

(0-91-171)

**17653**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

ADOPTED ON JUN 10 1991

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,  
DIVISION 4, OF THE CITY OF SAN DIEGO  
MUNICIPAL CODE BY ADDING SECTION 101.0435.3  
RELATING TO THE M-SI (MANUFACTURING - SMALL  
INDUSTRY) ZONE.

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

Section 1. That Chapter X, Article 1, Division 4, of The City of San Diego Municipal Code be and it is hereby amended by adding Section 101.0435.3, M-SI (Manufacturing - Small Industry) Zone, to read as follows:

**101.0435.3 M-SI (Manufacturing - Small Industry) Zone**

A. PURPOSE AND INTENT

The M-SI zone is intended to apply where all of the following conditions apply:

1. The area is defined as "Urbanized" in The City of San Diego Progress Guide and General Plan; and
2. The Community Plan designates the area for industrial use; and
3. The retention or development of small-to-medium sized industry is desired; and
4. The M-1B (San Diego Municipal Code section 101.0435.2) and other industrial zones

would be inappropriate due to existing lot sizes or development patterns; and,

5. Incidental commercial use is appropriate, although the zone is intended to remain predominantly industrial.

B. PERMITTED USES

No building or improvement, or portion thereof, shall be altered, constructed, converted, demolished, erected, established, or enlarged, nor shall any premises be uses except for one or more of the following purposes:

1. Any industrial or commercial use permitted in the M-1B zone (San Diego Municipal Code section 101.0435.2).

2. The following uses:

- a. Automobile towing
- b. Automobile and truck wash establishments
- c. Cleaning and dyeing works
- d. Feed stores
- e. Florists with up to 1500 square feet gross floor area if on the same premises with a nursery having 20,000 square feet or more outdoor display area
- f. Hardware stores
- g. Laundries and dry cleaning plants (no self-service laundromats)

- h. Lithography shops
- i. Locksmiths
- j. Moving and household storage

facilities

- k. Newspaper plants
- l. Plumbing shops
- m. Radio and TV broadcasting studios
- n. Radio, TV, and home appliance

repair shops

- o. Recording studios and rehearsal

halls

- p. Storage garages
- q. Studios for teaching art, dancing

and music

- r. Tire sales, repair and recapping

establishments

- s. Trade and business schools
- t. Trailer sales and rental agencies
- u. Transportation terminals
- v. Travel agencies

3. Retail sale of any products permitted for retail sale in the M-1A (San Diego Municipal Code section 101.0436) or C (San Diego Municipal Code section 101.0432) zones, by an establishment engaged in the on-site manufacturing, warehousing, or wholesale distribution of those products, provided that the floor area utilized for retail

purposes does not exceed 25 percent of the total floor area on site, with the remaining 75 percent utilized for manufacturing, warehousing, or wholesale distribution of the same products.

4. The following commercial uses may operate as an accessory use to a use permitted by subsection B.1., above, or may be operated independently in order to provide services to the surrounding industrial employers and their employees:

a. Convenience stores (including convenience stores with delicatessens or otherwise providing on-site or take-out food service) where the public area (including any floor area not completely separated from the public by floor-to-ceiling partitions) does not exceed 1,000 square feet. Outdoor seating area is also included in the calculation of public area. Drive-in and drive-through facilities are not permitted.

b. Restaurants with no more than 1,000 square feet of combined indoor and outdoor seating area, with no drive-in or drive-through facilities.

c. Recreational facilities not exceeding 2,500 square feet of gross floor

area and 2,500 square feet of outdoor recreational use area.

Only one of each accessory use listed above is permitted per premises. If a restaurant and convenience store are combined as one operation, or are not separated by floor-to-ceiling partitions, the total food-service seating area (indoor and outdoor) on the premises may not exceed 1,000 square feet. Permitted area may not be exchanged between recreational facility, convenience store, and restaurant allocations (e.g., if the restaurant has only 300 square feet of seating area, the convenience store may not be expanded by 700 square feet).

Exceptions to the operational and size limitations specified above may be granted for facilities incorporated in a planned industrial development (San Diego Municipal Code section 101.0920).

5. The Planning Commission may approve any other use it finds to be (1) similar in character to other uses allowed in this zone, and (2) consistent with the purpose and intent of this zone. The Planning Commission's resolution approving such a use shall be filed with the City Clerk.

C. PROPERTY DEVELOPMENT REGULATIONS

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot premises be used unless the lot or premises and buildings comply with the following regulations and standards:

1. The minimum lot dimensions shall be:
  - a. Area: 10,000 square feet.
  - b. Street frontage: 75 feet.
  - c. Width: 75 feet.
  - d. Depth: 100 feet.
  - e. Exception: Any lot which qualifies under the definition of the term "lot" as set forth in San Diego Municipal Code section 101.0101.34 and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to the M-SI zone.

2. The minimum yards shall be:

- a. Front: 10 feet.
- b. Side:

(1) Street: 10 feet for lots or premises with a width of 100 feet or greater; 10 percent of lot/premises width for narrower lots or premises, but not less than 5 feet.

(2) Interior and rear: no interior side or rear yard is required, except as follows:

(a) A 10-foot interior side yard shall be provided when any portion of the interior side lot line abuts residentially zoned property.

(b) A 15-foot rear yard shall be provided when any portion of the rear lot line abuts residentially zoned property.

(c) The minimums specified above shall be increased by 3 feet for each additional 10-foot increment (or any remaining increment) in height of a structure exceeding 20 feet in height.

3. Maximum floor area ratio: 2.0.

4. Maximum lot coverage: 75 percent.

5. Landscaping shall be provided according to the requirements of the City-Wide Landscape Regulations. For purposes of calculating landscape requirements, the M-SI zone shall be considered equivalent to the M-1 (San Diego Municipal Code section 101.0437), M-1A (San Diego Municipal Code section 101.0437), M-1B (San Diego Municipal Code section 101.0436), M-1B (San Diego

Municipal Code section 101.0435.2), M-2 (San Diego Municipal Code section 101.0441), and M-2A (San Diego Municipal Code section 101.0440) zones. Landscaping for commercial uses and business and professional office uses shall be provided according to the requirements of the City-Wide Landscape Regulations for such uses in industrial zones.

6. Screening shall be provided according to the requirements of the M-1B (San Diego Municipal Code section 101.0435.2, subsection C.2.) zone. In addition, the following provisions shall apply:

a. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered or enlarged on the roof of any building (1) unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers, and latticework and (2) unless all such equipment and appurtenances comply with permit, inspection and approval requirements of San Diego Municipal Code section 91.0301 et seq.

b. No merchandise, material, or equipment shall be stored on the roof of any



building. This limitation does not apply to operable vehicles parked on the top level of a parking structure.

D. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in subsection B. above shall be provided with a minimum of one parking space for each 800 square feet of gross floor area on the same lot of premises as the use it serves, except as provided in a parking assessment district established according to San Diego Municipal Code section 101.0809.

2. Off-street parking requirements shall not apply to structural modifications of buildings which were constructed before JUN 10 1991 (Clerk to insert date of adoption of this ordinance), (1) where there is a change of use and no building permit other than for tenant improvements is required, or (2) where there is no increase in gross floor area. In no case, however, shall off-street parking be reduced below existing levels.

3. No driveway shall exceed a width of 25 feet as measured at a street property line, or within a required front or street-side yard. There shall be no less than 45 feet measured at

the property line between driveways serving the same premises.

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, any project, meeting either of the criteria set forth below, and submitted prior to May 28, 1991 shall be exempt from the provisions of this ordinance.

A. Any project for which plans have been submitted to the Building Inspection Department of The City of San Diego, which plans comply with the minimum requirement as established by the Building Inspection Department.

B. Any project for which plans have been submitted for a discretionary permit (or permits) subject to Chapter X of this Code; provided, however, that all plans submitted to the Building Inspection Department shall be consistent with the approved discretionary permit or permits.

Section 4. Within the Coastal Zone, no permits for development inconsistent with the provisions of this ordinance

shall be issued after the date on which this ordinance becomes effective within the Coastal Zone, as specified in Section 1 of this ordinance, unless an application for a Coastal Development Permit was made prior to May 28, 1991.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad  
Chief Deputy City Attorney

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Or.Dept:Plan.  
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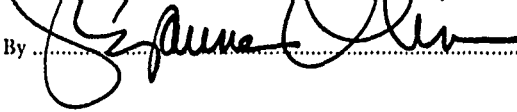
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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  , Deputy.

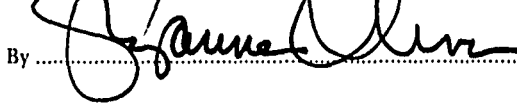
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on **MAY 28 1991**, and on **JUN 10 1991**

~~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  , Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-17653** Adopted **JUN 10 1991**

Number ..... Adopted.....

JUN 10 1991

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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  , Deputy.

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MAY 28 1991

JUN 10 1991

~~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  , Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17653 Adopted JUN 10 1991

RECEIVED  
CITY CLERK'S OFFICE

91 MAY 17 PM 4: 19

SAN DIEGO, CALIF.

MAY 17 1991

MAY 17 1991

MAY 17 1991

MAY 17

CERTIFICATE OF PUBLICATION

RECEIVED  
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91 JUN 27 AM 9:37  
SAN DIEGO, CALIF.

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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, OF THE SAN DIEGO...

**ORDINANCE NUMBER O-17653 (NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0435.3 RELATING TO THE M-SI (MANUFACTURING - SMALL INDUSTRY) ZONE.**

This ordinance amends the Municipal Code by adding Section 101.0435.3, M-SI (Manufacturing - Small Industry). This zone is intended to be applied in areas of the City which are within "urbanized" communities, designated for industrial use and where retention and development of small to medium sized industry is desired, and where the existing lot sizes and development pattern is inconsistent with the provisions of other industrial zones which require larger minimum lot sizes. The uses permitted in this zone area are: those permitted in the M-1B zone (Municipal Code section 101.0433.2); retail sales of products permitted in the M-1A zone (Municipal Code section 101.0436) and C zone (Municipal Code section 101.0432) provided the establishment is engaged in manufacturing, warehousing or wholesaling on the premises; and additional industrial and commercial uses subject to specific limitations on the size and location of such uses. The minimum lot size within this zone is 10,000 square feet, the maximum floor area ratio is 2.0 and the maximum lot coverage is 75 percent.

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, 202 "C" Street, San Diego, CA 92101.  
INTRODUCED ON May 28, 1991 Passed and Adopted by the Council of the City of San Diego on June 10, 1991.

AUTHENTICATED BY:  
MARUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLE G. ABDELNOUR  
City Clerk of The City of San Diego, CA  
By SUZANNE OLIVA, Deputy  
224164

Pub. June 24

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

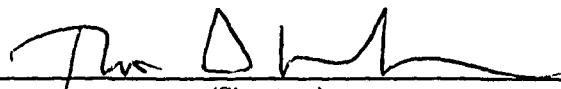
ORDINANCE NUMBER O-17653- (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

JUNE 24

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

Dated at San Diego, California this 24<sup>TH</sup> day of JUNE, 19 91.

  
(Signature)

PAGE 1 of 1 6" = 75.24