

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REPEALING CHAPTER 10, ARTICLE 3, DIVISION 17, OF THE SAN DIEGO MUNICIPAL CODE, AND AMENDING CHAPTER 15, BY ADDING ARTICLE 19, DIVISION 1 TITLED “GENERAL RULES,” SECTIONS 1519.0101, 1519.0102 AND 1519.0103; DIVISION 2 TITLED “PERMITS AND PROCEDURES,” SECTIONS 1519.0201, 1519.0202, 1519.0203, 1519.0204 AND 1519.0205; DIVISION 3 TITLED “ZONING,” SECTIONS 1519.0301, 1519.0302, 1519.0303, 1519.0304 AND 1519.0305; DIVISION 4 TITLED “GENERAL AND SUPPLEMENTAL REGULATIONS,” SECTIONS 1519.0401, 1519.0402, 1519.0403, 1519.0404, 1519.0405, 1519.0406, 1519.0407, AND APPENDIXES A THROUGH U, ALL RELATING TO THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT.

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

Section 1. That Chapter 10, Article 3, Division 17, is repealed, and Chapter 15 of the San Diego Municipal Code is amended by adding Article 19, Division 1, Sections 1519.0101, 1519.0102 and 1519.0103, to read as follows:

Article 19: Southeastern San Diego Planned District

Division 1: General Rules

§1519.0101 Purpose and Intent

It is the purpose of these regulations to provide reasonable development criteria for the construction or alteration of quality residential, commercial and industrial development throughout the Southeastern San Diego community. The intent is to implement the Southeastern San Diego Community Plan through the use of the

applied urban design standards contained in this **Southeastern San Diego** Planned District **Ordinance**.

§1519.0102 Boundaries of the Southeastern San Diego Planned District

The regulations in Chapter 15, Article 19 shall apply to that area commonly known as the "Southeastern San Diego Community Planning Area," designated on that certain Map Drawing Nos. C-732-A through C-732-Q, and described in the appended boundary description filed in the office of the City Clerk. (See Appendix B, Illustration 1.)

§1519.0103 Applicable Regulations

Where not otherwise specified in the **Southeastern San Diego Planned District Ordinance**, the following chapters of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13 (Zones);

Chapter 14, Article 1 (Separately Regulated Use Regulations);

Chapter 14, Article 2, Division 1 (Grading Regulations);

Chapter 14, Article 2, Division 2 (Drainage Regulations);

Chapter 14, Article 2, Division 3 (Fence Regulations);

Chapter 14, Article 2, Division 4 (Landscape Regulations);

Chapter 14, Article 2, Division 5 (Parking Regulations);

Chapter 14, Article 2, Division 6 (Public Facility Regulations);

Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);

Chapter 14, Article 2, Division 11 (Outdoor Storage, Display, and Activity Regulations);

Chapter 14, Article 2, Division 12 (Sign Regulations);

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and the Southeastern San Diego Planned District Ordinance, the Planned District Ordinance applies.

Section 2. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 19, Division 2, Sections 1519.0201, 1519.0202, 1519.0203, 1519.0204 and 1519.0205, to read as follows:

Article 19: Southeastern San Diego Planned District

Division 2: Permits and Procedures

§1519.0201 Permit Application

- (a) No permit shall be issued for the installation of fixtures or equipment, or for the erection, construction, conversion, establishment, alteration or enlargement of any buildings, structure or improvement, or for the occupancy of any building or structure or for the grading, subdivision or street actions for any site in any portion of the Southeastern San Diego Planned District until approval of the appropriate decision maker 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 Southeastern Development Permit and/or building permit, or until the City Manager determines such action may proceed independent of said permits.

- (b) All minor additions, minor structural changes and curb cuts shall not require a Southeastern Development Permit. Minor additions shall be any construction project consisting of less than 25 percent of the gross square foot floor area of the existing structure and attached to the existing structure. Minor additions may not include the addition of a residential dwelling unit or any change which may allow an increase in density. All minor additions, structural changes, curb cuts, garage conversions and any other changes, shall conform to the development criteria of the underlying zone and may be approved or denied by the City Manager, in accordance with Process One. Application for zone variance shall be consistent with Land Development Code Chapter 12, Article 6, Division 8 (Variance Procedures), or shall be processed consecutively with any required discretionary action. Minor additions and structural changes in the Sherman Heights and Grant Hill Park Historic Districts may require a Southeastern San Diego Historic Permit. See Section 1519.0203.
- (c) An application for a variance, subdivision, and change of street name shall be acted upon in accordance with the applicable provisions of Land

Development Code Chapter 12, Article 5 (Subdivision Procedures) and Chapter 12, Article 6 (Development Permits).

- (d) Any change in use shall require landscaping, fencing, signage, outdoor storage enclosures, on-site parking where possible and a toxics disclosure statement where applicable, to be provided as required by the Southeastern San Diego Planned District Ordinance.
- (e) Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) shall apply except that expansion or enlargement of previously conforming uses shall not be permitted.

§1519.0202 Southeastern San Diego Development Permit

- (a) A Southeastern San Diego Development Permit shall be required for:
 - (1) Multi-family residential projects of four or more units.
 - (2) Projects sited on or adjacent to environmentally sensitive areas, including hillsides, creek/drainage areas, and other areas within the Community's Open Space System.
 - (3) Commercial and industrial development.
 - (4) Move-on buildings to assure that they are properly integrated into the neighborhood.
 - (5) Uses requiring a Conditional Use Permit.
- (b) An application for a Southeastern San Diego Development Permit, including fees or deposits, shall be processed in the same manner as an application for a Site Development Permit, in accordance with Land

Development Code Chapter 11, Article 2 (Required Steps in Processing) and Chapter 12, Article 6, Division 5 (Site Development Permit Procedures).

