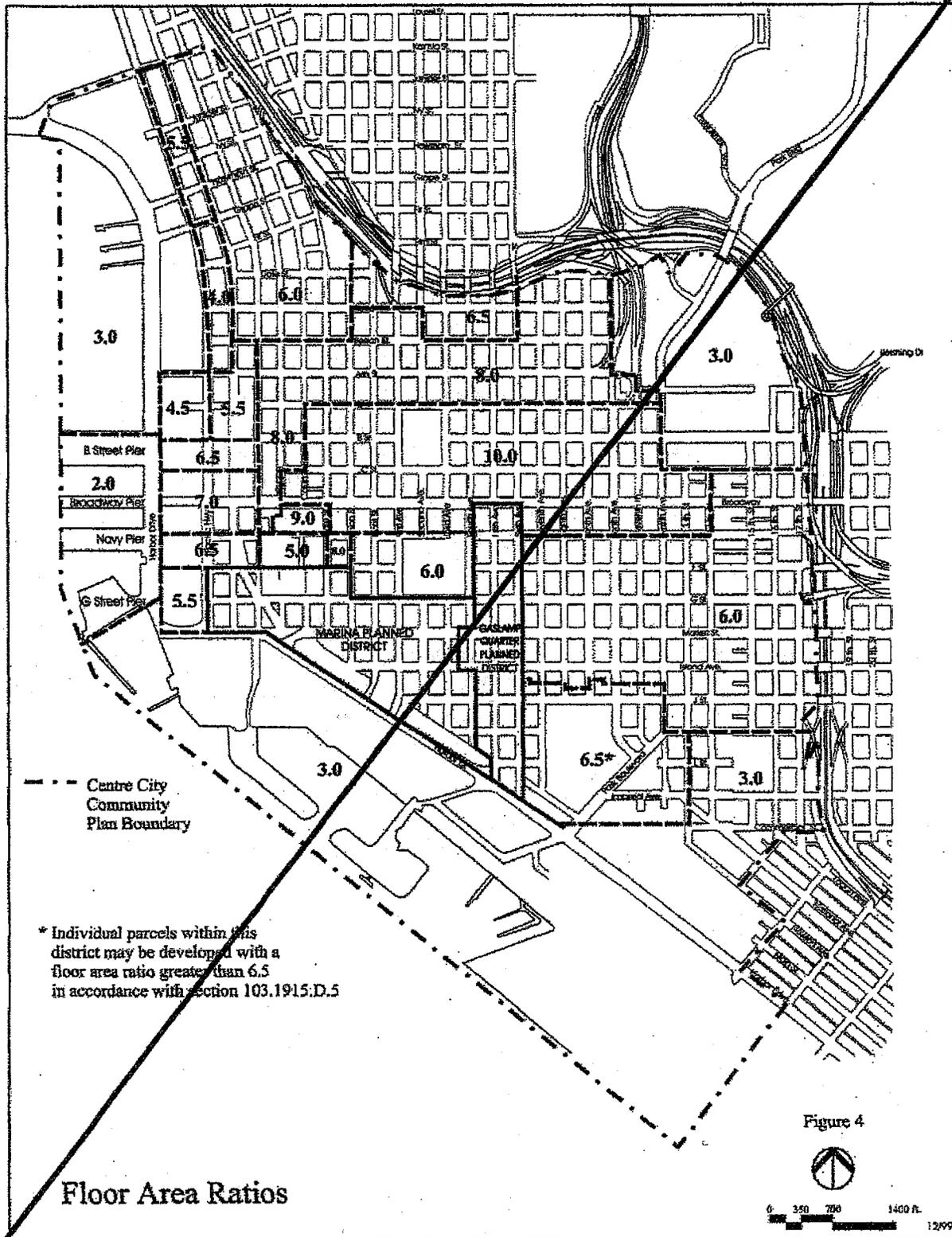


**OLD LANGUAGE: ~~STRIKEOUT~~**  
**NEW LANGUAGE: UNDERSCORE**

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

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19.3 BY REPEALING FIGURES 4 AND 5; AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19.4 BY REPEALING FIGURES 6, 7, 8 AND 9; AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19.6 BY REPEALING FIGURES A AND C; AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19.7 BY REPEALING FIGURES D, E AND F; AND AMENDING CHAPTER 10, ARTICLE 3, DIVISION 19.8 BY REPEALING SECTION 103.1959, FIGURE 1, AND FIGURE B; AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 BY AMENDING AND RENUMBERING CURRENT SECTION 156.0304 TO NEW SECTION 156.0302; BY AMENDING AND RENUMBERING CURRENT SECTION 156.0302 TO NEW SECTION 156.0303; BY AMENDING AND RENUMBERING CURRENT SECTION 156.0303 TO NEW SECTION 156.0304; AND BY AMENDING SECTIONS 156.0305, 156.0306, 156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0312, 156.0313, 156.0314, AND 156.0315, ALL RELATING TO THE CENTRE CITY PLANNED DISTRICT.



\* Individual parcels within this district may be developed with a floor area ratio greater than 6.5 in accordance with section 103.1915.D.5

**Floor Area Ratios**

Ch.	Art.	Div.
10	3	19.3

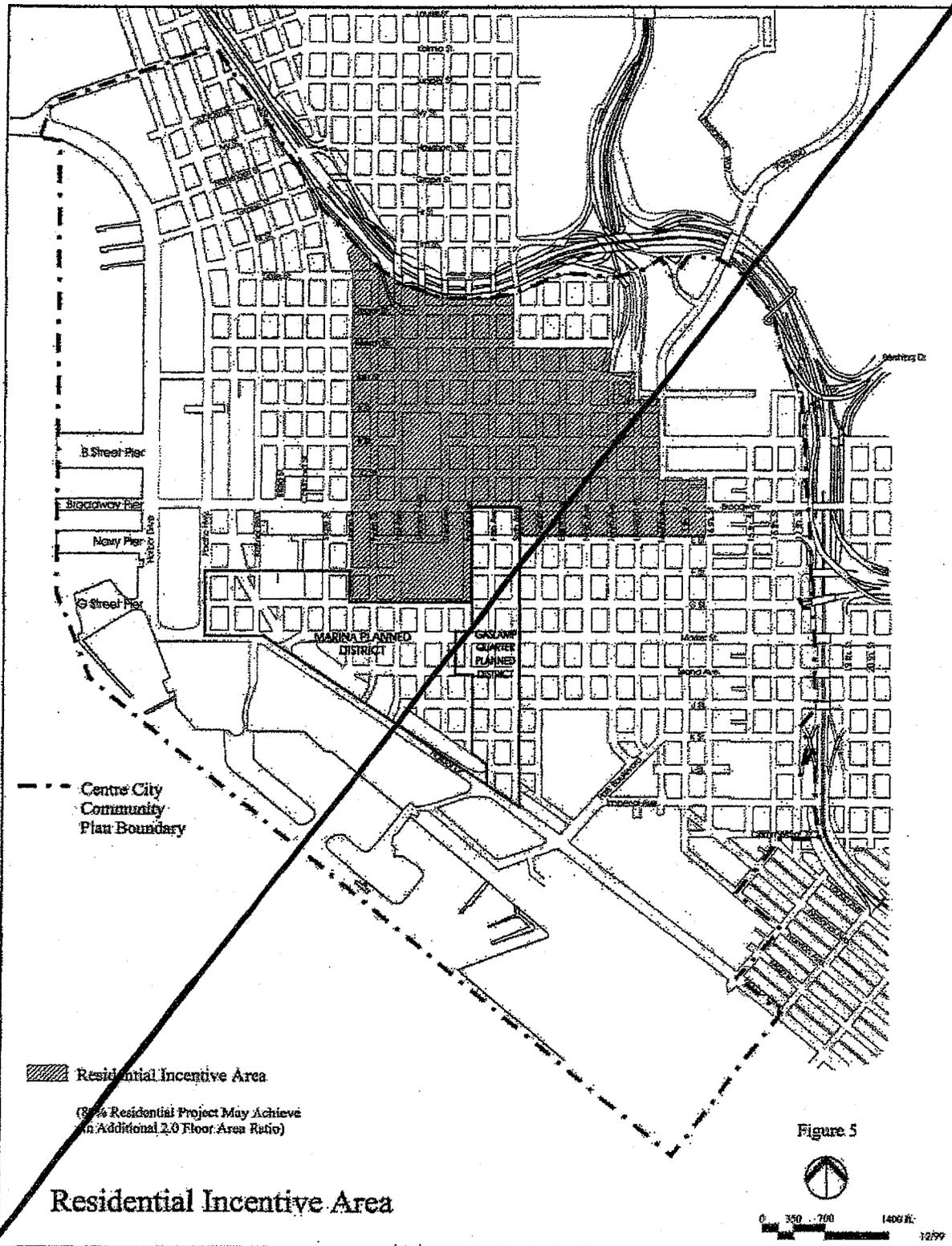
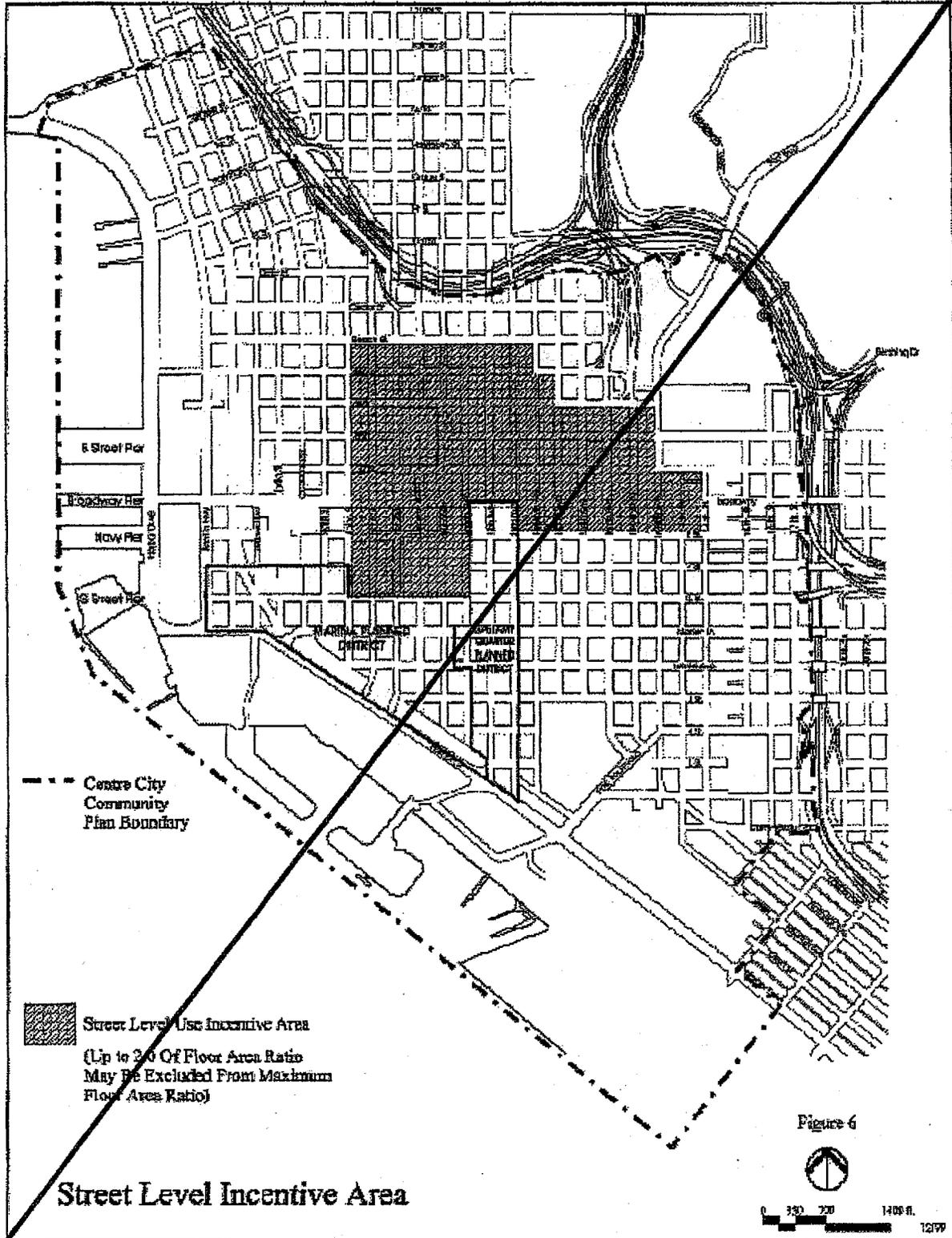


Figure 5

### Residential Incentive Area

Ch. Art. Div.  

10	3	19.3	2
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Street Level Incentive Area

Ch. Art. Div.			
10	3	19.4	1

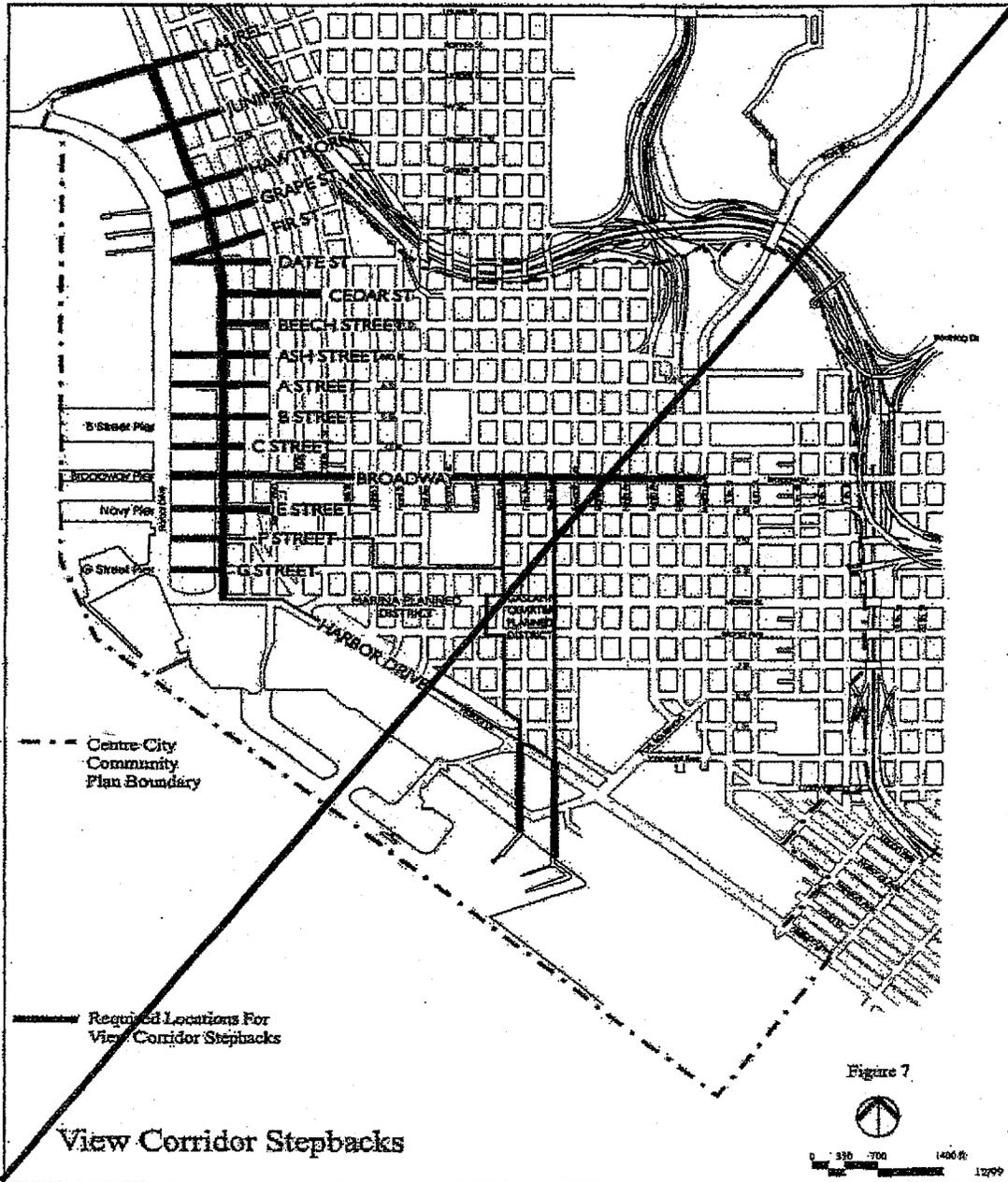


Figure 7

Ch. Art. Div.

10	3	19.4	2
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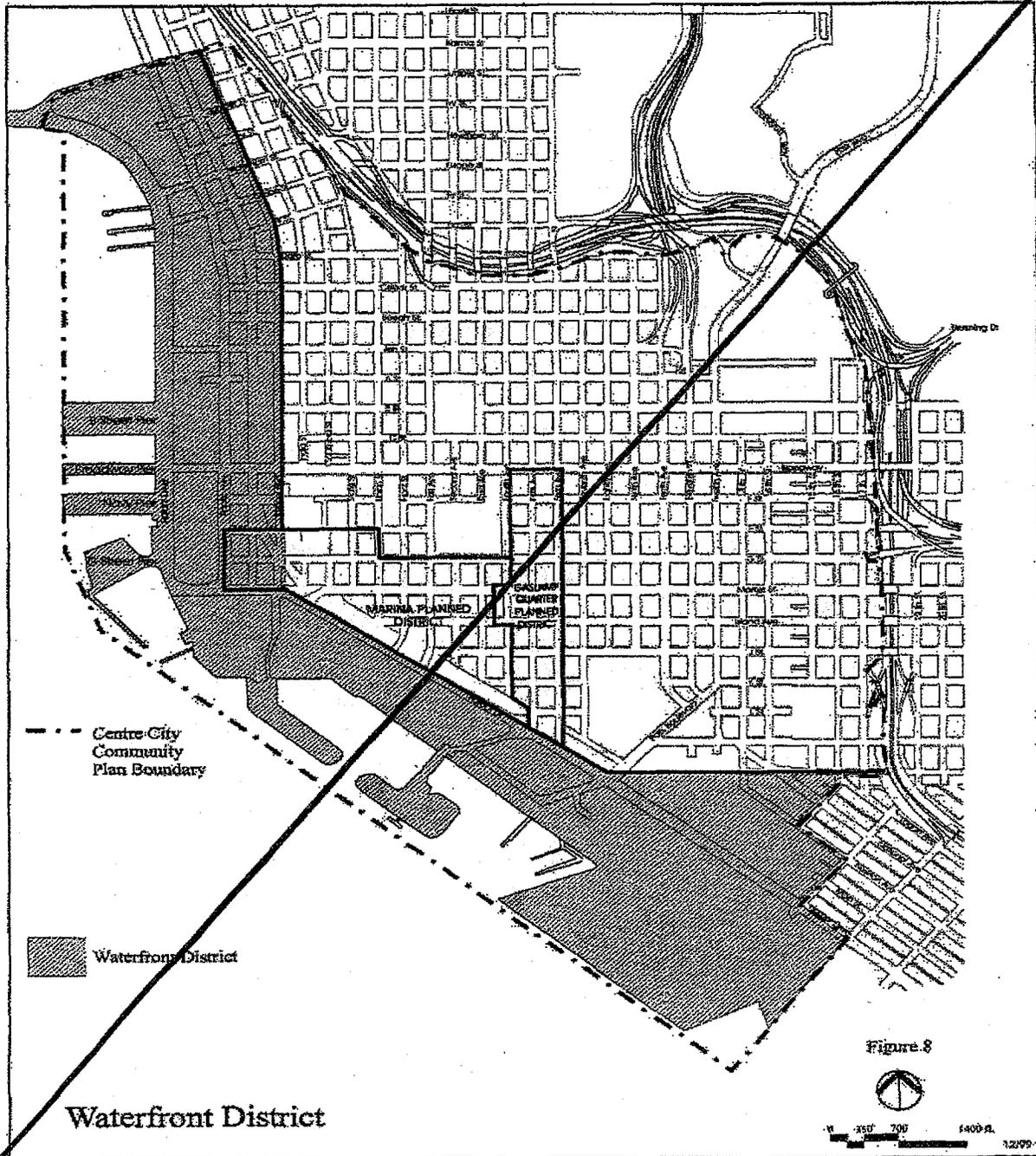
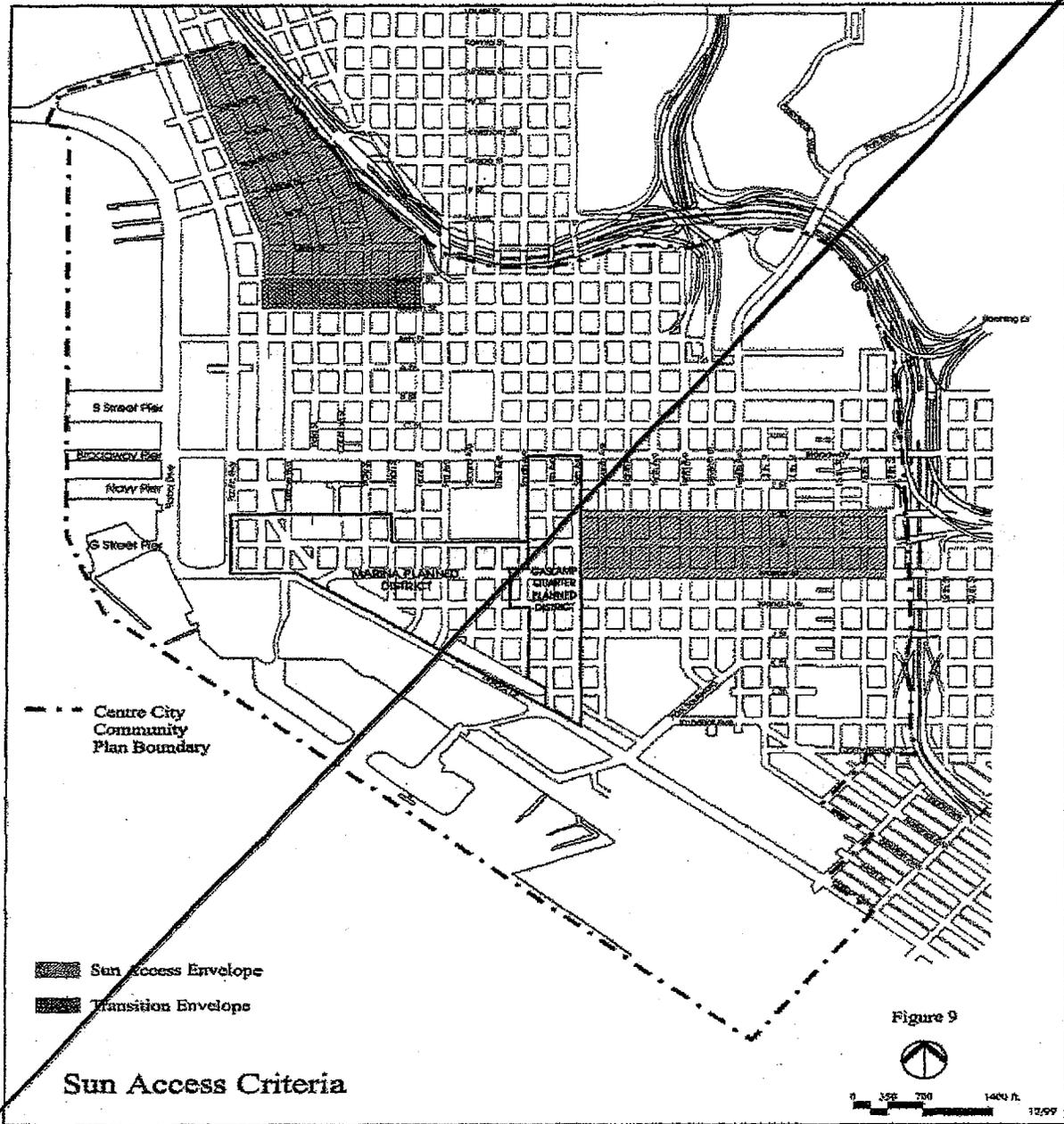


Figure 8

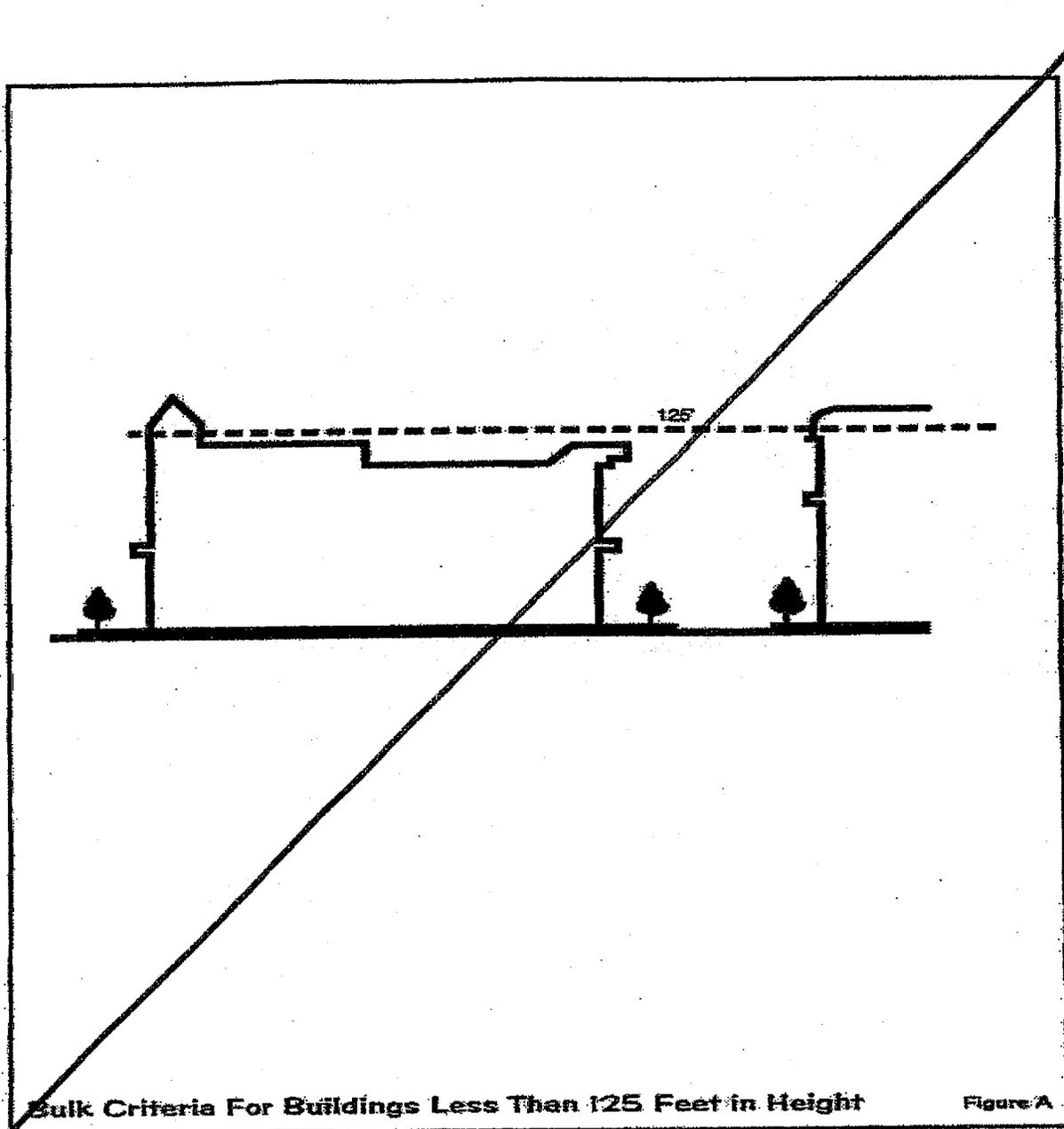


0 350 700 1400 ft. 12000'

