

ORDINANCE NUMBER O- 17307 (NEW SERIES)

ADOPTED ON MAY 30 1989

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.1503; BY AMENDING AND RENUMBERING SECTIONS 103.1500, 103.1501, 103.1502, 103.1504, 103.1505, 103.1506, 103.1510; BY AMENDING, CONSOLIDATING AND RENUMBERING SECTIONS 103.1507 AND 103.1508; BY AMENDING, SEPARATING AND RENUMBERING SECTION 103.1509; AND BY ADDING SECTIONS 103.1506, 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 amending Section 103.1503, to read as follows:

SEC. 103.1503 DEFINITIONS

It is intended that the definitions in Chapter X, Article 1, Division 1 all sections 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 PARKING" is, for purposes of this Division, a parking area within a building serving a primary permitted use. Enclosed parking is completely walled and roofed, except where, as an option, it has one open side provided that side does not face a street.

B. GROSS FLOOR AREA

The total horizontal area expressed in square feet, of all the floors of a building included within the surrounding walls, including shafts, enclosed exterior stairwells, and aboveground parking structures.

Gross floor area shall include:

1. Enclosed exterior stairwells, aboveground parking structures and exterior elevator shafts.
2. The floor area of mezzanines and other similar interior balconies.
3. Exterior balconies, entrances, porches, canopies, rigid awnings, stoops, openly supported terraces, openly supported stairways, and sun baffles or shades which are constructed and maintained with less than 40 percent of the vertical surface permanently open.
4. Half stories (attics) (SEC. 101.0101.65, and when not used for parking, basements (SEC. 101.0101.68), and cellars (SEC. 101.0101.69).
5. Penthouses (SEC. 101.0101.71), except when specifically excepted by the provisions of SEC. 101.0101.62 HEIGHT (BUILDING), shall be included in gross floor area.

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

amending Section 103.1503, to read as follows:

SEC. 103.1501 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, the State University Community Plan and the Uptown 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 "Commercial Node" zones), interspersed with linear areas of multiple (commercial and residential) uses with either an automobile orientation (CL "Commercial Linear" zones) or pedestrian-orientation (CV "Commercial Village" zones). In addition, businesses and professional offices and allied services are provided for in areas adjacent to commercial or institutional

areas (NP "Neighborhood Professional Commercial Office" zones). In order to facilitate the economic development of commercial establishments, a provision is made for commercial expansion off of main corridors (CN-T, CL-T, CV-T and NP-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, State University and Uptown communities, which relate in scale and design to the surrounding neighborhood, and provide an attractive street environment (MR zones).

More detailed purpose and intent statements are located within the sections describing each of the zones.

SEC. 103.1502 BOUNDARIES

The regulations which follow shall apply in the following community plan areas in the City of San Diego, California, designated on the following Map Drawings, and described in the appended boundary description filed in the office of the City Clerk under the following Document Numbers:

TABLE FOR SECTION 103.1502

Community Plan Area	Map Drawing Number	Document Number
Mid-City and State University	C-706.1, C-706.2, C-712	00-16576, 00-16661, 00-16646

Greater North
Park

C-738

00-16972

Uptown

C-780.2

00-17306

SEC. 103.1504 PROJECT REVIEW REGULATIONS

A. ADMINISTRATOR

The Planning Director shall administer the Mid-City Communities Planned District and ensure compliance with the regulations and procedures of this Section.

1. Mid-City and State University Community Plan Areas. 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:

a. **Mid-City Design Plan** (California State Polytechnic University, Pomona; Graduate Studies in Landscape Architecture; June, 1983)

b. **Design Manual for the Normal Heights Demonstration Area, and the City Heights Demonstration Area** (HCH Associates and Gary Coad; April, 1984)

c. **The Design Study for the Commercial Revitalization of El Cajon Boulevard** (Land Studio, Rob Quigley, Kathleen McCormick).

2. Greater North Park Community Plan Area.

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:

a. The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick)

b. The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.)

3. Uptown Community Plan Area. The Planning Director shall utilize the Uptown Community Plan and the Sears Site Development Program (Gerald Gast, Williams-Kuebelbeck) for review of development proposals in the Uptown Community.

B. PLANNING DIRECTOR APPROVAL REQUIRED

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, and shall specify the applicable zone and previously issued permits. Approval of the Planning Director is not required for modifications, repairs, or other alterations which do not require a building permit.

C. OTHER PLANNING AND ZONING REGULATIONS WHICH APPLY

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, 101.0402.1, 101.0402.2 101.0403, 101.0403.1, 101.0405, 101.0406, 101.0410 (Paragraphs K and M), 101.0410 (Paragraph M), 101.0445, 101.0452, 101.0454, 101.0457, 101.0460, and 101.0462 of Division 4; Divisions 5, 6, 7, 8, 11, 11.5, 12, 13, 18, and 19;

Article 2: all;

Article 5: all.

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

D. EXCEPTION: FLOOR AREA ADDITIONS 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.]

1. Where an addition of floor area 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 103.1504.G.) or a Mid-City Communities Development Permit (Section 103.1504.H.), 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 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.

2. Where a use for a single-room occupancy hotel or historic structure designated by the Historical Site Board conforms to the Mid-City Communities Planned District requirements but a structure does not conform, the Planning Director may nonetheless permit repair and rehabilitation of a nonconforming structure without requiring Administrative Review (Paragraph 103.1504G) or a Mid-City Communities Development Permit (Paragraph 103.1504H), subject to the Planning Director's finding that there is no addition of floor area and no expansion of the use or structure. Division 3, Article 1 of Chapter X of the San Diego Municipal Code is superseded by the provisions of this paragraph.

E. EXCEPTION: FLOOR AREA ADDITIONS TO ONE OR TWO-UNIT PROJECTS

In the case of adding units or other floor area 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.

F. ALTERNATIVE COMPLIANCE FOR USES PERMITTED IN SINGLE FAMILY ZONES

Projects which meet all requirements of the R1-5000 zone (Section 101.0407) are exempt from the requirements of this District.

G. ADMINISTRATIVE REVIEW

1. The Planning Director may conduct further review and grant exceptions from provisions of the Mid-City Communities Planned District Section 103.1501 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 structure 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.

d. Sidewalks to vary from
Section 103.1512.C.

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 G.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 Concept 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.

H. 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 or the gross square footage of floor area (where applicable) listed below.

TABLE FOR SECTION 103.1504.H.

Zone	Threshold Gross Floor Area	Threshold Lots Greater Than 100 Feet in Depth	Units Lots Less Than or Equal to 100 Feet in Depth
CN-1, CN-1A	75,000	38	31
CN-2, CN-2A	50,000	22	16
CN-3	25,000	19	14
CN-4	25,000	19	14
CL-1	50,000	38	31
CL-2	50,000	22	16
CL-3	50,000	19	14
CL-5	25,000	11	8
CL-6	25,000	11	8
CV-1	50,000	38	31
CV-2	25,000	22	16
CV-3	25,000	19	14
CV-4	50,000	11	8
NP-1	25,000	22	16
NP-2	25,000	19	14
NP-3	25,000	11	8
MR-400		38	31
MR-800B		30	21
MR-1000B		22	16
MR-1000		19	14
MR-1250B		16	11
MR-1500B		14	10
MR-1500		11	8
MR-1750		9	7
MR-2500		4	4

b. Any project which utilizes the shared parking provision, as specified in Section 103.1513.A.1.d.

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 legal nonconforming auto repair use located along Adams Avenue in the CN-3 or CV-3 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.

Where a use for a single-room occupancy hotel or historic structure designated by the Historical Site Board conforms to the Mid-City Communities Planned District requirements but a structure does not conform, the Planning Director may nonetheless permit repair and rehabilitation of a nonconforming structure without requiring Administrative Review (Paragraph 103.1504G) or a Mid-City Communities Development Permit (Paragraph 103.1504H), subject to the Planning Director's finding that

there is no addition of floor area and no expansion of the use or structure. Division 3, Article 1 of Chapter X of the San Diego Municipal Code is superseded by the provisions of this paragraph.

e. Any project which utilizes the zero-foot side yard option as described in Sections 103.1505.C.6, 103.1507.C.8., 103.1508.C.4.a, 103.1508.C.4.b., 103.1509.C.7.a.(1) and 103.1510.C.5.

f. Mixed residential/commercial projects in which a portion of the commercial use is located in a residential (MR) zone.

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 also found from the

evidence presented that all of the following facts exist:

a. Conformance With Community Plan and Design Manuals. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 103.1501), 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 Uptown 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.); **Sears Site Development Program** (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown

Community Plan or the Progress Guide and General Plan of The City of San Diego; and

b. Compatibility with surrounding development. 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. No Detriment to Health, Safety and Welfare. 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.

I. 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.

J. DEMOLITION PERMITS

This paragraph shall cease to be in force and effect 12 months after the effective date of this ordinance.

For that area west of Fairmount Avenue, Aldine Drive and Euclid Avenue; and north of Home Avenue, I-805, Upas Street and I-5, no permits shall be issued for the demolition and/or removal of any building or structures, unless the application for the permit has been approved by the Planning Director. If any structure or building is intentionally demolished or substantially damaged without obtaining a demolition permit, a building permit for that site will not be issued for a period of one year or a previously issued permit may be revoked for the period of one year; if the structure was a designated historic site, a permit will not be issued for two years or a previously issued permit may be revoked for the period of two years. The Planning Director shall approve such an application for a demolition permit if it is determined that the structure in question is not a potential historical structure. The Planning Director shall make the determination within ten (10) working days of the receipt of the application. If the Planning Director does not make the determination within the specified period, the building or structure shall be deemed not to be a potential historical structure. If a potential historical structure is found, the demolition or removal

permit application shall not be approved for 90 days or until the Historical Site Board has evaluated and acted on the site's historical significance, whichever occurs first. The provisions of this section shall not apply to the following:

1. Any building or structure found by the City Manager of The City of San Diego to present a hazard to public health or safety, and for which an emergency permit for demolition must be issued; or

2. Any permit approved by the Planning Director, Planning Commission or City Council as part of a development project submitted, reviewed and approved in accordance with this ordinance, and provided that such development application includes an environmental document prepared in accordance with the California Environmental Quality Act which describes and addresses the historic/architectural significance of the property. Such report shall be reviewed by the Historical Site Board for the purpose of recommending to the Planning Director whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

**SEC. 103.1505 RESIDENTIAL ZONES - MR-3000, MR-2500,
MR-1750, MR-1500, MR-1500B, MR-1250B,
MR-1000, MR-1000B, MR-800B, MR-400**

A. PURPOSE AND INTENT

The Mid-City Residential (MR) zones are multi-family residential zones which are designed to

provide for development compatible with the pattern of the existing neighborhoods. Standards are tailored to the density of the individual zones and are intended to provide a variety of attractive, functional and affordable housing types and styles. Development is street friendly by providing active, accessible and surveillable streets and street yards.

B. 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 103.1514.

C. PROPERTY DEVELOPMENT REGULATIONS

1. Floor Area Ratio (FAR) and Coverage. The maximum FAR and coverage shall be as follows:

TABLE FOR SECTION 103.1505.C.1.

Zone	Maximum FAR	Maximum Coverage
MR-400	3.75	50%
MR-800B	1.25	45%
MR-1000B	1.00	40%
MR-1000	.75	40%
MR-1250B	.75	40%
MR-1500B	.60	35%
MR-1500	.55	35%
MR-1750	.45	35%
MR-2500	.40	35%
MR-3000	.40	35%

a. Enclosed parking may be excluded from the calculation of FAR and coverage.

b. Except in the MR-2500 and MR-3000 zones, for any project which does not exceed the dwelling unit threshold in Section 103.1504.H.1.a., and for any project with a density less than or equal to one dwelling unit per 1,000 square feet of lot area, an FAR bonus shall be provided equivalent to the area of enclosed parking and any portion of a building which covers enclosed parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0 FAR.

c. For any project with a density greater than one dwelling unit per 1,000 square feet of lot area and which exceeds the dwelling unit threshold for a Mid-City Communities Development Permit (Section 103.1504.H.1.a.), an FAR bonus shall be provided equivalent to the area of underground parking and any portion of a building which covers underground parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0. FAR.

d. In the MR-800B zone, the FAR in the front 40 percent of a lot shall be limited to 0.75.

e. In the MR-400 Zone, the FAR for that portion of the building above a height of 100 feet shall be limited to 1.0.

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

TABLE FOR SECTION 103.1505.C.2.

Zone	Lot Size	One Unit Per "X" Sq. Ft.
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 (c)
MR-800B	15,000 sq. ft. or more	600 (b) (c)
MR-400		400

FOOTNOTES

(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 percent 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.

(c) Exception. MR-800B zoned lots with a depth of less than 100 feet are permitted the bonus density of one dwelling unit per 600 square feet of lot area for lots 10,000 square feet or more.

3. Height Limits.

TABLE FOR SECTION 103.1505.C.3.

Zone	Height Limitation
MR-400	150 ft.
MR-800B	50 ft.; 60 ft. where a building is above enclosed parking
MR-1000, MR-1000B, MR-1250B	40 ft.; 50 ft. where a building is above enclosed parking
MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000	30 ft. (a)

FOOTNOTE: 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. Pedestrian Access. At least one separate pedestrian entry per 50 linear feet of street wall frontage facing the front property line shall be provided from the street into or through the residential use area. Senior citizen projects may be exempted from this requirement through the approval of a Conditional Use Permit.

5. Yard and Setback Requirements. Minimum Size of Street Yard. A street yard shall be provided at a minimum area calculated by multiplying the lot frontage by "X" feet shown in the second column below:

TABLE FOR SECTION 103.1505.C.5.

Zone	"X" Feet
MR-400	10
MR-800B, MR-1000B, MR-1000, MR-1250B	20
MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000	25

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.

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

TABLE FOR SECTION 103.1505.C.6.

Yard Location	MR-400	MR-800B, MR-1000B, MR-1000, MR-1250B Zones	MR-1500B, MR-1500	MR-1750 MR-2500 MR-3000
Front	5	10	10	10
Interior Side	6	6	6	6
Street Side	10	6	8	8
Rear	1, if alley; 15, if no alley	1, if alley; 15, if no alley	1 if alley; 15, if no alley	4, if alley; 15, if no alley

EXCEPTIONS:

(a) Zero Side Yard Option. The following zero-foot side yard option shall be granted by right in the MR-400 Zone, and through approval of a Mid-City Communities Development Permit in all other MR zones:

(1) 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 in length with a minimum

six-foot separation between multiple planes, 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 30-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.

(2) In the MR-400 and MR-800B zones, 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 in length with a minimum six-foot separation between multiple planes. Any second story shall be set back at least six feet in the front 50 percent of the lot; the third story shall be set back six (6) feet and each story above the third requires an additional three-foot setback per story.

(b) Side Yard 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 from the property line is 15 feet.

(c) Interior Side Yards. On lots 50 feet wide or less, each interior side yard shall be calculated as 10 percent of the lot width provided that in no case shall such side yard be reduced to less than four feet.

(d) Corner Lots. No structure may be located within the triangular areas established by:

- (1) the street intersection corner of the lot and the points on the street right-of-way lines which are 25 feet from the intersection corner; and
- (2) the street-side rear corner of the lot and 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 With Alley. 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 from the property line seven feet (calculated from the minimum requirement for the story below). The maximum required setback is 14 feet.

(f) Street Side Yard. In the MR-400 Zone the minimum street side yard shall be 15 feet for lot frontages on Upas Street, Quince Street, and Laurel Street.

(g) Front Yard. In the MR-400 Zone, the maximum setback for 65% of the street frontage shall be 15 feet.

D. DIAGONAL PLAN DIMENSION

The Diagonal Plan Dimension regulations shall be used for structures containing dwelling units 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 structure containing the most gross floor area (see Figure). For lots where the depth is two and one-half times or more than the width (see Figure), 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 three-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:

TABLE FOR SECTION 103.1505.D.

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

E. DEFENSIBLE SPACE REQUIREMENTS

In the MR-1250B, MR-1500B, MR-1500, 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 compatible with the architectural styles listed in Paragraph F of this section that shall constitute part of the street wall line and provide access to the street yard.

2. For lots without alley access, street-yard facing garage doors which are set back at least five feet from that portion of the street wall where the front entry is located.

3. A garden wall, not exceeding a height of three feet, equal in length to the lateral length of 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 above the first story (balcony) with a minimum net area of 100 square feet, facing the street yard.

F. ARCHITECTURAL FEATURES

1. Each residential building shall include the following features:

a. Windows shall be of the same material and maintain a consistent design character throughout.

b. There shall be no more than two (2) wall siding materials on any single building.

2. Each residential building shall include at least five (5) architectural features all to be chosen from one of the following lists (a, b, or c):

a. Contemporary

- 1) Multiple pitched roofs.
- 2) A minimum of one (1) chimney per three dwelling units.
- 3) A minimum of one (1) clerestory window per 50 feet of street elevation.
- 4) Wood window frames.
- 5) A minimum of one (1) transom window.
- 6) An entry porch.
- 7) Window awnings on at least all windows facing a street.
- 8) Planted wall mounted lattice.
- 9) Windows recessed at least two (2) inches.
- 10) Eaves with a minimum 18 inches overhang.

b. Spanish Style

- 1) Wrought iron railings on a minimum of all street facing elevations.
- 2) Entrance pergola.
- 3) Canvas awnings on a minimum of all windows facing a street.
- 4) Integral ceramic tile wall detail.
- 5) Buttressed street wall.
- 6) Wood window frames.
- 7) Clay or concrete tile roof over at least 80 percent of the coverage.
- 8) A minimum of two (2) different mass heights.
- 9) Battered window openings with a minimum six (6) inches depth on a minimum of all street facing windows.
- 10) Molded stucco wall detail.

c. Bungalow Style

- 1) Lap siding on a minimum of all street elevations.
- 2) Entry porch.
- 3) Minimum 18 inch eaves with articulated rafter ends.
- 4) A minimum of one (1) attic eyebrow.

- 5) Wood window frames.
- 6) A minimum of one (1) brick masonry chimney per the three (3) dwelling units.
- 7) Multi-panel entrance door.
- 8) A minimum of one (1) window planter box.
- 9) Operable window shutters on a minimum of all windows facing a street.
- 10) Trim surrounding all windows.

G. ADDITION OF DWELLING UNITS

In the case of adding one or more dwelling units to existing residential projects:

1. Structures containing dwelling units shall be separated by a minimum of 12 feet.
2. There shall be direct pedestrian access from all added dwelling units to an abutting street.

H. MINIMUM AVERAGE UNIT FLOOR AREA

Residential developments shall average no less than 600 square feet of habitable floor area per dwelling unit, exclusive of preexisting dwellings.

I. LANDSCAPING REQUIREMENTS

All City-wide landscaping requirements per Article 1, Division 7 shall apply except as follows:

For residential projects with access from an improved alley, reductions in required street yard landscaped area are not permitted for landscaped area in the public right-of-way (Section 101.0707E) or for a planting point score in excess of that required (Section 101.0707L).

J. OTHER REQUIREMENTS

The General Regulations (Section 103.1511), the Streetscape Development Regulations (Section 103.1512), and the Parking Regulations (Section 103.1513) also regulate development, as do all those divisions and sections of Articles 1, 2 and 5 which are referenced in Section 103.1504.C.

SEC. 103.1507 COMMERCIAL NODES - CN-1, CN-1A, CN-2, CN-2A, CN-3, AND CN-4 ZONES

A. PURPOSE AND INTENT

The Commercial Node (CN) zones are intended to provide for pedestrian oriented commercial and mixed-use districts in selected higher activity areas such as major intersections. The standards are designed to create street frontage conditions conducive to a rich, diverse and pleasurable walking experience. Parking and vehicle access are located so as to minimize disruption of pedestrian continuity. Residential use above street level commercial use is encouraged to intensify development on major transportation corridors where

transit and other services are generally available and to foster pedestrian activity.

B. 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 103.1514.

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, Collage Avenue or 70th Street. This provision includes lots which are legally consolidated in accordance with Section 102.0206 of this Code (Subdivision Regulations).

C. PROPERTY DEVELOPMENT REGULATIONS

1. Minimum Commercial Area. Except as provided in Section 103.1506.C. (above), for mixed commercial/residential projects, 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. Maximum Premises Area. In the CN-3 zone no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.

3. Floor Area Ratio (FAR) and Coverage.

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

b. The permitted FAR for a commercial development in any CN zone is listed in the first column below. In all CN zones each square foot of the residential floor area in a mixed-use project earns an additional square foot of commercial floor area

up to the maximum commercial FAR listed in the second column below.

TABLE FOR SECTION 103.1507.C.3.

Zone	Permitted FAR for Commercial Development	Maximum Commercial FAR For Mixed Commercial/ Residential Development
CN-1,	1.00	1.25
CN-1A,	2.00	4.00
CN-2,	0.75	1.25
CN-2A	2.00	3.00
CN-3,	0.75	1.25
CN-4,	0.75	1.25

c. There is no maximum FAR for residential development in a mixed commercial/residential project.

d. For each floor that an atrium penetrates through a structure, 25 percent of the square footage per floor shall be included in the calculation of the FAR.

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

TABLE FOR SECTION 103.1507.C.4.

Zone	Lot Size	One Unit per "X" sq. ft.
CN-1, CN-1A	30,000 sq. ft. or more	400
CN-1, CN-1A	less than 30,000 sq. ft.	600

CN-2,	10,000 sq. ft. or more	800
CN-2A		
CN-2,	less than 10,000 sq. ft.	1,000
CN-2A		
CN-3	any size legal lot	1,000
CN-4	any size legal lot	1,000

5. Height Limits.

a. For the CN-1A Zone, the height limit shall be 200 feet except as follows:

(1) For CN-1A zoned properties within the area bounded by Kalmia Street, Laurel Street, and Third and Sixth Avenues, the height limit shall be 100 feet.

(2) For CN-1A zoned properties within the area bounded by Laurel Street, Maple Street, and third and Sixth Avenues, the height limit shall be 150 feet.

b. In the CN-2A Zone, the height limit shall be 150 feet.

c. For the CN-4 Zone, the height limit shall be 30 feet.

6. Street Wall.

a. Except as provided in Section 103.1507.C.8.a.(1) (below), there shall be a building wall of at least 13 feet in height located within six feet of any street frontage property line, along not

less than 65 percent of both the front and if applicable street side property lines, except as required for driveway access where no alternative access is available. 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. Structures not requiring a building permit are exempt from this requirement.

b. The street wall shall not exceed 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas, with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side of the building for fire or safety access, in which case no setback is required.

7. Pedestrian Access. At least one separate pedestrian entry per 100 linear feet of street wall frontage or part thereof shall be provided from the street into or through the commercial use. Separate entries provided to satisfy this

requirement may be spaced no closer than 25 feet apart.

8. Yard and Setback Requirements.

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

(1) The property abuts residentially zoned property or commercial transition zoned property, in which case a six-foot interior side or rear yard shall be provided adjacent to that property. The third story shall be set back nine (9) feet and additional stories shall be set back a minimum 15 feet from the property line. Also, a 10-foot front or street side yard shall be provided when that yard is abutting any residentially zoned property.

Zero Yard Option. The following zero foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

A building wall not exceeding two stories may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000, or

commercial transition zoned property. Any third story shall be set back at least six feet; each story above the third requires a 15-foot setback from the property line.

(2) Parking spaces are accessed directly from the street right-of-way with no turnaround area, in which case there shall be a 20-foot setback for said parking spaces.

b. That portion of structures exceeding 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas shall be set back at least 15 feet from all property lines which are shared with another parcel.

D. OTHER REQUIREMENTS

The General Regulations (Section 103.1511), the Streetscape Development Regulations (Section 103.1512), and the Parking (Section 103.1513) also regulate development, as do all those divisions and sections of Articles 1, 2 and 5 which are referenced in Section 103.1504.C.

SEC. 103.1508 COMMERCIAL LINEAR ZONES - CL-1, CL-2, CL-3, CL-5, CL-6, (CL-4 is renamed CV-3. See Section 103.1509)

A. PURPOSE AND INTENT

The Commercial Linear (CL) zones provide for automobile oriented commercial districts in which residential or mixed-use development is also encouraged. It is normally applied to linear areas between commercial nodes. Automobile use is accommodated by permitting parking in the street yard with certain access limitations to provide for traffic operations and to accommodate pedestrians as well. Incentives are provided for residential development for the purpose of concentrating multi-family residential use on major transportation corridors and to provide a desirable mixture of uses.

The CL-5 Zone is intended for neighborhood-oriented commercial areas. The expansion of such uses, which may not have been previously zoned and/or are not now designated in the community plan for neighborhood commercial use, may be considered with the application of the CL-5 Zone and, if appropriate, the approval of a Mid-City Communities Development Permit to address hours of operation, uses, relaxation of parking requirements as well as other issues.

B. 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 103.1514.

C. 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:

TABLE FOR SECTION 103.1508.C.1.

Zone	FAR
CL-1, CL-3, CL-2, CL-2T	.25 and .50 (1) .25 and .50 (2)
CL-5	.50
CL-6	2.00

FOOTNOTES:

(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 located at the intersections of El Cajon Boulevard and 37th Street, 42nd Street, Highland Avenue, Chamoune Avenue, 52nd Street, 59th Street, 62nd Street, 63rd Street, Art Street, Montezuma Road, and 67th Street; and the intersections of University Avenue and Swift Avenue and 35th Street, shown on maps listed in Section 103.1502; 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 the CL-1, CL-2, CL-3 and CL-5 zones, each square foot of residential floor area in a mixed-use project earns an additional square footage of commercial floor area, 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:

TABLE I FOR SECTION 103.1508.C.2.

Zone	Lot Size	One Unit per "X" sq. ft.
------	----------	-----------------------------

CL-1,	30,000 sq. ft. or more	400
CL-1,	less than 30,000 sq. ft.	600
CL-2,	15,000 sq. ft. or more	600
CL-2,	less than 15,000 sq. ft. but at least 10,000 sq. ft.	800
CL-2,	less than 10,000 sq. ft.	1,000
CL-3,	any size legal lot	1,000
CL-5	any size legal lot	1,500
CL-6	any size legal lot	1,500

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:

TABLE II FOR SECTION 103.1508.C.2.

Zone	Lot Size	One Unit per "X" sq. ft.
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

FOOTNOTE:

(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-2, and CL-3 zones, the height limit is 40 feet, or 50 feet for portions of a building above enclosed parking.

c. For the CL-5 and CL-6 zones, the height limit is 30 feet.

d. The street wall shall not exceed 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas, with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side of the building for fire or safety access, in which case no setback is required.

4. Yard and Setback Requirements.

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

(1) In the CL-1, and CL-3 zones, a 20-foot yard is required on the property line abutting El Cajon Boulevard.

Off-street parking may be located within

this yard with the provision of landscaping as required by Article 1, Division 7.

(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 or commercial transition zoned property, a minimum six-foot yard shall be provided adjacent to that property. The third story requires a nine (9) foot setback and additional stories shall be set back a minimum of 15 feet from the property line.

Zero Yard Option. The following zero-foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

-PAGE 46 OF 116-

0-17307

Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000, or commercial transition zoned property. Any third story shall be set back at least six feet; each story above the third requires a minimum 15-foot setback from the property line.

(5) Parking spaces are accessed directly from the street right-of-way with no turnaround area, in which case there shall be a minimum 20-foot setback for said parking spaces.

b. Residential or Mixed

Residential/Commercial Developments.

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

TABLE FOR SECTION 103.1508.C.4.b.

Yard Location	CL-1 Zone
Front	6 (d) (e) (f)
Interior Side	0 (b) (c)
Street Side	4 (d) (f)
Rear	4 (b)
Yard Location	CL-2 Zone
Front	6 (d) (e) (f)
Interior Side	6 (a) (b)
Street Side	6 (f)
Rear	4 (b)

Yard Location	CL-3 Zone
Front	6 (d) (e) (f)
Interior Side	6 (a) (b)
Street Side	4 (d) (f)
Rear	4 (b)
Yard Location	CL-5, CL-6 Zones
Front	10 (e) (f)
Interior Side	6
Street Side	10 (f)
Rear	4 (b)

FOOTNOTES:

(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 4.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.

(f) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a minimum 20-foot setback for said parking spaces.

D. OTHER REQUIREMENTS

The General Regulations (Section 103.1511), the Streetscape Development Regulations (Section 103.1512) and the Parking Regulations (Section 103.1513) also regulate development, as do all those division and section of Articles 1, 2 and 5 which are referenced in paragraph 103.1504.C.

SEC. 103.1514 PERMITTED USES

A. RESIDENTIAL ZONES

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

1. Residential development in accordance with the regulations of this District.

2. Boarding and lodging houses.

3. Schools, limited to primary, elementary, junior high, and senior high.

4. Public parks and public playgrounds.

5. Churches, temples, or buildings of a permanent nature used primarily for religious purposes.

6. Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Section 101.0407.

7. All uses permitted in any abutting commercial zone under the following conditions:

a. The commercial uses shall be within a mixed commercial/residential structure.

b. The commercial uses within the structure shall be located within both the residential zone and the abutting commercial zone.

c. The commercial uses shall be located no more than 100 feet from abutting commercially zoned property.

d. The applicable community plan shall address the conditions under which commercial

uses in a mixed commercial/residential project may be located partially in a residential zone.

e. The project shall obtain a Mid-City Communities Development Permit.

8. In addition to the uses listed above, the following uses shall be permitted in the MR-1000 through MR-400 zones:

a. Branch public libraries.

b. Institutions or homes for the day or full-time care of not more than fifteen children under the age of sixteen years, provided there is not more than one additional dwelling unit on the same premises.

c. Offices for psychologists, social workers, religious practitioners, doctors, and dentists, provided that no overnight patients are permitted; and, further provided that not more than two such professional persons and not more than three employees of each, shall be engaged in such work on the premises.

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 for remodification or any such sections, if such lot or parcel is located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Section 101.0510C.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.

9. Hotels, motels and time-share projects shall be permitted in the MR-400 Zone.

10. Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:

a. Not more than two lodgers per dwelling unit.

b. Recreational and health facilities which are designed, used, and clearly intended for the sole use of residents of apartment houses, boarding and lodging houses, including tennis courts, putting greens, exercise rooms, and sauna and steam baths.

c. Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used, and clearly intended for the primary convenience of the occupants of the residential complex, including the following:

(1) Barber shops.

(2) Beauty shops.

(3) Communal dining facilities.

(4) Snack bars.

(5) Dry cleaning and laundry pickup agencies.

d. Incidental businesses in hotels and motels may include the following:

- (1) Restaurants and bars.
- (2) News and tobacco stores.
- (3) Barber shops.
- (4) Beauty shops.
- (5) Valet services (agency for laundering, cleaning, and pressing of clothing).
- (6) Travel, ticket, and car rental agencies.
- (7) Gift shops.
- (8) Florists.

e. Signs as provided under paragraph "D," below.

11. Accessory Use Regulations.

a. All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio, or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays, or advertising relating to accessory uses shall be visible from any street.

b. For properties in the MR-3000 through MR-800B zones, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than ten percent of the gross floor area occupied by the principal permitted uses.

c. For properties in the MR-400 Zone, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than twenty percent of the gross floor area occupied by the principal permitted uses.

12. For properties in any MR Zone, any other uses, including accessory uses, which the Planning Commission may find to be similar in character to the uses enumerated herein for such zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

B. COMMERCIAL ZONES

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.

TABLE FOR SECTION 103.1514.B.

	CN-1,2					
	CN-1A, 2A					
	CL-1 (6)					
	CL-3		CN-3, 4 (2),			
	CL-6					
PERMITTED USES	CV-1,2,4	CL-2 (6)	CV-3 (2)	CL-5 (6)	NP-1,2,3	

*Indicates footnote

Advertising, secretarial & telephone answering services	X	X				X ⁽⁷⁾
Antique shops	X	X	X			
Apartments (subject to specific zone limita- tions)	X ^{(10)*}	X	X	X		
Apparel shops	X	X	X	X		
Art stores and art galleries	X	X	X			
Automobile & Truck sales, rental agencies (usable vehicles only)	X ⁽⁴⁾	X ⁽⁴⁾				

* Indicates footnote

Automobile wash establishments	X	X				
Automobile paint & repair shops, including body and fender work if entirely within enclosed building	X	X	X ⁽⁸⁾			
Bakeries	X	X	X	X		
Banks, including branch banks, and other similar financial institutions	X ⁽⁹⁾	X	X ⁽⁹⁾			X ^{(1)H}

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 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) (9)}	X ⁽¹⁾	X ^{(1) (9)}	X ⁽¹⁾	X ⁽¹⁾
Business machine sales display and service	X	X			X ⁽⁷⁾
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		X ⁽⁷⁾
Drug stores	X	X	X	X ⁽¹¹⁾
Dry cleaning establish- ments (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		X ⁽⁷⁾
Employment agencies	X	X		
Equipment and tool rental establishments (no manridden 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		
Interior decorators	X	X	X	
Jewelry stores	X	X	X	X
Labor unions (no hiring halls) and trade associations	X	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		X ⁽⁷⁾
Medical, dental, biological and x-ray				

laboratories	X	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			X ⁽⁷⁾
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			
Pet shops	X	X			
Pharmacies	X	X			X ⁽⁷⁾
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	X
Public utility electric substations, gas regu- lators and communi- cations equipment buildings developed in accordance with building and landscaping plans approved by the Planning Director	X	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			
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)	X (4) (7)
Rug and carpet stores	X	X	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 estab- lishment exceeds 5,000 square feet in gross floor area)	X	X	X	
Tire sales, repair and recapping establish- ments, if entirely within an enclosed building	X	X		
Trade and business schools				
Trailer sales agencies	X	X		
Transportation terminals	X	X		
Travel bureaus	X	X		X ⁽⁷⁾
Variety stores	X	X	X	X
Wedding chapels	X	X		

Wholesaling or ware-
housing 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 mattres-
ses, chair upholstery and
awnings

X (3)

X (3)

Repair of tools, machinery
and electronic equipment

X (3)

Public parks and play-
grounds

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 speci-
fied in Section 101.0410
of this Code (e.g., one
dwelling unit per 600
square feet = R-600)

X

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	X
----------------	---	---	---	---	---

Accessory uses as follows:

- | | | | | | |
|--|---|---|---|---|---|
| o Signs constructed,
fabricated, erected,
installed, attached,
fastened, placed,
positioned, operated,
and abated in accor-
dance with the regula-
tions as set forth in
Section 101.0426.B.8.
(City-wide CN Zone)
subject to Section
103.1511.M. | | | | | X |
| o Signs constructed,
fabricated, erected
installed, attached,
fastened, placed,
positioned, operated
and abated in accor-
dance with the regu-
lations as set forth
in Chapter X, Division
11 (City-wide sign
ordinance) subject to
Section 103.1511.M. | X | X | X | | |
| o Accessory uses deter-
mined by the Planning
Director to be appro-
priate in character and
placement in relation-
ship to a primary use | X | 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) Hand crafted 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) Commercial uses in the CL-1 Zone are restricted along University Avenue between 28th Street and Georgia Street in accordance with Section 103.1508.C.2.a.
- (6) 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.

- (7) At least 75 percent of the gross floor area of the structure or structures on the lot or premises shall be devoted to business and professional office uses.
- (8) In the CV-3 Zone, auto repair permitted only as an expansion of an existing legal nonconforming use with the approval of a Mid-City Communities Development Permit.
- (9) In the CN-1A zone and in the CN-2A zone for lots exceeding 100 feet of street frontage, banks and

business and professional office use together shall not exceed 50 percent of the ground floor area.

- (10) Residential use is not permitted for lots in the CN-1 Zone west of I-805 which do not have access to a street or alley other than to University Avenue.
- (11) No more than ten percent of the gross floor area shall be utilized for display of alcoholic beverages.

Section 3. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by amending, consolidating and renumbering Sections 103.1507 and 103.1508 into Section 103.1511 to read as follows:

SEC. 103.1511 GENERAL REGULATIONS

A. MAXIMUM NUMBER OF DWELLING UNITS

In no case shall any project exceed the maximum number of dwelling units listed below unless the project is on a single lot which 1) was created or consolidated, or for which an application has been submitted to the City to create a lot or consolidate lots, prior to _____, [the effective date of this ordinance]; or 2) was created from a lot or lots which had a larger average square footage than the lot created.

TABLE FOR SECTION 103.1511.A.

<u>Zone</u>	<u>Maximum Units</u>	
	<u>Lots Greater Than 100 Feet in Depth</u>	<u>Lots Less Than or Equal to 100 Feet in Depth</u>
MR-400	152	125
MR-800B	120	83
MR-1000B	66	50
MR-1000	36	29
MR-1250B	32	26
MR-1500B	28	22
MR-1500	22	18
MR-1750	18	16
MR-2500	5	5
MR-3000	4	4
CN-1, CN-1A	152	125
CN-2, CN-2A	66	50
CN-3	36	29
CN-4	36	29
CL-1	152	125
CL-2	66	50
CL-3	36	29
CL-5	22	18
CL-6	22	18
CV-1	152	125
CV-2	66	50
CV-3	36	29
CV-4	22	18
NP-1	66	50
NP-2	36	29
NP-3	22	18

B. MINIMUM LOT DIMENSIONS AND AREAS

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

TABLE FOR SECTION 103.1511.B.

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

C. MAXIMUM LOT DIMENSIONS AND AREAS

In the MR-3000 and MR-2500 zones and for those lots located between Collier Avenue and Adams Avenue within the MR-1500 zone, 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 street frontage along the front property line shall be 60 feet.

D. OFFSETTING PLANES REQUIREMENT

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

TABLE FOR SECTION 103.1511.D.1.

<u>Length of Building 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, over 200 feet.

A separate building plane is distinguished by an average horizontal difference between planes of three feet, measured perpendicular to the subject plane (see Figure). Building elements such as roofs with a minimum slope of 30 percent shall qualify as offsetting planes only when they constitute the highest element of the structure. 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:

TABLE FOR SECTION 103.1511.D.3.

Percentage of 50-foot Increment Building Elevation Area

<u>Zones</u>	<u>Minimum Area</u>	<u>Maximum Area</u>
MR-400, MR-800B, MR-1000B, CN-1 CN-1A, CN-2, CN-2A, CL-1, CL-2, CV-1, CV-2, NP-1	20%	60%
MR-1000, MR-1250B, MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000, CN-3, CL-3, CL-5, CL-6, CV-3, CV-4, NP-2, NP-3	10%	50%

E. TRANSPARENCY REQUIREMENT

1. For all commercial or mixed-used projects in the CN and CV 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 between three feet and ten feet above the sidewalk shall be transparent with visibility into a commercial or residential use area. This may include all types of nonreflective windows and openings, with a light transmittance factor no less than 75 percent.

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

2. For that portion of all facades above the ground floor, no more than a combined total of 50 percent of each of the facades shall be vision glass or reflective spandrel construction.

All vision glass and reflective spandrel construction shall be of material which is no more than 30 percent in reflectivity.

3. Except as provided in Section 103.1511E.1 (above), in all projects, a minimum of 15 percent of each story's street wall shall be transparent (such as windows).

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

F. 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 and shall be bounded by a minimum 36

inch high barrier. 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 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 percent or less.

Trees and trellises are permitted in such areas.

G. SCREENING OF EQUIPMENT

No utility equipment 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.

H. REFUSE FACILITIES

1. Enclosed refuse facilities shall be provided for each lot, except for lots with no more than two dwelling units.

2. Such areas shall be screened by a solid masonry wall or an equivalent wall as may be approved by the Planning Director.

3. The minimum height of such enclosure shall be four feet or where commercial type containers are used, not less than the height of said container, whichever is higher; provided however, where interior side yards are utilized, solid fences or fences or walls of not less than five feet, nor more than six feet in height, shall be placed between said trash collection area and the immediately adjoining premises.

4. The minimum area provided shall be as follows:

a. Thirty-two square feet or five square feet per dwelling unit, whichever is greater;

b. Three square feet per guest room in a boarding or lodging house;

c. No requirement for garage areas.

5. The square footage requirements set forth in this paragraph, shall not be computed as lot coverage.

6. Refuse Facilities shall not be located in any front, street side, or street yard.

7. In all cases where a lot or premises is served by an alley, all refuse collection areas shall be directly accessible to such alley.

8. In all cases, refuse collection areas shall not be located on or interfere with pedestrian access or vehicular access to required on-site parking.

I. 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.

J. COMMERCIAL 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.

K. LIGHTING

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

2. For lots fronting on an alley, artificial lighting shall be provided to illuminate areas adjacent to the alley.

L. OFF-STREET LOADING FACILITIES

1. Off-street loading facilities shall be provided for projects in the CN-1A, CN-2A, CV-1 and CV-4 zones.

2. Each required off-street loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a vertical clearance of 14 feet, including entrances and exits. All off-street loading areas shall be screened from public view and shall not be used for parking.

3. Requirements for two or more uses on the same site shall be the sum of the requirements for each use computed separately.

TABLE FOR SECTION 103.1511.L.3.

OFF-STREET LOADING SPACES REQUIRED

Use Classification	Gross Floor Area of Structure or Use (sq. ft.)	Spaces Required
Offices; Banks and Savings and Loans	0-50,000 Over 50,000	0 0.1 space per 10,000 S.F. of gross floor area
Retail Sales; Eating and Drinking Establishments	0-10,000 10,001-30,000 30,000-50,000 over 50,000	0 1 2 1 space per 25,000 S.F. of gross floor area
Wholesaling, Distribution and Storage; Industry	0-10,000 10,001-50,000 Over 50,000	0 1 0.21 spaces per 10,000 S.F. of gross floor area
Hotels; Multi-family Residential and all other uses not included above	0-100,000 100,001-200,000 200,001-500,000 More than 500,000	0 1 2 3 - Plus 1 space for each additional 400,000 S.F.

M. SIGNS

1. All MR Zones.

a. For each dwelling unit - one nameplate having a maximum area of one square foot shall be permitted.

b. One single-faced or double-faced, directional ground sign may be located at each

driveway of parking lots. Said directional sign shall not exceed two square feet in total face area and four feet in height measured vertically from the base at ground level to the apex of the sign.

c. One single-faced or double-faced ground sign with a maximum area of four square feet offering the premises for sale, rent, or lease may be utilized. Said sign shall not exceed a height of four feet measured vertically from the base at ground level to the apex of the sign. Such sign may be located anywhere on the premises.

d. Signs permitted herein may be lighted; however, none shall contain visibly moving parts nor be illuminated by flashing lights.

e. One single-faced or double-faced ground sign identifying the principal uses of the premises facing or adjacent to each street abutting the property shall be permitted, provided that at least 20 square feet shall be permitted and no such sign shall exceed a height of eight feet measured vertically from the base at ground level to the apex of the sign.

f. The combined total face area of all wall and ground signs designating the permitted uses of the premises, shall not exceed the following:

(1) MR-3000 through MR-800B zones - 20 square feet.

(2) MR-400 Zone - 40 square feet or one-tenth of a square foot for each linear foot of street frontage of the premises, whichever is the smaller area, provided that the sign on any one street frontage need not be less than eight square feet in area.

g. Wall signs as defined in Section 101.1101.240 may be utilized provided no wall sign shall project above the parapet or eaves of the building to which affixed or exceed a height of 12 feet, whichever is lower. Permanent or changeable copy of each wall or ground sign may include only on-premises or public interest messages.

2. CL-1 and CL-3 Zones. Ground signs constructed along El Cajon Boulevard in accordance with paragraphs A through 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 through 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 50 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.

TABLE FOR SECTION 103.1511.M.2.

Ground Signs within Front Yard and Street Side Yards

Proximity to Right-of-Way	Max. Area Each Face	Maximum Height
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.

3. CL-5 Zone.

a. Wall signs as defined in Chapter X,
Article 1, Division 11, Section 101.1101.240
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 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. The aggregate area of all signs
permitted on the premises (excluding signs
designating the premises for sale, rent or
lease) shall not exceed one-half 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 (5) feet by 25
feet in maximum dimensions.

c. 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.

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.

4. All NP Zones.

a. One sign visible from the exterior of the building shall be permitted fronting each street. The sign for each street frontage shall not exceed four feet by 20 feet maximum dimension, nor exceed three-tenths of a square foot for each lineal foot of street frontage of the premises, whichever is the lesser area, provided that the sign on any one premises need not be less than eight square feet in area.

Signs shall be attached to but not project more than 16 inches beyond the faces of the building, nor project above the parapet or eaves of the building. Face of signs shall be parallel to the face of the building.

b. 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.

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

5. 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.

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

N. 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 pursuant to Section 101.0620.

O. VARIETY OF STREET WALLS

The street wall of any project, defined by but not limited to the configuration of offsetting planes, transparencies and architectural features, shall not be substantially identical to the street wall of any other project within a 600 foot radius.

Section 4. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by amending and separating Section 103.1509 into Sections 103.1512 and 103.1513 to read as follows:

SEC. 103.1512 STREETScape DEVELOPMENT REGULATIONS

A. CURB CUTS AND DRIVEWAYS

Curb Cuts and driveways are restricted in the following instances:

1. For each project, no more than one driveway per 100 feet of each street frontage or part thereof shall be permitted.

2. No driveway shall be located on Adams Avenue, El Cajon Boulevard, Park Boulevard, University Avenue or on Fourth, Fifth or Sixth avenues south of Washington Street, when the lot or premises is served by a standard alley with a 20-foot-wide right-of-way 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.

c. Automobile service stations may be permitted one driveway with the approval of a conditional use permit.

d. Lots which front on either Laurel Street, Robinson Avenue or University Avenue and also on either Fourth, Fifth or Sixth avenues shall be permitted access from Fourth, Fifth or Sixth avenues.

3. 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.

4. 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.

5. 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 one 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. Existing driveways shall be modified or eliminated to conform to this Section.

a. Residential Projects.

TABLE FOR SECTION 103.1512.B.1.a.

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

b. Commercial and Mixed

Commercial/Residential Projects.

TABLE FOR SECTION 103.1512.B.1.b.

Number of Parking Spaces Accessed by Driveway Width	Minimum Width	Maximum
1-49	18'-0"	24'-0"

c. Exception. Where the City Engineer and Planning Director determine that two-way driveways are necessary to provide safe access to and from a street, the maximum driveway width 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 street 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 Engineer if such alternative will result in a maximum number of on-street parking spaces being provided.

C. SIDEWALKS

1. There shall be a distance of at least 10 feet between the curb and the adjacent property line, unless the property is constrained by topography exceeding 25 percent slope or is within

designated open space of the adopted community plan. For those property frontages on El Cajon Boulevard or Washington Street, there shall be a distance of at least 14 feet between the curb and the adjacent property line. Additional right-of-way shall be obtained when redevelopment occurs in those cases where the curb-to-property line distance does not meet the requirements of this paragraph, but in no case shall the curb-to-property line distance be reduced.

2. Notwithstanding the provisions of this section, the design of sidewalks shall be in substantial conformance to the design of sidewalks on adjacent properties, including location, width, elevation, scoring pattern, color and material, to the extent that said design is approved by the City Engineer, unless an alternative is approved through the Administrative Review procedure Paragraph 103.1504.G) or Mid-City Communities Development Permit (Paragraph 103.1054.H).

D. STREET LIGHTS

All existing fluted-pole light standards shall be maintained. Minor variations in construction, dimensions and location are permissible if replaced. Specifications described as Type "C" Standard in the

Centre City Streetscape Design Manual Technical Supplement (Centre City Development Corporation) shall be consulted for more detail.

SEC. 103.1513 PARKING REGULATIONS

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:

A. RESIDENTIAL PARKING REQUIREMENTS

(Note: Parking requirements may be superseded by new City-wide regulations now under preparation.)

1. For One-Family Dwellings:

a. One space, provided there is not more than one dwelling unit on the premises.

2. For Multi-Family Dwelling:

a. Resident Parking Requirement.

(1) For premises with two or more dwelling units - 1.0 on-site spaces for each studio unit of 400 square feet or less, 1.25 on-site spaces for each studio unit larger than 400 square feet and each one-bedroom dwelling unit, 1.5 on-site spaces for each two-bedroom dwelling unit, and 1.75 on-site spaces for each dwelling unit containing three bedrooms or more.

(2) For premises with two or more dwelling units which are owned and/or managed by the San Diego Housing Commission as a very-low income housing project- 0.8 on-site spaces for each studio unit of 400 square feet or less, 1.0 on-site spaces for each studio unit larger than 400 square feet and each one-bedroom dwelling unit, 1.2 on-site spaces for each two-bedroom dwelling unit, and 1.4 on-site spaces for each dwelling unit containing three bedrooms or more.

b. Supplemental Parking Requirement.

(1) For premise with two or more dwelling units, the number of supplemental spaces required is 45 percent of the number of resident spaces required.

(2) 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. Parking Calibration.

(1) Transit Access - For premises with two or more dwelling units having 25 percent or more of the subject parcel located within a corridor or node as shown on Map Drawing (on file in the Office of the City Clerk as Document No.), the following reductions to the resident and supplemental parking requirements shall be allowed. This reduction may be used in conjunction with shared parking (Reference SEC. 101.0822 and SEC. 101.0823).

TABLE FOR SECTION 103.1513.A.1.c.(1)

Location	Supplemental Reduction	Resident Reduction
Transit Corridor	10%	0%
Nodal Corridor	20%	0%
Transfer Node	20%	0%
Transit Node	30%	15%

(2) Intensity - For premises with two or more dwelling units having achieved the following densities of development, the allotted reductions to the supplemental parking requirement shall be allowed. This reduction can be used in conjunction

with shared parking (Reference
SEC. 101.0822 and SEC. 101.0823).

TABLE FOR SECTION 103.1513.A.1.c.(2)

Net Residential Density Achieved (DU/NRA)	Supplemental Reduction
42-72	10%
73-142	20%
143+	30%

(3) Mixed-Use - For premises with two or more dwelling units consisting of mixed-use development, the following reductions to the supplemental parking requirement shall be allowed. The square footage of commercial space used to determine the schedule percentage must provide an overall average of on-site parking at a rate of at least one space per 400 square feet gross floor area (gfa) of commercial area. This reduction cannot be used in conjunction with shared parking (Reference SEC. 101.0822 and SEC. 101.0823).

TABLE FOR SECTION 103.1513.A.1.c.(3)

Commercial Use (GFA)	Supplemental Reduction
-----------------------------	-----------------------------------

4-8.9%	10%
9-12.9%	20%
13+%	30%

(4) The above reductions may be added to one another such that the supplemental parking requirement may be reduced by the sum of all permitted reductions.

(5) At the request of the applicant and with the approval of the Planning Director and City Engineer, in-lieu-of-fees may be used when a public improvement project providing additional parking and found to be in conformance with the community plan within one-quarter mile of the subject property. The total number of spaces which may be provided for through this provision shall be equivalent to 25 percent of the required supplemental parking as calculated after any permitted reductions. The fee is 150 percent of the estimated cost per net additional space requested to be provided for by financing of the identified public improvement project.

(6) On-site parking for all ministerial projects citywide shall in no case be less than 1.3 spaces for each studio and one-bedroom dwelling unit and 1.6 spaces for each dwelling unit containing two-bedrooms or more.

d. 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 20 required resident parking spaces.

(2) Bicycle racks shall be provided in an amount equal to one-third the number of required resident parking spaces.

(3) Motorcycle parking and bicycle racks may be centrally located in projects of one-quarter acre or less but shall be conveniently dispersed throughout projects consisting of more than one-quarter acre.

B. SHARED PARKING (Reference SEC. 101.0822)

1. For premises with two or more dwelling units consisting of mixed-use development, the parking requirement may be met by the shared parking plan in accordance with SEC. 101.0822 and SEC. 101.0823. The associated project shall be

subject to a Mid-City Communities Development Permit.

2. The total resident and supplemental parking requirement less any allowable calibration reductions shall be used to determine the parking requirement when utilizing the shared parking program.

3. In no case shall the number of on-site parking spaces assigned to residents be less than the number of spaces determined under "Resident Parking Requirement, SEC. 101.1513A.2.a.

C. TECHNICAL COMPLIANCE

1. Tandem Parking - Tandem parking is permitted as specified in SEC. 101.0821.

2. Method of Computation - The total number of supplemental spaces shall be determined prior to applying any permitted reductions to the resident requirement.

3. The maximum number of spaces that may be provided through the in-lieu-of fee provision shall be determined as follows:

a. Determine the number of supplemental spaces required.

b. Calculate 25 percent of this amount to determine the number of spaces which may be met with the in-lieu-of fees provision.

-PAGE 96 OF 116-

0-17307

4. The method of counting on-street spaces shall be as follows: 20 feet as measured along a full-height curb unless on-street space demarkation and/or parking meters exist.

5. Motorcycle spaces shall have a minimum width of three feet and a minimum depth of eight feet.

6. Bicycle space sizes shall be determined by size of bicycle security storage product used.

7. Supplemental spaces shall be accessible by the public and not gated.

D. GARAGE DIMENSIONS

For one-car or two-car garages, all parking spaces enclosed by a garage shall have a minimum width of 8½ 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 may be 35 feet rather than 40 feet to accommodate one standard and one compact car.

E. CN-1, CN-2, CL-1, CL-2, CL-3, CL-5, CL-6, CV-1, CV-2, AND CV-4 ZONES/NONRESIDENTIAL PARKING REQUIREMENTS

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

2. 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.

3. 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.

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

5. 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.

6. 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.

7. For projects with a commercial floor area of less than 5,000 square feet, parking requirements as established by this Section may be reduced by the Planning Director in those areas where a parking assessment district has been established.

8. Exception. For structures or additions to structures for which the resultant commercial floor area is less than 5,000 square feet, one space per 1,000 square feet of floor area, provided that if alley access is available, no curb cut shall be permitted; and provided that restaurant use is not permitted.

F. CN-1A, CN-2A, NP-1, NP-2 and

NP-3 ZONES/NONRESIDENTIAL PARKING REQUIREMENTS

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

2. 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.

3. 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.

4. For medical and dental buildings, one parking space for each 250 square feet of gross floor area.

5. For business and professional office uses, one parking space for each 300 square feet of gross floor area.

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

G. CN-3, AND CV-3 ZONES/NONRESIDENTIAL PARKING REQUIREMENTS

1. Commercial projects in the CV-3 zone, must meet one of two options: (a) parking is not permitted in the 50 percent of the area of the parcel closest to the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements of the CV-3 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.

2. For lots or parcels which abut an alley:

a. 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.

-PAGE 100 OF 116-

0-17307

b. For lots or parcels with more than 200 feet of alley frontage:

(1) 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.

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

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

(4) 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.

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

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

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

b. For lots or parcels of more than 100 feet in street frontage, minimum parking shall be provided in accordance with the requirements of paragraph D.2.b. 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.

H. SCREENING OF PARKING

1. Parking facilities provided with three or more levels of above-grade parking, shall be architecturally enclosed such that the interior of the structure is not visible.

2. For all parking structures, the perimeter of each parking garage floor above street level shall have an opaque screen at least 3-1/2 feet high measured from the finished floor, and provide an architectural treatment, such as a finished soffit, to shield any unfinished structural

elements, lights or mechanical appurtenances from a viewing position, at grade, from the opposite side of the street. In addition to screening, the garage floors adjacent to the public right-of-way shall be horizontal.

3. Mechanical equipment areas and service areas are allowed as street level uses when screened from the street with the exception that garage doors and access ways may open directly onto the street.

I. PARKING WITHIN YARDS

1. No vehicle may be parked within a required front or street side yard.

2. Vehicles may be parked within that portion of a required street yard which is not within a required front or street side yard provided that vehicular use areas within the street yard shall be constructed of an upgraded hardscape element as defined in the City-wide landscaping code Section 101.0703.

Section 5. That Chapter X, Article 3, Division 15, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.1506, 103.1509 and 103.1510 to read as follows:

**SEC. 103.1506 TRANSITION ZONES - INDICATED BY THE
SUFFIX "T" TO ANY COMMERCIAL ZONE
DESIGNATION (E.G. CN-1T)**

A. PURPOSE AND INTENT

Transition zones are commercial zones which are intended to provide a transition area between commercial use areas and residential use areas. They are designed to provide for the expansion of an existing or new commercial use which is located in both a transition zone and the adjoining commercial zone. As an alternative, transition zoned lots may provide for residential use at the designated transition density.

B. LOTS WITH FRONTAGE ON DESIGNATED STREETS

For all transition zones, regulations shall be equivalent to the commercial zone (i.e. CN-1T equivalent to CN-1) if the lot fronts on Adams Avenue, El Cajon Boulevard, University Avenue, Lincoln Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, Collwood Boulevard, College Avenue, 70th Street or Seminole Drive between Stanley Avenue and Art Street. This provision includes lots which are legally consolidated in accordance with Section 102.0206 of this Code (Subdivision Regulations).

C. LOTS WITH NO FRONTAGE ON DESIGNATED STREETS

For all transition zones where the lot does not front on those streets listed in Paragraph 103.1506.B. (above), the regulations of the zone in the second column below shall apply.

TABLE FOR SECTION 103.1506.C.

Transition Zone	Regulations Which Apply
CN-1T, CL-1T, CV-1T	MR-400
CL-2T, CV-2T, NP-1T	MR-800B
CN-2T	MR-1000B
CN-3T, CL-3T, CL-4T,	MR-1000
CV-3T, NP-2T	
CL-5T, CL-6T, CV-4T, NP-3T	MR-1500

SEC. 103.1509 COMMERCIAL VILLAGE ZONES - CV-1, CV-2, CV-3, CV-4 (Note: CV-3 was previously designated CL-4.)

A. PURPOSE AND INTENT

The intent of the Commercial Village (CV) zones is to provide for pedestrian oriented districts for either commercial, residential or mixed-use development. It is normally applied in linear areas between commercial nodes. The standards encourage pedestrian activity through the design and location of building frontages and of parking and vehicle access. Incentives are provided for mixed-use development in these areas where transit and services are generally available.

B. 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 103.1514.

C. PROPERTY DEVELOPMENT REGULATIONS

1. Floor Area Ratio (FAR) and Coverage.

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

b. The permitted FAR for commercial development shall be as follows:

TABLE FOR SECTION 103.1509.C.1.

Zone	Permitted Commercial FAR
CV-1	1.50
CV-2	0.50
CV-3	0.50
CV-4	2.00

(1) On any lot within the CV-1 Zone, each .01 of residential FAR in a commercial/residential project earns an additional .01 of commercial FAR up to a maximum commercial FAR of 3.00.

(2) On any lot within the CV-2 or CV-3 Zones, each square-foot of residential floor area in a commercial/residential project earns an additional square-foot of commercial floor area up to a maximum commercial FAR of 1.00.

c. There is no maximum FAR for residential development.

2. Maximum Premises Area. In the CV-3 Zone, no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.

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

TABLE FOR SECTION 103.1509.C.3.

Zone	Lot Size	One Unit Per "X" sq. ft.
CV-1	30,000 sq. ft. or more	400
CV-1	less than 30,000 sq. ft.	600
CV-2	15,000 sq. ft. or more	600
CV-2	less than 15,000 sq. ft. but at least 10,000 sq. ft.	800
CV-2	less than 10,000 sq. ft.	1,000
CV-3	any size legal lot	1,000
CV-4	any size legal lot	1,500

4. Height Limits.

TABLE FOR SECTION 103.1509.C.4.

Zone	Height Limitation
CV-1	150 ft.
CV-2	50 ft.; 60 ft. for portions of a building above enclosed parking
CV-3	40 ft.; 50 ft. for portions of a building above enclosed parking
CV-4	40 ft.; 50 ft. for portions of a building above enclosed parking

5. Street Wall.

a. Projects must meet one of two options:

(1) No parking 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; or

(2) Except as provided in Section 103.1504.1.B.6.a (below), there shall be a building wall of at least 13 feet in height located within five feet of any street frontage property line for commercial or mixed-use projects, or within ten feet of any street frontage property line for residential projects, along not less than 65 percent of the total of both the front and if applicable street side property lines, except as required for driveway access where no alternative access is available. 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. Structures not requiring a building permit are exempt from this requirement.

b. The street wall shall not exceed 36 feet in height with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side for fire or safety access.

6. Pedestrian Access. At least one separate pedestrian entry per 100 linear feet of street wall frontage shall be provided from the street into or through the structure. Separate entries meeting this requirement must be spaced no closer than 25 feet apart.

7. Yard and Setback Requirements.

a. Commercial, Residential and Mixed Commercial/Residential Development. No front, side, or rear yards are required, except as follows:

(1) Where the property abuts residentially or transition zoned property, a minimum six-foot yard shall be provided adjacent to that property. The third story requires a nine (9) foot setback and additional stories shall be set back 15 feet.

(a) Zero Yard Option. The following zero-foot side yard option shall only be

granted through approval of a Mid-City Communities Development Permit:

Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000 or transition zoned property. Any third story shall be set back at least six feet; each story above the third requires a 15-foot setback.

(2) Parking spaces are accessed directly from the street right-of-way with no turnaround are, in which case there shall be a 20-foot setback for said parking spaces.

b. That portion of structures exceeding 36 feet in height stories shall be set back at least 15 feet from all property lines which are shared with another parcel.

D. OTHER REQUIREMENTS

The General Regulations (Section 103.1511), the Streetscape Development Regulations (Section 103.1512) and the Parking Regulations (Section 103.1513) also regulate development, as do all those divisions and section of Articles 1, 2 and 5 which are referenced in paragraph 103.1504.C.

**SEC. 103.1510 NEIGHBORHOOD PROFESSIONAL ZONES - NP-1,
NP-2, NP-3**

A. PURPOSE AND INTENT

The Neighborhood Professional (NP) zones are intended to provide for business and professional offices, certain allied services normally associated with such offices, and residential use. They will generally be located near hospitals or adjacent to major concentrations of commercial activities. The standards are designed to ensure compatibility between office development and existing or new residential development by providing for appropriate setbacks and limitations on floor area and signage.

The NP-1 Zone encourages a mixture of office and residential use at a high density, while the NP-3 Zone is intended to encourage more of an office orientation and less residential use. The intent of the NP-2 Zone is to preserve the existing higher quality and historic residential structures by permitting their reuse as apartments or offices.

B. 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 103.1514.

C. PROPERTY DEVELOPMENT REGULATIONS

1. Floor Area Ratio (FAR) and Coverage.

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

b. The permitted FAR and coverage for commercial and/or residential development are specified below:

TABLE FOR SECTION 103.1510.C.1.

Zone	Permitted FAR	Maximum Coverage
NP 1	1.50	50%
NP-2	0.75	45%
NP-3	1.50	50%

A FAR bonus shall be provided equivalent to the area of enclosed parking. Any portion of the building which covers enclosed parking shall be excluded from the coverage calculation. For projects which exceed the dwelling unit or floor area threshold for a Mid-City Communities Development Permit (Section 103.1504.H.1.a.), the FAR bonus and coverage exclusion shall only apply to underground parking. This FAR bonus shall not exceed 1.0 FAR.

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

TABLE FOR SECTION 103.1510.C.2.

Zone	Lot Size	One Unit per "X" Sq. Ft.
NP-1	15,000 sq. ft. or more	600
NP-1	less than 15,000 sq. ft.	800
NP-2	any size legal lot	1,000
NP-3	any size legal lot	1,500

3. Height Limits.

TABLE FOR SECTION 103.1510.C.3.

Zone	Height Limitations
NP-1	50 ft.; 60 ft. where a building is above enclosed parking
NP-2	40 ft.; 50 ft. where a building is above enclosed parking
NP-3	50 ft.; 60 ft. where a building is above enclosed parking

4. Yard and Setback Requirements. Minimum Size of Street Yard. A street yard shall be provided at a minimum area calculated by multiplying the lot frontage by 20 feet. In all NP 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.

TABLE FOR SECTION 103.1510.C.5.

Yard Location

Front	10
Interior Side	6 (a) (b) (c)
Street Side	6
Rear	1 (d), if alley; 15, if no alley

FOOTNOTES:

(a) Zero Yard Option. The following zero foot size yard option shall only be granted through approval of a Mid-City Communities Development Permit:

Up to 60 linear feet of a two-story 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 30-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.

(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) Rear Yard. 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.

D. OTHER REQUIREMENTS

The General Regulations (Section 103.1511), the Streetscape Development Regulations (Section 103.1512) and the Parking Regulations (Section 103.1513) also regulate development, as do all those divisions and sections of Articles 1, 1 and 5 which are referenced in paragraph 103.1504.C.3.

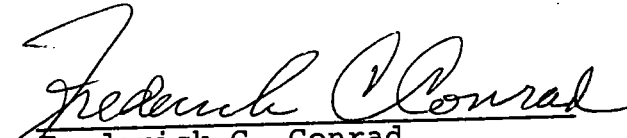
Section 6. Projects permitted under Mid-City Communities Development Permits, Planned Residential Development Permits, Planned Infill Residential Development Permits, Planned Commercial Development Permits, Hillside Review Permits, Variances or Conditional Use Permits approved prior to the effective 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 7. Ordinance Nos. O-16855 (N.S.), O-17024 (N.S.) and O-16464 (N.S.) are hereby repealed.

Section 8. 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 May 2, 1989.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
04/28/89
05/24/89 REV. 1
Or.Dept:Plan.
O-89-211
Form=o.none

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

MAY 30 1989

Council Members
Abbe Wolfsheimer
Ron Roberts
Gloria McColl
H. Wes Pratt
Ed Struiksma
J. Bruce Henderson
Judy McCarty
Bob Filner
Mayor Maureen O'Connor

Yeas	Nays	Not Present	Ineligible
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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 Blonda R. Barnes, 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

MAY 16 1989

MAY 30 1989

, 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 Blonda R. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17307

Adopted

MAY 30 1989