

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



Th17c

LCP-6-PEN-17-028-1 (PENINSULA RM BASE ZONE

HEIGHT LIMIT)

JULY, 2017

EXHIBITS

Table of Contents

Exhibit 1 – Strikeout/underline

Exhibit 2 – Certified Height Calculation Regulations

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 1,
DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 131.0431, RELATING TO THE
RESIDENTIAL-MULTIPLE UNIT BASE ZONE WITHIN THE
COASTAL HEIGHT LIMIT OVERLAY ZONE IN THE
PENINSULA COMMUNITY PLAN AREA.

§131.0431 Development Regulations Table for Residential Zones

The following development regulations apply in the residential zones as shown in
Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

(a) through (d) [No change in text.]

(e) RM Zones

| |
|---|
| EXHIBIT NO. 1 |
| APPLICATION NO. |
| LCP-6-PEN-17-028-1 |
| Strikeout/underline |
|  California Coastal Commission |

Table 131-04G
Development Regulations for RM Zones

| Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones] | Zone Designator | Zones | | | | | |
|---|-----------------|----------------------|--------------------|--------------------|-----------------------|-----------------------|-----------------------|
| | | 1st & 2nd >> | RM- | | | | |
| | 3rd >> | 1- | 1- | 1- | 2- | 2- | 2- |
| | 4th >> | 1 | 2 | 3 | 4 | 5 | 6 |
| Maximum permitted density^{(1),(2)} (sf per DU) through Setback requirements for resubdivided corner lots [See Section 131.0443(i)] [No change in text.] | | [No change in text.] | | | | | |
| Max structure height (ft) | | 30 ⁽¹⁷⁾ | 30 ⁽¹⁷⁾ | 30 ⁽¹⁷⁾ | 40 ^(18,37) | 40 ^(18,37) | 40 ^(18,37) |
| Max lot coverage through Visibility Area [See Section 113.0273] [No change in text.] | | [No change in text.] | | | | | |

| Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones] | Zone Designator | Zones | | | | | |
|---|-----------------|----------------------|--------------------|--------------------|-------------------|-------------------|-------------------|
| | | 1st & 2nd >> | RM | | | | |
| | 3rd >> | 3- | 3- | 3- | 4- | 4- | 5- |
| | 4th >> | 7 | 8 | 9 | 10 | 11 | 12 |
| Maximum permitted density^{(1),(2)} (sf per DU) through Setback requirements for resubdivided corner lots [See Section 131.0443(i)] [No change in text.] | | [No change in text.] | | | | | |
| Max structure height (ft) | | 40 ⁽³⁷⁾ | 50 ⁽³⁷⁾ | 60 ⁽³⁷⁾ | - ⁽³⁷⁾ | - ⁽³⁷⁾ | - ⁽³⁷⁾ |
| Max lot coverage through Visibility Area [See Section 113.0273] [No change in text.] | | [No change in text.] | | | | | |

Footnotes for Table 131-04G

¹ through ³⁶ [No change in text.]

³⁷ Within the Coastal Height Limit Overlay Zone in the Peninsula Community Plan area, the base zone maximum structure height shall be 30 feet, which shall be determined in accordance with Section 113.0270(a)(4)(D).

SMT:als

09/16/2016

10/24/2016 Cor.Copy

Or.Dept: DSD

Doc. No.: 1341167_3

Passed by the Council of The City of San Diego on NOV 15 2016, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Gloria | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Cate | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marti Emerald | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage DEC 01 2016

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Shirley Brwin, 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

OCT 24 2016

, and on

DEC 01 2016

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Shirley Brwin, Deputy

Office of the City Clerk, San Diego, California

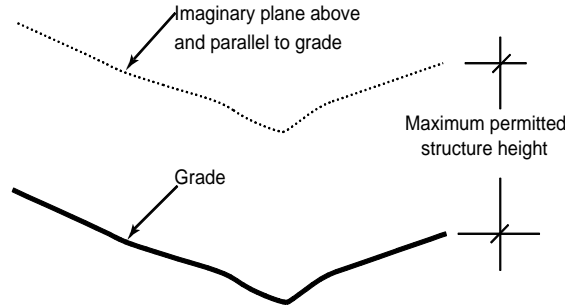
Ordinance Number O- 20755

§113.0270 Measuring Structure Height

- (a) *Structure Height of Buildings and Structures (Excluding Fences, Retaining Walls, or Signs)*
 - (1) The maximum permitted *structure height* is specified in the applicable zone and defines the upper limits of the *building envelope* for a *premises*. It is measured vertically from the *existing grade* or *proposed grade*, whichever is lower, to form an imaginary plane that is parallel to *grade*, below which all buildings and *structures* must be located, except as otherwise described in 113.0270(a)(4). This is illustrated in Diagram 113-02JJ.

Diagram 113-02JJ

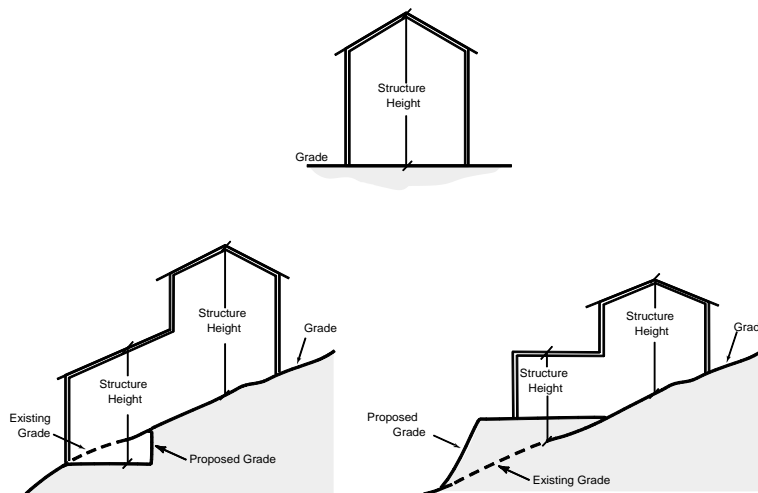
Maximum Permitted Structure Height



- (2) A two part calculation is required to measure *structure height* including:
 - (A) Plumb line measurement. The *structure height* is measured from all points on top of a *structure* to *existing grade* or *proposed grade*, whichever is lower, directly below each point, except as described in Section 113.0270(a)(4). This measurement is taken vertically through the *structure* at each point where *structure height* is being measured, as shown in Diagram 113-2KK.

Diagram 113-02KK

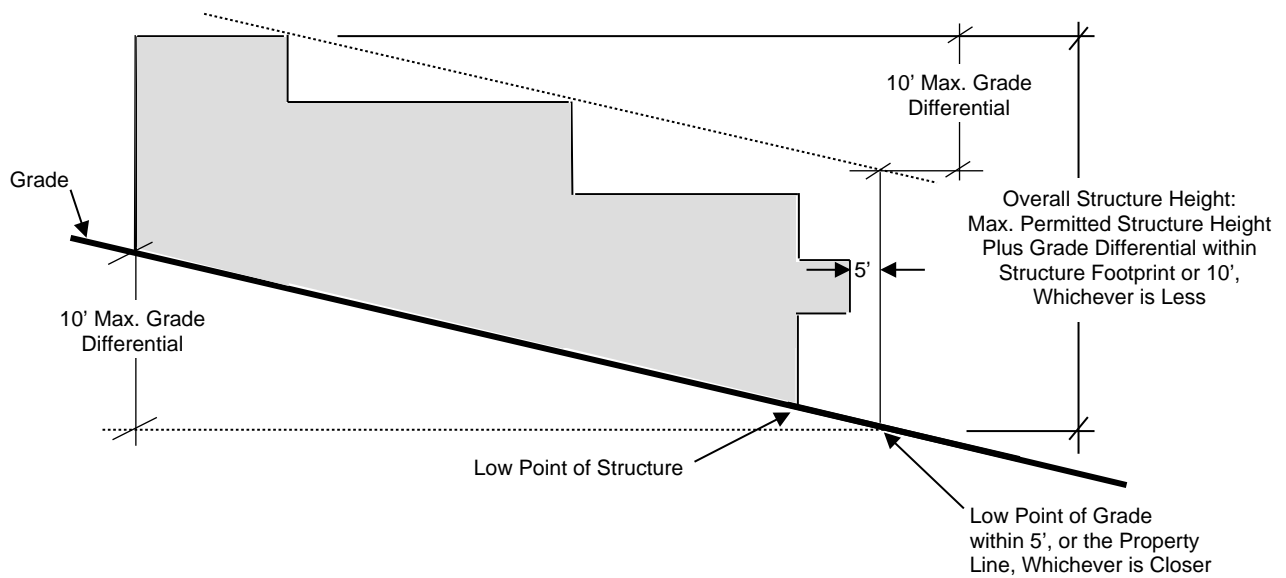
Measurement of Structure Height



- (B) Overall Height Measurement. The overall *structure height* is measured from the lowest point of *existing grade* or *proposed grade* within 5 feet of the *structure's* perimeter (building wall, balcony, bay window, or similar *architectural projection*) or at the *property line*, whichever is closer, to the highest point of the *structure*, projected horizontally to directly above this lowest point of *grade*. The overall *structure height* shall not exceed the maximum permitted *structure height* of the applicable zone plus an amount equal to either the maximum *grade differential* within the *structure's* footprint or 10 feet, whichever is less. The *structure height* shall not exceed the maximum allowed by the applicable zone at any one point. This is illustrated in Diagram 113-02LL.

Diagram 113-02LL

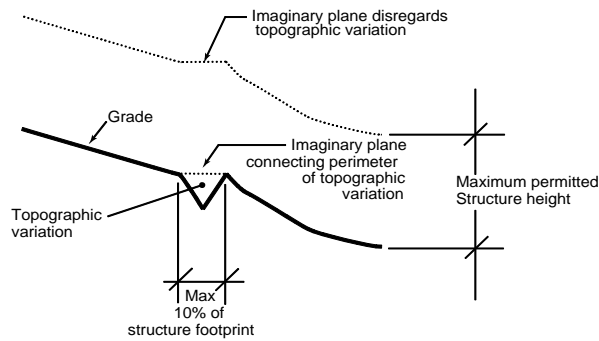
Overall Structure Height



- (3) *Structure height* is measured separately for each *structure* that is separated from another *structure* on the *premises* by 6 feet or more. Separation between *structures* shall be measured in plan view to account for the *structural envelope* of each *structure*.
- (4) Special Circumstances
 - (A) Extreme Topographic Variation. Where there is an extreme natural topographic variation on a *premises* that covers 10 percent or less of the proposed *structure's* footprint, as shown in Diagram 113-02MM, overall *structure height* is measured from an imaginary plane made by connecting the perimeter points of the topographic variation, so that the imaginary plane above and parallel to *grade* will not reflect the extreme natural topographic variation.

Diagram 113-02MM

Structure Height at Basement

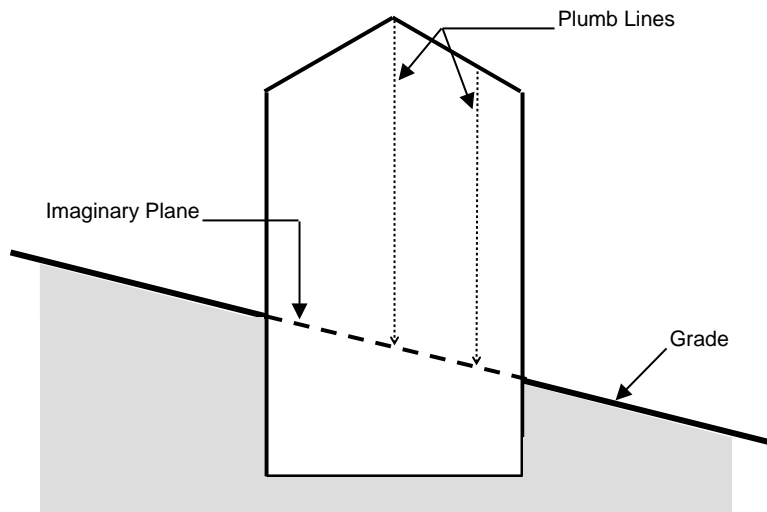


(B) Measuring *Structure Height* for Subterranean Areas

- (i) Interior Subterranean Areas. Where a *basement*, *underground parking structure*, *interior court*, or other similar interior subterranean area is proposed, the plumb line measurement to the lower of *existing grade* or *proposed grade* shall be measured to an imaginary plane through the building that connects the adjacent *grade* elevations on both sides of the *structure* as shown in Diagram 113-02NN.

Diagram 113-02NN

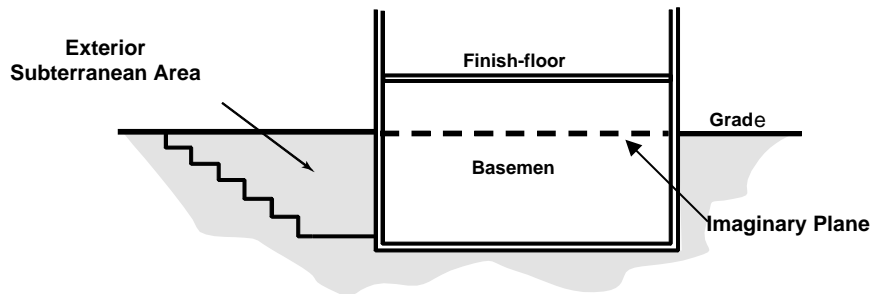
Imaginary Plan and Plumb Line



- (ii) Exterior Subterranean Areas. The overall *structure height* measurement shall not include subterranean vehicular access, exterior subterranean pedestrian access or ventilation to a *basement*. Overall *structure height* shall instead be measured from an imaginary plane connecting to the lowest *adjacent grade* immediately above the exterior subterranean space, as shown in Diagram 113-0200.

Diagram 113-0200

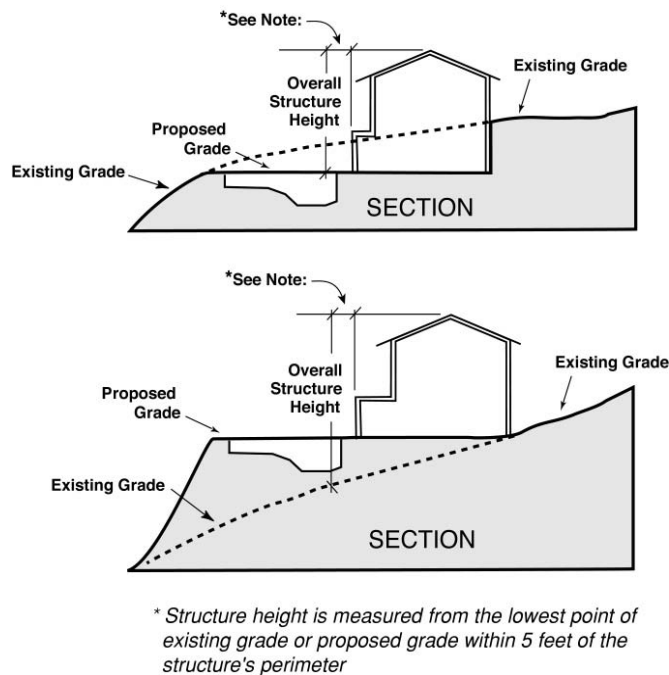
Access and Ventilation to Basement



- (C) When a pool is located within 5 feet of the *structure*, the overall *structure height* shall not include the pool. This is illustrated in Diagram 113-02PP.

Diagram 113-02PP

Overall Structure Height With Pool



- (D) *Structure Height* of Buildings subject to Coastal Height Limit in accordance with Section 132.0505
 - (i) The height of a building is measured to the uppermost point of the *structure* or any appurtenance placed upon the roof thereof, including *signs*, penthouses, mechanical equipment, chimneys, vent stacks, spires, or steeples, or other projections.

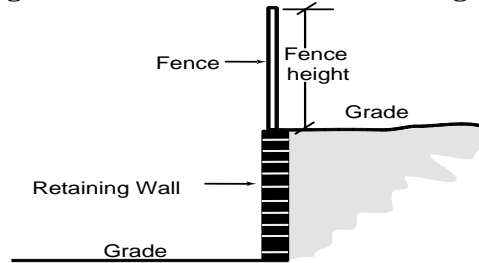
- (ii) The base of the measurement shall be taken from finished grade in accordance with the 1970 Uniform Building Code. The height shall be measured from the highest adjoining sidewalk or ground surface within 5 feet of the *structure*, provided that the height measured from the lowest adjoining surface shall not exceed such maximum height by more than 10 feet.
 - (iii) *Structure height* of buildings subject to the Coastal Height Limit shall also comply with the height measurement calculations for plumb line in Section 113.0270(a)(2)(A) and overall height in Section 113.0270(a)(2)(B).
 - (5) *Structures* excluded from the measurement of *structure height*

Uninhabited roof *structures* up to 15 feet in height that conceal mechanical equipment, elevators, stair overruns, trellis and shade *structures*, and *fences* with a surface area at least 75 percent open to light are excluded from the calculation of *structure height* for *development*, if all of the following conditions exist:
 - (A) The *development* is not located within the Coastal Height Limit Overlay Zone, within the Clairemont Mesa Height Limit Overlay Zone, or within a designated view corridor within the Coastal Overlay Zone;
 - (B) The *structure height*, exclusive of the exemptions permitted in Section 113.0270(a)(5), is 45 feet or greater;
 - (C) The *development* is a commercial and residential mixed-use project; and
 - (D) The *structure* does not project above a 45-degree plane inclined inward from the top of the parapet of the nearest wall, except that trellises and shade *structures* outside of the 45-degree plane may be 9 feet in height, and *fences* outside of the 45-degree plane with a surface area at least 75 percent open to light may be 4 feet in height.
- (b) *Structure Height of Fences, Walls, and Retaining Walls*
 - (1) *Fence and Wall Height*

- (A) The height of any portion of a *fence* or wall is measured from the lowest *grade* abutting the *fence* or wall to the top of the *fence* or wall, except that the height of a *fence* or wall on top of a *retaining wall* is measured from *grade* on the higher side of the *retaining wall*, as shown in Diagram 113-02QQ.

Diagram 113-02QQ

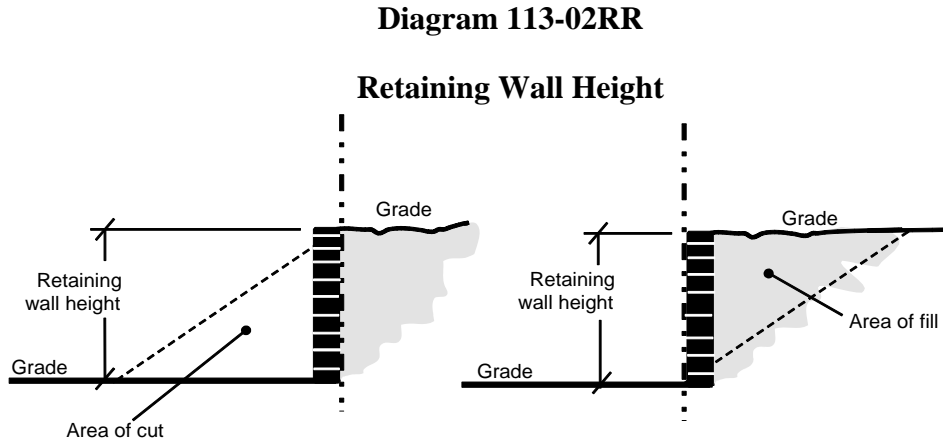
Height of Fence or Wall on Retaining Wall



- (B) The height of a *fence* or wall may be averaged between two points along the *property line* to create a straight line along the top of the *fence* or wall, provided that the average height does not exceed the maximum permitted.

(2) *Retaining Wall Height*

The height of a *retaining wall* is measured from *grade* on the lower side of the *retaining wall* to the top of the *retaining wall*, as shown in Diagram 113-02RR.



(c) *Structure Height of Signs*

The height of a ground *sign* is measured from the lowest point of the *existing grade* or *proposed grade*, whichever is lower, immediately adjacent to the base of the *sign* to the highest point at the top of the *sign structure*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)
(Amended 11-13-2008 by O-19801 N.S.; effective 12-13-2008.)
(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)
(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)