- (c) An application for a Southeastern San Diego Development Permit may be approved, conditionally approved or denied by a Hearing Officer in accordance with Process Three. If the Hearing Officer determines that the application is complete and conforms with all City regulations, policies, guidelines, design standards and density, the Hearing Officer may approve or conditionally approve the Southeastern San Diego Development Permit if all of the following facts exist:
- (1) The proposed use and project design meet the purpose and intent of the **Southeastern San Diego Planned District Ordinance**, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council;
 - (2) 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;
 - (3) 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

(4) The proposed use will comply with the relevant regulations of the Municipal Code.

(d) A Southeastern San Diego Development Permit may 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.

(e) The Hearing Officer's decision on an application for a Southeastern San Diego Development Permit may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

§1519.0203 Southeastern San Diego Historic Permit

(a) **A** Southeastern San Diego Historic Permit is required for the commencement of any work in the erection of any new building or structure, or remodeling, alteration, addition, or demolition of any existing building or structure within the Sherman Heights or Grant Hill Park Historic Districts, any structure which is proposed to be moved into the historic districts, or grading. The Southeastern San Diego Historic District boundaries are designated on Map Drawing Numbers C-737 and C-788 and are shown in Appendix H.

(b) **A** Southeastern San Diego Historic Permit is not required for interior modifications, repairs or remodeling, nor any exterior repairs or alterations for which a permit is not now required with the exception of fences, porch

repairs, painting or stuccoing or other exterior siding, renewal of roof coverings and window replacement.

(c) This section does not supersede, change, amend nor in any way alter the manner, method or requirements of the review procedures for any designated City of San Diego historical site by the Historical Resources Board.

(d) Applications for permits shall be made in accordance with Land Development Code Section 112.0102. Exceptions to application procedure:

- (1) No application fee/deposit is required for fencing, painting, or renewal of roof coverings.
- (2) Any development project which would otherwise require a Southeastern San Diego Development Permit shall follow all regulations of the Southeastern San Diego Planned District Ordinance as a combined Southeastern San Diego Development Permit and Southeastern San Diego Historic Permit. Where there is a conflict in the design criteria between the Southeastern San Diego Planned District development criteria and the Design Criteria and Guidelines for the historic districts, the Sherman Heights and Grant Hill Park Historic District Design Criteria and Guidelines, Ordinance No. OO-16893-2 shall apply.
- (3) No application fee/deposit is required for the rehabilitation of owner-occupied single family structures.

- (e) The City Manager may approve or deny an application for a Southeastern San Diego Historic Permit in accordance with Process One. The permit shall be approved if it complies with the regulations contained within the Southeastern San Diego Planned District Ordinance, and the Sherman Heights and Grant Hill Park Historic District Design Criteria and Guidelines, Ordinance No. OO-16893-2.
- (f) The City Manager may request that the Historical Resources Board review special projects that require design review for consistency with existing structures in the Historic District.
- (g) An approved Southeastern San Diego Historic Permit expires and is void 36 months after the "Date of Final Action" of the permit if the permit is not utilized in the manner set forth in Land Development Code Section 129.0216 and Section 129.0217.
- (h) The expiration date of a valid Southeastern San Diego Historic Permit may be extended in accordance with Land Development Code Section 129.0219. The City Manager shall notify the recognized community planning group with responsibility for the area where the project is proposed of any extension of time requests.

§1519.0204 Design Review

- (a) The Southeastern Economic Development Corporation's Board and the recognized community planning group with responsibility for the area where the project is proposed shall advise the City Council, Planning Commission and City Manager on matters of design review, as follows:

- (1) Prior to any action being taken on any discretionary permit for projects within the Southeastern Community Planned District, copies of said permit shall be forwarded and reviewed by the Southeastern Economic Development Corporation's Board and the recognized community planning group with responsibility for the project area where the project is proposed.
- (2) All parties shall provide the appropriate decisionmaker with a recommendation on said discretionary permit submittals within 30 calendar days of receipt of the proposal. Recommendations shall be provided as required in a timely fashion.
- (3) In order to assure the highest standards of quality of development within the Southeastern San Diego Economic Development Corporation's redevelopment and preliminary plan areas, and to protect the City's investment in the area, the Southeastern Economic Development Corporation's Board shall make recommendations on design review for discretionary development permits within its area of responsibility.
- (4) The recognized community planning group with responsibility for the area where the project is proposed shall review discretionary permits in the manner established by Council Policy 600-24 which provides for community review of ongoing projects and plan implementation.

(5) Both the Southeastern San Diego Economic Development Corporation and the recognized community planning group with responsibility for the area where the project is proposed shall prepare an annual report outlining actions on projects requiring a Southeastern Development Permit to the City Manager by no later than July 1 of each year.

(b) Neighborhood Focus

Additional focused development criteria are established per neighborhood requirements as contained in Appendix D through Appendix T.

§1519.0205 Alcoholic Beverage Establishments

(a) Application

Within the boundaries of the Southeastern San Diego Planned District no establishment shall offer for sale or other consideration, alcoholic beverages, including beer, wine and distilled spirits, without demonstrating compliance with Section 1519.0205(b) and (c).

(b) Alcoholic Beverage Sales for Off-Site Consumption

Establishments for which a Type 20 Beer and Wine License or a Type 21 General Liquor License has been obtained from, or for which an application has been submitted to, the California Department of Beverage Control, for permission to sell alcoholic beverages for off-site consumption are regulated by Section 151.0105 and Land Development Code Section 141.0502.

(c) Alcoholic Beverage Sales for On-Site Consumption

Establishments for which a Type 41 or 47 License (restaurants) or a Type 42 or 48 License (bars) has been obtained from, or for which an application has been submitted to, the California Department of Beverage Control, that have dancing or live entertainment on the premises or that serve alcoholic beverages in conjunction with a billiard or pool hall, bowling alley, or adult entertainment establishment, shall obtain a Conditional Use Permit in accordance with Process Three. Conditions addressing the following issues may be imposed by the decision maker:

- (1) Entertainment uses or activities or amusement devices on the premises;
- (2) Hours of operation of the business;
- (3) Security measures; and
- (4) Lighting, litter, graffiti or nuisance abatement, or any other special requirements for the premises.

Section 3. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 19, Division 3, Sections 1519.0301, 1519.0302, 1519.0303, 1519.0304 and 1519.0305, to read as follows:

Article 19: Southeastern San Diego Planned District

Division 3: Zoning

§1519.0301 Residential Regulations

- (a) The following regulations are applicable to all residential zones. Section 1519.0302 presents the single-family residential zoning regulations for those projects which will be processed with standard ministerial permit

action. Section 1519.0303 presents the multiple-family residential zoning regulations.

- (b) All manufactured or factory built housing and move-on structures and all institutional structures including churches are subject to the development criteria of the underlying Planned District zone unless otherwise stated in the Southeastern San Diego Planned District Ordinance. All move-on structures must obtain a Southeastern San Diego Development Permit as specified in Section 1519.0202. For all manufactured and factory built housing, roof, siding and foundation treatments shall conform to the relevant sections of the California Building Code, 2001 Edition, including, but not limited to, Chapters 29 through 32 and roof overhang, roofing material and siding material shall be similar to types used for existing adjacent residential structures. Foundations and footings must be finished in a manner consistent with the structure for all housing types.

§1519.0302 Single-Family (SF) Residential Zoning Regulations SF-40,000, SF-20,000, SF-15,000, SF-10,000 SF-8,000, SF-6,000, SF-5,000

- (a) Purpose and Intent

The single-family (SF) zones are designed to provide for areas of one-family residential development at varying levels of low density, consistent with the Progress Guide and General Plan or adopted community plans within the Southeastern San Diego Planned District. Further, the provisions of these standards are intended to promote and protect those special amenities associated with a district of single-family homes.

(b) 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 for one or more of the uses listed in Appendix A or as developed in accordance with Section 1519.0302(c).

(c) Development Regulations

(1) Density Regulations

In the SF zones only one dwelling unit is permitted on any legal lot or premises.

(2) Minimum Lot Dimension

(A) The minimum lot sizes, street frontage and dimensions shown in Table 1519-03A shall be required in the SF (single-family) zones.

Table 1519-03A
Minimum Lot Size and Dimensions for Single-Family Zones

Zones	Minimum Area in (sq.ft.)	Minimum Dimensions			
		Street Frontage (ft)	Width (Interior) (ft)	Width (Corner) (ft)	Depth (ft)
SF-40,000	40,000	100	100	110	100
SF-20,000	20,000	80	80	85	100
SF-15,000	15,000	75	75	80	100
SF-10,000	10,000	65	65	70	100
SF-8,000	8,000	60	60	65	100
SF-6,000	6,000	60	60	65	95
SF-5,000	5,000	50	50	55	95

(B) Exception. Any lot or parcel which does not comply with all the minimum lot dimensions set forth herein may nevertheless be used as a single building site provided the

lot or parcel qualified under the definition of lot as set forth in Land Development Code Section 113.0103.

- (C) For any lot which fronts principally on a turnaround or on a curving street having a centerline radius of curvature of less than 100 feet, the minimum frontage shall be 60 percent of the number shown in the street frontage column of Table 1519-03A.

(3) Minimum Yard Dimensions

- (A) The minimum yard dimensions shown on Table 1519-03B shall apply in the single-family (SF) zones.
- (B) Notwithstanding the minimum front yard dimensions in the single-family (SF) zones, garages which face the street, and which take access from that street, shall have a minimum setback of 25 feet unless alternative on-site vehicle parking is provided satisfactory to the City Manager. (See Appendix B, Illustration 2.)

Table 1519-03B
Minimum Yard Dimensions for Single-Family Zones

Zones	Front Yard (ft)	Side Yard (Interior) (ft)	Side Yard (Street) (ft)	Rear Yard (ft)
SF-40,000	25	10	20	10
SF-20,000	15	8	15	8
SF-15,000	15	7	10	7
SF-10,000	20	6	10	6
SF-8,000	15	5	10	5
SF-6,000	15	5	10	5
SF-5,000	15	5	10	5

- (C) Exceptions to Minimum Yard Dimensions

- (i) Interior Side Yard. An interior side yard of any lot in any single-family (SF) zone, which has a width less than the minimum specified for the zone in which it is located, may be reduced to a minimum of 10 percent of the width of said lot, provided that in no case shall such side yard be reduced to less than 4 feet.
 - (ii) Street Side Yard. The street side yard of any corner lot in any single-family (SF) zone which has a width of less than the minimum specified for the zone in which it is located, may be reduced to a minimum of 15 percent of the width of said lot, provided that in no case shall any street side yard be reduced to less than 8 feet.
 - (iii) Front Yard. For that portion of any lot which fronts on a turnaround, the minimum front yard may be reduced 5 feet below the requirements shown in Table 1519-03B.
- (4) Floor Area Ratio

The maximum floor area ratio in the single-family (SF) zone shall be 0.50.
- (5) Maximum Building Height

No building or structure shall be erected, constructed, altered, moved or enlarged to a greater height than 24 feet for structures with a flat roof nor greater than 30 feet measured to the ridge line on structures with roofs having a pitch of 3:12 or steeper. All buildings in the single-family (SF) zones shall be limited to two stories.

(d) **Design Standards**

(1) Facade Design/Orientation

(A) The particular facade, side or elevation of the building which faces the front and street side yard shall have window and entry door orientation parallel to the street. Entry door may be oriented to either front yard or street side yard on corner lots.

(B) In those cases where the entry door is in an elevation with a single plane, a porch or stoop with a minimum dimension of 4 feet by 4 feet shall be provided. The porch or stoop shall have a finish floor elevation not less than 18 inches above finish grade level.

(2) Maximum Diagonal Dimension

(A) The diagonal plan dimension shall be used in all single-family residential projects and shall apply to all new buildings of the development project. The maximum diagonal plan dimension shall be measured between the

two most extreme points on the structure. No diagonal plan dimension shall exceed the numerical figure obtained from the percentage of street frontage, as established in Table 1519-03C.

Table 1519-03C
Diagonal Plan Dimension for Single-Family Zones

Street Frontage (ft)	Diagonal Measurement Length (ft)
0-50	125% of frontage
More than 50 to 100	100% of frontage
More than 100	85% of frontage

(B) Exceptions to the maximum diagonal requirement for single-family zones are the same as for multiple-family zones. See Section 1519.0303(d)(3)(C)and(D).

(e) Landscape

One street tree shall be required in the public right-of-way for every 50 feet of each lot or parcel street frontage. Groundcover shall be installed and maintained for all unpaved or undeveloped land area.

(f) Maximum Hardscape

A maximum of 30 percent of the required front and street side yards is permitted for installation of hardscape features which shall include driveways, walkways or decorative pavement treatments.

(g) Lighting

Any artificial lighting shall be directed or shielded so as not to fall onto adjacent properties.

§1519.0303 Multiple-Family Residential Zone Regulations - MF-3000, MF-2500, MF-2000, MF-1750, MF-1500

(a) Purpose and Intent

The multiple-family (MF) zones are primarily intended to provide for multiple-family residential development at varying densities ranging up to 45 dwelling units per net residential acre. The multiple-family zones are applied consistent with the Progress Guide and General Plan and adopted Southeastern San Diego Community Plan.

(b) 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 for one or more of the uses listed for the applicable zone in Appendix A.

(c) **Development Regulations**

(1) Density Regulations

(A) The maximum number of dwelling units permitted on any lot or premises in any multiple-family (MF) zone shall be determined by dividing the area of the lot by the number of square feet required for each dwelling unit as prescribed by the zone in which the lot is located. If the quotient exceeds a whole number by 0.50 or more, the number of dwelling units may be increased to the next larger whole number.

- (B) The maximum number of dwelling units permitted per acre and land area requirements in any MF zone shall be as shown in Table 1519-03D.

Table 1519-03D
Density Regulations for Multiple-Family Zones

Zone	Maximum Dwelling Units Per Net Acre (du/ac)	Required Land Area per Dwelling Unit (sq. ft.)
MF-3000	14.52	3,000
MF-2500	17.42	2,500
MF-2000	21.78	2,000
MF-1750	24.89	1,750
MF-1500	29.04	1,500

(2) Minimum Lot Areas and Dimensions

- (A) Minimum lot areas and dimensions required within the respective multiple-family (MF) zones shall be as shown in Table 1519-03E.

Table 1519-03E
Lot Area and Dimensions for Multiple-Family Zones

Zone	Minimum Area (sq.ft.)	Street Frontage (ft)	Width (Interior) (ft)	Width (Corner) (ft)	Depth (ft)
MF-3000	6,000	60	60	65	100
MF-2500	6,000	60	60	65	100
MF-2000	6,000	60	60	65	100
MF-1750	6,000	60	60	65	100
MF-1500	6,000	60	60	65	100

- (B) For any lot which fronts principally on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum frontage shall be 60 percent of the number shown in the street frontage column.
- (C) Exception. Any lot or parcel which does not comply with all the minimum lot dimensions set forth herein may

nevertheless be used as a building site provided the lot or parcel qualifies under the definition of lot as set forth in Land Development Code Section 113.0101.

(3) Yard and Setback Requirements

- (A) Minimum area of front yard. A front yard shall be provided at a minimum area calculated by multiplying the linear feet of frontage by 20 feet.
- (B) Minimum area of street side yard. A street side yard shall be provided at a minimum area calculated by multiplying the linear feet of frontage by 10 feet.
- (C) Minimum Setbacks are indicated in Table 1519-03F.

Table 1519-03F
Minimum Setbacks for Multiple-Family Zones

Yard Location	Dimensions (ft)
Front	10
Interior side	5 ⁽¹⁾⁽²⁾
Street Side	8
Rear	5 if alley 15 if no alley

Footnotes for Table 1519-03F

¹ Setback. For each story or portion thereof above 2 stories, the building shall be setback or the story may be stepped back an additional 3 feet.

² Exception. On lots which have less than 30 linear feet in lot width, the minimum interior side yard may be reduced to 4 feet.

(4) Maximum Building Heights

The maximum building height permitted in the MF-3000 zone shall be 24 feet for buildings with flat roofs or 30 feet measured to

the ridge line on structures having roofs with a pitch of 3:12 or steeper. All buildings in the MF-3000 zone shall be limited to 2 stories.

(5) Maximum Lot Coverage

The maximum lot coverage permitted in the MF zones shall be 50 percent.

(6) Maximum Floor Area Ratio (F.A.R.)

The maximum F.A.R. permitted in the MF zones shall be 1.00.

(7) Exterior Usable Open Area

(A) At least 200 square feet of exterior usable open area shall be provided on-site for each dwelling unit. The average slope for useable open areas shall not exceed 10 percent.

This may include gardens; courtyards; terraces; roof-decks; recreation facilities; children's play areas; swimming pools and spas with associated decking; private exterior balconies; common exterior balconies; vegetated areas including lawns, gardens or landscaping (excluding the minimum required landscaping in required yards); and walkways or pathways not intended for access by motor vehicles (excluding walkways, and access balconies above the first floor).

- (B) The land provided shall be determined by the City Manager to be functional useable open area which provides for reasonable use by the residents.
- (C) Functional useable open area shall be a minimum area of 100 square feet with a minimum dimension of 6 feet with the exception noted below for private open area. For projects containing units with 2 or more bedrooms, a children's play area shall be provided to contain a minimum area totaling 20 square feet per unit.
- (D) Where private open area is provided, that open area shall be a minimum of 40 square feet per dwelling unit with a minimum dimension of 5 feet; however, not all units are required to have a private open area.
- (E) Areas used for parking or garaging of motor vehicles; enclosed storage areas; trash collection areas or pads for any mechanical or electrical equipment shall not be used to satisfy the usable open area requirement.

(d) **Design Standards**

(1) **Offsetting Planes Requirement**

- (A) For structures in multiple-family residential zones each building wall elevation shall have building offset variations in a minimum of 3 vertical or horizontal separate planes. A separate building plane is distinguished by an average

horizontal or vertical difference of 4 feet measured perpendicular to the subject plane. The proportions of these building planes along each elevation shall not be less than 20 percent nor more than 50 percent of the building elevation area. (See Appendix B, Illustration 6.)

(B) Exceptions

- (i) For structures of 3 or less units in multiple-family residential zones the separate building planes may be reduced to a vertical or horizontal difference of 2 feet.
- (ii) For single-unit structures in multiple-family zones, each building wall elevation may be reduced to a minimum of 2 separate planes distinguished by an average horizontal or vertical difference of 2 feet.
- (iii) For all exceptions, the building plane proportions defined in Section 1519.0303(d)(1)(A) shall apply.

(2) Facade Design/Orientation

The particular facade, side or elevation of the building which faces the front and street side yards shall have window and entry door orientation parallel to the street.

(3) Maximum Diagonal Dimension

- (A) The Diagonal Plan Dimension shall be used in all multiple-family residential projects and shall apply to all

new and existing buildings of the development project.

The maximum diagonal plan dimension shall be measured between the two most extreme points on the structure, except for those lots that have a lot depth that exceeds the lot width by 275 percent. (See Appendix B, Illustration 3.)

- (B) No diagonal plan dimension shall exceed the numerical figure obtained from the percentage of street frontage, as indicated in Table 1519-03G.

Table 1519-03G
Diagonal Plan Dimension for Multiple-Family Zones

Lot Frontage (ft)	Diagonal Measurement Length
0 - 100	100% of Frontage
More than 100 to 200	85% of Frontage
More than 200 to 300	70% of Frontage
More than 300	50% of Frontage

- (C) For lots that have lot depths that exceed the lot width by 275 percent, the maximum diagonal plan dimension may be measured between the first extreme building point to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations. The maximum diagonal plan dimension in the building modulation areas if utilized shall conform to the criteria outlined above. The modulation shall have a minimum 4-foot differential and shall extend for a minimum of 10 feet in length. (See Appendix B, Illustration 4.)

(D) In those cases where the lot street frontage is less than the minimum street frontage requirement of the underlying multiple-family residential zone, the minimum street frontage requirement specified in that zone will be considered as the street frontage for maximum diagonal plan dimension calculation.

(e) **Mechanical and Utility Equipment Screening** Regulations

(1) No mechanical equipment, tank, duct, elevator enclosure, cooling tower, 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 and appearance similar to the main building.

(2) Applicable wall regulations are contained in Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).

(f) Outdoor Storage **Requirements**

Outdoor storage of personal belongings of occupants of dwelling units, material or equipment, shall be permitted only when incidental to a permitted use, or other similar items are used, located on the same premises, and provided that:

(1) The storage area shall be completely enclosed by wall, fences or buildings, or a combination thereof. Any walls or fences shall be

solid and not less than 6 feet in height and shall not be located on the property line or within the setback areas.

- (2) There shall be no outdoor storage of personal belongings of occupants of dwelling units, materials or equipment, or other similar items, to a height greater than that of any enclosing wall, fence or building.
- (3) Operable motor vehicles shall not be considered as items of outdoor storage, and shall not be regulated by this paragraph.
- (4) Outdoor storage shall be restricted to only those items which are considered to be the personal property of the occupants of the premise, or the owner of the premise, when the items are required for the functional operation of the premise.
 - (A) For the purpose of this paragraph an individual shall be considered to be an occupant of the premises for a period not exceeding 30 days prior to occupancy of the premises, and a period not exceeding 30 days following discontinuance of occupancy of the premises.
 - (B) No portion of any premises shall be used by, leased, or rented to a non-occupant for storage purposes.

(g) Lighting

Any artificial lighting shall be directed or shielded so as not to fall onto adjacent properties. Lighting shall be provided for walkways, common areas, and parking areas for security.

(h) Security/Management

A management and security plan shall be provided and reviewed by the Police Department where necessary.

(i) Special Character Multi-Family Neighborhood Criteria

The regulations in Section 1519.0302 shall apply to the multi-family residential neighborhoods shown on Attachment A, entitled "Southeast San Diego Special Character Multi-Family Neighborhoods" in addition to the requirements listed below.

- (1) Maximum Lot Dimensions and Area. Lot consolidations created through maps or by means of building across property lines shall be prohibited when such action would create a parcel containing over 7,000 square feet of lot area or over 60 feet of frontage along the front property line.
- (2) Detached Unit Requirement. Each lot must contain one detached unit in the front portion of the lot. Additional units may be built in the rear portion of the lot in accordance with the requirements of the zone and as stated below.
- (3) Addition of Dwelling Units. In the case of adding one or more dwelling units to an existing residential project, or when rear unit(s) are a part of a project where a detached unit is required in the front portion of a lot:
 - (A) Structures containing dwelling units shall be separated by a minimum of 12 feet.

- (B) There shall be direct pedestrian access from all added dwelling units to an abutting street.
- (C) The maximum building height shall be 24 feet for buildings with flat roofs or 30 feet measured to the ridge line on structures having roofs with a pitch of 3:12 or steeper. All buildings shall be limited to two stories.
- (D) Where one or more units already exist on a lot, the color and design of the new unit(s) shall be complementary to the existing structure(s).

§1519.0304 Commercial Zone Regulations - CSF, CSR and CT

The commercial elements in the **Southeastern** San Diego Planned District are contained in three distinct design zones which are further regulated by use categories. The assignments correspond to the land use designations of the Community Plan for **the Southeastern San Diego Planned** District.

(a) Zones and Categories

- (1) Design Zones. The design zones are provided to utilize the urban design features of the community as discussed in the Urban Design section of the **Southeastern** San Diego Community Plan. The intent is to establish zones that are tailored to the specific functions of the commercial entities.

- (A) The CSF Zone is intended to allow for commercial strip development with parking in the front or side of the building. These zones are applied to accommodate existing

development patterns or encourage patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The focus is on automobile-oriented establishments where the primary commercial function is geared to a single stop activity.

(B) The CSR Zone is intended to allow for commercial strip development with parking to the rear or side of the building. This zone is suggested in those areas where pedestrian activity is predominant.

(C) The CT Zone is a commercial center area that generally contains its own internal vehicular circulation and parking system and functions as an independent entity. It is expected that this zone will accommodate commercial areas of activity that have numerous retail commercial facilities available in close proximity.

(2) Use Categories are established to determine which use activities are appropriate for each design zone. The uses are assigned in conjunction with the land use designations of the **Southeastern** San Diego Community Plan.

(A) The Neighborhood-Commercial Category-1 is primarily intended to accommodate shopping areas that provide convenience goods and specialized office and professional services for residential neighborhoods. Since these

individual areas will normally be of limited size, it is important to emphasize the local needs. The development standards set forth herein are designed to minimize possible conflicts with adjacent residential uses.

(B) The Community-Commercial Category-2 is intended to accommodate a wide variety of community shopping and business needs and services which are both retail and wholesale in nature. Since the uses in this category service larger areas and therefore have considerable impact on the adjacent land uses and circulation patterns, these areas must be sensitively selected and located in the community.

(C) The Recreational-Commercial Category-3 is intended to provide for establishments catering to the lodging, dining, and general entertainment uses of the community and for visitors to the community.

(b) Permitted Uses

(1) No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premises be used except for one or more of the uses permitted in the zones in Appendix A.

(2) Residential use is not permitted by right in the commercial zones, except where designated. The designation authorizing residential use is symbolized by an "R" following the commercial zone

category and further qualified with the density of development that would be permitted (i.e., CSF-1- R-3000). The residential development must conform with the criteria of the referenced residential zone of this Planned District. Development in multiple use zones shall consist of either commercial or residential uses. Mixed uses shall not be permitted. See Appendix P for multiple-use zone development criteria in the Sherman Heights Historic District.

- (3) Exception: Community Commercial Category- 2 uses may be permitted in Neighborhood Commercial Category-1 zones where the subject property has direct vehicle access from two streets classified as Major Streets. For this exception, all approved Community Commercial uses will be specified as conditions of a **Southeastern** San Diego Development Permit.
- (4) Hours of Operation. In the zones with a Category 1 designation, no permitted use shall commence operating prior to 6:00 a.m. nor continue later than 12:00 midnight of any day.

(c) Property Development Regulations

- (1) Minimum Lot Areas and Dimensions
 - (A) Minimum lot areas and dimensions required within the respective commercial zones and categories shall be as shown in Table **1519-03H**.

Table 1519-03H
Minimum Lot Areas and Dimensions for Commercial Zones

Zone	Minimum Area (sq.ft.)	Minimum Dimensions			
		Street Frontage (ft)	Width (Interior) (ft)	Width (Corner) (ft)	Depth (ft)
CSF-1	5,000	50	50	60	100
CSR-1	5,000	50	50	60	100
CSF-2,3	10,000	100	100	100	100
CSR-2,3	10,000	100	100	100	100
CT-1,2,3	10,000	100	100	100	100

(B) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237 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 this zone.

(2) Yard Requirements

Yard requirements for properties in the respective commercial categories are indicated in Table 1519-03I.

Table 1519-03I
Minimum Yard Dimensions for Commercial Zones

Zone	Front Yard (ft)	Side Yard (Interior) (ft)	Side Yard (Street) (ft)	Rear Yard (ft)
CSF-1,2,3	20	0 ⁽¹⁾	10 ⁽²⁾	0 ⁽¹⁾
CSR-1,2,3	0	0 ⁽¹⁾	10 ⁽²⁾	0 ⁽¹⁾
CT-1,2,3	15	0 ⁽¹⁾	15	0 ⁽¹⁾

Footnotes for Table 1519-03I

- ¹ If adjacent to residentially zoned property, provide a 15-foot building setback with the exception that the first story can be placed along the property line (0-foot setback) provided that the second story is stepped back 15 feet. In all cases, the building shall be set back or stepped back from the required setback or property line an additional distance of 3 feet for each story above two.

2

Where the lot is less than 50 feet in width, the minimum Street Side Yard shall be as shown in Table 1519-03J.

Table 1519-03J
Minimum Street Side Yard for Commercial Zones
(Lots less than 50 feet in width)

Lot Width	No. of Feet
45 up to 50 feet	9
40 up to 45 feet	8
35 up to 40 feet	7
30 up to 35 feet	6
less than 30 feet	5

(3) Maximum Building Height, Lot Coverage, and Floor Area Ratio

The maximum lot coverage, building height and floor area ratio permitted in the Commercial zones are indicated in Table 1519-03K.

Table 1519-03K
Maximum Lot Coverage, Building Height, and Floor Area Ratio
Commercial Zones

Zone	Coverage	Building Height	FAR
CSF-1	50%	24/30 ⁽¹⁾	0.50
CSF-2,3	50%	--	0.50
CSR-1,2,3	75%	--	0.75
CT-1,2,3	75%	--	1.00

Footnote for Table 1519-03K

¹ The maximum building height shall be 24 feet if flat roof, 30 feet if structure has roof with pitch of 3:12 or steeper.

(d) Design Requirements

(1) Offsetting Planes

The particular facade, side or elevation of a building which faces the front and street side property line, shall have building variations in a minimum of 3 separate planes for up to 50 feet of horizontal building wall elevation. A separate building plane shall be provided for each additional 25 feet of building elevation or part

thereof. A separate building plane is distinguished by an average horizontal difference of 2 feet measured perpendicular to the subject plane. No single plane shall total more than 50 percent or less than 20 percent of the building elevation area (Appendix B, Illustration 6).

(2) Building Facade Variation

The particular face, side or elevation of the building which faces the front and street side property line, shall have building facade variations in a minimum of 3 separate materials, textures, colors, or any combination thereof. No single variation shall total less than 20 percent nor more than 50 percent of the building elevation area.

(e) Premises that abut Residentially Zoned Property

Prior to the use or occupancy of any premises, a solid fence or wall not less than 6 feet in height shall be constructed along all portions of the perimeter of said premises that abut residentially zoned property; provided, however, that within any required front yard or street side yard such wall shall be reduced in height to 3 feet.

(f) Lighting

Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.

§1519.0305 Industrial Zone Regulations - I-1 and I-2

The industrial zones in the Southeastern San Diego Planned District are in **two** specific groups. The assignments correspond to the land use designations of the Southeastern San Diego Community Plan.

(a) Purpose and Intent

- (1) The Light Industrial I-1 zone is intended to provide for a wide range of manufacturing, light industrial uses and certain "heavy" commercial uses such as lumber yards which are not commonly found in shopping centers.
- (2) The standards and regulations in this zone are designed to permit development and uses of property in a manner that is consistent with efficient industrial operation, while at the same time providing proper safeguards for adjoining industrial and non-industrial properties.
- (3) The I-1 and I-2 zones are intended to provide quality development, decrease land use conflicts and provide maximum employment opportunities.

(b) Permitted Uses

No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premise be used except for one or more of the uses listed for applicable zones in Appendix A.

(c) Property Development Regulations

(1) **Minimum Lot Areas and Dimensions.**

- (A) Minimum lot areas and dimensions required within the respective industrial zones shall be as shown on Table 1519-03L.

Table 1519-03L
Minimum Lot Areas and Dimensions for Industrial Zones

Zone	Area (sq.ft.)	Street Frontage (ft)	Lot Width (ft)	Lot Depth (ft)
I-1	10,000	100	100	100
I-2	40,000	150	150	150

- (B) Exception: Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237 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 this zone.

(2) **Yard Requirements**

Yard requirements for properties in the respective industrial zones shall be as shown on Table 1519-03M.

Table 1519-03M
Yard Requirements for Industrial Zones

Zone	Front Yard (ft)	Side Yard (Interior) (ft)	Side Yard (Street) (ft)	Rear (ft)
I-1	10	0 ⁽¹⁾	10	15 ⁽²⁾
I-2	25	10% wd ⁽³⁾ 30 max.	25	25 ⁽⁴⁾

Footnotes for Table 1519-03M

¹ Interior side yard abutting residentially zoned property -- 25 feet.

- ² Rear yard abutting residentially zoned property -- 25 feet.
- ³ Interior side yard abutting residentially zoned property -- 50 feet.
- ⁴ Rear yard abutting residentially zoned property -- 50 feet.

(3) Maximum Building Height, Lot Coverage, and Floor Area Ratios

The maximum lot coverage, building height and floor area ratio permitted in the industrial zones shall be as shown on Table 1519-03N.

Table 1519-03N
Lot Coverage, Building Heights, F.A.R. for Industrial Zones

Zone	Coverage	Building Height ⁽¹⁾	FAR
I-1	50%	--	1.5
I-2	40%	--	2.0

Footnote for Table 1519-03N

- ¹ Any portion of a building on-site within 200 feet of residentially zoned property shall not exceed 30 feet in height.

(d) Design Requirements

(1) Building Modulation

The particular face, side or elevation of a building which faces the front, street side, and alley property lines shall have building breaks or modulations which vary in setback by at least 2 feet for each 20 feet of the particular facade or building elevation. The differential offset shall extend for a minimum distance of 4 feet.

The face of the building will be offset in plan for each floor

(Appendix B, Illustration 5); or

(2) Offsetting Planes

The particular face, side or elevation of a building which faces the front, street side, and alley property lines, shall have building variations in a minimum of 3 separate planes. A separate building plane is distinguished by an average horizontal or vertical difference of 2 feet measured perpendicular to the subject plane. No single plane shall total more than 50 percent or less than 20 percent of the building elevation area (Appendix B, Illustration 6); and

(3) Building Facade Variation

The particular face, side, or elevation of a building which faces the front, street side, or alley property line, shall have building facade variations in a minimum of 3 separate materials, textures, colors, or any combination thereof. No single variation shall total less than 20 percent nor more than 50 percent of the building elevation area.

(e) Landscape

The landscape requirements in Section 1519.0402 are required for all industrial uses which existed on August 3, 1987, the effective date of the Southeastern San Diego Planned District Ordinance and shall be installed within five years of the effective date of the Southeastern San Diego Planned District Ordinance.

(f) Premises that abut Residentially Zoned Property

Prior to the use or occupancy of any premises, a wall not less than 6 feet height shall be constructed along all portions of the perimeter of said

premises that abut residentially zoned property; provided, however, that within any required front yard or street side yard, such wall shall be reduced in height to 3 feet.

(g) Lighting

Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.

(h) Environmental Effects in the Industrial Zones

The following effects and toxic materials shall be controlled through the conditions of a Southeastern San Diego Development Permit, where such permit is required.

- (1) Air contaminants, including but not limited to smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxics, fumes, gases, odors, or particulate matter, or any combination thereof or any emissions that endanger human health, cause damage to vegetation or property or cause soiling.
- (2) Loud, unnecessary or unusual noise which endangers health, peace or safety of others, or objectionable changes in temperature or direct or sky-reflected glare.
- (3) Radioactivity or electrical disturbance which unduly interferes with the normal operation of equipment or instruments.
- (4) Toxic Materials. Applications for industrial uses shall include a County of San Diego, Department of Health Services Hazardous Materials Management Division Toxics Disclosure Statement and

completed Hazardous Materials Management Questionnaire, and a completed City of San Diego Fire Department Hazardous Materials Information Form (Form FPB-500). The Development Services Department will meet with the Fire Department, the County of San Diego Department of Health Services and the Air Pollution Control District where necessary to determine the need for mitigating measures to reduce the risk of potential contaminants. Any decision of the Hearing Officer may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

Section 4. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 19, Division 4, Sections 1519.0401, 1519.0402, 1519.0403, 1519.0404, 1519.0405, 1519.0406, 1519.0407, to read as follows:

Article 19: Southeastern San Diego Planned District

Division 4: General and Supplemental Regulations

§1519.0401 Fences and Walls

- (a) 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 Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations). All other applicable provisions of Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations), shall apply.

- (b) Chain-link fencing may be allowed in SF zones and for temporary security of unsafe structures or sites in accordance with Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).

§1519.0402 Landscaping

Prior to the use and occupancy of any premises, the property shall be landscaped in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations). This section does not apply to the SF zones.

§1519.0403 Parking

- (a) The parking requirements in Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations) shall apply except as otherwise specified in Section 1519.0403(b).
- (b) **Parking Regulations for Multi-Family Residential Zones**
 - (1) Every premises used for one or more of the permitted uses listed in Appendix A, 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 required by Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).
 - (2) For any lot containing four or more dwelling units a minimum of 25 percent of the required off-street parking spaces shall be fully enclosed, entirely within the occupied building or in a garage or structure attached to the occupied building or buildings located on the said lot.

(3) An additional 25 percent of required off-street parking may be covered by carports that have roofing materials and design comparable to the primary building or buildings on the site or by trellis coverings that are made of wood, wrought iron or other similar screen material. Flat or corrugated metal or plastic sheeting material is not permitted for use as carport or trellis covering. In no case shall the uncovered parking on-site exceed 50 percent of the required parking.

(c) Driveways in Commercial and Industrial Zones

Curb cuts for driveways shall comply with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

§1519.0404 Public Facilities, Structures and Areas

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 the Southeastern San Diego Planned District, and shall be subject to the same regulations, conditions and standards established herein.

§1519.0405 Off-Street Loading Facilities

In the commercial and industrial zones, loading or unloading facilities shall be so sized and located so as to not permit trucks in required front or street side yards during loading and unloading activities.

§1519.0406 Outdoor Storage

In the commercial and industrial zones, outdoor storage of merchandise, material or equipment shall be permitted only when incidental to a permitted use located on the same premises, and provided that:

- (a) In commercial zones, the storage area shall be completely enclosed by solid fences, walls, or buildings or a combination thereof.
- (b) In industrial zones, the storage area shall be completely enclosed by walls or buildings or a combination thereof.
- (c) Said walls shall be not less than 6 feet in height.
- (d) There shall be no outdoor storage of merchandise, materials, equipment or other goods to height greater than that of any enclosing wall or building.

§1519.0407 Signs

Land Development Code Chapter 14, Article 2, Division 12 (Sign Regulations) applies.

Section 5. 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 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

Section 7. That this activity is not a project and is therefore not subject to California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Shannon M. Thomas
Deputy City Attorney

SMT:als
01/19/07
Or.Dept:DSD
O-2007-83
MMS#3641

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor