for each 50 feet of street frontage. The on-street parking space must be at least 20 feet in length (measured along a full-height curb). Alternative driveway spacing may be approved by the Planning Director and City Engineer if such alternative will result in a maximum number of on-street parking spaces being provided.

C. SIDEWALKS

1. The design of sidewalks shall match the historic sidewalk pattern on the adjacent properties, including location, width, elevation scoring pattern, color and material unless an alternative is approved through the administrative review procedure (Section 103.0708, Paragraph A) or Golden Hill Development Permit procedure (Section 103.0709, Paragraph A).

2. If the adjacent properties of the proposed development do not have an historic sidewalk pattern, the following pattern shall be used: Sixty inches (60") in width with scoring twenty inches (20") apart. Along the length of the sidewalk, there shall be scoring every twenty-four inches (24").

**SEC. 103.0716 PARKING REQUIREMENTS**

Every premises used for one or more of the permitted uses shall be provided with a minimum of permanently maintained off-street parking spaces in a parking area or private garage on the same premises, as follows:

A. RESIDENTIAL PARKING REQUIREMENTS

1. Single-Family Dwellings. Two spaces, provided there is not more than one dwelling unit on the premises. A single family dwelling



developed with one parking space may be remodeled or expanded without providing an additional space.

2. Multi-Family Dwellings. Refer to Chapter X, Article 1, Division 8, Section 101.0835 of the San Diego Municipal Code (Appendix A of this ordinance).

#### B. COMMERCIAL PARKING REQUIREMENTS

The following parking requirements are for most nonresidential uses.

1. For lots or parcels which abut an alley:

a. For lots or parcels with 100 feet or less of alley frontage - one parking space per full ten feet of alley frontage shall be required with access only from the alley.

b. For lots or parcels with more than 100 feet of alley frontage, one parking space for every 800 square feet of gross floor area shall be provided.

2. For lots or parcels which do not abut an alley:

a. For lots or parcels with 50 feet or less of street frontage along the front property line there shall be no required parking; no curb cuts or parking on premises shall be permitted on the premises.

b. For lots or parcels of more than 50 feet in street frontage, minimum parking shall be provided in accordance with the requirements of paragraph 1.b. of this section.

C. OTHER PARKING REQUIREMENTS

1. For offices of doctors, dentists, psychologists, social workers and religious practitioners located in a residential zone, one space for every 250 square feet of gross floor area shall be provided.

2. For schools - primary, elementary, and junior high:

a. One and one-half spaces for each classroom where the school has no auditorium, gymnasium or other similar place of assembly;  
or

b. One space for each 35 square feet of floor area used for seating in the school auditorium, gymnasium, or other similar place of assembly.

3. For schools - senior high:

a. One space for each eight students at ultimate enrollment.

b. One space for each 1.25 staff members at full complement.

4. For churches, temples, or buildings of a permanent nature used primarily for religious purposes - one space for each 35 square feet of floor area used for seating in the main sanctuary or other principal place of assembly.

5. For branch public libraries - one space for each 400 square feet of floor area.

6. For institutions for the day or full-time care of children under the age of sixteen years - one space for each two adult residents and employees.

**SEC. 103.0717 PERMITTED USES**

**A. RESIDENTIAL ZONES**

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

1. Residential development in accordance with the density levels as described in Section 103.0711 Paragraph A and the regulations of this District.

2. Schools, limited to primary, elementary, junior high, and senior high.

3. Public parks and public playgrounds.

4. Churches, temples, or buildings of a permanent nature used primarily for religious purposes.

5. Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Section 101.0407.

6. In addition to the uses listed above, the following uses shall be permitted in the GH-1000 and GH-600 zones:

a. Branch public libraries.

b. Institutions or homes for the day or full-time care of not more than 15 children under the age of 16 years, provided there is not more than one additional dwelling unit on the same premises. Such use is subject to County or State licensing, whichever applies.

c. Offices for psychologists, social workers, religious practitioners, doctors, and dentists, provided that no overnight patients are permitted; and, further provided that not more than two such professional persons, and not more than three employees of each, shall be engaged in such work on the premises.