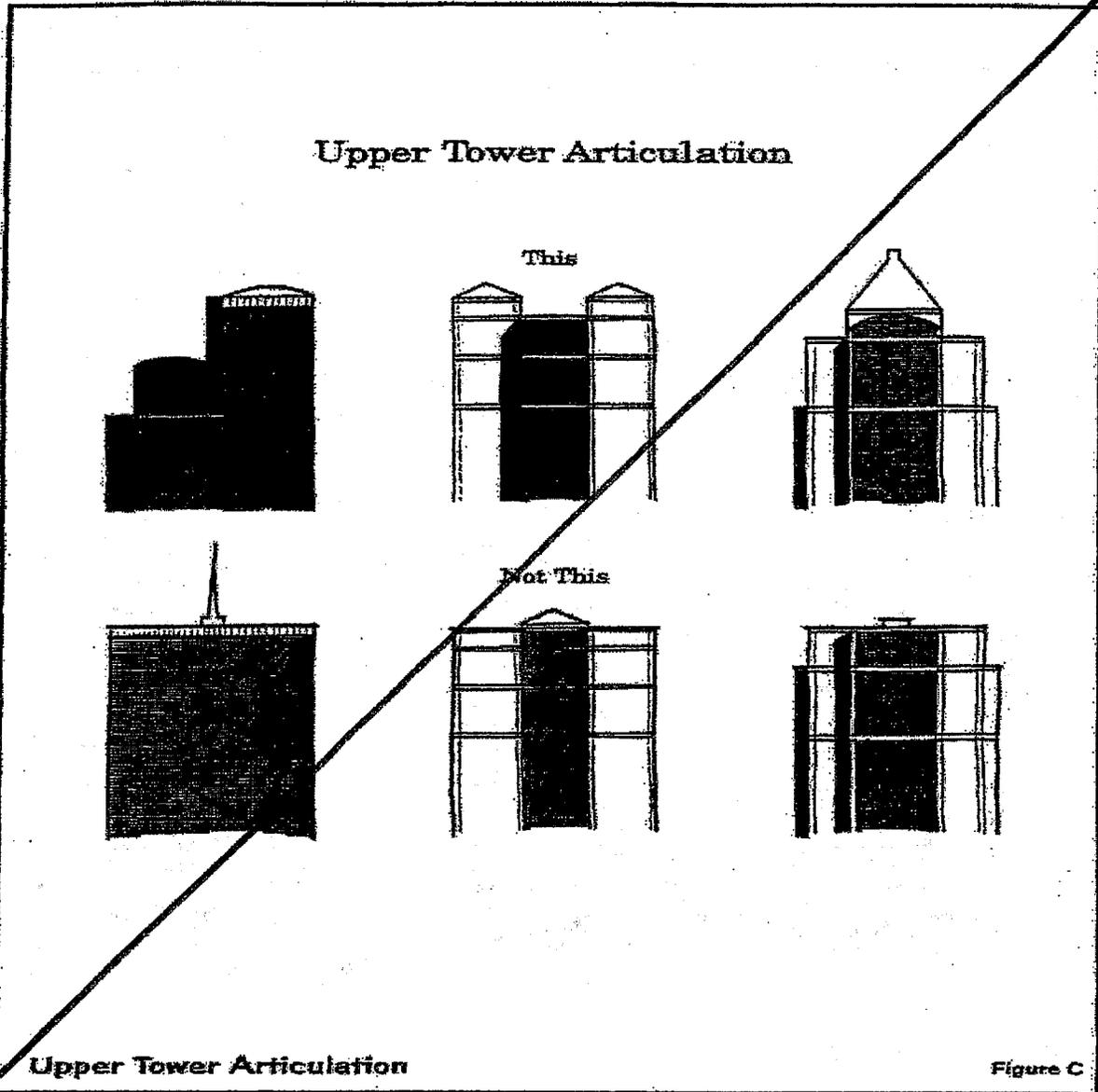
Ch. Art. Div.			
10	3	19.4	3



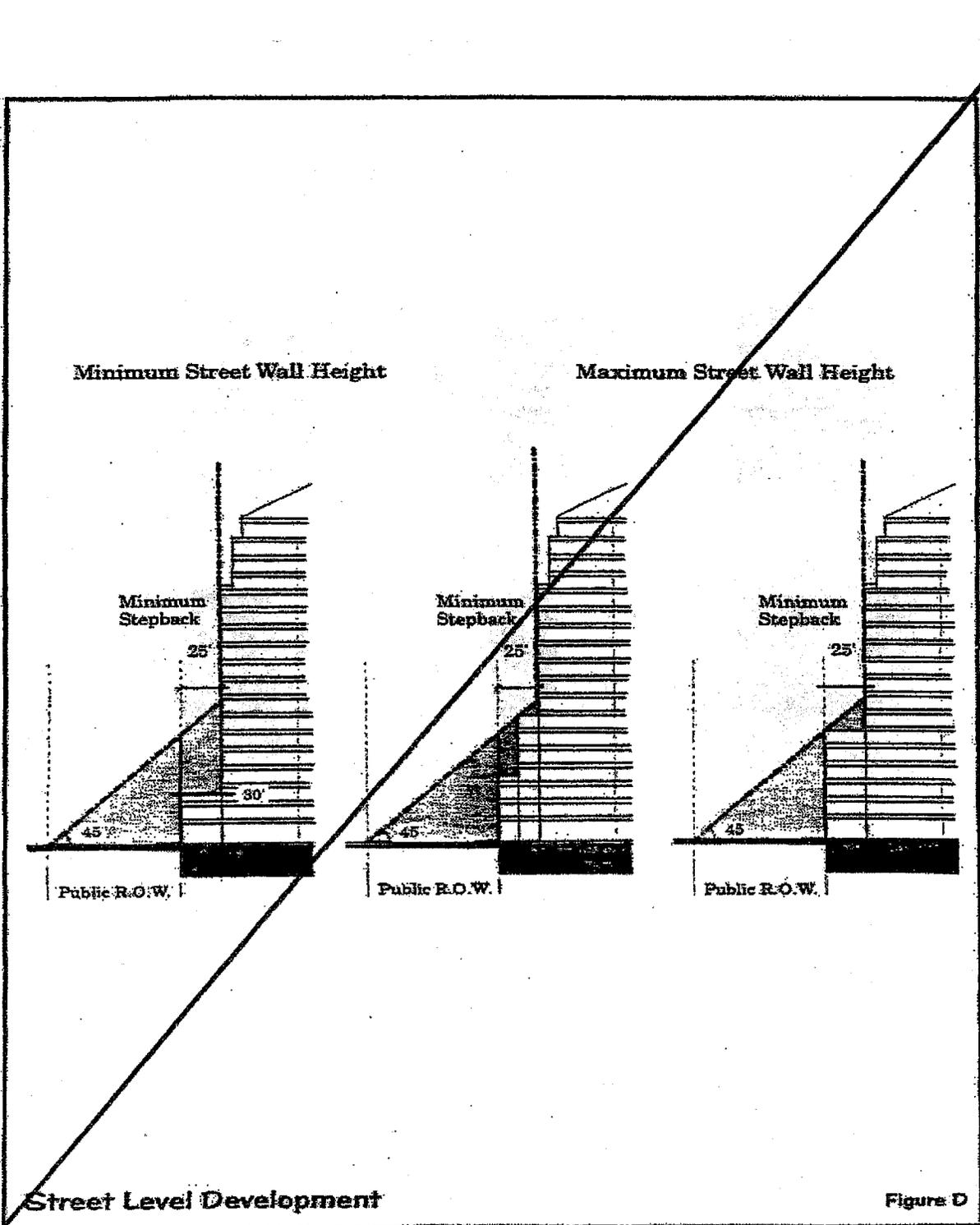
Ch. Art. Div.  
10 3 19.4 4



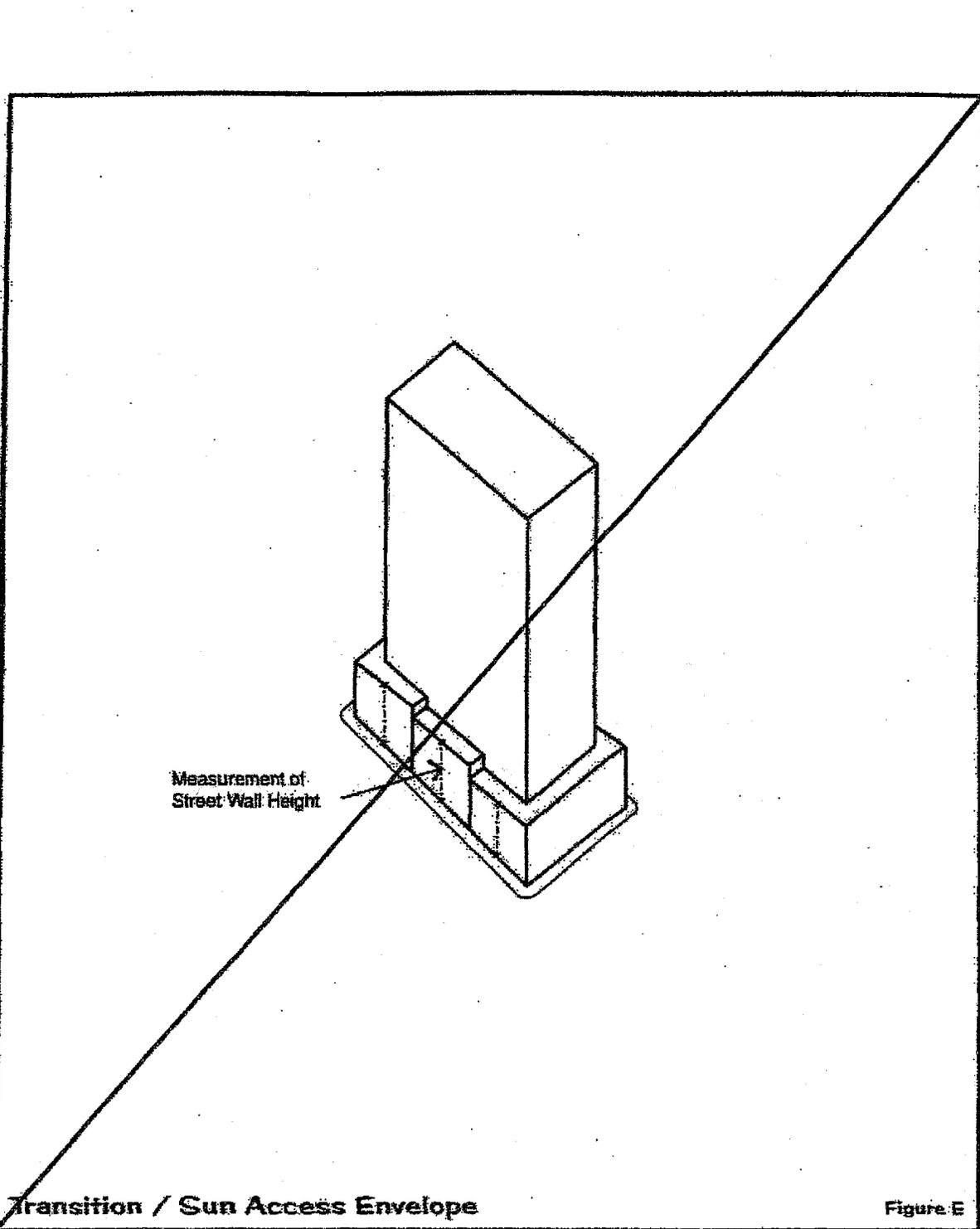
Ch.	Art.	Div.
10	3	19.6
		<b>1</b>



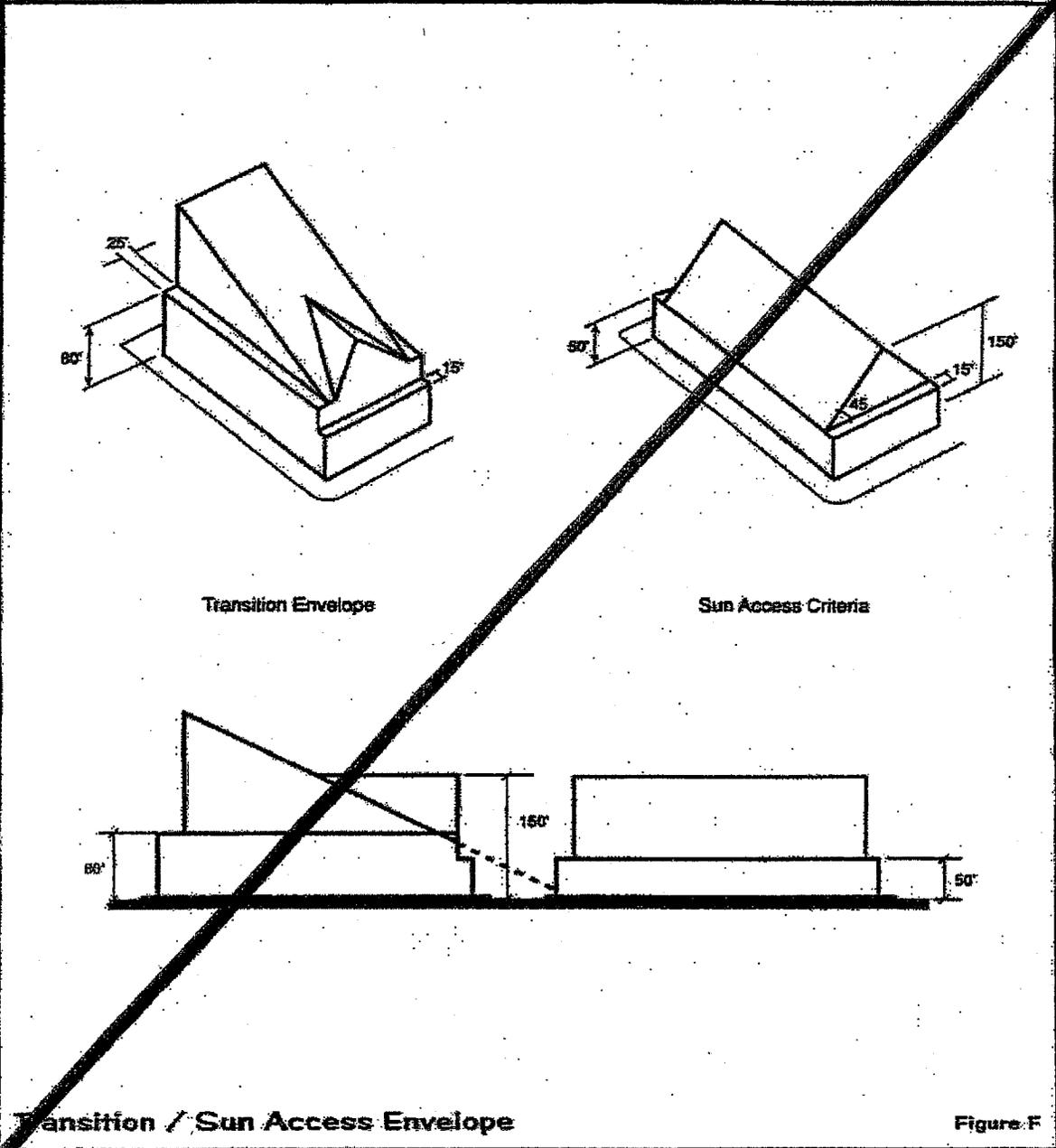
Ch.	Art.	Div.
10	3	19.6 2



Ch.	Art.	Div.
10	3	19.7
		1



Ch.	Art.	Div.
10	3	19.7
		2



Transition / Sun Access Envelope

Figure F

Ch.	Art.	Div.
10	3	19.7
		3

**~~§103.1959 Conditional Use Permit for Living Units~~**

**~~(a) Purpose and Intent~~**

~~It is the purpose of the living unit ordinance to create a rental and home ownership demonstration program in the Centre City Community Planning Area for lower income people. This new type of housing unit has been made possible by enabling legislation enacted by the State of California.~~

**~~(b) Permitted Locations~~**

~~Not to exceed three living unit projects may be permitted by a Conditional Use Permit in the Centre City Community Planning Area.~~

**~~(c) Definitions~~**

~~(1) "Living Unit" means an enclosed space of more than 150 net square feet which is not required to, but may contain a full or partial kitchen and bathroom.~~

~~(2) "Living Unit Project" means a building containing 12 or more living units.~~

~~(3) "Complete Bathroom" means a room containing all of the following: a toilet, sink, and shower or tub. A partial bathroom is missing at least one of the above facilities.~~

~~(4) "A Full Kitchen" means room containing all of the following: a sink, refrigerator and stove, range top or oven. A partial kitchen is missing at least one of the above facilities.~~

~~(5) "Common Indoor Space" means all usable interior common areas not used for circulation or service facilities. Common indoor space~~

~~includes lobby, recreation room or reading rooms.~~

~~(6) "Living Unit Transit Corridor" means the area within 500 feet of existing accessible public bus lines having a fifteen minute level of service frequency as established by the Metropolitan Transit Development Board (MTDB) identified on Map No. C-794, on file in the office of the City Clerk.~~

~~(7) "Living Unit Transit Node" means the area within 500 feet of existing and proposed trolley stops. Proposed trolley stops are those that have been approved for development by the MTDB with identified funding available identified on Map No. C-794, on file in the office of the City Clerk.~~

~~(8) "Lower Income" means any household whose income is below 80 percent of the median household income for the region, and as adjusted for a one-person household.~~

~~(d) Development Criteria~~

~~Living unit projects in The City of San Diego may be permitted by Conditional Use Permit subject to the provisions of this Section and are not subject to existing residential density standards.~~

~~(1) Unit Requirements.~~

~~(A) Each unit within a living unit project must have at least 150 square feet of net floor area. The average size of all living units may not exceed 275 square feet. When a living unit exceeds 400 square feet in area, existing underlying zone~~

~~density and parking standards for a one-bedroom apartment unit apply.~~

~~(B)Maximum occupancy is two persons.~~

~~(C)A full kitchen is not required in every living unit. However, a kitchen sink with garbage disposal and counter top is required in every living unit. The counter top must be a minimum of 12 inches deep by 24 inches wide~~

~~(D)A refrigerator and microwave oven must be provided in, or be available from the permittee for every living unit. Electrical outlets for these appliances must be provided in proximity to the sink and counter top.~~

~~(E)Each living unit must be pre-wired for phone and cable television service.~~

~~(F)A complete bathroom is not required in every living unit. However, each living unit must include a private toilet. If a private toilet is not enclosed within each living unit, the permittee shall screen the toilet.~~

~~(G)A closet and designated storage space is required in every living unit.~~

~~(H)Handicap access facilities are required as stated in applicable state or local law. However, at least one handicapped-accessible unit is required for every 25 units.~~

~~(2)Project Requirements.~~

~~(A) Showers/Bathtubs. Each living unit that is not provided with a private shower and/or bathtub must be served by a shared shower (and optionally, a bathtub). Shared bathing facilities must be provided at a ratio of at least one facility for every five units, or fraction thereof, which lack a private bathing facility. Each shared bathing facility must be on the same floor as the units it is intended to serve, and must be directly accessible from a common area or hallway.~~

~~(B) Each shared bathroom facility must have an interior lockable door.~~

~~(C) At least one janitorial closet with sink is required on each floor.~~

~~(D) Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every 15 units or fractional number thereof. At least one washer and one dryer is required in every living unit project. The laundry facility must be located near the common indoor space. Washers and dryers may be coin operated.~~

~~(E) A cleaning supply storeroom and/or utility closet with at least one laundry tub with hot and cold water must be provided on each floor of the living unit building.~~

~~(F) Common indoor space is required in each living unit project. For each living unit sized as follows, minimum common indoor space requirements per living unit shall be:~~

~~Common Indoor Space Requirements Per Living Unit~~

~~Living Unit Size 4.5 square feet~~

~~160-169 square feet 4.0 square feet~~

~~170-179 square feet 3.5 square feet~~

~~180+ square feet 3.0 square feet~~

~~(G) In no case must common indoor space be less than 200 square feet in any living unit project.~~

~~(H) All living unit buildings for rent must have either a front desk with a full view of the entry area, staffed 24 hours a day, seven days a week, or an operational outdoor entry intercom system with intercoms in each living unit and the manager's apartment.~~

~~(I) All living unit buildings must be equipped with fully automatic, Class I, fire sprinkler systems.~~

~~In living unit buildings up to and including three stories in height, the Building Official shall consider alternate equivalents when a fire sprinkler system is provided. The fire sprinkler system must be provided pursuant to this section and it must not otherwise be required by any other applicable code or regulation. Such alternatives may include but are not limited to the following items:~~

~~(i) Fire-rated stair enclosures may have 20-minute, fire-rated, self-closing, tight-fitting, smoke and draft control~~

~~assemblies.~~

~~(ii) Exit courts may discharge into one-hour, fire-resistive corridors.~~

~~(iii) No requirements for 20-minute, fire-rated, smoke and draft control assembly separation between elevator shafts and one-hour, fire-rated corridors.~~

~~(iv) No requirements for Class II standpipe systems (fire hose cabinets).~~

~~(v) Reduction of standpipe size requirement from four-inch to two-and-one-half-inch diameter or equivalent flow.~~

~~(vi) The use of plastic pipe as an alternate to cast iron pipe.~~

~~The determinations made pursuant to this subsection by the Building Official shall be on a case-by-case basis and are appealable exclusively to the Board of Building Appeals and Advisors.~~

~~(J) A manager's unit is required in every living unit project. The manager's unit must be a complete dwelling unit and so designated on all plans.~~

~~(K) A supply room must be provided adjacent to the manager's unit.~~

~~(L) All living units must have posted in the common indoor space area a notice from the City regarding contact procedures to investigate housing code violations.~~

~~(M) An adequate number of trash cans with close fitting covers~~

~~must be provided on each floor. Management controlled locked trash chutes must be provided on every floor above ground level.~~

~~(N) In every living unit lobby area, pay telephones, a drinking fountain and mail boxes must be provided.~~

~~(O) The architecture creates a livable space in a small area with multi-use features and incorporates security and acoustic features, particularly in the light wells, if any.~~

~~(3) Parking Requirements.~~

~~(A) Base Parking Requirement. The number of required off street parking spaces is 0.90 per living unit. If a living unit is rent restricted at monthly rentals affordable to an individual earning 65 percent of the median area income or less, the number of required off street parking spaces is 0.70 per unit.~~

~~(B) At the request of the applicant and with the approval of the Development Services Director and City Engineer, City Manager in lieu of fees may be used when a public improvement project providing additional parking and found to be in conformance with the community plan is within one quarter mile of the subject property. The total number of spaces which may be provided for through this provision is equivalent to 50 percent of the required base and supplemental parking as calculated after any permitted reductions. The fee is~~

~~150 percent of the estimated cost per net additional space required to be provided for by financing of the identified public improvement project.~~

~~(C) Except in the Coastal Overlay Zone, an exemption from parking requirements of Section 103.1959(d)(3) shall be considered by the City Council for projects in designated Redevelopment Areas and granted only if the City Council finds that the project will contribute to the health, safety, and general welfare and that its contribution will exceed any negative impact caused by implementation of the project.~~

~~(4) Management Plan. For living unit projects for rent, a management plan must be submitted for review with the living unit permit application. The Management Plan must contain management policies, operations, rental procedures, maintenance plans and staffing needs. An on-site, 24-hour manager is required in every living unit project. The rental procedures must allow for both weekly and monthly tenancies and specify deposit requirements for each type of tenancy.~~

~~(e) Rent Restrictions~~

~~Rent restrictions are determined by the base number of vehicular parking spaces provided under Section 103.1959(d)(3)(A). In any event, the applicant shall file an affordable rent agreement with the Housing Commission and must record the agreement in the office of the County Recorder before a building permit may be issued. The agreement shall be enforced pursuant to~~

~~Section 103.1959(g)5. No living unit may be occupied by or sold to a person or persons whose income exceeds 80 percent of median area income as most recently defined by the Department of Housing and Urban Development (HUD) for the Standard Metropolitan Area of San Diego, California, as adjusted for a one-person household. All living units shall be rent restricted at a rate which when combined with costs for electricity, gas, and water does not exceed 22.5 percent of median income for a single person household.~~

~~Additional limitations on rent may be made if public subsidies are provided. An exemption under this section shall be considered by the City Council for projects in designated Redevelopment Areas and granted only if the City Council finds that the project will contribute to the health, safety and general welfare and that such contribution will exceed any negative impact created by implementation of the project.~~

~~(f) Owner Occupancy Requirements and Resale Limitations~~

~~If condominium living units are offered for sale, they may be sold or resold only to owner occupants. No living unit may be sold to a person or persons whose income exceeds 80 percent of median area income as most recently defined by the Department of Housing and Urban Development (HUD) for the Standard Metropolitan Area of San Diego, California, as adjusted for a one-person household. If an owner cannot sell after a 90-day listing period, the property must be listed with the Housing Commission for rental at cost to cover mortgage, taxes, association fees and insurance.~~

~~(g) Administration~~

~~(1) Living Unit Conditional Use Permit Required. A Living Unit~~

~~Conditional Use Permit is required before an applicant may apply for any other City required permit. No person may begin any construction or remodeling to provide living units without first obtaining a Living Unit Conditional Use Permit in accordance with this section.~~

~~(2) Application. An applicant must apply for a Living Unit Conditional Use Permit in accordance with Land Development Code Section 112.0102. The application must also include:~~

~~(A) Copies of fully dimensioned floor plans and specifications indicating living unit sizes and electrical outlets as required by Paragraph E of this Section.~~

~~(B) The plans shall include any proposals that will require an encroachment permit on the public right-of-way.~~

~~(C) The plans shall specify whether the project is to be a rental or a condominium project.~~

~~(D) Copies of a Management Plan to include management policies, proposed rent schedule, rental procedures, maintenance and cleaning, and staffing.~~

~~(E) Copies of the conditions, covenants and restrictions (CCR's) which stipulate that units for sale may be sold or resold only to owner occupants, and which stipulate the terms of resale. If an owner cannot sell after a 90-day listing period, the property must be listed with the Housing Commission for rental at cost to cover mortgage, taxes, association fees and insurance.~~

~~(F) A location map pursuant to the requirements in Section 103.1959(b).~~

~~(3) An application for a Living Unit Conditional Use Permit may be approved, conditionally approved or denied by the President. The President's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.~~

~~(4) Building Permit Issuance. If an application for a Living Unit Conditional Use Permit has been approved, and the rent agreement has been recorded, the City Manager is authorized to issue any other requisite permits for the project, provided it conforms to all other regulations and ordinances of the City of San Diego.~~

~~(5) Enforcement.~~

~~(A) Violations. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Section or the Living Unit Conditional Use Permit shall be guilty of a misdemeanor as defined in Chapter One of the San Diego Municipal Code. Any person convicted of a misdemeanor under the provisions of this code shall be punished in accordance with Section 12.0201. Further, the imposition of civil penalties, pursuant to Sections 12.0801 through 12.0810 of the Municipal Code is an alternative method of enforcement. Each such person shall be guilty of a separate offense for each and every day during which any violation of any provision of the Living Unit Ordinance is~~

~~committed, continued, or permitted by such person and shall be punished accordingly.~~

~~(B) Low Income Occupancy and Rents. The staff of the Housing Commission has the responsibility for the verification, certification and enforcement of lower income occupancy and the monitoring of living unit rents and shall report findings on an annual basis to the City Council. Living unit owners shall provide appropriate documentation to the Housing Commission on an annual basis to verify compliance with requirements defined in Section 103.1959(e).~~

~~(C) Planning Powers. The City Manager shall invoke the powers of enforcement and inspection as provided for in Land Development Code Chapter 12 (Land Development Reviews) for any violation of this Section except for those responsibilities delegated to the Housing Commission or the Building Official.~~

~~(D) Housing Inspection. The Building Official or assigned representative shall invoke the powers of enforcement and inspection as provided for in Section 98.0104 of the Municipal Code for all matters normally enforced by the City Manager.~~

~~(E) Revocation of the Living Unit Conditional Use Permit and Conversion Provisions. Failure of owners to comply with ongoing conditions may result in the revocation of the Living~~

~~Unit Conditional Use Permit in accordance with Land Development Code Chapter 12, Article 1, Division 3 (Violations of the Land Development Code and General Remedies). A Living Unit Conditional Use Permit may be revoked if any one or more of the following grounds are found:~~

~~(i) That the Living Unit Conditional Use Permit is being or has been exercised contrary to the provisions of the permit or of this Section or in violation of any applicable licenses, permits, regulations or laws;~~

~~(ii) That the use for which the Living Unit Conditional Use Permit was obtained is being or has been exercised so as to be detrimental to the public health, safety, or general welfare or so as to constitute a public nuisance;~~

~~or~~

~~(iii) That the property or any structure thereon subject to the Living Unit Conditional Use Permit has been abandoned or the use authorized by the permit has ceased for a period exceeding 12 months and no time extension has been granted for a longer time.~~

