

ORDINANCE NUMBER O- 1980 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 13 2008

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY REPEALING CHAPTER 9, ARTICLE 5, DIVISION 1, SECTIONS 95.0101, 95.0102, 95.0103, 95.0104, 95.0105, 95.0106, 95.0107, 95.0108, 95.0109, 95.0110, 95.0111, 95.0112, 95.0113, 95.0114, 95.0115, 95.0116, 95.0117, 95.0131, 95.0132, 95.0133, 95.0134, 95.0135, 95.0136, 95.0137, 95.0138, AND 95.0139; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2, BY AMENDING SECTION 131.0222; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 3, BY AMENDING SECTION 131.0322; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4, BY AMENDING SECTION 131.0422; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5, BY AMENDING SECTION 131.0522; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6, BY AMENDING SECTION 131.0622; BY AMENDING CHAPTER 14, ARTICLE 1, DIVISION 11, BY RENUMBERING CURRENT SECTIONS 141.1101, 141.1102, AND 141.1103 TO NEW SECTIONS 141.1104, 141.1105, AND 141.1106, RESPECTIVELY, BY ADDING A NEW SECTION 141.1101, BY RENUMBERING AND AMENDING CURRENT SECTION 141.1104 TO NEW SECTION 141.1102, AND BY RENUMBERING CURRENT SECTION 141.1105 TO NEW SECTION 141.1103; BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 12 BY AMENDING SECTIONS 142.1210 AND 142.1260, ALL RELATED TO THE LAND DEVELOPMENT CODE.

WHEREAS, the 6th Update to the Land Development Code [LDC] is part of the code monitoring program directed by the Mayor and City Council as part of the adoption of the LDC effective January, 2000; and

WHEREAS, the 6th Update project is divided into seven issue categories including: Measurement, Permit Process, Landscape, Parking, Signs, Compliance with State Law, and minor corrections, a total of fifty-one issues; and

WHEREAS, the fifty-one issues have been identified as amendments necessary to clarify existing regulations or to address inconsistencies, as well as assisting to streamline existing processes and better meet existing policies; and

WHEREAS, amendments to the City's sign regulations are necessary to avoid duplicate provisions and clarify existing regulations; NOW, THEREFORE

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

Section 1. That the San Diego Municipal Code is amended by repealing Chapter 9, Article 5, Division 1, Sections 95.0101, 95.0102, 95.0103, 95.0104, 95.0105, 95.0106, 95.0107, 95.0108, 95.0109, 95.0110, 95.0111, 95.0112, 95.0113, 95.0114, 95.0115, 95.0116, 95.0117, 95.0131, 95.0132, 95.0133, 95.0134, 95.0135, 95.0136, 95.0137, 95.0138, and 95.0139.

Section 2. That the San Diego Municipal Code is amended by amending Chapter 13, Article 1, Division 2, Section 131.0222 to read as follows:

§131.0222 Use Regulations Table for Open Space Zones

[No change.]

**Table 131-02B
Use Regulations Table of Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones					
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹²⁾ -
	3rd >>		1-	2-	1-	1-		1-
	4th >>		1	1	1	1	2	1
Open Space through Industrial [No change.]								
Signs								
Allowable Signs			P	P	P	P	P	P
Separately Regulated Signs Uses:								
Community Entry Signs			-	-	-	-	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹²⁾ -
	3rd >>	1-	2-	1-	1-		1-
	4th >>	1	1	1	1	2	1
Neighborhood Identification Signs		-	-	-	-	-	-
Reallocation of Sign Area Allowance		-	-	-	-	-	-
Revolving Projecting Signs		-	-	-	-	-	-
Signs with Automatic Changing Copy		-	-	-	-	-	-
Theater Marquees		-	-	-	-	-	-

[No change in Footnotes.]

Section 3. That the San Diego Municipal Code is amended by amending Chapter 13, Article 1, Division 3, Section 131.0322 to read as follows:

§131.0322 Use Regulations Table for Agricultural Zones

[No change.]

**Table 131-03B
Use Regulations Table of Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Open Space through Industrial [No change.]					
Signs					
Allowable Signs		L		L	
Separately Regulated Signs Uses					
Community Entry Signs		L		L	
Neighborhood Identification Signs		N		N	
Reallocation of Sign Area Allowance		-		-	
Revolving Projecting Signs		-		-	
Signs with Automatic Changing Copy		-		-	
Theater Marquees		-		-	

[No change in Footnotes.]

