



Centre City
Development
Corporation

EXECUTIVE SUMMARY SHEET

REPORT NO. CCDC-07-29b
CCDC-07-15b

DATE REPORT ISSUED: October 17, 2007

ATTENTION: Honorable Chair and Members of the Redevelopment Agency
Council President and City Council
Docket of October 30, 2007

ORIGINATING DEPT.: Centre City Development Corporation

SUBJECT: Proposed 11th Amendment to the Redevelopment Plan for the
Centre City Redevelopment Project and Amendments to the
Downtown Community Plan, Centre City Planned District
Ordinance, Marina Planned District Ordinance, and the Mitigation
Monitoring and Reporting Program of the 2006 Final
Environmental Impact Report for the Downtown Community Plan,
Centre City Planned District Ordinance, and Redevelopment Plan
for the Centre City Project Area – Areawide – **JOINT PUBLIC
HEARING (continued from July 31 and September 25)**

COUNCIL DISTRICTS: Districts 2 & 8

STAFF CONTACT: Brad Richter, CCDC Current Planning Manager, 619-533-7115

REQUESTED ACTION: That the City Council (“Council”) consider the proposed amendments to land development regulations for the Downtown Community Planning Area, including the Downtown Community Plan, Centre City Planned District Ordinance, and Marina Planned District Ordinance. There is no Redevelopment Agency (“Agency”) action requested as applicable actions by the Agency were taken in July.

STAFF RECOMMENDATION: Centre City Development Corporation (CCDC) recommends approval of specific amendments to the land development regulations for the Downtown Community Planning Area, including the Downtown Community Plan, Centre City Planned District Ordinance, and Marina Planned District Ordinance.

EXECUTIVE SUMMARY: Centre City Development Corporation (CCDC) is proposing specific amendments to the land development regulations for the Downtown Community Planning Area, including the Downtown Community Plan, the Centre City Planned District Ordinance, and the Marina Planned District Ordinance. The purpose of these proposed amendments include providing better implementation of the policies of the Downtown Community Plan, creating consistency among planning documents, streamlining documents, enhancing the historic preservation goals of the City, and minor clean-ups.

FISCAL CONSIDERATIONS: None.

Honorable Chair and Members of the Redevelopment Agency
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CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION: On May 30, 2007, the CCDC Board of Directors voted 5-0 to support the proposed amendments.

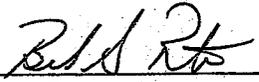
PLANNING COMMISSION RECOMMENDATION: On June 28, 2007, the Planning Commission held a public hearing to consider the amendments and voted 4-0 to recommend approval of the various amendments as recommended by staff and the CCDC Board.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On May 23, 2007, the Centre City Advisory Committee (CCAC), downtown's community planning group, and the Project Area Committee (PAC) voted unanimously to support these amendments. Since the beginning of the year, staff has held public workshops for the proposed amendments before the CCAC and its subcommittees, the CCDC Board and its subcommittees, and the Planning Commission.

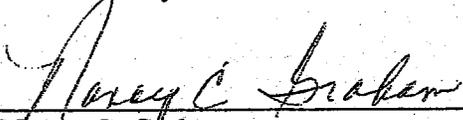
KEY STAKEHOLDERS AND PROJECTED IMPACTS: The proposed amendments affect land use regulations throughout the downtown planning area, and therefore affect property owners, businesses, developers, residents, and visitors to the area.

Respectfully submitted,

Concurred by:



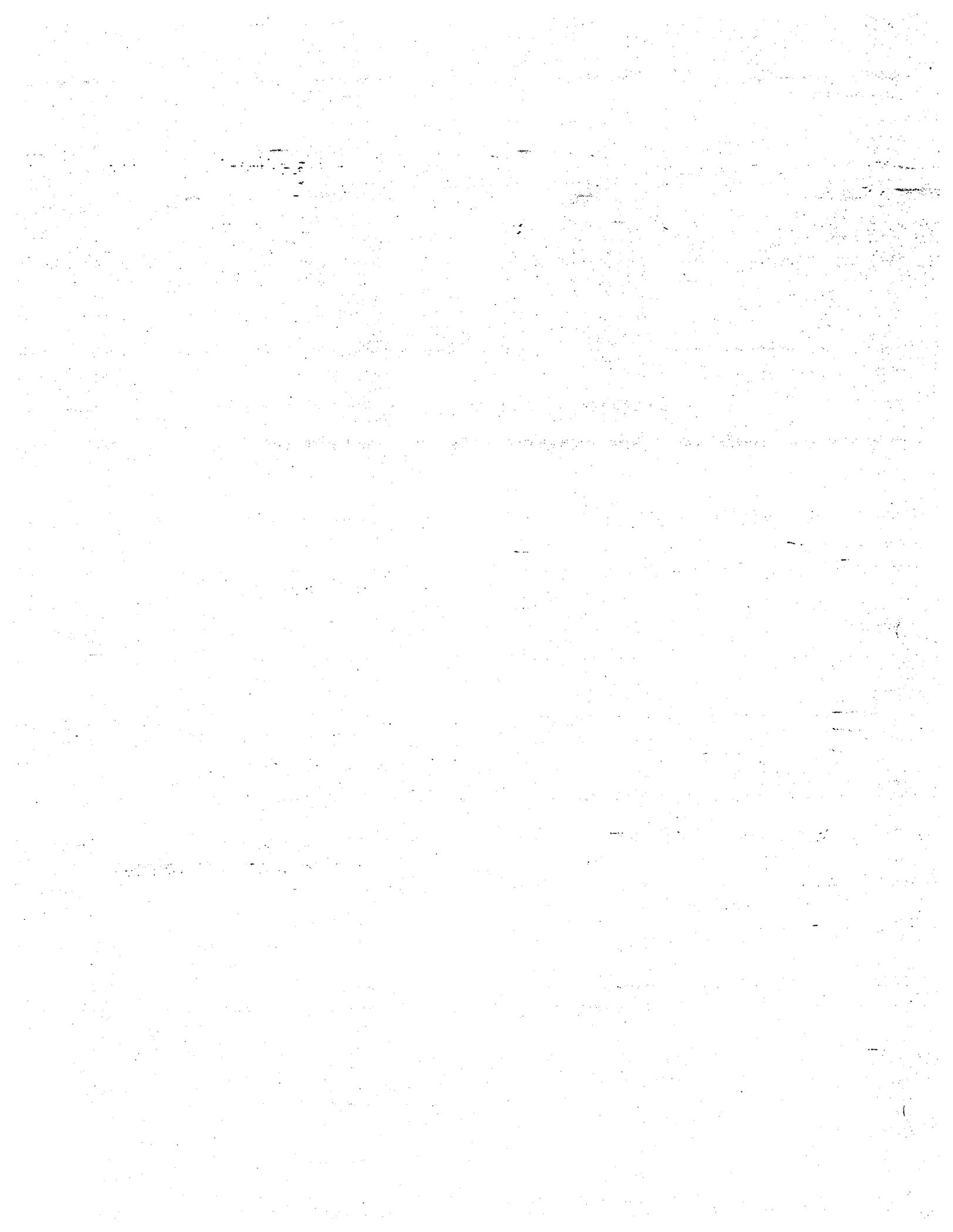
Brad Richter
Current Planning Manager



Nancy C. Graham
President

ATTACHMENT A

**PROPOSED AMENDMENTS TO
THE DOWNTOWN COMMUNITY PLAN**



**DOWNTOWN COMMUNITY PLAN
STRIKEOUT/UNDERLINE VERSION**

The following 19 amendments shall be incorporated into Chapters 3 and 9 of the Downtown Community Plan adopted by the City Council in March, 2006 amended in July, 2007:

- 1) Chapter 3, Page 3-26, TDR Program for Historical Resources:

The TDR program for historical resources is designed to encourage the preservation, rehabilitation and restoration of historical resources structures of historic merit that contribute to the quality of the urban environment. ~~Eligible sending and receiving sites may be located on the same block, or in colored areas shown on Figure 3-11, and~~ transfers can take place either between two different parcels with the same owner, or between two willing and qualified owners as defined in the Planned District Ordinance(s). Historical resources are those designated on the National, State, and/or ~~Local San Diego~~ registers. The Centre City Development Corporation (CCDC) or the Redevelopment Agency/City of San Diego may set up a "TDR Bank" or other mechanisms to facilitate transfers.

- 2) Chapter 9, Page 9-1, second paragraph, first sentence in second column:

The ~~Local San Diego~~ Register of Historical Resources includes properties and districts deemed to have contributed significantly to regional history and culture.

- 3) Chapter 9, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, National Register of Historic Places - Listed:

Retention on-site; any improvements, renovation, rehabilitation, and/or adaptive reuse should facilitate preservation, ~~in conformance with the Department of Interior Standards. Structures consistent with the Secretary of the Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.~~ Structures Historical resources contributing to a National Register District have the same protection status as individually-listed ~~structures~~ resources.

- 4) Chapter 9.1, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, National Register of Historic Places – Eligible:

Evaluate and encourage listing in the National Register through the State Office of Historic Preservation or the National Park Service. Resources determined eligible by either agency shall have the same protection status as individually-listed resources in the National Register. If not listed ~~on~~ in, or not determined eligible for listing in the National Register, determine eligibility for ~~Local listing in the San Diego Register with associated development restrictions, and, if designated, provide San Diego Register protections.~~

- 5) Chapter 9.1, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, California Register of Historical Resources Places— Listed:

Retention on-site; any improvements, renovation, rehabilitation, and/or adaptive reuse should facilitate preservation, in conformance with the state Office of Historic Preservation standards. Structures Resources contributing to a California Register District have the same protection status as individually-listed structures resources. Structures Resources listed on the National Register of Historic Places or determined to be eligible for listing in the National Register are automatically listed on in the California Register of Historical Places Resources.

- 6) Chapter 9.1, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, California Register of Historical Resources – Eligible:

Evaluate and encourage listing in the California Register through the State Office of Historic Preservation. Historical resources determined eligible for listing have the same protection status as individually-listed resources in the California Register. Retention on-site; any improvements, renovation, rehabilitation, and/or adaptive reuse shall be consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*.

- 7) Chapter 9.1, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, Local San Diego Register of Historical Places Resources – Listed:

Whenever possible, retain resource on-site. Partial retention, relocation or demolition of a resource shall only be permitted through applicable City procedures. Structures Resources contributing to a Local San Diego Register District have the same protection status as individually listed structures resources.

- 8) Chapter 9.1, Page 9-3, Table 9-1, Historic Designations and Preservation Goals, Potential Designation to San Diego Register of Historical Resources:

Protections for locally designated resources are listed above. The Land Development Code and Planned District Ordinance requirements require review and processing for potential designations for resources over 45 years of age, including those listed on applicable surveys.

- 9) Chapter 9.1, Page 9-4, Second Paragraph:

• **Asian Pacific Thematic District:** Marks the contributions and architecture of early Asian businesses and residents, and ~~has Local Register status~~ is listed on the San Diego Register of Historical Resources. Structures contributing to the district are subject to preservation goals per the Local San Diego Register provisions, as well as development regulations per the San Diego Municipal Code. ~~while~~ Diversity in infill structures is allowed in accordance with those goals and regulations. A Master Plan for the Asian Pacific Thematic Historic District was adopted by the Redevelopment Agency in 1995 and remains a valuable source of historic information on the area.

10) Chapter 9.1, Page 9-4, Third Paragraph:

Two additional thematic districts are currently under study for ~~Local~~ San Diego Register designations: the Warehouse District in downtown's southeastern quadrant and the African-American District south of Broadway. ~~If approved, the Local Register designation of designated~~ for listing on the San Diego Register, these districts will accommodate flexible integration of new development.

11) Chapter 9.1, Page 9-4, Goals: Historical Conservation:

9.1-G-2 Encourage the rehabilitation and reuse of ~~designated historical properties~~ resources.

12) Chapter 9.1, Page 9-4, Goals: Historical Conservation:

9.1-G-3 Allow development adjacent to historical resources respectful of context and heritage, while permitting contemporary design solutions that do not adversely affect historical resources.

13) Chapter 9.1, Page 9-4, Policies: Historical Conservation:

9.1-P-1 Maintain review procedures for projects potentially affecting resources listed in, or eligible for, listing in the National Register, State Register, and ~~Local or San Diego Register~~ properties and districts either individually or as contributors to historic districts.

14) Chapter 9.1, Page 9-4, Policies: Historical Conservation:

9.1-P-2 Offer incentives to encourage rehabilitation and reuse of historical properties resources, including transfer of development rights, floor area bonuses and exceptions to parking requirements.

15) Chapter 9.1, Page 9-4, Policies: Historical Conservation:

9.1-P-4 Encourage the retention of historical resources on-site with new development. If retention of a historical resource on-site is found to be infeasible under appropriate City review procedures, the potential relocation of the historical resource to another location within downtown shall be explored, and if feasible, adopted as a condition of a site development permit.

16) Chapter 9.2, Page 9-5, Integrating Heritage in Downtown's Future – (see revisions in first two paragraphs):

Downtown continues on a path of major transformation. Considerable strides have been made in designating, preserving, and restoring historic assets. Additional historical resources properties preserved through rehabilitation and/or re-use will contribute to the future downtown environment. The preservation, ~~retention,~~ and rehabilitation, restoration, reconstruction, and retention of designated historical resources structures, and their incorporation into new development projects, whether in whole or in part, is strongly encouraged. However, some loss

of properties listed on the ~~Local~~ San Diego Register may inevitably occur to accommodate growth and population goals. ~~, but~~ The relocation or demolition of designated historic resources shall only be permitted when alternatives are not feasible, and adequate mitigation is provided.

Several properties in the eastern portion of downtown are under study for eligibility for ~~Local~~ San Diego Register listings. Since this is the last district to experience major redevelopment, a number of older buildings still exist. ~~This stock tends to be utilitarian in nature—single or two-story, including warehouses, commercial structures and modest “worker cottages.”—and not unique to downtown in the region. The few landmarks in the eastern area are scattered. This contrasts with the stature, construction quality, civic orientation, and architectural distinction of prominent preservation examples found in other downtown San Diego neighborhoods, and other major downtowns—such as the Financial District of San Francisco. Restoration costs and structural conditions also pose practical limits on preservation.~~

17) Chapter 9.2, Page 9-6, Goals: Integrating Heritage in Downtown’s Future:

9.2-G-1 Integrate ~~designated~~ historical resources into the downtown fabric while achieving policies for significant development and population intensification.

18) Chapter 9.2, Page 9-6, Policies: Integrating Heritage in Downtown’s Future:

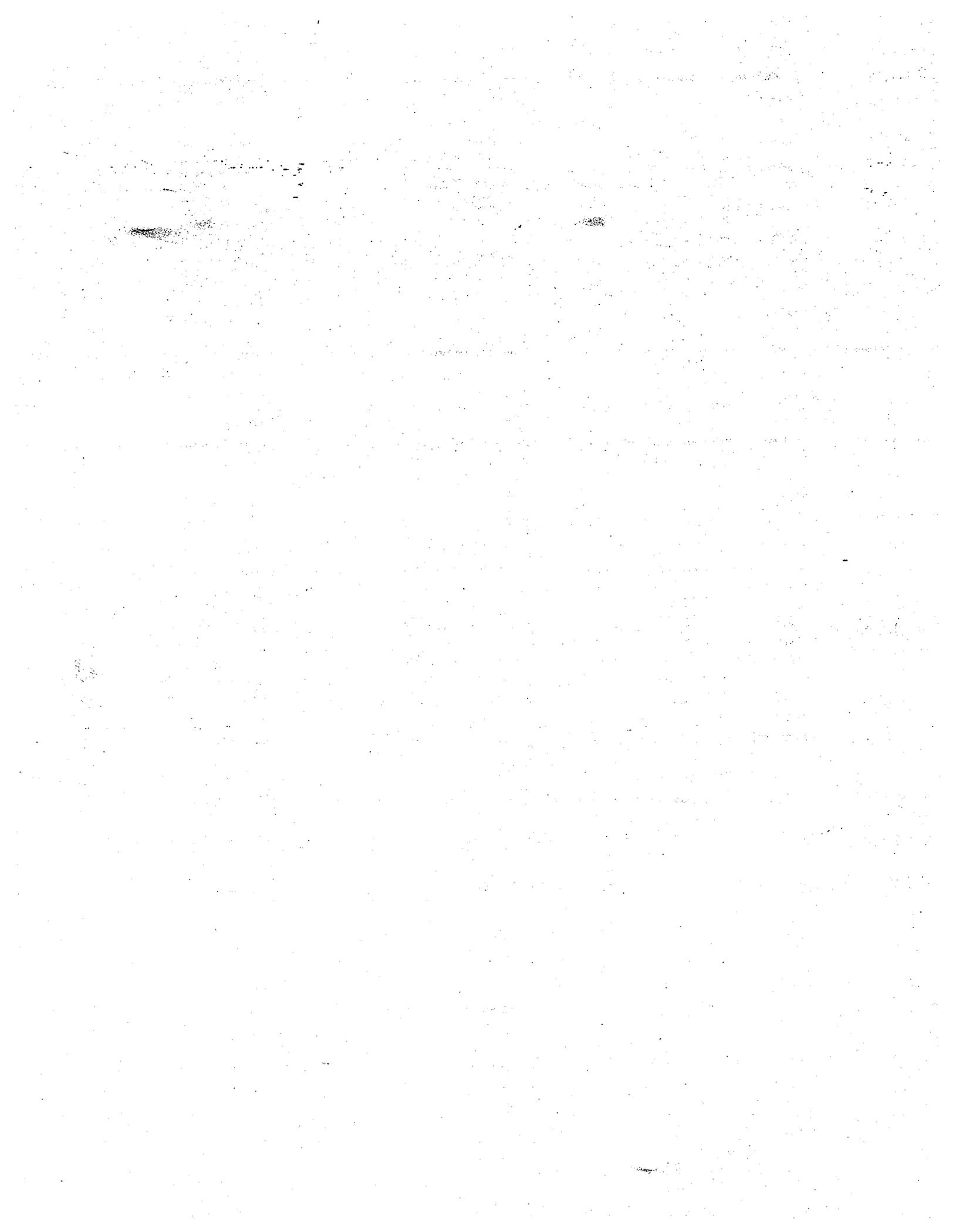
9.2-P-1 Incorporate elements of historical buildings in new projects to impart heritage.

19) Chapter 9.2, Page 9-6, Policies: Integrating Heritage in Downtown’s Future:

9.2-P-2 Partner with business, community, cultural, and historic organizations associated with designated historical districts resources to prepare and implement interpretive programs, such as walking and audio tours of a “story pole,” permanent displays and signage, informational pamphlets, banners and special events celebrating downtown’s history.

ATTACHMENT B

**PROPOSED AMENDMENTS TO
THE CENTRE CITY PLANNED DISTRICT
ORDINANCE**



Chapter 15
Planned Districts

Article 6: Planned Districts

Division 3: The Centre City Planned District

§156.0301 Purpose and Applicability

(a) Purpose

The purpose of the Centre City Planned District is to establish land use regulations and design and *development* criteria to implement the Downtown Community Plan. This Division is intended to establish regulations that will:

- (1) Result in a distinctive world-class downtown, drawing on the City's magnificent waterfront setting, its outstanding climate, and its location as a transportation hub.
- (2) Establish downtown San Diego as the physical and symbolic heart of metropolitan San Diego, and the regional administrative, commercial, and cultural center.
- (3) Create an intense yet livable downtown that contributes to the area's vitality and its economic success, and allows residents to live close to work, transit, and culture.
- (4) Reinforce transit, with a pedestrian emphasis, while accommodating vehicles.
- (5) Link together a collection of unique, diverse, and memorable neighborhoods within downtown, with a full complement of uses, distinctive streetscapes, character, and scale.
- (6) Reconnect downtown's neighborhoods to the waterfront, Balboa Park, and the surrounding neighborhoods.