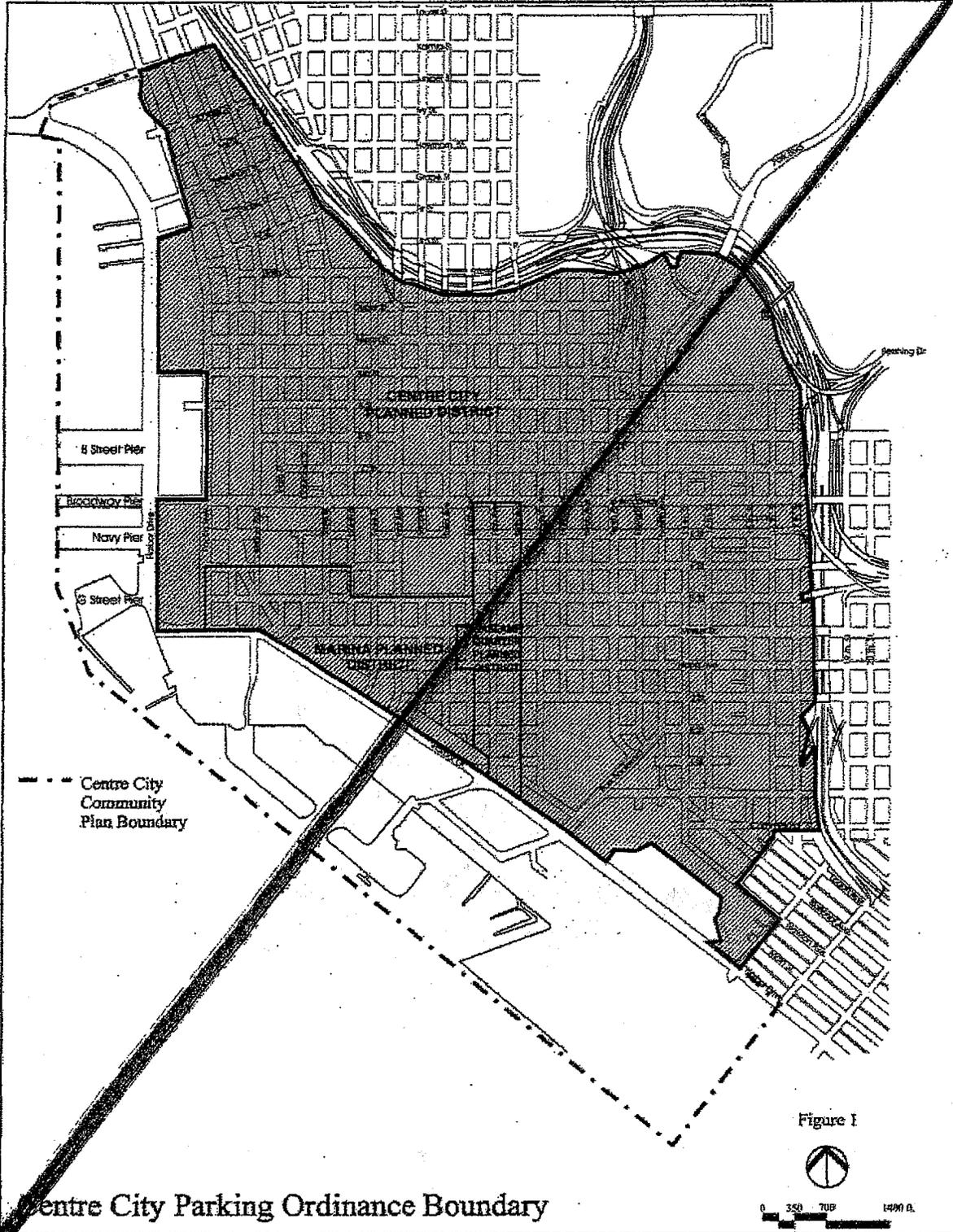
~~(iv) That restricted rents are not in compliance with the rent agreement filed with the Housing Commission. If the finding is made that the rent agreement has been violated, the permit holder shall make restitution of the~~

~~amounts in excess of those provided by the Rent Agreement to the tenants and shall pay an equal amount to the lease/sale proceed funds administered by the Housing Commission, in addition to any remedies provided by the Rent Agreement.~~

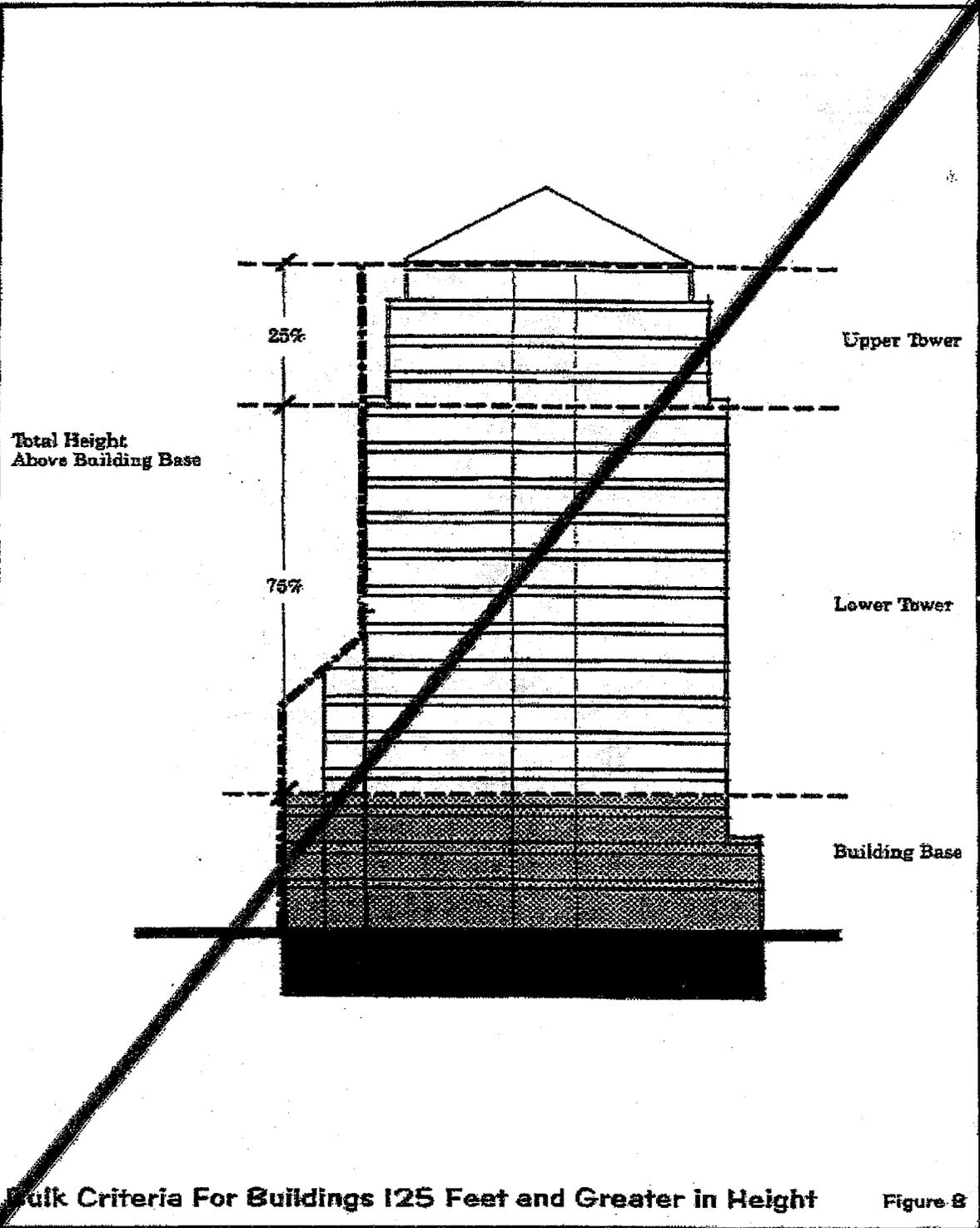
~~(F) Civil Actions. The City may institute a civil action to recover in damages all rents paid to the owner if the owners of condominium units fail to comply with the owner occupancy requirements of Section 103.1959(f)~~

~~(G) Review Procedures.~~

~~The San Diego Housing Commission shall report to the City Council on an annual basis the location and number of living units that have been completed in the previous year, the monthly rents of each living unit, the monthly income of living unit residents, the number of vehicles owned by residents and the adequacy of management services.~~



Ch. Art. Div.			
10	3	19.8	17



Ch. Art. Div.  
10 3 19.8 18

**§156.03040302 Definitions**

The following ~~are definitions applicable~~apply to this ~~Division~~Article. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this Division; or in Chapter 11, Article 3, Division 1 of the Land Development Code; appears in the text in italicized letters.

*Active commercial uses* mean commercial uses that are accessible to the general public ~~which, that~~ generate walk-in pedestrian clientele, and that contribute to a high level of pedestrian activity. Uses that ~~generate pedestrian activity~~ Active commercial uses include retail shops, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal and convenience services, *hotel* lobbies, banks, travel agencies, airline ticket agencies, child care services, libraries, museums, and galleries.

*Base floor area ratio (Base FAR)* means the minimum and maximum ~~development~~ potential permitted for a site ~~and, which is~~ expressed as a ratio of the amount of ~~gross-gross floor area~~ area to the size of the parcel. The minimum *base FAR* is the minimum *floor area* which must be built on a site in a new ~~project~~ development. Maximum *base FAR* is the maximum *floor area* permitted to be built without bonuses or transfers.

*Bed and breakfast* means a visitor-serving establishment with up to ~~20~~twenty rooms for overnight stays that serves breakfast every morning.

*Blank wall(s)* means any *street wall* area that is not transparent, including solid doors and mechanical area wall(s).

*Bona-fide eating establishment* means a place ~~in which the primary~~ that is primarily used ~~is for the serving of individually prepared meals to guests for compensation.~~ A ~~bona-fide eating establishment~~ bona-fide eating establishment contains suitable *kitchen* facilities on the ~~premise~~ *premises* and adequate seating arrangements for patrons. ~~A bona-fide eating establishment may provide alcoholic beverages for consumption on the premises, subject to applicable regulations.~~

*Bonus floor area ratio (Bonus FAR)* means the additional ~~floor area ratio~~ area ratio ~~ratio~~ that may be earned by meeting certain requirements listed in ~~Section 151-156.0309(e).~~

*Building base* [No change in text.]

*Building materials* ~~means~~ mean all materials visible from the exterior of a *development*, including materials used for walls, roofs, windows, doors, and architectural or decorative features applied to the *building façade*.

~~CCAC is an abbreviation for~~ means the Centre City Advisory Committee, the official community planning group for the Centre City Planned District.

~~CCDC is an abbreviation for~~ means the Centre City Development Corporation.

CCDC Board means the Board of Directors of the Centre City Development Corporation.

*CCDC President* ~~refers to~~means the President of the Centre City Development Corporation and his or her the President's designees.

*Centre City Development Permit* ~~means all permits which are required pursuant to this Division.~~

*Certificate of transfer* means a document ~~prepared by~~in a form acceptable to CCDC and the City Attorney whichthat is recorded to certify the ~~transfer of transfer of development rights~~rights between sites.

*Commercial Street* ~~is a land use overlay applicable to~~streets mean certain streets in the Centre City Planned District that are subject to a land use overlay as illustrated in Figure D of this Division.

*Common ~~outdoor~~indoor open space* means ~~these a~~ usable ~~outdoor spaces~~indoor area commonly accessible to all residents and users of the building for ~~the purpose of~~ passive or active recreation.

*Common ~~indoor~~outdoor open space* means ~~the~~ usable ~~indoor~~outdoor areas commonly accessible to all residents and users of the building for ~~the purpose of~~ active or passive recreation.

*Covenants, Conditions, and Restrictions (CC&Rs)* ~~refers to~~mean recorded documents specifying rights and restrictions on a site.

*Courtyard* means an open space unobstructed to the sky, located at or above-grade level ~~on a lot~~, and bounded on two (2) or more sides by ~~walls of a building~~ walls.

~~Cultural Institutions~~ institution or ~~Cultural Use~~ cultural use means a non-profit ~~institutions~~ institution recognized as a 501(c), displaying or preserving objects of interest in ~~one or more of the~~ arts or sciences. ~~This classification~~ Cultural uses includes libraries, museums, non-profit art galleries, and interpretive centers.

*Design Review* ~~refers to~~ means the formal review of a proposed ~~project~~ development through the established process relevant to the size and nature of the proposed ~~project~~ development.

*Disposition and Development Agreement (DDA)* means an agreement between the ~~Redevelopment Agency~~ Redevelopment Agency and a developer in which the ~~Agency~~ Redevelopment Agency conveys property to said developer to implement the ~~Redevelopment Plan~~ Redevelopment Plan pursuant to a specified scope of development.

*Employment uses* means those non-residential uses which provide employment opportunities and ~~are~~ include those uses specifically designated in Table ~~0308-A~~ 156-0308A.

*Eco-roof* means an open space area on top of a ~~roof of a building~~ roof that is landscaped and maintained according to the requirements of ~~§~~ section ~~156.0311(i)(5)0309(e)(4)~~.

~~*Floor area ratio* (abbreviated as "*FAR*") has the same meaning as in Land Development Code Section 113.0103 and means the numerical value obtained by dividing the total gross floor area (*GFA*) of all building(s) on a premises by the total land area of the premises on which the building(s) are located.~~

*Floor area ratio bonus* (*FAR bonus*). [No change in text.]

~~*Floor plate*~~ is means the amount of *gross floor area* located on a single floor in the tower of a building.

~~*Gross floor area* (abbreviated as "*GFA*") has the same meaning as in Land Development Code Section 113.0103 and as further defined Section 156.0304 of this Division.~~

~~*Group living*~~ means these residential and/or institutional uses licensed by the State of California that provide supportive residential facilities to specified sections of the population.

~~*Home occupations*~~ have the same meaning as in Land Development Code Section 141.0308.

~~*Living unit*~~ [No change in text.]

~~*Living unit project development*~~ means a *development* containing more than twelve (12) *living units*.

~~*Logo*~~ [No change in text.]

~~Main Street is a land use overlay applicable to streets mean~~ certain streets in the Centre City Planned District that are subject to a land use overlay as illustrated in Figure D of this Division.

*Mass and scale* [No change in text.]

~~Mid-zone refers to that means the~~ portion of a building above the *building base* and below the *tower*. ~~The mid-zone only applies within the Large Floorplate and/or Employment Required overlay districts as illustrated in Figure C of this~~ Division.

*Mixed-use development* means ~~developments-in-which~~ that includes two or more land uses ~~are included~~.

*Outfield Park* has the same meaning as in San Diego Municipal Code section 59.0102.

*Owner Participation Agreement (OPA)* means an agreement between the ~~Redevelopment Agency~~ Redevelopment Agency and a property owner specifying terms of a redevelopment action as it affects the owner's property.

*Pedestrian entrance* [No change in text.]

*PETCO Park* has the same meaning as in San Diego Municipal Code section 59.0102.

*Private open space* means an area connected or immediately adjacent to a *dwelling unit*. ~~The space can be~~ *Private open space* may include a balcony, porch,

ground or above-grade patio or roof deck used exclusively by the occupants of the dwelling unit and their guests.

*Pushcart* [No change in text.]

Redevelopment Agency means the Redevelopment Agency of the City of San Diego that exercises governmental functions prescribed by the Community Redevelopment Law of the California Health and Safety Code pursuant to Resolution No. 147378.

Redevelopment Plan means the plan for the Centre City Redevelopment Project, which was adopted on May 11, 1992 by the City Council pursuant to Ordinance No. O-17767, and any subsequent amendments thereto.

*Receiving site through Residential care facilities* [No change in text.]

*Screen or screening* means partial or full enclosure of a space or area by solid materials that are compatible with the materials and architectural design of the project-development in order to block views of the area from nearby development or public rights-of-way.

*Sending site* refers to a site where FAR-gross floor area is transferred to a receiving site in accordance with the ~~Transfer of Development Rights~~ TDR procedures in Section 156.0309(g).

*Senior housing or senior units* means a housing development as defined in State of California Civil Code Sections-section 51.3 and 51.12.

*Setback* is the horizontal distance between the *property line* and the nearest front, side, or rear building wall of a building.

*Shopkeeper unit* ~~refers to~~ means a unit with both living quarters and ~~space that may be used for commercial purposes and~~ space that meets all occupancy separation requirements of the ~~Uniform~~ Building Code.

*Stepback* [No change in text.]

*Street wall* ~~is~~ means the ~~building façade~~ building facade along a *property line* adjacent to any public *street*. The *street wall* may include arcades, colonnades, recessed entrances, ~~private open space, and urban open space~~ private open space, or urban open space.

*Structured parking* means all parking facilities ~~either serving that~~ serve a primary use ~~and or~~ that are open to the general public.

*Tenant improvements* means interior ~~and/or~~ minor exterior improvements to an existing building, ~~such as the~~ Tenant improvements may include finishing or remodeling of interior space to accommodate a new tenant or occupant, the installation of ancillary mechanical equipment, or the installation of replacement of doors ~~and or~~ or windows to serve a specified use.

~~Towers refers to~~ Tower means that portion of a building located above the building base or the *mid-zone*, if applicable, to the top of the building.

*Transfer of Development Rights (TDR)* means the program whereby ~~GFA~~ gross floor area may be transferred between sites for the purpose of establishing ~~public parks~~ public parks or preserving ~~designated historical~~ designated historical resources.

*Transitional housing* has the same meaning as in Land Development Code section 141.0313. ~~Tower~~ refers to that portion of a building located above the ~~base~~ or the ~~mid-zone~~, if applicable, to the top of the building.

*Transportation Demand Management demand management (TDM)* means a series of measures that encourage use of alternative forms of transportation with the intent to alleviate traffic demand on area roadways.

*Upper tower* is means the upper 20 percent of a *tower*, measured above the building base or mid-zone to the top of the building, including mechanical penthouses.

*Urban open space* means any usable space accessible to the general public which is 1,000 square feet or greater in size ~~such as~~ and includes ~~plazas, or parks, etc.~~

**§156.03020303 Centre City Land Development Manual**

- (a) ~~The Centre City Development Corporation (CCDC)~~ may establish and adopt application submittal requirements, review procedures, and standards and guidelines for ~~development~~ to supplement the ~~Centre City Planned District Ordinance (PDO)~~ implement this Article. These support

implementation documents shall be known collectively as the Centre City Land Development Manual (*CCDC Land Development Manual*).

- (b) The *CCDC Land Development Manual* may be amended on a quarterly basis or as needed to comply with revisions to local, state, or federal law. The *CCDC Land Development Manual* may be amended in one of the following ways:
- (1) Minor amendments shall be approved by the *CCDC President* after considering public comments according to the process established in the *CCDC Land Development Manual*. Minor amendments shall include changes to clarify language or concepts, to reformat or reorganize language, or to reflect new or outdated technology or techniques.
  - (2) Major amendments to the *CCDC Land Development Manual* shall be approved by the ~~*CCDC Board of Directors*~~ in accordance with Process Five. Major amendments shall include the creation or elimination of a chapter or chapters or other changes that exceeds the requirements to do not qualify as a minor amendments as provided in Section 156.0302(b)(1).
- (c) A copy of the ~~*CCDC-CCDC*~~ *CCDC Land Development Manual* shall be on file in the *CCDC* offices of the ~~*CCDC*~~.

- (d) The ~~CCDC~~ CCDC Land Development Manual includes, but is not limited to, the:

(1) through (5) [No change in text.]

**§156.03030304**

**Administration and Permits**

- (a) Administration

~~The Centre City Development Corporation~~ CCDC is responsible for the administration of planning and zoning functions for the City of San Diego within the Centre City Planned District. The ~~CCDC President of Centre City Development Corporation, or his or her designee,~~ shall administer this ~~Division~~ Article to ensure compliance with the regulations and procedures of this ~~Division~~ Article, the Downtown Community Plan, ~~Centre City~~ CCDC Land Development Manual, Centre City Streetscape Manual, and any adopted policies or guidelines adopted by the City of San Diego or ~~City of San Diego Redevelopment Agency~~ Redevelopment Agency to implement the Downtown Community Plan. The City Manager shall administer the issuance of Zoning Use Certificates ("ZUCs") in compliance with the land use classifications permitted in Table ~~0308-A~~ 156-0308A of this Division.

- (b) Permit Required

The following permits ~~require~~ are subject to the development review and ~~the development~~ permit procedures in this Division ~~apply to these~~

~~permits~~Article: Centre City Development PermitCentre City Development Permits, Neighborhood Use Permits, Conditional Use Permits, Coastal Development PermitDevelopment Permits, Site Development PermitDevelopment Permits, Planned Development Permits, and Variances.

(1) ~~Centre City Development Permit~~Centre City Development Permit

~~A Centre City Development Permit~~Centre City Development Permit shall be required for all ~~new-construction involving with~~ 1,000 square feet or more of ~~GFA~~ gross floor area not within an existing ~~structure~~. ~~New-construction~~Construction with less than 1,000 square feet ~~in area~~of gross floor area, or within an existing ~~structure~~, shall ~~be required to~~ obtain all required building permits from the City of San Diego and comply with the provisions of this ~~Division~~Article.

(2) A permit is not required for modifications, repairs or other alterations that do not require any ~~type of~~ permit issued by the City of San Diego.

(3) ~~Tenant Improvements~~Tenant improvements exceeding ~~two-hundred-fifty-thousand dollars (\$250,000)~~ in valuation ~~value~~ shall install ~~public improvements~~public improvements consistent with the Centre City Streetscape Manual.

- (c) ~~Other permits. CCDC shall administer Process Two, Three, Four, and Five applications in accordance with Chapter 12, Article 6 (Development Permit Procedures) of the Land Development Code. Appeals of Process Two or Process Three applications shall be heard by the CCDC Board of Directors in lieu of the Planning Commission. Process Three applications that also require Design Review by the CCDC Board shall be consolidated into a single hearing before the CCDC Board.~~

Overview of Decision Process

Applications for development within the Centre City Planned District shall be decided in accordance with one of the five decision processes described below. The type of development proposed in the application determines the applicable process.

(1) Process One

An application for a permit or approval processed in accordance with Process One may be approved or denied by the CCDC President based upon criteria outlined in this Article, the Downtown Community Plan, CCDC Land Development Manual, Centre City Streetscape Manual, and any requirements of the City of San Diego or Redevelopment Agency to implement the Downtown Community Plan. A public hearing will not be held.

(2) Process Two

An application for a permit or approval processed in accordance with Process Two may be approved, conditionally approved, or denied by the CCDC President in accordance with section 112.0503 of the Land Development Code. An applicant or any person who has filed an application for appeal may appeal Process Two decisions in accordance with section 112.0504 of the Land Development Code, but Process Two appeals shall be considered by the CCDC Board in lieu of the Planning Commission.

(3) Process Three

An application for a permit or approval processed in accordance with Process Three may be approved, conditionally approved, or denied by the CCDC Hearing Officer in accordance with section 112.0505 of the Land Development Code. Applicants or interested persons may appeal Process Three decisions in accordance with section 112.0506 of the Land Development Code, but Process Three appeals shall be considered by the CCDC Board in lieu of the Planning Commission.

(4) Process Four

An application for permit or approval processed in accordance with Process Four may be approved, conditionally approved, or denied by the Planning Commission in accordance with section 112.0507 of the Land Development Code. Applicants or interested

persons may appeal Process Four decisions in accordance with section 112.0508 of the Land Development Code.

(5) Process Five

An application for permit or approval processed in accordance with Process Five may be approved, conditionally approved, or denied by the City Council in accordance with section 112.0509 of the Land Development Code.

(d) Existing Approved Projects Development Approvals

~~For projects which have received approvals of a *Development Permit* under previous legislation, those approvals *Development permits* approved prior to shall remain valid under the approved permit terms and conditions of said permits. If said Permits are not utilized unless the approved permits expire pursuant to Ssection 126.0108 of the Land Development Code within the specified time period, all such approvals shall expire.~~

~~For projects which have entered into *Disposition and Development Agreement (DDA)* or *Owner Participation Agreement (OPA)* Where a DDA or OPA has been executed with the Redevelopment Agency Redevelopment Agency prior to the effective date of this ordinance \_\_\_\_\_, Ddevelopment Ppermits may be reviewed and issued according to the regulations and provisions of the legislation~~

laws in effect at the time of *Redevelopment Agency* approval of such agreements-the *DDA* or *OPA* and shall be subject to the terms of such agreements as long as they are in effect.

For projects which have received approvals of a *Development Permit* under previous legislation, an amended application may be submitted *Development permits* issued prior to may be amended by submitting an application under the regulations and provisions of this ordinanceArticle.

Any *developmentapplicant* may request a deviation from the *development* standards and design guidelines in this ordinanceArticle, which may be granted if it is found the *CCDC President* finds that: 1) the project *development* design complies with the previous legislation; regulations and laws in effect at the time of approval and; either 2)-(1) the deviation does not conflict is consistent with the intent of the provisions of this ordinance Article; or, 3) the project (2) construction has already commenced construction under a valid building permit. Any approvals of deviations shall be through the project *development* review process.

Projects that have submitted a *Development Permit* applications which have been determined complete by *CCDC*, or for which serious negotiations have commenced for a *DDA* or *OPA*, as determined by the *CCDC President* indicated by execution of an Exclusive Negotiating Agreement (ENA), shall be processed and entitled pursuant to the legislation regulations and laws in effect at the time of either determination on the determined complete or ENA execution date.

(e) ~~Centre City Development Permit~~ Centre City Development Permit Process

(1) Review Procedures. ~~Centre City Development Permits~~ Centre City Development Permits shall be subject to the following reviews rules:

(A) Administrative Review. Upon receipt of a complete ~~Centre City Development Permit~~ Centre City Development Permit application, the *CCDC President* shall conduct an administrative review of the ~~project~~ development in accordance with Process One. The decision of the *CCDC President* is final. If the ~~project~~ development requires *Design Review* under ~~Section 156.0303(e)(1)(B)(i), (ii) and/or (iii) of this Division 0304~~, then the *CCDC President* shall not issue the ~~Development Permit~~ permit until the ~~project~~ development has received final *Design Review* approval.

(B) *Design Review*. The ~~Centre City Development Corporation~~ CCDC Board shall serve as the *Design Review* board for all development within the Centre City projects Planned District, subject to the following thresholds and procedures for review and approval of such projects.:

(i) ~~Projects containing~~ Development with fewer than 100,000 square feet of GFA gross floor area and/or

fewer than 50 *dwelling units* shall be reviewed and approved by the *CCDC President* in accordance with Process One. ~~No public meetings are required.~~

- (ii) ~~Projects containing~~ Development with at least 100,000 square feet of *GFA and gross floor area* or at least 50 *dwelling units* or greater shall be reviewed and approved by the ~~CCDC Board of Directors~~ Board. The ~~Centre City Advisory Committee (CCAC)~~, or other designated recognized community planning group, shall also review the project development and make a recommendation to the ~~Board~~ CCDC Board.
- (iii) ~~Projects that require Redevelopment Agency~~ Development requiring Redevelopment Agency review and approval for any form of agreement or financial assistance shall also be reviewed and approved by the ~~Redevelopment Agency~~ Redevelopment Agency, which shall have the final Design Review approval authority for such projects development.
- (iv) ~~The CCDC Board of Directors and Centre City Advisory Committee~~ Board and CCAC, or other

~~designated~~recognized community planning group, may establish advisory committees to make recommendations for consideration in the *Design Review* process.

(C) ~~Required~~ Public Notice. Public notice of ~~projects~~shall be provided before a decision is made on an application for a permit in the Centre City Planned District ~~shall be provided~~ in accordance with the following procedures.:

(i) ~~All projects~~Applicants for development proposals requiring a ~~Centre City Development Permit~~Centre City Development Permit shall be required to post a notice on the site in accordance with ~~S~~section 112.0304 of the Land Development Code.

(ii) ~~Projects which require~~Development proposals requiring Design Review approval by the ~~CCDC Board of Directors~~Board or the ~~Redevelopment Agency~~Redevelopment Agency shall be required to be noticed to the surrounding neighborhood in accordance with ~~S~~section 112.0302 of the Land Development Code. A Notice of Application will ~~shall~~ be mailed to ~~those parties~~the persons entitled to notice listed in this ~~Section~~section 112.0302(b).

Further notice shall also be provided to all persons requesting such notice of review meetings and/or decisions.

(iii) ~~Projects that require~~Development proposals requiring a Process Two, Three, Four, or Five approval shall be noticed according to the provisions of Section in accordance with section 112.0302 of the Land Development Code.

(D) ~~Required Findings. A permit under this Section shall only~~  
Centre City Development Permit may be granted if the project decision-maker finds that the development, as submitted or modified, is consistent with the Downtown Community Plan, Centre City Redevelopment Plan Redevelopment Plan, Centre City Planned District Ordinance, ~~Centre City~~CCDC Land Development Manual, City of San Diego Municipal Code, and Land Development Code, and any all other adopted plans or policies of the City of San Diego and/or City of San Diego ~~Redevelopment Agency~~Redevelopment Agency pertaining to the Centre City Planned District.

(E) ~~Permit Issuance. If the CCDC President approves a Centre~~  
City Development PermitCentre City Development Permit,

the application shall be referred to the Development Services Department for any other action as necessary.

~~Denial of any *Centre City Development Permit* application~~

Centre City Development Permit requires the *CCDC*

*President* to issue written findings ~~in writing of~~

~~nonconformance~~ non-conformance with the provisions of

this ~~Division~~ Article, the Downtown Community Plan,

~~Centre City Redevelopment Plan~~ Redevelopment Plan, or

other applicable plans, policies, or guidelines adopted to

implement the Community Plan.

(F) ~~Permit Time Limits. *Centre City Development Permits*~~

~~approved under this Division will be~~ Centre City

Development Permits are effective for a period of ~~3~~ three

years from the date of approval. If a building permit has not

been obtained within the ~~3~~ three years, the *applicant* may

apply for an extension pursuant to ~~Section 126.0111~~ in

accordance with section 129.0219 of the Land

Development Code.

(2) ~~Project~~ Development Review Progression

The preparation, submittal, and review of ~~projects~~ development

proposals in the Centre City Planned District shall proceed through

the following progression as follows:

(A) Basic Concept Drawings. This submittal shall illustrate the basic organization of the site and shall identify historical resources on the site and any adjoining historical resources. Plans shall be reviewed for two- and three-dimensional considerations such as the relationship of land uses within the ~~project~~development, relationship of the ~~projects~~development to proposed and existing land uses adjoining the site, including historical resources, siting considerations such as vehicular and pedestrian circulation, provision for ~~urban open space~~urban open space, architectural composition, quality of proposed materials, and three-dimensional images of the ~~projects~~development. A narrative explanation of the design concept shall be provided. These drawings shall be the basis for obtaining a ~~Centre City Development Permit~~Centre City Development Permit and *Design Review* approval under this Division. A three-dimensional building massing computer file (compatible with CCDC's computer modeling software) shall also be provided.

(B) Design Development Drawings. This submittal shall be a refinement of, and resolve issues identified at, the Basic Concept Drawings stage. Drawings shall include accurate site surveys, ~~floor~~floor plans, elevations, sections, design

details, and a palette of exterior colors and materials. ~~Other considerations~~ Additional submittal requirements such as pedestrian and vehicular circulation, landscape plans, provision for servicing, off-site improvement drawings, utility ~~infrastructure~~ structure, and exterior architectural ~~and features, or urban design features,~~ shall also be ~~included as appropriate~~ provided upon request by the CCDC President.

- (C) 100 Percent Construction Drawings. These represent the final plans, specifications, and other documentation as appropriate for the proposed ~~project~~ development. These drawings shall illustrate how the conditions ~~approving for approval of the previous submissions have been accommodated~~ met. These drawings shall be in sufficient detail to obtain a building permit.

(f) Environmental Impact Report Mitigation Measures

All development in the Centre City Planned District shall comply with and incorporate the historical resources mitigation measures listed in the Mitigation, Monitoring, and Reporting Program listed as Appendix A in the Downtown Community Plan.

§156.0305 Rules of Calculation and Measurement

The Rules of Measurement provided in Chapter 11, Article 3, Division 2 of the Municipal Code shall apply to the Centre City Planned District. *Gross Floor Area (GFA)* shall be calculated based on ~~Section~~ in accordance with section 113.0234 of the Land Development Code, with the following modifications:

- (a) ~~Underground parking structures~~ Underground parking structures count as ~~GFA~~ gross floor area where, at any point, the vertical distance from final proposed ~~grade~~ grade to the finished floor elevation immediately above, is more than 3 feet, 6 inches.
- (b) Phantom floors, as defined in ~~Section 112.0234(b)(4)~~ section 113.0234(b)(4) shall not count as ~~GFA~~ gross floor area in either residential or commercial buildings.
- (c) Roof decks shall not be counted as ~~GFA~~ gross floor area pursuant to ~~Section~~ section 113.0234(b)(5) unless the perimeter walls enclosing the area exceed 6 feet in height for non-transparent materials or 8 feet for transparent materials.
- (d) Notwithstanding ~~Section~~ section 113.0234(d)(2), interior modifications involving the addition of actual floor area count as ~~GFA~~ gross floor area except where:
  - (1) The addition is within the ~~structural envelope~~ structural envelope of a building for which building permits were issued prior to the effective date of ordinance \_\_\_\_\_; or;

(2) The addition consists of a mezzanine that is within the structural envelope~~structural envelope~~ of a building where the mezzanine and is less than one-third of the floor area immediately below.

(c) ~~With the exception of buildings or structures that are historical resources,~~ Mechanical penthouses do not count against GFA gross floor area when architecturally integrated into the overall building design.

**§156.0306 Other Applicable Planning, Zoning, and Development Regulations**

When not otherwise specified in this ~~Division Article~~, the following chapters of the Land Development Code apply. In case of conflict with any other applicable ~~legislation provisions of the San Diego Municipal Code~~, the regulations of this ~~Division Article~~ shall apply. The Downtown Community Plan, Marina Planned District Ordinance, and this ~~Division Article~~ constitute the *Local Coastal Program* for the Centre City Community Plan Area.

- Chapter 11 Land Development Procedures
- Chapter 12 Land Development Reviews
- Chapter 13 Zones
- Chapter 14 General Regulations
- Chapter 14 Article 1, Division 1, General Rules for Separately Regulated Uses
- Chapter 14 Article 2, Division 1, Grading Regulations
- Chapter 14 Article 2, Division 2, Drainage Regulations
- Chapter 14 Article 2, Division 3, ~~Fence 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 7, Off-site Development Regulations
- Chapter 14 Article 2, Division 8, Refuse and ~~Reyclable materials~~Recyclable Materials Storage Regulations
- Chapter 14 Article 2, Division 9, Mechanical and Utility Equipment Screening
- Chapter 14 Article 2, Division 10, Loading Area Regulations
- Chapter 14 Article 2, Division 11, Outdoor Storage Display, and Activity Regulations
- Chapter 14 Article 2, Division 12, ~~Sign~~Sign Regulations
- Chapter 14 Article 3, Supplemental Development Regulations
- Chapter 14 Article 4, ~~Subdivision~~Subdivision Regulations
- Chapter 14 Article 5, Building Regulations
- Chapter 14 Article 6, Electrical Regulations
- Chapter 14 Article 7, Plumbing and ~~Mechanical~~ Regulations
- Chapter 15 Article 1, Planned Districts

**§156.0307 Land Use Districts**

Twelve land use districts, as-shown in Figure B, ~~have been established to define~~ geographic areas that ~~allow~~are subject to specific land use classifications. In addition, twelve overlay districts, shown in Figures C, D, and F, establish areas where additional requirements apply. Permitted land use classifications within each land use district are shown on Table ~~0308-A~~156-0308A. Specific

requirements for minimum and maximum percentages of *active commercial uses* on the ground-floor along ~~street frontages~~frontages are provided.

(a) Base Districts

The purpose of each base district is as follows:

- (1) Core I(C). This district serves as a high-intensity office and employment center. The district operates as a center of regional importance and as a primary hub for businesses, communications, offices, and hotels, with fewer restrictions on building bulk and tower separation than in other districts. Mixed-use projects development shall be accommodated as an important components of the area's vitality. Retail, ~~cultural~~, educational, entertainment, residential, civic, ~~and governmental uses~~, and cultural uses are all permitted. Within the ~~Core-C~~ District a minimum of 40 percent of the ground-floor ~~street frontage~~frontage shall contain *active commercial uses*.
- (2) Neighborhood Mixed-Use Center (NC). This district ensures *development* of distinctive centers around plazas, parks, and/or "~~Main Streets~~" main streets that provide a focus to the neighborhoods by supporting ~~mixed-use (residential/non-residential) projects~~ a mix of residential and non-residential developments that contain *active commercial uses* on the ground floor.

A broad array of compatible uses, including retail, eating and drinking establishments, residential, office, ~~cultural~~, educational, and indoor recreation, and cultural uses are permitted. Building volume restrictions apply to allow sunlight to reach *streets* and public spaces, and design standards seek to establish pedestrian-oriented *development*. Within the Neighborhood Mixed-Use Center NC District, a minimum of 40 percent of the ground-floor ~~street frontage~~ frontage shall contain *active commercial uses*. A minimum of 80 percent of the ground-floor ~~street frontage~~ frontage along ~~Main Streets~~ main streets shall contain *active commercial uses*.

- (3) Employment/Residential Mixed-Use (ER). This district provides synergies between educational institutions and residential neighborhoods, or transition between the Core C District and residential neighborhoods. The ER district also encompasses Horton Plaza. A variety of uses are permitted in this district, including office, residential, *hotel*, research and ~~development~~ development, educational, and medical facilities.
- (4) Ballpark Mixed-Use (BP). This district accommodates *mixed-use developments* that support major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, *hotels*, offices, research and ~~development~~ development facilities, *cultural facilities*;

~~and institutions~~, residential uses, live/work spaces, and parking facilities. Within the ~~Ballpark Mixed-Use~~ BP District, a minimum of 40 percent ~~and a maximum of 100 percent~~ of the ground-floor ~~street frontage~~frontage shall contain *active commercial uses*.

- (5) Waterfront/Marine (WM). This district, ~~much of which is under the jurisdiction of agencies other than the City of San Diego and Centre City Development Corporation (CCDC)~~, permits a range of maritime-related uses, including ocean-related industry, major tourist and local visitor attractions, trade, office, eating and drinking establishments, retail, parking facilities, ~~museum and cultural facilities~~institutions, and *hotels*. Within the ~~Waterfront Marine~~WM District, a minimum of 20 percent and a maximum of 50 percent of the ground-floor ~~street frontage~~frontage shall contain *active commercial uses*.

- (6) Mixed Commercial (MC). This district accommodates a diverse array of uses, including residential, artists' studios, live/work spaces, *hotels*, offices, research and ~~development~~development, and retail. Commercial and service uses, including light industrial and repair, warehousing and distribution, transportation, and communication services that are essential for the livelihood of businesses and residents of the downtown area are also permitted. Within the ~~Mixed Commercial~~MC District, up to 100 percent of

the ground-floor street ~~frontage~~frontage may be *active commercial uses*.

- (7) Residential Emphasis (RE). This district accommodates primarily residential *development*. Small-scale businesses, offices, and services, and ~~small-scale ground-floor active commercial uses~~ (such as cafes and retail stores) are also allowed, subject to size and area limitations. Within the Residential Emphasis RE District, at least 80 percent of the ~~GFA~~gross floor area must be occupied by residential land-uses. Non-residential land-uses may occupy no more than 20 percent of the ~~GFA~~gross floor area. ~~Floor~~Floor area dedicated to *active commercial uses* to satisfy the requirements of either the Main Street or Commercial Street overlay districts shall not be counted against the maximum non-residential percentage of ~~GFA~~gross floor area.
- (8) Industrial (I). This district permits a range of industrial uses, ~~such as including~~ light manufacturing, transportation services, repair and storage, ~~as well as and~~ energy-generation facilities. Within the Industrial I District, no more than 20 percent of the ground-floor ~~street frontage~~frontage may be *active commercial uses*.
- (9) Transportation (T). This district accommodates uses related to trolley, passenger and freight rail operations, maintenance and repair, and associated activities. Within the Transportation T

District, no more than 20 percent of the ground-floor street ~~frontage~~frontage may be *active commercial uses*.

(10) Convention Center/Visitor (CC). This district provides an area for convention centers, *hotels*, and parks and open spaces for visitor uses. ~~Like the Waterfront/Marine District, much of this district is under the jurisdiction of public agencies other than the City of San Diego and CCDC.~~ Within the ~~Convention Center/Visitor~~CC District, a minimum of 20 percent and a maximum of 40 percent of the ground-floor street ~~frontage~~frontage shall contain *active commercial uses*.

(11) Public/Civic (PC). This district provides a center for government, civic uses, *cultural institutions*, educational facilities, and ~~other~~ public and support services, and it accommodates residential uses. Within the ~~Public/Civic~~PC District, a minimum of 40 percent of the ground-floor street ~~frontage~~frontage shall contain *active commercial uses*.

(12) [No change in text.]

(b) Overlay Districts

The following Overlay Districts ~~are established and apply to those areas as~~ illustrated in Figures C, D, and F:

- (1) Airport Environs Overlay Zone (-AEOZ). This overlay district is ~~established under Chapter 13, Article 2, Division 2 of the Land Development Code and is intended to provide~~ supplemental regulations for the property surrounding San Diego International Airport (SDIA); at Lindbergh Field; consistent with the Airport Land Use Compatibility Plan (ALUCP) adopted by the San Diego County Regional Airport Authority. The compatibility of specific land uses with the operations of SDIA is regulated ~~as specified in Sections 132.0301 through 132.0310 pursuant to Chapter 13, Article 2 of the Land Development Code~~. Within the Centre City Planned District, the ~~1990 Noise Contours of the most recently adopted ALUCP apply for determining~~ shall determine land use compatibility ~~as provided for and specified in the ALUCP~~.
- (2) Airport Approach Overlay Zone (-AAOZ). This overlay district is ~~established under Chapter 13, Article 2, Division 2 of the Land Development Code and is intended to provide~~ supplemental regulations for the properties surrounding the approach path for San Diego International Airport (SDIA); at Lindbergh Field; consistent with the Airport Land Use Compatibility Plan (ALUCP) most recently adopted by the San Diego County Regional Airport Authority. The heights of buildings are ~~regulated by the overlay zone as specified in Sections 132.0201 through 132.0209 in this overlay zone~~ are regulated by Chapter 13, Article 2 of the Land

Development Code. Applicants for development proposals that meet the Notice Criteria for the Federal Aviation Administration (FAA) Obstruction Evaluation shall submit a Determination of No Hazard to Air Navigation to the CCDC President and the City Manager prior to issuance of a building permit.

- (3) Coastal Zone Overlay (-CZ). This overlay district applies to lands near San Diego Bay in order to protect and enhance the quality of public access and coastal resources. *Development* within this overlay District requires a Process Two review to ensure the findings in Coastal Development Permit in accordance with Chapter 12, Article 6, Division 7 of the Land Development Code Section 126.0709 can be made.
- (4) ~~Commercial Street~~ Commercial Street Overlay (-CS). On designated ~~Commercial Streets~~, as illustrated in Figure D commercial streets, a minimum of 60 percent of the ground-floor ~~street frontage~~ frontage shall contain *active commercial uses*. Along the west side of Park Boulevard, a minimum of 40 percent of the ground-floor ~~street frontage~~ frontage shall contain *active commercial uses*. ~~Those uses which are~~ Uses appropriate for ~~locations along Commercial Streets~~ commercial streets are identified in Table ~~0308-A156-0308A~~, under ~~Main Street/Commercial Street~~ Main Street/Commercial Street overlays.

- (5) County Administration Center Design Zone Overlay (-CAC). This overlay district ensures that new *development* surrounding the ~~historie~~historic County Administration Center on Pacific Highway is sympathetic in scale, character and height to this important landmark. New *developments* shall conform to the Design Guidelines for the Pacific Highway–County Administration Center Design Zone adopted by the City Council, ~~which shall be used in the review and approval of projects in this overlay district on file in the CCDC offices.~~
- (6) Employment Required Overlay (-ER). In order to ensure ~~that there are~~ adequate opportunities for employment based commercial uses, at least 50 percent of the ~~GF~~gross floor area within each ~~project development~~ in this overlay district shall ~~contain floor area~~ be dedicated to *employment uses* such as professional office, education, *cultural uses*, retail, *hotel*, ~~and other or~~ similar commercial uses. Residential uses in this district ~~cannot~~shall not exceed ~~more than~~ 50 percent of ~~GF~~the gross floor area, counted against the ~~Base Floor Area Ratio (B~~base FAR) as illustrated in Figure H, within any ~~project development~~. ~~Projects~~Development approved through an *Owner Participation Agreement* or *Disposition and Development Agreement* OPA or DDA may for the phased *development* build-out of a project, allowing non-employment phases to precede employment phases, subject to

strict performance standards established by set timeframes for employment use construction plan completion, plan submittal, and other requirements to ensure timely completion. In order to meet the 50 percent employment use requirement, a project development may not include any qualifying employment area existing (for which building permits have been obtained and construction commenced) before the adoption of this ordinance

\_\_\_\_\_. In this overlay district the E District, it is prohibited to convert existing floor area indedicated to employment uses such as professional office, education, retail, hotel, and other or similar commercial use, shall not be converted to any other non-employment use.

(7) Fine Grain Development Development Overlay (-FG). This overlay district The FG District requires that projects development incorporate design standards that exhibit architectural form and variety at a less than full block scale, to ensure a pedestrian scale and diversity of diverse building designs. Specific design criteria are included in Section 156.0311(e) of this Division.

(8) Large Floorplate Overlay (-LF). This overlay district The LF District allows for larger floor plates and bulkier buildings at upper levels to accommodate employment-oriented uses employment uses. The development regulations within this overlay district accommodate these larger floor plates.

- (9) ~~Little Italy Sun Access Overlay (-LISA). This overlay district is intended to~~The LISA District maintains adequate sunlight and air to sidewalks and residential areas of Little Italy, as designated in Figure F, during the winter solstice (on or about December 21) between 10:30 a.m. and 1:30 p.m. The ~~-LISA~~ Overlay establishes a ~~building envelope~~building envelope, as illustrated in Figure N, which applies to the whole block.
- (10) ~~Main Street~~Main Street Overlay (-MS). On designated ~~Main Streets~~, as illustrated in Figure ~~D~~main streets, a minimum of 80 percent of the ground-floor street ~~frontage~~frontage shall contain *active commercial uses*. Those uses which are appropriate for locations along ~~Main Streets~~main streets are identified in Table ~~0308-A-156-0308A~~, under ~~Main Street/Commercial Street~~Main Street/Commercial Street overlays.
- (11) Park/Open Space Overlay (-P). This overlay district ~~is intended to identify~~identifies locations of future park sites designated in the Downtown Community Plan. ~~Development sites to the west and south of desired park sites within this over district are subject to specific design criteria that are intended to ensure adequate sun access.~~
- (12) Park Sun Access Overlay (-PSA). This overlay district ~~is intended to ensure~~ adequate sunlight to future park sites designated in the

Downtown Community Plan by controlling the height of new development to the south and west as illustrated in Figure M.

**§156.0308 Base District Use Regulations**

(a) Permitted Land Uses

The uses allowed and level of review required in the Centre City Planned District zones ~~base districts and overlay districts~~ are shown in Table ~~0308-A-156-0308A~~, below. The “Additional Regulations” column ~~includes special standards references~~ additional regulations applicable to a use that certain uses, which are located ~~following the table (by footnote designation) or in the referenced section of the City’s~~ found in this Article or the Land Development Code. ~~If a use is listed as a Separately Regulated Use and there is not an associated reference in the Additional Regulations column, then the standards in the City’s Land Development Code may not apply, as determined through the project review process.~~

(b) *Previously Conforming* Land Uses

Land uses that were legally established under previous legislation regulations but no longer that do not conform to the land use regulations of this section Article may continue subject to the provisions of Section 127.0101 et seq to exist and operate pursuant to Chapter 12, Article 7, Division 1 of the Land Development Code, with the exception that the

GFA gross floor area of P previously C conforming Uses may be expanded up to 100% percent through a Neighborhood Use Permit.

<b>Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>														
<b>LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required</b>														
<b>Use Categories/ Subcategories<sup>1</sup></b> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>82</sup>	MC	RE	I <sup>82</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	<i>Main Street/ Commercial Street/Emp- loyment Required Overlays</i> <i>Main Street/ Commercial Street/ Employment Required Overlays</i>
<b>Public Park</b> <i>Public Park/ Plaza/Open Space</i>	P	P	P	P	P	P	P	P	P	P	P	P		
<b>Agriculture</b>	--	--	--	--	--	--	--	--	--	--	--	--		
<b>Residential</b>														
<i>Group Living</i>	L	L	L	L	--	L	L	--	--	L	--	--	§131.0423(e)	
<i>Multiple Dwelling Units</i>	P	P	P	P	--	P	P	--	--	P	--	--		
<i>Shopkeeper Units</i>	P	P	P	P	--	P	P <sup>23</sup>	--	--	P	--	--		
<i>Live/Work Quarters</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0311	
<b>Separately Regulated Residential Uses</b>														
<i>Fraternities, Sororities, and Dormitories</i>	N	N	N	N	--	N	N	--	--	N	--	--	§141.0304 (e)-(e)	
<i>Home Occupations</i> <i>Home Occupations</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0308	
<i>Housing for Senior Citizens</i> <i>Senior Housing</i>	C	C	C	C	--	C	C	--	--	C	--	--	§141.0310 §156.0303(f) §156.0309(e)(1)	
<i>Living Units</i>	P	P	P	P	--	P	P	--	--	P	--	--	§156.0315 (b)	
<i>Residential Care Facilities</i>	C	C	C	C	--	C	C	--	--	C	--	--	§156.0303(f) §141.0312	
<i>Transitional Housing</i>	C	C	C	C	--	C	C	--	--	C	--	--	§141.0313 §156.0315(f)	
<b>Institutional</b>														
<b>Separately Regulated Institutional Uses</b>														
<i>Churches &amp; Places of Religious Assembly</i>	P	P	P	P	--	P	--	--	--	P	--	--		CS

**Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS**

**LEGEND:** P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories <sup>1</sup> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>82</sup>	MC	RE	T <sup>82</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays Main Street/ Commercial Street/ Employment Required Overlays
<b>Communication Antennas</b>														
Minor Telecommunication Facility	L	L	L	L	L	L	N	L	L	L	C	L	§141.0405 0420	
Major Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	§141.0405 0420	
Satellite Antennas	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	§141.0405	
Correctional Placement Centers	C	--	--	--	--	C	--	--	--	C	--	--	§141.0406	
<i>Cultural Institutions</i>	P	P	P	P	P	P	--	--	--	P	P <sup>910</sup>	P		CS, E
Educational Facilities	P	P	P	P	P	P	--	--	--	P	--	P		E
Energy Generation & Distribution Stations	C	C	C	C	C	C	--	C	C	C	--	C	§141.0408	CS
Exhibit Halls & Convention Facilities	--	--	--	--	--	C	--	C	C	C	--	P		E
<u>Historical Buildings Occupied by Uses Not Otherwise Allowed</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	§156.0315(d)	
Homeless Facilities <sup>78</sup>	C	--	C	C	--	C	--	--	--	C	--	--	§141.0412 §156.0315(f)(e)	
Hospitals, 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities	P	C	P	P	--	P	--	--	--	P	--	P		CS, E
Major Transmission, Relay or Communication Switching Station	C	--	C	C	--	C	--	C	C	--	--	--	§141.0416	
<i>Social Service Institutions</i>	C	--	C	C	--	C	--	--	--	C	--	--	§156.0315(f) (e)	
<b>Retail Sales</b>	P	P	P	P	P	P	P	P	--	P	--	P	§156.0307 (a), (b) & Figure C	MS, CS, E

**Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS**

**LEGEND:** P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories <sup>1</sup> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>82</sup>	MC	RE	I <sup>82</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays Main Street/ Commercial Street/ Employment Required Overlays
<b>Commercial Services</b>														
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	--	--		CS, E
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	P <sup>910</sup>	P		CS, E
With Outdoor Use Area	N	N	N	N	N	N	--	--	--	N	N <sup>910</sup>	N		
Building Services	P	P	P	P	P	P	--	--	--	P	--	--		CS, E
Business Support	P	P	P	P	P	P	P	--	--	P	--	P		CS, E
<b>Eating &amp; Drinking Establishments</b>														
Bona Fide Eating Establishments	P	P	P	P	P	P	P	--	--	P	P	P	§156.0315 (a)	MS, CS, E
Non-Bona Fide Eating Establishments w/Alcohol	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	MS, CS, E
With Outdoor Use Area	N	N	N	N	N	N	N	--	--	N	P	N		MS, CS, E
With Live Entertainment & Dancing	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	MS, CS, E
Financial Institutions	P	P	P	P	P	P	P	--	--	P	--	P		MS, CS, E
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	--	--		CS
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	--	P		CS, E
Off-Site Services	P	P	P	P	P	P	--	P	--	--	--	P		
Personal Services	P	P	P	P	P	P	P	--	--	P	--	P		MS, CS, E
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	--	P		CS, E
<b>Visitor Accommodations</b>														
Hotels and Motels	P	P <sup>45</sup>	P	P	P	P	--	--	--	P	--	P		CS, E
<b>Separately Regulated Commercial Service Uses</b>														

**Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS**

**LEGEND:** P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories <sup>1</sup> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>89</sup>	MC	RE	T <sup>89</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays Main Street/ Commercial Street/ Employment Required Overlays
Animal Hospitals & Boarding Kennels	C	--	C	C	--	C	--	--	--	--	--	--	§141.0604(b)(1) §141.0625	CS
Bed & Breakfast Establishments	P	P	P	P	--	P	P	--	--	P	--	--		CS
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	--	P		CS, E
Instructional Studios	P	P	P	P	P	P	P	--	--	P	--	P		MS, CS
Parking Facilities (structure or surface)	C	C	C	C	C	C	C	C	C	C	C	C	§156.0313	MS <sup>34</sup> , CS <sup>34</sup>
Private Clubs, Lodges and Fraternal Organizations	P	P	P	P	P	P	P	--	--	P	--	P		
Pushcarts	L/N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	L/N	L/N	§141.0619	
Recycling Facilities														
Drop-Off Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (b)	
Reverse Vending Machines	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (c)	
Large Collection Facilities and Processing Facilities	--	--	--	--	--	C	--	C	C	--	--	--	§141.0620 (e) <del>(f)</del>	
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (d)	
Small and Large Processing Facilities	=	=	=	=	=	C	=	C	C	=	=	=	§141.0620(f)	
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	N	N	§141.0621	
Single-Room Occupancy SRO Hotels (SRO)	P	P <sup>42</sup>	P	P	--	P	P	--	--	--	--	--	§143.0510 - 143.0590	
Offices	P	P	P	P	P	P	P	--	--	P	--	P		
Vehicle & Vehicular Equipment Sales & Service														
Personal Vehicle Sales & Rental	P	P	P	P	P	P	--	P	--	P	--	P		CS, E

**Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS**

**LEGEND:** P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories <sup>1</sup> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>82</sup>	MC	RE	I <sup>82</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays Main Street/ Commercial Street/ Employment Required Overlays
<b>Offices</b>														
All Other Vehicle & Vehicular Equipment Sales & Service	--	--	--	--	--	C	--	C	C	--	--	--		
<b>Separately Regulated Vehicle &amp; Vehicular Sales Vehicle Equipment Service Uses</b>														
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	--	--	§141.0801	
<b>Wholesale, Distribution &amp; Storage</b>														
Moving & Storage Facilities	L <sup>56</sup>	--	L <sup>56</sup>	L <sup>56</sup>	P	P	--	P	P	--	--	--		
Warehouses & Wholesale Distribution	L <sup>56</sup>	--	L <sup>56</sup>	L <sup>56</sup>	P	P	--	P	P	--	--	--		
<b>Separately Regulated Wholesale, Distribution &amp; Storage Uses</b>														
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	--	N		
<b>Industrial</b>														
Heavy Manufacturing	--	--	--	--	--	--	--	C	--	--	--	--		
Light Manufacturing	P	--	P	P	P	P	--	P	P	--	--	--		
Marine Industry	--	--	--	--	--	C	--	C	--	--	--	--		
Research & Development	P	--	P	P	--	P	--	P	P	--	--	--		E
Trucking and Transportation Terminals	--	--	--	--	--	C	--	C	C	--	--	--		
<b>Signs</b>														
Allowable Signs	P	P	P	P	P	P	P	P	P	P	P	P	§142.1201 et- seq- §142.1912 §156.0314	

<b>Table 0308-A156-0308A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>														
<b>LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required</b>														
<b>Use Categories/ Subcategories<sup>1</sup></b> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>82</sup>	MC	RE	I <sup>82</sup>	T <sup>82</sup>	PC	OS	CC <sup>82</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays Main Street/ Commercial Street/ Employment Required Overlays
<b>Separately Regulated Sign Uses</b>														
Community Entry or Neighborhood Identification Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1101, §141.1104	
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	N	N	§141.1105 141.1103	
Revolving Projecting Projecting Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1101 141.1104	
Signs with Automatic Changing Copy	N	N	N	C	N	N	N	N	N	N	N	N	§141.1102 141.1105	
Theatre Theater Marquees	N	N	N	C	N	N	N	--	--	N	N	N	§141.1103 141.1106	
<b>Other Use Requirements</b>														
Temporary Uses	Temporary Uses and Structures are regulated under Section §123.0401 et seq.													

### Footnotes to Table 0308A

<sup>1</sup> Not permitted on State and Federal Tidelands.

<sup>2</sup> Commercial floor use area contributes to 20% commercial use allowance and is subject to locational limitations of districts.

<sup>3</sup> Limited to parking structures.

<sup>4</sup> Up to 200 rooms permitted. Requires active ground floor uses along street frontages.

<sup>5</sup> Limited to 20% gross floor area above grade.

<sup>6</sup> Uses designated with M, Main Street Overlay, C, Commercial Street Overlay, or E, Employment Required Overlay are those uses which qualify to meet minimum percentages as specified in sections 156.0307(b)(4), (6), and (10) of this Division, respectively.

<sup>7</sup> Notwithstanding any other section of the Municipal Code, the required quarter mile separation between human service agencies shall not apply to multiple uses on the same premises.

<sup>8</sup> These districts include properties that may be within the State Tidelands or under the ownership of the United States Government, County of San Diego, or Port of San Diego. Lands west of the Mean High Tide Line are under the jurisdiction of the Port of San Diego and this Land Use Table is for planning purposes only. For lands owned by the United States Government, development and land uses are regulated by the Federal Government and maybe subject to any development agreement (s) executed with the City of San Diego. For lands owned by the County of San Diego, development and land uses are regulated by the County of San Diego and the State of California Coastal Commission, except for private developments which are also subject to the Centre City Planned District Ordinance.

~~9 Any enclosed spaces containing parking, assembly, entertainment, or cultural institutions shall be located underground.~~

~~10 Structured parking facilities incorporated into a project that are a secondary, not primary, use shall be permitted by right and not be required to obtain a Conditional Use Permit.~~

### **Footnotes to Table 156-0308A**

- 1 Section 131.0112 of the Land Development Code describes the use categories and subcategories referenced in this table.
- 2 Not permitted on state or federal tidelands.
- 3 Commercial use floor area contributes to 20 percent commercial use allowance and is subject to locational limits of districts.
- 4 Limited to parking structures.
- 5 Up to 200 rooms permitted. Requires active ground-floor uses along street frontages.
- 6 Limited to 20 percent gross floor area above grade.
- 7 Uses designated with CS, MS, or E must meet minimum percentages specified in sections 156.0307(b)(4), (6), and (10).
- 8 Notwithstanding any other section of the Municipal Code, the required quarter mile separation between human service agencies shall not apply to multiple uses on the same premises.
- 9 These districts include properties that may be within state tidelands or under the ownership of the United States government, County of San Diego, or Port of San Diego. Lands west of the mean high tide line are under the jurisdiction of the Port of San Diego, and this Table is for planning purposes only. Lands owned by the United States are regulated by the federal government and may be subject to development agreement(s) executed with the City of San Diego. Lands owned by the County of San Diego are regulated by the County of San Diego and the California Coastal Commission, except for private development which is also subject to the Centre City Planned District Ordinance.
- 10 Enclosed spaces containing parking, assembly, entertainment, or cultural institutions shall be located underground.
- 11 Structured parking facilities incorporated into a development as an accessory use shall be permitted by right and do not require a Conditional Use Permit.

**TABLE 0308-B156-0308B: MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE<sup>1</sup>**

<u>Main Street-Land Use District or Land Use Overlay</u>	<u>Minimum Required Ground-Floor Street Frontage for Active Commercial Use</u>	<u>Maximum Permitted Ground-Floor Street Frontage for Active Commercial Use<sup>3</sup></u>
<u>Parcels located along designated Main Streets in the Main Streets (MS) Overlay, in any Land Use District<sup>2</sup></u>	80 percent	100 percent
<u>Parcels located along designated Commercial Streets in the Commercial Streets (CS) Overlay, in any Land Use District</u>	60 percent	100 percent
<u>Core (C)</u>	40 percent	100 percent
<u>Neighborhood Mixed-Use Center (NC)</u>	40 percent	100 percent
<u>Ballpark Mixed-Use (BP)</u>	40 percent	100 percent
<u>Employment/Residential Mixed-Use (ER)</u>	None	100 percent
<u>Waterfront/Marine (WM)</u>	20 percent	50 percent
<u>Mixed Commercial (MC)</u>	None	100 percent
<u>Residential Emphasis (RE)</u>	None	100 percent
<u>Convention Center/Visitor (CC)</u>	20 percent	50 percent
<u>Public/Civic (PC)</u>	40 percent	100 percent
<u>Park/Open Space (OS)</u>	None	None
<u>Industrial (I)</u>	None	20 percent

Transportation (T)	None	None
<p>1 Any parcel of 10,000 square feet or <del>less</del> <u>fewer</u> is exempt from the minimum and maximums set forth in this table except for those sites on <u>Main Streets</u> and/or <u>Commercial Streets</u> with a 50-foot <u>street frontage</u> or <del>less</del> <u>more</u>, in which case, that frontage is required to provide 50% <u>percent</u> of the frontage in <del>active commercial uses</del> <u>active commercial uses</u>.</p> <p>2 Along the west side of Park Boulevard, a minimum of 40 percent of the <u>ground-floor street frontage</u> shall contain <u>active commercial uses</u>.</p> <p>3 <del>At no time shall the</del> <u>The</u> maximum permitted <u>ground-floor street frontage</u> <u>shall not</u> result in less than 20 feet of storefront.</p>		

**§156.0309 ~~Floor Area Ratio (FAR) Regulations and Transfer of Development Rights (TDRs)~~**

(a) Base Minimum and Maximum *FARs*

The minimum and maximum ~~floor area ratios (Basebase FARs)~~ are established for each site within the Centre City Planned District as are illustrated in Figure H; these *FARs* set parameters for the general bulk and intensity of *development*. ~~FAR is determined by dividing the total GFA of building(s) by the area of the lot or premises. All projects~~ development proposals must meet the Mminimum FAR specified in Figure H.

(b) Airport Approach Overlay Zone

Within the Little Italy and Cortez neighborhoods of the Downtown Community Plan, which lie within the approach path as shown in the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA); at Lindbergh Field, adopted by the San Diego County Regional Airport Authority, new projects development may not intensify human occupancy of the site to ~~an extent greater than~~ 110 percent of the average intensity of existing uses (exclusive of large assemblies) within a  $\frac{1}{4}$  quarter mile radius of the ~~project~~ development site. However, no increase in intensity

would be is allowed within the "runway protection zone." As an alternative to the above density criterion, a compatible land use within these neighborhoods may be limited to a maximum *FAR* of 2.0 and a maximum building height of 36 feet. Properties that are intersected by the airport approach/departure zone boundary shall be exempt from this density criterion. (c) *Development Permit FAR*

The approval and recordation of a ~~*Ddevelopment Ppermit*~~ for a project establishes the distribution of ~~*GFAgross floor area*~~ within the project ~~*development*~~. The ~~project~~developer may be subdivided~~subdivide the~~ property into individual ownerships, but the permitted *FAR* for any subdivided units remain subject to the *FAR* ~~limitations established~~limits within the ~~project~~development boundaries as defined by the ~~*Ddevelopment Ppermit*~~.

(d) Ballpark Mixed-Use District

Within the Ballpark Mixed-Use District, illustrated in Figure B, an *a FAR* of 6.5 shall apply ~~throughout the district~~. To ~~implement the intent and purposes of~~ facilitate ancillary development near *PETCO Park* pursuant to Proposition C passed by the voters in 1998 and Ordinance No. O-18613 [New Series], transfers may be approved of any portion of the *floor area* permitted pursuant to this Ssection from ~~the ballpark parcel~~ *PETCO Park* to any other property within the district, if ~~in each case such:~~ (1) the property to which the applicable *floor area* is transferred ~~(1)~~ is developed

pursuant to a common plan or program with the property from which the *floor* area is transferred as approved by the City Council; and (2) if appropriate covenants, conditions, and restrictions CC&Rs are imposed on ~~the affected properties~~ recorded to memorialize the reallocation of permitted *floor* areas. However, ~~in no event shall development which is issued~~ permitted by a *Centre City Development Permit* Centre City Development Permit after November 1999 ~~be allowed in the district which would~~ shall not result in the cumulative average daily traffic (ADT) trips from such *developments* (excluding ADT trips from ~~the ballpark~~ PETCO Park) ~~in excess of~~ exceeding 55,128 cumulative ADT trips, where ADT trips for the applicable land uses are as calculated based on the gross floor area of the respective development and the Centre City Cumulative Trip Generation Rates, as provided in the *CCDC Land Development Manual*, as applied to the *GFA* areas of the respective *developments*. ~~This~~ The district-wide FAR provisions and ADT limit shall not apply to the block bounded by Park Boulevard and J, K, and 13th Streets.

(e) *FAR Bonuses*

~~Projects~~ Development may increase ~~the permitted maximum FAR above~~ exceed the maximum *base FAR* for the site established by Figure H ~~through the provision of~~ if the applicant provides certain public benefits or ~~project~~ development amenities. Table 0309-A156-0309A shows the maximum amount of additional *FAR bonus* that may be obtained through ~~one or more of the provisions listed below~~ earned by providing benefits or

amenities, and Figure J shows the maximum FAR bonus FAR available through the purchase of FAR that may be purchased for a site through the FAR Payment Bonus Program for each site (exclusive of bonuses for affordable or senior housing senior housing as described in subparagraph (1) below section 156.0309(e)(1)). Any project Applicants utilizing the bonus-FAR bonus programs shall have Covenants, Conditions, and Restrictions (CC&Rs) recorded on the property, as applicable, ensuring that the benefits or amenities provided to achieve earn the bonus are maintained in perpetuity for the life of the project, or in the case of affordable housing, for the duration specified in subparagraph (1) below section 156.0309(e)(1).

The following lists the types of public benefits and project development amenities that may provide earn a FAR bonus FAR for projects are the following:

<b>TABLE 0309-A-156-0309A: FAR BONUS</b>	
<b>Public Benefit/Project-Development Amenity</b>	<b>FAR Bonus (to be added to maximum Base Maximum-FAR)</b>
Affordable/Senior housing	See (1) below
Urban Open Space	See (2) below
10% of site	0.5
20% of site	1.0
3 Three-bedroom units	0.5 – See (3) below 1.0 – See (3) below
Eco-Roofs	Up to 1.0 – See (4) below
Employment Uses	See (65) below
Public Parking	See (76) below
FAR FAR Payment Bonus Program	Up to 2.0 – See (7) below

- (1) Affordable/Senior Housing. An applicant proposing a residential development that is entitled to a density bonus pursuant to Municipal Code Section Chapter 14, Article 3, Division 7 of the

Land Development Code may increase the permitted *FAR* as specified below.

In compliance with the State Density Bonus Law (California Government Code Sections 65915 — ~~65917 through 65918~~), ~~projects~~applicants may earn additional *FAR bonus* subject to the ~~provisions below following:~~

- (A) For ~~projects~~Development providing affordable housing, ~~may receive a FAR Bbonus may be approved upon the following table as calculated in (D) below according to the percentages in Table 156-0309B and as calculated in section 156.0309(e)(1)(D).~~
- (B) A project that ~~qualifies as a Development providing senior housing project as defined in California Civil Code Sections 51.3 and 51.12 shall receive a 20 percent FAR bonus as calculated in section 156.0309(e)(1)(D) below.~~
- (C) The qualifying affordable or senior housing units shall be measured as a percentage of the residential portion of the ~~project development~~ based on the *Bbase FAR*, prior to the granting of any bonuses.
- (D) The ~~bonus~~FAR bonus for a ~~project development~~ containing ~~affordable or senior housing~~ shall be calculated as follows:

Permitted  $FAR = \frac{\text{Base FAR} \times \text{GSF} - \text{NR GSF} \times \text{Affordable Bonus \%} + \text{Base FAR} \times \text{GSF}}{\text{Site Area}}$ , where:

Permitted  $FAR = \text{Base Gross Square Feet (GSF) permitted on the site (maximum base FAR from Figure H times the site area) minus the GSF of non-residential (NR) area, multiplied by affordable/senior bonus percentage (%) as specified in Table 0309-B156-0309B, plus Base GSF permitted on the site, divided by site area. NR GSF shall not include non-residential area that is earned through one of the other FAR Bonus programs such as Urban Open Space, urban open space, Eco-roofs, Public Parking, and/or FAR Payment Program.$

**TABLE 0309-B156-0309B. FAR BONUSES (%)**

TABLE 0309-B156-0309B. FAR BONUSES (%)

- (E) The maximum  $FAR$  bonus earned through ~~this bonus~~ the provision of affordable or senior housing shall not be restricted by and may be in addition to the maximum FAR limits shown in Figures H, K, and L. ~~The bonus FAR earned through the affordable housing bonus described herein may be in addition to the maximum FARs listed in~~

~~said Figures~~ (other bonuses may be utilized up to these limits as provided elsewhere in this ~~Section~~section).

(F) The affordable housing units provided in the ~~project~~ development which qualify for the ~~bonus~~FAR bonus shall be restricted ~~per~~in accordance with Chapter 14, Article 3, Division 7, except for those for sale units required to be restricted in perpetuity, ~~per~~in accordance with Table 0309-B156-0309B. For ~~projects~~Applicants requesting ~~Redevelopment Agency~~Redevelopment Agency financial assistance or seeking to enter into other agreements, may be subject to additional restrictions may be requested requirements for the units to qualify as affordable units under State Redevelopment Law ~~provisions~~.

(G) ~~A housing project qualifying for bonus~~Applicants seeking to earn FAR bonus for the provision of affordable ~~+~~or ~~senior housing~~ shall enter into an agreement with the City of San Diego Housing Commission to monitor the ~~affordable restrictions for~~on the units ~~qualifying as~~ affordable ~~+~~or ~~senior units~~housing units.

(H) [No change in text.]

(2) ~~Urban Open Space. Projects~~Applicants that reserve a portion of their site for the ~~development~~ of public urban open space (public

~~park and/or plaza) may qualify for an~~ earn a FAR bonus of 0.5 or 1.0, as specified ~~above in Table 156-0309A,~~ subject to the following criteria:

- (A) The *urban open space* shall be designed to meet the criteria listed in section 156.0311(~~qr~~) of this Division.
  - (B) [No change in text]
  - (C) The *urban open space* ~~must~~ shall be located and designed to be a benefit to the surrounding neighborhood. ~~Urban open spaces determined during the review process not to~~ provide a significant benefit to the surrounding neighborhood ~~shall not qualify for this bonus.~~
  - (D) *CC&Rs* shall be recorded on the property providing for the *development* and on-going maintenance of the open space area to City standards ~~for the life of the project in~~ perpetuity. Such *CC&Rs* shall be ~~in a form approved by~~ *CCDC* and the City Attorney's Office.
- (3) *Three-Bedroom Units*. ~~In order to~~ To encourage larger dwelling units to accommodate and accommodate larger families, ~~projects~~ developments that provide three-bedroom units comprising a minimum of 10 percent of the total amount of residential dwelling units within the project as ~~three-bedroom units, not to~~

~~exceed 1,200 square feet in size, development shall be entitled to an FAR bonus, provided that there are a minimum of 5 three-bedroom units provided in the project. For projects containing at least 50% of the GFA in residential uses, the Bonus shall be 0.5, while projects containing at least 80% of the GFA in residential uses shall be eligible to earn a Bonus of 1.0. Each bedroom in the dwelling unit shall contain a minimum of 70 square feet with additional space for an enclosed closet. CC&Rs shall be recorded on the property ensuring that the units used for bonuses shall not be reduced in the number of bedrooms. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office subject to the following criteria:~~

- (A) There shall be at least five three-bedroom dwelling units within the development;
- (B) Each three-bedroom dwelling unit used to earn the FAR bonus shall not exceed 1200 square feet;(C)  
Each bedroom in the dwelling unit used to earn the FAR bonus shall contain a minimum of 70 square feet, with additional area for an enclosed closet; (D) CC&Rs shall be recorded on the property ensuring the number of bedrooms in the units used to earn the FAR bonus shall not be reduced; (E) Development providing at least 50

percent of the gross floor area for residential use  
may earn a FAR bonus of 0.5; and(F) Development  
providing at least 80 percent of the gross floor area  
for residential use may earn a FAR bonus of 1.0.

- (4) *Eco-Roofs.* ~~Eco-roofs are encouraged in downtown because they~~  
Eco-roofs reduce storm water run-off, lower energy consumption,  
counter the increased heat of urban areas, and provide visual  
interest. ~~In order to~~To encourage landscaped and ecologically  
designed roof tops, a ~~density bonus of additional buildable area~~  
~~will be provided~~FAR bonus may be earned based on the amount of  
~~landscaped Eco-roof area. Eco-roof area is defined as only~~  
includes the planted or landscaped area that is designed to sustain  
and support vegetation. Documentation, drawings, and  
specifications must be provided to the CCDC President prior to the  
issuance of a building permit that describes all plant varieties, soil  
depths, soil content, water retention systems, and supporting  
structural systems.

- (A) The amount of ~~density bonus~~FAR bonus allowed for a  
given ~~project~~development depends on the amount of ~~Eco-~~  
roof coverage in relation to the building's footprint above  
~~thirty-30~~ feet from ~~grade~~grade. There are three classes as  
follows:

- (i) ~~The~~If the total landscaped area of Eeco-roof is 10% to 30% percent of the building's footprint, then each square foot of the Eeco-roof earns ~~one~~1 square foot of additional floor area.
  - (ii) ~~The~~If the total landscaped area of Eeco-roof is 31% to 60% percent of the building's footprint, then each square foot of the Eeco-roof earns ~~two~~2 square ~~foot~~feet of additional floor area.
  - (iii) ~~The~~If the total area of Eeco-roof ~~is over exceeds~~ 60% percent of the building's footprint, then each square foot of the Eeco-roof earns ~~three~~3 square ~~foot~~feet of additional floor area.
  - (iv) Total additional floor area earned by an Eeco-roof ~~cannot~~shall not exceed 1.0 FAR~~FAR~~.
- (B) ~~CC&Rs~~CC&Rs approved by CCDC and the City Attorney's Office shall be recorded on the property providing for the ~~development~~development and ~~on-going~~ perpetual maintenance of the Eeco-roof to City standards for the life of the Project. ~~Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.~~

(C) ~~All areas improved to meet this bonus shall be designed in accordance with Section 156.0311(i)(5);~~ vegetation must be maintained for the life of the development.

~~(D) All vegetation must be maintained for the life of the project.~~

(5) ~~Employment Uses. In order to~~ To encourage the development of employment uses in the Centre City Planned District, projects may earn FAR bonus Far based on may be earned for the provision of employment uses within their projects the development. In the Employment Required Overlay District, projects development containing 100 percent *employment uses*, excluding *hotel/motel* uses, may increase their *FAR* by the maximum *FAR* illustrated on Figure L. In all other areas of the Centre City Planned District, any project development that contains at least 50 percent *employment uses*, excluding *hotel/motel* uses, may increase their maximum *FAR* to the maximum *FAR* illustrated in Figure L.

(6) ~~Public Parking. Allow one~~ One square foot of ~~bonus floor area~~ FAR bonus may be earned for every square foot provided in foot of parking areas made permanently available for public use. A public parking public parking easement shall be executed for such facilities, with restrictions and covenants acceptable to *CCDC* and the City of San Diego and the City of San Diego.

(7) ~~FAR Payment Bonus Program. The Redevelopment Agency~~  
Redevelopment Agency has established a *FAR* Payment Bonus Program to permit ~~projects~~applicants to obtain increased *FARs* through the ~~FAR Payment Bonus Program~~ purchase additional *FAR*. The maximum amount of *FAR* which may be purchased through this program shall be as shown in Figure J.

(f) Exemptions from *FAR* Calculations

The following exemptions apply to the calculations for *FAR*:

(1) ~~Historic Buildings~~Historical Buildings. Any floor area within the ~~building envelope~~building envelope of any *designated historic historical resource* shall not be counted as ~~GFA~~gross floor area for the purposes of calculating the *FAR* for the project, ~~if the structure is rehabilitated and incorporated into the project such that the historic and/or architectural character and integrity of the structure is not adversely impacted~~development, if the designated historical resource is preserved, rehabilitated, restored, or reconstructed and the development results in no more than minor alterations to the designated historical resource consistent with the Secretary of the Interior's Standards and Guidelines, or the development is approved through the Site Development Permit or Neighborhood Development Permit procedures, in accordance with Chapters 11 through 14 of the Land Development Code.

- (2) **Public Uses.** If a ~~project~~development incorporates a building or portion of a building that is owned by the City of San Diego, ~~City of San Diego Redevelopment Agency~~the Redevelopment Agency, or a public ~~school~~school district, and it is utilized for a public purpose such as a community recreation center, fire station, public ~~school~~school, or other similar public use as determined by the *CCDC President*, the *floor* area of that public use shall not be counted as ~~GF~~GFA*gross floor area* for the purposes of calculating the *FAR* for the ~~project~~development.
- (3) **Public Parking.** Above-~~grade~~grade parking areas permanently available for public use shall not be counted as ~~GF~~GFA*gross floor area* for the purposes of calculating the *FAR* for the ~~project~~development. A public parking easement shall be executed for such facilities with restrictions and covenants acceptable to *CCDC* and the City of San Diego.
- (4) **Main/Commercial Streets.** All *floor* area located on the ground *floor* or ground-*floor* mezzanine that is directly accessible to the *street* and is dedicated to *active commercial uses* on ~~Main Streets~~main streets or ~~Commercial Streets~~commercial streets shall not be counted as ~~GF~~GFA*gross floor area* for the purposes of calculating the *FAR* for the ~~project~~development.

(5) *Cultural Uses*. Any floor area provided within a ~~project~~ development that is dedicated to a *cultural use*, ~~such as performance art, museum, art gallery,~~ or other similar use as approved by the *CCDC President*, ~~operated by a recognized non-profit organization,~~ shall not be counted as *GFAGross floor area* for the purposes of calculating the *FAR* for the ~~project~~development. *CC&Rs* shall be recorded on the property ensuring the use of such space for similar *cultural uses* in perpetuity.

(g) *Transfer of Development Rights (TDR) Program*

(1) Purpose. The purpose of the *TDR* program is to promote the creation of additional *public park* land downtown to meet the needs of residents, workers, and visitors within the Centre City Planned District and to encourage the preservation, restoration, and rehabilitation of ~~designated~~ historiedesignated historical *resources*. The City finds that the growing concentration of *development* in downtown requires the creation of new park land areas for the recreational and aesthetic benefit and enjoyment of the public, and that historical *resources* contribute to the quality of the urban environment.

(2) Eligible Sites. ~~Eligible sending sites~~ are those sites identified as future *public park* sites in the Downtown Community Plan and in ~~Figure C~~. Eligible *receiving sites* are those sites identified in

Figure K. Eligible ~~sending and receiving sites~~ for TDRs for ~~historic resources~~ must be located on the same block. Only sites containing designated ~~historic resources~~ may qualify as a ~~sending site~~. Any other site located on the same block containing a ~~sending site~~ may qualify as a ~~receiving site~~. park TDR sending sites are those sites identified as future public park sites in the Downtown Community Plan and in Figure C. Eligible historical resource TDR sending sites must contain a designated historical resource and qualify under either (A) or (B) below:

- (A) The sending site is located on the same block as the receiving site; or
- (B) The historical resource is in need of preservation, rehabilitation, or restoration and the ability to transfer gross floor area is needed to assist in the funding of such preservation, rehabilitation, or restoration. In order to qualify as a sending site, the applicant must submit a study acceptable to CCDC verifying the financial costs of such rehabilitation and preservation and the need for the transfer of gross floor area as a funding source. The CCDC President has sole discretion to approve any transfer of gross floor area to a receiving site. The Redevelopment Agency has sole discretion, upon recommendation from CCDC, to approve a transfer of gross floor area to a TDR

bank to be maintained and tracked by the CCDC President on behalf of the Redevelopment Agency. The amount of gross floor area approved for transfer shall be determined based on the permitted transferable gross floor area, the extent of the rehabilitation and preservation costs needed for the historical resource, and the potential for appropriate future development on the sending site to achieve the goals and policies of the Downtown Community Plan and this section.

- (3) Preservation Agreement. Applicants or owners of sending sites taking part in the historical resources TDR program, shall enter into a Preservation, Rehabilitation, Restoration and Maintenance Agreement or similar agreement with the City, which guarantees the treatment of the historical resource consistent with the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties. The agreement shall also require the reconstruction of the historical resource according to the Secretary of the Interior's Standards for Historic Properties if the historical resource is destroyed by fire, natural disaster, or act of a public enemy.(3)(4)
- procedures of subparagraph (6), below section 156.0309(g)(7).
- GFA-Gross floor area may be transferred either directly from the owner of the *sending site* to the owner of a *receiving site*, or to the

Allowable T

~~Redevelopment Agency acting as a TDR "bank."~~ maintained and tracked by the CCDC President on behalf of the Redevelopment Agency. The ~~Redevelopment Agency~~ Redevelopment Agency may acquire the GFA gross floor area from the owner of a ~~sending~~ sending site and maintain such GFA gross floor area for subsequent transfers to *receiving sites*. ~~In the case of historic properties, the unused allowable GFA shall be transferred directly from the owner of the sending site to the owner of the receiving site.~~

(4)(5) Permitted Transferable GFA-Gross Floor Area. The GFA gross floor area that may be transferred shall be calculated as the permitted GFA gross floor area based on the *sending site's* size and permitted maximum *base FAR*, as illustrated in Figure H. For transfers involving *sending sites* containing ~~designated historic~~ designated historical resources, the GFA gross floor area of any non-designated *structure* remaining on the *sending site* shall be deducted from the permitted transferable GFA gross floor area.

(5)(6) Example Calculations:

Park Example: *Sending Site* = 10,000 square feet

Maximum *base FAR* = 6

Permitted Transferable GFA gross floor area = 60,000 square feet

~~Historic~~Historical Resource example:

*Sending Site* = 10,000 square feet

Maximum base *FAR* = 6

~~GFA~~Gross floor area of Non-~~Historic~~Historical Structure

= 20,000 square feet

~~GFA~~Gross floor area of ~~Historic~~Historical Structure

(exempted from *FAR* calculations) = 20,000 square feet

Permitted Transferable ~~GFA~~gross floor area = 40,000 square feet.

~~(6)~~(7) Procedures. The following procedures are required for any transfer of ~~GFA~~gross floor area:

(A) *Certificate of Transfer*. The owner of a *sending site* wishing to transfer permitted ~~GFA~~gross floor area from the *sending site* shall execute a ~~Certificate of Transfer~~ in a form provided by ~~CCDC~~certificate of transfer. The ~~Certificate of Transfer~~certificate of transfer shall contain all of the following:

- (i) The names and mailing addresses of the transferor (original owner of the *sending site*) and transferees (owner(s) of the *receiving site(s)* or the *TDR* bank) of the ~~GFA~~gross floor area;

(ii) Execution and acknowledgement of the transfer of the GFA gross floor area by ~~the original owner(s) of the sending site~~ as the transferor of the GFA gross floor area, all parties having any with record title interest in the real property of the sending site; the owner(s) of the receiving site; transferees of the gross floor area, and; the CCDC President;

(~~ii~~-iii) The amount of GFA gross floor area transferred (in square feet); and

(~~iii~~-iv) The addresses, legal descriptions, assessor's parcel numbers, and land use districts of the sending site and receiving site.

(B) Approval by CCDC President. The CCDC President shall not execute the Certificate of Transfer ~~certificate of transfer~~ if a transfer of the GFA gross floor area would be prohibited by any provision of ~~this Section or any other provision of the Land Development~~ the San Diego Municipal Code.

(C) Recordation. Each duly executed and acknowledged Certificate of Transfer ~~certificate of transfer~~ containing the information required by this ~~Section~~ section shall be

~~presented for recording~~recorded in the County Recorder's office. The County Recorder shall be instructed to mail the original ~~Certificate of Transfer~~certificate of transfer to CCDC, with copies to both the transferor and transferee of the ~~GFA~~gross floor area.

- (D) Property Deed. In addition to a ~~Certificate of Transfer~~certificate of transfer, the owner(s) of a ~~sending site~~ involving a TDR for ~~public parkland~~park land shall agree to execute a deed transferring ownership of the site to the ~~Redevelopment Agency~~Redevelopment Agency.
- (E) Approval for *Development*. When the use of TDR is necessary for the approval of a building permit for a ~~project~~development on a ~~receiving site~~, the City shall not issue any building permits for that site unless the *CCDC President* has issued a written verification that the owner of the ~~receiving site~~ is entitled to the amount of ~~GFA~~gross floor area for the ~~project~~development based on a recorded ~~Certificate of Transfer~~certificate of transfer.

**§156.0310 Development Regulations**

- (a) ~~Minimum Lot Size and Coverage; no requirements~~Lot Coverage.  
Minimum lot size or lot coverage requirements of the Land Development Code shall not apply in the Centre City Planned District.

(b) ~~Minimum Building Setbacks. None, except where specified in Section 156.0310(e) and (d), and the~~ The CCDC President may require up to a 10-foot interior *property line setback* where a ~~project~~ development is adjoining an existing residential ~~project~~ development to maintain minimum provisions for light and air.

(c) **Building Heights.** The overall height of a building shall be measured from the average of the highest and lowest *grades* of the site to the top of the parapet of the highest habitable *floor*. Uninhabited roof *structures up to 30 feet high* that conceal mechanical equipment and elevator and stair overruns are ~~exempt from this requirement, provided that~~ not included in the measurement of the building height if they do not project above a 45-degree plane inclined inward from the top of the parapet(s) of the nearest building wall(s), up to a maximum height of 30 feet. The maximum heights of buildings are illustrated in Figure F, *Building Height and Sun Access*, with the following additional restrictions:

(1) ~~For sites within~~ Within the Little Italy Sun Access Overlay, a ~~maximum building height limit of~~ building height shall not exceed 150 feet applies. A maximum ~~building height envelope~~ building envelope height shall be further defined as follows and as illustrated in Figure N:

(A) On blocks north of Cedar Street, all ~~street frontages~~ frontages shall be defined by a maximum 50-foot *street*

~~wall along all street frontages. Above the 50-foot street wall, the maximum building envelope is defined by: along the east and west frontages of a block facing onto public street, a 45-degree angle defines the height envelope up to the maximum height of 150 feet; and, along the north and south frontages of a block facing onto a public street, a 15-foot stepback is required above the 50-foot street wall.~~ building envelope shall be defined by:

- (i) a 45-degree angle up to a maximum height of 150 feet on the east and west frontages of a block facing onto a street; and
- (ii) a 15-foot stepback above the 50-foot street wall on the north and south frontages of a block facing onto a street.

(B) On the blocks between Beech ~~Street~~ and Cedar ~~streets~~ Street, the maximum height shall be determined by ~~the Building Bulk regulations listed in Section 151.0310(d)~~ in accordance with section 156.0310(d) of this Division, with an additional maximum building height envelope ~~being~~ building envelope height defined by a 45-degree angle measured from a height of 50 feet along the northern ~~property line of a block street frontage~~ frontage to a

maximum height of 335 feet, measured 15 feet northerly of the southern *property line* of a block *street frontage frontage*.

(C) Along one side of a building, ~~the building envelope may be encroached upon by an increase of the a street wall height~~ may be increased to a maximum height of 85 feet along a maximum of 40 percent of the building frontage to provide required Fire Department access. The building shall then ~~step back~~ stepback to comply with the ~~building envelopes~~ building envelopes described in ~~(A) and (B) above~~ sections 156.0310(c)(1)(A)-(B).

(2) For sites within the ~~Public Park~~ Park Sun Access Overlay, building heights shall be determined by Figure M: ~~Public Park Sun Access Height Limits~~.

(3) For sites within the Airport Approach Overlay Zone, maximum building heights shall be determined by the ~~regulations specified in Sections 132.0201 through 132.0209 of the Land Development Code~~ most recently adopted Airport Land Use Compatibility Plan. Building heights shall not be limited by the former approach path for the decommissioned Runway 13-31.

(d) Building Bulk. Building bulk is divided into three main areas of the building: the building base, the *mid-zone*, and the *tower*. The *mid-zone*

shall be used only in the areas within the Large Floorplate/ and Employment Required Overlay Districts, as illustrated in Figure C. The development standards for projects building bulk are defined below and summarized in Table 0310A: Development Standards 156-0310A.

<b>TABLE 0310-A 156-0310A: DEVELOPMENT STANDARDS</b>						
<b>Land Use Districts</b>	<b>Residential Emphasis (RE)</b>	<b>Neighborhood Center (NC)</b>	<b>All other</b>	<b>Employment Required (-ER) or Large Floorplate (-LF) Overlays</b>	<b>Little Italy Sun Access Overlay (-LISA)</b>	<b>Properties West of Kettner Boulevard</b>
<b>Building Height (ft-feet from ground level)</b>						
<i>Base/Streetwall- Building Base/Street wall</i>						
Minimum	45	45	45	45	30/40 <sup>1</sup>	45
Maximum	85	65 <sup>3</sup>	85	85	50/85	85
<i>Mid-Zone Mid-Zone</i>						
Maximum	N/A	N/A	N/A	180	125	N/A
<i>Tower-Tower</i> <b>Maximum Height Per Figure F</b>						
<b>Maximum Lot Coverage</b>						
<i>Base-Building Base</i>	100%	100%	100%	100%	100%	100%
<i>Mid-Zone Mid-Zone</i>	N/A	N/A	N/A	80%	N/A	N/A
<i>Tower-Tower</i>	50%	50%	50%	60%	50%	50%
<b>Tower Dimensions</b>						
North-South	200	140	200	200	110	140
East-West	130	130	130	150	110	130
<b>Tower Setbacks</b>						
From Public ROW <i>Public Right-of-Way</i>	15 <sup>2</sup>	15 <sup>2</sup> /25 <sup>3</sup>	15 <sup>1</sup>	15 <sup>2</sup>	15	15 <sup>2</sup>
From Interior PL <i>Property Line</i>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>
1 See Ssection 151.0310(d)(1)(D)(iii).						
2 See Ssection 151.0310(d)(3)(D) for exemptions.						
3 Applied along <i>Main Streets</i> with a general north-south orientation, without exception.						
4 See Ssection 151.0310 (d)(3)(E) for exemptions.						

(1) *Building Base*

~~(2) The base is defined as that portion of a building extending immediately above the grade of a site.~~

(A) [No change in text.]

(B) *Street Wall Frontage.* A *street wall* containing habitable space shall be provided along 100 percent of the frontage along ~~public streets~~ street frontage, with the following exceptions:

- (i) *Public parks* and/or plazas subject to the applicable ~~design criteria listed~~ Design Guidelines in Section 156.0311 ~~(qr)~~ of this Division;
- (ii) ~~Courtyard~~ Courtyard entrances up to 30 feet wide in residential ~~projects~~ development, as specified in section 156.0311 ~~(mn)~~ (2) of this Division;
- (iii) Recessed entrances up to a maximum of 25 feet in ~~width~~ wide and a maximum of 15 feet in ~~depth~~ deep;
- (iv) Internalized entry ~~courts~~ courts, auto ~~courts~~ courts, or auto drop-offs may be allowed behind the required *street wall*;

- (v) Patios and balconies in front of habitable space may qualify as *street wall* through the ~~Centre-City Development Permit~~ Centre City Development Permit review process; or;
  - (vi) [No change in text.]
- (C) *Street Wall Setback.* The *street wall* shall be located within 5 feet of the *property line* adjoining any ~~public street~~ (measured after any required ~~right-of-way~~ public right-of-way dedication), except for properties located within the Residential Emphasis District and/or where the *street wall* contains ground-level residential units, in which cases the *street wall* shall be set back a minimum of 3 feet and a maximum of 10 feet from the *property line* adjoining any public *street*.
- (D) *Minimum Street Wall Height.* The minimum height of the *street wall* shall be 45 feet as ~~per~~ in accordance with Table ~~0310-A156-0310A~~ with the following exceptions:
- (i) For ~~projects~~ development involving a ~~designated historical~~ designated historical resource, a lower *street wall* height may be approved as part of the *Design Review* process. Street wall height and design will also be subject to the review and

approval processes pertaining to historical resources contained within Chapters 11 through 14 of the Land Development Code.

- (ii) For projects development in designated View Corridor streets, the minimum street wall height may be lowered to 30 feet to comply with Table 0310-B156-0310B.
- (iii) Within the Little Italy neighborhood, projects may exhibit a reduced the minimum street wall height of may be reduced to 40 feet north of Beech Street and 30 feet north of Ivy Street.
- (iv) In residential projects development, an exception to this minimum height may be approved for roof-top open space if the area is located over 30 feet above the sidewalk grade and measures no more than 50 feet along the street wall.

**TABLE 0310-B: VIEW CORRIDOR STEPBACKS**

<i>STREET (refer to Figure G for applicable locations)</i>	<i>Required Stepback (Feet)</i>	<i>Stepback Elevation (Feet)</i>
Laurel Street	15	30
Juniper Street	15	30
Hawthorne Street	15	30
Grape Street	15	30
Fir Street	15	30
Date Street		

— West of Pacific Hwy	20	Ground Level
— East of Pacific Hwy	15	30
Cedar Street		
— West of India Street	15	Ground Level
— India Street to First Avenue	15	50
Beech Street		Ground Level
— West of Pacific Highway	20	30
— Pacific Highway to Kettner Boulevard	15	50
— Kettner Boulevard to Sixth Avenue	15	
Ash		
— West of Kettner Boulevard	25	50
— Kettner Boulevard to Sixth Avenue (south side only)	15	50
A Street	25	50
B Street	25	50
C Street	25	50
Broadway		
— Harbor Drive to Pacific Hwy (W ½ block)	65	Ground Level
— Harbor Drive to Pacific Hwy (E ½ block)	55	Ground Level
— Pacific Hwy to Kettner Boulevard	40	Ground Level
— Between Kettner Boulevard and Park Boulevard	15	Ground Level
E Street 25-50	25	50
F Street 25-50	25	50
G Street 25-50	25	50
Pacific Highway 25-45 — 130	25	45-130
Park Boulevard (south of K Street)	10	60
	30	90

(E) *Maximum Street Wall Height.* The maximum height of the *street wall* shall be between 50 and 85 feet as specified in Table 0310-A156-0310A, measured from the average grade of the adjoining sidewalk to the top of the parapet (may be calculated in 100 foot increments for sites with grades greater than 5% percent) subject to the following exceptions:

(i) [No change in text].

- (ii) For buildings located ~~in areas~~ within the Large Floorplate/ or Employment Required Overlay Districts, the *street wall* may be extended up into the *mid-zone* without any *building façade setbacks* as provided in Section 156.0310(d)(2), ~~below~~.
- (iii) For buildings containing a *tower*, the *street wall* may be extended up into the *tower* without any *building façade setbacks* as provided in Section 156.0310(d)(3)(D), ~~below~~.
- (iv) For ~~projects~~ development within Neighborhood Mixed-Use Centers, a maximum *street wall* height of 65 feet applies along ~~Main Streets~~ main streets with a north/south orientation. However, if the ~~project~~ development does not have frontage on any other public *street*, the *street wall* height may be increased to 85 feet if determined ~~to be required to~~ provide necessary for Fire Department access.

(F) View Corridor ~~Setbacks~~ and Stepbacks.

Buildings shall be set back, or upper *floors* shall provide *stepbacks*, along those sections of ~~V~~ view ~~C~~ corridor streets designated in Figure G, ~~a distance~~ in accordance with Table 156-0310B. The *setback* or *stepback* shall be measured

from the *property line* adjoining any public *street*  
(measured after any required ~~right-of-way~~*public right-of-*  
*way* dedication), or from any extensions of *public street*  
*right-of-way* lines, as provided in Table 0310-B:View  
Corridor *Stepbacks* for *streets*.

**TABLE 156-0310B: VIEW CORRIDOR STEPBACKS**

<u>STREET (refer to Figure G for applicable locations)</u>	<u>Required Stepback (Feet)</u>	<u>Stepback Elevation (Feet)</u>
<u>Laurel Street</u>	<u>15</u>	<u>30</u>
<u>Juniper Street</u>	<u>15</u>	<u>30</u>
<u>Hawthorne Street</u>	<u>15</u>	<u>30</u>
<u>Grape Street</u>	<u>15</u>	<u>30</u>
<u>Fir Street</u>	<u>15</u>	<u>30</u>
<u>Date Street</u>		
<u>- West of Pacific Hwy</u>	<u>20</u>	<u>Ground Level</u>
<u>- East of Pacific Hwy</u>	<u>15</u>	<u>30</u>
<u>Cedar Street</u>		
<u>- West of India Street</u>	<u>15</u>	<u>Ground Level</u>
<u>- India Street to First Avenue</u>	<u>15</u>	<u>50</u>
<u>Beech Street</u>		<u>Ground Level</u>
<u>- West of Pacific Highway</u>	<u>20</u>	<u>30</u>
<u>- Pacific Highway to Kettner Boulevard</u>	<u>15</u>	<u>50</u>
<u>- Kettner Boulevard to Sixth Avenue</u>	<u>15</u>	
<u>Ash</u>		
<u>- West of Kettner Boulevard</u>	<u>25</u>	<u>50</u>
<u>- Kettner Boulevard to Sixth Avenue (south side only)</u>	<u>15</u>	<u>50</u>
<u>A Street</u>	<u>25</u>	<u>50</u>
<u>B Street</u>	<u>25</u>	<u>50</u>
<u>C Street</u>	<u>25</u>	<u>50</u>
<u>Broadway</u>		
<u>- Harbor Drive to Pacific Hwy (W ½ block)</u>	<u>65</u>	<u>Ground Level</u>
<u>- Harbor Drive to Pacific Hwy (E ½ block)</u>	<u>55</u>	<u>Ground Level</u>
<u>- Pacific Hwy to Kettner Boulevard</u>	<u>40</u>	<u>Ground Level</u>
<u>- Between Kettner Boulevard and Park Boulevard</u>	<u>15</u>	<u>Ground Level</u>
<u>E Street</u>	<u>25</u>	<u>50</u>
<u>F Street</u>	<u>25</u>	<u>50</u>
<u>G Street</u>	<u>25</u>	<u>50</u>
<u>Pacific Highway</u>	<u>25</u>	<u>45-130</u>
<u>Park Boulevard (south of K Street)</u>	<u>10</u>	<u>60</u>
	<u>30</u>	<u>90</u>

(2) *Mid-Zone*

~~The mid-zone applies to the portion of a building located above the base and below the tower.~~ Maximum *lot coverage* and maximum height of the *mid-zone* shall be as perin accordance with Table ~~0310-A156-0310A~~, and may be provided only within the Large Floorplate/ or Employment Required Overlay Districts, subject to the following regulations:

(A) [No change in text.]

(B) Maximum Height. The maximum height of the *mid-zone* ~~portion~~ of a building is 180 feet.

(3) *Tower*

~~The tower is the portion of a building that is above the base, or mid-zone, if applicable.~~

(A) Maximum *Lot Coverage*. The maximum *lot coverage* of the *tower* ~~portion~~ of the building shall be 50 percent of the *lot area*; or, a maximum 60 percent of *lot area* ~~in areas~~ within the Large Floorplate/ or Employment Required Overlay Districts as perin accordance with Table ~~0310-A~~ 156-0310A.

(B) *Maximum Tower Dimensions.* ~~In addition to maximum lot coverage, the~~ The maximum *tower floor plate* dimensions shall be as specified in Table ~~0310-A-156-0310A.~~

Dimensions of individual *towers* shall be measured from elevation drawings and regulate the maximum possible profile dimension for the *tower*.

(C) *Tower Separation.* Within a single ~~project~~ *development*, *towers* shall be separated by a minimum of 60 feet for sites ~~containing of~~ 50,000 square feet or more, or ~~for these sites~~ located west of Kettner Boulevard or in the Little Italy Sun Access Overlay District. For sites containing less than 50,000 square feet, except for those sites located west of Kettner Boulevard or in the Little Italy Sun Access Overlay District, *towers* shall be separated by a minimum of 40 feet.

(D) *Tower Setback from Public Streets.* *Towers* shall be set back from any *property line* adjoining a *public street* by a minimum of 15 feet, with the following exceptions:

(i) One side of any *tower* shall be ~~exempted~~ exempt from this *setback* requirement, except within the Little Italy Sun Access Overlay District.

(ii) [No change in text.]

(iii) In ~~Neighborhood Centers~~ Neighborhood Mixed-Use Centers, the *tower* shall always be set back a minimum of 25 feet from any *property line* along a designated ~~Main Street~~ main street with a general north/south orientation.

(E) *Tower Setback from Interior Property Lines.* Towers shall avoid blank walls, allow glazing, and be set back from interior *property lines* adjoining another parcel by a minimum of 20 feet ~~in order to avoid blank walls and allow glazing,~~ subject to the following two exceptions:

(i) [No change in text]

(ii) If an existing *tower* on an adjoining parcel contains a blank, solid wall with less than a 20-foot *setback* from the common *property line*, then the proposed *tower* may reduce or eliminate its *setback* along that portion of the common *property line* that aligns with the *tower* on the adjoining parcel (creating a *blank wall* to *blank wall* condition).

(F) *Upper Tower*

The ~~upper tower~~ is defined as the upper 20 percent of the ~~tower, measured above the base or mid-zone to the top of~~

~~the building including mechanical penthouses.~~ The upper tower shall be designed to avoid a cut-off, flat top appearance as described in Section in accordance with section 156.0311(g)(5) ~~of this Division.~~

(e) Ground-floor Heights

The minimum ground-floor height for buildings, measured from the average *grade* of the adjoining public sidewalk, in increments of no more than 100 feet along a project development frontage, to the ~~finish floor~~ finished elevation of the second floor, shall be average:

- (1) ~~Average of 12~~ Twelve feet for buildings containing ground-floor residential uses;
- (2) ~~Average of 15~~ Fifteen feet, but not less than 13 feet, for buildings containing ground-floor non-residential uses; and
- (3) ~~Average of 20~~ Twenty feet, but not less than 18 feet, for buildings containing ground-floor *active commercial uses* within ~~Neighborhood Centers~~ the Neighborhood Mixed-Use Centers or along ~~Main Streets~~ main streets, with the exception of the Little Italy Neighborhood Center, which may have a 15-foot minimum ground-floor height.

(f) Commercial Space Depth

The minimum depths of commercial, ground-floor spaces shall be:

- (1) ~~25~~Twenty-five feet along 75 percent of the commercial space frontage along a public *street*; or
- (2) ~~40~~Forty feet along 75 percent of the commercial space frontage along a ~~designated Main Street~~main streets; and
- (3) ~~15~~Fifteen feet along the remaining 25 percent of the commercial frontage if needed to accommodate other internal functions of the building.

(g) Residential ~~Project~~Development Requirements

- (1) The following standards apply to residential ~~projects~~developments that contain ~~50~~fifty or more *dwelling units*:

(A) *Common Outdoor Open Space.*

Each ~~project~~development shall provide *common outdoor open space* either at *grade*, podium-level, or roof level.

*Common outdoor open space* areas shall have a minimum dimension of 30 feet, or 40 feet when bordered by three building walls exceeding a height of 15 feet, and may contain active and/or passive areas and a combination of *hardscape* and landscape features, but a minimum of 10

percent of the *common outdoor open space* must be planting area. All *common outdoor open space* must be accessible to all residents of the ~~project~~development through a common corridor. ~~Projects~~Development shall provide *common outdoor open spaces* as a percentage of the *lot* area based on the following: in accordance with Table 156-0310C.

TABLE 0310 C 156-0310C: COMMON OUTDOOR OPEN SPACE
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[No Change in Text.]
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- (B) *Common Indoor Space.* Each ~~project~~development shall provide at least one community room of at least 500 square feet for use by all residents of the ~~project~~development. The area is recommended to ~~should~~ be located adjacent to, and be accessible from, *common outdoor open space*. This area may contain active or passive recreational facilities, meeting space, computer terminals, or other activity space, but must be accessible through a common corridor.
- (C) *Private Open Space.* At least 50 percent of all *dwelling units* shall provide *private open space*, on a balcony, patio, or roof terrace, with a minimum area of 40 square feet each and an average horizontal dimension of 6 feet. Balconies

should be proportionately distributed throughout the ~~project~~development in relationship to *floor* levels and sizes of units. *Living unit* ~~projects~~developments are exempt from this requirement.

- (2) Pet Open Space. Each ~~project~~development shall provide a minimum area of 100 square feet improved for use by pets clearly marked for such exclusive use. Such areas shall include permeable surfaces, a hose bib, and be drained to the public sewer system (except for ~~at-grade~~at-grade lawn areas).

#### §156.0311 Urban Design Regulations

Focusing on how buildings and the spaces between them are consciously designed and integrated, the following urban design standards are intended to create a distinct urban character for the Centre City Planned District; ensure that *development* is designed with a pedestrian orientation; and, foster a vital and active *street* life.

- (a) [No change in text.]
- (b) Façade Articulation

The *street wall* façade along *public rights-of-way* in all districts shall be architecturally modulated by volumes that are 100 feet ~~in width~~wide or less, and smaller modulations

may be incorporated within larger volumes. *Street wall*

facades are also subject to the following requirements:

~~(1) — Smaller modulations may be incorporated within larger volumes.~~

(1) Major entrances, corners of buildings, and *street* corners shall be clearly articulated within the *street wall* façade; and

(2) Volumes along the *street wall* ~~must~~shall be defined by structural bays and/or, substantial reveals or offsets in the wall plane, and ~~by~~ changes in the rhythmic pattern of one or more of the following features:

(A) through (E) [No change in text]

~~(3) — Major entrances, corners of buildings, and *street* corners must be clearly articulated within the *street wall* façade.~~

(c) *Street Level Design*

The architecture of the *development* shall ~~establish~~be of high quality of design, material, and execution and enhance the ~~design and material~~ quality of the surrounding neighborhood and the site's location.

(1) [No change in text.]

- (2) **Wall Plane.** To avoid a monotonous flat wall plane, storefront windows, bulkheads, entries, and other surfaces shall recess 6 to 18 inches from primary columns or walls. ~~At no time should;~~ however, this shall not result in the storefront being set back more than ~~the allowable 5-foot setback feet~~ from the front *property line*.
- (3) **Building Materials.** The *building base* shall be clad in durable ~~upgraded~~ high-grade materials (stone, tile, metal, brick, glass or similar) from at least the *floor slab* of the second *floor* down to ~~one~~ (1) inch of the finished sidewalk grade, and these materials shall wrap corners of exposed interior *property line* walls a minimum of 3 feet. ~~Designated historic resources are exempt from this standard but shall utilize materials consistent with the designation of the site.~~ Exit corridors, garage openings, and all recesses shall provide a finished appearance to the *street* with *street* level exterior finishes fully wrapping into the openings a minimum dimension of 10 feet. Designated historical resources are exempt from these standards, but shall utilize materials consistent with the historical significance of the resource(s) as established through the review and approval processes for historical resources contained in Chapters 11 through 14 of the Land Development Code.

(4) Construction Execution. All construction details shall be of the highest standard and executed to minimize weathering, eliminate staining, and ~~not cause~~ avoid deterioration of materials on adjacent properties or the *public-right-of-way*.

(A) [No change in text.]

(B) Downspouts, mailboxes, electrical components, and other miscellaneous details shall be concealed or integrated into *building façades*. ~~No downspouts~~ Downspouts shall not project across a public sidewalks or beyond the *property lines*.

(5) Utilities. Electrical transformers and generators shall ~~may be located below grade~~ above grade only if located on private property, outside the *public right-of-way*, with only the minimum width access hatch to the vault allowed within 6 feet of the *street curb*. Electrical transformers and generators shall be located below *grade* if within the *public right-of-way*. If located within a below-*grade* vault within the *public right-of-way*, the access hatch to the vault shall be located at least 6 feet from the *street curb*, except that a minimum width access hatch may be located less

than 6 feet from the street curb if it does not interfere with the placement of street trees. Areas housing trash, storage, or other utility services shall be located in the garage or ~~otherwise~~ be completely concealed from view ~~offrom~~ the public right-of-way and adjoining *developments*, except for utilities required to be exposed by the City or utility company. Backflow prevention devices are to be located in a building alcove, landscaped area, or utility room within the building, outside of the *public right-of-way*, and completely ~~screened~~ screened from view. ~~No utility~~ Utility services may shall not be located above *grade* in the *public right-of-way* within the Centre City Planned District ~~except in instances when~~ unless no other feasible alternative is available to ~~serve~~ would better protect a historical buildings building.

(d) *Pedestrian Entrances*

Individualized entries to ground-*floor* uses are subject to the following standards:

- (1) Location. All non-residential ~~activities~~ development located at the *street* level shall provide one direct *at-grade* entrance from the *public right-of-way* for each

~~street frontage~~frontage exceeding 50 feet. Where such frontages exceed 100 feet, one entrance shall be provided for each 100 feet of frontage or portion thereof. Separate *pedestrian entrances* for a single tenant must be at least 25 feet apart.

- (2) Location from Sidewalk Level. Door thresholds for any non-residential use shall be at sidewalk level. Pedestrian ramps within the *public right-of-way* are prohibited, except ~~where necessary for~~when required for disabled access to existing buildings ~~when~~and no alternative is available.
- (3) Recessed Entrances. Recessed entrances shall not exceed 25 feet in width, and the face of a doors or gates shall be within 15 feet of the *property line*.

(e) Transparency

A minimum of 60 percent of the *street-facing building façade* ~~building façade~~ building façade containing non-residential uses between 3 and 12 feet above the sidewalk shall be comprised of clear, non-reflective windows that allow views of indoor space. Interior blinds, drapes, and ~~or interior~~ shelving for product displays visible from the *public right-of-way* may potentially

obscure a maximum of 30 percent of the transparent area of each respective storefront or structural bay.

(f) *Blank Walls*

*Blank walls* on the ground level of buildings are limited in order to provide a pleasant and rich pedestrian experience.

~~Blank walls include any street wall area that is not transparent, including solid doors and mechanical areas.~~

(1) No more than 30 percent of the linear frontage of the first-story street wall may consist of *blank walls*. The maximum length of any continuous *blank wall* is 20 feet, or 40 feet if the *blank wall* includes artwork approved by CCDC as part of project review the decision maker for the development approval(s) in accordance with section 156.0304(c).

(2) All *blank walls* ~~area~~ shall be enhanced with architectural detailing, material texture, ornamentation, and/or artwork.

(3) through (5) [No change in text.]

(g) *Tower Design*

- (1) *Tower Composition and Materials.* All *building façades* of towers shall include a variety of fenestration and material patterns to create visual interest and avoid the appearance of a repeated single *floor* extrusion. *Building façades* over 50 feet wide should have plane offsets and material changes to create shadows and relief. Some elements of *towers* shall integrate with, and extend into, the *building base façades* to avoid the appearance of *towers* isolated from the *street* and their own *building bases*.
- (2) *Blank walls.* Large or continuous *blank walls* shall be limited to 15 percent of a ~~respective~~ *building façade* area, must employ deep reveal scoring, texture ~~and/or~~ material changes to break up large surfaces, and have a maximum horizontal dimension of 15 feet.
- (3) *Environmental Response.* To promote sustainability and energy conservation, different *tower building façades* should have distinct solar orientations with integrated and appropriate shading devices, balconies, projections, louvers, ~~and/or~~ window treatments. These treatments ~~will~~ shall also provide desirable elevation and composition variety.
- (4) *Identical Towers.* Regardless of height or plan variation, no two multiple *towers* within a ~~project~~ *development* shall exhibit identical, or closely similar, form ~~and/or~~ elevations. No *tower* shall be

designed to be identical, or closely similar, to another *tower* located elsewhere in ~~Centre City~~ the Downtown Community Plan area.

- (5) *Upper Tower Composition*. To create a graceful transition to the sky and avoid a cut-off, flat top appearance, the upper 20 percent of any *tower* (measured above the *building base* or *mid-zone*) shall achieve an articulated form and composition using architectural techniques such as layering, material changes, fenestration patterns, ~~and/or~~ physical *stepbacks*. Actual reduction of *floor* areas ~~and/or~~ recessed balconies ~~can~~ may assist this composition goal, but ~~is~~ are not explicitly required. *Tower* tops shall resolve mechanical *penthouses* and other technical requirements in an integrated coherent manner consistent with the composition below, yet not employ flamboyant or excessive skyline gestures.
- (6) *Tower Lighting*. To ensure a cohesive and compatible night skyline, *tower* accent lighting should be modest and restrained. Bright color hues and neon outlines are strongly discouraged, and white or warm color washes are preferred. Any signature lighting, including rooftop “lanterns” and other lighting effects, shall be designed with adjustable intensity controls for subsequent testing and approval by the CCDC Board as part of *Design Review*.
- (7) [No change in text.]

(h) [No change in text.]

(i) Exterior Projecting Balconies

Enclosures for projecting balconies that face public streets shall be comprised of an average of at least 40 percent open or transparent materials (perforated mesh, translucent glass, or open rail) from eighteen inches above the balcony walking surface to the top of the balcony enclosure.

(j) Rooftops

(1) [No change in text.]

(2) Large roof areas measuring over 10,000 square feet shall exhibit patterns of roofing colors and materials. Roof gardens and *eco-roofs* ~~can~~may be employed to achieve the patterns. All roofs should be considered a "fifth elevation" to be composed for visibility from adjacent buildings above.

(3) through (4) [No change in text.]

(k) *Encroachments into the Public Rights-of-Way*

To ensure pedestrian safety and prevent excessive *encroachments* into the *public right-of-way*, the following criteria shall apply:

(1) *Encroachment Agreement*. An *Encroachment Removal and Maintenance and Removal Agreement* may be required by the City

of San Diego, ~~per Municipal Code Section 62.0301~~ pursuant to  
Chapter 12, Article 9, Division 7 of the Land Development Code.

- (2) Oriel Windows. Oriel windows are subject to the following standards:

(A) through (D) [No change in text.]

(E) Oriel windows shall contain glass on at least ~~two~~ of ~~three~~ projecting surfaces, and vision glass shall constitute at least 70 percent of each *floor-to-floor* area on these surfaces.

(F) Oriel windows may contain bench seating or *floor* area, but ~~cannot~~ shall not contain *floor* areas for bathrooms, *kitchens*, closets, or *bedrooms* (unless the *floor* area within the *public right-of-way* is in excess of a minimum *bedroom* dimension of 10 feet measured inside of the *property line*).

- (3) Other Projections. Additional *encroachments* such as awnings, canopies, and *marquees* ~~shall~~ may be permitted perin accordance with Chapter 14, Article 2, Division 12 of the Land Development Code (~~Sign Regulations~~). ~~Awnings~~ An awning or other non-horizontal elements that wraps a building corners ~~are allowed only upon approval of~~ may be approved by the CCDC President in accordance with Process One upon finding that ~~they~~ it provides a direct public benefit.

(4) Subterranean Garages and Basements. *Encroachments* may be permitted ~~per the Municipal Code Section 62.0301~~ in accordance with Chapter 12, Article 9, Division 7 of the Land Development Code and/or City Council Policy 700-18 subject to the following additional criteria:

(A) ~~No *encroachment* shall be allowed within 6 feet from the face of curb for a depth of 8 feet from the top of sidewalk, except to accommodate access hatches to underground vaults.~~ Underground *encroachments* extending 8 feet below the top of the sidewalk shall not be located within 6 feet from the curb face, except to accommodate access hatches to underground vaults. Such hatches shall be located so as ~~not to~~ avoid interference with *street* tree planting.

(B) [No change in text.]

(l) Building Identification

~~Project~~Development constructed on sites larger than 5,000 square feet site shall install ~~project~~building identification located between 3 and 5 feet above the sidewalk level near the primary entrance or at a corner, to the following specifications:

- (1) ~~This~~The building identification can be met withshall be made of a  
durable permanent plaque; or inscriptions shall be inscribed in the  
most durable ~~base~~base material;
- (2) The inscription area or plaque face shall be ~~one (1)~~ to  
4 square feet in area;
- (3) The letters shall be ~~one (at least 1)~~ inch minimum in  
height; and shall be raised or incised; and
- (4) The ~~minimum~~ text shall include the original building  
name and the year completed. The primary  
*development* entity, architect, and general contractor  
may be added if to the extent space allows.

(m) ~~Designated Historic Resources~~Historical Resources

~~Historic structures~~Historical resources should be retained and integrated  
into larger projects, ~~wherever feasible,~~development with adaptive use,  
where feasible. If a proposed development may have a significant impact  
on an historical resource and the City determines that no feasible  
alternative exists that would preserve the historical resource on its  
existing site, the City will determine if relocation of the historical  
resource to a site within the Centre City Planned District is feasible. If full  
retention is not feasible, the retention and reuse of notable architectural  
fragments or features is strongly ~~preferred~~encouraged, especially when

particular elements are identified as significant in respective  
Neighborhood Guidelines, with possible use as part of a public art  
program. The alteration of *historical resources* pursuant to this section  
shall be reviewed and approved according to the regulations for *historical  
resources* contained in Chapters 11 through 14 of the Land Development  
Code.

(n) Additional Standards for Residential ~~Projects~~Development

In addition to the requirements listed above, the following standards apply  
to ~~projects~~development in the Residential Emphasis District and ~~projects~~  
~~in other zones~~ or with ground-floor residential units.

- (1) Front *Setback* Area. The required 3- to 10-foot *setback* area from  
the front *property line* shall be improved with one or more of the  
following: ~~the extension of the sidewalk materials;~~ landscaping;  
or, stoop entrances.
- (2) *Street Wall* Openings. Residential ~~projects~~development may  
contain openings in the *street wall* up to 30 feet wide to allow for  
the extension of interior ~~courtyards~~courtyards to the public *street*.  
Any security gating or fencing across this area shall be a minimum  
75 percent open to provide views into the ~~courtyard~~courtyard.
- (3) [No change in text.]

- (4) Finished Floor Elevation. Ground-floor residential units shall provide finished floor elevations of between 18 to 42 inches above the adjoining sidewalk for a minimum depth of 10 feet inside the unit.
- (5) [No change in text.]
- (6) Enclosures. *Fences* and gates are allowed within the *setback* area only if they demarcate *private open space* attached to a residential unit and they meet the following criteria:
- (A) *At-grade* level, solid walls, or ~~fencing~~ fences shall not be more than 42 inches above the sidewalk *grade*. *At-grade* vision glass or railings (at least 80 percent open) ~~can~~ shall not be more than 60 inches above the sidewalk *grade*.
- (B) Gates and railings located on stoops or raised patios ~~must~~ shall be transparent (clear glass or railings at least 80 percent open) and ~~can~~ shall not exceed 48 inches in height.
- (7) Entrances. In order to emphasize the residential nature of the area, a minimum of 75 percent of ground-floor residential units shall have direct access to the *street*; a maximum of two units may share an entrance. Individual residential entrances are subject to the following standards:
- (A) through (C) [No change in text.]

(o) Additional Standards for *Main Streets*

In addition to the requirements listed in sections 156.0311(a)-(m) above, the following standards apply to ~~projects~~development located on ~~Main Streets~~main streets, identified on Figure D: ~~Main Street and Commercial Street~~ Overlays:

- (1) Façade Articulation. *Street wall building façades* along public *rights-of-way* on ~~Main Streets~~main streets shall be architecturally modulated by volumes or structural bays that are 50 feet ~~in width~~ wide or less.
- (2) Storefront Frontage. A single tenant may have a maximum of 150 linear feet of *street-facing façade* on any ~~street frontage~~frontage or contiguous corner. Where a large tenancy is planned, it is desirable to locate the majority of the area behind smaller frontages. Storefronts and entrances should activate corners. Service areas, parking entries, or other support functions should be located at mid-block locations.

(p) Additional Standards for Neighborhood ~~Mixed-Use~~Mixed-Use Centers and ~~the~~ Fine Grain Development Overlay Districts.

Within each Neighborhood Mixed-Use Center, as shown in Figure B, and within the Fine Grain Development Overlay District as shown on Figure C, the following standards and guidelines apply:

- (1) Smaller *Lot Grain*. All sites greater than 10,000 square feet shall compose the primary architectural massing into distinct forms and/or elements that break down the ~~project~~development scale to volumes 100 feet by 100 feet maximum in plan.
  - (A) Smaller increments that acknowledge the 50-foot by 100-foot and 25-foot by 100-foot ~~historic~~historical lot development pattern are preferred. ~~In no case shall~~  
~~Repetitive elements or monolithic treatments shall not~~ create a half- or full-block massing or appearance.
  - (B) [No change in text.]
- (2) Scaled and Varied *Street Wall*. A strong horizontal cornice/canopy, *stepback*, or parapet should be established between 45 and 85 feet on all *street walls*, broken and corresponding with the modulated volumes, to maintain an appropriately scaled “frame” for the ~~public-right-of-way~~. To achieve modulation, primary structural columns should be recessed 3 to 5 feet from *street property lines*, affording design flexibility for wall planes and volumes.
- (3) Pedestrian Engagement. The ground *floor* of all ~~projects must~~  
development shall provide a high degree of pedestrian transparency, access, and visual interest.

- (A) Within Neighborhood Mixed-Use Centers, the horizontal spacing of entry doors to ground-floor uses shall not exceed 40 feet. For ~~projects~~development located within Fine Grain Development Overlay districts, the maximum horizontal spacing of entry doors is 50 feet. Service areas, parking entries and other support functions should be located at mid-block locations.
- (B) The entire *street wall* shall employ well-detailed, high quality, durable materials such as stone, tile, metal, brick, or limited expanses of architectural concrete, with recessed, tall storefronts and clear glass. Integrated ~~signage~~signs, canopies, and wall-mounted light fixtures also contribute to pedestrian scale.
- (q) Ballpark Mixed-Use District Design Guidelines
- (1) Intent. The goalintent of these Design Guidelines is to create a memorable district that instills a strong sensory response from visitors—a district that is safe and comfortable throughout the year, and retains an association with historic activities of the J Street Corridor and the transition zone and their role in San Diego's growth and *development*, nurturing positive social interaction and neighborliness on non-game days as well as days with planned events. These Design Guidelines are intended to

revitalize the East Village and promote new *development* that is compatible with ~~the Ballpark~~ PETCO Park and the existing buildings of the J Street Corridor and the transition zone. ~~As to developments undertaken by the Public Entities or others~~ These Design Guidelines shall be advisory, not regulatory, for all public and private development.

(2) Goals. The *development* of the Ballpark Mixed-Use District is ~~intended~~ meant to achieve the:

(A) through (C) [No change in text.]

(3) Character. The following strategies form the basis of the design of buildings, streetscapes, plazas, and open spaces within the district:

(A) through (D) [No change in text.]

(E) Two sub-areas within the Ballpark Mixed-Use District should receive particular attention:

- (i) The J Street Corridor. The J Street corridor (between Sixth and Eleventh Avenues) should be developed as an active commercial ~~mixed-use~~ mixed-use district with a strong pedestrian orientation. The character of late 19<sup>th</sup> nineteenth and early 20<sup>th</sup> twentieth century commercial buildings should be extended eastward from the Gaslamp

Quarter. The *development* of new buildings shall be compatible in scale and materials.

(ii) The Sixth/Seventh Avenue Transition Zone.

Located immediately west of ~~the ballpark~~ PETCO Park between L Street and the J Street Corridor, this area needs to ~~should~~ create linkages along K and L Streets ~~links~~ between the Gaslamp Quarter and the ~~Ballpark~~ PETCO Park along K and L Streets.

(4) Design Guidelines

(A) Along the J Street Corridor

(i) Built-to Lines: With the exception of where plazas are planned, a *street wall* should be built within 5 feet of the public right-of-way along 100 percent of the building frontage.

(ii) ~~Street Wall Façade~~ Façade: The *street wall* façade should be architecturally modulated to create visual interest and diversity, and to reinforce the pedestrian scale and character of the *street*.

(iii) The height of buildings along the *street wall* should create a *building base* and complement the height of older buildings in the corridor. Generally, *street*

*wall* height should ~~be not taller than five~~exceed five stories or 60 feet in keeping with the character of existing ~~19<sup>th</sup>~~nineteenth and early ~~20<sup>th</sup>~~twentieth century commercial and warehouse *structures*. *Tower* elements of the *street wall* which do not exceed 50 feet in width may exceed 60 feet in height so long as architectural fenestration, detailing and exterior materials ~~occur so as to~~ create a podium appearance compatible with adjacent *structures* and visually break-up the appearance of the *street wall*. Any *development* with its highest occupiable *floor* level above 75 feet, which is greater than 50 feet ~~in width~~wide, shall be stepped back by at least 50 feet.

- (iv) Buildings should ~~be massed and scaled in a manner that~~ mass and scale should complements the incremental parcelization of the *street*, introducing changes in building plane, fenestration rhythm, materials etc., or other elements at intervals of approximately 50 to 100 feet.
- (v) The design of *building façades* should provide ~~for a~~ well-composed treatment of recessed and large “punctured” openings within a solid wall. Large

expanses of curtain wall are discouraged in this area.

(vi) through (viii) [No change in text.]

(ix) ~~Buildings are encouraged to employ~~Use of building materials that extend and complement the character of existing 19<sup>th</sup> nineteenth and 20<sup>th</sup> twentieth century commercial and warehouse structures (e.g., brick, metal, stucco, ornamental cement, terra cotta, wood, or steel sash) is encouraged.

(x) Large well-composed punctured window openings, in the spirit of existing commercial and warehouse structures should be provided on the *building façades* to extend the character and scale of these 19<sup>th</sup> nineteenth and early 20<sup>th</sup> twentieth century buildings. To further these objectives, buildings along this corridor should introduce high *floor-to-floor* dimensions (e.g., greater than 12 feet on upper *floors* and greater than 15 feet on the ground *floor*).

(xi) Vehicular Access: Curb cuts are strongly discouraged along J Street. The number and size of curb cuts for all ~~projects~~ development should be minimized.

- (B) Within the Sixth/Seventh Avenue Transition Zone:
- (i) Built-to Lines: With the exception of where plazas are planned, a *street wall* should be built within ~~five~~ 5 feet of the *public right-of-way* along ~~one hundred percent~~ (100 percent) of the building frontage.
  - (ii) *Street Wall Façade* Façade: The *street wall* façade should be architecturally modulated to create visual interest and diversity, and to reinforce the pedestrian scale and character of the *street*.
  - (iii) [No change in text.]
- (C) *Street Level Treatment and Pedestrian Entrances*. All ~~projects~~ developments should provide *active commercial uses* along a majority of each ~~street frontage~~ street frontage in order to provide an active pedestrian-oriented experience. These *active commercial uses* should include clear, or lightly tinted, glass storefronts and windows and *pedestrian entrances*. Extended areas of solid walls should be minimized and mitigated through architectural articulation.
- (D) *Parking Garages*. Parking garages should comply with the Centre City Planned District Ordinance requirements for *street level uses*. The garages should be set back behind

~~multi-story~~ multi-story residential or commercial uses where appropriate and feasible to buffer the garages from facing residential or commercial uses. The façade treatment of freestanding parking garages should create an integrated and/or complementary architectural expression with adjacent or attached buildings along a *public right-of-way*, such that parked cars are ~~screened~~ predominantly screened from ~~predominant~~ public view; sloped *floors* are not expressed; and a visually composed façade of openings, plane changes, belt courses, cornice treatments, and other architectural devices is developed.

(f) *Urban Open Space Design Guidelines*

These standards apply to any ~~public~~ *urban open space* that is proposed as a public amenity for the purpose of obtaining an *FAR bonus*. For projects ~~development~~ development proposing ~~urban open space~~ urban open space as an exception to the *street wall* requirements of this Division, the following criteria shall serve as guidelines to be evaluated during Design Review.

(1) through (3) [No change in text.]

(4) The *grade* of an *urban open space* ~~can~~ shall not be ~~more~~ than exceed 3 feet above or below the sidewalk *grade*. On sloping

sites, the change in elevation between the sidewalk and adjacent *urban open space* must include gracious steps and landings, with features such as low risers and wide treads, and any planter boxes shall include seating ledges.

(5) [No change in text.]

(A) (6) *Urban open space* landscaping should complement and extend the materials and design of the adjoining *public right-of-way*. ~~A minimum of 25 percent of the *urban open space ground* area shall be improved with landscaping and/or impervious surfaces.~~

~~(B)~~(A) At least one 36-inch box tree shall be planted in the *urban open space* for each 25 feet of *street* frontage for linear open space and/or 500 square feet of *urban open space*, whichever is greater.

~~(C)~~(B) [No change in text.]

~~(D)~~(C) For planting located above an underground structure, the minimum planting area shall be as follows:

- (i) Trees shall have a minimum planting area of 40 square feet with a minimum depth of 3 feet measured from ~~grade~~grade; and

- (ii) [No change in text.]
  
- (7) ~~Seating shall be provided at a minimum ratio of one (1).~~ One linear foot of seating shall be provided for each 30 square feet of *urban open space*, as follows:
  - (A) through (B) [No change in text.]
  
- (8) [No change in text.]
  
- (9) Kiosks and *Pushcarts*.
  - (A) ~~Any~~All kiosks shall be a free-standing, one-story *structures*, constructed of predominantly of light materials such as metal, glass, or fabric and shall not exceed 100 square feet in area.
  
  - (B) Moveable *pushcarts* providing food products, fresh fruits or vegetables, fresh-cut flowers, or live plants shall ~~meet the requirements of the Push Cart Ordinance (Section 141.0609~~ comply with the *pushcart* regulations of Chapter 14, Article 1, Division 6 of the Land Development Code).
  
  - (C) [No change in text.]
  
- (s) Mid-Block Walkways, ~~Courts~~Courts and Walls

Where ~~faults or other~~ site constraints, such as *public utility* easements or documented earthquake faults, are ~~located on a site and~~ prohibit the

construction of building area on a portion of a site, ~~projects~~development should incorporate semi-public, through-block walkways, courts, and/or *urban open space* to support ground-floor commercial activities and/or provide alternate circulation paths. These areas shall be designed to ensure public safety and promote maximum visibility/and surveillance from adjacent uses and shall be maintained by the ~~property owner(s)~~record owner(s).

**§156.0312 Performance Standards**

~~(e)~~(a) [No change in text.]

(b) [No change in text.]

(c) Wind Acceleration

Wind acceleration studies may be required as part of the ~~project~~development review process to evaluate potential adverse impacts of wind acceleration onto ~~public rights-of-way~~public rights-of-way, *urban open space* areas, and other public spaces. Vertical wall surfaces 100 feet and taller shall employ changes in the horizontal canopy or volumetric step to break wind shear before reaching the ground level.

(d) Ballpark Mixed-Use District

The following standards apply to all *development* in this district:

(1) ) [No change in text.]

- (2) Noise Impacts. All *development* proposals shall include an acoustical analysis specifying construction standards necessary to meet the noise abatement and control requirements of San Diego Municipal Code Chapter 5, Article 9.5 ~~the Noise Ordinance~~. The analysis also shall include anticipated, or actual, noise impacts from ~~the ballpark~~ PETCO Park.

**§156.0313 Parking, Loading, Traffic and Transportation Demand Management Standards**

- (a) Residential ~~Off-Street Parking~~ Parking Space and Loading Bay Requirements. The ~~minimum~~ parking requirements established in Table ~~0313 A~~ 156-0313A and section 156.0313(a) shall apply to residential uses. All ~~required~~ parking spaces required by ~~this section~~ Table 156-0313A shall be reserved for the exclusive use of residents of the ~~project~~ development.

**TABLE 156-0313A  
RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS**

<u>Use Category</u>	<u>Minimum</u>		<u>Notes</u>
<u>Dwelling units</u>	1 space per <u>dwelling unit</u>		
<u>Living Units</u>	<u>Market rate unit</u>	0.5 spaces per <u>unit</u>	<u>Parking shall be based on the occupancy/rent restriction applied to the specific unit.</u>
	<u>50% AMI</u>	0.2 spaces per <u>unit</u>	
	<u>At or below 40% AMI</u>	<u>None</u>	
<u>Group Living</u>	0.1 spaces per room		
<u>Senior Housing*</u>	<u>Shall be determined through Conditional Use Permit review.</u>		<u>The intent of this provision to accommodate requests for reduction in parking requirements</u>
<u>Live/Work or Shop Keeper Unit</u>	1 space per unit		
<u>Residential Care Facilities*</u>	1 space per every ten (10) beds		
<u>Transitional Housing Facilities*</u>	<u>Shall be determined through Conditional Use Permit review.</u>		<u>The intent of this provision to accommodate requests for reduction in parking requirements</u>

\*Reasonable accommodations to these parking requirements shall be granted if necessary to afford disabled persons equal housing opportunities under state or federal law. Please refer to the reasonable accommodations provisions of the San Diego Municipal Code section 131.0466.

- (1) ~~Guest for Service Parking. For multiple-unit residential projects, Multi-family residential development shall provide additional off-street parking spaces shall be provided at a ratio of one (1) space for every 30thirty units. These spaces shall be permanently reserved and clearly marked for use by visitors/ or service use only. ProjectsDevelopment containing fewer than 50fifty dwelling units shall be exempt from this requirement.~~

TABLE 0313A RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS

Use Category	Minimum		Notes
<i>Dwelling units</i>	1 space per <i>dwelling unit</i>		
<i>Living Units</i>	Market rate unit	0.5 spaces per unit	Parking shall be based on the occupancy/rent restriction applied to the specific unit.
	50% AMI	0.2 spaces per unit	
	At or below 40% AMI	None	
<i>Group Living</i>	0.1 spaces per room		
<i>Senior Housing*</i>	Shall be determined through Conditional Use Permit review.		The intent of this provision to accommodate requests for reduction in parking requirements
<i>Live/Work or Shop Keeper Unit</i>	1 space per unit		
<i>Residential Care Facilities*</i>	1 space per every ten (10) beds		
<i>Transitional Housing Facilities*</i>	Shall be determined through Conditional Use Permit review.		The intent of this provision to accommodate requests for reduction in parking requirements

(2) *Off-Street Loading*. The following standards shall apply for multiple unit residential projectsmulti-family residential development:

- (A) For projects Development containing 100 or more units, an dwelling units shall provide at least one off-street loading bay that shall be provided with the spaces measuring large enough to accommodate a moving van, minimum at least 35 feet deep, 13 feet wide, and 13 feet tall (measured from the inside walls);
- (B) The loading area Loading bays shall have direct access into the internal circulation system and elevators;

- (C) ~~The loading bay should~~Loading bays shall share the parking access driveway, ~~whenever feasible~~unless separate driveways better facilitate access to the loading bay and parking areas and decrease potential conflicts; and
- (D) ~~Loading bays should be located to minimize~~ location shall not create traffic conflicts, ~~wherever possible.~~
- (3) Motorcycle Parking. One motorcycle parking ~~stall~~space shall be provided for every ~~20~~twenty *dwelling units*.
- (4) Bicycle Storage. Secured bicycle storage shall be provided at a ratio of one area reasonably sized to accommodate one bicycle for every ~~5~~five *dwelling units*. Bicycle storage areas shall be enclosed with access restricted to authorized persons. ~~If the storage areas are grouped into a common area or room, then facilities shall be provided to lock individual bicycles to a stationary object. Any common storage area to serve more than one dwelling unit shall provide racks or fixtures on which to lock individual bicycles.~~

(b) Non-Residential Off-Street Parking ~~Parking Space~~ and Loading Bay Requirements

The ~~minimum~~ parking requirements established in Table 0313-B156-0313B and section 156.0313(b) shall apply to non-residential uses.

**TABLE 156-0313B  
NON-RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS**

<u>Use Category</u>	<u>Minimum</u>		<u>Notes</u>
<u>Office</u>	1.5 spaces per 1,000 square feet		<u>Development containing less than 50,000 square feet of office space are exempt.</u>
<u>Commercial/Retail</u>	1 space per 1,000 square feet		<u>Development containing less than 30,000 square feet of commercial/retail space are exempt.</u>
<u>Warehouse &amp; Storage</u>	1 space per 10,000 square feet		
<u>Hotel</u>	0.3 spaces per room		<u>Development containing less than 25 guest rooms are exempt.</u>
<u>Single Room Occupancy Units</u>	<u>Market rate unit</u>	<u>0.5 spaces per unit</u>	<u>Parking shall be based on the occupancy/rent restriction applied to the specific unit.</u>
	<u>50% AMI</u>	<u>0.1 spaces per unit</u>	
	<u>At or below 40% AMI</u>	<u>None</u>	

- (1) Motorcycle and Bicycle Parking. One motorcycle parking stall~~space~~ and one bicycle parking space shall be provided for every twenty (20)-required vehicle ~~stall~~spaces.
- (2) Off-Street Loading.
  - (A) For ~~projects~~development containing ~~between 30,000- to~~ 100,000 square feet of commercial space, the following standard shall apply: (i) ~~One~~one off-*street* loading bay shall be provided large enough to accommodate a step van, with the space measuring~~that~~ shall be a minimum of 30 feet

deep, 14 feet wide, and 14 feet tall (measured from the inside walls).

TABLE 0313-B NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS			
Use Category	Minimum		Notes
Office	1.5 spaces per 1,000 sf		Projects containing less than 50,000 square feet of office space are exempt.
Commercial/Retail	1.0 spaces per 1,000 sf		Projects containing less than 30,000 square feet of commercial/retail space are exempt.
Warehouse & Storage	1.0 spaces per 10,000 sf		
Hotel	0.3 spaces per room		Development containing less than 25 guest rooms are exempt.
Single Room Occupancy Units	Market rate unit	0.5 spaces/unit	Parking shall be based on the occupancy/rent restriction applied to the specific unit.
	50% AMI	0.2 spaces/unit	
	At or below 40% AMI	None	

(B) For projects developments containing over 100,000 square feet of commercial space:

- (i) One off-street loading area ~~large enough to accommodate a semi-truck~~ bay shall be provided, with the space bay measuring a minimum of 35 feet deep, 14 feet wide, and 14 feet tall.;
- (i) All ~~loading areas~~ Loading bays shall be provided with direct access into an the internal circulation system of the development.;

(ii) ~~The loading bay should~~Loading bays shall share the  
parking access driveway, ~~when feasible.~~unless  
separate driveways better facilitate access to the  
loading and parking areas and decrease potential  
traffic conflicts; and

(iii) ~~Loading bays should be located to minimize~~  
location shall not create traffic conflicts wherever  
possible.

(c) North Embarcadero ~~Off-Street Parking~~Parking Space Requirements

~~The minimum parking requirements established in Table 0313-C156-~~  
0313C shall apply to developments located west of California Street  
between Harbor Drive and West Laurel Street.

**TABLE 0313-C156-0313C NORTH EMBARCADERO  
OFF-STREET PARKING REQUIREMENTS**

Use Category	Minimum		Notes
<i>Dwelling units</i>	1.0 spaces/ <u>space per bedroom</u>		To a maximum of two (2) spaces/ <u>per unit</u> .
<i>Living Units Living Units &amp; Single Room Occupancy units Hotel Rooms</i>	Market rate unit	0.5 spaces/ <u>per unit</u>	Based on the occupancy or rent restriction applied to the specific unit.
	50% AMI	0.2 spaces/ <u>per unit</u>	
	At or below 40% AMI	None	
<i>Group Living*</i>	0.1 spaces/ <u>per room</u>		
<i>Senior Housing for Senior Citizens*</i>	Shall be determined through Conditional Use Permit review.		<u>The intent of this provision to accommodate requests for reduction in parking requirements.</u>
<i>Live/Work Live/Work or Shopkeeper Unit</i>	1.0 spaces <u>space per unit</u>		
<i>Residential Care Facilities*</i>	1.0 spaces <u>space per</u> every ten (10) beds		
<i>Transitional Housing Facilities*</i>	Shall be determined through Conditional Use Permit review.		<u>The intent of this provision to accommodate requests for reduction in parking requirements.</u>
Office	2.0 spaces per 1,000 <u>sf-square feet</u>		
Hotel	0.5 spaces per room		
Warehouse & Storage	1.0 space per 10,000 <u>sf-square feet</u>		
Retail	2.5 spaces per 1,000 <u>sf-square feet</u>		
Restaurant	5.0 spaces per 1,000 <u>sf-square feet</u>		

*\*Reasonable accommodations to these parking requirements shall be granted if necessary to afford disabled persons equal housing opportunities under state or federal law. Please refer to the reasonable accommodations provisions of the San Diego Municipal Code section 131.0466.*

(d) Small Lot Exemption Reduction

For lots of 5,000 square feet or less, the minimum number of parking spaces required is reduced by 50 percent.

(e) Enclosed Parking

All parking that is associated with a project provided within a development shall be enclosed and architecturally integrated into, or on top of, a *structure*.

(f) Below-Grade Parking

All projects shall provide at At least three levels of parking below-grade parking shall be provided prior to the provision of any above-grade parking, with the following exceptions:

- (1) Below-grade parking is not required for parcels less than 10,000 square feet in area.
- (2) For *development* on sites that contain ~~designated historic structures~~ designated historical resources, the *CCDC President* may approve an exception to the below-grade parking requirements upon finding that below-grade parking is infeasible due to the location and/or characteristics of the ~~historic structure~~ historical resources.
- (3) For *development* on sites proven to be significantly impacted by the underground water table, the *CCDC President* may approve an exception to the below grade parking requirement upon finding that it would create exceptional financial hardship ~~on~~ to the project property owner or applicant.

- (4) Public parking garages, and ~~projects~~development located within the Ballpark Mixed-Use District, are only required to provide two ~~(2)~~ below-grade levels of below-grade parking prior to the provision of any above-grade parking.

(g) Existing Buildings

Buildings may be converted from one land use to another ~~land use~~ without the provision of providing additional parking spaces, with the ~~exception of~~unless the conversion is from commercial buildings to residential land uses. The proposed conversion of a building to a residential ~~land use~~ or the expansion of any building that cannot meet the parking requirements for the residential ~~land use~~ may be granted a deviation from the residential parking requirements by the *CCDC President* upon approval of a Neighborhood Use Permit in accordance with Chapter 12, Article 6, Division 2 of the Land Development Code.

(h) *Structured Parking Facility Standards*

The following standards apply to all above-grade parking facilities:

- (1) All enclosed ground level parking areas shall be ~~shielded from adjoining public streets~~, with such parking areas being separated from the public sidewalk by habitable residential or non-residential space, or utility rooms. The minimum depth of residential space, measured from the exterior building wall to the interior wall

separating the habitable space from the parking area, shall be 10 feet, and the. The minimum depth of commercial space, measured from the exterior building wall to the interior wall separating the commercial space from the parking area, shall be 20 feet.

- (2) All parking located above the ground level shall meet the following standards:
- (A) ~~For projects~~Development located on a sites of less than 30,000 square feet, ~~above grade parking~~ does not require ~~encapsulation; encapsulated parking.~~
  - (B) ~~For projects~~Development located on a sites of 30,000 or more square feet or larger, shall encapsulate 50 percent of the cumulative building façades directly abutting street frontages shall be encapsulatedstreet frontages with habitable residential or non-residential uses.
  - (C) Roof-top parking ~~shall be~~ allowed ~~when~~ if all parking spaces, ~~not including~~excluding drive aisles, are covered with a roof or trellis *structure*.
  - (D) Parking levels located above the ground level shall be shielded from view by a solid wall or headlight-obscuring *screen* a minimum height of 42 inches, measured from the finished floor of the adjoining parking space.