Section 4. That the San Diego Municipal Code is amended by amending Chapter 13, Article 1, Division 4, Section 131.0422 to read as follows:

§131.0422 Use Regulations Table for Residential Zones

[No change.]

**Table 131-04B
Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																				
	1st & 2nd >>	RE-	RS-												RX-		RT-						
		3rd >>	1-	1-												1-	1-						
		4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2

Open Space through Industrial [No change.]

<i>Signs</i>																								
Allowable Signs																								
P		P												P		P								
Separately Regulated Signs Uses																								
Community Entry Signs																								
L		L												L		L								
Neighborhood Identification Signs																								
N		N												N		N								
Reallocation of Sign Area Allowance																								
-		-												-		-								
Revolving Projecting Signs																								
-		-												-		-								
Signs with Automatic Changing Copy																								
-		-												-		-								
Theater Marquees																								
-		-												-		-								

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones												
	1st & 2nd >>	RM-													
		3rd >>	1-			2-			3-			4-		5-	
		4th >>	1	2	3	4	5	6	7	8	9	10	11	12	

Open Space through Industrial [No change.]

<i>Signs</i>														
Allowable Signs														
P			P			P			P			P		
Separately Regulated Signs Uses														
Community Entry Signs														
L			L			L			L			L		

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Neighborhood Identification Signs		N			N			N			N		N
Reallocation of Sign Area Allowance		-			-			-			-		-
Revolving Projecting Signs		-			-			-			-		-
Signs with Automatic Changing Copy		-			-			-			-		-
Theater Marquees		-			-			-			-		-

[No change in Footnotes.]

Section 5. That the San Diego Municipal Code is amended by amending Chapter 13, Article 1, Division 5, Section 131.0522 to read as follows:

§131.0522 Use Regulations Table of Commercial Zones

[No change.]

**Table 131-05B
Use Regulations Table for Commercial Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	CN ⁽¹⁾			CR-		CO-		CV-		CP-		
	3rd >>	1-			1-	2-	1-		1-		1-		
	4th >>	1	2	3	1	1	1	2	1	2	1		
Open Space													
Signs													
Allowable Signs		P			P	P	P		P		P		
Separately Regulated Signs Uses													
Community Entry Signs		L			L	L	L		L		L		
Neighborhood Identification Signs		-			-	-	-		-		-		
Reallocation of Sign Area Allowance		N			N	N	N		N		N		
Revolving Projecting Signs		N			N	N	N		N		N		
Signs with Automatic Changing Copy		N			N	N	N		N		N		
Theater Marquees		-			N	N	-		N		-		

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
	1st & 2nd >>	CC-																	
	3rd >>	1-			2-			3-			4-			5-					
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Open Space																			
Signs																			
Allowable Signs		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Separately Regulated Signs Uses																			
Community Entry Signs		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Neighborhood Identification Signs		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reallocation of Sign Area Allowance		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Revolving Projecting Signs		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Signs with Automatic Changing Copy		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Theater Marquees		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

[No change in Footnotes.]

Section 6. That the San Diego Municipal Code is amended by amending Chapter 13, Article 1, Division 6, Section 131.0622 to read as follows:

§131.0622 Use Regulations Table for Industrial Zones

[No change.]

**Table 131-06B
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones								
	1st & 2nd >>	IP-			IL-			IH-		IS-
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-	
	4th >>	1	1	1	1	1	1	1	1	
Open Space										
Signs										

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones								
	1st & 2nd >>	IP-		IL-			IH-		IS-	
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-	
	4th >>	1	1	1	1	1	1	1	1	
Allowable Signs	P	P	P	P	P	P	P	P	P	
Separately Regulated Signs Uses										
Community Entry Signs	L	L	L	L	L	L	L	L	L	
Neighborhood Identification Signs	-	-	-	-	-	-	-	-	-	
Reallocation of Sign Area Allowance	N	N	N	N	N	N	N	N	N	
Revolving Projecting Signs	N	N	N	N	N	N	N	N	N	
Signs with Automatic Changing Copy	N	N	N	N	N	N	N	N	N	
Theater Marquees	-	-	-	N	N	-	-	-	-	

[No change in Footnotes.]

Section 7. That the San Diego Municipal Code is amended by amending Chapter 14, Article 1, Division 11, by renumbering current Sections 141.1101, 141.1102, and 141.1103 to new Sections 141.1104, 141.1105, and 141.1106, respectively, by adding a new Section 141.1101, by renumbering and amending current Section 141.1104 to new Section 141.1102, and by renumbering current Section 141.1105 to new Section 141.1103 to read as follows:

§141.1101 Community Entry Signs

Community entry *signs* are used by local communities to identify community area limits. Community entry *signs* may be permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Application shall be made by a recognized group, such as a Town Council, Civic Association, or Community Planning Committee, affiliated with a community with an adopted *land use plan*.
- (b) No more than one *sign* shall be installed on each major approach to the community, with no more than four *signs* in total for the community.
- (c) Community entry *signs* may be located within the *public right-of-way*. Where located on private property, the *sign* shall be located within 12 feet of the *public right-of-way*.
- (d) The *signs* shall be ground-mounted and stationary.
- (e) The *applicant* shall demonstrate to the satisfaction of the City Engineer that the proposed community entry *sign* would not impede sight distance for drivers or pedestrians.
- (f) An Encroachment Maintenance and Removal Agreement shall be processed for the community entry *sign* in accordance with Section 129.0715.

§141.1102 Neighborhood Identification Signs

Neighborhood identification *signs* are *signs* that are typically located at the entrances of subdivisions or neighborhoods. Neighborhood identification *signs* may be permitted with a Neighborhood Use Permit in the zones indicated with an

“N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) No more than one *sign* shall be permitted at an entrance to a subdivision or neighborhood, with no more than four *signs* in total for a neighborhood area.
- (b) Neighborhood area identification *signs* shall be located on private property and shall be set back a minimum of 6 feet from the *public right-of-way*. The *applicant* shall demonstrate to the satisfaction of the City Engineer that the proposed neighborhood identification *sign* would not impede sight distance for drivers or pedestrians.
- (c) Neighborhood area identification *signs* shall be designed as *ground signs* with a maximum height of 6 feet and a maximum *sign copy area* of 20 square feet.
- (d) The information on the *signs* shall be limited to the identification of the neighborhood area. Directional, commercial, or institutionally oriented information is not permitted.
- (e) Neighborhood area identification *signs* may be illuminated only with low intensity ground-mounted flood lights.
- (f) Neighborhood area identification *signs* shall be constructed of stone, brick, adobe, rough-hewn wood, logs, beams, planks, or similar materials. Plywood *signs* are not permitted.

§141.1103 Reallocation of Sign Area Allowance

[No change.]

§141.1104 Revolving Projecting Signs

[No change.]

§141.1105 Signs with Automatic Changing Copy

[No change.]

§141.1106 Theater Marquees

[No Change]

Section 8. That the San Diego Municipal Code is amended by amending Chapter 14, Article 2, Division 12, by amending Sections 142.1210 and 142.1260 to read as follows:

§142.1210 General Sign Regulations

This section is divided into subsections for copy regulations, locational regulations, structural regulations, and *sign* maintenance regulations.

(a) [No change.]

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

(A) [No change.]

(B) *Signs* with automatic changing copy may be permitted with a Neighborhood Use Permit in compliance with Section 141.1105.

(3) through (10) [No change.]

(b) Locational Regulations

(1) through (4) [No change.]

(5) *Signs on Public Property and in Public Rights-of-Way*

(A) through (E) [No change.]

(F) Community entry *signs* within the *public right-of-way* shall conform to Section 141.1101.

(c) through (d) [No change.]

§142.1260 Signs Permitted by Higher Process

[No change.]

(a) through (c) [No change.]


(d) Neighborhood identification *signs*, and

(e) [No change.]

Section 9. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 10. Except in the Coastal Overlay Zone, this ordinance shall take effect and be in force on the thirtieth day from and after its final passage. Within the Coastal Overlay Zone, this ordinance shall be in force and effect on the date it is effectively certified by the California Coastal Commission as a City of San Diego Local Coastal Program amendment.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Shirley R. Edwards
Chief Deputy City Attorney

SRE:pev
09/25/08
10/06/08 COR.COPY
10/14/08 COR.COPY2
Or.Dept:DSD
O-2009-34
MMS #6574

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 28 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11.13.08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor