

ORDINANCE NUMBER O- 17691
ADOPTED ON FEB 19 1991

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISIONS 4 AND 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0410 AND 101.0835, AND BY REPEALING SECTIONS 101.0411, 101.0412 AND 101.0413, ALL RELATING TO MULTI-FAMILY DESIGN REGULATIONS.

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

Section 1. That Chapter X, Article 1, Divisions 4 and 8, of the San Diego Municipal Code be and the same are hereby amended by amending Sections 101.0410 and 101.0835, to read as follows:

SEC. 101.0410 R ZONES (Multiple Family Residential)

A. PURPOSE AND INTENT

The R zones are primarily intended to provide for multiple family residential development at varying densities. The R zones shall be applied to be consistent with the Progress Guide and General Plan for The City of San Diego, the adopted community plan and other applicable plans.

The objective of these regulations is to encourage the animation of the residential streetscape by the presence of dwellings and pedestrian activity. In order to meet this objective, building articulation and

site design criteria are required. Building articulation is an essential ingredient of street level interest and human scale. The flexible envelope accommodates design diversity and building articulation, which controls the visual impact of bulk and scale of new development. Site design criteria diminishes the impact of the automobile and requires screening of service elements. These regulations are intended to eliminate arbitrary definitions of compatibility and to define the relationship of new projects to their neighborhoods.

This ordinance is intended to be applied on a City-wide basis, except in the Planned District Ordinance (PDO) areas.

- B. PERMITTED USES [No change.]
- C. ACCESSORY USE REGULATIONS [No change.]
- D. DISCRETIONARY PERMIT THRESHOLDS

A project which exceeds the number of dwelling units specified in 1. or 2. below or does not incorporate the minimum design requirements of this ordinance is required to obtain the appropriate discretionary permit for that area (i.e. PRD, PIRD, or Planning Director Permit).

1.	<u>Zone</u>	<u>No. of Units</u>
	R-3000	3
	R-2500	4
	R-2000	7
	R-1750	9
	R-1500	11
	R-1250	16
	R-1000	19

2. In the R-800, R-600, R-400 and R-200 Zones, any project which exceeds 20 units total. All discretionary permit review utilizes the requirements of the underlying zone as the basic criteria for that project.

Exception: Where a single large lot or group of large lots exist in a traditionally small lot neighborhood, the applicant may develop the large lot or lots in conformance with the existing pattern of small lot development for that neighborhood without obtaining a discretionary permit, except as required by the State Subdivision Map Act.

E. SIGN REGULATIONS [No change.]

F. DENSITY REGULATIONS [No change.]

G. MINIMUM LOT AREAS AND DIMENSIONS

1. Consolidation of lots resulting in a lot greater than 60 feet in width is not permitted in

C-17601

R-3000 and R-2500 zones except with the appropriate discretionary permit.

2. Minimum lot areas and dimensions required within the respective R zones shall be as shown in TABLE I, below:

TABLE I OF SECTION 101.0410

MINIMUM LOT AREAS AND DIMENSIONS, R ZONES

[No change in text of table.]

3. Exception. [No change.]

H. YARD REQUIREMENTS

1. Yard requirements for properties in the respective R zones shall be as shown in TABLE II, below:

a. [No change.]

b. Minimum Yard. The minimum front, interior side, street side and rear yard envelope may be used on a floor by floor basis along 50 percent of the lineal footage of that yard.

The use of the minimum yard is as shown in ILLUSTRATION "A" below.

[Place here: ILLUSTRATION "A" OF SECTION 101.0410, which is attached hereto and made a part hereof.]

TABLE II OF SECTION 101.0410

YARD REQUIREMENTS

	Standard Yard ^a	Minimum Yard ^b
Front		
R-1000 through R-3000	20 ^c	
R-200 through R-800	15 ^c	
R-1500 through R-3000		15 ^e
R-200 through R-1250		10 ^e
Interior Side	6 ^{dfg}	4 ^{dg}
Street Side	10	5 ^e
Rear -R-3000	4 ^d	0 ^d
Rear - All Other R Zones		
..... 4, if alley ^d		0 ^d
..... 15, if no alley ^d		10 ^d

(All dimensions are given in feet)

The R-200 and R-400 zones in the Centre City area are exempt from these Yard Requirements.

c. [No change.]

d. For every story and portion thereof, above two stories, the side yard setback envelope shall be as shown in ILLUSTRATION "B1" below.

[Place here: ILLUSTRATION "B1" OF SECTION 101.0410, Interior Side Yard Setback Envelope, which is attached hereto and made a part hereof.]

e. [No change.]

f. For lots which are less than 50 feet wide, the standard interior side yard requirement is 5 feet.

2. Exception. [No change.]

3. Permitted Yard Encroachments: The following are encroachments which are permitted to intrude into required yards: fireplace masses, chimneys, bay windows, utility enclosures and building-wall supported trellises. A freestanding utility structure is not a permitted encroachment.

Each permitted encroachment is limited in size to 1'-8" depth x 6'-0" width. Only one permitted encroachment per 50 lineal feet of front or rear yard is allowed. Two permitted encroachments are allowed in each side or street side yard, to be separated by a minimum of ten feet. A minimum three-foot side yard must be maintained at all permitted encroachments. No permitted encroachment may restrict required fire exit width and equipment clearance requirements.

4. Other applicable yard regulations are contained in Division 6 of this Article.

I. MAXIMUM BUILDING HEIGHTS, LOT COVERAGES, AND FLOOR AREA RATIOS (FAR)

1. [No change.]

2. In the R-1000 and less dense zones, building height in the front of the lot is limited per ILLUSTRATION "C" below. Sloped roofs, including arches, domes and other similar forms, dormers, gable end vertical walls, and open (at least 60%) balustrades are permitted intrusions into the angled setback but not into the minimum yard.

[Place here: ILLUSTRATION "C" OF SECTION 101.0410, Front Yard Building Envelope in R-1000 and Less Dense Zones, which is attached hereto and made a part hereof.]

3. The maximum lot coverages permitted in the R zones shall be as shown in TABLE III.

TABLE III OF SECTION 101.0410

MAXIMUM LOT COVERAGES AND FLOOR AREA RATIOS, R ZONES

[No change in text of table.]

*See subsection I.6. for an exception procedure.

4. Seventy-five percent of all residential units shall have a clearly defined private exterior usable space or spaces, adjoining and accessible to the unit, containing an aggregate of not less than 36 square feet in area per unit, with a minimum dimension of six feet.

One third of this requirement may be met by providing a common outdoor usable space or spaces, accessible to all units, containing an area not less than one third of the private exterior usable spaces required.

5. A street-facing exterior space or spaces (including but not limited to deck, balcony, porch), adjoining and accessible to a living unit, with a total area of not less than 72 square feet is required. This may count toward the private exterior useable space requirement in I.4. above. For the street-facing exterior space only, the minimum dimension may be 5 feet. Alternate compliance: A street-facing entry door and ten square feet of window or windows may be used in lieu of the street facing exterior space(s) requirement. "Street facing" is defined per the following ILLUSTRATION "C1" below.

[Place here: ILLUSTRATION "C1" OF SECTION 101.0410, Definition of "Street Facing" for Entry Door Alternative Only, which is attached hereto and made a part hereof.]

6. Exception procedure for maximum lot coverages.

a. There shall be no maximum lot coverage limit, provided:

- 1) [No change.]
- 2) That the building does not exceed 30 feet in height where there is a flat roof, or 40 feet in height where the roof is sloped toward the interior and/or street side yards and no plane of such a roof shall have a slope exceeding 45 degrees from horizontal. Dormers (as

defined in Section 101.0101.88) that are set into roof planes sloping toward interior or street side yards and that, in whole or in part, exceed 30 feet above grade shall have an aggregate width not exceeding 20 percent of the length of the roof plane in which located, measured at the eaves. Dormers that do not exceed 30 feet above grade or that are located in roof planes toward the front or rear yards are not restricted in width. Nothing herein shall be construed to require any particular roof or wall treatment of those portions of a structure other than those with roofs sloping towards the interior and/or street side yards.

(ILLUSTRATION "D" below.)

[Place here: ILLUSTRATION "D" OF SECTION 101.0410: Elevation of Building Envelope Abutting Side Yard, which is attached hereto and made a part hereof.]

b. through e. [No change.]

7. For all R zones, the basic floor area ratios shall be as shown in TABLE III and, with the exception of R-3000 Zone, shall be utilized only in accordance with the provisions of this paragraph. The R-3000 Zone shall not be subject

to the provisions of subparagraphs a through d,
following.

a. through c. [No change.]

d. [No change.]

J. ENCLOSURE REGULATIONS

1. [No change.]

2. All utilities, such as gas meters, electrical meters and panels, fire control panels, telephone, CATV panels, and similar devices shall be screened from public view. Landscape screening, as defined in the Landscape Ordinance may be used to meet this requirement. When in conflict with other applicable code regulations which require visibility, this requirement shall not apply.

3. All trash areas shall be screened from public view on all sides by a six-foot height solid wall or fence and shall not be located in the required front or street side yard. A chain link fence with slats does not qualify as a solid fence for this requirement, but may be utilized for the access gate.

4. [No change.]

K. LANDSCAPING REGULATIONS [No change.]

L. OFF-STREET PARKING AND DRIVEWAY REGULATIONS

[No change.]

M. SPECIAL REGULATIONS

1. and 2. [No change.]

3. Notwithstanding the provisions of paragraph "M.2.," above, the excepted lots referred to in paragraph "M.2." shall be subject to the following regulation relative to landscaping:

[No change to second paragraph under number 3.]

4. [No change.]

N. DESIGN REGULATIONS

The provisions of paragraph N, DESIGN REGULATIONS, shall apply to all structures other than a single-family house constructed on a multi-family zoned lot.

1. The front facade of any new structure which is the closest structure to the front property line shall contain a transparent glass window or windows with an aggregate area of at least 20 square feet, to a habitable space, for each unit that faces any street. Glass block may not be utilized to meet this requirement. At least 50 percent of each required window or windows must be visible from any point at five feet height along the front property line.

2. For a lot of 60 feet width or less, not more than two ten-foot wide garage doors or garage entries or a single 16-foot wide garage door or garage entry on the front facade shall be

permitted, except when that door accesses underground parking. For each additional 25 feet of street frontage property line an additional 10 feet maximum width garage door(s) or garage entry(ies) is permitted.

3. Any covered parking accessed from the street and in the front 30 percent of the lot shall be fully enclosed. Open carports in the front 30 percent of the lots are not permitted.

O. STORAGE AND PLACEMENT

1. Required Storage:

a. A minimum of 100 cubic feet per dwelling unit of secured storage space available only to the residents of the designated related dwelling unit and accessible from a common circulation area or garage shall be provided. This required storage may not be part of a habitable area. A wall-mounted cabinet or cabinets above 48" ht., located at the end of a garage parking space are permitted for this requirement.

b. Trash Area:

1) For 2-5 dwelling units, a minimum of six square feet of trash area per unit shall be provided.

2) For 6-10 units, a minimum of five square feet per unit shall be provided.

3) For 11-20 dwelling units, a minimum of four square feet per unit shall be provided.

4) In excess of 20 units, the trash area shall be per the required discretionary permit, but not less than three square feet per unit.

2. Permitted storage: Storage and placement of material and equipment outside a roofed, fully-enclosed, legally installed structure is permitted as follows, provided that there is no impediment to the growth and maintenance of required landscaping, and subject to all applicable fire, health, safety, litter, and building codes:

a. [No change.]

b. [No change.]

c. [No change.]

d. [No change.]

1) [No change.]

2) [No change.]

3) [No change.]

4) [No change.]

5) [No change.]

P. COASTAL ZONE REGULATIONS [No change.]

[No change in text of first two paragraphs.]

1. through 3. [No change.]

4. [No change in text of first paragraph.]

Curb Cuts. New curb cuts shall not be permitted and existing curb cuts shall be removed where safe and efficient access is available from an abutting alley. Where alley access is not available or where access from an abutting alley would be precluded by the proposed retention of an existing residential development, one (1) curb cut may be permitted.

Q. WORKABILITY REVIEW

The ordinance amending Sections 101.0410 and 101.0835, all relating to multifamily design regulations, is to be reviewed for modifications proposed, eighteen (18) months after the adoption date of the ordinance.

SEC. 101.0835 MULTI-FAMILY PARKING

A. through C. [No change.]

D. RESIDENTIAL PARKING REQUIREMENTS.

1. [No change.]

2. [No change.]

a. through e. [No change.]

f. Basic Minimum Off-Street Parking Requirement. Notwithstanding the provisions of Paragraphs D.2.a., D.2.b. and D.2.c.

above, the minimum total parking requirements for projects as a whole shall not be less than that obtained from the following calculations:

(1) and (2) [No change.]

g. [No change.]

E. SHARED PARKING [No change.]

F. TECHNICAL COMPLIANCE

1. through 3. [No change.]

4. Parking spaces which are not underground or are not above the first floor shall maintain a minimum twenty-foot setback from the adjacent improved front sidewalk or, if there is no sidewalk, from the front property line (ILLUSTRATION "A").

Exception: [No change.]

5. [No change.]

6. Bicycle space sizes shall be determined by the size of the bicycle security storage product used.

G. ACCESS

1. Where a property is served by an improved alley, at least two-thirds of the required automobile parking shall be accessed from the alley or shall qualify as underground parking with through circulation between the alley and the street.

2. If the alley is located adjacent to the side property line of the subject property, this requirement is in effect.

3. Exceptions:

a. For rear yard alley access, when the existing grade elevation at the rear of the property is at least four feet higher than at the front property line, this requirement is not in effect.

b. For the R-3000 zone only, alley access is required for not less than 50 percent of all required on-site parking.

H. DRIVEWAY WIDTH

1. For street driveway access, there shall be a twelve foot minimum and an eighteen foot maximum permitted driveway width as measured at the front street property line and, if a corner lot, at the street side property line.

2. When redevelopment or rehabilitation occurs, existing driveways shall be modified or eliminated to conform to this Section.

Section 2. That Chapter X, Article 1, Division 4, of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 101.0411, 101.0412 and 101.0413.

Section 3. 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

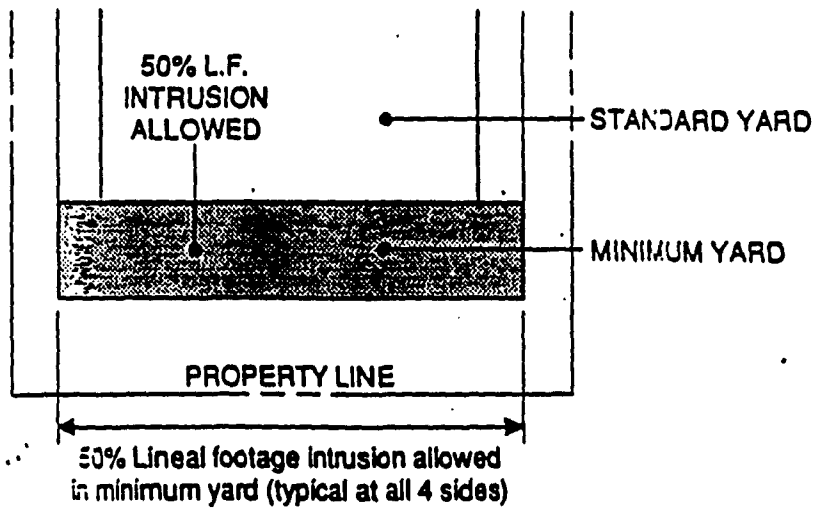


ILLUSTRATION "A" OF SECTION 101.041C

O-17601

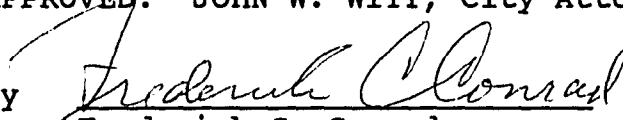
Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions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

Section 4. 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 5. 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.

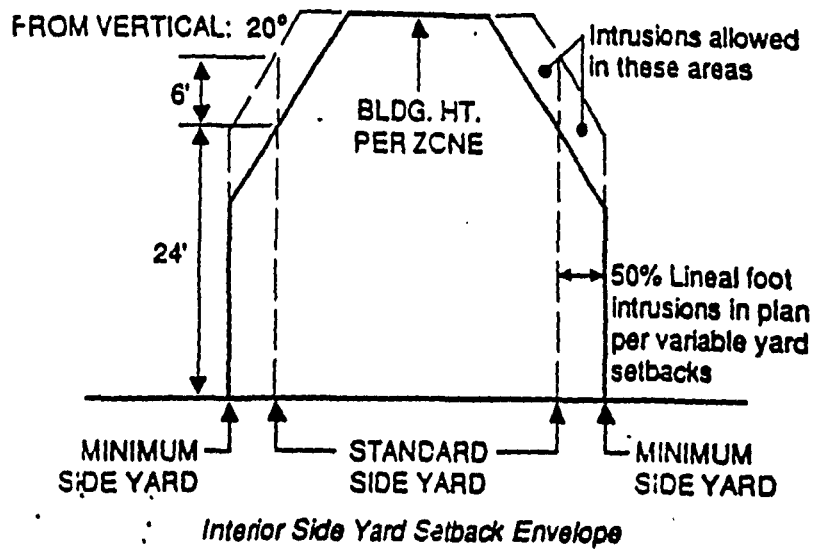
APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

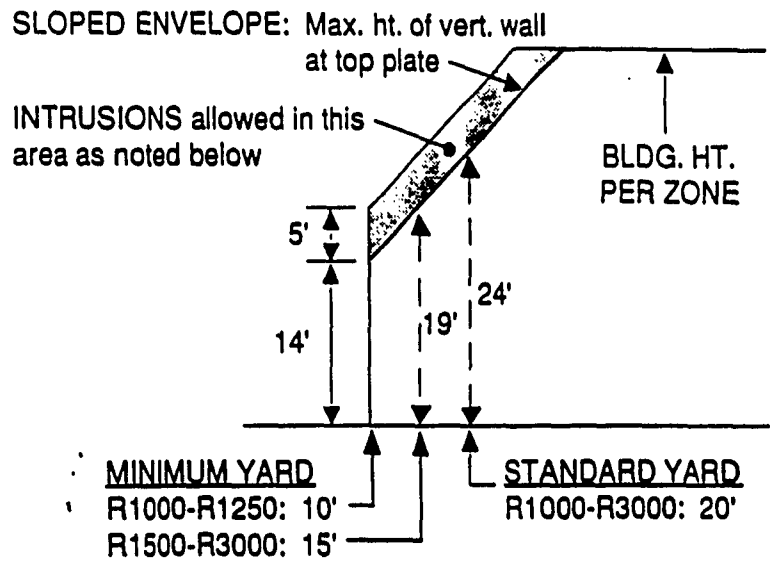
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02/08/91 REV. 3
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For the side yard only, up to two 12' wide maximum dormers, at least 8 feet apart are permitted intrusions, together with 60% open balustrades. Chimneys and vents are permitted as required by code.

ILLUSTRATION "B1" OF SECTION 101.0410

Interior Side Yard Setback Envelope



INTRUSIONS ALLOWED: Sloped roofs, dormers, open (60% minimum) balustrades, gable end vertical walls (chimneys and vents per code)

ILLUSTRATION "C" OF SECTION 101.0410

**Front Yard Building Envelope
In R-1000 and Less Dense Zones**

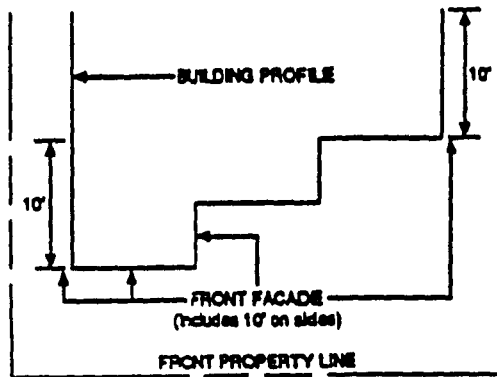


ILLUSTRATION "C1" OF SECTION 101.0410

Definition of "Street Facing" for
Entry Door Alternative Only

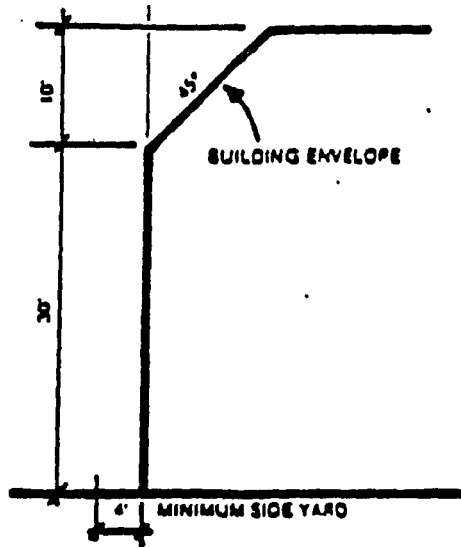


ILLUSTRATION "E" "D" OF SECTION 101.0410

Elevation of Building
Envelope Abutting Side Yard

O-17601

#50

Passed and adopted by the Council of The City of San Diego on FEB 19 1991
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By  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

FEB 04 1991

FEB 19 1991

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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17601

Adopted FEB 19 1991

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
91 MAR 11 AM 9:44
SAN DIEGO, CALIF.

CITY CLERK'S OFFICE
CITY ADMN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4 AND 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0410 AND 101.0835, AND BY REPEALING SECTIONS 101.0411, 101.0412, AND 101.0413...

**CITY ATTORNEY DIGEST
ORDINANCE NUMBER 0-17601 (NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISIONS 4 AND 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 101.0410 AND 101.0835, AND BY REPEALING SECTIONS 101.0411, 101.0412 AND 101.0413, ALL RELATING TO MULTI-FAMILY DESIGN REGULATIONS.

This ordinance amends the Municipal Code by revising the multi-family structure development regulations. A project that exceeds specified thresholds, based on the zone applicable to the property, would require that a discretionary permit be obtained prior to development. The consolidation of lots to create a project site with a width greater than 60 feet is not permitted in the R-3000 and R-2500 zones unless a discretionary permit is obtained. Yard requirements are revised and provision is made for encroachments into the specified yards. Private exterior usable space adjoining and accessible to each unit is required. Enclosure regulations are added which relate to the enclosure of utility meters and panels and trash enclosures. Design regulations are added which affect the structures and placement of doors and windows. The number, size and location of garage doors and entries is regulated. Storage facilities are required for each unit. Property which is served by an alley must provide at least two-thirds of the required parking to be located so that it is accessible from the alley.

Since these regulations apply City-wide, Municipal Code sections 101.0411, 101.0412 and 101.0413, which apply to specific neighborhoods are no longer needed, therefore, they are being repealed.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, Second Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON February 4, 1991
Passed and Adopted by the Council of The City of San Diego on February 18, 1991

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA

(SEAL)

By SUZANNE OLIVA, Deputy

Pub. March 5

214225

I, Thomas D. Kelleher, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the


CITY ATTORNEY DIGEST ORDINANCE NUMBER 0-17601
(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:

MAR. 5

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

Dated at San Diego, California this 5TH day of MAR, 19 91.


(Signature)

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