(b) Boundaries and Applicability

This Division applies to all property located in the Centre City Planned District shown in Figure A. Where lands are subject to the jurisdiction of other agencies and organizations, including the United States Government, State of California, San Diego Unified Port District, or County of San Diego, any superseding land use authority of those agencies shall apply.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006)

§156.0302 Centre City Land Development Manual

(a) The Centre City Development Corporation (*CCDC*) may establish and adopt submittal requirements, review procedures, and standards and guidelines for *development* to supplement the Centre City Planned District Ordinance (PDO). These support 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*. 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*. Major amendments shall include changes that exceed the requirements to qualify as a minor amendment as provided in Section 156.0302(b)(1).

(c) A copy of the *CCDC Land Development Manual* shall be on file in the offices of the *CCDC*.

(d) The *CCDC Land Development Manual* includes:

(1) User's Guide;

(2) Centre City Development Permit Application Submittal Requirements;

- (3) Centre City Streetscape Manual;
- (4) Centre City Trip Generation Rates; and,
- (5) Presentation Requirements for *Design Review Meetings*

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0303 Administration and Permits

(a) Administration

The Centre City Development Corporation is responsible for the 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 to ensure compliance with the regulations and procedures of this Division, the Downtown Community Plan, Centre City 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 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 of this Division.

(b) Permit Required

The following permits require *development* review and the *development* permit procedures in this Division apply to these permits: *Centre City Development Permit*, Neighborhood Use Permit, Conditional Use Permit, Coastal Development Permit, Site Development Permit, and Variance.

(1) *Centre City Development Permit*

A *Centre City Development Permit* shall be required for all new construction involving 1,000 square feet or more of *GFA* not within an existing *structure*. New construction less than 1,000 square feet in 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.

- (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* exceeding two hundred fifty thousand dollars (\$250,000) in valuation shall install 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.
- (d) Existing Approved Projects

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

For projects which have entered into a *Disposition and Development Agreement (DDA)* or *Owner Participation Agreement (OPA)* with the Redevelopment Agency prior to the effective date of this ordinance,

Development Permits may be reviewed and issued according to the regulations and provisions of the legislation in effect at the time of approval of such agreements 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 under the regulations and provisions of this ordinance. Any *development* may request a deviation from the *development* standards and design guidelines in this ordinance if it is found that: 1) the project design complies with the previous legislation; and, either 2) the deviation does not conflict with the intent of the provisions of this ordinance; or, 3) the project has already commenced construction under a valid building permit. Any approvals of deviations shall be through the project review process.

Projects that have submitted a *Development Permit* application which has been determined complete by *CCDC*, or for which serious negotiations have commenced for a *DDA* or *OPA* as determined by the

CCDC President, shall be processed and entitled pursuant to the legislation in effect at the time of either determination.

(e) *Centre City Development Permit Process*

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

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

(B) *Design Review*. The Centre City Development Corporation shall serve as the *Design Review* board for Centre City projects, subject to the following thresholds and procedures for review and approval of such projects.

(i) Projects containing fewer than 100,000 square feet of *GFA* and/or fewer than 50 *dwelling units* shall be reviewed and approved by the *CCDC President*. No public meetings are required.

(ii) Projects containing 100,000 square feet of *GFA* and/or 50 *dwelling units* or greater shall be reviewed and approved by the *CCDC Board of Directors*. The Centre City Advisory Committee (*CCAC*), or other designated community planning group, shall also review the project and make a recommendation to the Board.

(iii) Projects that require Redevelopment Agency review and approval for any form of agreement or financial assistance shall also be reviewed and approved by the Redevelopment Agency, which shall have the final *Design Review* approval authority for such projects.

(iv) The *CCDC Board of Directors* and Centre City Advisory Committee, or other designated 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 in the Centre City Planned District shall be provided in accordance with the following procedures.
- (i) All projects requiring a *Centre City Development Permit* shall be required to post a notice on the site in accordance with Section 112.0304 of the Land Development Code.
 - (ii) Projects which require *Design Review* approval by the CCDC Board of Directors or the Redevelopment Agency shall be required to be noticed to the surrounding neighborhood in accordance with Section 112.0302 of the Land Development Code. A Notice of Application will be mailed to those parties listed in this Section. Further notice shall be provided to all persons requesting such notice of review meetings and/or decisions.
 - (iii) Projects that require a Process Two, Three, Four, or Five approval shall be noticed according to the provisions of Section 112.0302 of the Land Development Code.
- (D) Required Findings. A permit under this Section shall only be granted if the project, as submitted or modified, is consistent with the Downtown Community Plan, Centre City Redevelopment Plan, Centre City Planned District Ordinance, Centre City Land Development Manual, City of San Diego Municipal Code and Land Development Code, and any other adopted plans or policies of the City of San Diego and/or City of San Diego Redevelopment Agency pertaining to the Centre City Planned District.
- (E) Permit Issuance. If the *CCDC President* approves a *Centre 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 requires the *CCDC President* to issue findings in writing of nonconformance with the provisions of this Division, the Downtown Community Plan, Centre City

Redevelopment Plan, or other applicable plans, policies, or guidelines adopted to implement the Community Plan.

- (F) Permit Time Limits. *Centre City Development Permit* approval under this Division will be effective for a period of 3 years. If a building permit has not been obtained within the 3 years, the *applicant* may apply for an extension pursuant to Section 126.0111 of the Land Development Code.

(2) Project Review Progression

The preparation, submittal, and review of projects in the Centre City Planned District shall proceed through the following progression:

- (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, relationship of the project 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, architectural composition, quality of proposed materials, and three-dimensional images of the project. A narrative explanation of the design concept shall be provided. These drawings shall be the basis for obtaining a *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* plans, elevations, sections, design details, and a palette of exterior colors and materials. Other considerations such as pedestrian and vehicular circulation, landscape plans, provision for servicing, off-site improvement drawings, utility infrastructure, and exterior architectural and urban design features shall also be included as appropriate.

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

(f) Environmental Impact Report Mitigation Measures – All projects in the Centre City area shall comply with and incorporate the Mitigation Measures listed in the Mitigation Monitoring and Reporting Program listed as Appendix A in the Downtown Community Plan.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0304 Definitions

The following are definitions applicable to this Division. 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 generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Uses that generate pedestrian activity 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 expressed as a ratio of the amount of *gross floor 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. 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 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 use is for the serving of individually prepared meals to guests for compensation. A bona-fide eating establishment contains suitable *kitchen* facilities on the premise 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 that may be earned by meeting certain requirements listed in Section 156.0309(e).

Building base means the lower portion of a building located immediately above *grade*.

Building materials means 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 the Centre City Advisory Committee, the official community planning group for the Centre City Planned District.

CCDC is an abbreviation for the Centre City Development Corporation.

CCDC President refers to the President of the Centre City Development Corporation and his or her designees.

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

Certificate of Transfer means a document prepared by the City Attorney which is recorded to certify the transfer of *development* rights between sites.

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

Common outdoor open space means those usable outdoor spaces commonly accessible to all residents and users of the building for the purpose of passive or active recreation.

Common indoor open space means the usable indoor 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 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.

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

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

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

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

Eco-roof means an open space area on top of a roof of a building that is landscaped and maintained according to the requirements of Section 156.0311(1)(5).

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). See *Bonus Floor Area Ratio*.

Floor plate is 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 those 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 means an enclosed space of between 150 and 400 net square feet which is used as a primary residence for a minimum period of one month at a time.

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

Logo means an identifying symbol using graphics, color schemes, figures, hieroglyphics, numerals, letters, or words.

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

Mass and scale means the visual perception of the organization of the *GFA* of the *structure* compared to adjoining *development*.

Mid-zone refers to that 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 two or more land uses are included.

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

Pedestrian entrance means a functional entrance or door that is accessible to the general public from an enclosed occupied space. This does not include entrances to mechanical equipment or storage areas, emergency exits, or decorative nonfunctional doors and entrances.

Private open space means an area connected or immediately adjacent to a *dwelling unit*. The space can be a balcony, porch, ground or above *grade* patio or *roof deck* used exclusively by the occupants of the *dwelling unit* and their guests.

Pushcart has the same meaning as in Land Development Code Section 141.0619.

Receiving site refers to a site where *GFA* is transferred from a *sending site* in accordance with the *Transfer of Development Rights* procedures in Section 156.0309(g).

Reflective glass means a glazing material which obscures vision, reflects surroundings, and has zero or minimal transparent qualities to the exterior.

Residential care facilities have the same meaning as in Land Development Code Section 141.0312.

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 in order to block views of the area from nearby *development* or *public rights-of-way*.

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

Senior housing or *senior units* means a housing *development* as defined in State of California Civil Code Sections 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 a unit with both living quarters and space that may be used for commercial purposes and meets all occupancy separation requirements of the Uniform Building Code.

Stepback means the distance measured from a *property line* to the building walls of the upper *floors* of a building above a specified height.

Street wall is the building façade 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.

Structured parking means all parking facilities either serving a primary use and or open to the general public.

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

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

Transfer of Development Rights (TDR) means the program whereby *GFA* may be transferred between sites for the purpose of establishing *Public Parks* or preserving designated *historichistorical resources*.

Transitional housing has the same meaning as 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 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 the upper 20 percent of a *tower*, measured above the 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 plazas, parks, etc.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§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 113.0234 of the Land Development Code, with the following modifications:

- (a) *Underground parking structures* count as *GFA* where, at any point, the vertical distance from final proposed grade to the finish *floor* elevation immediately above, is more than 3 feet, 6 inches.
- (b) *Phantom floors*, as defined in Section 112.0234(b)(4) shall not count as *GFA* in either residential or commercial buildings.
- (c) *Roof decks* shall not be counted as *GFA* pursuant to 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 113.0234(d)(2), interior modifications involving the addition of actual *floor* area count as *GFA* except where:
 - (1) The addition is within the 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 within the structural envelope of a building where the mezzanine is less than one-third of the *floor* area immediately below.
- (e) *Mechanical penthouses* do not count against *GFA* when architecturally integrated into the overall building design.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0306 Other Applicable Planning, Zoning, and Development Regulations

When not otherwise specified in this Division, the following chapters of the Land Development Code apply. In case of conflict with any other applicable legislation, the regulations of this Division shall apply. The

Downtown Community Plan, Marina Planned District Ordinance, and this Division 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, 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* 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 *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* Regulations
- Chapter 14 Article 3, Supplemental Development Regulations
- Chapter 14 Article 4, *Subdivision* Regulations
- Chapter 14 Article 5, Building Regulations
- Chapter 14 Article 6, Electrical Regulations
- Chapter 14 Article 7, Plumbing and Mechanical Regulations

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0307 Land Use Districts

Twelve land use districts, as shown in Figure B, have been established to define geographic areas that allow 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. Specific requirements for minimum and maximum percentages of *active commercial uses* on the ground *floor* along *street* frontages are provided.

(a) Base Districts

The purpose of each base district is as follows:

- (1) Core (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 business, communications, office, and *hotels*, with fewer restrictions on building bulk and *tower* separation than in other districts. *Mixed-use* projects shall be accommodated as important components of the area's vitality. Retail, *cultural*, educational, entertainment, residential, civic, and governmental uses are all permitted. Within the Core District a minimum of 40 percent of the ground *floor street* 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*" that provide a focus to the neighborhoods by supporting *mixed-use* (residential/non-residential) projects 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 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 District, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*. A minimum of 80 percent of the ground *floor street* frontage along *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 District and residential neighborhoods. The district also encompasses Horton Plaza. A variety of uses are permitted in this district, including office, residential, *hotel*, research and *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* facilities, *cultural* facilities, and residential uses, live/work spaces, and parking facilities. Within the Ballpark Mixed-Use District, a minimum of 40 percent and a maximum of 100 percent of the ground *floor street* 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, and *hotels*. Within the Waterfront Marine District, a minimum of 20 percent and a maximum of 50 percent of the ground *floor street* 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*, 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 District, up to 100 percent of the ground *floor street* 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 District, at least 80 percent of the *GFA* must be occupied by residential land uses. Non-residential land uses may occupy no more than 20 percent of the *GFA*. 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*.
- (8) Industrial (I). This district permits a range of industrial uses, such as light manufacturing, transportation services, repair and storage, as well as energy-generation facilities. Within the Industrial District, no more than 20 percent of the ground *floor street* frontage may be *active commercial uses*.
 - (9) Transportation (IT). This district accommodates uses related to trolley, passenger and freight rail operations, maintenance and repair, and associated activities. Within the Transportation District, no more than 20 percent of the ground *floor street* 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 District, a minimum of 20 percent and a maximum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*.
 - (11) Public/Civic (PC). This district provides a center for government, civic, *cultural*, educational, and other public and support services, and accommodates residential uses. Within the Public/Civic District, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*.
 - (12) Park/Open Space (OS). This district provides areas for *public parks* and open spaces. Below-ground parking facilities, eating and drinking establishments, arts and *cultural uses* (enclosed spaces should be underground), and community centers are also permitted.

(b) Overlay Districts

The following Overlay Districts are established and apply to those areas illustrated in Figure 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 surrounding San Diego International Airport (SDIA), Lindbergh Field, consistent with the Airport Land Use Compatibility Plan (ALUCP) adopted by the San Diego 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. Within the Centre City, the 1990 Noise Contours of the ALUCP apply for determining 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), Lindbergh Field, consistent with the Airport Land Use Compatibility Plan (ALUCP) adopted by the San Diego Regional Airport Authority. The heights of buildings are regulated by the overlay zone as specified in Sections 132.0201 through 132.0209. All projects that meet the Notice Criteria for the Federal Aviation Administration (FAA) Obstruction Evaluation shall submit a Determination of No Hazard to Air Navigation 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 Land Development Code Section 126.0708 can be made.
- (4) *Commercial Street* Overlay (-CS). On designated *Commercial Streets*, as illustrated in Figure D, a minimum of 60 percent of the ground *floor street* frontage shall contain *active commercial uses*. Along the west side of Park Boulevard, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*. Those uses which are appropriate for locations along *Commercial Streets* are

identified in Table 0308-A, under *Main Street/Commercial Street* overlays.

- (5) County Administration Center Design Zone Overlay (-CAC). This overlay district ensures that new *development* surrounding the *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.
- (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 *GFA* within each project in this overlay district shall contain *floor area* dedicated to *employment uses* such as professional office, education, *cultural uses*, retail, *hotel*, and other similar commercial uses. Residential uses in this district cannot exceed more than 50 percent of *GFA*, counted against the *Base Floor Area Ratio (Base FAR)* as illustrated in Figure H, within any project. Projects approved through an *Owner Participation Agreement* or *Disposition and Development Agreement* may provide for the phased build-out of a project, allowing non-employment phases to precede employment phases, subject to strict performance standards. In order to meet the 50 percent requirement, a project 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, it is prohibited to convert existing *floor area* in *employment uses* such as professional office, education, retail, *hotel*, and other similar commercial use, to any other non-*employment use*.
- (7) Fine Grain *Development* Overlay (-FG). This overlay district requires that projects incorporate design standards that exhibit architectural form and variety at a less than full block scale, to ensure a *pedestrian* scale and diversity of building design. Specific design criteria are included in Section 156.0311(o) of this Division.

- (8) Large Floorplate Overlay (-LF). This overlay district allows for larger *floor plates* and bulkier buildings at upper levels to accommodate employment-oriented 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 maintain adequate sunlight and air to sidewalks and residential areas of Little Italy as designated in Figure F, during the winter solstice (December 21) between 10:30 a.m. and 1:30 p.m. The -LISA Overlay establishes a building envelope, as illustrated in Figure N, which applies to the whole block.
- (10) Main Street Overlay (-MS). On designated *Main Streets*, as illustrated in Figure D, a minimum of 80 percent of the ground *floor street* frontage shall contain *active commercial uses*. Those uses which are appropriate for locations along *Main Streets* are identified in Table 0308-A, under *Main Street/Commercial Street* overlays.
- (11) Park/Open Space Overlay (-P). This overlay district is intended to identify locations of future park sites designated in the Downtown Community Plan. *Development* sites to the west and south of desired park sites within this overlay 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.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§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 are shown in Table 0308-A, below. The

“Additional Regulations” column includes special standards applicable to a use that are located following the table (by footnote designation) or in the referenced section of the City’s 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 but no longer conform to the land use regulations of this section may continue subject to the provisions of Section 127.0101 et seq of the Land Development Code, with the exception that the *GFA* of *Previously Conforming* Uses may be expanded up to 100% through a Neighborhood Use Permit.