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 Chapter 8, or any amendment for remodification, or 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 101.0510.C.1.a., j., and n. and Section 101.0510.C.3.b., d., i., k., and m. 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.

7. Accessory uses customarily incidental to any of the foregoing permitted uses, including the following: Recreational and health facilities which are designed and used solely by the residents and their guests, including tennis courts, putting greens, exercise rooms, and sauna and steam baths.

8. Accessory Use Regulations.

a. All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio, or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays, or advertising relating to accessory uses shall be visible from any street.

b. The combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than ten percent (10%) of the gross floor area occupied by the principal permitted uses.

9. For properties in any residential zone, any other uses, including accessory uses, which the Planning Commission may find to be similar in character to the uses enumerated herein for such zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

B. COMMERCIAL ZONES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the purposes indicated in the following chart. No use may be conducted outdoors except as indicated by footnote #7. Drive-thru facilities for any business are prohibited.

**TABLE IN SECTION 103.0717**

<b>PERMITTED USES</b>	<b>GH-CN</b>	<b>GH-CC</b>
Antique Shops	X	X
Apparel Stores	X	X
Art Stores and Galleries		X
Auto Parts and Accessories		
No Service or Installation		X
Auto Repair		X(1)
Bakeries	X	X
Banks, including Branch Banks, and other similar conven- tional financial institution, excluding check cashing and money exchanging uses or facilities	X	X
Barbers and Beauty Shops	X	X
Bicycle Shops	X	X
Book Stores, excluding Adult		

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Bookstores as defined in Municipal Code Section 101.1801.3	X	X
Business and professional office uses (not including hiring halls). (Such uses may include accountants, advertising agencies, architects, attorneys, chiropractors, contractors, doctors, engineers, financial institutions, insurance agencies, medical clinics, (no overnight patients), photographers, physical therapists licensed by the State of California, real estate brokers, secretarial and phone answering services, securities brokers, surveyors and graphic artists.)	X(2)	X(2)
Cocktail lounges and similar establishments		X
Computer Stores		X
Confectioneries	X	X
Day Care Centers licensed		



by the County and/or State,		
whichever applies	X	X
Delicatessens	X	X
Drug Stores	X(3)	X
Dry Cleaning and Laundry		
Establishments and self-		
service laundry establish-		
ments (no truck delivery		
of finished cleaning)	X	X
Florists	X	X
Food Stores	X(3)	X
Gift Shops	X	X
Gymnasiums and Health Studios		X
Hardware Stores		X(4)
Hobby Shops	X	X
Holistic Health Practitioners	X	X
Interior Decorators	X	X
Jewelry Stores	X	X
Liquor Stores		X
Music Stores	X	X
Nurseries - Plants	X	X
Office Supply Store		X
Photographic Studios and		
Retail Outlets	X	X
Printing, Graphics and Copy		

Shops		X
Radio, Television and Home		
Appliance Repair Shops		X (5)
Private Postal Service		X
Residential development in		
accordance with the density		
levels as described in		
Sec 103.0712 Paragraph A		
and the regulations of this		
district	X	X
Restaurants	X (6) (7)	X (6)
Shoe Stores and Shoe Repair		
Shops	X	X
Stationeries	X	X
Studios for the Teaching		
of Art, Dancing and Music	X	X
Toy Stores		X
Pushcarts, Subject to the		
Provisions of the		
Municipal Code Section	X	X
101.0560		
Residential Development in		
accordance with the guide-		
lines established herein	X	X
Travel Bureaus		X
Variety Stores	X	X
Video Sales and Rental,		

excluding Adult Videos and

Arcade Games

X

Any other uses 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 Ordinance.

The adopted resolution  
embodying such findings shall  
be filed in the office of  
the City Clerk.

