

ORDINANCE NUMBER O- 17548 (NEW SERIES)

ADOPTED ON OCT 01 1990

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISION 22, ENTITLED SAN YSIDRO IMPLEMENTING
ORDINANCE AND BY ADDING SECTIONS 103.2201,
103.2202, 103.2203, 103.2204 AND 103.2205
RELATING TO THE SAN YSIDRO IMPLEMENTING
ORDINANCE.

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

Section 1. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by adding Division 22, entitled San Ysidro Implementing Ordinance, and Sections 103.2201, 103.2202, 103.2203, 103.2204 and 103.2205, to read as follows:

DIVISION 22

SAN YSIDRO IMPLEMENTING ORDINANCE

SEC. 103.2201 PURPOSE AND INTENT

It is the purpose of these regulations to provide reasonable development criteria for the construction or alteration of quality commercial and industrial development throughout the San Ysidro community. The intent is to implement the San Ysidro Community Plan through the use of the applied urban design standards contained in this implementing ordinance.

SEC. 103.2202 BOUNDARIES

This Division is specifically applied to areas designated on certain Map Drawing No. C-801, and described in the appended boundary description filed in the office of the City Clerk. (See Appendix B, Illustration 1, attached hereto.)

SEC. 103.2203 APPLICABLE REGULATIONS

A. GENERAL PROVISIONS

1. Where not otherwise specified in this Division 22, the provisions of Chapter X, Article 1, Divisions 1 through 8, 10, 11, 12 and 18, and Chapter X, Article 2, shall apply. All other provisions of Chapter X, Article 1, of the Municipal Code are superseded by the regulations set forth herein. Where there is a conflict between the provisions of Chapter X, Article 1, and the provisions of this Division, the provisions of this Division shall apply.

2. The Department of Building Inspection and/or Engineering and Development Department shall not issue any permit for the erection, construction, establishment, or enlargement of any structure or for the occupancy of any building or structure or for the grading, subdivision or street actions for any site shown on Map Drawing No. C-801 in the San Ysidro community until approval of the Planning Director has been

obtained by the applicant or owner in compliance with the development criteria contained herein. Applications for grading permits, tentative maps and street actions shall not be accepted unless concurrent application is made for a San Ysidro Development Permit and/or building permit, or until the Planning Director determines such action may proceed independent of said permits.

3. The Building Inspection Department may issue permits for tenant improvements and facade improvements that do not increase the square-foot floor area of the structure, without the approval of the Planning Department.

4. The fees for classification of use, variance, conditional use permit, subdivision, and change of street name shall be the same as set forth in Chapter X, Article 1, Division 2. The procedure for application of the above permits as well as the procedure for public notice and public hearing process shall be the same as set forth in Chapter X, Article 1, Division 2 and Division 5 of the Municipal Code.

5. Any change in use shall require landscaping, fencing, signage, outdoor storage enclosures, on-site parking where possible and a toxics disclosure statement where applicable, shall be the same as set forth in Chapter X,

Article 3, Division 17, Sections 103.1701 through Section 103.1708.

B. MINISTERIAL REVIEW

1. Applications for building permits for additions consisting of less than twenty-five percent (25%) of the gross square foot floor area of the existing structure for up to one thousand (1,000) square feet and attached to the existing structure, and one unit per lot residential development, shall be made pursuant to Section 91.02.0301 through Section 91.02.0304 to the Building Inspection Department and shall be reviewed by the Planning Department for conformance with the development standards of this Division.

2. Applications for variance to the development standards of this Division, for ministerial projects as defined above, shall be made pursuant to Sections 101.0500 through 101.0509 of the Municipal Code.

C. ADMINISTRATIVE REVIEW

1. For additions greater than twenty-five percent (25%) to less than fifty percent (50%) of the gross square foot floor area of an existing structure, commercial development less than 5,000 square feet and industrial development less than

7,000 square feet the ministerial review process may be followed as per Section 103.2203 B.

2. The Planning Director, or designated representative, may approve plans not in compliance with every development standard of this Division, for projects indicated above (Section 103.2203 C.), without an advertised public hearing if no potential environmental effects have been identified and the following findings of fact can be made:

a. The proposed project meets the purpose and intent of the zone, the community plan and the Progress Guide and General Plan for The City of San Diego;

b. The proposed project, 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;

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

d. There are special circumstances or conditions applying to the land or buildings, or a superior design can be achieved through alternative compliance.

3. The Planning Director, or designated representative, may require enhanced architectural treatments, or other site and building improvements in-lieu-of strict conformance with the standard development criteria of this Division.

D. DISCRETIONARY REVIEW

1. A San Ysidro Development Permit shall be required for:

a. Additions to structures greater than or equal to fifty percent (50%) of the existing gross square foot floor area.

b. Commercial development greater than or equal to 5,000 square feet of gross floor area.

c. Industrial development greater than or equal to 7,000 square feet of gross floor area.

d. Development of any project in the areas shown on Map Drawing No. C-801, sheet 2, with the exception of tenant improvements and facade improvements as per Section 103.2203 A.3.

e. Residential development greater than or equal to four units, after the expiration of the Interim Development Ordinance No. O-17286 (New Series).

f. Mixed use projects consisting of commercial and residential development.

2. Application, including fee/deposit schedule, notification and appeal procedures for a San Ysidro Development Permit shall be consistent with the Planned Residential Development Permit (Section 101.0901) for residential projects, with the Planned Commercial Development Permit (Section 101.0910) for commercial projects and with the Planned Industrial Development Permit (Section 101.0920) for industrial projects.

3. If the Planning Director determines that the application is complete and conforms with all City regulations, policies, guidelines, design standards and density, the Planning Director shall grant a San Ysidro Development Permit within 90 days if it is found from the evidence presented that environmental review has been completed in compliance with state and federal standards and regulations and all of the following facts exist:

a. The proposed use and project design meet the purpose and intent of this Division, comply with the recommendations of the San Ysidro Community Plan, and will not adversely affect the San Ysidro Community Plan, the General Plan or other applicable plans adopted by the City Council;

b. The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable;

c. The proposed use, 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

d. The proposed use will comply with the relevant regulations in this Code.

4. A San Ysidro Development Permit shall not be granted for the development of a site with existing Municipal Code violations or to an applicant cited for Municipal Code violations, until said violations are remedied.

5. Prior to the Planning Director taking action on any discretionary permit, copies of said application shall be forwarded and reviewed by the San Ysidro Community Planning Committee. The Community Planning Committee shall provide the Planning Director with a written recommendation on

said discretionary permit submittals within 30 days of receipt of the proposal. Recommendations to the Planning Commission and City Council shall be provided as required in a timely fashion.

6. The San Ysidro Community Planning Committee shall review discretionary permits in the manner established by Council Policy 600-24 which provides for community review of ongoing projects and plan implementation.

7. The Planning Director shall act within 90 days of initial completed project submittal provided the environmental review requirements can be met within said time period in compliance with state and federal standards and regulations. Other extensions of time may be provided at the request of the applicant.

8. On an individual project basis, the criteria of this ordinance may be increased or decreased if approved by the Planning Director at a noticed public hearing when one or more of the following situations is applicable: (1) due to special conditions, or exceptional characteristics of the property, or of its location or surroundings, strict interpretation of the criteria of this ordinance would result in unusual

difficulties or unnecessary hardship or would be inconsistent with the general purpose of this ordinance; or (2) a superior design can be achieved by altering the adopted standards; or (3) conformance with the "Guidelines for Discretionary Review" necessitates deviation from the adopted standards.

E. PUBLIC FACILITIES, STRUCTURES AND AREA

All public facilities, redevelopment projects, open spaces, streets, sidewalks, street furniture, street signs, lighting installations and other incidental structures or monuments shall conform to the purpose and intent of this Division, and shall be subject to the same regulations, conditions and standards established herein.

F. FENCING

All fences constructed on site shall be of wrought iron, wood, concrete or other masonry materials. Plant materials, including thorned species, may be used in lieu of fencing where appropriate. Plant material fencing shall be installed and maintained in accordance with the provisions of Section 101.0701 et seq. and the Landscape Technical Manual. All other applicable fence regulations of Section 101.0620 shall apply.

Chain-link fencing may be allowed according to Section 101.0620 regulations, and for temporary security of unsafe structures or sites.

G. NEIGHBORHOOD FOCUS

Additional focused development criteria are established per neighborhood/special district requirements as contained in Appendix C, page 2, attached hereto.

SEC. 103.2204 COMMERCIAL ZONE REGULATIONS - CSF, CSR AND CT

A. ZONES AND CATEGORIES

The development and use of land within the CSF, CSR, and CT Zones shall be regulated by the provisions set forth in the Municipal Code sections 103.1707 through 103.1708, except as otherwise stated herein. These zones shall apply as shown on Map Drawing No. C-801 (Appendix C, page 1, attached hereto).

B. PERMITTED USES

Permitted uses shall be those listed in Municipal Code section 103.1707 B., Appendix A, except as provided in Appendix A of this ordinance.

SEC. 103.2205 INDUSTRIAL ZONE REGULATIONS - I-1

The development and use of land within the I-1 Zone shall be regulated by the provisions set forth in Municipal Code section 103.1708 except as otherwise stated herein. These zones shall apply as shown on Map Drawing No. C-801 (Appendix C, page 1, attached hereto).

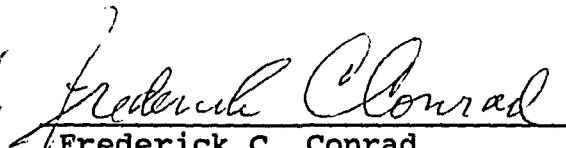
Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the

Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void within the Coastal Zone.

Section 3. In areas of the City of San Diego other than the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

Section 4. Within the Coastal Zone no permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
07/30/90
09/29/90 REV. 1
02/12/91 COR.COPY
Or.Dept:Plan.
0-91-15
Form=o.none

PERMITTED USES

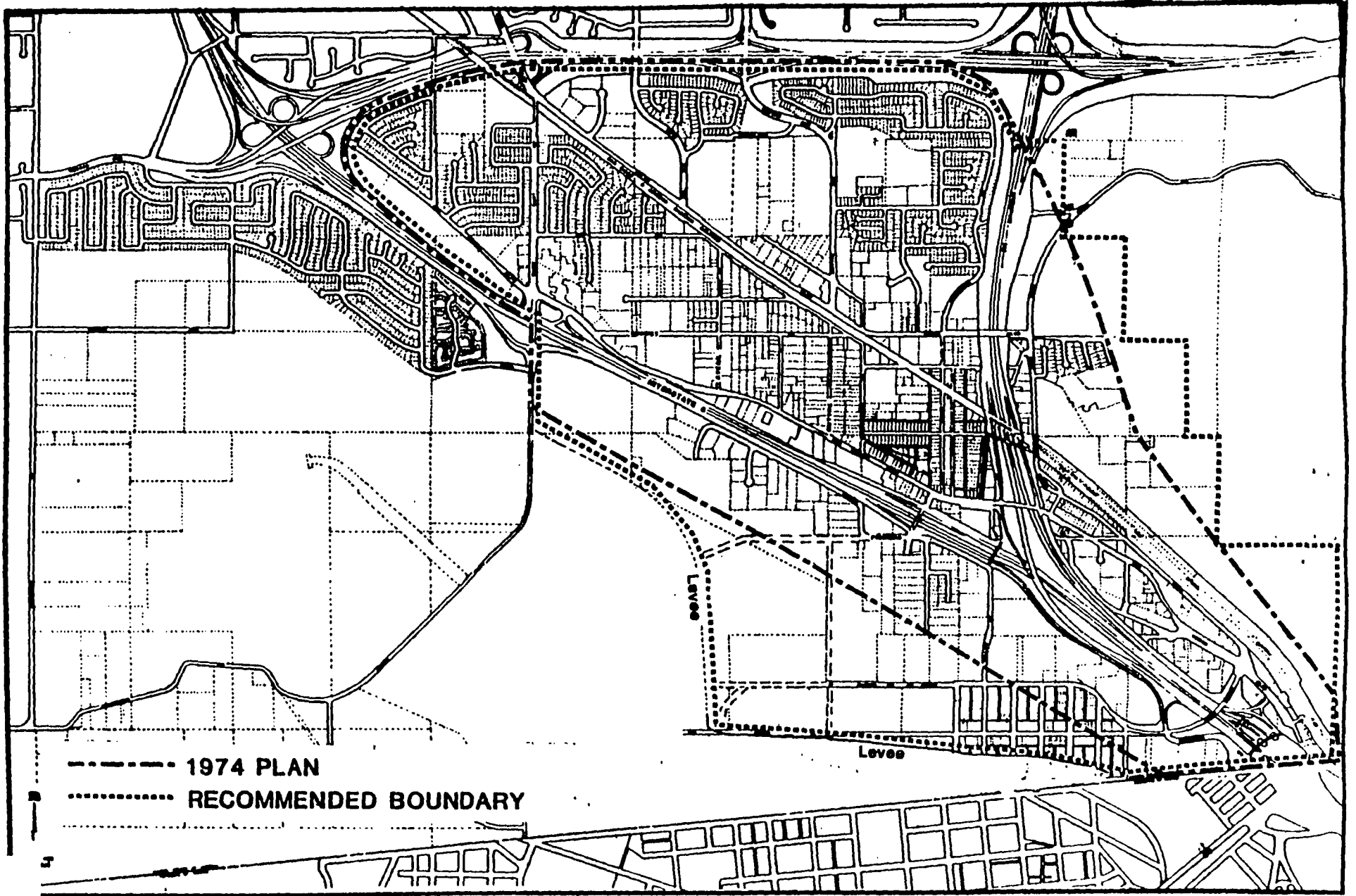
Legend: P = Permitted
 - = Not Permitted
 L = Subject to Limitations
 SP = Special Permit

Permitted Uses	<u>COMMERCIAL CATEGORIES</u>			<u>INDUSTRIAL ZONES</u>	<u>EXPLANATION OF "L" LIMITATIONS</u>
	<u>1</u>	<u>2</u>	<u>3</u>	<u>I-1</u>	
<u>Commercial</u>					
<u>Establishments engaged in the retail, wholesale, service or office uses for the following; unless otherwise indicated:</u>					
Antique shops	P	P			--
Automobile & truck sales, Rental agencies (usable vehicles only)	L	L		P	CT-2-3 only
Automobile wash establishments	P	L			CSF-3 only
Automobile Paint & Repair	SP			SP	CSF and CT Zones only
Business machine sales display & service	P	L			CSF-3 only
Catering services	P	P		P	--
Confectionaries	P	P	P	P	--
Dairy stores, including drive-ins	L	L	L		Drive-ins in CSF or CT Zones only
Dry cleaning establishments (no truck delivery of finished cleaning)	P	P	P	P	--
Dry cleaning & laundry agencies and Self-service dry cleaning & laundry establishments	P	P	P	P	--

0-27548

Permitted Uses	COMMERCIAL CATEGORIES			INDUSTRIAL ZONES	EXPLANATION OF "L" LIMITATIONS
	<u>1</u>	<u>2</u>	<u>3</u>	<u>I-1</u>	
Florist supplies		P	P	P	--
Food stores	P	P	P		--
Gymnasium and Health studios		P	P	P	--
Jewelry stores	P	P	P		--
Leather goods and Luggage shops		P	P		--
Mexican Insurance		L	L		See Appendix C, page 2 (C-801, Sheet 2)
Music stores, Video stores	P	P	P		--
Money Exchange		L	L		See Appendix C, Page 2 (C-801, Sheet 2)
Offices; business and professional (d)	P	P	P	P	--
Pharmacies	P	P	P		--
Photographic studios and retail outlets		P	P		--
Private clubs, Fraternal organizations and Lodges		SP	SP	SP	--
Public-Body operated buildings and uses		SP	SP	SP	--
Restaurants, drive-thru and drive-in		L			CSF or CT Zones only
Rug and carpet stores		P	P		--
Shoe stores	P	P	P		--
Sporting goods stores	P	P	P	P	--
Theaters		SP	SP		--
Variety stores		P	P		--

0-17548



----- 1974 PLAN
 RECOMMENDED BOUNDARY

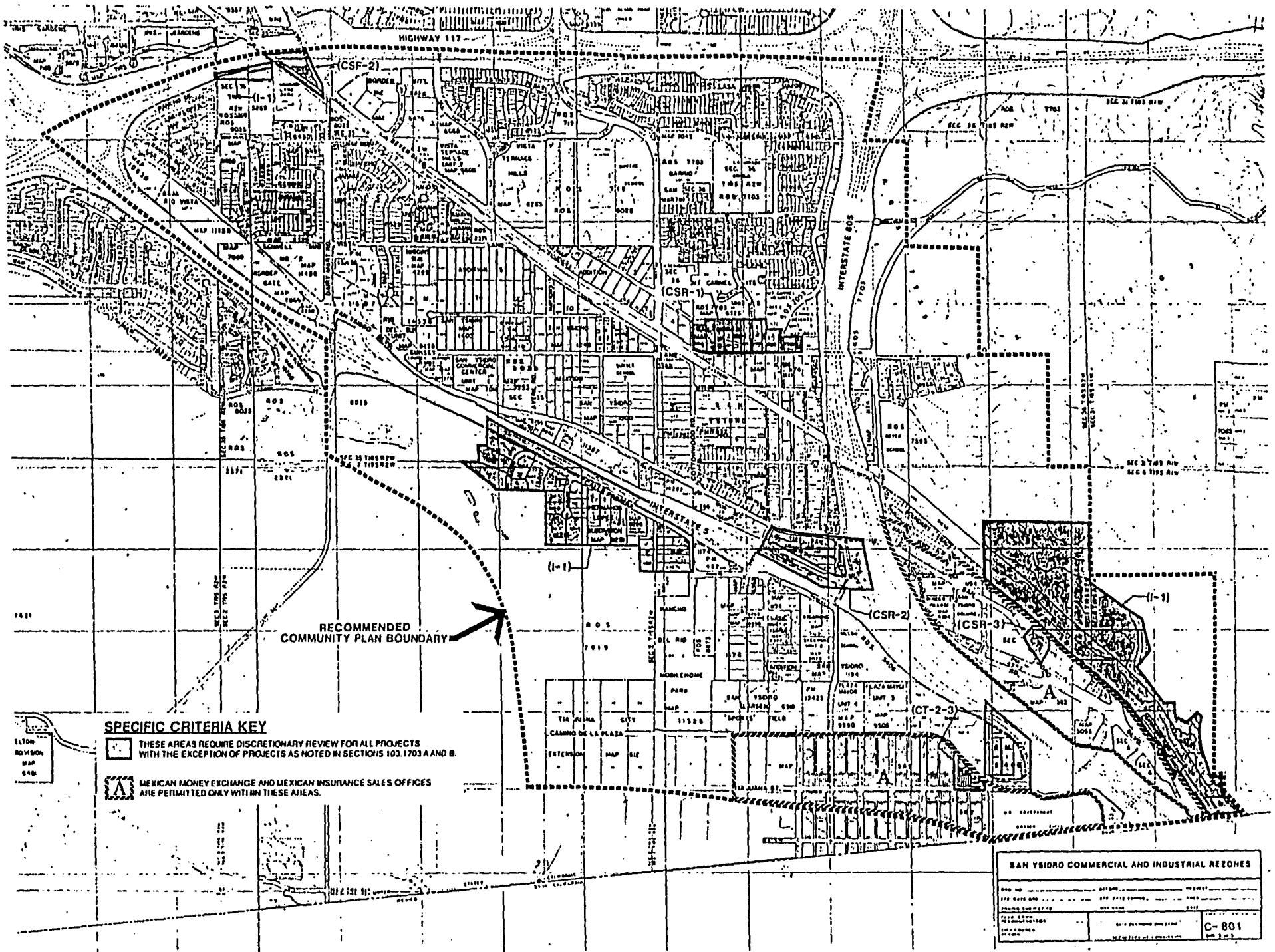
San Ysidro Community Plan Boundaries



SAN YSIDRO
Community Plan
 PLANNING DEPARTMENT
 CITY OF SAN DIEGO, CALIFORNIA

APPENDIX B
 ILLUSTRATION 1

0-1-18



8121-0

51A

OCT 01 1990

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Linda Luzano*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 18 1990, and on OCT 01 1990

~~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 *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	0-27548
Adopted	OCT 01 1990