

ORDINANCE NUMBER O- 17764 (NEW SERIES)

ADOPTED ON MAY 11 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING A NEW DIVISION 19, ENTITLED "CENTRE CITY PLANNED DISTRICT," AND BY ADDING SECTIONS 103.1901, 103.1902, 103.1903, 103.1904, 103.1905 AND 103.1906; BY RESERVING FOR FUTURE USE SECTIONS 103.1907, 103.1908 AND 103.1909; BY ADDING SECTIONS 103.1910 AND 103.1911; BY RESERVING FOR FUTURE USE SECTIONS 103.1912, 103.1913, 103.1914; BY ADDING SECTIONS 103.1915, 103.1916, 103.1917, 103.1918 AND 103.1919; BY RESERVING FOR FUTURE USE SECTIONS 103.1920, 103.1921, 103.1922, 103.1923 AND 103.1924; AND BY ADDING SECTION 103.1925; ALL RELATING TO THE CENTRE CITY PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by adding a new Division 19, entitled "Centre City Planned District," and by adding Sections 103.1901, 103.1902, 103.1903, 103.1904, 103.1905 and 103.1906, to read as follows:

DIVISION 19

CENTRE CITY PLANNED DISTRICT

SEC. 103.1901 PURPOSE AND INTENT

The purpose of the Centre City Planned District is to establish design and development criteria to implement the Centre City Community Plan. This

Division is intended to establish development standards that will:

A. Reinforce Centre City as the regional center for office, finance, government and cultural events.

B. Create neighborhoods with a residential emphasis.

C. Produce distinct mixed-use developments with the amenities and services necessary to support a vibrant urban center.

D. Maximize access, use and enjoyment of the waterfront.

E. Encourage gracefully designed buildings with sculptured, articulated building tops to achieve a more interesting and varied skyline.

F. Provide a pedestrian environment.

SEC. 103.1902 DEFINITIONS

"Adjacent Lot" means a lot that abuts another lot for a distance not less than twenty-five (25) feet along a side or rear lot line or would so abut for such a distance if not separated by an alley.

"Atrium" means an opening through two (2) or more floor levels (other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air conditioning or other equipment) which is enclosed at the top.

"Blank Wall" means any wall not enhanced by architectural detailing, artwork, landscaping, windows, doors, or similar features.

"Building Line" means the location of an exterior wall of a building nearest to and most nearly parallel to a property line.

"Building Materials" means all materials visible from the exterior of a development, including materials used for walls, roofs, structure windows, doors, architectural or decorative features applied to the facade and trim.

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

"Common Open Space" means those usable spaces commonly accessible to all residents and users of the building.

"Comprehensive Sign Design Plan" means building design and signs integrated into one architectural plan. The comprehensive plan must show the location, dimensions and materials of the sign.

"Conditional Use" means any use that requires a Conditional Use Permit subject to the regulations set forth in Chapter X, Article 1, Division 5, of the San Diego Municipal Code.

"Cornice" means a decorative, projecting member which crowns or finishes the top of a wall.

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

"Encapsulate" means enclosure of a space or area by a solid material that is compatible and integrated with the material and architectural design of the project from the adjacent or contiguous development or the public right-of-way.

"Floor Area Ratio" means the numerical value obtained by dividing the total Gross Floor Area of building(s) by the area of the lot or premises, and as further defined in Municipal Code section 101.0101.21.

"Gross Floor Area" means the total horizontal square footage of existing, proposed or potential floors of building(s) or portion thereof, included within the exterior surface of the surrounding exterior walls. The Gross Floor Area is calculated in relationship to the structure and grade (Municipal Code section 101.0101.24) adjacent to the exterior walls of a building, and as further defined in Municipal Code section 101.0101.25.

"Habitable Room" means any room except kitchen, hall, bathroom and toilet compartments.

"High Rise" means a building exceeding one hundred twenty-five (125) feet in height.

"High-Rise Building Elements" means high-rise buildings with the following elements: base, tower, and roof. The tower may be subdivided into transition floors, a lower tower, and an upper tower.

"Land Use Mix" means a percentage distribution of a building's gross floor area devoted to residential or nonresidential uses.

"Logo" means an identifying symbol using graphics, color schemes, figures, hieroglyphics, numerals and letters (not including words).

"Low Rise" means a building with a maximum height of fifty (50) feet.

"Mass and Scale" means the visual perception of the organization of the gross floor area of the structure compared to adjoining development.

"Midrise" means a building ranging in height from fifty (50) feet to one hundred and twenty-five (125) feet.

"Mixed Use Development" means developments in which two (2) or more land uses are permitted.

"Off-Site Parking" means parking in a privately or publicly owned parking lot or structure that is not located on the same lot as the use it serves.

"Pedestrian Entrance" means a functional entrance or door that is accessible to the general public and provides access to commercial, residential or "street level" uses as defined in this Section 103.1902. This does not include entrances to mechanical equipment or storage areas, emergency exits, or decorative nonfunctional doors and entrances.

"Private Open Space" means an area connected or immediately adjacent to a dwelling unit. The space can

be a balcony, ground or above grade patio or adjoining roof area used exclusively by the occupants of the dwelling unit.

"Recreational Facilities" means facilities ancillary to a residential complex, including swimming pools, saunas, and courts.

"Reflective Glass" means a glazing material which obscures vision and has limited transparent qualities.

"Religious Assembly" means facilities for religious worship and incidental religious education.

"Residential Density" means a measure of housing, expressed in dwelling units per acre ("DUPA").

"Schools - Public and Private" means a building used for the primary purpose of education.

"Screening" means partial enclosure of a space or area by a solid material that is compatible and integrated with the materials and architectural design of the project from adjacent or contiguous development or public right-of-way.

"Skyviews" means a horizontal and near-horizontal view of the sky.

"Small Lot Development" means a designation applied to a legal lot of ten thousand (10,000) square feet or less.

"Stepback" means a separation between a specified plane or line (such as a property line) and structural or building elements.

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

"Tenant Improvements" means minor interior or exterior improvements, such as the finishing or remodeling of interior space to accommodate a new tenant or occupant, the installation of ancillary mechanical equipment, and the replacement of doors and windows. This does not include building rehabilitation or renovation, structural modifications or exterior modifications to the design, form or materials of a building.

"Urban Open Space" means any usable space accessible to the general public which is one thousand (1,000) square feet or greater in size such as plazas, parks, etc.

SEC. 103.1903 BOUNDARIES AND APPLICABLE DISTRICTS

This Division applies to all property located in the Centre City Community Planning Area shown in Figure 1 of Chapter X, Article 3, Division 19, except for lands within the jurisdiction of the San Diego Unified

Port District which are subject to the provisions of the San Diego Port District Act, the Tidelands Trust and the California Coastal Act of 1976, the Navy Broadway Complex, and land within the jurisdiction of the Gaslamp Quarter Planned District Ordinance and Marina Planned District Ordinance, codified in the San Diego Municipal Code as Chapter X, Article 3, Division 4 et seq., and Chapter X, Article 3, Division 20 et seq., respectively.

SEC. 103.1904 ADMINISTRATION AND REQUIRED PERMITS

A. Administration

The Executive Vice President of Centre City Development Corporation or his or her designee (hereafter known as the "Executive Vice President") shall administer this Division to ensure compliance with the regulations and procedures of this Division and the Centre City Community Plan. The Zoning Administrator shall administer the issuance of Zoning Use Certificates ("ZUCs") in compliance with the land use classifications permitted in TABLE 4 of Chapter X, Article 3, Division 19, Land Use Classifications Permitted by Land Use Districts, and Figure 2 of Chapter X, Article 3, Division 19, Land Use Map.

B. Permit Required

1. The provisions of this Division shall apply to any construction, erection, conversion, establishment, alteration, enlargement, or change in use in any area of Centre City identified in Municipal Code section 103.1903.

2. The requirements of this Division shall be subject to, and any conflicting requirements shall not apply to, any Disposition and Development Agreement or Owner participation Agreement entered into by the Redevelopment Agency of The City of San Diego, or Development Agreement entered into by The City of San Diego, prior to May 11, 1992, along with any amendments made thereto, including those amendments made after May 11, 1992.

3. The requirements of this Division shall not apply to modifications, repairs or other alterations which do not require any type of permit issued by The City of San Diego.

4. The requirements of this Division shall not apply to tenant improvements. However, tenant improvements exceeding two hundred fifty thousand dollars (\$250,000) in value shall meet the requirements of the Centre City Streetscape Manual.

5. The Department of Building Inspection, Sign Code Administration, or Engineering and Development Department shall not issue any permit for the construction, erection, conversion, establishment, alteration, enlargement, or change in use in any area of Centre City identified in Municipal Code section 103.1903 until approval of a Centre City Development Permit by the Executive

Vice President has been obtained by the owner or applicant.

C. Use of Existing Structures

Structures existing as of May 11, 1992, may be reused for any land use classification permitted within that land use district (the residential land use requirements of the Mixed Use/Residential Emphasis or the Hotel/Residential Districts would not apply) as set out in Table 4 of Chapter X, Article 3, Division 19, provided that there is no alteration, enlargement, or rehabilitation of the existing structure which results in an increase of gross square footage or an increase in the number of on-site parking spaces.

D. Nonconforming Uses

1. Any existing use in a structure existing as of May 11, 1992, that does not meet the criteria established by this Division will be considered a nonconforming use.

2. If the nonconforming use does not meet the residential land use requirements of the Mixed Use/Residential or the Hotel/Residential Districts but is otherwise a permitted use as shown in Table 4 of Chapter X, Article 3, Division 19, then it may be expanded or enlarged up to one hundred percent (100%) of the existing gross square footage of the building.

3. If the nonconforming use is on a five thousand (5,000) square foot lot or less and is

otherwise a permitted use as shown on Table 4 of this Division, it may be expanded up to the maximum floor area ratio.

4. The strict application of the property development regulations contained in Municipal Code section 103.1915(E), (F), (H), (J) and (K) as they apply to conversion, alteration, of enlargement of existing structures may not meet the purpose and intent of this Division.

Therefore, the Executive Vice President may grant exception to the property development regulations of Municipal Code section 103.1915(E), (F), (H), (J) and (K), for the conversion, alteration or enlargement of existing structures if all of the following conditions are met:

a. The condition is unique to the property in question and is not created by an action or actions of the property owner or applicant.

b. The strict application of the requirements of this Division will constitute unnecessary hardship upon the property owner represented in the application.

c. Granting the exception will not adversely affect the health, safety, prosperity, or general welfare of adjacent property owners or residents.

d. Granting the exception will not conflict with the purpose and intent of this Division.

5. Should a nonconforming use be discontinued for a continuous period of twelve (12) months or more, it shall be deemed to be an abandonment of any nonconforming rights existing at the enactment of the Division.

E. Historic Sites

1. The Executive Vice President shall review all project proposals that alter a designated historic site or any site listed in the Historic Site Inventory of Centre City East, November 1988; the Historic Site Inventory of Core, May 1989; and the Historic Inventory of Bay-side, May 1989 (hereafter known as the "Historic Site Inventory") which has not yet been considered for designation by the Historical Site Board.

2. The Executive Vice President may approve minor alterations (as determined by the Executive Vice President) to a designated historic site or a site listed in the Historic Site Inventory which has not yet been considered for designation by the Historical Site Board.

3. Other than minor alterations to a designated historic site or site listed in the Historic Site Inventory which has not yet been considered for designation by the Historical Site

Board shall be reviewed by the Historical Site Board.

F. Demolition Permits

1. No permits shall be issued for the demolition or removal of any building or structure unless the application for the permit has been approved by the Executive Vice President. 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 site was a designated historic site, a permit will not be issued for two (2) years or a previously issued permit may be revoked for a period of two (2) years.

2. The Executive Vice President shall approve an application for a demolition permit if it is determined that the site in question is not a designated historic site or a site listed in the Historic Site Inventory which has not yet been considered for designation by the Historical Site Board. The Executive Vice President shall make the determination within ten (10) working days of the receipt of the application in the offices of the Centre City Development Corporation (hereafter known as "CCDC"). If the Executive Vice President does not make the determination within that speci-

fied period, the site shall be deemed not to be a designated historic site or a site listed in the Historic Site Inventory which has not yet been considered for designation by the Historical Site Board. If the site is found to be listed in the Historic Site Inventory and has not yet been considered for designation by the Historical Site Board, the demolition or removal permit application shall not be approved for ninety (90) days or until the Historical Site Board has made a formal determination of the site's historic significance, whichever occurs first. The provisions of this section shall not apply to the following:

a. 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

b. Any permit approved by the Executive Vice President, Centre City Development Corporation Board, Planning Commission, Redevelopment Agency of The City of San Diego, or City Council as part of a development project submitted, reviewed and approved in accordance with this Division, 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 or architectural significance of the property. That environmental document shall be reviewed by the Historical Site Board for the purpose of recommending to the Executive Vice President whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

G. Other Applicable Planning and Zoning Regulations

1. In evaluating and reviewing the appropriateness of any development for which a Centre City Development Permit is required, the Executive Vice President shall utilize the provisions of this Division and the following as they apply and as they may be subsequently amended:

a. Centre City Community Plan; April 28, 1992.

b. Redevelopment Plan for the Centre City Redevelopment Project; April 28, 1992.

c. Redevelopment Plan for the Horton Plaza Redevelopment Project; July 25, 1972.

d. City of San Diego/Port District Memorandum of Understanding regarding the

Central Bayfront Design Guidelines,
September 25, 1989, on file in the office of
the City Clerk as Document No. RR-274457.

e. Centre City Parking Ordinance;
April 28, 1992.

f. Centre City Transit Ordinance;
April 28, 1992.

g. Centre City Streetscape Manual;
April 28, 1992.

2. Notwithstanding the provisions of
Chapter X, Article 1, Division 5, Sections
101.0510, 101.0512, 101.0513, 101.0514, 101.0515,
101.0516, 101.0517, 101.0518, 101.0550, 101.0560,
101.0570, 101.0580 and 101.0581, the Executive
Vice President shall be the decision maker for the
purpose of granting conditional use permits within
the boundaries delineated in Municipal Code
section 103.1903.

The Executive Vice President shall grant
conditional use permits according to the same
criteria required for conditional use permits in
Municipal Code section 103.1904(G)(2). In all
cases, the appeals procedures shall remain the
same for conditional use permits in Municipal Code
section 103.1904(G)(2), with the following
exception:

For those conditional use permits delineated
in Municipal Code section 101.0510(C)(4), in which

the City Council is listed as the decision maker, the Executive Vice President shall serve as the decision maker, but appeals shall be heard by the City Council, following a recommendation to the City Council by the Planning Commission as set out in Municipal Code section 101.0510(F).

3. Where not otherwise specified in this Division, the provisions of the San Diego Municipal Code shall apply.

4. In case of conflict with any other applicable legislation the regulations of this Division shall apply.

5. The Navy Broadway Complex and other Navy property is located within the boundaries of various areas and districts described in this Division. Redevelopment of the Navy Broadway Complex, bounded by Broadway to the north, Pacific Highway to the east, and Harbor Drive to the west and south, is expected to be developed in accordance with the Navy's development plan and urban design guidelines as specified in a development agreement with the City and incorporating the Central Bayfront Design Principles adopted by the Bayfront Complex Coordinating Group on September 22, 1989, or as otherwise provided by law.

SEC. 103.1905 APPLICATION PROCEDURES

The preparation, submittal, and review of projects in Centre City shall proceed through the following progression: A. Basic Concept/Schematic Drawings; B. Fifty Percent (50%) Construction Drawings; and C. One Hundred Percent (100%) Construction Drawings.

A. Basic Concept/Schematic Drawings

The design submittal shall illustrate the basic organization of the site. Plans shall be reviewed for two-dimensional considerations such as the relationship of land uses within the project, relationship of the project to proposed and existing land uses adjoining the site, siting considerations such as vehicular and pedestrian circulation, provision for urban open space, and three-dimensional images of the project. A narrative explanation of the design concept shall be provided.

B. Fifty Percent (50%) Construction Drawings

This submittal shall be a refinement of and resolve issues identified during, Basic Concept/Schematic Drawings, and shall include accurate site surveys, floor plans, elevations, sections, design details and a palette of exterior colors and materials. Other considerations such as pedestrian and vehicular circulation, landscape plans, provision for servicing, off-site improvement drawings, utility infrastructure and exterior architectural and urban design features shall be included as appropriate.

C. One Hundred Percent (100%) Construction

Drawings

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

SEC. 103.1906 PROJECT REVIEW PROCEDURES

A. Administrative Review

Upon receipt of a complete Centre City Development Permit application, the Executive Vice President shall conduct an administrative review of the subject project. No public hearing is required for this review. The Executive Vice President and the City Architect shall agree to the projects that will be reviewed by the City Architect. The comments provided to the Executive Vice President by the City Architect will be considered in the review and approval of the project.

B. Exceptions

The Executive Vice President may grant a maximum deviation of fifteen percent (15%) [twenty percent (20%) for parcels ten thousand (10,000) square feet or less] to Municipal Code sections 103.1915(E)(2)(b) and (E)(2)(c) if all of the following conditions are met:

1. Any exception requested arises from a condition unique to the property in question and

that is not ordinarily found in the same zone or district and is not created by an action or actions of the property owner or applicant.

2. The granting of an exception will not adversely affect the rights of adjacent property owners or residents.

3. The strict application of the provisions of this Division and the Centre City Community Plan will constitute unnecessary hardship upon the property owner represented in the application.

4. The exception desired will not adversely affect the public health, safety, prosperity, or general welfare.

5. The granting of an exception will not be in conflict with other development and design criteria found in this Division, Centre City Community Plan or the Municipal Code.

C. Permit Issuance

If the Executive Vice President approves a Centre City Development Permit, the application shall be referred to Building Inspection or the City Engineer for any other action as necessary.

D. Permit Denial

Denial of any Centre City Development Permit application requires the Executive Vice President to issue findings in writing of nonconformance with the provisions of this Division and the Centre City Community Plan.

E. Appeals

1. Appeals of the Executive Vice President's determination can be made to the Planning Commission. Appeals must be submitted in writing to CCDC within ten (10) calendar days following the date of the Executive Vice President's decision.

2. The following sections of this Division are appealable:

a. Municipal Code section 103.1915(E)(2)(d) regarding the articulation of the upper tower.

b. Municipal Code section 103.1906(B), denial of a request for an exception pursuant to the exception criteria.

3. Any project that is appealed requires a Notice of Public Hearing ten (10) days prior to the Planning Commission hearing. Noticing requirements of Chapter X, Article 1, Division 2, of the Municipal Code shall apply to this section.

F. Permit Time Limits

Centre City Development Permit approval under this Division will be effective for a period of three (3) years. If a building permit has not been obtained within the three (3) years the Centre City Development Permit is invalid, and if the project is to proceed, the applicant must reapply for a Centre City

Development Permit pursuant to legislation that exists at that time.

G. Permit Revocation

The Executive Vice President at any time may revoke a Centre City Development Permit issued under this Division for failure to comply with the conditions of approval. Prior to such a revocation, the applicant shall be given a hearing after ten (10) calendar days' notice to show cause why the permit should not be revoked.

Section 2. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by reserving for future use Sections 103.1907, 103.1908 and 103.1909.

Section 3. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.1910 and 103.1911, to read as follows:

SEC. 103.1910 LAND USE DISTRICTS

Nine land use districts as shown in Figure 2 of Chapter X, Article 3, Division 19, have been established to define geographic areas that allow specific land use classifications. In addition, specific uses are required on designated streets in Centre City, as shown in Figure 3 of Chapter X, Article 3, Division 19. Permitted land use classifications within each land use district are shown in TABLE 4 of Chapter X, Article 3, Division 19.

A. Commercial Office District (CO)

This district is intended to accommodate government, business and professional offices, hotels, judicial facilities, and a variety of support commercial services and residential development.

B. Recreation/Visitor/Marine District (RVM)

This district is expressly designed for application to the waterfront and is intended to accommodate major tourist and local visitor attractions, recreation areas and marine related industry.

C. Mixed Use/Residential Emphasis District (MR)

This district is intended to accommodate high density residential with limited nonresidential uses that provide for an active street environment. At least eighty percent (80%) of the total gross floor area of a project must be a residential use. A maximum of twenty percent (20%) gross floor area or full ground floor, whichever is greater, may be used to accommodate nonresidential uses permitted in this district.

D. Mixed Use District (MU)

This district is intended to provide for commercial services that support office, business, professional and personal needs.

E. Commercial Services District (CS)

This district is intended to provide for business, commercial and limited industrial uses that function in support of other downtown uses.

F. Institutional District (IU)

This district is intended to accommodate civic, educational and recreational uses, both public and private.

G. Hotel/Residential District (HR)

This district is intended to accommodate high intensity residential and hotel development. Hotel development is permitted without additional land-use mix restrictions. For all other projects, at least seventy-five percent (75%) of the total gross floor area of a project must be a residential use. A maximum of twenty-five percent (25%) or full ground floor, whichever is greater, may be used to accommodate nonresidential uses permitted within this district.

H. Required Street Level Uses

Along the streets shown in Figure 3 of Chapter X, Article 3, Division 19, at least seventy percent (70%) of the first story street wall frontage shall be devoted to Street Level Uses. For projects located within the Mixed Use/Residential Emphasis or Hotel/Residential District and fronting designated Required Street Level Uses streets, the gross square footage of a project devoted to meeting the required street level use may be excluded from the calculation of the maximum nonresidential land use requirement.

SEC. 103.1911 PERFORMANCE STANDARDS

The following performance standards shall apply to all land use classifications including the use of

existing structures, expansion of nonconforming land uses and proposed land uses.

A. No use, activity or process shall produce continual noise, vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of a site.

B. No use, activity or process shall produce continual loading or unloading of heavy trucks at the site exclusive of permitted industrial uses.

C. All outdoor lighting shall be shielded or directed away so that direct light or glare does not adversely impact adjacent residential land uses.

D. All storage and mechanical equipment shall be enclosed in a structure and completely screened from view.

Section 4. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by reserving for future use Sections 103.1912, 103.1913 and 103.1914.

Section 5. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.1915, 103.1916, 103.1917, 103.1918 and 103.1919, to read as follows:

SEC. 103.1915 PROPERTY DEVELOPMENT REGULATIONS

A. Lot Area and Minimum Lot Coverage:

None.

B. Minimum Building Setbacks

None, except where specified in Section 103.1915(E), (F) and (G); and, the Executive Vice

President may require a ten foot (10') setback where a project is adjoining an existing residential project to maintain minimum provisions for light and air.

C. Building Height

1. Building height shall be measured from the average height of the ground plane to the roof parapet of the highest habitable floor.

Uninhabited roof structures that conceal mechanical equipment or roof elements that add architectural interest to the structure shall not be included in the measurement of building height provided that:

a. The structure provides multi-level roofs which establish a varied skyline;

b. The structure provides a sloping roof; or

c. The structure provides a combination of (a) and (b) above.

2. In no case shall the exception to height permitted by nonhabitable space exceed the height of a cone projected by a forty-five (45) degree angle from the parapet of the lowest dimension of the floor plate of the highest habitable floor, or a maximum of thirty (30) feet.

3. Within the area located between Pacific Highway and California Street, Ash Street and Grape Street, the maximum height for structures is eighty-five (85) feet above grade.

4. Maximum building heights are determined by Sun Access Criteria, as per Section 103.1915(I).

5. Throughout the remainder of Centre City, building heights are determined by the Airport Approach Overlay Zone, the Federal Aviation Administration (FAA), and the San Diego Unified Port District, as applicable.

D. Floor Area Ratios

1. Floor area ratios are established for each site and determine the intensity of development in Centre City as set out in Figure 4 of Chapter X, Article 3, Division 19.

2. For development infilled on a parcel which contains a designated historic structure, or where a designated historic structure is rehabilitated and integrated into the proposed project, the floor area ratio of the designated historic structure may be excluded from the calculation of the total floor area ratio ("FAR") of the project provided that the historic, and/or architectural, character of the structure is not adversely impacted.

3. Residential Incentive

Within the Residential Incentive Area, specified in Figure 5 of Chapter X, Article 3, Division 19, a maximum floor area ratio increase of 2.0 may be permitted for the provision of at

least eighty percent (80%) of the gross square footage developed as residential. The gross square footage of the project may be anywhere from one hundred percent (100%) to eighty percent (80%) residential. The remaining twenty percent (20%) of the gross square footage of the project may be any use that is permitted within that land use district.

4. Street Level Use Incentive

Within the Street Level Use Incentive Area, specified in Figure 6 of Chapter X, Article 3, Division 19, up to 2.0 of floor area ratio may be excluded from the calculation of the maximum permitted floor area ratio provided that the excluded floor area is: (1) within the building base; (2) is not located below the tower floor plate; (3) is not used as parking; (4) meets the street level development standards of Municipal Code section 103.1915(F); and (5) meets the street level use requirements of Municipal Code section 103.1910(H).

E. Building Bulk

Different bulk controls are established for structures less than one hundred twenty-five (125) feet tall and for structures one hundred twenty-five (125) feet tall and greater. Bulk controls address the architectural design of specific projects to avoid unarticulated, box-like buildings.

1. Bulk criteria for buildings less than one hundred twenty-five (125) feet tall:

a. Maximum floor plate dimension and upper tower setbacks are not required.

b. The top of the building facade will be visually terminated through the use of cornices, stepped parapets, hip and mansard roofs, stepped terrace, domes and other forms of multifaceted tops, as specified in Figure A of Chapter X, Article 3, Division 19.

2. Bulk criteria for buildings one hundred twenty-five (125) feet tall and greater define three (3) different elements of a building: the base, lower tower and upper tower, as specified in Figure B of Chapter X, Article 3, Division 19.

a. The building base is the lower portion of the building and defines the street wall. The maximum and minimum height of the building base shall be as specified in Section 103.1915(F) (2).

b. The lower tower is defined as seventy-five percent (75%) of the portion of the building height above the building base (the height shall be measured from the first horizontal setback at or above thirty (30) feet). Above the building base, a twenty-five-foot (25-foot) setback (thirty (30) feet within the Waterfront District as shown

in Figure 8) is required from the property line to the lower tower. The stepback may occur incrementally within the area defined by a forty-five (45) degree angle originating from the property line of the opposite side of the street.

c. Maximum floor plate dimensions apply to the lower tower and differ for buildings between one hundred twenty-five (125) and three hundred fifty (350) feet and for those greater than three hundred fifty (350) feet in height. Maximum floor plate sizes are shown in the following TABLE 1 OF SECTION 103.1915.

TABLE 1 OF SECTION 103.1915: MAXIMUM FLOOR PLATES

Building Height:	<u>125-350 feet</u>	<u>+350 feet</u>
Max. Floor Plate:	21,000 sq. ft.	22,000 sq. ft.

d. The upper tower is defined as the remaining twenty-five percent (25%) of the tower height above the building base. To achieve "articulation" of the building form in the upper portions of the tower, the upper tower will be built to achieve a reduction of building mass proportional to the mass of the lower tower as shown in Figure C of Chapter X, Article 3, Division 19.

3. Building tops and roof treatments: Penthouse space, mechanical equipment, heliports, and vertical and decorative roof attachments are permitted above the upper tower that are an integral part of the architectural design. All mechanical equipment, appurtenances and access areas shall be completely architecturally screened and enclosed.

The addition of pylons, chimneys, or obelisk, with a maximum cross-sectional plan area of one hundred (100) square feet that meet Federal Aviation Administration (FAA) and building code requirements, will be permitted.

4. Cornices and decorative projections are permitted at any level of the building.

F. Street Level Development Standards

1. Street Wall

a. The street wall is the building facade along a property line adjacent to any public right of way. The street wall may include arcades, colonnades, recessed entrances, private open space, public plazas, urban open space and mid-block connectors, such that:

(1) Arcades and colonnades shall be a minimum width of five (5) feet.

(2) Recessed entrances shall not exceed twenty-five (25) feet in length

and shall be within fifteen (15) feet of the property line.

(3) Public plazas and open space shall meet the criteria of the Plaza Design Guidelines of the Centre City Community Plan to qualify as a street wall.

(4) Mid-block connectors shall be as defined in the Centre City Community Plan to qualify as a street wall.

b. A street wall is required along one hundred percent (100%) of the total linear property line adjacent to the public right-of-way. The street wall shall be located at, or within five (5) feet of the street property line.

2. Street Wall Height

a. The maximum street wall height is a 1:1 ratio to the width of the adjacent public right-of-way unless otherwise specified by Sections 103.1915(G) and (I); e.g., if the right of way is eighty (80) feet the maximum height of the street wall is eighty (80) feet as shown in Figure D of Chapter X, Article 3, Division 19.

b. The minimum street wall height is thirty (30) feet.

c. On sites with slopes greater than five percent (5%), the height of the street wall shall be measured at the midpoint of each bay as shown in Figure E of Chapter X, Article 3, Division 19, as defined in Municipal Code section 103.1915(F)(3)(a).

3. Street Wall Facade

a. The street wall facade shall be architecturally modulated by bays that are not more than fifty (50) feet in width. A smaller module may be super-imposed within the larger bay.

b. Bays within the street wall shall be defined by changes in the rhythmic pattern of window openings, bay windows, awnings and canopies, entrances, balconies, arcades, columns, pilasters, plane of the facade, materials and color, or other architectural features.

c. Major entrances, corners of buildings, and street corners shall be articulated within the street wall facade.

d. Within the area between three (3) feet and twelve (12) feet above the sidewalk, required entries and windows shall be transparent, e.g. clear or lightly tinted glass.

e. Blank wall area shall be any street wall area that is not transparent (including solid doors and mechanical areas but not including garage entrances). The maximum total blank wall area is thirty percent (30%) of the first story street wall. The maximum length of any continuous blank wall is fifteen (15) feet; however, the maximum length may be increased to thirty (30) feet if the wall area is enhanced with architectural detailing, ornamentation, or art work.

4. Pedestrian Entrances

a. At least one separate pedestrian entrance shall be provided for each seventy-five (75) feet of linear frontage adjacent to the public right-of-way.

b. Separate entrances shall be a minimum of twenty-five (25) feet apart and shall be accessible from the public right-of-way.

c. Pedestrian entrances shall have direct access at the grade of the sidewalk.

G. View Corridor Stepbacks

1. Stepbacks are required along those streets shown in Figure 7 of Chapter X, Article 3, Division 19. Required stepbacks shall be measured from the property line, above the sidewalk along

the designated Centre City view corridors as specified in the following TABLE 2. Where the public right-of-way or sidewalk is required to be widened, the view corridor shall be taken from the new property line.

2. The ground level right-of-way width along Juniper, Date, A, B, C, E, F, and G Streets and Fifth and Sixth Avenues will be the same average dimension as the existing street right-of-way for each street; e.g., eighty (80) feet.

3. Elevated pedestrian walkways or "skytubes," or gross floor area may not be constructed above, over, or within existing or designated public rights-of-way or view corridors unless compelling reasons exist to ensure safe pedestrian movements and where no feasible alternatives for pedestrian access are available.

TABLE 2 OF SECTION 103.1915: VIEW CORRIDORS

<u>STREET</u>	<u>STEPBACK</u>	<u>STEPBACK ELEVATION</u>
Laurel	15'	30'
Juniper	15'	30'
Hawthorn	15'	30'
Grape	15'	30'
Date	15'	30'
Fir	15'	30'
Cedar	15'	Ground Level
Beech	15'	30'
Ash	25'	50'
A	25'	50'
B	25'	50'
C	15'	50'

Broadway *

West of Kettner	50'	Ground Level
East of Kettner	15'	Ground Level
East of Kettner	10'	90'
E	25'	50'
F	25'	50'
G	25'	50'
Market	25'	50'
Fifth	15'	65'
Sixth	15'	65'
Seventh	15'	65'
Eighth	15'	65'
Ninth	15'	65'
Pacific Highway	15'	50'

* Street Wall and Building Bulk requirements (25' stepback above the building base) apply along the length of Broadway.

H. Building Orientation

Building orientation criteria are established to reduce the impact of taller building elements within the Waterfront District and Sun Access areas.

1. Within the Waterfront District as shown in Figure 8 of Chapter X, Article 3, Division 19, the maximum north-south plan dimension is one hundred forty (140) feet above the building base. Multiple towers within a block must be separated by a minimum of forty (40) feet.

2. Within designated Sun Access areas and those blocks located between Pacific Highway and California Street and between Laurel and Ash Streets, the maximum north-south plan dimension is one hundred (100) feet above ninety (90) feet.

I. Sun Access Criteria

1. Sun access criteria are established to maintain adequate sunlight and air to sidewalks

and residential areas during the winter solstice (December 21) between 10:30 a.m. and 1:30 p.m. View corridor, building bulk and building orientation criteria also apply to sun access areas.

2. Sun access criteria apply to the areas designated on Figure 9 of Chapter X, Article 3, Division 19, and establish a building envelope which applies to the entire block. There are two different building envelopes, the Sun Access Envelope and the Transition Envelope.

a. The Sun Access Envelope is defined by a fifty-foot (50-foot) street wall along all street frontages. Above the fifty-foot (50-foot) street wall on the east and west block faces, a forty-five (45) degree angle defines the envelope up to their point of intersection which is one hundred fifty (150) feet. On the north and south block faces, above the fifty-foot (50-foot) street wall, a fifteen-foot (15-foot) setback is required. The Sun Access Envelope is shown on Figure F of Chapter X, Article 3, Division 19.

b. The Transition Envelope is defined by the Street Level Development Standards of this Division on the east, west, and south block faces. The north block face is the same as that of the Sun Access Envelope as

defined in Municipal Code section

103.1915(K)(2)(a). Transition heights are permitted by a thirty-four (34) degree angle, originating from a height of eight (8) feet above the sidewalk from the opposite street wall. The Transition envelope is shown on Figure F of Chapter X, Article 3, Division 19.

J. Vehicular Access

1. The maximum linear feet of curb cut for vehicular access shall be calculated at a ratio of 1.0 linear foot per five hundred (500) square feet of site area.

2. No vehicular access curb cut may be closer than sixty-five (65) feet from the curb line of the closest intersection or closer than eighty (80) feet from the nearest curb cut except for parcels of five thousand (5,000) square feet or less, in which case the aforementioned dimensional criteria shall be reduced by one-half.

3. No curb cuts for vehicular access are permitted on the designated streets as shown in Figure 10 of Chapter X, Article 3, Division 19. A curb cut may be permitted on these streets if it serves a residential development.

4. All vehicular access must be provided perpendicular to the public right-of-ways. Curb cuts for one-way traffic may be no less than ten

(10) feet or greater than twelve (12) feet in width. Curb cuts for two-way traffic may be no greater than thirty (30) feet in width, and as satisfactory to the City Engineer.

K. Parking

1. Structured Parking

a. All parking that is incidental and associated with a project shall be enclosed and architecturally integrated into the structure.

b. For Commercial/Professional office uses and for all other uses with a floor area ratio greater than 4.0, at least two (2) levels of parking shall be accommodated below grade prior to the provision of any above grade parking with the following exceptions:

(1) Below grade parking shall not be required for parcels that are ten thousand (10,000) square feet or less.

(2) For development infilled on sites which contain historic structures, designated pursuant to applicable Municipal Code sections, an exception to below grade parking requirements may be permitted by the Executive Vice President. All other parking requirements shall apply.

(3) For development on sites proven to be significantly impacted by the water table, the provision of below grade parking may constitute unnecessary hardship upon the property owner. However, where parking is permitted above grade, special attention shall be given to its architectural treatment and encapsulation. All other parking requirements apply.

c. At least fifty percent (50%) of the street wall of any structured parking shall include street level uses.

d. All structural elements, lights and mechanical equipment shall be screened from view.

2. Supplemental Parking

a. Supplemental parking shall include all parking structures that are a primary use, or are off-site and incidental and associated with a project.

b. Supplemental parking shall be permitted only within Supplemental Parking Areas shown on Figure 2 of Chapter X, Article 3, Division 19, with the following exceptions:

(1) Supplemental parking incidental and associated with a governmental or civic project.

(2) Supplemental parking incidental and associated with a defined parking assessment district.

c. Supplemental parking shall meet all Structured Parking criteria of Municipal Code section 103.1915(K)(1).

3. Surface Parking

a. Surface parking shall include all nonstructured parking lots and shall be permitted throughout the planning area.

b. A landscape area of at least five (5) feet in width shall be provided along the property line adjacent to any public right of way. The landscape area shall be planted with shrubs, ground cover and at least one (1) tree for each twenty-five (25) feet of street frontage.

c. In addition to perimeter landscaping, at least one (1) tree per five thousand (5,000) square feet of lot area shall be provided for lots greater than thirty thousand (30,000) square feet. Trees shall be grouped or spaced within the interior of the lot.

d. All trees shall be a minimum of thirty-six (36) inch box in size.

e. An irrigation system shall be provided as required for proper irrigation, development, and maintenance of the vegetation.

f. Wheel stops shall be placed at the edge of all landscape areas to protect plant materials.

g. Lighting shall be provided to maintain security and safety within the lot. All lighting shall be shielded from surrounding uses.

4. In addition to the criteria of this Division, the Executive Vice President may require any additional measures to ensure land use, circulation and urban design compatibility with all structured, supplemental and surface parking.

L. Signage

1. Initial application for a sign permit shall be made to CCDC, along with all appropriate documentation required by Chapter X, Article 1, Division 11, of the San Diego Municipal Code (the San Diego Sign Ordinance") and Municipal Code section 103.1915(L), for review and comment to the Sign Code Administrator prior to the Sign Code Administrator issuing a sign permit. This review and comment by the Executive Vice President of

CCDC shall take no longer than ten (10) calendar days from the date of receipt of the application.

2. In addition to the requirements of Chapter X, Article 1, Division 11 of the Municipal Code, the following provisions apply:

a. A comprehensive sign program is required.

b. Signs, inflatable displays and banners cannot be placed on the roof of any structure.

c. The sign (or any part of the sign) may not be located more than sixty-five (65) feet above the sidewalk. This is measured from the street property line closest to the sign.

3. Logos may be used on the upper tower of a building if the following criteria are met:

a. The logo must be designed as an integral part of the exterior of the building.

b. Logos may not be located on any two (2) adjacent facades.

c. The maximum area of the logo is based on building height as described on TABLE 3 OF SECTION 103.1915.

TABLE 3 OF SECTION 103.1915: LOGO AREA

Logo Area

Building Height

50 sq. ft.	65 - 125 feet
75 sq. ft.	126 - 200 feet
100 sq. ft.	201 + feet

SEC. 103.1916 OFF-STREET LOADING REQUIREMENTS

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

B. All off-street loading areas shall be screened from view.

C. No off-street loading shall be required for any use occupying space in an existing building or structure that is renovated, converted or adapted for new use.

SEC. 103.1917 PLAZA DESIGN GUIDELINES

The Executive Vice President shall refer to the Plaza Design Guidelines of the Centre City Community Plan in the review and approval of any urban open space that is one thousand (1,000) square feet or more in area and any urban open space proposed as an exception to required Street Level Development Standards.

SEC. 103.1918 COUNTY ADMINISTRATION CENTER DESIGN ZONE

A. The County Administration Center Design Zone is located within the Waterfront District boundaries between Grape and Ash Streets and between Pacific Highway and California Street, and on one block immediately north and south of the County

Administration Center as shown in Figure 11 of Chapter X, Article 3, Division 19.

B. Any development proposal in this zone shall be reviewed by the County Chief Administrative Officer as well as the Executive Vice President regarding the design of the proposal prior to the issuance of a Centre City Development Permit.

C. Within the area located between Pacific Highway and California Street, Ash Street and Grape Street the maximum height for the structures is eighty-five (85) feet above grade.

D. The Executive Vice President shall refer to the Design Guidelines for The Pacific Highway - County Administration Center Design Zone, on file in the office of the Clerk of the Board of the County of San Diego and adopted by the County Board of Supervisors on April 24, 1990, in review and approval of any project within this zone.

SEC. 103.1919 ALCOHOL BEVERAGE SALE PERMIT

Establishments engaged in the sale of alcoholic beverages for "off-site consumption" or "on the premises of sale consumption" shall be required to obtain an alcohol beverage sale permit from the Executive Vice President.

A. The following conditions of approval for a "off-site consumption" permit shall apply:

1. No wine or distilled spirits shall be sold in containers of less than seven hundred fifty (750) milliliters.

2. No malt beverage products shall be sold in less than six-pack quantities per sale.

3. No wine shall be sold with an alcoholic content greater than fifteen percent (15%) by volume.

4. No refrigerated or otherwise chilled alcoholic beverages shall be sold or maintained on the licensed premises.

5. Quarterly gross sales of alcoholic beverages shall not exceed twenty percent (20%) of the quarterly gross sales of the establishment.

6. No alcoholic beverages shall be sold or delivered except between the hours of 10:00 a.m. and 10:00 p.m. of each day of the week.

B. The following conditions of approval for a "on the premises of the sale consumption" shall apply:

1. The sale of alcoholic beverages shall be an accessory or secondary use to the primary use of the property and the intended use must be a permitted use within that district.

2. Liquor, beer and wine sales shall not exceed fifty percent (50%) of the total gross sales of the business conducted at that location. Food may be served throughout the premises at any

time and entertainment may be permitted throughout the premises.

C. After considering the facts presented in the application, the Executive Vice President may grant such a permit if it is concluded at the hearing that all of the applicable criteria set forth above and in Municipal Code section 103.0403(C) have been met. In granting the Alcoholic Beverage Sale Permit, the Executive Vice President may impose reasonable conditions to ensure compliance with the provisions of this Division.

D. The Executive Vice President may grant, with Police Department comment and review, an Alcoholic Beverage Sale Permit with the following conditions of approval:

1. Allowing the sale of refrigerated or otherwise chilled alcoholic beverages.
2. Allowing the off premises quarterly sales of alcoholic beverages not to exceed fifty percent (50%) of the quarterly gross sales of the establishment.
3. Allowing uses as identified in Section 103.0408.6a(1) relief from Section 103.0408.6c(1)(c) of the Municipal Code.

E. The Executive Vice President may revoke an Alcohol Beverage Sale Permit if conditions as set forth in the permit are not being met. Prior to revocation, the permittee shall be given a hearing after ten (10)

calendar days' notice to show cause why the permit should not be revoked.

Section 5. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by reserving for future use Sections 103.1920, 103.1921, 103.1922, 103.1923 and 103.1924.

Section 6. That Chapter X, Article 3, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 103.1925, to read as follows:

SEC. 103.1925 LAND USE CLASSIFICATIONS

Land use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the classification. The Executive Vice President shall determine whether a specific use falls within one or more of the use classifications described in Table 4 of Chapter X, Article 3, Division 19, entitled LAND USE CLASSIFICATIONS PERMITTED BY LAND USE DISTRICTS.

A. Residential

1. Group Residential: Shared living quarters without separate kitchen facilities for each room or unit. This classification includes boarding houses, dormitories and private clubs. It does not include single room occupancy hotels or any community and human care facilities.

2. Live/Work Quarters (Loft): An area comprised of one or more rooms or floors in a building originally designed for industrial or

commercial occupancy, and new construction, that includes cooking space, sanitary facilities and working space for artists, artisans, and similarly situated individuals and as set forth in Municipal Code section 101.0570.

3. Living Units: An enclosed space of more than one hundred fifty (150) net square feet which is not required to, but may contain a full or partial kitchen and bathroom and as further defined in Municipal Code section 101.0518.

4. Multifamily Residential: Two (2) or more dwelling units on a lot.

5. Senior Citizens Housing: At least one person residing in each unit shall be at least sixty-two (62) years of age or physically handicapped except for projects of one hundred fifty (150) units or more where a resident aged fifty-five (55) or over is deemed to be a "senior." Senior housing may also include facilities meeting state and federal program standards.

B. Commercial/Professional Office

1. Professional and Business Offices: Offices of entities or organizations providing professional, executive, management, travel, airline reservation and airline ticketing services, and auto rentals with no on-site storage of vehicles. Administrative services include

advertising, computer program design, data processing, architectural design, engineering, landscape design, insurance, investment, legal and medical/dental offices. This classification includes medical/dental laboratory\Ps incidental to an office use but excludes banks and savings and loan associations.

2. Governmental Offices: Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance facilities for vehicles.

C. Commercial Retail

1. Food/Grocery Sales: Retail sales of prepared food and food for home preparation. This includes bakeries, candy stores, ice cream stores, and delicatessens, as well as grocery stores and supermarkets.

2. Retail Sales: This classification includes department stores, drug stores, dispensing opticians, clothing stores, fabric stores, resale and pawn shops, pet stores and businesses retailing the following goods: toys, hobby materials, books, guns, cameras, photographic supplies, electronic equipment, compact discs, sporting goods, shoes, office supplies, stationery, medical supplies, bicycles,

and new automotive parts and accessories
(excluding service and installation).

3. Wholesale/Retail Sales: Establishments engaged in wholesaling and retail sales of food/grocery and retail goods as defined in Municipal Code section 103.1925(C) including the storage and open-air handling of goods. At least twenty-five percent (25%) of the gross floor area must be devoted to retail sales.

D. Commercial Services

1. Ambulance Services: Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

2. Animal Hospitals: Establishments where small animals receive medical and surgical treatment. This classification includes only those facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary boarding (up to 30 days) of animals is included if incidental to the hospital use.

3. Artists' Studios: Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.

4. Banks, Credit Unions, and Savings and Loan Associations: Financial institutions that provide retail banking services. This

classification applies only to those institutions engaged in the on-site circulation of cash.

5. Banquet Facilities, Clubs and Lodges:

Commercial, private or nonprofit dining, meeting, recreational, or social facilities used primarily by members and guests, including those provided as a secondary use with visitor accommodations.

6. Building Materials and Services:

Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excludes activities classified under Vehicle/Equipment Sales and Services, paragraph F, of this Section.

7. Business and Home Services:

Establishments providing appliance repair, office machine repair, building maintenance (janitorial), landscape maintenance, window cleaning, upholstering, graphic design, drafting, blueprinting, typesetting, printing, copying, or photographic services. This classification excludes uses specified in paragraphs B and F of this Section.

8. Catering Services: Preparation and

delivery of food and beverages for off-site consumption without provision for on-site pick-up or consumption.

9. Commercial Recreation and Entertainment:

Provision for participant or spectator recreation or entertainment. Typical uses include game center, billiard parlor, bowling alley, ice- and roller-skating rink, miniature golf course, tennis/racquetball court, and theatre.

10. Commercial Communications Facilities:

Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms; television or recording studios; telephone switching centers; and telegraph offices.

11. Eating and Drinking Establishments:

Businesses serving or selling prepared food or beverages, including wine or beer with meals, for consumption on or off the premises. This use includes cocktail lounges, bars, and taverns with live entertainment.

12. Laboratories: Establishments providing medical or dental laboratory services; or establishments that provide photographic, analytical, or testing services.

13. Mortuaries: Provision of services such as preparing the deceased for burial and conducting funerals. This classification excludes cemeteries, crematoriums, and columbariums.

14. Nurseries, Plant: Establishments primarily engaged in the sale of plants, where all merchandise other than plants is kept within an enclosed building or a fully screened enclosure and fertilizer of any type is stored and sold in package form only.

15. Personal Improvement Services: Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, business and trade schools, reducing salons, and fitness studios.

16. Personal and Convenience Services: Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, tailors, shoe repair shops, dry cleaning agencies (excluding bulk cleaning), photocopying, and self-service laundries.

17. Research and Development Services: Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories but excludes manufacturing or medical testing and analysis.

18. Visitor Accommodations:

a. Bed and Breakfast Inns:

Establishments offering lodging on a

less-than-weekly basis with incidental eating and drinking service (for lodges only) provided from a single kitchen.

b. Hotels and Motels: Establishments offering lodging with or without meals and having kitchens in no more than sixty percent (60%) of the guest units. This classification includes eating, drinking, and banquet service.

c. Single-Room Occupancy: A dwelling unit within a hotel providing sleeping and living facilities in which cooking and sanitary facilities may be provided within the unit or shared, and as further defined in Municipal Code section 101.0101.76. SRO's are considered a commercial use and should follow the appropriate building codes for commercial development.

E. Public and Semi-Public

1. Colleges and Universities: Public or private educational institutions that offer a course of study leading to a recognized degree, including facilities incidental to training and education in support of the college or university curriculum, students or faculty.

2. Community and Human Care Facilities
Limited:

a. Day Care, Adult: Provision of nonmedical care for seven or more adults on a basis of less than twenty-four (24) hours.

b. Drug Abuse Centers: Facilities offering drop-in services for persons suffering from drug abuse, including treatment and counseling with no provision for on-site residence or confinement.

c. Primary Health Care: Medical services, including clinics, counseling, and referral services to persons afflicted with bodily or mental disease or physical injury without provision for on-site residence or confinement.

d. Emergency Kitchens: Establishments offering food for the "homeless" and others in need.

e. Emergency Shelters: Establishments offering food and shelter programs for "homeless" people and others in need. This classification does not include facilities licensed for residential care, as defined by the State of California, which provide supervision of daily activities.

f. Neighborhood Recovery Centers: Drop-in facilities for persons suffering from problems associated with alcohol abuse with

no provisions for on-site residence or confinement.

g. Residential Alcohol

Recovery, General: Facilities providing twenty-four (24) hour care for more than six (6) persons suffering from problems associated with alcohol abuse, who are in need of personal services, supervision, protection, or assistance. These facilities may include an inebriate reception center as well as facilities for treatment, training, research, and administrative services but includes only those facilities licensed by the State of California.

h. Residential Care, General:

Twenty-four (24) hour nonmedical care for seven (7) or more persons, including wards of the Juvenile Court, in need of personal services, supervision, protection, or assistance essential to sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.

3. Correctional Placement Centers:

Correctional Placement Centers means any building or place that is maintained and operated as a housing facility used for the confinement or placement of adults and as further defined in

Municipal Code section 101.0101.0105. This classification includes work furlough facilities, halfway houses and community correction centers.

4. Cultural Institutions: Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and nonprofit art galleries.

5. Hospitals/Clinics: Facilities providing medical, surgical, psychiatric, or emergency medical service to sick or injured persons, primarily on an inpatient basis.

6. Park and Recreation Facilities: Noncommercial parks, playgrounds, gymnasiums, recreation facilities and dedicated open spaces.

7. Performing Arts/Theatres: Facilities providing live musical, dance and theatrical performances and film presentations other than those regulated as adult businesses.

8. Religious Assembly: Facilities for religious worship and incidental religious education.

9. Schools, Public or Private: Public or private elementary or secondary schools, or private schools that offer a curriculum comparable to that of the public schools of the State of California, excluding colleges and universities.

10. Transportation Facilities, General:

Facilities for loading, unloading, and transferring passengers, baggage, and incidental freight among different modes of transportation. This classification includes bus terminals, shipping terminals and rail transit.

11. Transportation Facilities, Limited: Bus transit stops and trolley stations.

F. Vehicle/Equipment Sales and Services

1. Automobile Rentals: Rental of automotive vehicles, including storage and incidental maintenance but excluding maintenance requiring pneumatic lifts.

2. Automobile Washing and Detailing: Washing, waxing, or cleaning of automobiles or similar light vehicles.

3. Service Stations: Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks but excludes body and fender work or repair of heavy trucks or vehicles.

4. Vehicle/Equipment Sales and Rentals: Sale and rental of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, small-scale construction equipment and similar

equipment, including storage and incidental maintenance.

5. Vehicle/Equipment Repair, Limited:

Repair of automobiles, trucks, motorcycles, mobile homes, or recreational vehicles, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, wheel and brake shops, and tire sales and installation but excludes vehicle dismantling or salvage, tire retreading or recapping, and body and fender shops.

G. Industrial

1. Industry, General: Manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials. This classification includes food processing and packaging, laundry and dry cleaning plants, automobile dismantling within an enclosed building, and stonework and concrete products manufacture but excludes industrial activities; e.g., acid manufacture, concrete ready-mix plants, explosives manufacture or storage, fertilizer manufacture, glue manufacture, petroleum refining, smelting, stockyards, and activities involving hazardous materials and wastes.

2. Industry, Limited: Manufacture of finished parts or products, primarily from

previously prepared materials within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, and food processing.

3. Maintenance and Service Facilities:

Facilities providing maintenance and repair services for vehicles and equipment and materials storage yards. This classification includes construction yards, equipment service centers, taxi yards, bus and trolley yards, and similar facilities.

4. Marine Industry: Manufacturing, distributing, and processing of goods and the provision of services related to and supporting defense, research, shipping, fishing, and tourism.

5. Trucking Terminals: Storage and distribution facilities having more than six (6) buses and/or trucks of two (2) tons or greater on the premises at one time.

6. Utilities:

a. Major: Refuse collection facilities and similar facilities of public agencies or public utilities, excluding hazardous wastes from refuse collection facilities.

b. Limited: Electrical substations and utility facilities that are necessary to

support legally established uses that involve only structures related to electrical distribution lines and transmission lines.

7. Wholesaling, Distribution and Storage:

Establishments primarily engaged in wholesaling, storage, and bulk sales distribution, including open-air handling of materials and equipment but excluding storage of flammable or hazardous materials. Typical uses include wholesale distributors, wholesale showrooms, storage warehouses, and moving and storage firms.

H. **Parking**

1. Surface Parking: Parking that is not enclosed in a structure and is not associated with a specific project.

2. Supplemental Parking: Free standing parking structure(s) or surface parking. Supplemental parking may include parking that is associated with a specific project but is constructed off-site to the project, or, parking that is not associated with a specific project.

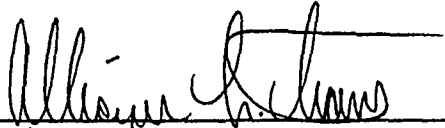
I. **Accessory Uses**

Accessory Uses and Structures: Uses and structures that are incidental and subordinate to the primary use and are customarily found on the same site.

Section 7. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however the provisions of this ordinance shall not be applicable within the

Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance (within the Coastal Zone) shall be null and void.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn I. Thomas
Deputy City Attorney

ALT:lc
03/11/92
04/24/92 COR.COPY
04/30/92 REV. 1
05/07/92 COR.COPY
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**TABLE 4
LAND USE CLASSIFICATIONS PERMITTED BY LAND USE DISTRICTS**

LAND USE CLASSIFICATIONS (As defined in section 13.1325)	LAND USE DISTRICTS						
	Commercial Office	Rec./Visitor/ Marine	Mixed Use/ Res. Emph.	Mixed Use	Commercial Services	Insti- tutional	Hotel/ Residential
	A	B	C	D	E	F	G
A. RESIDENTIAL							
Group Residential	X	X	X	X	X	X	X
Live/Work Quarters (Loft)	X	X	X	X	X	-	X
Living Units	CUP	CUP	CUP	CUP	CUP	-	CUP
Multifamily Residential	X	X	X	X	X	X	X
Senior Citizen Housing	CUP	CUP	CUP	CUP	CUP	-	CUP
B. COMMERCIAL/PROFESSIONAL OFFICE							
Professional & Business Offices	X	X	X	X	X	-	X
Governmental Offices	X	X	X	X	X	-	X
C. COMMERCIAL RETAIL							
Food/Grocery Sales	X	X	X	X	X	-	X
Retail Sales	X	X	X	X	X	-	X
Wholesale/Retail Sales	X	X	X	X	X	-	X
D. COMMERCIAL SERVICES							
Ambulance Services	X	-	-	X	X	-	-
Animal Hospitals	X	-	-	X	X	-	-
Artist's Studios	X	X	X	X	X	-	X
Banks, Credit Unions, and Savings and Loan Associations	X	-	X	X	X	-	X
Banquet Facilities, Clubs & Lodges	X	X	X	X	X	-	X
Building Materials & Services	X	-	-	X	X	-	-
Business & Home Services	X	-	X	X	X	-	X
Catering Services	X	-	X	X	X	-	-
Commercial Recreation & Entertainment	X	X	X	X	X	-	X
Commercial Communications Facilities	X	-	-	X	X	-	-
Eating & Drinking Establishments With Alcoholic Beverage Service	CUP	CUP	CUP	CUP	CUP	-	CUP
With Live Entertainment	X	X	CUP	X	X	-	X
Laboratories	X	-	X	X	X	-	X
Mortuaries	X	-	X	X	X	-	X
Nurseries, Plant	X	-	X	X	X	-	X
Personal Improvement Services	X	-	X	X	X	-	X
Personal & Convenience Services	X	X	X	X	X	-	X
Research & Development Services	X	-	-	X	X	-	-
Visitor Accommodations							
Bed & Breakfast Inns	X	X	-	X	X	-	X
Hotels & Motels	X	X	-	X	X	-	X
Single Room Occupancy	X	X	-	X	X	-	X

X: Permitted

L: Limited

CUP: Conditional Use Permit required

-: Not Permitted

**TABLE 4
LAND USE CLASSIFICATIONS PERMITTED BY LAND USE DISTRICTS**

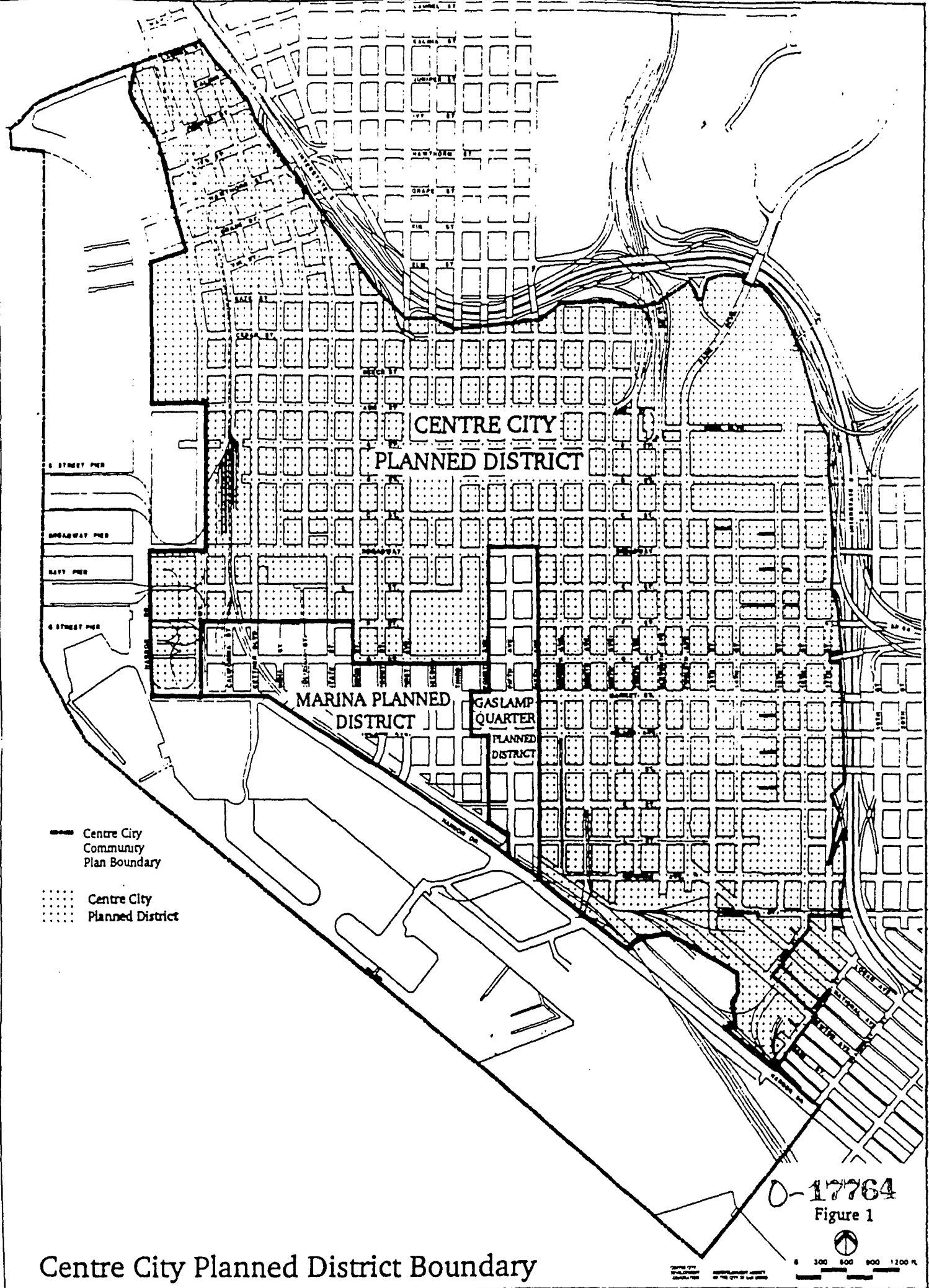
LAND USE CLASSIFICATIONS (As defined in section 13.1925)	LAND USE DISTRICTS						
	Commercial Office	Rec./Visitor/ Marine	Mixed Use/ Res. Emph.	Mixed Use	Commercial Services	Institutional	Hotel/ Residential
	A	B	C	D	E	F	G
A. RESIDENTIAL							
Group Residential	X	X	X	X	X	X	X
Live/Work Quarters (Loft)	X	X	X	X	X	-	X
Living Units	CUP	CUP	CUP	CUP	CUP	-	CUP
Multifamily Residential	X	X	X	X	X	X	X
Senior Citizen Housing	CUP	CUP	CUP	CUP	CUP	-	CUP
B. COMMERCIAL/PROFESSIONAL OFFICE							
Professional & Business Offices	X	X	X	X	X	-	X
Governmental Offices	X	X	X	X	X	-	X
C. COMMERCIAL RETAIL							
Food/Grocery Sales	X	X	X	X	X	-	X
Retail Sales	X	X	X	X	X	-	X
Wholesale/Retail Sales	X	X	X	X	X	-	X
D. COMMERCIAL SERVICES							
Ambulance Services	X	-	-	X	X	-	-
Animal Hospitals	X	-	-	X	X	-	-
Artist's Studios	X	X	X	X	X	-	X
Banks, Credit Unions, and Savings and Loan Associations	X	-	X	X	X	-	X
Banquet Facilities, Clubs & Lodges	X	X	X	X	X	-	X
Building Materials & Services	X	-	-	X	X	-	-
Business & Home Services	X	-	X	X	X	-	X
Catering Services	X	-	X	X	X	-	X
Commercial Recreation & Entertainment	X	X	X	X	X	-	X
Commercial Communications Facilities	X	-	-	X	X	-	-
Eating & Drinking Establishments	X	X	X	X	X	-	X
With Alcoholic Beverage Service	CUP	CUP	CUP	CUP	CUP	-	CUP
With Live Entertainment	X	X	CUP	X	X	-	X
Laboratories	X	-	X	X	X	-	X
Mortuaries	X	-	X	X	X	-	X
Nurseries, Plant	X	-	X	X	X	-	X
Personal Improvement Services	X	-	X	X	X	-	X
Personal & Convenience Services	X	X	X	X	X	-	X
Research & Development Services	X	-	-	X	X	-	-
Visitor Accommodations							
Bed & Breakfast Inns	X	X	X	X	X	-	X
Hotels & Motels	X	X	-	X	X	-	X
Single Room Occupancy	X	X	X	X	X	-	X

X: Permitted

L: Limited

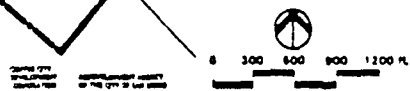
CUP: Conditional Use Permit required

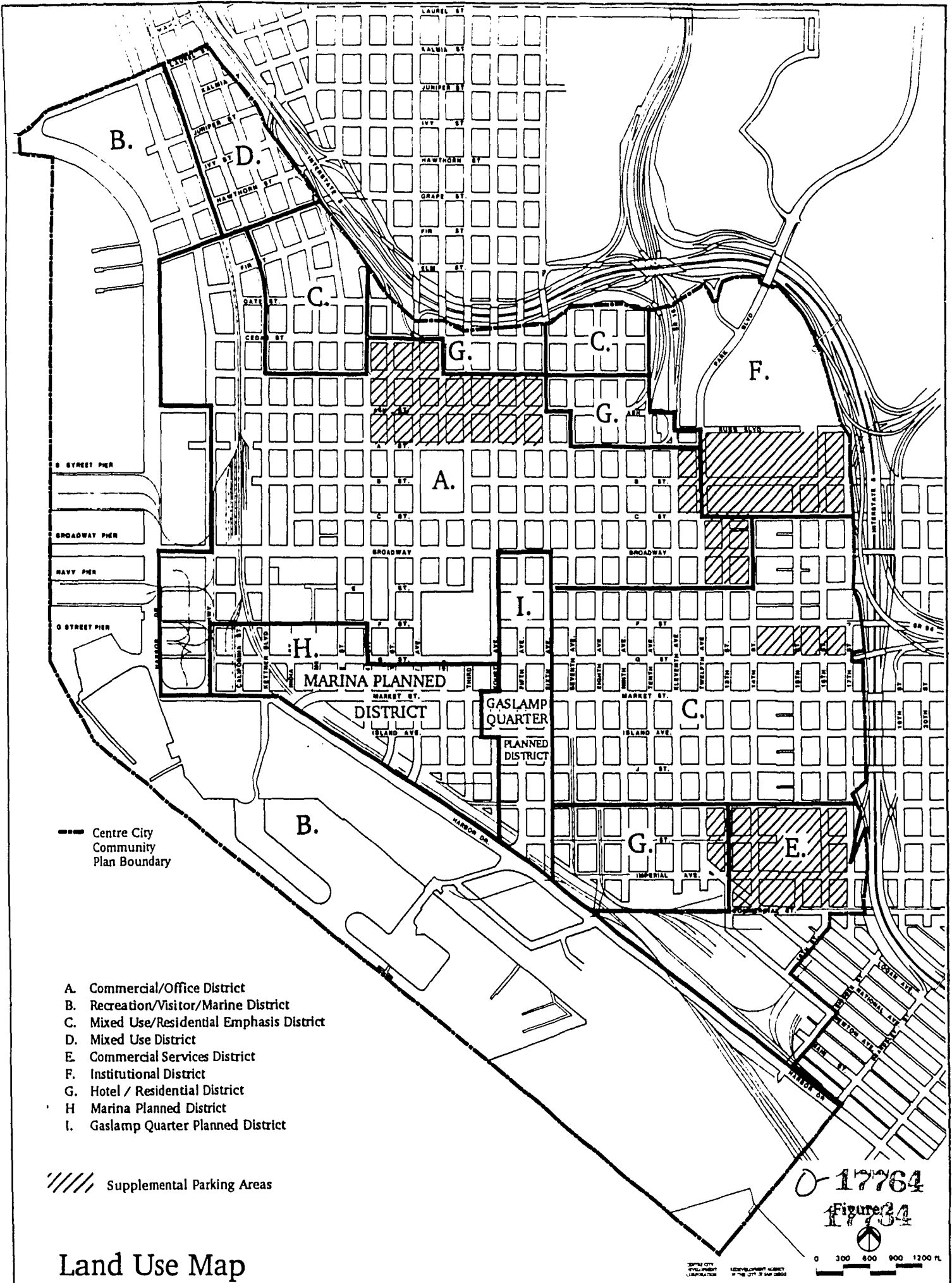
-: Not Permitted



Centre City Planned District Boundary

0-17764
Figure 1





B.

D.

C.

G.

C.

F.

A.

I.

H.

B.

G.

E.

--- Centre City
Community
Plan Boundary

- A. Commercial/Office District
- B. Recreation/Visitor/Marine District
- C. Mixed Use/Residential Emphasis District
- D. Mixed Use District
- E. Commercial Services District
- F. Institutional District
- G. Hotel / Residential District
- H. Marina Planned District
- I. Gaslamp Quarter Planned District

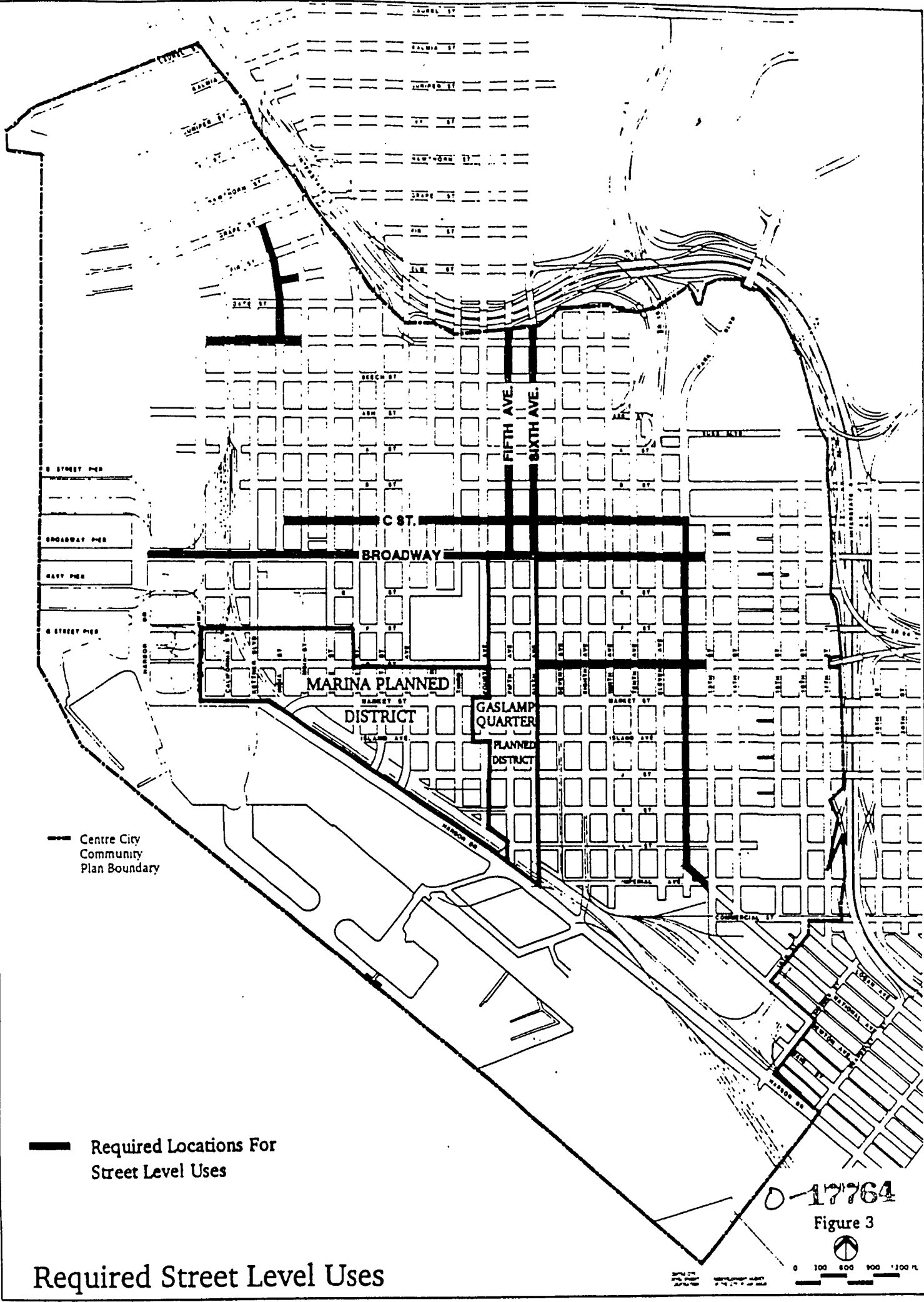
////// Supplemental Parking Areas

Land Use Map

17764
Figure 34



CENTRE CITY
DEVELOPMENT PLAN
BY THE CITY OF SAN DIEGO



--- Centre City
Community
Plan Boundary

— Required Locations For
Street Level Uses

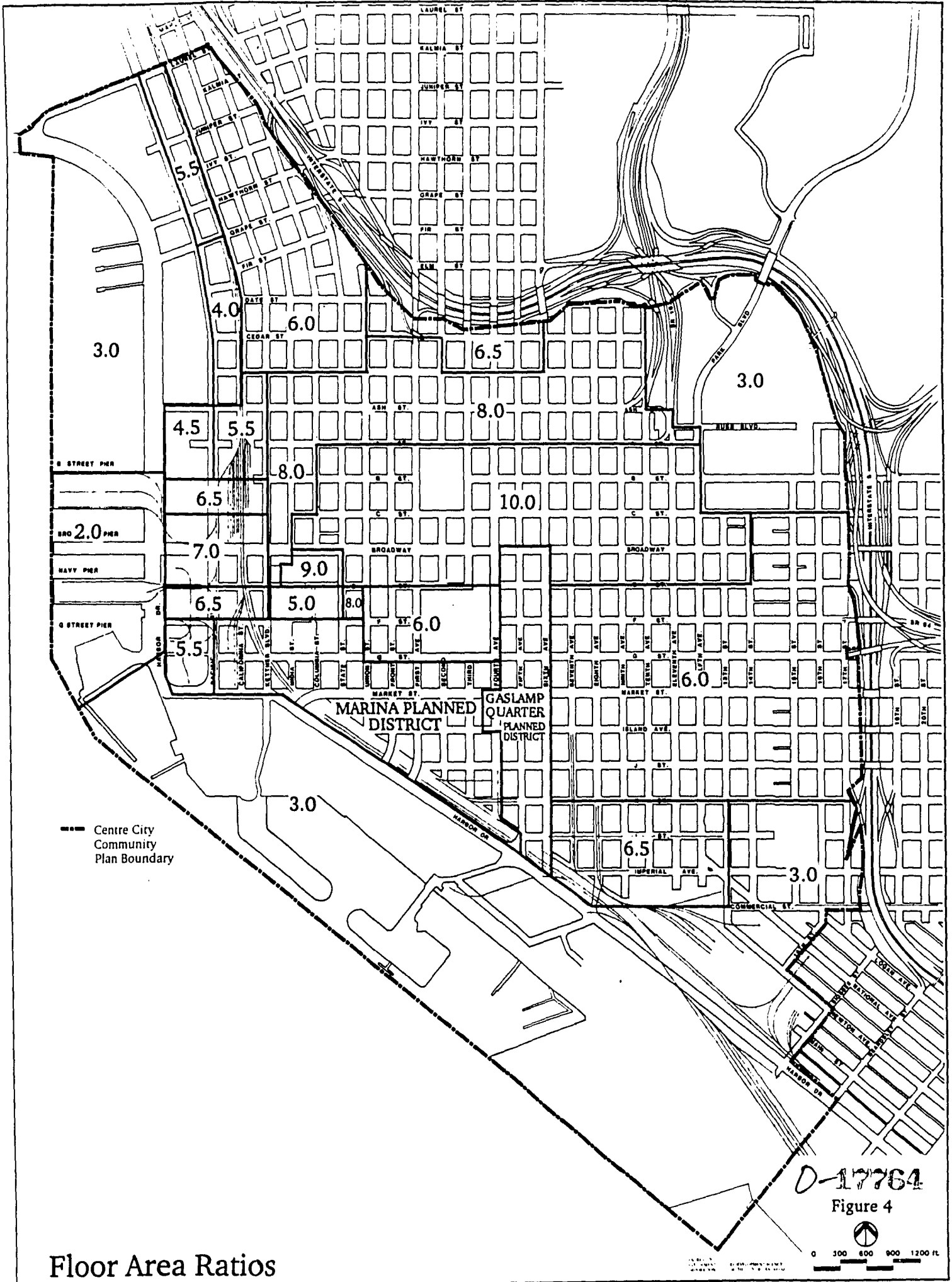
0-17764

Figure 3

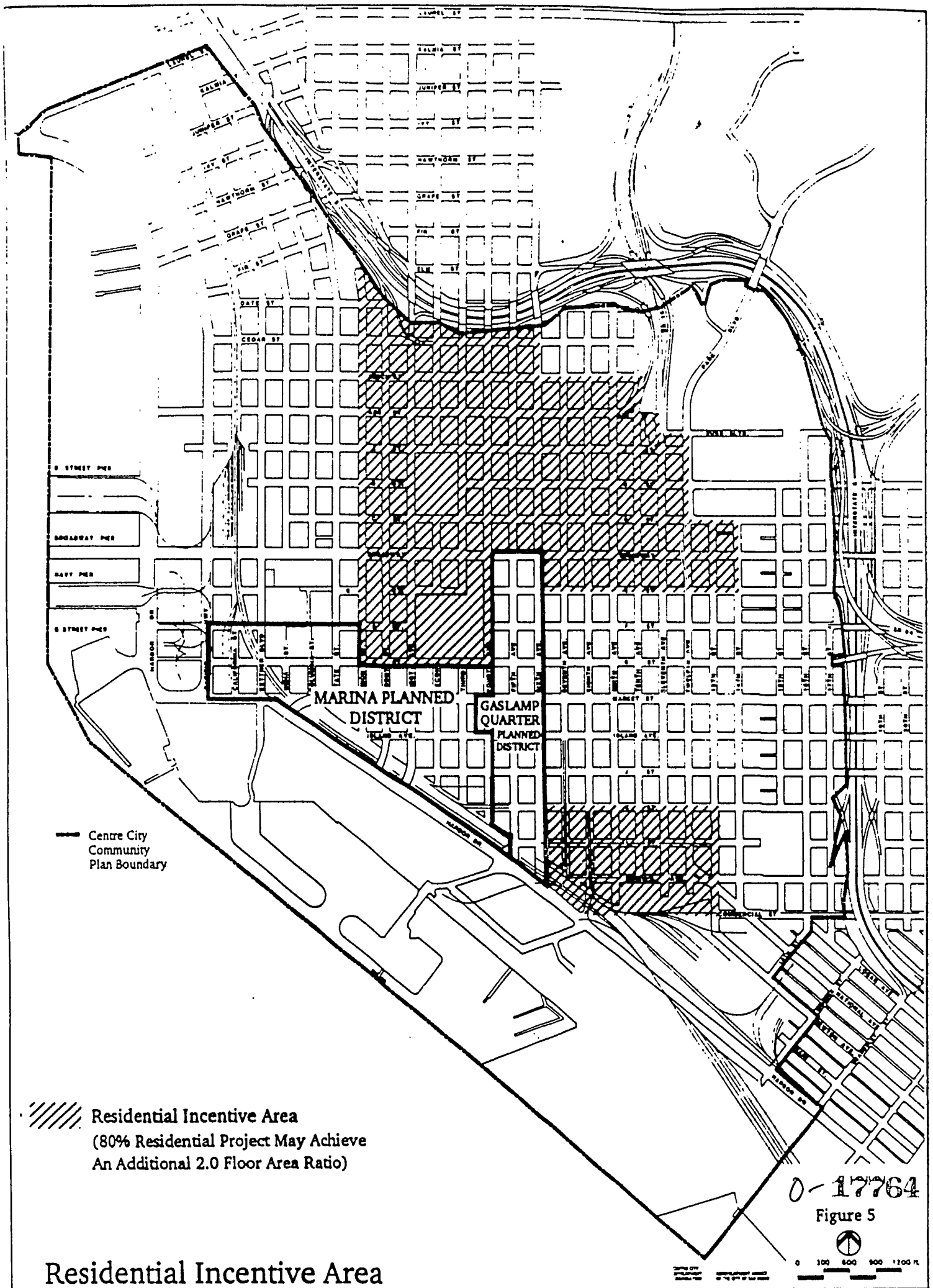


0 100 200 300 400 ft

Required Street Level Uses



Floor Area Ratios



— Centre City
Community
Plan Boundary

//// Residential Incentive Area
(80% Residential Project May Achieve
An Additional 2.0 Floor Area Ratio)

0-17764

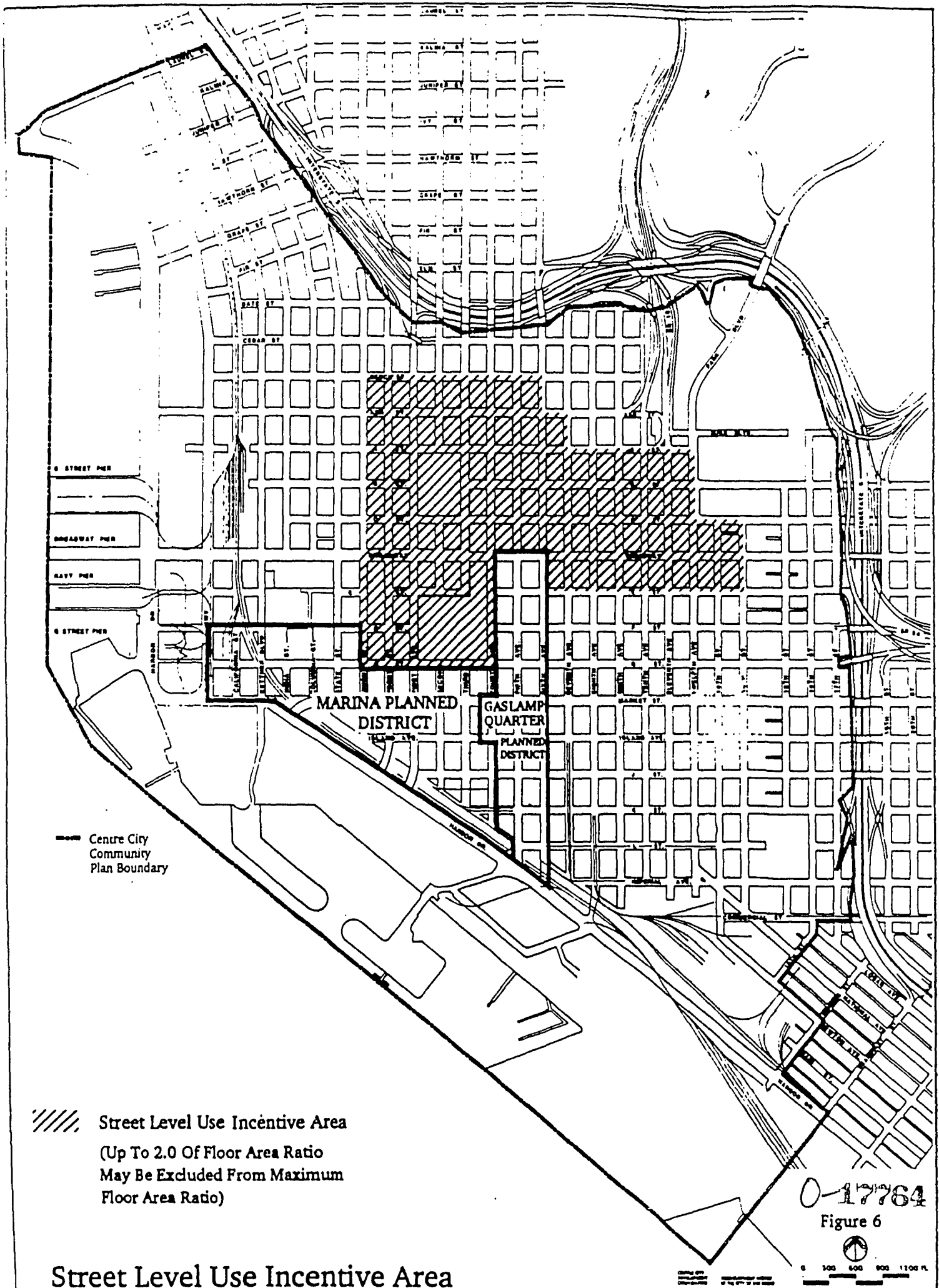
Figure 5



Residential Incentive Area

CENTRE CITY
COMMUNITY PLAN
BORDER

RESIDENTIAL INCENTIVE AREA
BORDER



8 STREET PER
 BROADWAY PER
 NAVY PER
 6 STREET PER

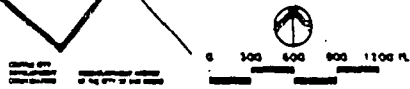
MARINA PLANNED DISTRICT
 GASLAMP QUARTER PLANNED DISTRICT

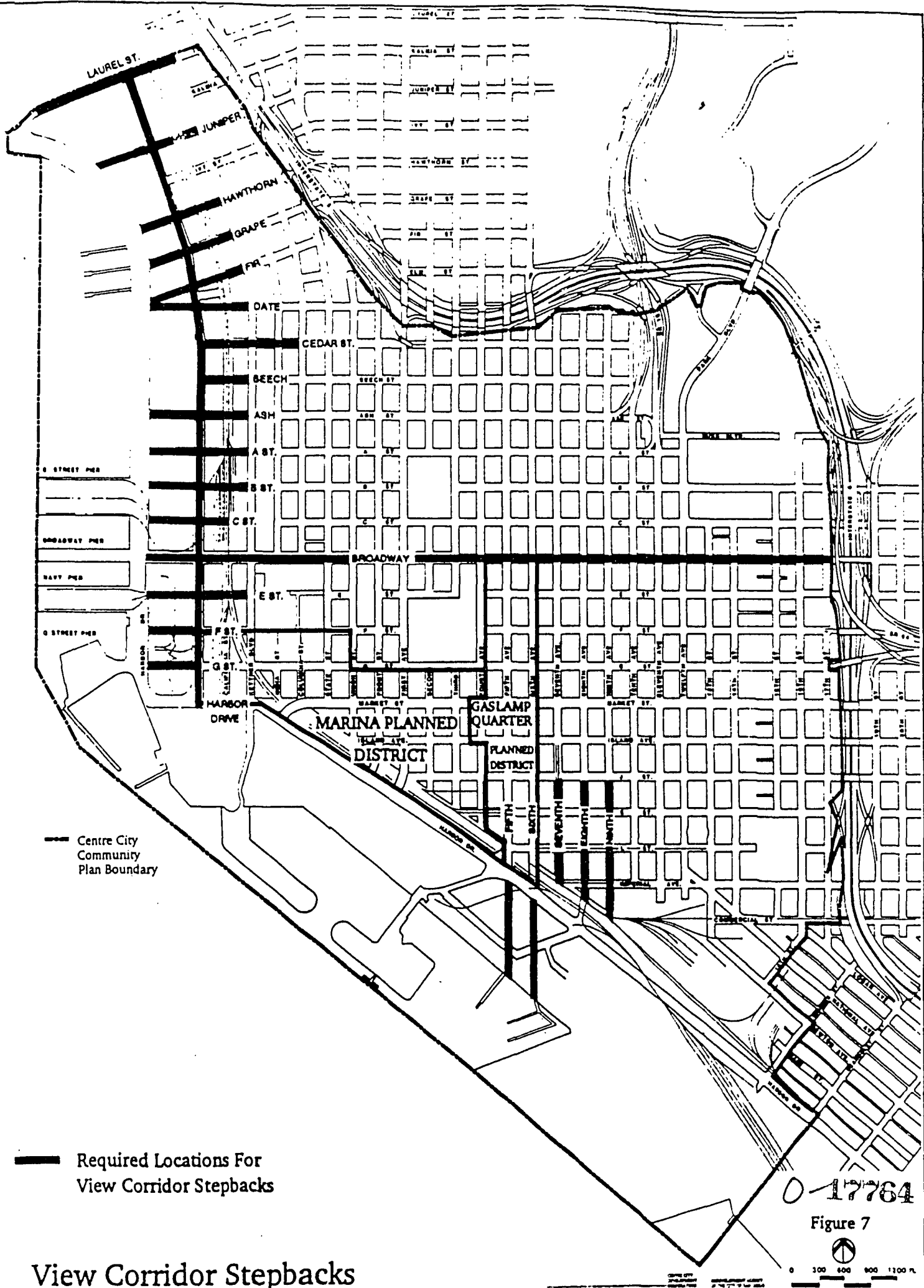
--- Centre City Community Plan Boundary

//// Street Level Use Incentive Area
 (Up To 2.0 Of Floor Area Ratio
 May Be Excluded From Maximum
 Floor Area Ratio)

0-17764
 Figure 6

Street Level Use Incentive Area





LAUREL ST.

JUNIPER

HAWTHORN

GRAPE

DATE

CEDAR ST.

BEECH

ASH

A ST.

B ST.

C ST.

BROADWAY

E ST.

F ST.

G ST.

HARBOR DRIVE

MARINA PLANNED DISTRICT

GASLAMP QUARTER PLANNED DISTRICT

Centre City Community Plan Boundary

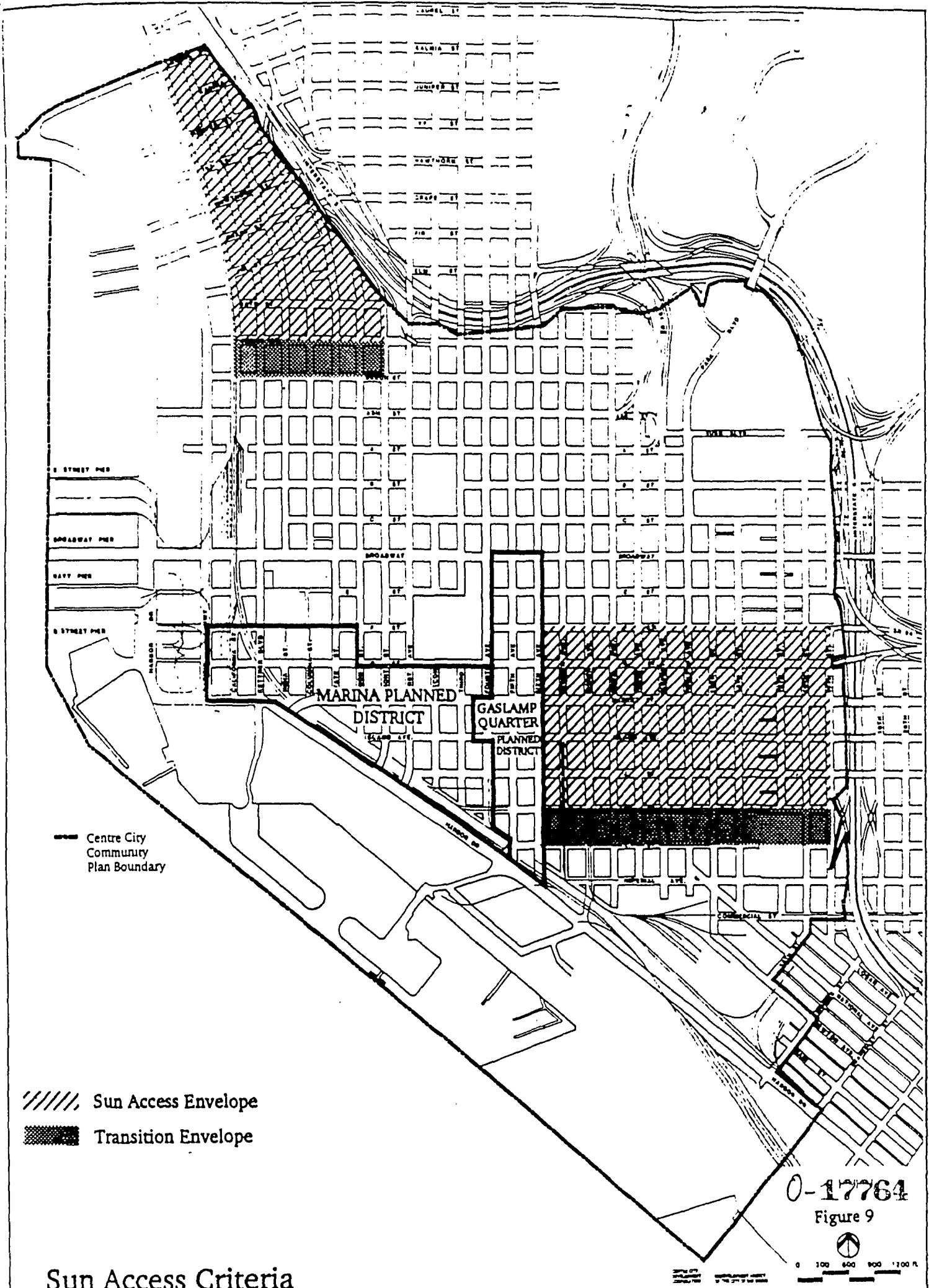
Required Locations For View Corridor Stepbacks

View Corridor Stepbacks

0-17764

Figure 7





Centre City Community Plan Boundary

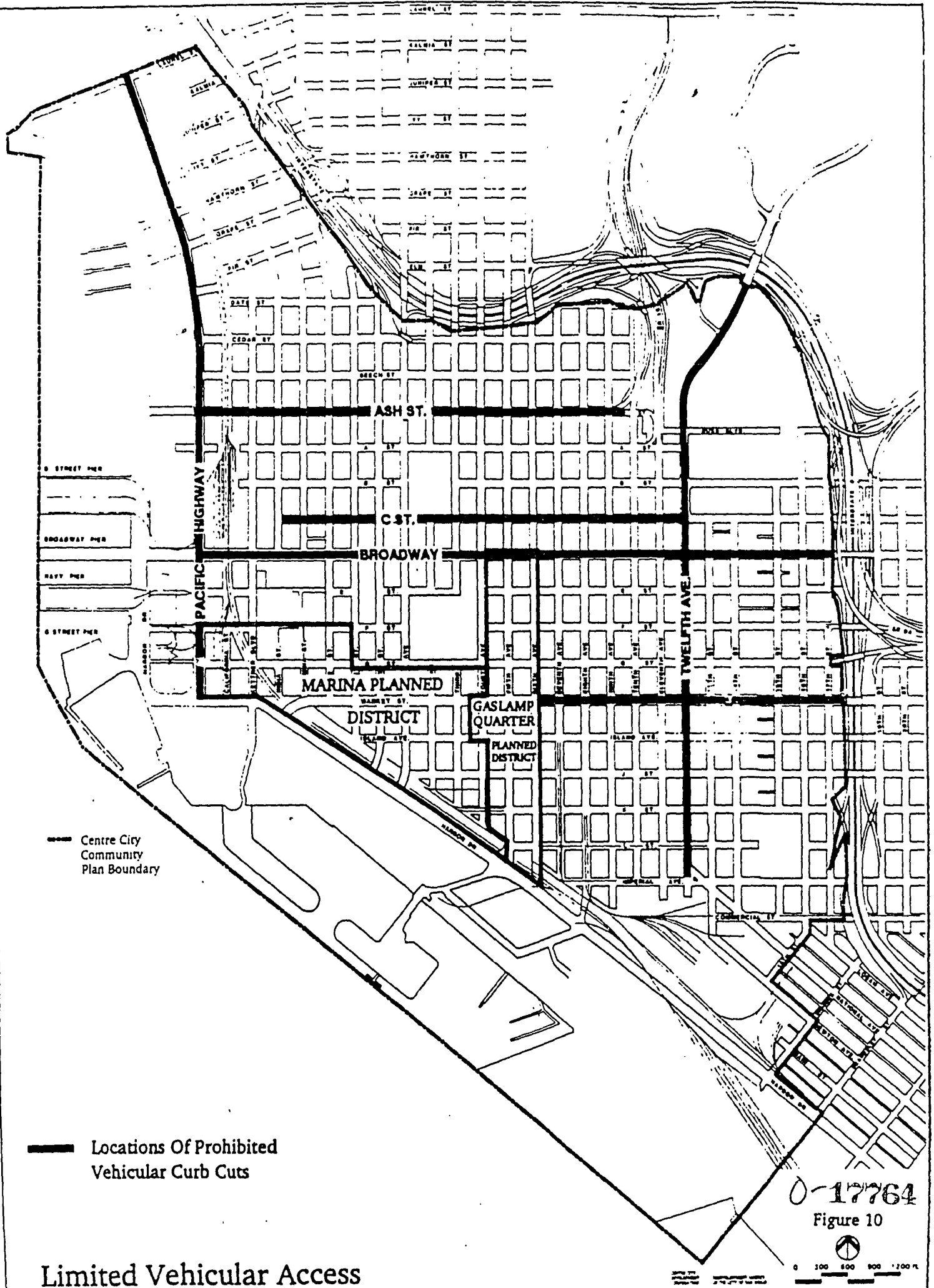
- ////// Sun Access Envelope
- Transition Envelope

0-17764
Figure 9



0 100 600 900 1200 F.

Sun Access Criteria



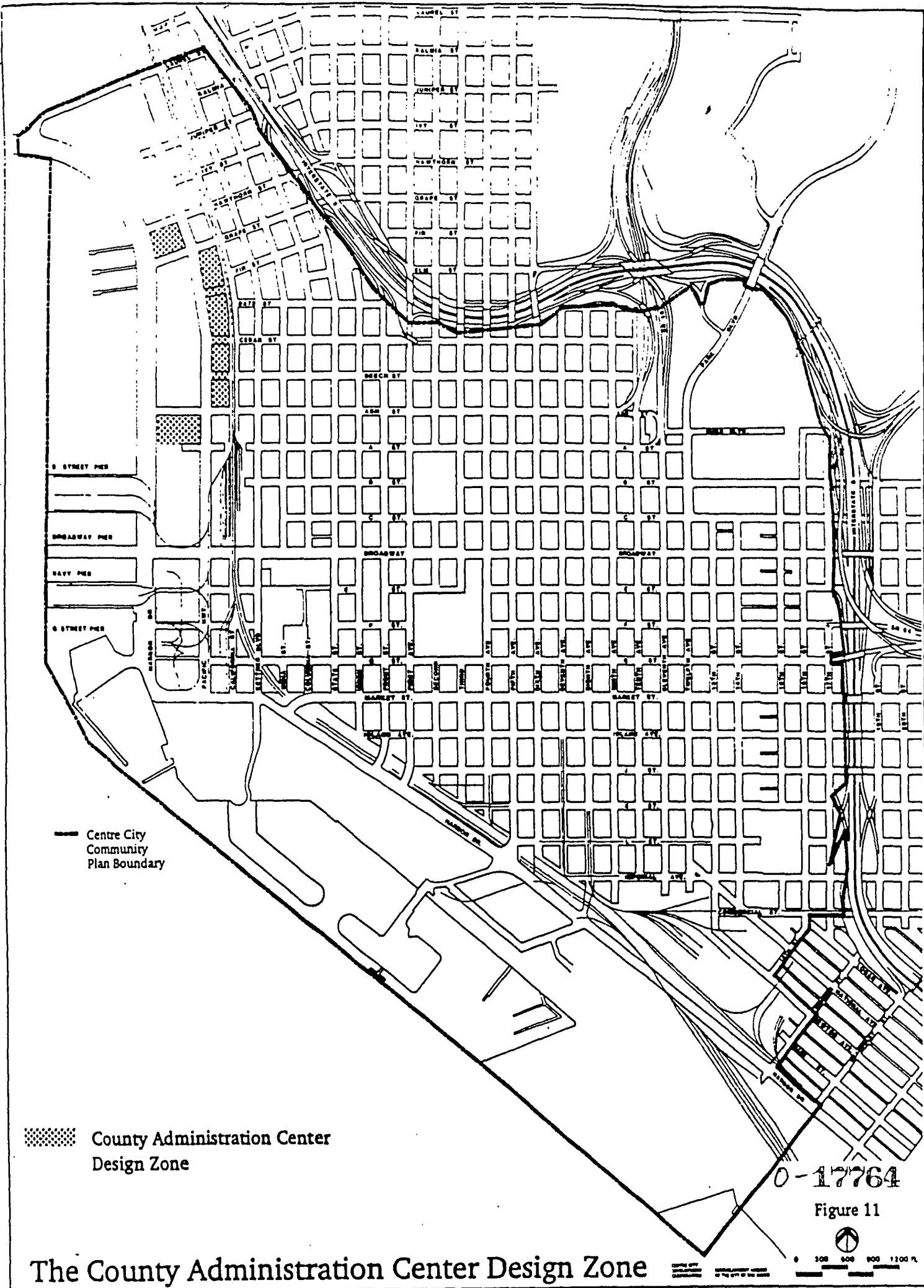
--- Centre City
Community
Plan Boundary

— Locations Of Prohibited
Vehicular Curb Cuts

Limited Vehicular Access

0-17764
Figure 10





— Centre City
Community
Plan Boundary

▨ County Administration Center
Design Zone

The County Administration Center Design Zone

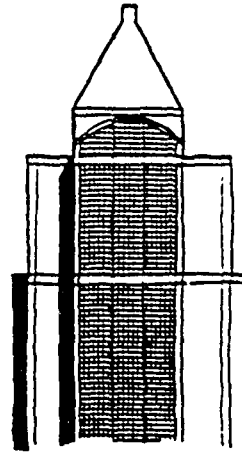
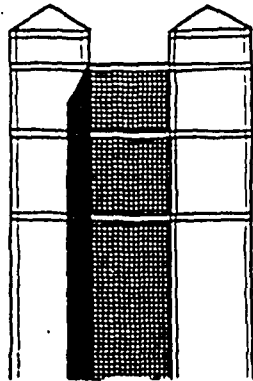
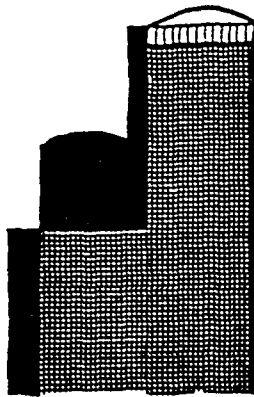
0-17764

Figure 11

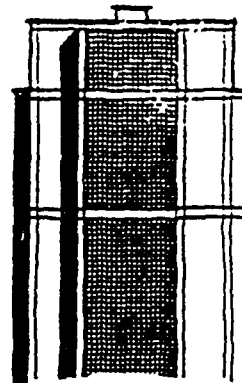
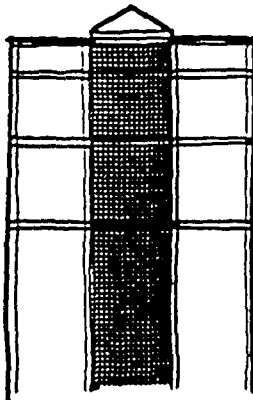
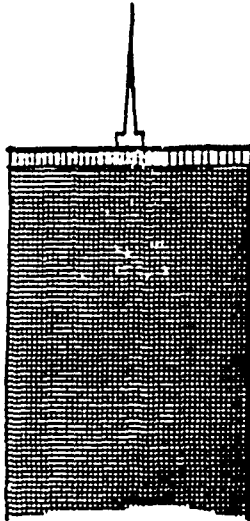


Upper Tower Articulation

This

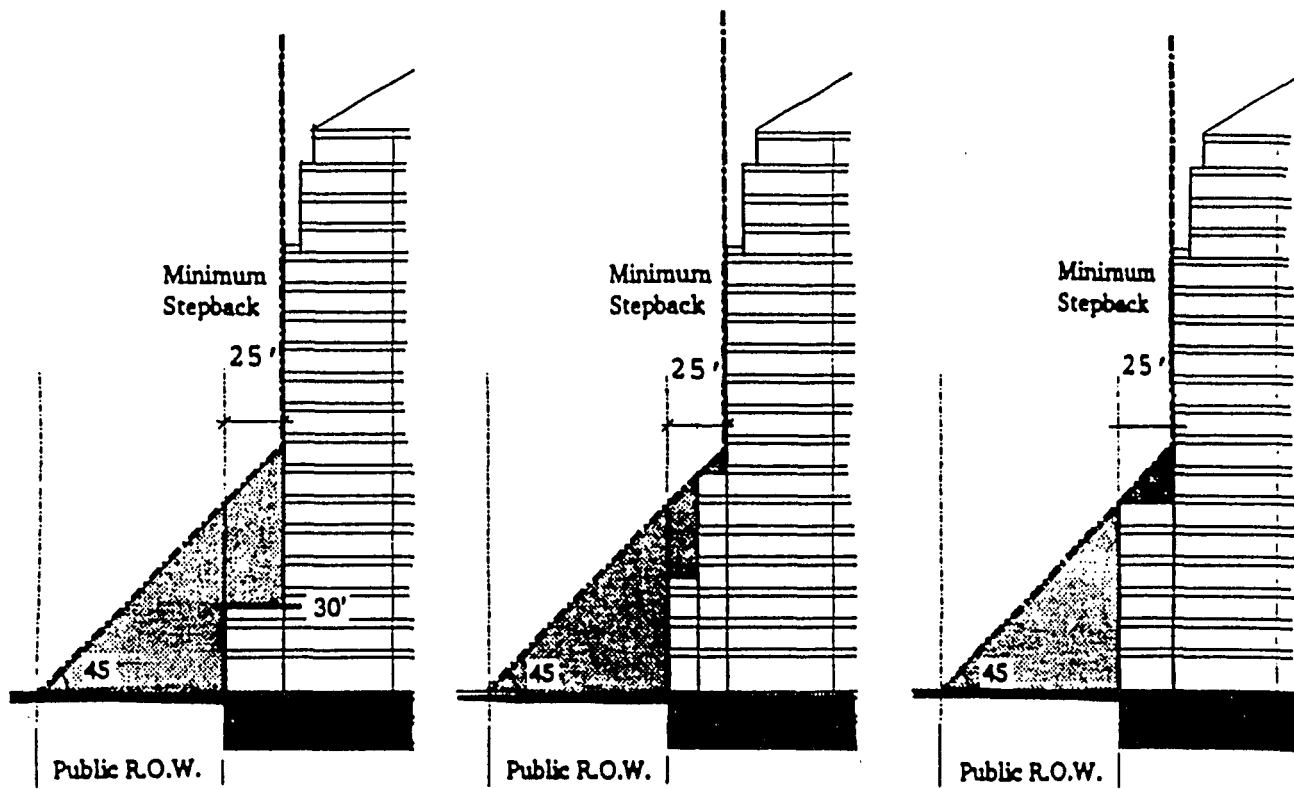


Not This

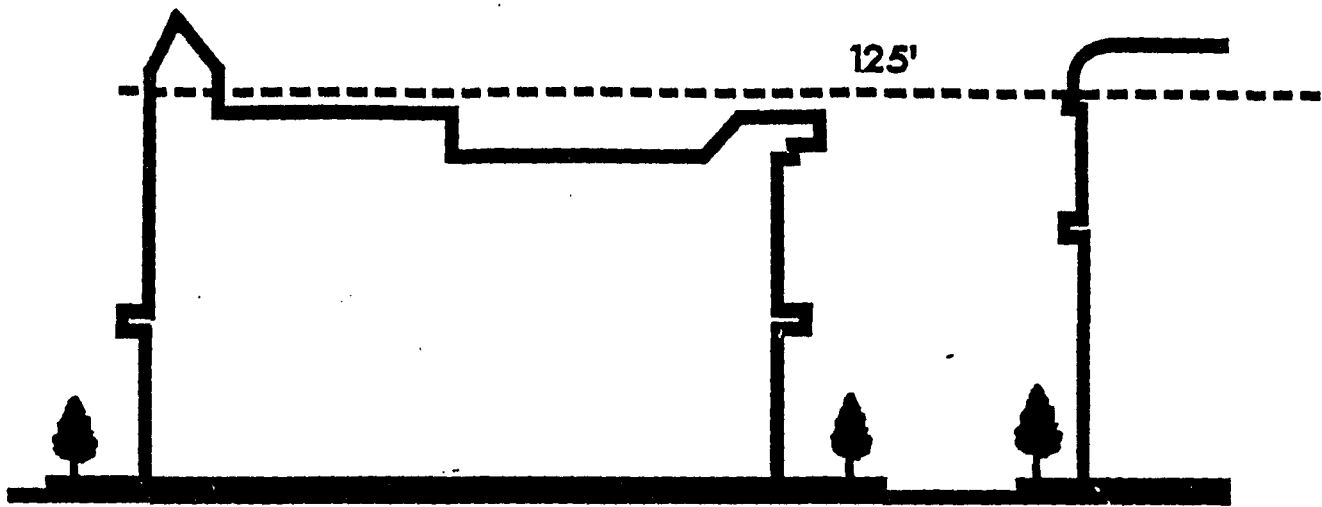


Minimum Street Wall Height

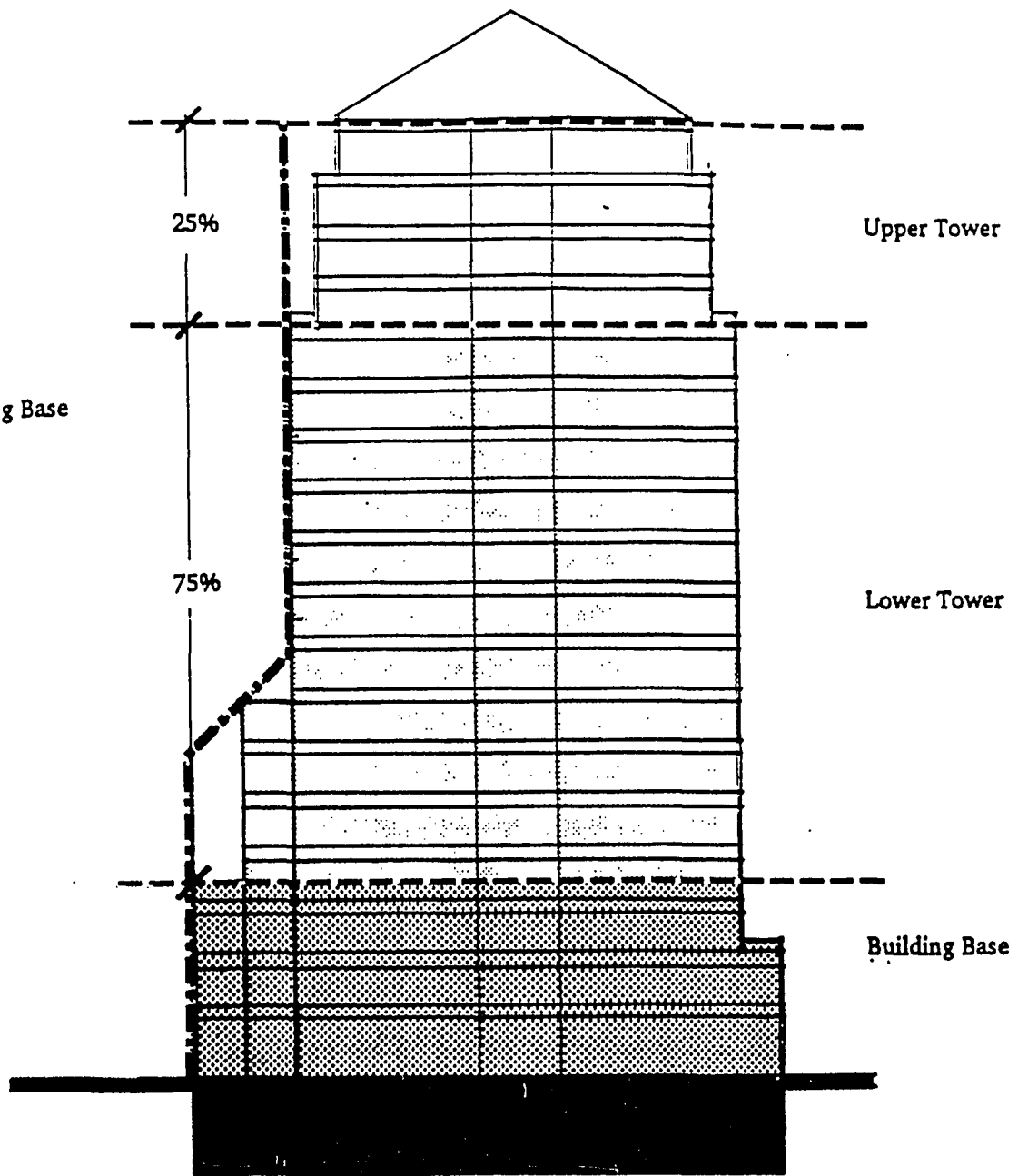
Maximum Street Wall Height



O-17764

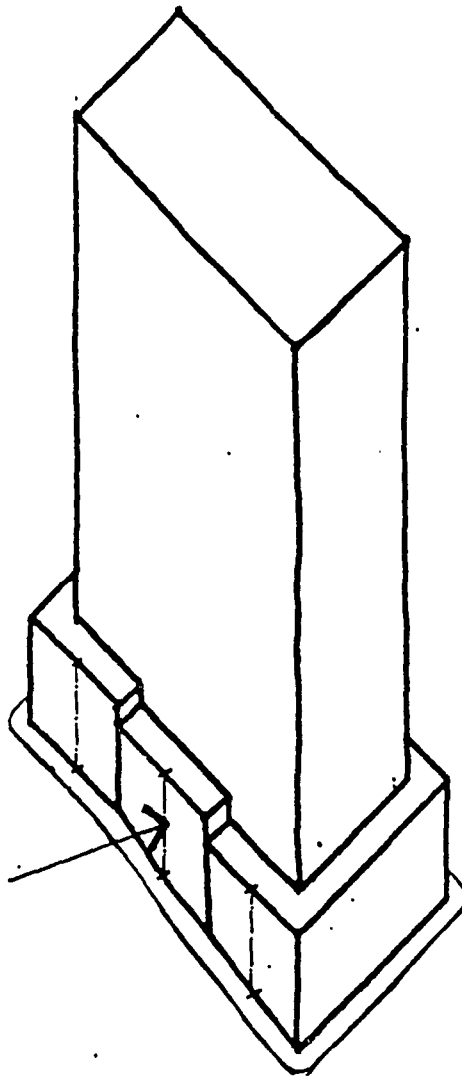


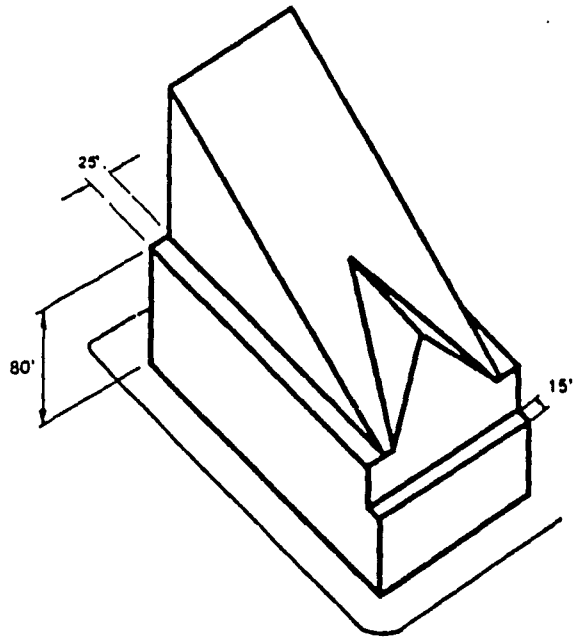
0-17764



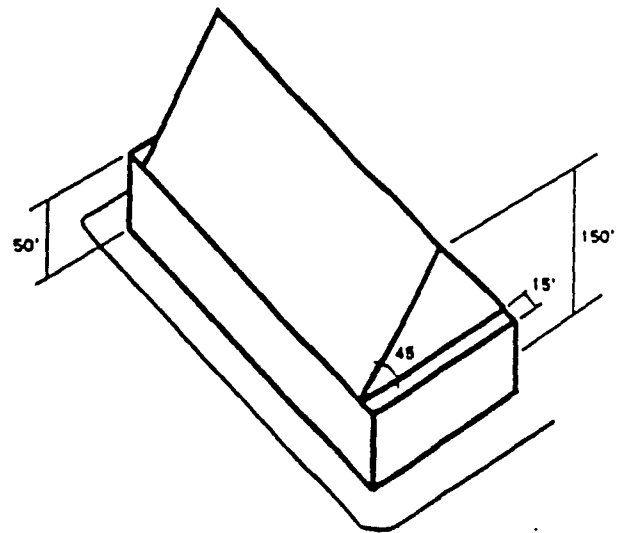
0-17764

Measurement of
Street Wall Height

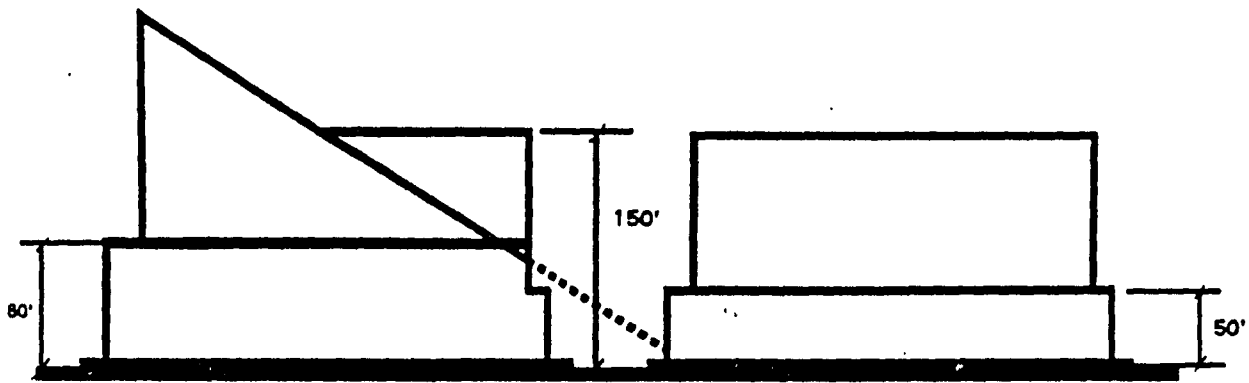




Transition Envelope



Sun Access Criteria



Transition/Sun Access Envelope

O-17764

Figure F

SDA

MAY 11 1992

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDEINOUR

City Clerk of The City of San Diego, California.

By *James Olin*, 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

APR 28 1992

MAY 11 1992

, 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. ABDEINOUR

City Clerk of The City of San Diego, California.

(Seal)

By *James Olin*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17764** Adopted **MAY 11 1992**

RECEIVED
CITY CLERK'S OFFICE
92 MAY 11 AM 7:56
SAN DIEGO, CALIF.

868 38 108

MAY 11 1958

MAY 11 1958

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

92 JUN -1 AM 9:52

SAN DIEGO, CALIF.

U

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BUILDING, 2ND FLOOR
202 G STREET
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING...

ORDINANCE NUMBER O-17764 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING A NEW DIVISION 19, ENTITLED "CENTRE CITY PLANNED DISTRICT," AND BY ADDITION SECTIONS 103.1901, 103.1902, 103.1903, 103.1904, 103.1905 AND 103.1906; BY RESERVING FOR FUTURE USE SECTIONS 103.1907, 103.1908 AND 103.1909; BY ADDING SECTIONS 103.1910 AND 103.1911; BY RESERVING FOR FUTURE USE SECTIONS 103.1912, 103.1913, 103.1914; BY ADDING SECTIONS 103.1915, 103.1916, 103.1917, 103.1918, AND 103.1919; BY RESERVING FOR FUTURE USE SECTIONS 103.1920, 103.1921, 103.1922, 103.1923 AND 103.1924 AND BY ADDING SECTION 103.1925; ALL RELATING TO THE CENTRE CITY PLANNED DISTRICT.

This ordinance amends Chapter X of the San Diego Municipal Code by adding the Centre City Planned District Ordinance to establish design and development criteria to implement the Centre City Community Plan.

This ordinance will further amend the local coastal program ("LCP") as to those areas in Centre City Planned District Ordinance which are in the coastal zone. If the ordinance is certified by the California Coastal Commission as an amendment to the LCP.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON April 28, 1992

Passed and Adopted by the Council of the City of San Diego on May 11, 1992.

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By Suzanne Oliva, Deputy

Pub. May 25

247903

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

ORDINANCE NUMBER O-17764 (NEW SERIES)

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

MAY 25

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

Dated at San Diego, California this 25th day of MAY, 1992.

Corey Donahue

(Signature)

63/8" = 84.70