X

X

Accessory uses as determined by  
the Planning Director to be  
appropriate in character and  
placement in relationship to a  
primary use. Such uses not to  
exceed 10 percent of the gross  
floor area of the primary use. X

X

Footnotes:

(1) Newly established businesses and expansions to  
existing businesses are to conform with the regulations

specified in Section 103.0712.B.10. as well as the regulations for the GH-CC zone.

(2) 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 or 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 101.0510.C.1.a., j., and n. and Section 101.0510.C.3.b., d., i., k., and m. 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.

(3) No more than ten percent (10%) of the gross floor area is to be utilized for the display of alcoholic beverages.

(4) Excluding the sale of used building materials, used appliances and used plumbing supplies.

(5) All repair work and storage of equipment is to be within an entirely enclosed building.

(6) May be conducted outdoors.

(7) Excluding the sale of all intoxicating beverages except beer and wine.

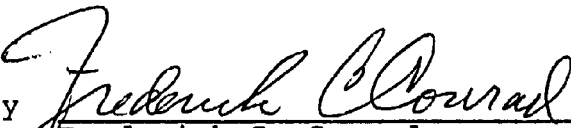
Section 3. Projects permitted under Golden Hill Planned District Permits, Planned Residential Development Permits, Planned Commercial Development Permits, or Conditional Use Permits approved prior to the effective date of this ordinance may develop in accordance with the provisions of the approved permit; provided, however, that any requested amendments to approved permits shall be subject to the provisions of this ordinance.

Section 4. Projects that are in either the Planned Residential Development Permit process or Planned Commercial Development Permit process on the effective date of this ordinance will automatically be converted to a Golden Hill Development Permit and will be subject to the regulations of the Planned District.

Section 5. Ordinance Nos. 0-12795, 0-15575 (N.S.), 0-17060 (N.S.), 0-17143 (N.S.) and 0-17269 (N.S.) are hereby repealed as they conflict herewith.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to October 17, 1989, the introduction date of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc  
10/03/89  
12/20/89 COR.CORY  
Or.Dept:Plan.  
O-90-56  
Form=o.none

OCT 30 1989

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Charles G. Abdelnour*, 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

OCT 17 1989

OCT 30 1989

....., and on .....

~~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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17382 Adopted .....

OCT 30 1989

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
89 NOV 17 AM 10:34  
SAN DIEGO, CALIF. *mt*

OFFICE OF THE CITY CLERK  
CITY ADM. BLDG.  
202 C STREET, SECOND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION  
7, OF THE SAN DIEGO MUNICIPAL CODE BY  
REPEALING SECTIONS 103.0700, et al . . .

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

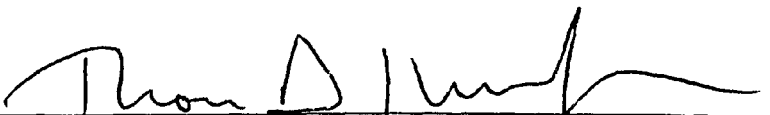
ORDINANCE NUMBER 0-17382 (NEW SERIES)

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:

NOV. 13

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

Dated at San Diego, California this 13 day of NOV. 89, 19\_\_\_\_\_.

  
(Signature)

**ORDINANCE NUMBER 0-17382 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 7, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 103.0700, 103.0701, 103.0702, 103.0703, 103.0704, 103.0705, 103.0706, 103.0707, 103.0707.1, 103.0708, 103.0708.1, 103.0708.2, 103.0708.3, 103.0708.4, 103.0708.5, 103.0709 AND 103.0710; AND BY ADDING SECTIONS 103.0701, 103.0702, 103.0704, 103.0705, 103.0708, 103.0707, 103.0708, 103.0709, 103.0710, 103.0711, 103.0712, 103.0713, 103.0714, 103.0715, 103.0716 AND 103.0717 RELATING TO THE GOLDEN HILL PLANNED DISTRICT.  
The ordinance reorganizes and rennumbers the provisions of the Municipal Code which regulate development within the Golden Hill Planned District.  
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 OCT 17 1989 Passed and adopted by the Council of the City of San Diego on OCT 30 1989  
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. Nov. 13 159500

2 1/2" x 2 = 56.16