

ORDINANCE NUMBER O- 16972 (NEW SERIES)

ADOPTED ON NOV 2 1987

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 103.1500, 103.1501, 103.1502, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508 AND 103.1509, AND BY ADDING SECTIONS 103.1500, 103.1501, 103.1502, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508, 103.1509 AND 103.1510 RELATING TO THE MID-CITY COMMUNITIES PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 103.1500, 103.1501, 103.1502, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508 and 103.1509.

Section 2. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.1500, 103.1501, 103.1502, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508, 103.1509 and 103.1510 to read as follows:

DIVISION 15

MID-CITY COMMUNITIES PLANNED DISTRICT

SEC. 103.1500 PURPOSE AND INTENT

The purpose of this District is to assist in implementing the goals and objectives of the adopted community plans for older, developed communities generally located east of Interstate 5 and south of Interstate 8 and to assist in implementation of the

Progress Guide and General Plan of the City of San Diego. These adopted community plans include the Mid-City Community Plan, the Greater North Park Community Plan and State University Community Plan.

Additionally, the purpose of this District is to accommodate commercial establishments that provide a full range of consumer goods and services and which are of a scale and design that is compatible with surrounding and planned development. The intent of the alternating scheme of commercial zones is to provide for distinctive nodes of high intensity, pedestrian-oriented development (CN Zones), interspersed with linear areas of multiple (commercial and residential) uses (CL Zones). In order to facilitate the economic development of commercial establishments, a provision is made for commercial expansion off of the main corridors (CN-T and CL-T Zones). It is also the purpose of this Division to encourage the development of quality multiple residential structures within the Mid-City, Greater North Park and State University communities, which relate in scale and design to the surrounding neighborhood, and provide an attractive street environment (MR Zones).

SEC. 103.1501 BOUNDARIES

The regulations which follow shall apply in the areas of the Mid-City and State University Community Planning Areas in the City of San Diego, California, designated on Map Drawings No. C-706.1, C-706.2, and C-712, and described in the appended boundary description filed in the office of the City Clerk under Document Nos. 00-16576, 00-16661 and 00-16646 and in the areas of the Greater North Park Community Planning Area in the City of San Diego, California, designated on Map Drawing No. C-738, and described in the appended boundary description filed in the office of the City Clerk under Document No. 00-~~16972~~.

SEC. 103.1502 ADMINISTRATIVE REGULATIONS

A. GENERAL PROVISIONS

1. The Planning Director shall administer the Mid-City Communities Planned District and ensure compliance with the regulations and procedures of this Section. In evaluating the appropriateness of any development for which a permit is applied under this Division, the Planning Director shall utilize the Mid-City and State University Community Plans and the following design studies for the review of development proposals in the Mid-City and State University communities: Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate Studies in Landscape Architecture; June, 1983), Design Manual for the Normal

Heights Demonstration Area, and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984); and The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick). The Planning Director shall utilize the Greater North Park Community Plan and the following design studies for review of development proposals in the Greater North Park community: The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick); and The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (the Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.).

2. The Department of Building Inspection and/or Engineering and Development Department shall not issue any permit for the erection, construction, conversion, establishment, alteration or enlargement of any building or structure, or for the grading of any site in the Mid-City Communities Planned District until approval of the Planning Director has been obtained by the applicant or owner. Each application for a permit shall state the intended purpose of the proposed building, structure or improvement. Approval of the Planning Director is not required for modifications, repairs, or other alterations which do not require a building permit.

3. The following Divisions of Chapter X in the San Diego Municipal Code apply to the Mid-City Communities Planned District, except where this Planned District Ordinance states otherwise. (Where there is a conflict, the provisions of the Planned District ordinance apply.)

Article 1: Divisions 1, 2, 3, Sections 101.0401, 101.0402, 101.0403, 101.0403.1, 101.0405, 101.0406, 101.0410 (paragraph M), 101.0452, 101.0454, and 101.0457 of Division 4, Divisions 5, 6, 7, 8, 11, 11.5, 12, 13, and 18;

Article 2: all;

Article 5: all.

Other provisions of Chapter X are superseded unless specifically referenced in this Planned District Ordinance.

4. Along Adams Avenue, auto repair nonconforming uses in the CN-3 and CL-4 zones may be continued, provided no enlargement or addition to such uses are made, except as may be permitted by a Mid-City Communities Development Permit.

5. Addition to Property with Legally Nonconforming Structure(s)

[In addition to those provisions in Chapter X, Article 1, Division 3, regarding nonconforming structures, the provisions outlined below apply where uses conform but structures do not conform to the Mid-City Communities Planned District requirements.]

Where an addition on a property with a legally nonconforming structure would create greater nonconformity in terms of diagonal plan dimension, coverage, or other developmental requirements, the Planning Director may nonetheless permit such an addition without requiring Administrative Review (Section 103.1502.B.) or a Mid-City Communities Development Permit (Section 103.1502.C.), subject to the following conditions and restrictions:

- o The addition must be to a property where there is no existing improvement benefitting from a previous variance or other property development exception.

- o No improvement on the property may have required Planning Director approval since the property was included in the Mid-City Communities Planned District, or its predecessor, the Mid-City Planned District.

- o The addition may not exceed 200 square feet in plan view, nor provide more than 200 square feet of roofed floor area, nor have any vertical or horizontal dimension greater than 24 feet.

- o The addition must observe all currently required setbacks.

- o All existing and new storage areas must be screened by fencing, walls or landscaping to the satisfaction of the Planning Director.

- o Any additional parking required by Article 1, Division 8, must be provided.

- o The Planning Director may require any additional landscaping that may be feasibly placed in the street yard or the adjacent right-of-way (parkway), up to the maximum current street yard point requirements.

6. In the case of adding units or other additions to one or two dwelling unit residential projects where the existing structures are legally nonconforming, and where any proposed additional units would not cause the project to exceed permitted density, the Planning Director shall not require existing structures to meet the requirements of this division.

B. ADMINISTRATIVE REVIEW

1. The Planning Director may conduct further review and grant exceptions from selected provisions of the Mid-City Communities Planned District Section 103.1500 without an advertised public hearing, when the application is for limited relief in the case of:

a. New construction or remodeling which would result in a finished project (all structures on the premises) deviating 20 percent or less from applicable development regulations (including, but not limited to, required yards, offsetting planes, diagonal plan dimension, coverage, and floor area ratio).

b. Walls or fences to exceed heights permitted by the zoning regulations.

c. Facade improvements and similar alterations to nonconforming structures which do not increase the building floor area and do not create above-grade pedestrian areas such as balconies.

2. The Planning Director shall in no case provide Administrative Review or grant exceptions when the application is for deviation from density, amount of parking, or use.

3. In all those cases listed in paragraph B.1. of this section, the Planning Director shall set a reasonable time for review and give notice thereof to the applicant.

4. The fee for an Administrative Review shall be equivalent to that of a Preliminary Project Review.

5. The decision of the Planning Director shall be based on substantial conformance with the regulations and the Purpose and Intent of the Mid-City Communities Planned District.

6. Should the Planning Director decide that approval may not be granted under the Administrative Review, the applicant may apply for a Mid-City Communities Development Permit.

C. MID-CITY COMMUNITIES DEVELOPMENT PERMIT

1. The following projects shall be required to obtain a Mid-City Communities Development Permit as described in this Division:

a. Residential and mixed residential/commercial projects which exceed the number of threshold dwelling units listed below. (However, in no case shall any project exceed the maximum number of dwelling units listed in the second column below.)

<u>Zone</u>	<u>Threshold Units</u>	<u>Maximum Units</u>
CN-1, CN-1T, CL-1, CL-1T	38	152
MR-800B	30	120
CN-2, CN-2T, CL-2, CL-2T, MR-1000B	22	66
CN-3, CN-3T, CL-3, CL-3T, CL-4, MR-1000	19	36
MR-1250B	16	32
MR-1500B	14	28
MR-1500, CL-5	11	22
MR-1750	9	18
MR-2500	4	5
MR-3000	3	4

b. Any project which utilizes the shared parking provision, as specified in Section 103.1509.C.4.

c. Any project which deviates from the development regulations of the Mid-City Communities Planned District and is not eligible for Administrative Review.

d. Any proposal which would expand a nonconforming auto repair use located along Adams Avenue in the CN-3 or CL-4 zones. In the review of the proposed expansion of nonconforming auto-repair uses along Adams Avenue, all existing and new storage areas shall be required to be screened by appropriate fences, walls or landscaping.

e. Any project which utilizes the zero foot side yard option as described in Section 103.1506.B.5(a).

2. Application (including required deposits) and procedures for a Mid-City Communities Development Permit shall be consistent with the Planned Residential Development Permit (Section 101.0900) for residential projects, and with the Planned Commercial Development Permit (Section 101.0910) for commercial and mixed commercial and residential projects.

3. If the Planning Director determines that the application is complete and conforms with all City regulations, policies, guidelines, design standards and density, the Planning Director shall grant, by resolution, a Mid-City Communities Development Permit if it is found from the evidence presented that all of the following facts exist:

a. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 103.1500), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate Studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.); and will not adversely affect the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan or the Progress Guide and General Plan of the City of San Diego; and

b. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable; and

c. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity; and

d. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

D. PUBLIC FACILITIES, STRUCTURES AND AREA

All public facilities, open spaces, streets, sidewalks, street furniture, street signs, lighting installations, and any incidental structures or monuments, shall conform to the purpose and intent of this Division, and shall be subject to the same regulations, conditions and standards established herein.

SEC. 103.1503 DEFINITIONS

It is intended that the definitions in Chapter X, Article 1, Division 1 and Division 7, Section 101.0703 (City-wide Landscaping Regulations) of the San Diego Municipal Code shall

apply except where a conflict exists with the definitions set forth in this Division. Where such a conflict exists, the definitions in this Division shall take precedence.

A. "ENCLOSED, ATTACHED PARKING" is, for purposes of this Division, a parking area within a building serving a primary permitted use. Enclosed attached parking is completely walled and roofed, except where, as an option, it has one open side if that side does not face a street.

SEC. 103.1504 COMMERCIAL NODES - CN-1, CN-2, CN-3, CN-1T, CN-2T AND CN-3T ZONES

A. PERMITTED USES

No building or improvement or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth in Section 103.1510 and as follows:

1. Residential development in accordance with the regulations of this District. This includes all permitted uses of the equivalent multi-family zones as established by the residential density provisions of Paragraph B.3. of this Section.

2. In the CN-3 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the table of permitted uses (Section 103.1510) provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.

3. In the commercial transition zones (CN-1T, CN-2T and CN-3T), commercial uses are permitted only if the lot fronts on Adams Avenue, El Cajon Boulevard, University Avenue, Lincoln Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, Collwood Boulevard, College Avenue or 70th Street. This provision includes lots which are legally consolidated in accordance with Section 102.0206 of this Code (Subdivision Regulations).

B. PROPERTY DEVELOPMENT REGULATIONS

1. Minimum Commercial Area

A minimum square footage of the ground floor shall be reserved for commercial use (other than parking facilities), said square footage to be calculated by multiplying the linear footage of all street frontage by 20.

2. Floor Area Ratio (FAR) and Coverage

a. There shall be a minimum coverage of 35 percent.

b. The permitted FAR for commercial development in any CN Zone except the CN-1 Zone is 0.75. The permitted FAR for the CN-1 Zone is 1.00. Each .01 of residential FAR in a commercial/residential project earns an additional .01 of commercial FAR, up to a maximum commercial FAR of 1.25. Enclosed, attached parking in the CN Zones is not included as part of the FAR.

c. There is no maximum FAR for residential development.

3. Residential Density

One dwelling unit is permitted for each "X" square feet of lot area shown in the third column below:

<u>Zone</u>	<u>Lot Size</u>	<u>One Unit per "X" sq. ft.</u>
CN-1, CN-1T	30,000 sq. ft or more	400
CN-1, CN-1T	less than 30,000 sq. ft	600
CN-2, CN-2T	10,000 sq. ft. or more	800
CN-2, CN-2T	less than 10,000 sq. ft.	1,000
CN-3, CN-3T	any size legal lot	1,000

4. Height Limits

For the CN-1T, CN-2T, and CN-3T Zones, the height limit shall be 40 feet, or 50 feet for portions of a building above enclosed attached parking.

5. Pedestrian Access

There shall be a building wall of at least 13 feet in height located within five feet of any street frontage property line, along not less than 65 percent of both the front and side street property lines. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians.

At least one separate pedestrian entry per street wall frontage shall be provided from the street into or through the commercial use.

6. Yard and Setback Requirements

a. Commercial, Residential and Mixed Commercial/Residential Development. No minimum front, side or rear yards are required unless:

(1) The property abuts residentially zoned property, in which case a six-foot interior side yard shall be provided adjacent to that property. Each story above the second shall be set back an additional three feet. The maximum total required setback shall be 15 feet. Also, a 10-foot front or street side yard shall be provided when that yard is adjacent to any residentially zoned property.

(a) Zero Yard Option. A building wall may be on a property line abutting MR-800B, MR-1000B, or MR-1000 zoned property. Any third story shall be set back at least six feet; each story above the third requires an additional three-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is fifteen feet.

7. The Special Regulations (Section 103.1507), the Design Standards (Section 103.1508), and the Curb Cuts, Driveways and Off-Street Parking Requirements (Section 103.1509) also serve to regulate development, as do all those divisions and section of Articles 1, 2 and 5 which are referenced in paragraph 103.1502.A.3.

**SEC. 103.1505 COMMERCIAL LINEAR ZONES - CL-1, CL-2, CL-3,
CL-4, CL-5, CL-1T, CL-2T, CL-3T**

A. PERMITTED USES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any provisions be used except as set forth in Section 103.1510 and as follows:

1. Residential development in accordance with the regulations of their district. This includes all permitted uses of the equivalent multi-family zones as established by the residential density provisions of Paragraph B.2. of this Section.

2. In the CL-4 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted,

established, altered or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the table of permitted uses (Section 103.1510) provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.

3. In the commercial transition zones (CL-1T, CL-2T, CL-3T), commercial uses are permitted only if the lot fronts on Adams Avenue, El Cajon Boulevard or University Avenue. This provision includes lots which are legally consolidated in accordance with Section 102.0206 of this Code (Subdivision Regulations).

B. PROPERTY DEVELOPMENT REGULATIONS

1. Floor Area Ratio (FAR) and Coverage

a. There shall be a minimum coverage of 20 percent.

b. There is no maximum FAR for residential development.

c. The permitted FAR for commercial development is specified below:

<u>Zone</u>	<u>FAR</u>
CL-1, CL-1T, CL-3, CL-3T	.25 and .50 (1)
CL-2, CL-2T	.25 and .50 (2)
CL-4, CL-5	.50

(1) To qualify for the higher allowance, a project must be -

o on a lot of at least 30,000 square feet, or

o on a lot within 300 feet of a designated FAR Bonus Intersection.*

(2) To qualify for the higher allowance, a project must be -

o on a lot of at least 30,000 square feet, or

o on a lot within 150 feet of a designated FAR Bonus Intersection.*

*FAR Bonus Intersections are shown on maps listed in SEC.103.1501; measurement is taken in a straight line from any portion of a subject lot to the closest corner at a Bonus Intersection.

d. On any lot within any CL zone, each .01 of residential FAR in a mixed-use project earns an additional .01 of commercial FAR, up to a maximum commercial FAR of 1.00.

2. Residential Density

One dwelling unit is permitted for each "X" square feet of lot area shown in the third column below:

<u>Zone</u>	<u>Lot Size</u>	<u>One Unit per "X" sq. ft.</u>
CL-1, CL-1T	30,000 sq. ft. or more	400
CL-1, CL-1T	less than 30,000 sq. ft.	600
CL-2, CL-2T	15,000 sq. ft. or more	600
CL-2, CL-2T	10,000 sq. ft. or more	800
CL-2, CL-2T	less than 10,000 sq. ft.	1,000
CL-3, CL-3T, CL-4	any size legal lot	1,000
CL-5	any size legal lot	1,500

a. Exception: In the CL-1 Zone on University Avenue between 28th Street and Georgia Street, one dwelling unit is permitted for each "X" square feet of lot area shown, based on the lot size and the land use constraints shown below:

<u>Zone</u>	<u>Lot Size and Use</u>	<u>One Unit per "X" sq. ft.</u>
CL-1	30,000 sq.ft. or more, commercial use prohibited (1)	400
CL-1	15,000 sq.ft. or more, commercial use permitted (1)	600
CL-1	less than 15,000 sq.ft., commercial use permitted	800

(1) Vehicular access for residential units must be provided via alleys and side streets and not from University Avenue.

3. Height Limits

a. In the CL-1 Zone, there is no height limit.

b. In the CL-1T, CL-2, CL-2T, CL-3, CL-3T, and CL-4 Zones, the height limit is 40 feet, or 50 feet for portions of a building above enclosed, attached parking.

c. For the CL-5 Zone, the height limit is 30 feet.

4. Commercial projects in the CL-4 Zone must meet one of two options: (a) parking is not permitted in the 50 percent of the parcel abutting the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements of the CL-4 Zone; or (b) there shall be a building wall of at least 13 feet in height located within five feet of any street frontage property line, along not less than 65 percent of both the front and side street property lines. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. In either option (a) or (b), at least one pedestrian entry per street wall frontage shall be provided from the street into or through the commercial use.

5. Yard and Setback Requirements

a. Commercial Projects. No front, side, or rear yards are required, except as follows:

(1) In the CL-1, CL-1T, CL-3 and CL-3T Zones, a 20-foot yard is required on the property line abutting El Cajon Boulevard. Off-street parking may be located within this yard.

(2) In the CL-1 Zone on University Avenue west of Idaho and 28th Streets, a 20-foot yard is required on the property line abutting University Avenue. Every story (or portion of a story) above the second shall be set back an additional six feet (calculated from the minimum requirement for the story below). The maximum required setback is 38 feet.

(3) In the CL-5 Zone, a 10-foot front yard and 10-foot street side yard are required.

(4) Where the property abuts residentially zoned property, a minimum six-foot yard shall be provided adjacent to that property. Each story above the second requires an additional three-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback is 15 feet.

(a) Zero Yard Option. Up to 100 linear feet of a building wall may be on a property line abutting MR-800B, MR-1000B or MR-1000 zoned property. Any third story shall be set

back at least six feet; each story above the third requires an additional three-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback shall be 15 feet.

b. Residential or Mixed Residential/Commercial Developments.

(1) Minimum Yard Dimensions (Linear Feet) and Setbacks

<u>Yard Location</u>	<u>CL-1, CL-1T Zones</u>
Front	6(d) (e)
Interior Side	0(b) (c)
Street Side	4(d)
Rear	4(b)

<u>Yard Location</u>	<u>CL-3, CL-3T Zones</u>
Front	6(d) (e)
Interior Side	6(a) (b)
Street Side	4(d)
Rear	4(b)

<u>Yard Location</u>	<u>CL-2, CL-2T, CL-4 Zones</u>
Front	6(d) (e)
Interior Side	6(a) (b)
Street Side	6
Rear	4(b)

<u>Yard Location</u>	<u>CL-5 Zone</u>
Front	10(e)
Interior Side	6
Street Side	10
Rear	4(b)

(a) Zero Yard Option. The zero yard option specified for commercial projects is also available for residential and mixed commercial/residential projects.

(b) Setbacks. Every story (or portion of a story) above the second shall be set back an additional three feet (calculated from the minimum requirement for the story below). The maximum required setback is 15 feet.

(c) If the property line abuts residentially zoned property, a six-foot yard shall be provided adjacent to that property.

(d) On property lines abutting El Cajon Boulevard, and on University Avenue west of Idaho and 28th Streets, a 20-foot yard is required, subject to the provisions specified in paragraph 5.a(1) and (2), above.

(e) With the exception of front setbacks abutting El Cajon Boulevard, every story (or portion of a story) above the second shall be set back an additional six feet (calculated from the minimum requirement for the story below). The maximum total required setback is 24 feet.

6. The Special Regulations (Section 103.1507), the Design Standards (Section 103.1508), and the Curb Cuts, Driveways and Off-Street Parking Requirements (Section 103.1509) also serve to regulate development, as do all those divisions and sections of Articles 1, 2 and 5 which are referenced in paragraph 103.1502.A.3.

**SEC. 103.1506 RESIDENTIAL ZONES - MR-3000, MR-2500,
MR-1750, MR-1500, MR-1500B, MR-1250B,
MR-1000, MR-1000B, MR-800B**

A. PERMITTED USES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth by permitted uses of equivalent multi-family zones, Section 101.0410, paragraphs B. and D. (i.e., MR-1000 is R-1000, MR-1000B is R-1000).

B. PROPERTY DEVELOPMENT REGULATIONS

1. Floor Area Ratio (FAR) and Coverage

The maximum FAR and coverage shall be as follows:

<u>Zone</u>	<u>Maximum FAR</u>	<u>Maximum Coverage</u>
MR-800B (a)	1.25	45%
MR-1000B	1.00	40%
MR-1000	.75	40%
MR-1250B	.75	40%
MR-1500B	.60	35%
MR-1500	.45	35%
MR-1750	.45	35%
MR-2500	.40	35%
MR-3000	.40	35%

Enclosed, attached parking may be excluded from the calculation of FAR and coverage. Additionally, an FAR bonus shall be provided equivalent to the area of enclosed, attached parking. Any portion of the building which covers enclosed, attached parking shall be excluded from the coverage calculation. (See Section 103.1503 for definition of "enclosed, attached parking".)

a. In the MR-800B Zone, the FAR bonus is limited to 25 percent of the enclosed attached parking area, and the FAR in the front 50 feet of a lot shall be limited to 0.75.

2. Residential Density

One dwelling unit is permitted for each "X" square feet of lot area shown in the third column below:

<u>Zone</u>	<u>Lot Size</u>	<u>One Unit per "X" sq. ft.</u>
MR-3000	any size legal lot	3,000
MR-2500	any size legal lot	2,500
MR-1750	any size legal lot	1,750
MR-1500	any size legal lot	1,500
MR-1500B	less than 10,000 sq.ft.	1,500 (a)
MR-1500B	10,000 sq.ft. or more	1,250 (b)
MR-1250B	less than 10,000 sq.ft.	1,250 (a)
MR-1250B	10,000 sq.ft. or more	1,000 (b)
MR-1000	any size legal lot	1,000
MR-1000B	less than 10,000 sq.ft.	1,000
MR-1000B	10,000 sq.ft. or more	800 (b)
MR-800B	less than 15,000 sq.ft.	800
MR-800B	15,000 sq.ft. or more	600 (b)

a. Remainder Lot Provision: If all properties abutting a MR-1500B or MR-1250B lot are developed at a density greater than one dwelling unit per 1,000 square feet, then the bonus density may be developed regardless of lot size.

b. The bonus density given for parcel accumulation may be used only if at least 90% of all required resident parking is either underground or enclosed within the rear 50 percent of the lot, or provided in some combination of those two formats.

3. Height Limits

<u>Zone</u>	<u>Height Limitation</u>
MR-800B	50'; 60' where a building is above enclosed attached parking
MR-1000, MR-1000B, MR-1250B	40'; 50' where a building is above enclosed, attached parking
MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000	30' (a)

(a) In the MR-2500 and MR-3000 Zones, the front 30 percent of the lot shall have a 16-foot height limit for all new construction of two or more units.

4. Yard and Setback Requirements

Minimum Size of Street Yard. In the MR-800B, MR-1000B, MR-1000, MR-1250B Zones, a street yard shall be provided at a minimum area calculated by multiplying the lot frontage by 20 feet. In the MR-1500B, MR-1500, MR-1750, MR-2500 and MR-3000 Zones, a street yard shall be provided at a minimum area calculated by multiplying the lot frontage by 25 feet.

In all residential zones, the required street yard shall not be measured beyond the front 70 feet or 50 percent of the lot depth, whichever is less, as measured from the front property line.

5. Minimum Yard Dimensions (Linear Feet) and Setbacks.

<u>Yard Location</u>	<u>MR-800B, MR-1000B, MR-1000, MR-1250B Zones</u>	<u>MR-1500B, MR-1500</u>	<u>MR-1750 MR-2500 MR-3000</u>
Front	6	8	10
Interior Side	6 (a) (b) (c)	6 (a) (b) (c)	6 (b) (c)
Street Side	6	8	8
Rear	1 (e), if alley 15, if no alley	1 (e) if alley 15, if no alley	4 (b), if alley 15, if no alley

a. Zero Yard Option. The zero foot size yard option shall only be granted through approval of a Mid-City Communities Development Permit. In the MR-1000B, MR-1000, MR-1250B, MR-1500B, and MR-1500 Zones, up to 60 linear feet of the interior side wall may be on the interior property line, provided that no single plane exceeds 30 feet and provided that access to the rear of the property from all units is provided and maintained. (Exception: A building wall in the rear 50 percent of a lot is not restricted to the thirty-foot single-plane limit.) Any third story shall be set back at least six feet; each story above the third requires an additional three-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is 15 feet.

In the MR-800B Zone, no building shall be developed on the interior property line in the front 50 percent of the depth of the lot. Up to 60 linear feet of the interior side wall may be on an interior property line, provided no single plane exceeds 30 feet. Any second story shall be set back at least six feet in the front 50 percent of the lot; each story above the third requires an additional three-foot setback per story.

b. Setback. Each story (or portion of a story) above the second shall be set back an additional three feet (calculated from the minimum requirement for the story below). The maximum total required setback is 15 feet.

c. Exception - Interior Side Yards. On lots less than 50 feet wide, each interior side yard shall be calculated as 12 percent of the lot width.

d. Corner lots. The minimum front and street side yards may not be utilized for location of structures within the triangular areas established by: (1) the street intersection corner of the lot and the points on the street property lines which are 25 feet from the intersection corner; and (2) the street-side

rear corner of the lot and the points on the rear property line and the street side property line that are 10 feet from the street-side rear corner.

e. Rear Yard. In the residential zones with densities equal to or greater than one dwelling unit per 1,500 square feet, a rear yard of one foot dimension is required. However, each story (or portion of a story) above the second shall be set back seven feet (calculated from the minimum requirement for the story below). The maximum required setback is 14 feet.

C. DIAGONAL PLAN DIMENSION

The Diagonal Plan Dimension regulations shall be used in all residential projects, except for lots equal to or less than 50 feet in width. The maximum diagonal plan dimension shall be measured between the two most extreme points on that floor of the habitable structure containing the most gross floor area (see Figure 2.). For lots where the depth is two and one-half times or more than the width (see Figure 3), the maximum diagonal plan dimension shall be measured between the first extreme building corner to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations. The modulation shall have a minimum four-foot differential and shall extend for a minimum of ten feet in length.

Maximum Dimension. The maximum diagonal plan dimension shall not exceed that numerical figure obtained from the percentage of the lot frontage as established below:

<u>Street Frontage of Lot (along front property line)</u>	<u>Maximum Diagonal Plan Dimension</u>
50 ft. or less	No maximum
Over 50 ft., but less than or equal to 100 ft.	100% of street frontage
Over 100 ft., but less than or equal to 200 ft.	85% of street frontage
Over 200 ft., but less than or equal to 300 ft.	70% of street frontage
More than 300 ft.	Subject to Mid-City Communities Development Permit

D. STREET DESIGN REQUIREMENTS

In the MR-1750, MR-2500 and MR-3000 zones, each residential building shall include at least three of the following architectural features:

1. A roofed entry element, that shall constitute part of the street wall line and provide access to the street yard.
2. Garage doors facing the street yard which are set back at least five feet from that portion of the street wall where the front entry is located, for lots without alley access.
3. A garden wall, not exceeding a height of three feet, equal in length to the street wall and enclosing at least 50 percent of the street yard.
4. A minimum of 20 percent street wall transparency (windows) at the first story.
5. A ground level, first floor that is at least 18 inches above finished grade.
6. A private exterior usable area (balcony) with a minimum net interior area of 100 square feet, facing the street yard.

E. MINIMUM AVERAGE UNIT FLOOR AREA

Residential developments shall provide an average minimum floor area of 600 square feet of net interior square footage per dwelling unit.

F. LANDSCAPING REQUIREMENTS

Residential development shall conform to current city-wide landscaping requirements, Section 101.0703 of the Municipal Code, for street yards or provide 80 percent street yard landscaping, whichever is greater. All other City-wide landscaping requirements per Section 101.0703 shall apply.

G. The Special Regulations (Section 103.1507), the Design Standards (Section 103.1508), and the Curb Cut, Driveways and Off-Street Parking Requirements (Section 103.1509) also serve to regulate development, as do all those divisions and sections of Articles 1, 2 & 5 which are referenced in paragraph 103.1502.A.3.

SEC. 103.1507 SPECIAL REGULATIONS

A. MINIMUM LOT DIMENSIONS AND AREAS

For subdivision purposes only, the minimum lot areas and dimensions shall be as follows:

<u>Zones</u>	<u>Lot Area</u> <u>(Square Feet)</u>	<u>Street</u> <u>Frontage</u>	<u>Dimensions</u> <u>(Linear Feet)</u>		<u>Depth</u>
			<u>Interior</u>	<u>Width</u> <u>Corner</u>	
CN-1, CN-1T, CN-2, CN-2T	10,000	100	100	100	100
CL-1, CL-1T, CL-2, CL-2T, CL-3, CL-3T, CN-3, CN-3T, CL-4, CL-5	5,000	50	50	50	100
All MR Zones	6,000	60	60	65	100

B. MAXIMUM LOT DIMENSIONS AND AREAS

In the MR-3000 and MR-2500 zones, lot consolidations created through maps or by means of building across property lines shall be prohibited without a Mid-City Communities Development Permit and the maximum lot width shall be 60 feet along the street frontage.

C. PRIVATE EXTERIOR USABLE AREA

1. Private exterior usable areas shall be provided for residential and mixed residential-commercial projects. Such areas shall be adjacent to and accessible from selected dwelling units. These areas shall be exclusive of public rights-of-way, shall have a minimum dimension of five feet and, in their entirety, shall have a natural or man-made gradient of 10 percent or less.

2. Private exterior usable areas shall have a minimum size of 25 square feet, with a project average of 50 square feet per dwelling unit. At least 50 percent of all units in a development shall have private exterior usable area.

3. In the MR-1500 zones and other zones that permit equal or higher residential densities, up to 50 percent of the requirement for private exterior usable area may be provided instead as common exterior usable area. However, for each two-square-foot reduction in private area, three square feet of common area must be provided. Common exterior usable areas must be open to the sky, no less than 1,500 square feet in area and must have a minimum dimension of 30 feet and a gradient of 10% or less. Trees and trellises are permitted in such areas.

D. SCREENING OF EQUIPMENT

No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearance similar to the main building.

E. REFUSE FACILITIES

Except for exclusively residential lots with no more than two dwelling units, a minimum of 32 square feet of on-site refuse collection area shall be provided on each lot or premises, and shall not be located in any front, street side, or street yard. Said area shall be screened by a solid fence or wall with a minimum height of six feet. In all cases where a lot or premises is served by an alley, all refuse collection areas shall be directly accessible to such alley. In all cases, refuse collection areas shall not be located on or interfere with pedestrian access or vehicular access to required on-site parking.

F. STORAGE FACILITIES

A minimum of 100 cubic feet of secured storage spaces accessible from a common circulation area or garage and not part of a habitable area shall be provided per dwelling unit.

G. COMMERCIALLY ZONED DEVELOPMENTS - WALLS

Prior to the use or occupancy of any premises, a wall not less than six feet in height shall be constructed along all portions of the perimeter of said premises that abut residentially zoned property except on public alleys; provided, however, that within any required front yard such wall shall not be required.

H. LIGHTING

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

I. SIGNS

[Subsections 1-3, below, are exceptions to the otherwise applicable regulations of the City-wide Sign Regulations.]

1. CL-1 and CL-3 Zones

Ground signs constructed along El Cajon Boulevard in accordance with paragraphs A-D of Section 101.1112 shall observe all setbacks established by map or zone except as specified in this paragraph. Ground signs shall not be permitted within rear yards or interior side yards. Ground signs placed in whole or in part within a front yard or street side yard shall be subject to the requirements of the table below. Ground signs placed within a front yard or street side yard shall be in lieu of, but not in addition to signs as permitted by paragraphs A-D of Section 101.1112. For those premises where multiple ground signs are permitted by Section 101.1112.A., ground signs within the required front or street side yard shall be subject to both the percentage limitation in the table below and the fifty percent limitation of Section 101.1112.A., cumulatively. Where a sole occupant elects to combine sign areas as provided in Section 101.1112.A. for signs within the front or side street yard, the combined area shall be subject to the percentage limitation in the table below.

Ground Signs within Front Yard and Street Side Yards

<u>Proximity to Right-of-Way</u>	<u>Max. Area Each Face</u>	<u>Maximum Height</u>
0'-10'	33% of Table 1*	5'-0"
10'-20'	66% of Table 1*	20'-0"

*Table 1 is located in Section 101.1112 of the Municipal Code.

2. CL-5 Zone

a. Wall signs as defined in Chapter X, Article 1, Division 11, are permitted, provided that no such sign shall project above the nearest parapet or eave of the building to which affixed.

Wall signs may be utilized to identify the uses of the premises, to offer the premises for sale, rent, or lease, to advertise products, services or events related to or provided by businesses, persons or organizations located on the premises, or to display public interest messages.

b. One wall or ground sign for each street frontage, having a maximum area of eight square feet, and designating the premises for sale, rent or lease shall be permitted.

c. The aggregate area of all signs permitted on the premises (excluding signs designating the premises for sale, rent or lease) shall not exceed five-tenths of a square foot for each linear foot of the street frontage of the premises, provided that the aggregate area of all signs used by a single place of business need not be less than 15 square feet.

No sign shall exceed five feet by 25 feet in maximum dimensions.

d. Signs permitted herein may be lighted; however, none shall contain visibly moving parts to be illuminated by flashing lights. No sign shall be lighted prior to 6:00 a.m. or after 12:00 midnight of any day.

3. Wall and Roof Sign on Legally Nonconforming Structures

A legally nonconforming structure serving permitted uses only is permitted the same wall and roof signage as would be allowed if the building observed all currently-required yards and other development standards.

4. Applicability of Chapter IX, Article 5

All signs shall also comply with the provisions of Chapter IX, Article 5, Division 1 of this Code.

J. REQUIRED STREET YARD AREAS - FENCES AND STRUCTURES

No solid fence or structure exceeding three feet in height may be placed in any required street yard area, except as specifically permitted in this Division.

SEC. 103.1508 DESIGN STANDARDS

A. OFFSETTING PLANES REQUIREMENT

1. For each entire property elevation facing a street, there shall be at least the following number of separate building planes:

<u>Length of Property Elevation</u>	<u>Minimum Number of Building Planes</u>
50 ft. or less	3
Over 50 ft., but less than or equal to 100 ft.	5
Over 100 ft., but less than or equal to 200 ft.	6

More than 200 ft.

An additional one plane for each 50 feet, or increment thereof, above 200 feet.

A separate building plane is distinguished by an average horizontal difference of four feet, measured perpendicular to the subject plane (see Figure 4). Building elements such as roofs with a minimum slope of 30 percent shall qualify as offsetting planes. For sloped roofs, the average horizontal difference of four feet is measured to the midpoint of the slope.

2. For residential development on lots 50 feet or greater in width, there shall be at least three separate building planes on each interior side elevation.

3. The proportions of the three building planes along each elevation shall meet the following criteria:

Percentage of 50 Foot Increment Building Elevation Area
Zones Minimum Area Maximum Area

MR-800B, MR-1000B, CN-1, CN-1T, CN-2, CN-2T, CL-1, CL-1T, CL-2, CL-2T	20%	60%
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MR-1000, MR-1250B, MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000 CN-3, CN-3T, CL-3, CL-3T, CL-4, CL-5	10%	50%
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B. TRANSPARENCY REQUIREMENT

1. For all commercial or mixed-used projects in the CN zones and for any such projects in the CL zones that have building walls 15 feet or less from a street property line, a minimum of 50 percent of street wall area at the ground floor level shall be transparent. This may include all types of nonreflective windows and openings, with a light transmittance factor no less than 75 percent.

a. Exception. The minimum transparency requirement shall not apply to auto repair facilities with service bays facing a street for that portion of the street wall occupied by the service bays.

2. In all residential projects, an average minimum of 15 percent of each story's street wall shall be transparent (such as windows).

3. No window or other transparency in a garage or similar area shall qualify toward the minimum transparency requirement in any zone.

SEC. 103.1509 CURB CUTS, DRIVEWAYS AND OFF-STREET PARKING REGULATIONS

A. CURB CUTS AND DRIVEWAYS

Curb cuts and driveways are restricted in the following instances:

1. No driveway shall be located on Adams Avenue, El Cajon Boulevard, Park Boulevard, or University Avenue when the lot or premises is served by an alley or alternate street, except as follows:

a. In all CL zones, lots which have alternate access only from a rear alley are permitted one driveway on the above-referenced streets.

b. Any lot which has 150 feet or more in frontage on the above-referenced streets is permitted one driveway for each 150 feet of frontage.

2. For lots in the CN-1 Zone which do not have access to a street or alley other than to University Avenue west of I-805, parking shall not be required and curb cuts shall not be permitted.

3. For lots in the central business district of North Park, curb cuts are not permitted on the north side of University Avenue between Utah Street and Iowa Street, nor between Granada Avenue and 31st Street on the south side of University.

4. In all MR-3000 and MR-2500 zones, any lot served by an alley must use that alley as its sole means of parking access, except where an existing driveway may be used to provide access to an additional unit.

B. MAXIMUM DRIVEWAY WIDTH AND PLACEMENT

1. The charts below indicate minimum and maximum permitted driveway widths in the Mid-City Communities Planned District, as measured at the street property line and at the minimum front or street-side setback.

a. Residential Projects

<u>Number of Parking Spaces Accessed by Driveway</u>	<u>Minimum Width</u>	<u>Maximum Width</u>
1-8	12'-0"	16'-0"
9-19	16'-0"	18'-0"
20+	18'-0"	20'-0"

b. Commercial and Mixed Commercial/Residential Projects

<u>Number of Parking Spaces Accessed by Driveway</u>	<u>Minimum Width</u>	<u>Maximum Width</u>
1-49	18'-0"	24'-0"
50+	24'-0"	30'-0"

c. Exception. Where the Planning Director determines that two-way driveways are necessary to provide safe access to and from a street, the maximum width for residential project driveways may be increased.

2. In all zones of the Mid-City Communities Planned District, there shall be no less than 45 feet between driveways serving the same premises (as measured at the property line).

In the MR zones, driveways shall be located so as to provide at least one on-street parking space for each 50 feet of the premises frontage. The on-street parking space must be at least 20 feet in length (as measured along a full-height curb). Alternative driveway spacing may be approved by the Planning Director and City Manager if such alternative will result in a maximum number of on-street parking spaces being provided.

C. PARKING REQUIREMENTS

Every premises used for one or more of the permitted uses shall be provided with a minimum of permanently maintained off-street parking spaces in a parking area or private garage on the same premises, as follows:

1. RESIDENTIAL PARKING REQUIREMENTS

The parking requirements for residential projects and for residential portions of mixed commercial/residential projects (CN and CL zones) are specified below:

a. Resident Parking Requirement

(1) For premises with two or more dwelling units - 1.0 on-site spaces for each studio unit, 1.4 on-site spaces for each one-bedroom dwelling unit, 2.0 on-site spaces for each two-bedroom or more dwelling unit.

(2) An entire tandem parking space must be assigned to only one unit but will count toward satisfying the total resident parking requirement. Every unit must have at least one independently accessed on-site parking space.

b. Supplemental Parking Requirement

(1) For premises with two or more dwelling units, the number of supplemental spaces required is one-third the number of resident spaces required.

(2) Tandem spaces cannot be used to count toward the supplemental parking requirement.

(3) The supplemental parking requirement may be met on-site and by one or more parking spaces which completely abut the subject property's street frontage and are within a local street that is improved to City standards for on-street parking.

c. Transit Reduction

For premises with two or more dwelling units, the supplemental parking requirement may be reduced by 50 percent for that portion of the development located within the transit corridors as delineated on Figures 5, 6 and 7.

d. Shared Parking Reduction

(1) For premises with two or more dwelling units and located within a mixed-use development - the supplemental parking requirement may be met by a shared parking plan. The shared parking agreement must be filed with the City and the associated project shall be subject to a Mid-City Development Permit.

(2) This reduction may be used in lieu of the transit reduction for supplemental spaces. The shared parking reduction and transit reduction cannot be used in conjunction with each other.

e. Required Motorcycle and Bicycle Parking

(1) For premises with two or more dwelling units, motorcycle parking shall be provided at a rate of one space per ten required resident parking spaces.

(2) Secured bicycle storage shall be provided in an amount equal to one-half the number of required resident parking spaces.

(3) Motorcycle parking and bicycle storage shall be conveniently dispersed throughout the development.

f. Garage Dimensions. For one-car or two-car garages, all parking spaces enclosed by a garage shall have a minimum width of 8-1/2 feet and a minimum depth of 20 feet, accommodating standard rather than compact vehicles. If a two-car, tandem garage is utilized, the length of the garage can accommodate one standard and one compact car.

2. CN-1, CN-1T, CN-2, CN-2T, CL-1, CL-1T, CL-2, CL-2T, CL-3, CL-3T AND CL-5 ZONES/PARKING REQUIREMENTS FOR NONRESIDENTIAL USES

a. For hotels and motels - one parking space for each guest room.

b. For private clubs and similar establishments - one parking space for each guest room or one parking space for each 400 square feet of gross floor area, whichever is greater.

c. For theaters, other than drive-in theaters, and places of assembly not otherwise provided for in

this Section - one parking space for each 21 square feet of gross floor area in assembly rooms.

d. For other permitted uses - one parking space for each 400 square feet of gross floor area.

e. For lots in the CN-1 Zone which do not have access to a street or alley other than to University Avenue west of I-805, parking shall not be required and curb cuts shall not be permitted.

f. In the CL-1 Zone on University Avenue between 28th Street and Georgia Street, vehicular access for residential units must be provided via alleys and side streets and not from University Avenue for all projects which equal or exceed one dwelling unit per 600 square feet of lot area.

3. CN-3, CN-3T AND CL-4 ZONES/PARKING REQUIREMENTS FOR NONRESIDENTIAL USES

a. Commercial projects in the CL-4 Zone, must meet one of two options: (a) parking is not permitted in the 50 percent of the parcel abutting the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements of the CL-4 Zone; or (b) there shall be a building wall of at least 13 feet in height located within five feet of any street frontage property line, along not less than 65 percent of both the front and side street property lines. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. In either option (a) or (b), at least one pedestrian entry per street wall frontage shall be provided from the street into or through the commercial use.

b. For lots or parcels which abut an alley:

(1) For lots or parcels with 200 feet or less of alley frontage - one parking space per full ten feet of alley frontage with access only from the alley.

(2) For lots or parcels with more than 200 feet of alley frontage:

(a) For private clubs and similar establishments - one parking space for each guest room or one parking space for each 200 square feet of gross floor area, whichever is greater.

(b) For commercial retail and service establishments - one parking space for each 800 square feet of gross floor area.

(c) For restaurants and similar establishments - one parking space for each 800 square feet of gross floor area.

(d) For office establishments, including banks and financial institutions - one parking space for each 800 square feet of gross floor area; provided, however, that the requirement shall be one parking space for each 1,600 square feet for any such establishment or portion thereof located on the second or higher story.

(e) For other uses - one parking space for each 400 square feet of gross floor area.

c. For lots or parcels which do not abut an alley:

(1) For lots or parcels of 100 feet or less in street frontage there shall be no required parking; no curb cuts or parking on the premises shall be permitted.

(2) For lots or parcels of more than 100 feet in street frontage, minimum parking shall be provided in accordance with the requirements of paragraph 3.a.(2) of this section; provided, however, that open parking shall be restricted in the front portion of the premises in the CL-4 Zone as described in the regulations for that zone.

SEC. 103.1510 COMMERCIAL ZONES - PERMITTED USES (5)*

No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor be used except for one or more of the purposes indicated in the following chart. No use may be conducted outdoors on any premises except as indicated by footnote #4, or by specific reference.

*Identifies footnote.

PERMITTED USES	CN-1, 2	CL-2 (7)	CN-3 (2)	CL-5 (7)
	CL-1 (6)		CL-4 (2)	
Advertising, secretarial & telephone answering services	X	X		
Antique shops	X	X	X	
Apartments (subject to specific zone limitations)	X	X	X	X
Apparel shops	X	X	X	X
Art stores and art galleries			X	
Automobile & truck sales, rental agencies (usable vehicles only)	X ⁽⁴⁾	X ⁽⁴⁾		
Automobile wash establishments	X	X		
Automobile paint & repair shops, including body and fender work if entirely within enclosed building	X	X		
Bakeries	X	X	X	X
Banks, including branch banks, and other similar financial institutions	X	X	X	
Barber and beauty shops	X	X	X	X
Bicycle shops	X	X	X	X
Boat sales agencies	X ⁽⁴⁾	X ⁽⁴⁾		
Book stores (No adult book stores shall be permitted in the CL-5 Zone)	X	X	X	X
Building materials stores, provided that open storage areas are completely enclosed by walls or buildings or a combination thereof; said walls and buildings shall be not less than six feet in height, and provided also				

PERMITTED USES	CN-1,2			
	CL-1 (6)		CN-3 (2)	
	CL-3	CL-2 (7)	CL-4 (2)	CL-5 (7)

there shall be no outdoor storage of merchandise, material, equipment or other goods to a height greater than that of any enclosing wall or building.

X X

Business and professional office uses (not including hiring halls in the CL-5 Zone). (Such uses may include accountants, advertising agencies, architects, attorneys, contractors, doctors, engineers, financial institutions, insurance agencies, medical clinics (no overnight patients), photographers, real estate brokers, securities brokers, surveyors and graphic artists.)

X(1) X(1) X(1) X(1)

Business machine sales display and service

X X

Cleaning and dyeing works, including rugs, carpets and upholstery if entirely within an enclosed building with not more than ten employees

X(3) X(3) X

Confectioneries

X X X X

Curtain and drapery and upholstery shops

X X X X

Custom shop for curtains, draperies, floor coverings, upholstery and wearing apparel

X(3) X(3)

Dairy stores, including drive-in

X X

Drafting and blueprint services

X X

PERMITTED USES	CN-1,2	CL-2 (7)	CN-3 (2)	CL-5 (7)
	CL-1 (6)		CL-4 (2)	
Drug stores	X	X	X	X
Dry cleaning establishments (no truck delivery of finished cleaning)	X	X		X
Dry cleaning and laundry establishments (also includes self-service)	X	X	X	X
Dry good stores	X	X		
Electronic data processing, tabulating, and record keeping services	X	X		
Employment agencies	X	X		
Equipment and tool rental establishments (no man- ridden equipment)	X	X		
Feed stores	X	X		
Florists	X	X	X	X
Food stores	X	X	X	X
Frozen food lockers	X	X		
Funeral parlors	X	X		
Furniture stores	X	X		
Gymnasium and Health studios	X	X	X	
Hardware stores	X	X		X
Hardware stores, excluding the sale of used building materials, used appliances and used plumbing supplies			X	
Hobby shops	X	X	X	X
Hotels, Motels, and time share projects	X	X		
Ice delivery stations	X	X		

PERMITTED USES	CN-1,2		CN-3 (2)	CL-5 (7)
	CL-1 (6)	CL-2 (7)		
	CL-3		CL-4 (2)	
Interior decorators	X	X	X	
Jewelry stores	X	X	X	X
Labor unions (no hiring halls) and trade associations	X	X		
Laundries if entirely within an enclosed building with not more than ten employees	X ⁽³⁾	X ⁽³⁾		
Leather goods and luggage shops	X	X		
Lithography shops	X ⁽³⁾	X ⁽³⁾		
Liquor stores	X	X	X	
Locksmith shops	X	X		
Medical appliance sales	X	X		
Medical, dental, biological and X-ray laboratories	X	X		
Moving and household storage facilities	X	X		
Music stores	X	X	X	
Newspaper plants	X	X		
Nurseries - plants	X ⁽⁴⁾	X ⁽⁴⁾	X ⁽⁴⁾	X ⁽⁴⁾
Office furniture and equipment sales	X	X		
Paint and wallpaper stores	X	X	X	X
Parking lots - commercial	X	X		
Parking lots and facilities if accessory to a permitted primary use, on the same premises, except that facilities completely below grade need not be accessory			X	
Pawn shops	X	X		

PERMITTED USES	CN-1,2		CN-3 (2)		CL-5 (7)
	CL-1 (6)	CL-2 (7)	CL-4 (2)	CL-3	
Pet shops	X	X			
Pharmacies	X	X			
Photographic studios and retail outlets			X		
Photographic studios	X	X			X
Photographic equipment, supplies, and film processing stores	X	X			
Plumbing shops, provided that any open storage areas are completely enclosed by walls, or buildings, or a combination thereof, not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods, to a height greater than that of any enclosing wall or building	X ⁽³⁾	X ⁽³⁾			
Post offices	X	X			
Private clubs, fraternal organizations and lodges	X	X	X		X
Public utility electric substations, gas regulators and communications equipment buildings developed in accordance with building and landscaping plans approved by the Planning Director	X	X			
Radio and television broadcasting studios	X	X			
Radio, television and home appliance repair shops	X	X	X		X
Recreational facilities, including Bowling lanes, miniature golf courses, skating rinks, gymnasiums, and health centers	X	X			

PERMITTED USES	CN-1, 2		CN-3 (2)	
	CL-1 (6)	CL-2 (7)	CL-4 (2)	CL-5 (7)
Restaurants (in the CL-5 Zone, excluding drive-in and drive-thru restaurants and further excluding live entertainment and sale of all intoxicating beverages except beer and wine)	X ⁽⁴⁾	X ⁽⁴⁾	X ⁽⁴⁾	X ⁽⁴⁾
Rug and carpet stores			X	
Shoe stores	X	X	X	X
Shoe repair shops	X	X	X	X
Sporting goods stores	X	X	X	
Stationers	X	X	X	X
Storage garages	X	X		
Studios for teaching of art, dancing and music	X	X	X	X
Theaters, nightclubs and bars, with or without live entertainment, or any combination thereof (not permitted except by Conditional Use Permit if the size of the establishment exceeds 5,000 square feet in gross floor area).	X	X	X	
Tire sales, repair and recapping establishments, if entirely within an enclosed building	X	X		
Trade and business schools	X	X		
Trailer sales agencies	X	X		
Transportation terminals	X	X		
Travel bureaus	X	X		
Variety stores	X	X	X	X
Wedding chapels	X	X		

PERMITTED USES	CN-1,2 CL-1 (6) CL-3	CL-2 (7)	CN-3 (2) CL-4 (2)	CL-5 (7)
Wholesaling or warehousing of goods and merchandise, provided that the floor area occupied for such use per establishment does not exceed 5,000 square feet	X	X		
Construction of cabinets and shelves, and musical instruments, or other wood working		X (3)		X (3)
Construction of windows, doors and screens		X (3)		X (3)
Manufacturing of mattresses, chair upholstery and awnings		X (3)		X (3)
Repair of tools, machinery and electronic equipment		X (3)		
Public parks and playgrounds	X	X	X	X
Residential development in accordance with the regulations of this District, according to the permitted densities of equivalent multi-family zones as specified in Section 101.0410 of this Code (e.g., one dwelling unit per 600 square feet = R-600)	X	X	X	X
Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of the particular zone in which it would be located. The adopted resolution embodying such finding shall be filed in the office of the City Clerk	X	X	X	X

	CN-1, 2		CN-3 (2)		
	CL-1 (6)				
PERMITTED USES	CL-3	CL-2 (7)	CL-4 (2)		CL-5 (7)

Accessory uses as follows:

- | | | | | | |
|--|---|---|---|--|---|
| o Signs constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated, and abated in accordance with the regulations as set forth in Section 101.0426.B.8. (City-wide CN Zone) subject to Section 103.1507.H. | | | | | X |
| o Signs constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with the regulations as set forth in Chapter X, Division 11 (City-wide sign ordinance) subject to Section 103.1507.H. | X | X | X | | |
| o Accessory uses determined by the Planning Director to be appropriate in character and placement in relationship to a primary use | X | X | X | | X |

Footnotes

- (1) Such lot or parcel may not be used by one or more practitioners who, among them, medically treat, or medically or psychologically counsel, on a group or individual basis, five or more persons in one calendar year who have committed, been charged by criminal indictment or complaint or convicted of a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a., 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment of recodification of any such sections, if such premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Section 101.0510 C.1 a, j, and n and Section 101.0510 C.3 b, d, i, k, and m, or the office use shall become a nonconforming use and be subject to

Section 101.0303. This restriction applies only to medical and counseling services which are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections. Court ordered forensic evaluations are exempt services.

- (2) a. No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the table above; provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area; and, further provided, that no premises shall contain drive-in facilities except through a Mid-City Communities Development Permit.
 - b. All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed below shall be operated entirely within enclosed buildings. The following listed merchandise sold or rented on the premises may be displayed outdoors without screening walls or fences except along common property lines of abutting residentially-zoned lots:
 - 1) Flowers and plants.
 - 2) Food products.
 - 3) Handcrafted products and goods.
 - 4) Artwork and pottery
 - c. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
 - d. No mechanical equipment, tank duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to main building.
- (3) The floor area of any establishment may not exceed 5,000 square feet.
 - (4) Indicated use may be conducted outside a fully enclosed building.
 - (5) In the commercial transition zones (CN-1T, CN-2T, CN-3T), commercial uses are only permitted if the lot fronts on Adams Avenue, El Cajon Boulevard, University Avenue, Lincoln Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, Collwood Boulevard, College Avenue, or 70th Street. This provision includes lots which are legally consolidated in accordance with Section 102.0206 of this Code (Subdivision Regulation).

(6) Commercial uses in the CL-1 Zone are restricted along University Avenue between 28th Street and Georgia Street in accordance with Section 103.1505.B.2.a.

(7) SPECIAL REGULATIONS: CL-5 & CL-2 (AT TEXAS AND UNIVERSITY)


No permitted use shall commence operating prior to 6:00 a.m. nor continue later than 12:00 midnight of any day.

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

Section 3. Projects permitted under Mid-City Development Permits, Planned Residential Development Permits, or Conditional Use Permits approved prior to the effective date of this ordinance may develop in accordance with the provisions of the approved permit; provided, however, that any requested amendments to approved permits shall be subject to the provisions of this ordinance.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to September 3, 1987.

APPROVED: JOHN W. WITT, City Attorney

BY 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
09/14/87
09/25/87 Rev. 1
09/30/87 Rev. 2
10/14/87 Rev. 3
10/29/87 Rev. 4
Or.Dept:Plan.
O-88-47
Form=o.code
Prep.Plan.

530

NOV 2 1987

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 20 1987

NOV 2 1987

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16972 Adopted NOV 2 1987

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1987 NOV 20 PM 1:59
SAN DIEGO, CALIF.

CF

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: JUNE A. BLACKNELL

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION
15, OF THE SAN DIEGO MUNICIPAL CODE

I, THOMAS D. KELLEHER, am a citizen
of the United States and a resident of the County aforesaid; I am over the
age of eighteen years, and not a party to or interested in the above-entitled
matter. I am the principal clerk of the San Diego Daily Transcript, a
newspaper of general circulation, printed and published daily, except
Saturdays and Sundays, in the City of San Diego, County of San Diego, and
which newspaper has been adjudged a newspaper of general circulation by
the Superior Court of the County of San Diego, State of California, under
the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16972 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 103.1500, 103.1501, 103.1502, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508, 103.1509 AND BY ADDING SECTIONS 103.1500, 103.1501, 103.1503, 103.1504, 103.1505, 103.1506, 103.1507, 103.1508, 103.1509 AND 103.1510 RELATING TO THE MID-CITY COMMUNITIES PLANNED DISTRICT.

This ordinance changes the title of the Division and adds the Greater North Park Community Planning Area to the area to which the provision of the ordinance applies. The ordinance adds provisions relating to nonconforming uses. The thresholds for the application of the Mid-City Communities Development Permit are revised. Findings which are to be made before the issuance of a permit are revised. Editorial revisions are made to conform the definitions of provisions to those utilized city-wide. Floor Area Ratio calculation provisions are revised. Pedestrian access provisions are added. Residential density provisions are added for the CL-1 area on University Avenue, between 28th Street and Georgia Street. Height limits in the CL Zones are revised. Yards and setbacks for commercial projects are added and revised. Residential and Mixed Residential/Commercial yards and setbacks are revised. Four new residential zones are added. Floor Area Ratios for residential projects are revised. Sign provisions are added. Offsetting plane and transparency requirements are revised. Curb cut and driveway provisions are added and existing provisions revised. Parking requirements are revised.

Introduced on OCT 20 1987
Passed and adopted by the Council of The City of San Diego on NOV 2 1987
AUTHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
By JUNE A. BLACKNELL, Deputy.
Pub November 19 95447

ORDINANCE NUMBER O-16972 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

NOV. 16

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 16 NOV. 87 day of , 19

(38 x 58 x 2 = 77448) Thomas D. Kelleher
3.5" x 2 x 10.282 \$ 7546
(Signature)