Table 0308-A: 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 (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 ⁸	MC	R	I ⁸	T ⁸	PC	OS	CC ⁸	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
Public Park/ Plaza/Open Space	P	P	P	P	P	P	P	P	P	P	P	P		
Agriculture	--	--	--	--	--	--	--	--	--	--	--	--		
Residential														
<i>Group Living</i>	L	L	L	L	--	L	L	--	--	L	--	--	§131.0423(c)	
<i>Multiple Dwelling Units</i>	P	P	P	P	--	P	P	--	--	P	--	--		
<i>Shopkeeper Units</i>	P	P	P	P	--	P	P ²	--	--	P	--	--		
<i>Live/Work Quarters</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0311	
Separately Regulated Residential Uses														
<i>Fraternities, Sororities and Dormitories</i>	N	N	N	N	--	N	N	--	--	N	--	--	§141.0304 (c)-(e)	
<i>Home Occupations</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0308	
<i>Housing for Senior Citizens</i>	C	C	C	C	--	C	C	--	--	C	--	--	§141.031 §156.0303(f)	
<i>Living Units</i>	P	P	P	P	--	P	P	--	--	P	--	--	§156.0315 (b)	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

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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 ^d	MC	R	I ^e	T ^e	PC	OS	CC ^e	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
<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)	
Institutional														
Separately Regulated Institutional Uses														
<i>Churches & Places of Religious Assembly</i>	P	P	P	P	--	P	--	--	--	P	--	--		C
<i>Communication Antennas</i>														
Minor Telecommunication Facility	L	L	L	L	L	L	N	L	L	L	C	L	§141.0405	
Major Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	§141.0405	
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 ^o	P		C, E
<i>Educational Facilities</i>	P	P	P	P	P	P	--	--	--	P	--	P		E
<i>Energy Generation & Distribution Stations</i>	C	C	C	C	C	C	--	C	C	C	--	C	§141.0408	C
<i>Exhibit Halls & Convention Facilities</i>	--	--	--	--	--	C	--	C	C	C	--	P		E
<i>Historical Buildings Used for Purposes Not Otherwise Allowed</i>	C	C	C	C	C	C	C	C	C	C	C	C	§156.0315(d)	
<i>Homeless Facilities</i>	C	--	C	C	--	C	--	--	--	C	--	--	§141.0412 §156.0315(f)	
<i>Hospitals, 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities</i>	P	C	P	P	--	P	--	--	--	P	--	P		C, E
<i>Major Transmission, Relay or Communication</i>	C	--	C	C	--	C	--	C	C	--	--	--	§141.0416	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

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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 ⁸	MC	R	I ⁸	T ⁸	PC	OS	CC ⁸	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
Switching Station														
Social Service Institutions	C	--	C	C	--	C	--	--	--	C	--	--	§156.0315(f)	
Retail Sales	P	P	P	P	P	P	P	P	--	P	--	P	§156.0307 (a), (b) & Figure C	M, C, E
Commercial Services														
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	--	--		C, E
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	P ⁹	P		C, E
With Outdoor Use Area	N	N	N	N	N	N	--	--	--	N	N ⁹	N		
Building Services	P	P	P	P	P	P	--	--	--	P	--	--		C, E
Business Support	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Eating & Drinking Establishments														
Bona Fide Eating Establishments	P	P	P	P	P	P	P	--	--	P	P	P	§156.0315 (a)	M, C, E
Non-Bona Fide Eating Establishments w/Alcohol	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
With Outdoor Use Area	N	N	N	N	N	N	N	--	--	N	P	N		M, C, E
With Live Entertainment & Dancing	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
Financial Institutions	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	--	--		C
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	--	P		C, E
Off-Site Services	P	P	P	P	P	P	--	P	--	--	--	P		
Personal Services	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Visitor Accommodations														
Hotels and	P	P ⁴	P	P	P	P	--	--	--	P	--	P		C, E

Table 0308-A: 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 (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 ^d	MC	R	I ^g	T ^g	PC	OS	CC ^d	Additional Regulations	Main Street/Commercial Street/Employment Required Overlays
<i>Motels</i>														
Separately Regulated Commercial Service Uses														
Animal Hospitals & Kennels	C	--	C	C	--	C	--	--	--	--	--	--	§141.0604(b)(1)	C
Bed & Breakfast Establishments	P	P	P	P	--	P	P	--	--	P	--	--		C
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Instructional Studios	P	P	P	P	P	P	P	--	--	P	--	P		M, C
Parking Facilities (structure or surface)	C	C	C	C	C	C	C	C	C	C	C	C	§156.0313	M ³ , C ³
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)-(f)	
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (d)	
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	N	N	§141.0621	
Single Room Occupancy Hotels (SRO)	P	P ⁴	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 Offices	P	P	P	P	P	P	--	P	--	P	--	P		C, E
All Other Vehicle & Vehicular Sales &	--	--	--	--	--	C	--	C	C	--	--	--		

Table 0308-A: 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 (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 ⁸	MC	R	I ⁸	T ⁸	PC	OS	CC ⁸	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
Service														
Separately Regulated Vehicle & Vehicular Sales & Service Uses														
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	--	--	§141.0801	
Wholesale, Distribution & Storage														
Moving & Storage Facilities	L ⁵	--	L ⁵	L ⁵	P	P	--	P	P	--	--	--		
Warehouses & Wholesale Distribution	L ⁵	--	L ⁵	L ⁵	P	P	--	P	P	--	--	--		
Separately Regulated Wholesale, Distribution & Storage Uses														
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	--	N		
Industrial														
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	--	--	--		
Signs														
Allowable Signs	P	P	P	P	P	P	P	P	P	P	P	P	§142.1201 et. seq. §156.1314	
Separately Regulated Sign Uses														
Community Identification Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1104	
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	N	N	§141.1105	
Revolving Projecting Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1101	
Signs with Automatic	N	N	N	C	N	N	N	N	N	N	N	N	§141.1102	

Table 0308-A: 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 (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 ⁸	MC	R	I ⁸	T ⁹	PC	OS	CC ⁸	Additional Regulations	Main Street/Commercial Street/Employment Required Overlays
Changing Copy														
Theatre Marquees	N	N	N	C	N	N	N	--	--	N	N	N	§141.1103	
Other Use Requirements														
Temporary Uses	Temporary Uses and Structures are regulated under Section §123.0401													

Footnotes to Table 0308-A

- ¹ Not permitted on State and Federal tidelands.
- ² Commercial floor use area contributes to 20% commercial use allowance and is subject to locational limitations of districts.
- ³ Limited to parking structures.
- ⁴ Up to 200 rooms permitted. Requires active ground floor uses along street frontages.
- ⁵ Limited to 20% gross floor area above grade.
- ⁶ 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.
- ⁷ 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.
- ⁸ 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 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 may be 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.

TABLE 0308-B. MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE		
Main Street/Land Use District	Minimum Required Ground Floor Street Frontage for Active Commercial Use	Maximum Permitted Ground Floor Street Frontage for Active Commercial Use
Parcels located along designated <i>Main Streets</i> , in any Land Use District ²	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 (R)	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
¹ 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 <i>Main Streets</i> and/or <i>Commercial Streets</i> with a 50 foot <i>street frontage</i> or less, in which case, that frontage is required to provide 50% of the frontage in active commercial uses. ² Along the west side of Park Boulevard, a minimum of 40 percent of the ground floor <i>street frontage</i> shall contain <i>active commercial uses</i> . ³ At no time shall the maximum permitted ground floor <i>street frontage</i> result in less than 20 feet of storefront.		

(Added 4-3-2006 by O-19471 N.S.; effective 5-3-2006.)

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

(a) Base Minimum and Maximum FARs

The *base* minimum and maximum *floor area ratios* (*Base FARs*) are established for each site within the Centre City Planned District as 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 must meet the Minimum *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), Lindbergh Field, adopted by the San Diego Regional Airport Authority, new projects 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 ¼ mile radius of the project site. However, no increase in intensity would be 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 *Development Permit* for a project establishes the distribution of *GFA* within the project. The project may be subdivided into individual ownerships but the permitted *FAR* for any subdivided units remain subject to the *FAR* limitations established within the project boundaries as defined by the *Development Permit*.

(d) Ballpark Mixed-Use District

Within the Ballpark Mixed-Use District, illustrated in Figure B, an *FAR* of 6.5 shall apply throughout the district. To implement the intent and purposes of Ordinance No. O-18613 [New Series], transfers may be approved of any portion of the *floor* area permitted pursuant to this Section from the ballpark parcel to any other property within the district, if in each case such 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 are imposed on the affected properties to memorialize the reallocation of permitted *floor* areas. However, in no event shall *development* which is issued a *Centre City Development Permit* after November 1999 be allowed in the district which would result in the cumulative average daily traffic (ADT) trips from such *developments* (excluding ADT trips

from the ballpark) in excess of 55,128 cumulative ADT trips, where ADT trips for the applicable land uses are calculated based on Centre City Cumulative Trip Generation Rates, as provided in the Centre City Land Development Manual, as applied to the *GFA* areas of the respective *developments*. The District-wide *FAR* provisions and ADT limit shall not apply to the block bounded by Park Boulevard and J, K and 13th streets. 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 may increase the permitted maximum *FAR* above the maximum *base FAR* for the site established by Figure H through the provision of certain public benefits or project amenities. Table 0309-A shows the maximum amount of additional *FAR* that may be obtained through one or more of the provisions listed below, and Figure J shows the maximum *bonus FAR* available through purchase of *FAR* through the *FAR* Payment Bonus Program for each site (exclusive of bonuses for affordable or *senior housing* as described in subparagraph (l) below). Any project utilizing the *bonus FAR* programs shall have *Covenants, Conditions, and Restrictions (CC&Rs)* recorded on the property, as applicable, ensuring that the amenities provided to achieve 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.

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

TABLE 0309-A: FAR BONUS	
Public Benefit/ Project Amenity	FAR Bonus (to be added to Base Maximum FAR)
Affordable/Senior housing	See (1) below
Urban Open Space	
10% of site	0.5
20% of site	1.0
3-bedroom units	0.5 – See (3) below 1.0 - See (3)below
Eco-Roofs	Up to 1.0 – See (4) below
Employment Uses	See (6) below
Public Parking	See (7) below
FAR Payment Bonus Program	Up to 2.0

(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 may increase the permitted *FAR* as specified below.

In compliance with the State Density Bonus Law (California Government Code Sections 65915-65917), projects may earn additional *FAR* subject to the provisions below.

- (A) For projects providing affordable housing, *FAR Bonus* may be approved upon the following table as calculated in (D) below:
- (B) A project that qualifies as a *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 (D) below.
- (C) The qualifying units shall be measured as a percentage of the residential portion of the project based on the *Base FAR*, prior to the granting of any bonuses.
- (D) The *bonus FAR* for a project containing *affordable/senior housing* shall be calculated as follows:

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

Permitted *FAR* = 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-B, 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, *Eco-roofs*, Public Parking, and/or FAR Payment Program.

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TABLE 0309-B: FAR BONUS (%)				
% Restricted Units in Base (Pre-Bonus) FAR	Very Low Income Rental (0-50% AMI)	Low-Income Rental (Target 51%-80% AMI)	Moderate For-Sale (81-110% AMI) (Initial Sales per LDC)	Moderate For-Sale (below 120% AMI) (Restricted in perpetuity)
5	20	10	--	10
6	22.5	15	--	15
7	25	20	--	20
8	27.5	25	--	25
9	30	30	--	30
10	35	35	20	35
11	"	"	21	"
12	"	"	22	"
13	"	"	23	"
14	"	"	24	"
15	"	"	25	"
16	"	"	26	"
17	"	"	27	"
18	"	"	28	"
19	"	"	29	"
20	"	"	30	"
21	"	"	31	"
22	"	"	32	"
23	"	"	33	"
24	"	"	34	"
25	"	"	35	"

- (E) The maximum FAR earned through this bonus shall not be restricted by 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).
- (F) The affordable housing units provided in the project which qualify for the bonus shall be restricted per Chapter 14, Article 3, Division 7, except for those for-sale units required to be restricted in perpetuity, per

Table 0309-B. For projects requesting Redevelopment Agency financial assistance or other agreements, additional restrictions may be requested for the units to qualify as affordable units under State Redevelopment Law provisions.

- (G) A housing project qualifying for a bonus for affordable/*senior housing* shall enter into an agreement with the City of San Diego Housing Commission to monitor the affordable restrictions for the units qualifying as affordable/*senior units*.
 - (H) The affordable units shall be designated units which are comparable in *bedroom* mix, design, and overall quality of construction to the market-rate units in the *development*.
- (2) *Urban Open Space*. Projects that reserve a portion of their site for the *development* of public *urban open space* (*public park* and/or *plaza*) may qualify for an *FAR bonus* of 0.5 or 1.0, as specified above, subject to the following criteria:
- (A) The *urban open space* shall be designed to meet the criteria listed in Section 156.0311(q) of this Division.
 - (B) The *urban open space* shall be open to the general public at least between the hours of 6:00 a.m. and 12:00 a.m. (midnight) everyday. The open space area shall have *signs* indicating that the public is welcome and the hours of closure, if applicable.
 - (C) The *urban open space* must be located and designed to be a benefit to the surrounding neighborhood. Urban open spaces determined during the project review process not to be a significant benefit to the 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. Such *CC&Rs* shall be in a form approved by *CCDC* and the City Attorney's Office.

- (3) *Three-Bedroom Units*. In order to encourage larger *dwelling units* to accommodate larger families, projects that provide a minimum of 10 percent of the total amount of residential units within the project as *three-bedroom units*, not to exceed 1,200 square feet in size, 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.
- (4) *Eco-Roofs*. *Eco-roofs* are encouraged in downtown because they reduce stormwater run-off, lower energy consumption, and counter the increased heat of urban areas and provide visual interest. In order to encourage landscaped and ecologically designed roof tops, a *density* bonus of additional buildable area will be provided based on the amount of landscaped *Eco-roof* area. *Eco-roof* area is defined as only the planted or landscaped area that is designed to sustain and support vegetation. Documentation, drawings and specifications must be provided prior to issuance of building permit that describes all plant varieties, soil depths, soil content, water retention systems, and supporting structural systems.
- (A) The amount of *density* bonus allowed for a given project depends on the amount of *Eco-roof* coverage in relation to the building's footprint above thirty-feet from grade. There are three classes as follows:
- (i) The total landscaped area of *Eco-roof* is 10% to 30% of the building's footprint, each square foot of the *Eco-roof* earns one square foot of additional *floor* area.
- (ii) The total landscaped area of *Eco-roof* is 31% to 60% of the building's footprint, each square

foot of the *Eco-roof* earns two square foot of additional *floor area*.

- (iii) The total area of *Eco-roof* is over 60% of the building's footprint, each square foot of the *Eco-roof* earns three square foot of additional *floor area*.
 - (iv) Total additional *floor area* earned by an *Eco-roof* cannot exceed 1.0 FAR.
- (B) CC&Rs shall be recorded on the property providing for the development and on-going maintenance of the *Eco-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 156.0311(i)(5).
 - (D) All vegetation must be maintained for the life of the project.
- (5) **Employment Uses.** In order to encourage the *development of employment uses* in the Centre City Planned District, projects may earn *bonus FAR* based on the provision of *employment uses within their projects*. In the Employment Required Overlay District, projects 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 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 square foot of bonus *floor area* for every square foot provided in parking areas permanently available for public use. A *public parking* easement shall be executed for such facilities, with restrictions and covenants acceptable to CCDC and the City of San Diego.
- (7) **FAR Payment Bonus Program.** The Redevelopment Agency has established a *FAR Payment Bonus Program* to permit projects to obtain increased *FARs* through the *FAR Payment*

Bonus Program. Projects may purchase additional FAR through the FAR Payment Bonus Program. 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) Historical Buildings. Any floor area within the building envelope of any designated designated historic/historical resource shall not be counted as GFA 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. designated historical resource is preserved, rehabilitated, restored, and/or reconstructed and the project results in no more than minor alterations to the designated historical resource consistent with the Secretary of Interior's Standards and Guidelines, or the project is approved through the Site Development Permit or Neighborhood Development Permit procedures, in accordance with Chapters 11 through 14 of this Code.
- (2) Public Uses. If a project incorporates a building or portion of a building that is owned by the City of San Diego, City of San Diego Redevelopment Agency, or a public school district, and is utilized for a public purpose such as a community recreation center, fire station, public school, or other similar public use as determined by the CCDC President, the floor area of that public use shall not be counted as GFA for the purposes of calculating the FAR for the project.
- (3) Public Parking. Above-grade parking areas permanently available for public use shall not be counted as GFA for the purposes of calculating the FAR for the project. 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* or *Commercial Streets* shall not be counted as *GFA* for the purposes of calculating the *FAR* for the project.

- (5) *Cultural Uses*. Any floor area provided within a project 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 *GFA* for the purposes of calculating the *FAR* for the project. *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, and rehabilitation, and/or restoration of ~~designated~~ *designated historic/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 ~~historic/historical~~ *resources* contribute to the quality of the urban environment.

- (2) Eligible Sites. Eligible receiving sites are those sites identified in Figure K. Eligible Park TDR sending sites are those sites identified as future *public park* sites in the Downtown Community Plan and in Figure C. ~~Eligible sending and receiving sites for TDRs for designated 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.~~ Eligible Historical Resource TDR sending sites must contain a designated historical resource and qualify under either (a) or (b) below:

(a) the site is located on the same block as a receiving site;

(b) CCDC determines that the historical resource is in need of preservation, rehabilitation, and/or restoration and the

ability to transfer GFA is needed to assist in the funding of such preservation, rehabilitation, and/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 GFA as a funding source. It shall be the sole discretion of CCDC to approve a transfer of any or all of the potential GFA permitted under the sending site's Base FAR (as calculated in (4) and (5) below) to a receiving site. It shall be the sole discretion of the Redevelopment Agency, upon recommendation from CCDC, to approve a transfer of any or all of the potential GFA permitted under the sending site's Base FAR (GFA as calculated in (4) and (5) below) to the Redevelopment Agency as a TDR "bank". The amount of GFA approved to be transferred shall be determined based on the extent of the rehabilitation and preservation costs needed for the historical resource and the potential for appropriate future additional development on the sending site in order to achieve the goals and policies of the Downtown Community Plan and this Section.

(c) In either (a) or (b) above, the sending site shall enter into a Preservation, Rehabilitation, and/or Restoration and Maintenance Agreement, or similar agreement, which guarantees the rehabilitation and maintenance of the historical resource consistent with the Secretary of 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 Interior's Standards for Historic Properties if the historical resource is destroyed by fire, natural disaster, or act of the public enemy.

(3) Allowable Transfers. All of the allowable GFA on a sending site may be transferred in its entirety, to a single receiving site or entity, or in separate increments to several receiving sites in accordance with procedures of subparagraph (6), below. GFA may be transferred either directly from the owner of the sending site to the owner of a receiving site, or to the Redevelopment Agency acting as a TDR "bank." The Redevelopment Agency may acquire the GFA from the owner of a sending site and maintain such GFA 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) Permitted Transferable *GFA*. The *GFA* that may be transferred shall be calculated as the permitted *GFA* based on the *sending site's* size and permitted maximum *base FAR*, as illustrated in Figure H. For transfers involving *sending sites* containing ~~designated~~ *designated historic/historical resources*, the *GFA* of any non-designated *structure* remaining on the *sending site* shall be deducted from the permitted transferable *GFA*.

- (5) Example Calculations:

Park Example:

Sending Site = 10,000 square feet

Maximum *base FAR* = 6

Permitted Transferable *GFA* = 60,000 square feet

~~Historic~~ *Historical Resource* example:

Sending Site = 10,000 square feet

Maximum *base FAR* = 6

GFA of Non-*Historical Structure* = 20,000 square feet

GFA of *Historical Structure Resource* (exempted from *FAR* calculations) = 20,000 square feet

Permitted Transferable *GFA* = 40,000 square feet.

- (6) Procedures. The following procedures are required for any transfer of *GFA*:

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

- (i) The names and mailing addresses of the transferor and transferees of the *GFA*.

- (ii) Execution and acknowledgement of the transfer of the *GFA* by: the original owner(s) of the *sending site* as the transferor of the *GFA*; all parties having any record title interest in the real property of the *sending site*; the owner(s) of the *receiving site*; and, the *CCDC President*.
 - (iii) The amount of *GFA* transferred (in square feet).
 - (iv) The address, legal description, assessor's parcel number, and land use district of the *sending site* and *receiving site*.
- (B) Approval by *CCDC President*. The *CCDC President* shall not execute the *Certificate of Transfer* if a transfer of the *GFA* would be prohibited by any provision of this Section or any other provision of the Land Development Code.
- (C) Recordation. Each duly executed and acknowledged *Certificate of Transfer* containing the information required by this Section shall be presented for recording in the County Recorder's office. The County Recorder shall be instructed to mail the original *Certificate of Transfer* to *CCDC*, with copies to both the transferor and transferee of the *GFA*.
- (D) Property Deed. In addition to a *Certificate of Transfer*, the owner(s) of a *sending site* involving a Parks TDR for ~~public parkland~~ shall agree to execute a deed transferring ownership of the site to the Redevelopment Agency.
- (E) Approval for *Development*. When the use of *TDR* is necessary for the approval of a building permit for a project on a *receiving site*, the City shall not issue any building permits unless the *CCDC President* has issued a written verification that the owner of the *receiving site* is entitled to the amount of *GFA* for the project based on a recorded *Certificate of Transfer*.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0310 Development Regulations

- (a) Minimum *Lot Size* and Coverage: no requirements.
- (b) Minimum Building *Setbacks*. None, except where specified in Section 156.0310(c) and (d); and the *CCDC President* may require up to a 10-foot interior *property line setback* where a project is adjoining an existing residential project 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* that conceal mechanical equipment and elevator and stair overruns are exempt from this requirement, provided that 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 the Little Italy Sun Access Overlay, a maximum building height limit of 150 feet applies. A maximum building height envelope shall be further defined as follows and as illustrated in Figure N:
 - (A) On blocks north of Cedar Street, all *street* 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 a 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*.
 - (B) On the blocks between Beech and Cedar *streets*, the maximum height shall be determined by the Building Bulk regulations listed in Section 156.0310(d) of this Division, with an additional maximum building height envelope being defined by a 45-degree angle measured

from a height of 50 feet along the northern *property line* of a block *street* frontage to a maximum height of 335 feet, measured 15 feet northerly of the southern *property line* of a block *street* frontage.

(C) Along one side of a building, the building envelope may be encroached upon by an increase of the *street wall* height up 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 to comply with the building envelopes described in (A) and (B) above.

(2) For sites within the *Public 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 the regulations specified in Sections 132.0201 through 132.0209 of the Land Development Code. 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 *base*, the *mid-zone*, and the *tower*. The *mid-zone* shall be used only in the areas within the Large Floorplate/Employment Required Overlay Districts, as illustrated in Figure C. The *development* standards for projects are defined below and summarized in Table 0310-A: Development Standards.

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

(1) **Building Base**

The *base* is defined as that portion of a building extending immediately above the *grade* of a site.

- (A) **Maximum Lot Coverage.** The maximum *lot coverage* for the *building base* shall be 100 percent.
- (B) **Street Wall Frontage.** A *street wall* containing habitable space shall be provided along 100 percent of the frontage along public *streets*, with the following exceptions:
 - (i) **Public parks** and/or plazas subject to the applicable design criteria listed in Section 156.0311(q) of this Division;

- (ii) *Courtyard* entrances up to 30 feet wide in residential projects, as specified in Section 156.0311(m)(2) of this Division;
- (iii) Recessed entrances up to a maximum of 25 feet in width and a maximum of 15 feet in depth;
- (iv) Internalized entry *courts*, auto *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* review process; or,
- (vi) Portions of *development* sites associated with documented active faults or no-build easements may be exempted from the *street wall* requirements.

(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 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 Table 0310-A with the following exceptions:

- (i) For projects involving a ~~designated~~ designated ~~historie~~ 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 this Code.

- (ii) For projects in designated View Corridor *streets*, the minimum *street wall* height may be lowered to 30 feet to comply with Table 0310-B.
- (iii) Within the Little Italy neighborhood, projects may exhibit a reduced minimum *street wall* height of 40 feet north of Beech Street and 30 feet north of Ivy Street..
- (iv) In residential projects, 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*.

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TABLE 0310-B: VIEW CORRIDOR STEPBACKS		
STREET (refer to Figure G for applicable locations)	REQUIRED STEPBACK (Feet)	STEPBACK ELEVATION (Feet)
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		
– West of Pacific Highway	20	Ground Level
– Pacific Highway to Kettner Boulevard	15	30
– Kettner Boulevard to Sixth Avenue	15	50
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
F Street	25	50
G Street	25	50
Pacific Highway	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-A, 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%) subject to the following exceptions:

- (i) For buildings with the highest habitable *floor* line at or below 75 feet, up to 50 percent of the *street wall* may be increased to 95 feet to accommodate taller top-*floor* units.
- (ii) For buildings located in areas within the Large Floorplate/Employment Required Overlay Districts, the *street wall* may be extended up into the *mid-zone* without any *building facade setbacks* as provided in Section 156.0310(b)(2), below.
- (iii) For buildings containing a *tower*, the *street wall* may be extended up into the *tower* without any *building facade setbacks* as provided in Section 156.0310(d)(3)(D), below.
- (iv) For projects within Neighborhood Centers, a maximum *street wall* height of 65 feet applies along *Main Streets* with a north/south orientation. However, if the project 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 Fire Department access.

(F) View Corridor *Setbacks/Stepbacks*. Buildings shall be set back, or upper *floors* shall provide *stepbacks*, along those sections of View Corridor *streets* designated in Figure G, a distance measured from the *property line* adjoining any public *street* (measured after any required right-of-way dedication), or from any extensions of public *street right-of-way* lines, as provided in Table 0310-B: View Corridor *Stepbacks*.

(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 per Table

0310-A, and may be provided only within the Large Floorplate/Employment Required Overlay Districts, subject to the following regulations:

- (A) *Maximum Lot Coverage.* The maximum *lot coverage* for the *mid-zone* shall be 80 percent of the *lot* area.
- (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/Employment Required Overlay Districts as per Table 0310-A.
- (B) *Maximum Tower Dimensions.* In addition to *maximum lot coverage*, the maximum *tower floor plate* dimensions shall be as specified in Table 0310-A. 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, *towers* shall be separated by a minimum of 60 feet for sites containing 50,000 square feet or more, or for those 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 from this *setback* requirement, except within the Little Italy Sun Access Overlay District.
- (ii) Two sides of a *tower* may be exempted from this *setback* requirement when it is determined through the *Design Review* process that the resulting design is improved and does not result in massing inconsistent with the neighborhood. This provision does not apply within the Little Italy Sun Access Overlay District.
- (iii) In *Neighborhood Centers*, the *tower* shall always be set back a minimum of 25 feet from any *property line* along a designated *Main Street* with a general north/south orientation.

(E) *Tower Setback from Interior Property Lines.* Towers shall 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) If the *applicant* can demonstrate that construction techniques permit glazing with views into, and out from, habitable areas within the *tower*, this *setback* may be reduced to 10 feet if any existing *tower* on an adjacent parcel is located a minimum of 40 feet from the proposed *tower*; or
- (ii) If a *tower* existing 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 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 frontage, to the finish *floor* elevation of the second *floor*, shall be:

- (1) Average of 12 feet for buildings containing ground *floor* residential uses;
- (2) Average of 15 feet, but not less than 13 feet, for buildings containing ground *floor* non-residential uses; and
- (3) Average of 20 feet, but not less than 18 feet, for buildings containing ground *floor active commercial uses* within *Neighborhood Centers* or along *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 feet along 75 percent of the commercial space frontage along a public *street*; or
- (2) 40 feet along 75 percent of the commercial space frontage along a designated *Main Street*; and

- (3) 15 feet along the remaining 25 percent of the commercial frontage if needed to accommodate other internal functions of the building.

(g) Residential Project Requirements

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

- (A) *Common Outdoor Open Space*. Each project 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 through a common corridor. Projects shall provide *common outdoor open spaces* as a percentage of the *lot* area based on the following:

<i>Lot Size</i>	% Common Outdoor Open Space
≤10,000 sf	10
10,001 – 30,000 sf	15
>30,000	20

- (B) *Common Indoor Space*. Each project shall provide at least one community room of at least 500 square feet for use by all residents of the project. The area is recommended to be located adjacent to, and 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 in relationship to *floor* levels and sizes of units. *Living unit* projects are exempt from this requirement.

- (2) *Pet Open Space.* Each project 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 lawn areas).

(Added 4-3-2006 by O-19471 N.S.; effective 5-3-2006.)

§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) **Building Orientation**

All buildings located on a public *street* shall be oriented toward, and have their primary entrances facing on or toward, the public *street*.

(b) **Facade 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 or less, and:

- (1) Smaller modulations may be incorporated within larger volumes;
 - (2) Volumes along the *street wall* must 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) Window openings, oriel windows, or balconies;
 - (B) Awnings, canopies, or entrances;
 - (C) Arcades, columns, or pilasters;
 - (D) Materials and color; or
 - (E) Other architectural features.
 - (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 a high quality of design and execution and enhance the design and material quality of the surrounding neighborhood and the site's location.

- (1) **Pedestrian Features.** Architectural features such as canopies, lighting, and other design features which add human scale to the streetscape are encouraged where they are consistent with the design theme of the *structure*.
- (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 this result in the storefront being set back more than the allowable 5-foot *setback* from the front *property line*.
- (3) **Building Materials.** The *building base* shall be clad in durable upgraded materials (stone, tile, metal, brick, glass or similar) from at least the *floor* slab of the second *floor* down to one (1) inch of finish 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 resources(s) as established through the review and approval processes for historical resources contained in Chapters 11 through 14 of this Code.

- (4) Construction Execution. All construction details shall be of highest standard and executed to minimize weathering, eliminate staining, and not cause deterioration of materials on adjacent properties or the *public-right-of-way*.
- (A) All elements on the undersides of balconies and projection surfaces shall be logically composed and placed to minimize their visibility, while meeting code requirements. Soffit materials shall be high quality and consistent with adjacent elevation materials and incorporate drip edges and other details to minimize staining and ensure long-term durability.
- (B) Downspouts, mailboxes, electrical components, and other miscellaneous details shall be concealed or integrated into *building facades*. No downspouts shall project across a public sidewalk or beyond the *property line*.
- (5) Utilities. Electrical transformers and generators shall be located below grade, outside the *public right-of-way*, with only the minimum width access hatch to the vault allowed within six feet of the *street* curb. Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of 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* from view. No utility services may be located above *grade* in

the *public right-of-way* within the Centre City Planned District except in instances when no other feasible alternative is available to serve *historical* buildings.

(d) *Pedestrian Entrances*

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

- (1) **Location.** All non-residential activities located at the *street* level shall provide one direct at-*grade* entrance from the *public right-of-way* for each *street* 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 required disabled access to existing buildings when no alternative is available.
- (3) **Recessed Entrances.** Recessed entrances shall not exceed 25 feet in width and the face of a door or gates shall be within 15 feet of the *property line*.

(e) *Transparency*

A minimum of 60 percent of the *street*-facing 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 the project review.
 - (2) All *blank wall* area shall be enhanced with architectural detailing, material texture, ornamentation, and/or artwork.
 - (3) On lots of 10,000 square feet or less, the percentage of linear frontage that may be *blank wall* may be increased to 40 percent.
 - (4) On lots 5,000 square feet or less, the percentage of linear frontage that may be *blank wall* may be increased to 50 percent.
 - (5) Within the Industrial/Transportation and Mixed Commercial districts, buildings designed for warehousing, storage, or light industrial uses may increase the percentage of *blank wall* to 40 percent, up to a maximum length of 50 feet.
- (g) *Tower Design*
- (1) *Tower Composition and Materials.* All *building facades* 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 facades* 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 facades* to avoid the appearance of *towers* isolated from the *street* and their own *bases*.
 - (2) *Blank walls.* Large or continuous *blank walls* shall be limited to 15 percent of a respective *building facade* 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 facades* should have distinct solar orientations with integrated and appropriate shading devices, balconies, projections, louvers, and/or window treatments. These treatments will also provide desirable elevation and composition variety.
- (4) Identical Towers. Regardless of height or plan variation, no two multiple *towers* within a project 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.
- (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 *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 assist this composition goal, but is 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 CCDC as part of *Design Review*.
- (7) Exterior Stairways. Exit stairways shall be incorporated into the enclosed *floor* plate of buildings. Exterior stairs connecting no more than three *floors* may be permitted through the *Design Review* process.

(h) Glass and Glazing

Reflective or mirror glass is strongly discouraged, as is heavily tinted bronze, black, or gray glass. Glass materials shall exhibit visible light transmittance of a minimum of 60 percent. Glass color shall not be emphasized as a "signature" element, and subtle gray/green or blue/gray tints shall be encouraged if clear glass is not proposed.

(i) Exterior Projecting Balconies

Projecting balconies facing public *streets* shall average no less than 40 percent open (perforated mesh, 40% translucent glass, or open rail) or transparent above a height of 18 inches above the balcony walking surface.

(j) Rooftops

(1) *Penthouse* space, mechanical equipment, stair and elevator overruns, heliports, vertical roof attachments, and decorative roof construction are permitted to achieve distinctive building tops, provided that the building top is designed as an integral part of the architectural design.

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

(3) All mechanical equipment, appurtenances, and access areas shall be intentionally grouped and architecturally *screened* within fully covered enclosures consistent with the overall composition of the building. Mechanical enclosures shall have a *screened* or louvered top to improve views from above and to provide required air circulation.

(4) All vertical rooftop forms, surfaces, and elements shall use high quality cladding materials the same as, or similar to, the typical surfaces of walls below; large expanses of painted concrete or stucco surfaces are only allowed upon finding that such materials and finishes are consistent with the architecture of the building through the *Design Review* process.

(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 Agreement* may be required by the City of San Diego, per Municipal Code Section 62.0301.
- (2) *Oriel Windows*. Oriel windows are subject to the following standards:
 - (A) Oriel windows must be at least 12 feet above the adjoining sidewalk *grade*.
 - (B) The maximum width of any oriel window is 12 feet. Such windows must be horizontally separated by at least 6 feet. Oriel windows may extend vertically no more than 50 feet continuously.
 - (C) Oriel windows may constitute no more than 30 percent of the *building facade* surface area on which they are located. If two adjacent oriel windows are connected by a balcony (open or solid railing), the entire perimeter of oriels and balconies is treated as one projecting surface for purposes of this calculation.
 - (D) Oriel windows (measured to finished exterior dimension) shall not project more than 4 feet into a *public right-of-way*.
 - (E) Oriel windows shall contain glass on at least 2 of 3 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 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 be permitted per Chapter 14, Article 2, Division 12 of the Land Development Code (*Sign Regulations*). *Awnings* or other non-horizontal elements that wrap building corners are allowed only upon approval of the *CCDC President* upon finding that they provide a direct public benefit.
- (4) Subterranean Garages and Basements. *Encroachments* may be permitted per the Municipal Code Section 62.0301 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. Such hatches shall be located so as not to interfere with *street* tree planting.
 - (B) No *encroachment* shall be allowed to conflict with any approved plan for *street* tree planting and shall maintain a continuous clear zone for such planting for a depth of 8 feet.

(1) **Building Identification**

Projects constructed on sites larger than 5,000 square feet site shall install project 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 identification can be met with a durable permanent plaque, or inscription in the most durable *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 (1) inch minimum in height, and be raised or incised.

- (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 space allows.

(H)(m) ~~Designated~~ Historical Resources

~~Historic structures~~ Historical resources should be retained and integrated into larger projects, wherever feasible, with adaptive use. If a proposed project 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 shall then consider the potential relocation of the historical resource to a site within the Centre City Planned District. 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 this Code.

(n) Additional Standards for Residential Projects

In addition to the requirements listed above, the following standards apply to projects in the Residential Emphasis District and projects in other zones 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 may contain openings in the *street wall* up to 30 feet wide to allow for the extension of interior *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*.
- (3) **Façade Articulation.** Ground *floor* residential *building facades* should be articulated at regular increments to differentiate

- individual residential units from each other and from the overall massing of the building, in order to express a rhythm of individual units along the *street*.
- (4) Finish *Floor* Elevation. Ground *floor* residential units shall provide finish *floor* elevations of between 18 to 42 inches above the adjoining sidewalk for a minimum depth of 10 feet inside the unit.
 - (5) Transparency. A minimum of 25 percent of each *street*-facing ground level residential unit between 3 and 12 feet above the sidewalk must be comprised of clear, non-reflective windows. Windowsills may be no higher than 5 feet above the sidewalk level.
 - (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 can not be more than 42 inches above the sidewalk *grade*. *At-grade* vision glass or railings (at least 80 percent open) can not be more than 60 inches above the sidewalk *grade*.
 - (B) Gates and railings located on stoops or raised patios must be transparent (clear glass or railings at least 80 percent open) and can 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) Location. The maximum distance between individual residential unit entrances shall be no more than 50 feet.
 - (B) Residential Doors. Ground level residential unit doors must be visible from the sidewalk. Residential doors

may be opaque or translucent, and must be adequately lit to ensure the safety of persons and the security of the building.

- (C) Unit Identification. Each *street* facing unit shall be identified either on the door or the adjacent wall.

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(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 located on *Main Streets*, identified on Figure D: *Main Street* and *Commercial Street* Overlays:

- (1) Façade Articulation. *Street wall building facades* along *public rights-of-way* on *Main Streets* shall be architecturally modulated by volumes or structural bays that are 50 feet in width or less.
- (2) Storefront Frontage. A single tenant may have a maximum 150 linear feet of *street-facing façade* on any *street* 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 Center and 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 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 *historical lot development* pattern are preferred. In no case shall repetitive elements or monolithic treatments create a half- or full-block massing or appearance.
 - (B) Different elements shall employ distinct architectural treatments (materials, fenestration, heights, etc.) to exhibit incremental, diverse *street faces*.

- (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 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 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, canopies, and wall-mounted light fixtures also contribute to pedestrian scale.
- (q) Ballpark Mixed-Use District Design Guidelines
 - (1) Intent. The goal 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 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.

- (2) Goals. The *development* of the Ballpark Mixed-Use District is intended to achieve the:
 - (A) Realization of the Bay-to-Park Link;
 - (B) Revitalization of the East Village; and
 - (C) Reinforcement of the South Embarcadero.

- (3) Character. The following strategies form the basis of the design of buildings, streetscapes, plazas and open spaces within the district:
 - (A) Scale and Feeling of Public Space. Maintain and reinforce the existing pedestrian scale appropriate to small numbers of people as well as larger crowds.
 - (B) Language and Vocabulary of the District. Employ elements to reinforce the spatial *structure* of the district, to convey the symbolism of the Ballpark Mixed-Use District, and to provide information and directions.
 - (C) Territoriality of Public Space. All spaces should have a sense of ownership.
 - (D) Composition and Juxtaposition of Elements. Buildings, streetscape improvements, and landscaping should be designed to create a memorable experience.
 - (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* district with a strong pedestrian orientation. The character of late 19th and early 20th 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 between L Street and the J Street Corridor, this area needs to create linkages along K and L Streets between the Gaslamp Quarter and the Ballpark.

(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 *right-of-way* along 100 percent of the building frontage.
- (ii) *Street Wall Facade*: The *street wall* facade 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 stories or 60 feet in keeping with the character of existing 19th and early 20th 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, shall be stepped back by at least 50 feet.

- (iv) Buildings should be massed and scaled in a manner that complements the incremental parcelization of the *street*, introducing changes in building plane, fenestration rhythm, materials etc., at intervals of approximately 50 to 100 feet.
- (v) The design of *building facades* 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) Vertical and horizontal articulation of the facade utilizing cornices, belt courses and banding, plane changes, variation in window openings, and other architectural elements are encouraged.
- (vii) *Building facades* should be visually terminated through the use of cornices, parapets, hip and stepped terraces, and other forms of multi-faceted tops.
- (viii) Facades should introduce special treatments at major entrances, building corners, *street* corners, and *street-end* view termini.
- (ix) Buildings are encouraged to employ materials that extend and complement the character of existing 19th and 20th century commercial and warehouse *structures* (e.g., brick, metal, stucco, ornamental cement, terra cotta, wood, or steel sash).
- (x) Large well-composed punctured window openings, in the spirit of existing commercial and warehouse *structures* should be provided on the *building facades* to extend the character and scale of these 19th and early 20th 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 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 feet of the *public right-of-way* along one hundred percent (100 percent) of the building frontage.
 - (ii) *Street Wall Facade*: The *street wall* facade should be architecturally modulated to create visual interest and diversity, and to reinforce the pedestrian scale and character of the *street*.
 - (iii) Buildings should be built to a maximum height of six *floors* or 80 feet to complement and transition the scale of the ballpark to the Gaslamp District. *Development* above this height should be stepped back by 10 feet, or introduce a clear material delineation that achieves the same visual effect.
- (C) *Street Level Treatment and Pedestrian Entrances*. All projects should provide *active commercial uses* along a majority of each *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* residential or commercial uses where appropriate and feasible to buffer the garages from facing residential or commercial uses. The facade 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* from predominant public view; sloped *floors* are not expressed; and a visually composed facade of openings, plane changes, belt courses, cornice treatments and other architectural devices is developed.

(r) *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 proposing urban open space as an exception to the *street wall* requirements of this Division, the following shall serve as guidelines to be evaluated during *Design Review*.

- (1) The *urban open space* area may be a park or plaza area and shall be a minimum of 1,000 square feet in area. The open space area shall contain a minimum dimension of 40 feet parallel to a public sidewalk and 25 feet measured perpendicular to a public sidewalk.
- (2) The *urban open space* must be located along the east, west, or southern block face and be designed to maximize exposure to the sun, especially from the southwest.
- (3) At least 75 percent of the length of the *urban open space* adjacent to the sidewalk shall be open and free of walls, planters, or other obstructions (not including trees, lights, and steps). Along the remaining length of the frontage, the maximum height of any wall or planter shall not exceed 18 inches above the adjacent sidewalk.
- (4) The *grade* of an *urban open space* can not be more than 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) Plaza lighting shall be provided to ensure adequate security and shall be coordinated in design with the lighting used in the *public right-of-way* and with the architectural lighting of the building.
- (6) *Urban open space* landscaping should complement and extend the materials and design of the adjoining *public right-of-way*.
 - (A) ~~A minimum of 25 percent of the *urban open space* ground area shall be improved with landscaping and/or impervious surfaces. 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.~~
 - (B) Trees planted in *urban open space* areas shall meet all of the technical design and irrigation criteria set forth in the Centre City Streetscape Manual.
 - (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.
 - (ii) Lawn, groundcover, and shrubs shall have a minimum soil depth of 18 inches measured from grade.
- (7) Seating shall be provided at a minimum ratio of one (1) linear foot of seating for each 30 square feet of *urban open space*, as follows:

- (A) Seating shall be between 12 and 24 inches above the level of the adjacent walking surface, and be 14 inches minimum horizontal surface.
 - (B) Movable seating or chairs (except open air café seating) may be credited as 30 inches of linear seating per chair. No more than 50 percent of the required linear seating may be in movable seats, which shall always be available to the general public but may be stored onsite between the hours of 10:00 p.m. and 6:00 a.m.
- (8) Open Air Cafes. Open air cafes shall not occupy more than 25 percent of the total area of the *urban open space*. No kitchen equipment shall be installed within the open air café. Kitchen equipment may be contained in a kiosk or *pushcart* adjoining the open air café.
- (9) Kiosks and *Pushcarts*.
- (A) Any kiosks shall be a free-standing one-story structure constructed of predominantly 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 of the Land Development Code).
 - (C) There shall be a limit of one kiosk or *pushcart* for every 1,000 square feet of *urban open space area*.
- (s) Mid-Block Walkways, *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 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/surveillance from adjacent uses and shall be maintained by the property owner(s).

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

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§156.0312 Performance Standards

(a) General Standards

The following performance standards apply to all land use classifications including the use of existing *structures*, expansion of *previously conforming* land uses and proposed land uses.

- (1) No use, activity, or process shall produce continuous noise, vibrations, or noxious odors that are perceptible without instruments by the average person at the *property lines* of a site or above the site.
- (2) No use, activity, or process shall produce continual loading or unloading of heavy trucks at the site, exclusive of permitted industrial uses.
- (3) All outdoor lighting shall be shielded or directed away so that direct light or glare does not adversely impact adjacent land uses or the *public right-of-way*.
- (4) All storage and mechanical equipment shall be enclosed in a *structure* and completely *screened* from view.
- (5) No use shall be operated in a manner that produces off-site impacts such as noise, litter, or disruptive conduct from its tenants or patrons.

(b) Building Reflectance

In order to maximize daylight on *streets* and open spaces and reduce heat-island build up, materials with high light reflectance shall be used, without producing glare. Above a height of 75 feet, exterior building finishes shall be predominantly lighter colors and materials.

(c) Wind Acceleration

Wind acceleration studies may be required as part of the project review process to evaluate potential adverse impacts of wind acceleration onto 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) Light, Glare and Shadow Impacts. All *development* proposals exceeding 75 feet in height shall include a light, glare and shadow study evaluating adverse impacts from *development* on the ballpark operations. No *development* will be allowed to produce light, glare, or shadows that will interfere with any sports activity occurring within the ballpark or enjoyment of such activities by members of the public observing from the viewing stands.
- (2) Noise Impacts. All *development* proposals shall include an acoustical analysis specifying construction standards necessary to meet 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.

(Added 4-3-2006 by O-19471 N.S.; effective 5-3-2006.)

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

(a) Residential Off-Street Parking Requirements

The minimum parking requirements established in Table 0313-A shall apply to residential uses. All required spaces required by this section shall be reserved for the exclusive use of residents of the project.

- (1) Guest/Service Parking. For multiple-unit residential projects, additional parking spaces shall be provided at a ratio of one (1) space for every 30 units. These spaces shall be permanently reserved and clearly marked for use by visitors/service only. Projects containing fewer than 50 *dwelling units* shall be exempt from this requirement.

TABLE 0313-A: RESIDENTIAL OFF-STREET PARKING REQUIREMENTS			
Use Category	Minimum		Notes
<i>Dwelling units</i>	1 space per dwelling unit		
<i>Living Units</i>	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	
<i>Group Living</i>	0.1 spaces/room		
<i>Housing for Senior Citizens</i>	Shall be determined through Conditional Permit review.		
<i>Live/Work or Shop Keeper Unit</i>	1.0 space per unit		
<i>Residential Care Facilities</i>	1.0 spaces per every ten (10) beds		
<i>Transitional Housing Facilities</i>	Shall be determined through Conditional Permit review.		

- (2) **Off-Street Loading.** The following standards shall apply for multiple-unit residential projects:
- (A) For projects containing 100 or more units, an off-street loading bay shall be provided with the spaces measuring to accommodate a moving van, minimum 35 feet deep, 13 feet wide, and 13 feet tall (measured from the inside walls);
 - (B) The loading area shall have direct access into the internal circulation system and elevators.
 - (C) The loading bay should share the parking access driveway, when feasible.
 - (D) Loading bays should be located to minimize traffic conflicts wherever possible.
- (3) **Motorcycle Parking.** One motorcycle parking stall shall be provided for every 20 *dwelling units*.
- (4) **Bicycle Storage.** Secured bicycle storage shall be provided at a ratio of one area for every 5 *dwelling units*. Bicycle storage facilities 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.

(b) Non-Residential Off-Street Parking Requirements

The minimum parking requirements established in Table 0313-B shall apply to non-residential uses:

- (1) Motorcycle and Bicycle Parking. One motorcycle parking stall and one bicycle parking space shall be provided for every twenty (20) required vehicle stalls.
- (2) Off-Street Loading.
 - (A) For projects containing between 30,000-100,000 square feet of commercial space, the following standard shall apply:
 - (i) One off-street loading bay shall be provided large enough to accommodate a step-van, with the space measuring 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		Projects 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 containing over 100,000 square feet of commercial space:
- (i) One off-*street* loading area large enough to accommodate a semi-truck shall be provided, with the space measuring a minimum of 35 feet deep, 14 feet wide, and 14 feet tall.
 - (ii) All loading areas shall be provided with direct access into an internal circulation system.
 - (iii) The loading bay should share the parking access driveway, when feasible.
 - (iv) Loading bays should be located to minimize traffic conflicts wherever possible.
- (c) North Embarcadero Off-*Street* Parking Requirements

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

TABLE 0313-C: NORTH EMBARCADERO OFF-STREET PARKING REQUIREMENTS			
Use Category	Minimum		Notes
Dwelling units	1.0 spaces/bedroom		To a maximum of two (2) spaces/unit.
Living Units & Single Room Occupancy units	Market rate unit	0.5 spaces/unit	Based on the occupancy/rent restriction applied to the specific unit.
	50% AMI	0.2 spaces/unit	
	At or below 40% AMI	None	
Group Living	0.1 spaces/room		
Housing for Senior Citizens	Shall be determined through Conditional Permit review.		
Live/Work or Shop Keeper Unit	1.0 spaces per unit		
Residential Care Facilities	1.0 spaces per every ten (10) beds		
Transitional Housing Facilities	Shall be determined through Conditional Permit review.		
Office	2.0 spaces per 1,000 sf		
Hotel	0.5 spaces per room		
Warehouse & Storage	1.0 spaces per 10,000 sf		
Retail	2.5 spaces per 1,000 sf		
Restaurant	5.0 spaces per 1,000 sf		

(d) Small Lot Exemption

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

(e) Enclosed Parking

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

(f) Below-Grade Parking

All projects shall provide at least 3 levels of parking below grade prior to the provision of any parking above grade, 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~~ designated historical structures, the *CCDC President* may approve an exception to below *grade* parking requirement upon finding that below *grade* parking is infeasible due to the location and/or characteristics of the historical structure.
- (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 the project.
- (4) Public parking garages, and projects located within the Ballpark Mixed-Use District, are only required to provide two (2) below *grade* levels 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 parking spaces, with the exception of commercial buildings to residential land uses. The proposed conversion of a building to a residential land use that cannot meet the parking requirements for the residential land use, or expansion of a building in any land use, may be granted a deviation from the residential parking requirements by the *CCDC President* upon approval of a Neighborhood Use Permit.

(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 shall be 10 feet, and the minimum depth of commercial space shall be 20 feet.
- (2) All parking located above the ground level shall meet the following standards:

- (A) For projects located on sites less than 30,000 square , above grade parking does not require encapsulation;
 - (B) For projects located on sites 30,000 square feet or larger, 50 percent of the cumulative *building façades* directly abutting street frontages shall be encapsulated with habitable residential or non-residential uses.
 - (C) Roof-top parking shall be allowed when all parking spaces, not including 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 finish *floor* of the adjoining parking space.
 - (E) Any open areas in the exterior *building facade* of the *structure* shall be designed as an integral component of the overall architecture of the project.
- (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 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 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) All parking *structures* open to the sky shall be engineered and circulation designed to accommodate vertical expansion of at least 3 additional parking levels, or the maximum amount permitted under the *FAR* limits applicable to the site, whichever is less.

- (6) For every vehicular access point to any public *structured parking*, there shall be at least one four-by-four, internally illuminated, cabinet *sign*, clearly visible to pedestrians and motorists with the international parking symbol: a white letter "P" on a green background. Additional space may be added to the *sign* to indicate whether the *lot* is full, or 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* shall not be reduced or encroached upon by this additional information. The four-by-four foot square parking *sign* shall not be included in calculations regarding other signage 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*, 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.
- (2) For sites without an approved *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, a 36-inch high black or green vinyl-coated chain link *fence* is required. The fencing 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 container size.

(3) For every vehicular access point, there shall be at least one four-by-four, internally illuminated, cabinet *sign*, clearly visible to pedestrians and motorists with the international parking symbol: a white letter "P" on a green background. Additional space may be added to the *sign* to indicate whether the *lot* is full, or 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* shall not be reduced or encroached upon by this additional information. The four-by-four foot square parking *sign* shall not be included in calculations regarding other signage for the parking *lot*.

(j) Off-Site Parking Provisions

Projects may provide required parking in an off-site location. The location shall be within 500 feet of the project site, 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 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

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

(l) Vehicular Access

- (1) All driveways shall be perpendicular to the public sidewalk.
- (2) The maximum linear feet of curb cut for vehicular access shall be calculated at a ratio of one (1.0) linear foot per 500 square feet of site area. Parcels containing 10,000 square feet and less may double this ratio. Curb cuts which serve up to 10 parking spaces shall be between 12 and 20 feet wide. Curb cuts which serve over 10 parking spaces shall be between 20 and 30 feet wide.

(3) No vehicular access curb may be located closer than 65 feet from the curb line of the closest intersection. Curb cuts on the same parcel must be separated by a minimum of 80 feet, with the exception of a curb cut to provide access to an 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 configuration, or other significant factors.

(m) Driveway Slope/Security Gates

Driveway slopes shall meet the requirements of Section 142.0560(j)(9). 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 gates shall be located a minimum distance of 10 feet; this dimension must be clear of any door swing from the front property line.

(n) Centre City Cumulative Trip Generation Rates

Centre City Trip Generation Rates are as specified in the CCDC Land Development Manual and City of San Diego Land Development Manual, Appendix N.

(o) Transportation Demand Management (TDM)

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

TABLE 0313-D: TRANSPORTATION DEMAND MANAGEMENT (TDM)	
Points	Measure
10	On-site shower facilities available to all tenants/employees of a building
10	On site day-care
10	Provision of, and preferential parking for, "shared use vehicles" for use by property tenants
6	Provision for upgraded transit stop adjacent to new <i>development</i> , including shelter, seating, lighting and ongoing maintenance.
4	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
4	Preferential parking for car-sharing vehicles (at least one space)
4	Preferential carpool and/or vanpool parking (two percent (2%) of permitted off-street maximum)
2	Proximity to public transit stop/station (1,320 feet or fewer)
2	On-site transit-pass sale, maps and information.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§156.0314 Sign Regulations

(a) *Sign Regulations*

(1) *Application*

Initial application for signage 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 banners cannot be placed on the roof of any *structure*.
- (B) The *sign* (or any part of the *sign*) may 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 by the *CCDC President* through approval of a *Neighborhood Use Permit*. 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 this 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 *tower* of a building where more than 50% of the building is in residential uses. *Logos* may be used on the upper *tower* of a non-residential building if the following criteria are met:

- (A) The *logo* must be designed as an integral part of the exterior of the building.
- (B) *Logos* may not be located on any two (2) adjacent *building facades*.
- (C) The maximum area of the *logo* is based on building height as described in Table 0314-A.
- (D) *Logos* without any lettering are not subject to maximum height, only square footage limitations.
- (E) The maximum height of lettering is based on building height as described in Table 0314-A.

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

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(4) Ballpark Mixed-Use District Signage

All *development* proposals within the area bounded by J Street, Seventh and Tenth Avenues, Park Boulevard and Harbor Drive (including the ballpark, Park at the Park and mixed use *developments* surrounding the park) shall include a comprehensive *sign* plan. 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*)156. *Signs* which do not meet these criteria may be proposed under a comprehensive *sign* plan. All comprehensive *sign* plans, with the exception of those plans for the ballpark, Park at the Park and mixed use *developments* directly adjacent thereto, within the Ballpark Mixed-Use District, shall be reviewed for consistency 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.
- (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.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006.)

§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 made-to-order food products are available during all business hours.
- (2) Establishments engaged in the sale of alcoholic beverages for on-site consumption without the sale of made-to-order food products shall be required to obtain a Conditional Use Permit in accordance with Process Three.
- (3) Establishments engaged in the sale of alcoholic beverages for on-site consumption in conjunction with live entertainment and/or dancing shall be required to obtain a Conditional Use Permit in accordance with Process Three. Such uses shall comply with the following:
 - (A) All entertainment must be pursuant to applicable San Diego Municipal Code 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 at acceptable levels. Noise levels shall be in conformance with the Noise Abatement Standards of the Municipal Code, Chapter 5, Article 9.5 (Noise Abatement and Control) and shall not disturb adjacent land uses.
 - (C) If the establishment where live entertainment and/or dancing is proposed to occur is within the same building as, or is immediately adjacent to, residential uses, an acoustical study shall be required to evaluate

potential impacts to the residential occupants and propose appropriate mitigation measures.

- (4) If any of the uses described in (2) and (3) above are located within a *hotel* or *motel*, are enclosed completely within a building and accessed solely through the *hotel/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) No wine or distilled spirits shall be sold in containers of less than 750 milliliters.
- (B) No malt beverage products shall be sold in less than six-pack quantities per sale.
- (C) No wine shall be sold with an alcoholic content greater than fifteen 15 percent by volume.
- (D) Quarterly gross sales of alcoholic beverages shall not exceed 25 percent of the quarterly gross sales of the establishment.
- (E) 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) The Hearing Officer may approve exceptions to (D) and (E) above upon meeting the following standards:
- (i) Any request for an exception shall be provided in the public notice for the hearing.
- (ii) After conducting the public hearing, the Hearing Officer shall find that the 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 are permitted in the zones indicated in Table 0308-A subject to the following regulations:
- (1) Each *living unit* must have at least 150 square feet of net *floor* area. The average size of all *living units* may not exceed 300 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.
 - (2) The maximum occupancy for a *living unit* is two persons.
 - (3) Kitchen facilities consisting of a minimum of a kitchen sink with garbage disposal, counter top, refrigerator and microwave oven or other cook-top is required in every *living unit*.
 - (4) A complete bathroom is not required in every *living unit*. However, a private toilet must be provided and be *screened* from the remainder of the unit.
 - (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 bathtub). Shared bathing facilities must be provided at a ratio of at least one facility for every 5 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, must be directly accessible from a common area or hallway, and must have an interior lockable door.

- (6) Each *living unit* must be pre-wired for phone and cable television service.
- (7) Each *living unit project* shall include common interior space at a ratio of 50 square feet per *living unit*, with a minimum of 200 square feet per project or per individual common interior space if multiple spaces are provided with a single project. The indoor space shall be furnished to allow for meetings, indoor recreation (active or passive), and/or entertainment.
- (8) Each *living unit project* shall contain one *living unit* occupied by a resident manager.
- (9) Each *living unit project* shall contain either (a) a front desk with a full view of the entry area, staffed 24 hours a day, seven days a week, 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 156.0313 of this Division. All required parking for the *living unit project* 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 owner shall enter into an agreement with the City of San Diego Housing Commission for the review and enforcement of such restrictions.
- (12) Relocation Requirements: *Living units* are subject to the regulations contained in Land Development Code Chapter 14, Article 3, Division 5 for Single Room Occupancy (*SRO*) *hotels*. The San Diego Housing Commission shall be responsible for enforcement of the tenant notice relocation assistance requirements.

(c) Historic Historical Sites Resources

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

(1) Minor Alterations

The CCDC President may approve minor alterations (as determined by the CCDC President) Minor alterations (as defined in Section 143.0250 of the Land Development Code) to a ~~designated historic~~ historical resource shall be reviewed in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code.

(2) Other Alterations

Substantial alterations as defined in Section 143.0250 of the Land Development Code) Non-minor alterations to a designated ~~historic~~ historical site resource shall be reviewed in accordance with Chapter 14, Article 3, Division 2 and 3 of the Land Development Code and all other relevant provisions of the Municipal Code, and shall comply with all Mitigation Measures listed in Appendix A of the Downtown Community Plan and referenced in Section 156.0303(f) of the PDO.

(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 building 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, or reconstructed or maintained in its original historical appearance, in accordance with Chapter 14, Article 3, Division 2 (*Historical Resource* Regulations) of the San Diego Municipal 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 Resource Regulations unless the project is approved through the Site Development Permit or Neighborhood Development Permit procedures in accordance with Chapters 11 through 14 of this Code.

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(e) ~~(d)~~ Social Services/Homeless Facilities

Any application for a conditional use permit for *Social Service Institutions* or *Homeless Facilities* may request a modification to the standard *development* regulations found in sections 141.0417 and 141.0412, respectively. Any such request may be granted by the approval body if at least one of the following findings is met:

- (1) The proposed institution/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/facility, due to its unique operations or uses, will not adversely impact the surrounding neighborhood and there is a demonstrated need for the institution/facility that is not being met by existing services/facilities in the Downtown Community Plan area.

Figure A
Centre City Planned District & Other Boundaries

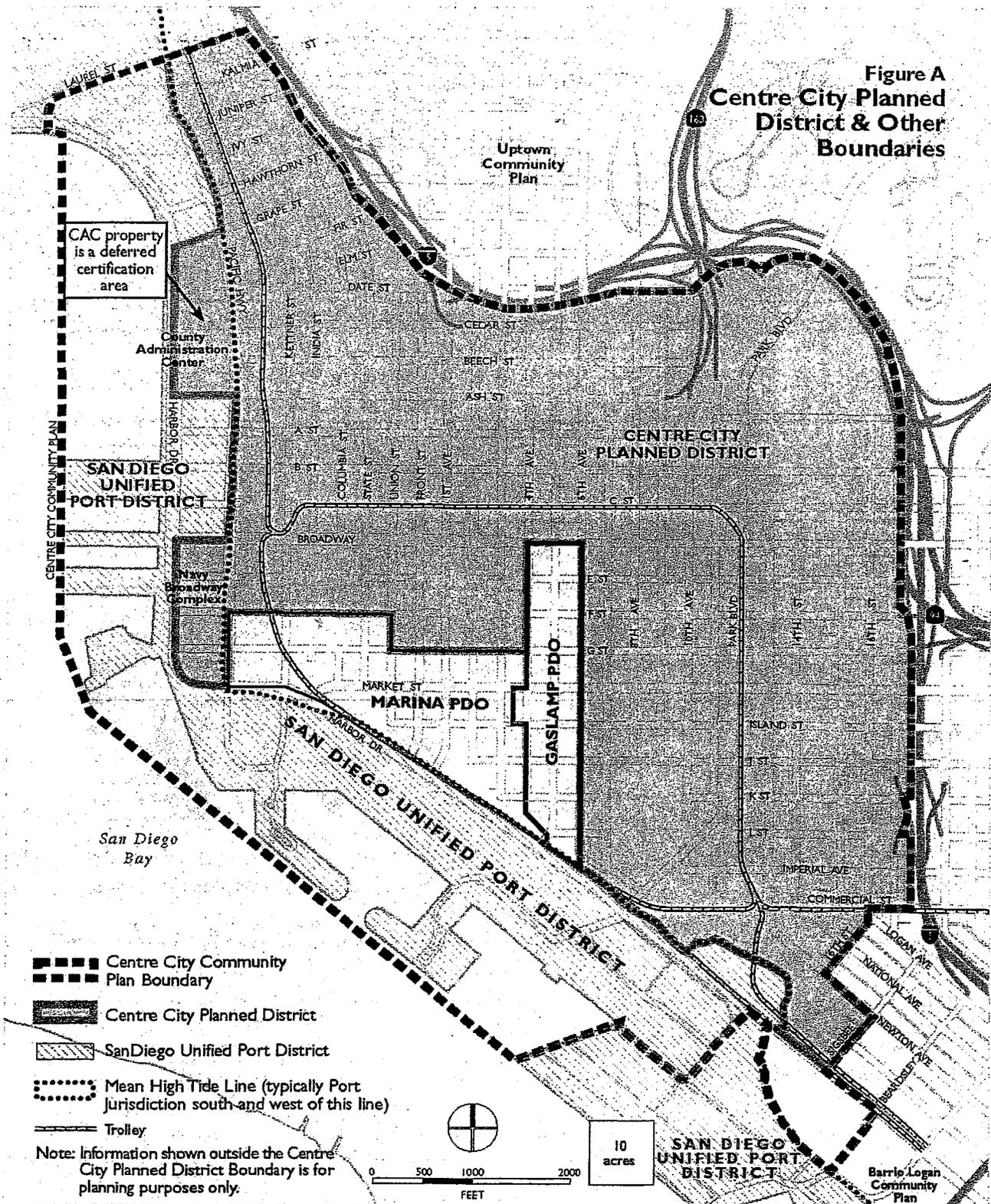
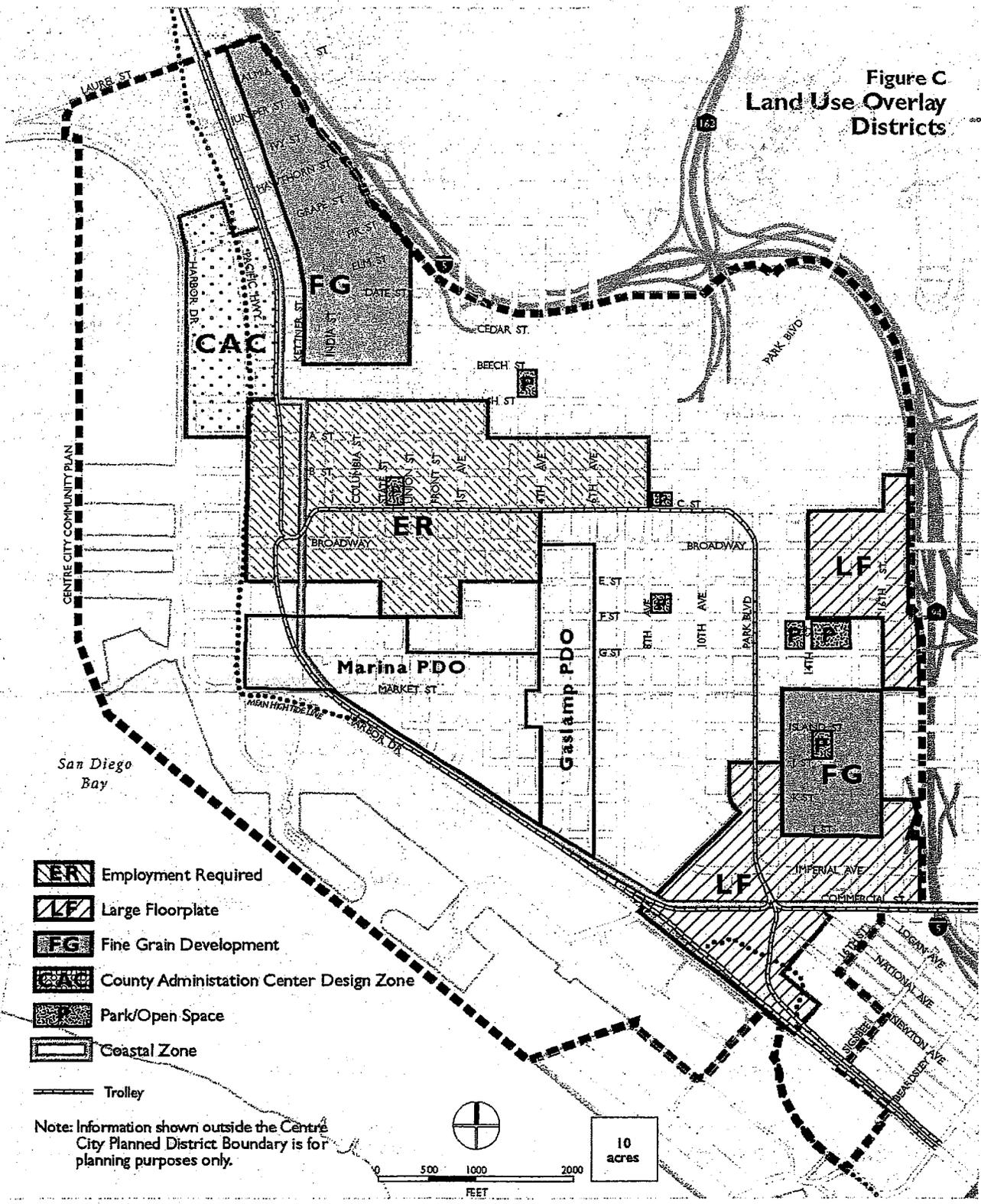
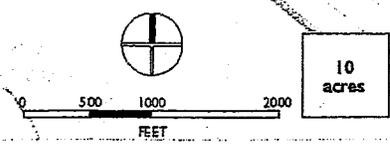


Figure C
Land Use Overlay
Districts



-  Employment Required
-  Large Floorplate
-  Fine Grain Development
-  County Administration Center Design Zone
-  Park/Open Space
-  Coastal Zone
-  Trolley

Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only.



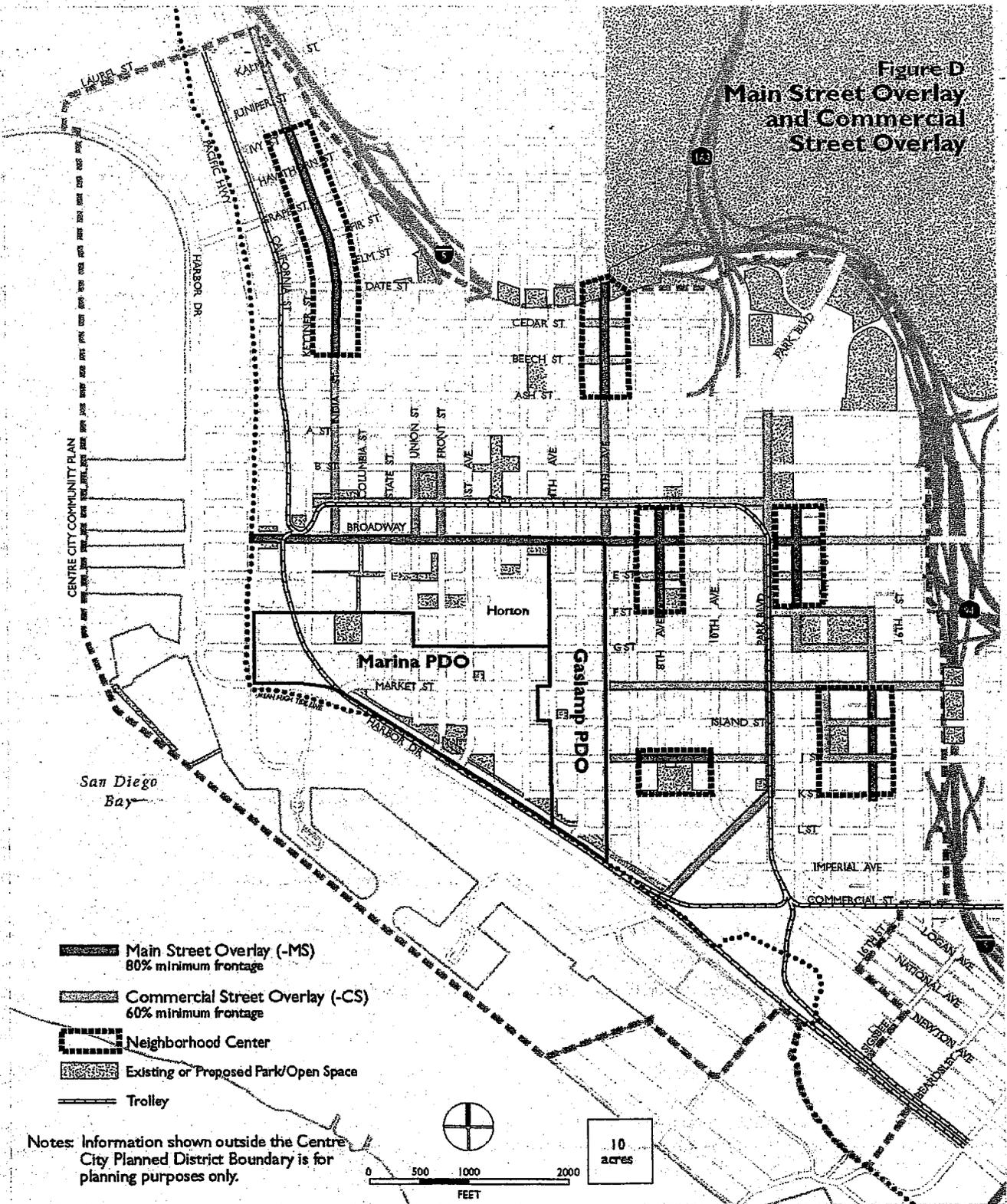


Figure E
 Limited
 Vehicle Access

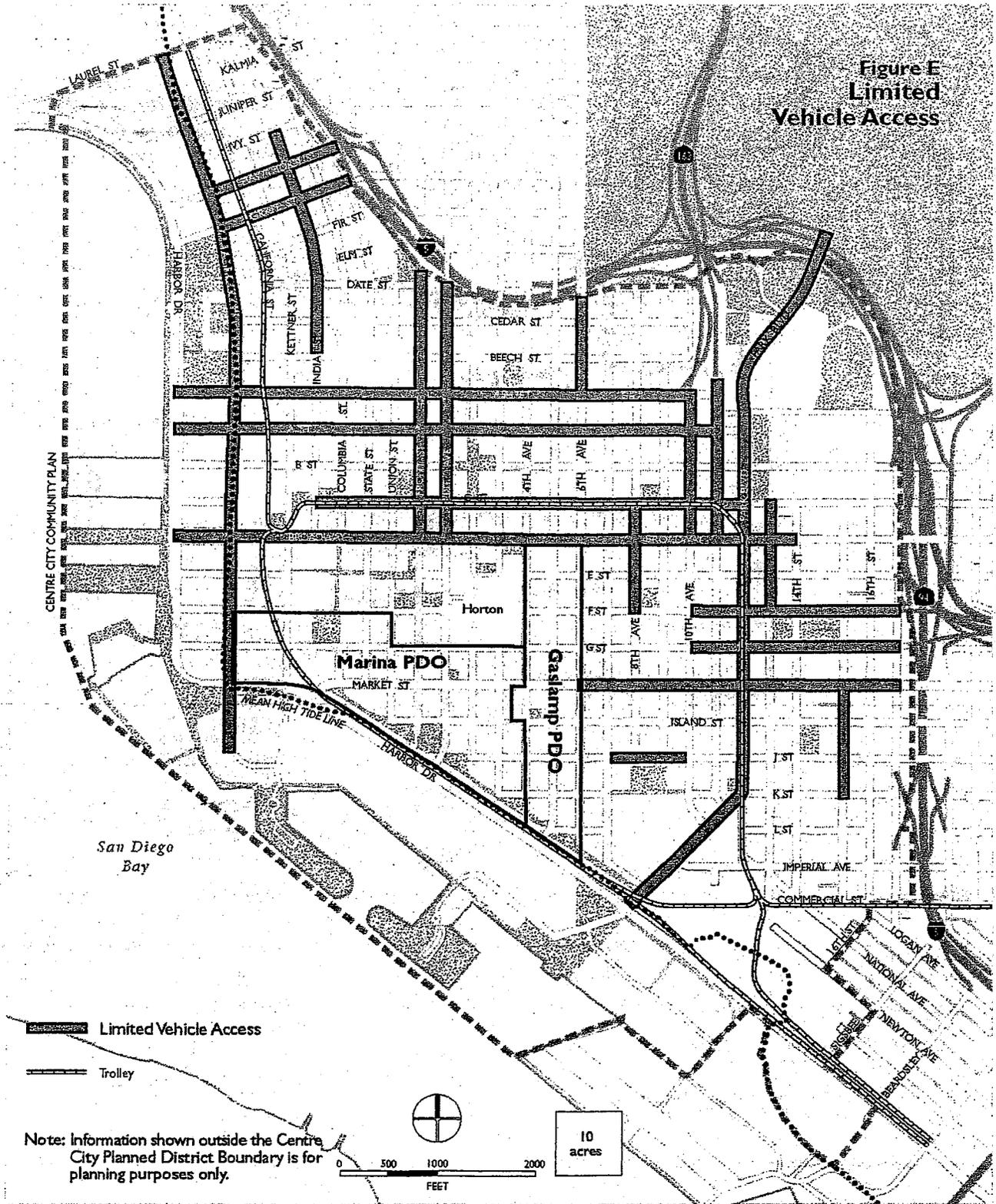
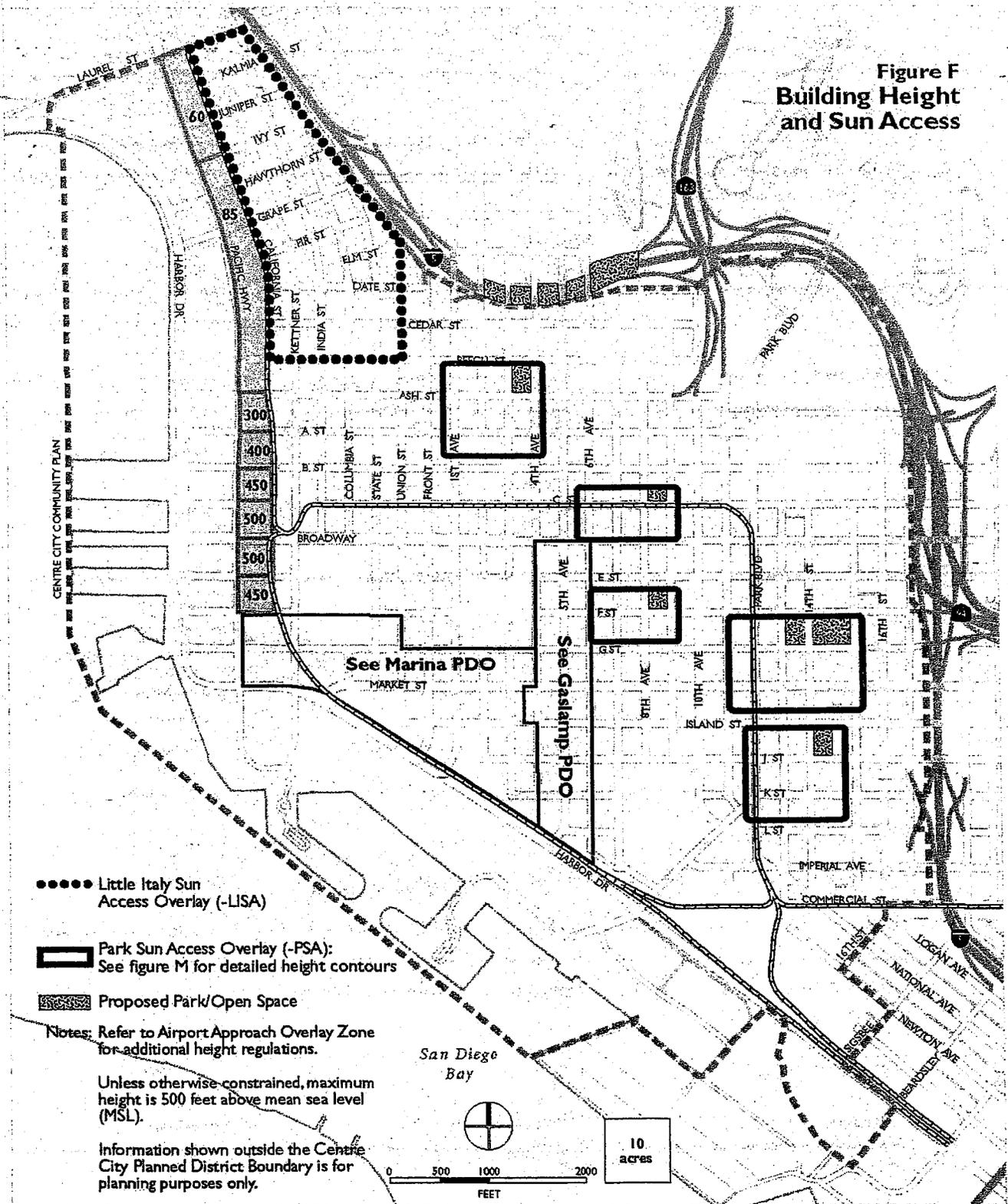


Figure F
 Building Height
 and Sun Access



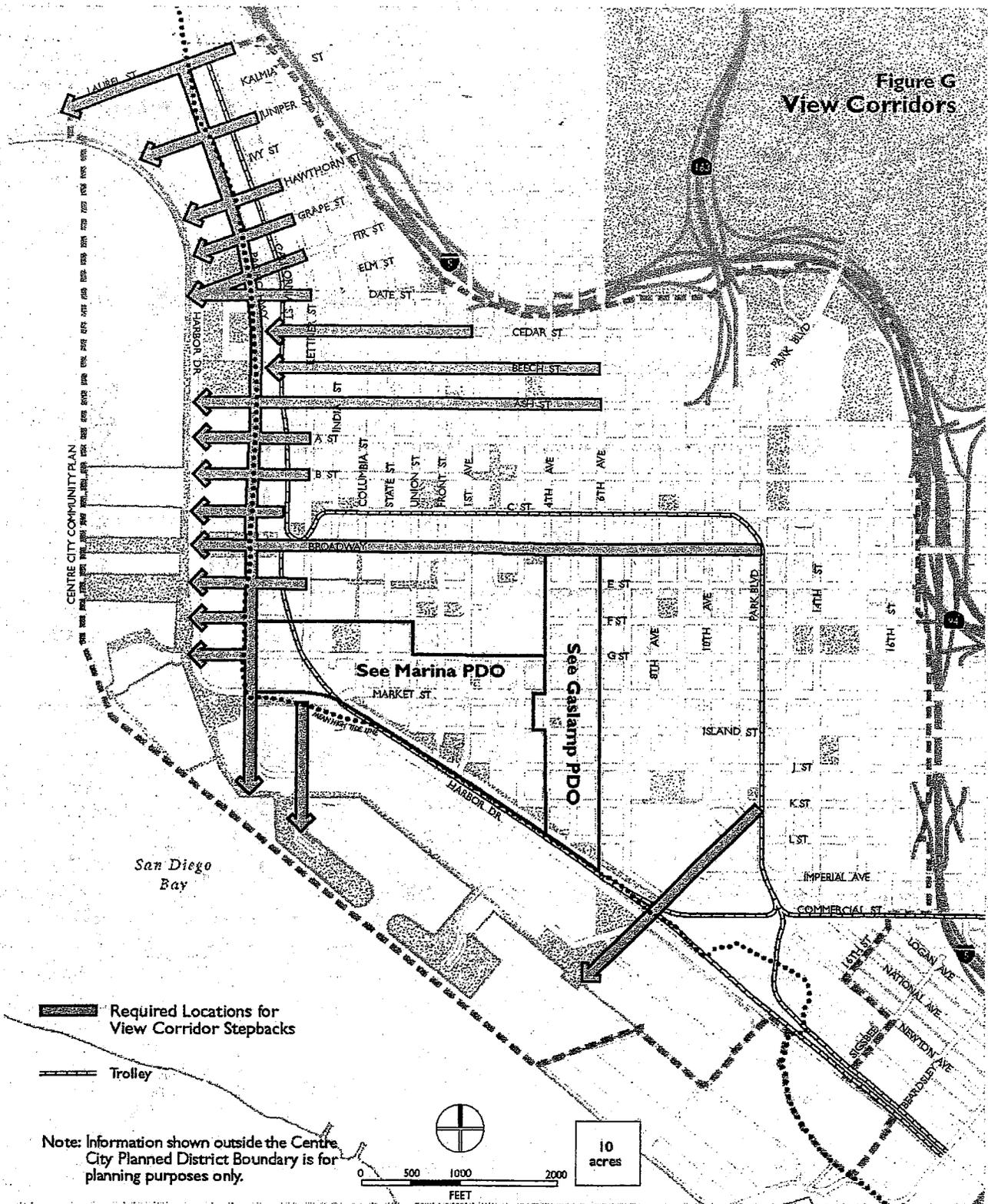
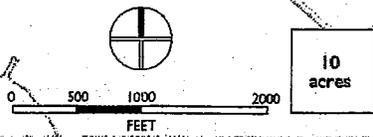
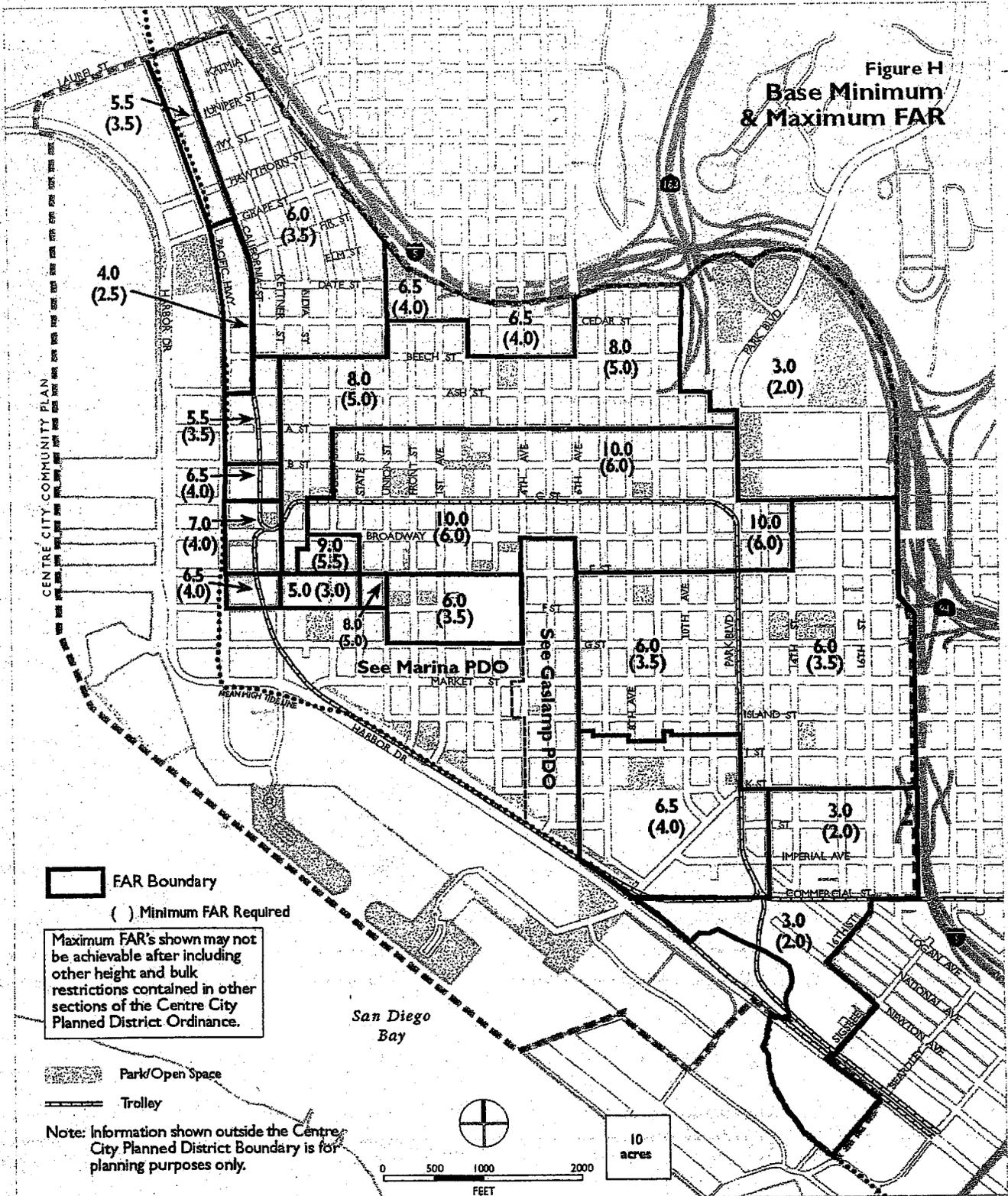


Figure G
 View Corridors

Required Locations for View Corridor Stepbacks
 Trolley

Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only.





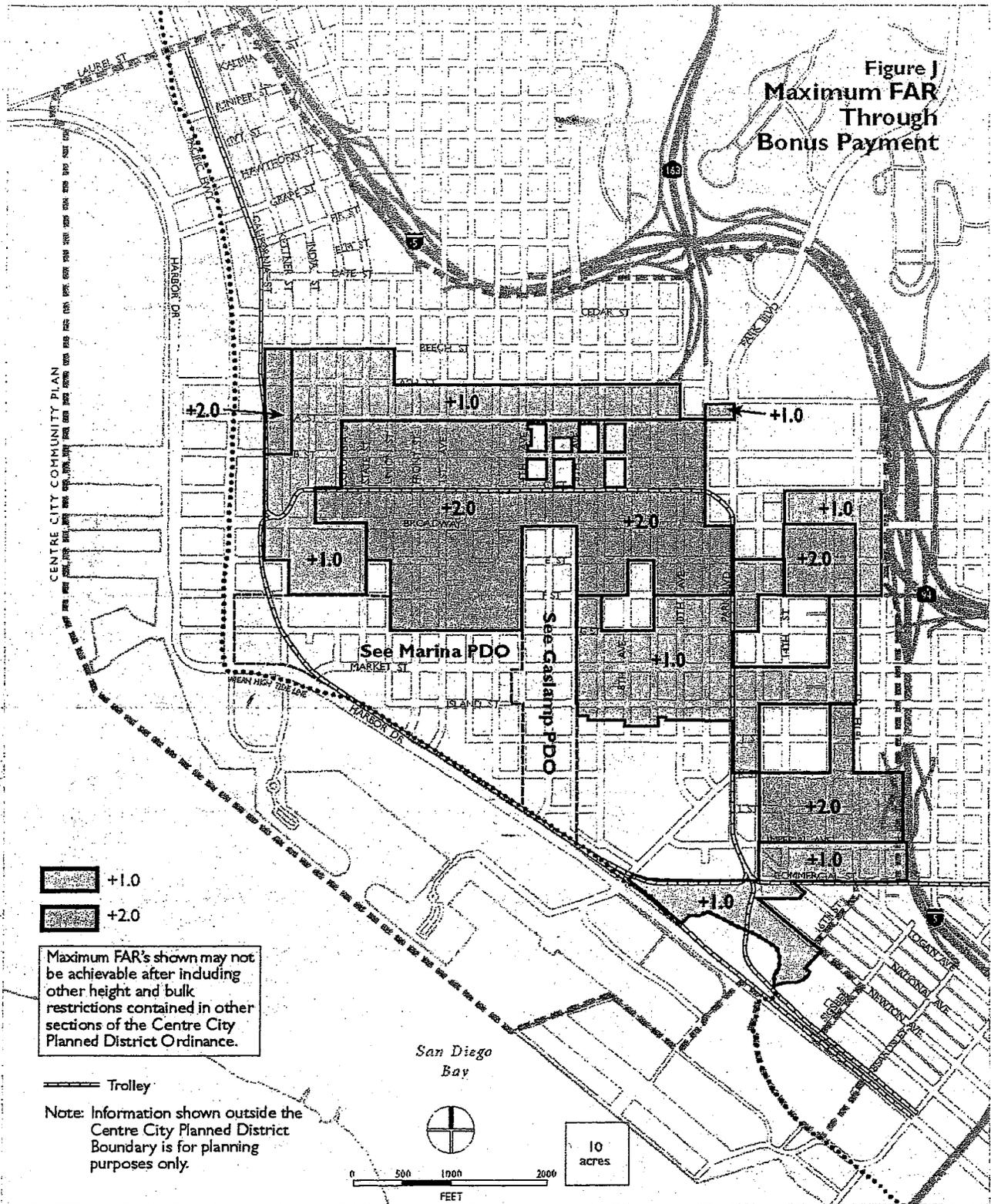


Figure K
Bonus FAR for
Specific Amenities
and/or TDR

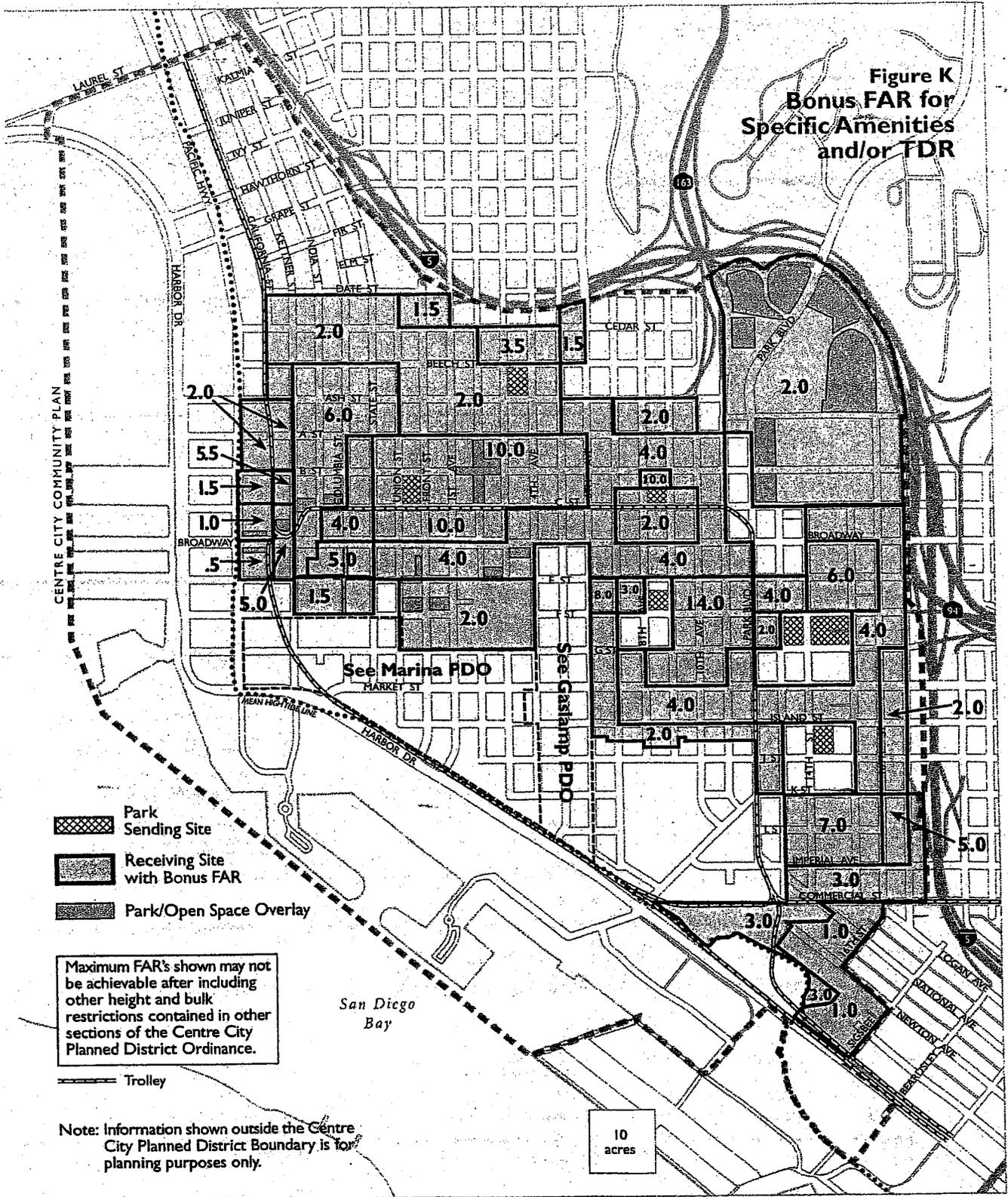
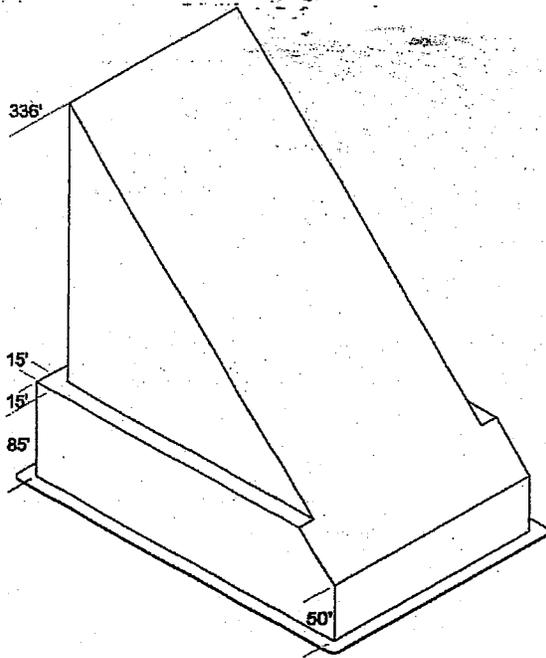
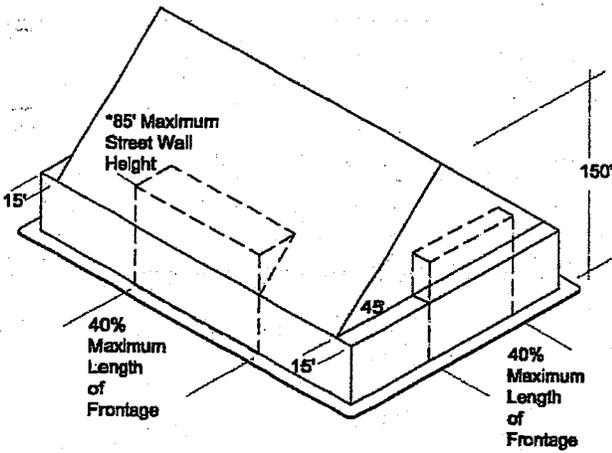
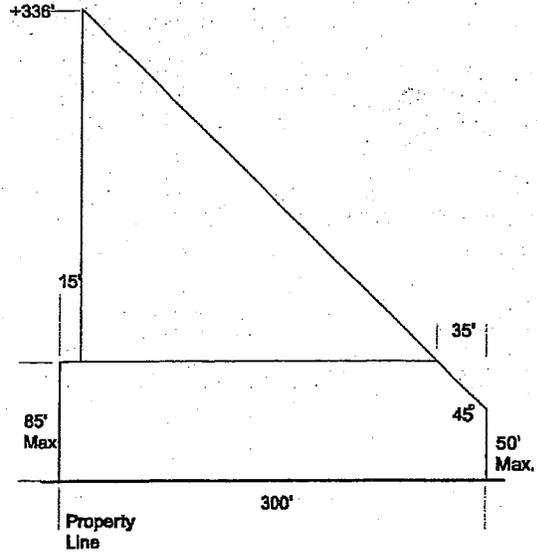


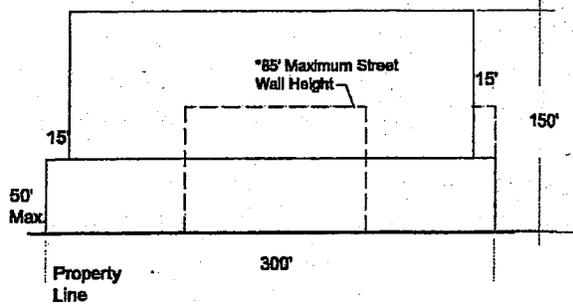
Figure N
 Little Italy Sun Access
 Maximum Building
 Envelope



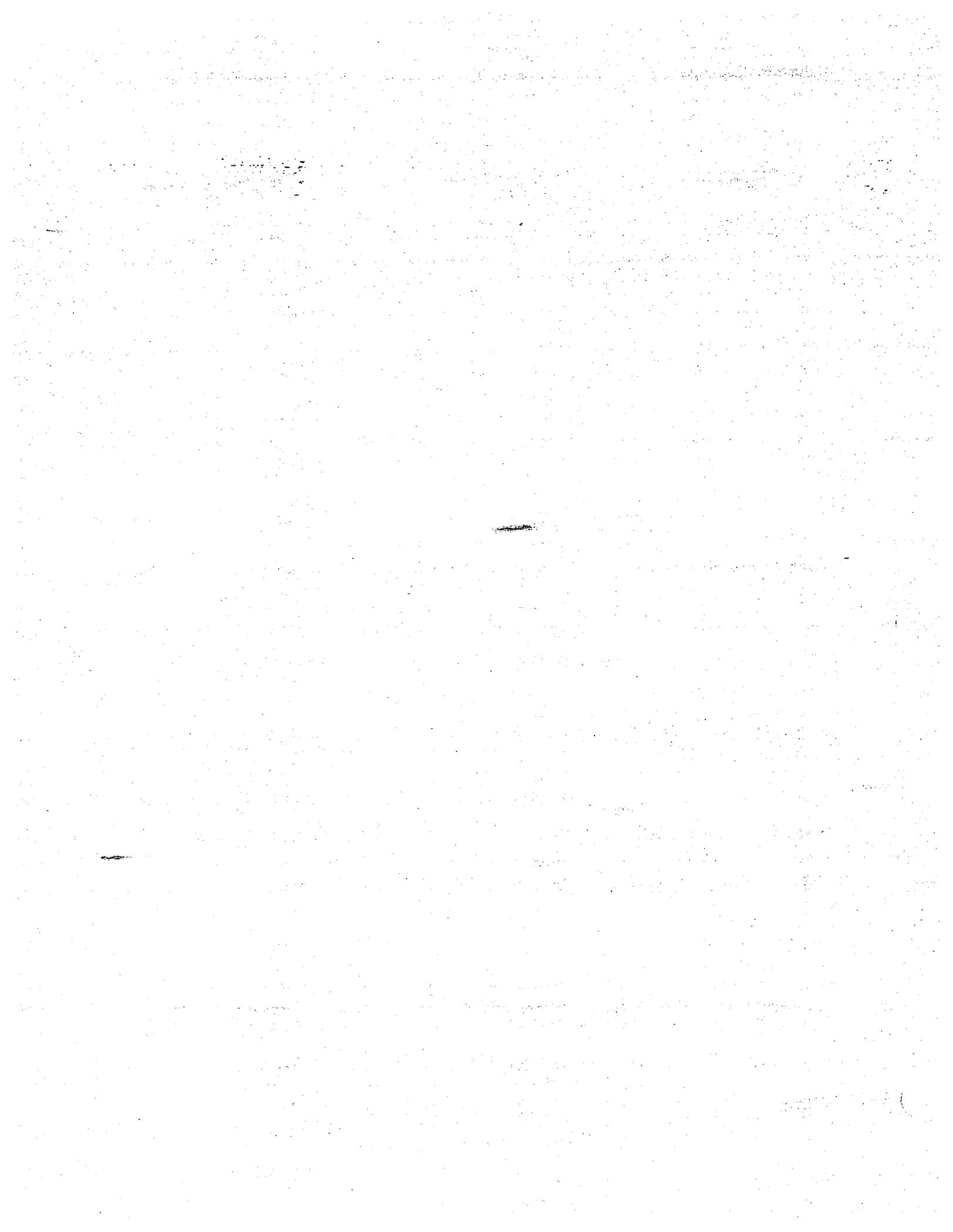
Transition Envelope
 (Beech to Cedar)



Sun Access Envelope
 (North of Cedar)

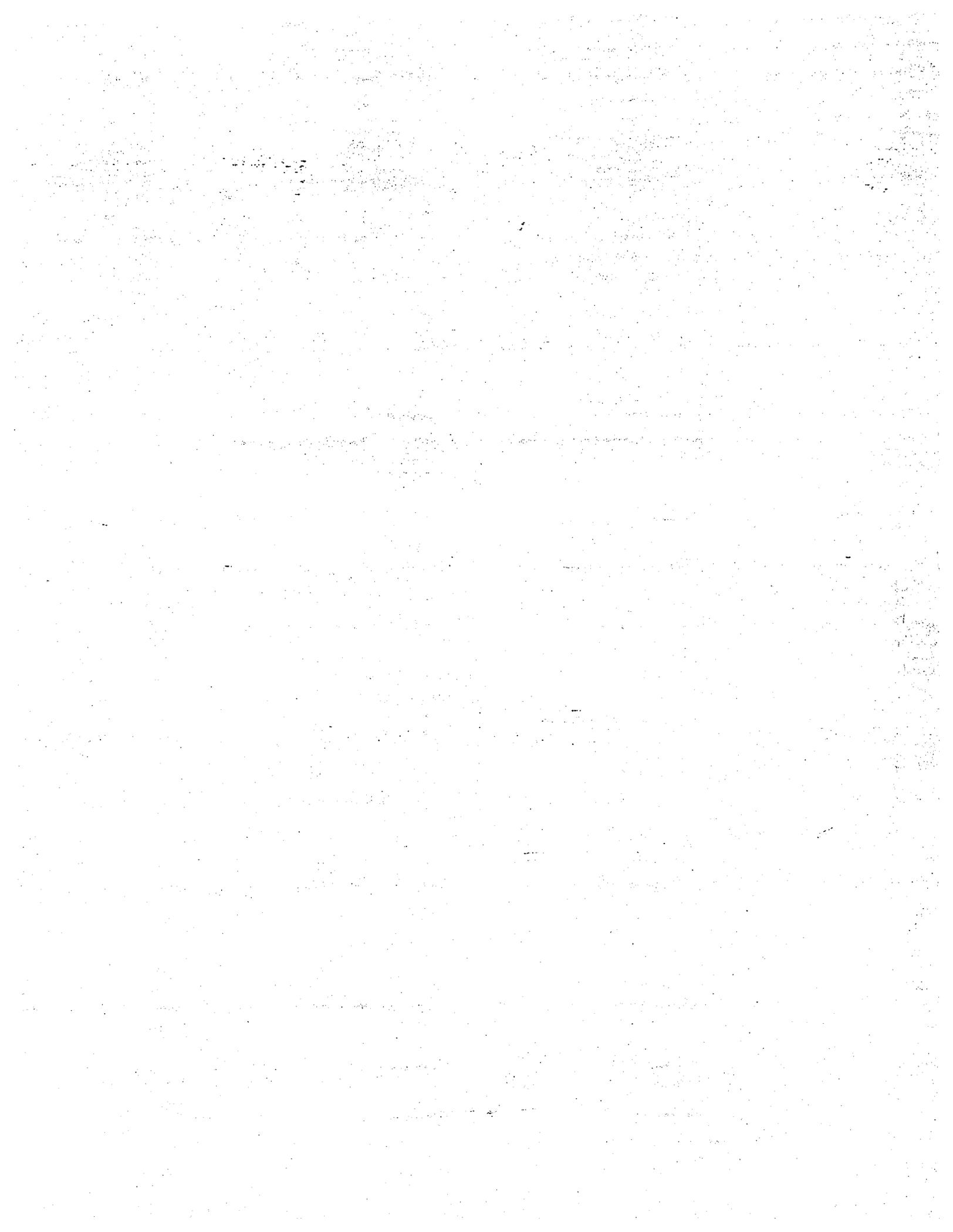


* See PDO Text For Permitted Height Increases to Meet Fire Department Access Requirements



ATTACHMENT C

**PROPOSED AMENDMENTS TO
THE MARINA PLANNED DISTRICT
ORDINANCE**



Chapter 10
Article 3

Division 20: The Marina Planned District

§103.2001 through §103.2006 [no change]

§103.2007 Parking, Loading, Traffic and Transportation Demand Management Standards

(a) Residential Off-Street Parking Requirements

The minimum parking requirements established in Table I of this section shall apply to residential uses. All required spaces required by this section shall be reserved for the exclusive use of residents of the project.

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

**TABLE I OF SECTION 103.2007
RESIDENTIAL OFF-STREET PARKING REQUIREMENTS**

<u>Use Category</u>	<u>Minimum</u>		<u>Notes</u>
<u>Dwelling units</u>	1 space per dwelling unit		
<u>Living Units</u>	<u>Market rate unit</u>	0.5 spaces/unit	<u>Parking shall be based on the occupancy/rent restriction applied to the specific unit.</u>
	<u>50% AMI</u>	0.2 spaces/unit	
	<u>At or below 40% AMI</u>	None	
<u>Group Living</u>	0.1 spaces/room		
<u>Housing for Senior Citizens</u>	Shall be determined through Conditional Permit review.		
<u>Live/Work or Shop Keeper Unit</u>	1.0 space per unit		
<u>Residential Care Facilities</u>	1.0 spaces per every ten (10) beds		
<u>Transitional Housing Facilities</u>	Shall be determined through Conditional Permit review.		

- (2) Off-Street Loading. The following standards shall apply for multiple-unit residential projects:

- (A) For projects containing 100 or more units, an off-street loading bay shall be provided with the spaces measuring to accommodate a moving van, minimum 35 feet deep, 13 feet wide, and 13 feet tall (measured from the inside walls);

- (B) The loading area shall have direct access into the internal circulation system and elevators.
- (C) The loading bay should share the parking access driveway, when feasible.
- (D) Loading bays should be located to minimize traffic conflicts wherever possible.
- (3) Motorcycle Parking. One motorcycle parking stall shall be provided for every 20 dwelling units.
- (4) Bicycle Storage. Secured bicycle storage shall be provided at a ratio of one area for every 5 dwelling units. Bicycle storage facilities 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.

(b) Non-Residential Off-Street Parking Requirements

The minimum parking requirements established in Table II of this section shall apply to non-residential uses:

- (1) Motorcycle and Bicycle Parking. One motorcycle parking stall and one bicycle parking space shall be provided for every twenty (20) required vehicle stalls.
- (2) Off-Street Loading.
 - (A) For projects containing between 30,000-100,000 square feet of commercial space, the following standard shall apply:
 - (i) One off-street loading bay shall be provided large enough to accommodate a step-van, with the space measuring a minimum of 30 feet deep, 14 feet wide, and 14 feet tall (measured from the inside walls).

**TABLE II OF SECTION 103.2007
NON-RESIDENTIAL OFF-STREET PARKING REQUIREMENTS**

<u>Use Category</u>	<u>Minimum</u>		<u>Notes</u>
<u>Office</u>	1.5 spaces per 1,000 sf		Projects containing less than 50,000 square feet of office space are exempt.
<u>Commercial/Retail</u>	1.0 spaces per 1,000 sf		Projects containing less than 30,000 square feet of commercial/retail space are exempt.
<u>Warehouse & Storage</u>	1.0 spaces per 10,000 sf		
<u>Hotel</u>	0.3 spaces per room		Projects containing less than 25 guest rooms are exempt
<u>Single Room Occupancy Units</u>	<u>Market rate unit</u>	0.3 spaces/unit	Parking shall be based on the occupancy/rent restriction applied to the specific unit.
	<u>50% AMI</u>	0.1 spaces/unit	
	<u>At or below 40% AMI</u>	<u>None</u>	

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

- (i) One off-street loading area large enough to accommodate a semi-truck shall be provided, with the space measuring a minimum of 35 feet deep, 14 feet wide, and 14 feet tall.
- (ii) All loading areas shall be provided with direct access into an internal circulation system.
- (iii) The loading bay should share the parking access driveway, when feasible.
- (iv) Loading bays should be located to minimize traffic conflicts wherever possible.

(c) North Embarcadero Off-Street Parking Requirements

The minimum parking requirements established in Table III of this section shall apply to developments located west of California Street between Harbor Drive and F Street:

**TABLE III OF SECTION 103.2007
NORTH EMBARCADERO OFF-STREET PARKING REQUIREMENTS**

<u>Use Category</u>	<u>Minimum</u>		<u>Notes</u>
<u>Dwelling units</u>	<u>1.0 spaces/bedroom</u>		<u>To a maximum of two (2) spaces/unit</u>
<u>Living Units & Single Room Occupancy units</u>	<u>Market rate unit</u>	<u>0.5 spaces/unit</u>	<u>Based on the occupancy/rent restriction applied to the specific unit</u>
	<u>50% AMI</u>	<u>0.2 spaces/unit</u>	
	<u>At or below 40% AMI</u>	<u>None</u>	
<u>Group Living</u>	<u>0.1 spaces/room</u>		
<u>Housing for Senior Citizens</u>	<u>Shall be determined through Conditional Permit review</u>		
<u>Live/Work or Shop Keeper Unit</u>	<u>1.0 spaces per unit</u>		
<u>Residential Care Facilities</u>	<u>1.0 spaces per every ten (10) beds</u>		
<u>Transitional Housing Facilities</u>	<u>Shall be determined through Conditional Permit review</u>		
<u>Office</u>	<u>2.0 spaces per 1,000 sf</u>		
<u>Hotel</u>	<u>0.5 spaces per room</u>		
<u>Warehouse & Storage</u>	<u>1.0 spaces per 10,000 sf</u>		
<u>Retail</u>	<u>2.5 spaces per 1,000 sf</u>		
<u>Restaurant</u>	<u>5.0 spaces per 1,000 sf</u>		

(d) Small Lot Exemption

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

(e) Enclosed Parking

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

(f) Below-Grade Parking

All projects shall provide at least 3 levels of parking below grade prior to the provision of any parking above grade, 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 historical structures, the CCDC President may approve an exception to below grade parking requirement upon finding that below grade

parking is infeasible due to the location and/or characteristics of the historical structure.

- (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 the project.

(g) Existing Buildings

Buildings may be converted from one land use to another land use without the provision of parking spaces, with the exception of commercial buildings to residential land uses. The proposed conversion of a building to a residential land use 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.

(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 shall be 10 feet, and the minimum depth of commercial space shall be 20 feet.
- (2) All parking located above the ground level shall meet the following standards:
- (A) For projects located on sites less than 30,000 square feet, above grade parking does not require encapsulation;
- (B) For projects located on sites 30,000 square feet or larger, 50 percent of the perimeter (excluding interior property lines) shall be encapsulated with habitable residential or non-residential uses.

- (C) Roof-top parking shall be allowed when all parking spaces, not including 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 finish floor of the adjoining parking space.
 - (E) Any open areas in the exterior *building facade* of the structure shall be designed as an integral component of the overall architecture of the project.
- (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 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 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) All parking structures open to the sky shall be engineered and circulation designed to accommodate vertical expansion of at least 3 additional parking levels, or the maximum amount permitted under the FAR limits applicable to the site, whichever is less.
- (6) For every vehicular access point to any public structured parking, there shall be at least one four-by-four, internally illuminated, cabinet sign, clearly visible to pedestrians and motorists with the international parking symbol: a white letter "P" on a green background. Additional space may be added to the sign to indicate whether the lot is full, or 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 shall not be reduced or encroached upon by this additional information. The four-by-four foot square parking sign shall not be included in calculations regarding other signage for the structure.

(i) Off-Site Parking Provisions

Projects may provide required parking in an off-site location. The location shall be within 500 feet of the project site, 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 in perpetuity for the life of the project (unless another off-site location is secured appropriately in compliance with this Section).

(i) Size of Parking Stalls

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

(k) Vehicular Access

(1) All driveways shall be perpendicular to the public sidewalk.

(2) The maximum linear feet of curb cut for vehicular access shall be calculated at a ratio of one (1.0) linear foot per 500 square feet of site area. Parcels containing 10,000 square feet and less may double this ratio. Curb cuts which serve up to 10 parking spaces shall be between 12 and 20 feet wide. Curb cuts which serve over 10 parking spaces shall be between 20 and 30 feet wide.

(3) No vehicular access curb may be located closer than 65 feet from the curb line of the closest intersection or closer than 80 feet from the nearest curb cut on the same parcel. 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.

(l) Driveway Slope/Security Gates

Driveway slopes shall meet the requirements of Section 142.0560(j)(9). 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 gates shall be located a minimum distance of 10 feet; this dimension must be clear of any door swing from the front *property line*.

(m) Centre City Cumulative Trip Generation Rates

Centre City Trip Generation Rates are as specified in the CCDC Land Development Manual and City of San Diego Land Development Manual, Appendix N.

(n) Transportation Demand Management (TDM)

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

TABLE IV OF SECTION 103.2007
TRANSPORTATION DEMAND MANAGEMENT (TDM)

<u>Points</u>	<u>Measure</u>
<u>10</u>	<u>On-site shower facilities available to all tenants/employees of a building</u>
<u>10</u>	<u>On site day-care</u>
<u>10</u>	<u>Provision of, and preferential parking for, "shared use vehicles" for use by property tenants</u>
<u>6</u>	<u>Provision for upgraded transit stop adjacent to new development, including shelter, seating, lighting and ongoing maintenance.</u>
<u>4</u>	<u>Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.</u>
<u>4</u>	<u>Preferential parking for car-sharing vehicles (at least one space)</u>
<u>4</u>	<u>Preferential carpool and/or vanpool parking (two percent (2%) of permitted off-street maximum)</u>
<u>2</u>	<u>Proximity to public transit stop/station (1,320 feet or fewer)</u>
<u>2</u>	<u>On-site transit-pass sale, maps and information.</u>

§103.2011 Use Classifications for the Marina Planned District

[no change]

§103.2012 Property Development Regulations

(a) [no change]

(b) [no change]

(c) General Provisions

(1) through (10) [no change]

~~(11) Parking.~~

~~(A) All above grade parking structures shall be architecturally integrated into the structure and screened from view by landscaping, architectural detailing or buffered by residential or non residential use.~~

~~(B) Outdoor or garage lighting shall be indirect and diffused.~~

~~(12) Off Street Loading.~~

~~(A) Off street loading facilities shall be required for all developments which exceed a gross floor area of one hundred thousand (100,000) square feet.~~

~~(B) All off street loading areas shall be enclosed within and integrated into the structure and not visible from the public right of way.~~

~~(1311) Building Materials.~~

(A) With the exception of the first level, no more than fifty percent (50%) of each of the facades of the structure shall be vision glass or spandrel construction of material which is up to thirty percent (30%) in reflectivity. The remaining fifty percent (50%) may be masonry or stone or other appropriate material.

(B) Clear or lightly tinted glass for doors and display window shall be installed at the first or pedestrian level.

~~(1412) Roof Tops.~~

(A) Exposed roof top parking is not permitted.

(B) Roof surfaces shall be simplified and appurtenances shall be grouped and screened.

(C) Flat exposed roofs at any level shall be designed as an architectural or landscape amenity to enhance the views from the proposed structure or adjacent structures. Such enhancements may include roof gardens, architectural features, special pavings and patterns or other comparable treatment.

~~(1513)~~ Solar Access.

- (A) No more than fifty percent (50%) of the area of a sidewalk on the opposite side of a development shall be shaded by that development for no more than one (1) hour between 11:00 a.m. and 2:00 p.m.
- (B) The location of existing and proposed development shall be considered in the siting of new structures in order to maximize views and sun penetration to the greatest extent possible.

§103.2013 Exceptions to the Provisions of the Marina Planned District Regulations

[no change]