- (E) Any open areas in the exterior *building façade* of the *structure* shall be designed as an integral component of the overall architecture of the ~~project~~development.
- (3) All interior surfaces of a parking *structure* visible from the exterior of the garage shall be painted and all duct work or utility functions shall be ~~screened from view~~.
- (4) All duct work or utility functions serving above-grade parking facilities shall be screened from view.
- (4)(5) All interior lighting fixtures shall be designed so that the light source is not directly visible from the exterior of the garage. Lighting for any roof-top parking levels shall either be wall-mounted or on poles. Any poles shall be a maximum height of 15 feet, ~~be located no closer than~~ at least 40 feet from any *property line*, and shall be designed so that the light source is shielded from view from any *property line*. Lighting levels shall meet the requirements of the Illuminating Engineers Society's Manual, as ~~may be amended from time to time~~.
- (5)(6) All parking *structures* open to the sky shall be engineered and circulation designed to accommodate vertical expansion of ~~at least~~ 3-three additional parking levels; or the maximum amount permitted under the *FAR* limits applicable to the site, whichever is less.

~~(6)~~ (7) For every Every vehicular access point to any public *structured parking*, there shall be have at least one ~~four by four~~ 4 by 4 foot, internally illuminated, cabinet *sign*, clearly visible to pedestrians and motorists with the international a parking symbol: consisting of a white letter "P" on a green background. Additional space may be added to the *sign* to indicate whether the *lot* is full, or to provide information on prices, ownership, management, hours of operation, and whether it is for private or *public parking*. The ~~four by four square parking sign~~ 4 by 4 foot area shall not be reduced or encroached upon by this additional information. The ~~four by four foot square parking sign~~ 4 by 4 foot area shall not be included in calculations regarding other ~~signage~~ signs for the *structure*.

(i) Surface Parking *Lot* Standards

Surface parking *lots* are interim land uses and shall be designed according to the following standards:

- (1) For sites with an approved ~~Centre City Development Permit~~ Centre City Development Permit, temporary surface parking *lots* may be approved for a maximum period of two ~~(2)~~ years. The parking *lots* shall be improved with appropriate paving to ~~City~~ standards, striping, and security lighting to City standards.
- (2) For sites without an approved ~~Centre City Development Permit~~ Centre City Development Permit or for parking *lots* improved and

operated for a period of over two (2) years, the following standards shall apply in addition to those listed above for temporary surface parking lots:

- (A) Along all public ~~street frontages~~frontages, a 36-inch high black or green vinyl-coated chain link ~~fence~~ is required. The ~~fencing~~fence shall provide pedestrian gaps at intervals of no more than 100 feet.
- (B) Trees shall be planted according to City Landscape Standards for surface parking lots, with the exception being that all trees shall be planted in 36-inch containers ~~size~~.
- (3) ~~For every~~Every vehicular access point, ~~there shall be~~have at least one ~~four by four~~4 by 4 foot, internally illuminated, cabinet ~~sign~~, clearly visible to pedestrians and motorists with ~~the international~~ a parking symbol: consisting of a white letter "P" on a green background. Additional space may be added to the cabinet sign to indicate whether the lot is full, or to provide information on prices, ownership, management, hours of operation, and whether it is for private or *public parking*. The ~~four by four square parking sign~~4 by 4 foot area shall not be reduced or encroached upon by this additional information. The ~~four by four foot square parking sign~~4 by 4 foot area shall not be included in calculations regarding other ~~signage~~signs for the parking lot.

(j) Off-Site Parking Provisions

~~Projects~~ Developments may provide required ~~parking in off-street parking spaces~~ at an off-site location. The off-site location shall be within 500 feet of the project site development served by the parking, measured property line to property line, and shall be secured by CC&Rs recorded on both properties in a form acceptable to the City Attorney's Office that ensure the parking facility's use without reduction in spaces in perpetuity ~~for the life of the project~~ (unless another off-site location is secured appropriately in compliance with this section).

(k) Size of Parking Stalls ~~Space Standards~~

All parking ~~stall~~spaces required ~~above~~ by this Division shall meet the City of San Diego ~~Standards in Section~~ standards in accordance with section 142.0560 of the Land Development Code. Parking ~~stall~~spaces provided in excess of the number of spaces required ~~ratios~~ may deviate from these standards, ~~subject to approval by CCDC. In residential projects,~~ but the final and permanent size of any non-standard ~~stalls~~ provided spaces for exclusive use by a dwelling unit in a residential development shall be disclosed to the resident prior to the execution of a sales or rental agreement.

(l) Vehicular Access

(1) [No change in text]

- (2) The maximum linear feet of curb cut for vehicular access shall be calculated at a ratio of ~~one (1)~~ linear foot per 500 square feet of site area. Parcels containing 10,000 square feet and less may double this ratio (2 linear feet of curb cut per 500 feet of site area). Curb cuts ~~which~~that serve up to ~~10~~ten parking spaces shall be between 12 and 20 feet wide. Curb cuts ~~which~~that serve over ~~10~~ten parking spaces shall be between 20 and 30 feet wide.
- (3) ~~No~~All vehicular access curb cuts may~~shall~~ be located ~~closer than~~ at least 65 feet from the curb line of the closest intersection. Curb cuts on the same parcel must be separated by ~~a minimum of at least~~ 80 feet, with the exception of a curb cut to provide access to an ~~off-street~~off-street loading bay, which may be closer than 80 feet if the widths of both curb cuts are minimized to the extent possible. Curb cuts shall be located ~~at an appropriate distance from curb cuts located on adjacent parcels in order to~~ minimize conflicts and maximize on-*street* parking. On parcels of 5,000 square feet or less, the dimensions listed above shall be reduced in half.
- (4) No curb cuts are permitted on the *streets* designated on Figure E (~~Limited Vehicle Access~~) unless driveway access is not feasible on adjacent *streets* due to *lot* size ~~and/or~~, lot configuration, or other significant factors.

- (m) Driveway Slope/Slopes and Security Gates

Driveway slopes shall meet the requirements of ~~Section~~section 142.0560(j)(9) of the Land Development Code. There shall be a transition behind the *public right-of-way* not to exceed a gradient of 5 percent for a distance of 10 feet. All ~~security~~Security gates shall be located a minimum distance of 10 feet; ~~this dimension must be clear of any~~ from the front property line, and the door swing of any security gate shall not encroach into the 10 foot required minimum distance from the front property line.

(n) [No change in text]

(o) *Transportation Demand Management (TDM)*

~~In order to~~To reduce single-occupant vehicle trips into the Centre City Planned District, ~~applicants shall demonstrate that~~for proposed commercial and ~~hotel projects~~development containing over 50,000 square feet of ~~GFA~~gross floor area shall achieve a minimum of ~~24~~twenty-four points by implementing *TDM* measures as contained in Table ~~0313-D156-~~0313D.

TABLE <del>0313D156-</del> <u>0313D</u> : TRANSPORTATION DEMAND MANAGEMENT (TDM)	
Points	Measure
10	[No change in text.]
10	[No change in text.]
10	[No change in text.]
6	[No change in text.]
4	[No change in text.]
4	[No change in text.]
4	Preferential carpool and/or vanpool parking ( <del>two</del> <u>2</u> percent ( <del>2%</del> <u>2%</u> ) of permitted <u>off-street parking</u> space maximum)
2	[No change in text.]
2	[No change in text.]

§156.0314 Sign Regulations

(a) Sign Regulations

(1) Application

Initial application for ~~signage~~ a sign permit shall be made to CCDC in accordance with the requirements of the Land Development Code Chapter 12, Article 9, Division 8 (~~Sign Permit Procedures~~) and Chapter 14, Article 2, Division 12 (~~Sign Regulations~~).

(2) Provisions

In addition to the requirements of the Land Development Code Chapter 12, Article 9, Division 8 (~~Sign Permit Procedures~~) and Chapter 14, Article 2, Division 12 (~~Sign Regulations~~), the following provisions apply:

- (A) ~~Signs, inflatable displays, and/or banners cannot~~ shall not be placed on the roof of any *structure*.
- (B) ~~The sign~~ Signs (or any part of ~~the~~ a sign) ~~may~~ shall not be located more than 65 feet above the sidewalk, measured from the *street property line* closest to the *sign*.
- (C) Exceptions to the sign regulations for a new sign on a historical resource may be granted through approval of a Neighborhood Use Permit in accordance with Chapter 12,

Article 6, Division 2 of the Land Development Code. The design and size of such a sign shall be consistent with the Secretary of Interior's Standards and Guidelines for the Preservation, Rehabilitation, Restoration, and Reconstruction of Historic Buildings based on its period of historical significance, as recommended by the Historical Resources Board. Alterations to signs that may impact one or more historical resources shall be reviewed and approved according to the regulations for historical resources contained in Chapters 11 through 14 of the Land Development Code and may require a Neighborhood Development Permit or Site Development Permit in addition to a Neighborhood Use Permit.

(3) *Logos*

*Logos* may not be used on the ~~upper~~*upper* tower of a building where more than 50%~~percent~~ of the building is ~~in~~*for* residential uses. *Logos* may be used on the ~~upper~~*upper* tower of a non-residential building if the following criteria are met:

- (A) [No change in text.]
- (B) *Logos* may not be located on any two (2)-adjacent *building* *façades*.

(C) The maximum area of the *logo* is based on building height as described in Table 0314-A156-0314A.

(D) *Logos* without any lettering are not subject to maximum height, only maximum square footage limitations.

(E) The maximum height of lettering is based on building height as described in Table 0314-A156-0314A.

TABLE 0314-A-156-0314A: LOGOS LOGOS AND LETTERING		
Building Height (feet)	Logo area (feet)	Lettering Height (feet)
65-125	50	3
126-240	75	4
240+	100	5

(4) Ballpark Mixed-Use District Signage Signs

All *development* proposals within the area bounded by J Street, Seventh ~~and~~ Avenue, Tenth Avenues, Park Boulevard, and Harbor Drive (including the ballpark PETCO Park, Park at the Park Outfield Park, and mixed-use mixed-use developments surrounding the park directly adjacent thereto) shall include a comprehensive *sign plan*. All comprehensive sign plans for PETCO Park, Outfield Park, and mixed-use developments directly adjacent thereto shall be processed in accordance with Process Five.

All other *signs* within the Ballpark Mixed-Use District shall comply with ~~the requirements of the Land Development Code Chapter 14, Article 2, Division 12 (*Sign Regulations*).~~ *Signs* which ~~that~~ do not meet these ~~criteria~~ comply with all the requirements of the Land Development Code may be ~~proposed under approved~~ with a comprehensive sign plan. All comprehensive *sign* plans, ~~with the exception of these (except sign plans for the ballpark *PETCO Park*, *Park at the Park*, *Outfield Park*, and mixed-use *mixed-use developments* directly adjacent thereto)~~ within the Ballpark Mixed-Use District, may be approved, conditionally approved, or denied by CCDC in accordance with Process Three and such sign plans shall be reviewed for consistency consistent with the following objectives:

- (A) All *signs* shall be sized to be complementary to, and in scale with, the buildings on which they are placed. The design of the *signs* should reflect and complement the use of the building to the extent possible;
- (B) All *signs* shall be designed to be visible mainly from the immediate neighborhood, with an exception for high-rise building identification *signs*;
- (C) *Signs* shall ~~not unreasonably impact surrounding residential neighborhoods.~~ be designed and placed to be compatible

with the theme, visual quality, and overall character of the  
Ball Park Mixed-Use District; and

- (D) ~~Signs shall not be designed or placed to create a visual  
distraction to patrons within the ballpark or detract from the  
image of San Diego.~~

~~All comprehensive sign plans for the ballpark, Park at the  
Park, and mixed use developments surrounding the park  
shall be processed in accordance with Process Five.~~

~~All other comprehensive sign plans may be approved,  
conditionally approved or denied by CCDC in accordance  
with Process Three.~~

Signs shall also be appropriately related in size, shape,  
materials, letters, colors, illumination, and character of the  
buildings on which they will be displayed, and be  
compatible with existing adjacent activities so as to not  
create a visual distraction to *PETCO Park* patrons or other  
uses.

**§156.0315 Separately Regulated Uses**

(a) Alcohol Beverage Sales

(1) ~~Bona-Fide Eating Establishments shall not be required to obtain additional permits from the CCDC President for the sale of alcoholic beverages as long as that have made-to-order food products are available during all business hours~~ may provide alcoholic beverages on the premises, subject to applicable state and local regulations. No additional permit is required.

(2) [No change in text.]

(3) [No change in text.]

(A) ~~All entertainment must be pursuant to applicable, as defined by section 33.1502 of the San Diego Municipal Code, must comply with all City of San Diego permits and regulations and, if applicable, San Diego Police Department Regulatory Permits shall be obtained;~~

(B) ~~Sound and amplification equipment shall be monitored during business hours, to ensure that audible noise remains shall not disturb adjacent land uses, and noise shall remain at acceptable levels. Noise levels shall be in conformance with the Noise Abatement Standards of the Municipal Code, in accordance with the noise abatement and control~~

regulations of Chapter 5, Article 9.5 (Noise Abatement and Control) and shall not disturb adjacent land uses of the San Diego Municipal Code; and

- (C) ~~If the Applicants for establishments where live entertainment and/or dancing is proposed to occur is within the same building as, or is immediately adjacent to, residential uses, shall provide an acoustical study shall be required to prepared by a qualified acoustical engineer that evaluates potential impacts to the residential occupants, and propose~~ Based on the results of the acoustical study, appropriate mitigation measures may be required.
- (4) If any of the uses described in 156.0315(a)(2) and (3) ~~above~~ are located within a *hotel or motel*, are enclosed completely within a the building, and are accessed solely through the *hotel/ or motel* lobby area, they shall be permitted by right.
- (5) Establishments engaged in the sale of alcoholic beverages for off-site consumption shall be required to obtain a Conditional Use Permit in accordance with Process Three. The following conditions of approval for an off-site consumption Conditional Use Permit shall apply:

(A) through (B) [No change in text]

~~(C)~~ No wine shall be sold with an alcoholic content greater than fifteen percent by volume.

~~(D)~~(C) Quarterly gross sales of alcoholic beverages shall not exceed 25 percent of the quarterly gross sales of the establishment.

~~(E)~~(D) No alcoholic beverages shall be sold except between the hours of 10:00 a.m. and 10:00 p.m. of each day of the week.

~~(F)~~(E) TheAfter conducting a public hearing, the CCDC Hearing Officer may approve exceptions to ~~(D)~~ and ~~(E)~~ above 156.0315(a)(5)(C) or (D) upon meeting the following standardsmaking the following findings:

- (i) AnyThe request for an exception shall be was provided in the public notice for the hearing; and
- (ii) After conducting the public hearing, the Hearing Officer shall find that theThe proposed use and operations are compatible with existing and planned surrounding land uses.

~~(6)~~ Any of the permits in (2), (3), or (5) above may be revoked after the holding of a public hearing if either of the following exists:

~~(A) Evidence is provided to CCDC that there are violations of any conditions of approval.~~

~~(B) Evidence is provided to CCDC that the use is creating a nuisance to the surrounding neighborhood.~~

(b) *Living Units.*

*Living unit projects-developments* are permitted in the zones indicated in Table 0308-A156-0308A subject to the following regulations:

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

(3) ~~Kitchen~~*Kitchen* facilities ~~consisting of a minimum of~~ with at least a ~~kitchen~~*kitchen* sink ~~with~~, garbage disposal, counter top, refrigerator, and microwave oven or ~~other cook-top~~ is required in every *living unit*.

(4) [No change in text.]

(5) Each *living unit* that is not provided with a private shower and/or bathtub must be served by a shared shower ~~(and optionally, a or bathtub)~~. Shared bathing facilities must be provided at a ratio of at least one facility for every five units, or fraction thereof, which ~~lack a private bathing facility~~ facilities. Each shared bathing facility must be on the same *floor* as the units it is intended to serve, must be directly accessible from a common area or hallway, and must have an interior lockable door.

- (6) [No change in text.]
- (7) Each *living unit projectdevelopment* shall include common interior space at a ratio of 50 square feet per *living unit*, with a minimum of 200 square feet per *projectdevelopment* or per individual common interior space if multiple spaces are provided with a single *project development*. The indoor space shall be furnished to allow for meetings, indoor recreation (active or passive), and/or entertainment.
- (8) Each *living unit projectdevelopment* shall contain one *living unit* occupied by a resident manager.
- (9) Each *living unit projectdevelopment* shall contain either ~~(a)~~:
- (A) a front desk with a full view of the entry area, staffed 24 hours a day, seven days a week, ~~or (b)~~; or
- (B) an operational outdoor entry intercom system connected to the manager's unit and each *living unit*.
- (10) Parking shall be provided in accordance with ~~Section 151.0313 of this Division~~ section 156.0313. All required parking for the *living unit projectdevelopment* shall be available to residents only.
- (11) Each *living unit* occupancy and rent shall be restricted to those persons with household income at or below 80 percent of area

median income as most published by the California Department of Housing and Community Development for San Diego County, as adjusted for a one-person household. The ~~project~~development owner shall enter into an agreement with the City of San Diego Housing Commission for the review and enforcement of such restrictions.

(12) [No change in text.]

(c) ~~Historic Sites~~Historical Resources

~~The CCDC President shall review all project proposals to alter a designated historic site, or any site containing a structure over 45 years in age, as provided in Section 143.0201 et seq. of the Land Development Code. All development proposals that may result in the alteration of an historic resource, or any site containing a structure over forty-five years in age, shall be reviewed as provided in Chapters 11 through 14 of the Land Development Code.~~

(1) Minor Alterations

~~The CCDC President may approve minor alterations (as determined by the CCDC President) to a designated historical resource.~~Minor alterations (as defined in section 143.0250 of the Land Development Code) to a historical resource shall be

reviewed in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code.

(2) Other Substantial Alterations

~~Non-minor alterations to a designated *historic* site shall be reviewed in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code.~~ Substantial alterations (as defined in section 143.0250 of the Land Development Code) to a *historical resource* shall be reviewed in accordance with Chapter 14, Article 3, Divisions 2 and 3 of the Land Development Code and all other relevant provisions of the Municipal Code, and shall comply with all *historical resources* Mitigation Measures listed in Appendix A of the Downtown Community Plan.

(d) *Historical Buildings Occupied by Uses Not Otherwise Allowed*

*Historical buildings* occupied by uses not otherwise allowed may be permitted with a Conditional Use Permit in accordance with Process Three subject to the following regulations:

- (1) The building must be designated as a *historical resource* by the City of San Diego Historical Resources Board before approval of the Conditional Use Permit.

- (2) The use of the *historical resource* shall be compatible with the uses in the surrounding area or shall be consistent with the purpose for which the building was originally designed.
- (3) The *historical resource* shall be preserved, restored, rehabilitated, reconstructed, or maintained in its original historical appearance in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code.
- (4) Any facilities that are constructed as part of the new use shall be designed to be similar in scale and style with the historical use, and cause no more than a minor alteration to the *historical resource* in accordance with Historical Resources Regulations unless the development is approved through the Site Development Permit or Neighborhood Development Permit procedures in accordance with Chapters 11 through 14 of the Land Development Code.

(de) ~~Social Services~~/*Social Services Institutions* or Homeless Facilities

~~Any application for a conditional use permit for *Applicants* for a Conditional Use Permit for a *Social Service Institutions social services institution* or *Homeless Facilities homeless facility* may request a modification to the standard *development* regulations found in sections 141.0417 and 141.0412, respectively Chapter 14 of the Land Development Code. Any such request may be granted by the approval~~

body decision maker if at least one of the following ~~findings~~findings is ~~met~~made:

- (1) The proposed institution/or facility is relocating from another location within the Centre City Planned District ~~and the previous site vacates any existing Conditional Use Permit or Previously Conforming Use rights.~~
- (2) The institution/or facility, due to its unique operations or uses, will not adversely impact the surrounding neighborhood, and there is a demonstrated need for the institution/or facility that is not being met by existing services/or facilities in the Downtown Community Plan area.

(f) Reasonable Accommodations

The requirements of this Article may be waived, modified, or excepted if necessary to afford disabled persons equal housing opportunities in accordance with San Diego Municipal Code section 131.0466.

(g) Revocation

A Conditional Use Permit may be revoked in accordance with the permit revocation provisions of Chapter 12, Article 1, Division 3 of the Land

Development Code. The permit revocation hearing shall be held at the  
same decision-making process level as the original Conditional Use  
Permit.

NMF:pev:js  
03/01/10  
Or.Dept:CCDC  
O-2010-9  
MMS #7546

5/1/07

(O-2010-73 REV.)  
(COR.COPY)

ORDINANCE NUMBER O- 19949 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 06 2010

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 6,  
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 156.0308 TO EXPAND THE USE  
CATEGORIES FOR EDUCATIONAL FACILITIES,  
CULTURAL INSTITUTIONS, AND CHURCHES AND  
RELIGIOUS ASSEMBLIES IN THE CENTRE CITY PLANNED  
DISTRICT.

WHEREAS, the primary purpose of the Centre City Planned District Ordinance is to  
implement the San Diego Downtown Community Plan [Downtown Community Plan]; and

WHEREAS, the Centre City Planned District Ordinance was initially adopted by the  
Council of the City of San Diego on May 11, 1992 by Ordinance Number O-17764 and was  
amended by Ordinance Number O-18147 on January 9, 1995, Ordinance Number O-18480 on  
April 17, 1998, Ordinance Number O-18524 on June 8, 1998, Ordinance Number O-18999 on  
November 5, 2001, Ordinance Number O-19056 on May 7, 2002, Ordinance Number O-19338  
on November 29, 2004, and Ordinance Number O-19471 on April 3, 2006; and

WHEREAS, the Centre City Development Corporation [CCDC], as the agent for the  
Redevelopment Agency of the City of San Diego within the downtown area, has proposed  
amendments to the Centre City Planned District Ordinance to implement the Downtown  
Community Plan; and

WHEREAS, the proposed amendments to the Centre City Planned District Ordinance  
have been reviewed and considered by the CCDC Board and the Centre City Advisory  
Committee; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on October 8, 2009, for the purpose of considering the proposed amendments to the Centre City Planned District Ordinance; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendments to the Centre City Planned District Ordinance consistent with the Downtown Community Plan and recommended the proposed amendments for approval; and

WHEREAS, this matter was set for public hearing on APR 27 2010; NOW, THEREFORE,

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

Section 1. That Chapter 15, Article 6, Division 3 of the San Diego Municipal Code is amended by amending current Section 156.0308 to read as follows:

**§156.0308 Base District Use Regulations**

- (a) [No change in text.]
- (b) [No change in text.]

<b>Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>														
<b>LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required</b>														
Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately regulated Uses.)	C	NC	ER	BP	WM <sup>9</sup>	MC	RE	I <sup>9</sup>	T <sup>9</sup>	PC	OS	CC <sup>9</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays

Public Park/ Plaza/Open Space	[No change in text.]													
Agriculture														
Residential														
Group Living														
Multiple Dwelling Units														
Shopkeeper Units														
Live/Work Quarters														
<b>Separately Regulated Residential Uses</b>														
Fraternalities, Sororities, and Dormitories	[No change in text.]													
Home Occupations														
Housing for Senior Citizens														
Living Units														
Residential Care Facilities														
Transitional Housing														
<b>Institutional Separately Regulated Institutional Uses</b>														
Churches & Places of Religious Assembly	P	P	P	P	--	P	C <sup>12</sup>	--	--	P	--	--		C
Communication Antennas	[No change in text.]													
Minor Telecommunication Facility														
Major Telecommunication Facility														
Satellite Antennas														
Correctional Placement Centers	[No change in text.]													
Cultural Institutions	P	P	P	P	P	P	C <sup>12</sup>	--	--	P	P <sup>9</sup>	P		C, E
Educational Facilities	P	P	P	P	P	P	C <sup>12</sup>	--	--	P	P	P		E
Energy Generation & Distribution	[No change in text.]													

Stations	[No change in text.]
Exhibit Halls & Convention Facilities	
Homeless Facilities <sup>7</sup>	
Hospitals, 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities	
Major Transmission, Relay or Communication Switching Station	
<i>Social Service Institutions</i>	
<b>Retail Sales</b>	
<b>Commercial Services</b>	
Animal Grooming & Veterinary Offices	[No change in text.]
Assembly & Entertainment	
With Outdoor Use Area	
Building Services	
Business Support	
<b>Eating &amp; Drinking Establishments</b>	
<i>Bona Fide Eating Establishments</i>	[No change in text.]
<i>Non-Bona Fide Eating Establishments w/ Alcohol</i>	
With Outdoor Use Area	
With Live Entertainment & Dancing	
Financial Institutions	
Funeral & Mortuary Services	
Maintenance & Repair	
Off-Site Services	
Personal Services	
Radio &	

Television Studios	
Visitor Accommodations	
<i>Hotels and Motels</i>	
<b>Separately Regulated Commercial Service Uses</b>	
Animal Hospitals & Kennels	
<i>Bed &amp; Breakfast Establishments</i>	
Child Care Facilities	
Instructional Studios	
Parking Facilities ( <i>structure or surface</i> )	[No change in text.]
Private Clubs, Lodges and Fraternal Organizations	
<i>Pushcarts</i>	
<i>Recycling Facilities</i>	
Drop-Off Facilities	
Reverse Vending Machines	
Large Collection Facilities and Processing Facilities	[No change in text.]
Small Collection Facilities	
Sidewalk Cafes	
Singl Room Occupancy <i>Hotels</i> (SRO)	
<b>Offices</b>	
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Services</b>	
Personal Vehicle Sales & Rentals	
All Other Vehicle & Vehicular Equipment Sales & Services	[No change in text.]
<b>Separately Regulated Vehicle &amp; Vehicle Equipment &amp; Service Uses</b>	
Automobile Service Stations	[No change in text.]
<b>Wholesale, Distribution &amp; Storage</b>	
Moving & Storage	[No change in text.]

Facilities	[No change in text.]
Warehouse & Wholesale Distribution	
<b>Separately Regulated Wholesale, Distribution &amp; Storage Use</b>	
Temporary Construction Yards	[No change in text.]
Heavy Manufacturing	[No change in text.]
Light Manufacturing	
Marine Industry	
Research & Development	
Trucking and Transportation Terminals	
<b>Signs</b>	[No change in text.]
Allowable Signs	[No change in text.]
<b>Separately Regulated Sign Uses</b>	
Community Identification Signs	[No change in text.]
Relocation of Sign Area Allowance	
Revolving Projecting Signs	
Signs with Automatic Changing Copy	
Theatre Marquees	
<b>Other Use Requirements</b>	
Temporary Uses	[No change in text.]

**Footnotes to Table 156-0308A**

1-10 [No change in text.]

11 [Reserved.]

12 Educational facilities and cultural institutions are not permitted within the Airport Approach Zone as delineated in the Airport Land Use Compatibility Plan for the San Diego International Airport.

<b>TABLE 0308-B MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE<sup>1</sup></b>		
<i>Main Street</i> Land Use District	Minimum Required <i>Ground Floor Street Frontage for Active Commercial Use</i>	Maximum Permitted <i>Ground Floor Street Frontage for Active Commercial Use<sup>2</sup></i>
Parcels located along designated <i>Main Streets</i> , in any Land Use District <sup>2</sup>	80 percent	100 percent
Parcels located along designated <i>Commercial Streets</i> , in any Land Use District	60 percent	100 percent
Core (C)	40 percent	100 percent
Neighborhood Mixed-Use Center	40 percent	100 percent
Ballpark Mixed-Use (BP)	40 percent	100 percent
Employment/Residential Mixed-Use (ER)	None	100 percent
Waterfront/Marine (WM)	20 percent	50 percent
Mixed Commercial (MC)	None	100 percent
Residential Emphasis (RE)	None	100 percent
Convention Center/Visitor (CC)	20 percent	50 percent
Public/Civic (PC)	40 percent	100 percent
Park/Open Space (OS)	None	None
Industrial (I)	None	20 percent
Transportation (T)	None	None

<sup>1</sup> Any parcel 10,000 square feet or less is exempt from the minimum and maximums set forth in this table except for those sites on *Main Streets* and/or *Commercial Streets* with a 50 foot *street frontage* or less, in which case, that frontage is required to provide 50% of the frontage in active commercial uses.

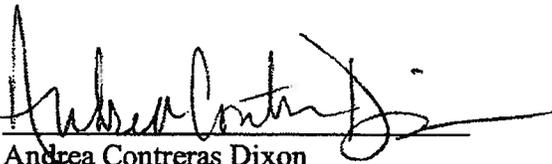
<sup>2</sup> Along the west side of Park Boulevard, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*.

<sup>3</sup> At no time shall the maximum permitted *ground floor street frontage* result in less than 20 feet of storefront.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Andrea Contreras Dixon  
Deputy City Attorney

ACD:cw  
02/04/10  
04/14/10 REV.  
04/26/10 COR.COPY  
Or.Dept:CCDC  
O-2010-73  
MMS#10704

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 27 2010.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5.6.10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor