

ORDINANCE NUMBER O- 18490 (NEW SERIES)

ADOPTED ON APR 07 1998

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 21 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 103.2101, 103.2103, 103.2104, 103.2105, 103.2106, 103.2107, 103.2108, 103.2109, 103.2110, 103.2111, 103.2112, AND APPENDIX A, ALL RELATING TO MISSION VALLEY PLANNED DISTRICT.

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

Section 1. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2101, to read as follows:

SEC. 103.2101 Purpose and Intent

[No change in first paragraph.]

It is the intent of these regulations to implement the Mission Valley Community Plan through the use of: (a) overlay districts regulating development intensity community-wide and providing additional development criteria for projects in the San Diego River and Hillside subdistricts; (b) residential, commercial, industrial, and multiple land use zones providing basic development criteria; (c) special development regulations which address unique Mission Valley needs and are applied to all land uses and (d) continued application of the city-wide OF-1-1 (Open Space--Floodplain) zone and Land Development Code Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

Section 2. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is

amended by amending section 103.2103, to read as follows:

SEC. 103.2103 Administrative Regulations

A. GENERAL PROVISIONS

1. The City Manager shall administer the Mission Valley Planned District and ensure compliance with its regulations and procedures. In evaluating the appropriateness of any proposal for which a permit is applied under this Division the appropriate decision maker shall refer to the Mission Valley Community Plan as presently adopted or as amended from time to time.

2. [No change.]

3. Where not otherwise specified in this Division, the following provisions of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13 (Zones);

Chapter 14, Article 1 (Separately Regulated Use Regulations);

Chapter 14, Article 2, Division 1 (Grading Regulations);

Chapter 14, Article 2, Division 2 (Drainage Regulations);

Chapter 14, Article 2, Division 3 (Fence Regulations);

Chapter 14, Article 2, Division 4 (Landscape Regulations);

Chapter 14, Article 2, Division 5 (Parking Regulations);

Chapter 14, Article 2, Division 6 (Public Facility Regulations);

Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage

Regulations);

Chapter 14, Article 2, Division 12 (Sign Regulations);

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and this division, this division applies.

4. When provided for by the City Council approved budget, the provisions of this planned district shall be reviewed annually and a report to the City Council with recommendations shall be filed by the City Manager, the Mission Valley Unified Planning Committee, and the Design Review Subcommittee on the effectiveness of the planned district in promoting the goals of the community plan.

B. EXEMPTIONS

1. Projects submitted pursuant to Council adopted specific plans are exempt from this planned district when the submittal is found to be in substantial conformance with the approved specific plan (see Section 103.2104.E).

2. Notwithstanding any other provision to the contrary, the City Manager may waive the permit requirements for an activity regulated under this planned district when it is determined that the proposed activity is necessary to avoid or abate a hazardous or other unsafe condition.

Section 3. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2104, to read as follows:

SEC. 103.2104 Permit Application, Review and Issuance

A. GENERAL

1. No permit shall be issued for the erection, construction, conversion, alteration, enlargement or establishment of any structure, sign or use, or for the grading of any project located within the Mission Valley Planned District until approval of the City Manager has been obtained by the applicant.

2. The City Manager shall process sign permits and review sign plans submitted as part of a Mission Valley Development Permit. Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations) apply. When the sign permit is a part of a required discretionary permit the decision maker for that discretionary permit must also approve the sign permit. Deviations from the Sign Regulations may be approved through a discretionary permit.

3. The Mission Valley Community Plan and the Mission Valley Financing Plan are companion documents to the planned district. The guidelines of the community plan have been restated in this planned district. The financing plan details the funding sources and phasing plan for necessary public facilities.

**B. EXEMPTION FOR INTERIOR AND EXTERIOR MODIFICATIONS,
REPAIRS AND ALTERATIONS**

Interior modifications, repairs or remodeling that do not involve a change

of use are exempt from the planned district.

Interior modifications, repairs or remodeling involving a change of use are exempt from the planned district if the change does not increase existing levels of traffic generation or does not increase traffic generation over Threshold 1 (Section 103.2105D.1.).

Minor additions, exterior repairs or alterations to conforming or previously conforming uses are not required to process a Mission Valley Development Permit, if such projects do not increase existing levels of traffic generation or do not increase traffic generation over Threshold 1 (Section 103.2105D.1). All such projects shall: 1) improve or maintain the degree of conformance of an existing site with the design standards of the planned district and development standards of this Division; and 2) be reviewed by the City Manager. A minor addition is defined as any construction project consisting of less than 20 percent of the building gross floor area to a maximum of 5,000 square feet. Any addition taking place after November 14, 1989, shall cumulatively count toward this 5,000-square-foot maximum. With respect to auto dealerships, a minor addition (less than 20%) may be up to a maximum of 12,000 square feet provided that provisions of this paragraph are satisfied.

In order to determine the traffic generation of the proposal, the applicant must submit a Mission Valley Traffic Assessment application with the required fee and the following information:

1. through 3. [No change.]

C. MINISTERIAL PERMIT REVIEW

1. Applications for building permits shall be made pursuant to Land Development Code Chapter 12, Article 9, Division 2 (Building Permit Procedures) and shall be reviewed by the City Manager for conformance with the development standards of this Division. Applications for variance to the development standards of this Division shall be made pursuant to Land Development Code Chapter 12, Article 6, Division 8 (Variances Procedures).

2. The City Manager shall approve a ministerial Mission Valley Development Permit, in accordance with Process One, if the application is determined to be complete, in conformance with all City regulations, policies and guidelines, and is in conformance with the criteria of the planned district including the standards contained in the applicable planned district zone and in the Special Regulations (see Section 103.2112).

3. [No change.]

4. Ministerial Permit Exceptions.

a. Exceptions to the planned district regulations may be approved or denied by the City Manager, in accordance with Process Two, when the application is for limited relief in the case of new construction or remodeling which would result in a finished project (all structures on the premises) deviating twenty percent (20%) or less from applicable development regulations including, but not limited to, required yards, offsetting planes, and roof treatment. However, the City Manager may require additional sidewalk and parkway area, and additional landscaping that may be feasibly placed in the street yard or parkway according to City-wide landscape standards; and the addition or

improvement must not increase the degree of nonconformity with the design requirements of the planned district. The City Manager's decision may be appealed to Board of Zoning Appeals in accordance with Land Development Code Section 112.0504.

b. The City Manager shall in no case grant exceptions when the application is for deviation from traffic generation, transit reservations, or new construction of previously conforming land uses in excess of 5,000 square feet or 12,000 square feet gross floor area for auto dealerships.

5. Exceptions other than provided by Section 103.2104(C)(4)(a), to ministerial permits may be approved, conditionally approved or denied by a Hearing Officer, in accordance with Process Three. The Hearing Officer may approve the exception when due to special conditions; or exceptional characteristics of the property, or of its location or surroundings; strict interpretation of the criteria of the planned district would result in unusual difficulties or unnecessary hardship or would be inconsistent with the general purpose of the planned district. Exceptions shall not be granted that will be detrimental to the intent of this planned district, or to the general public health, safety and general welfare. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

D. DISCRETIONARY MISSION VALLEY DEVELOPMENT PERMIT

1. A discretionary Mission Valley Development Permit may be approved, conditionally approved or denied, by a Hearing Officer, in accordance with Process Three, when any one (1) or more of the following situations is applicable (see Table for Section 103.2104(D)):

a. and b. [No change.]

c. The proposal is located in the Hillside subdistrict north of Friars Road or contains acreage in "steep hillsides," as defined in Land Development Code Section 113.0103, south of I-8; or

d. and e. [No change.]

2. Except as otherwise noted in this division, an application for a discretionary Mission Valley Development Permit shall be processed in the same manner as an application for a Site Development Permit, in accordance with Land Development Code Chapter 11, Article 2 (Required Steps in Processing) and Chapter 12, Article 6, Division 5 (Site Development Permit Procedures). In no case shall an application for a city-wide planned development permit replace the requirement for a Mission Valley Development Permit.

Sign plans shall be a required element of a Mission Valley Development Permit application submittal. Allowable signage shall be contained within permit conditions.

3. The Hearing Officer may approve or conditionally approve a discretionary Mission Valley Development Permit if the application is determined to be complete, and in conformance with all applicable City Council adopted regulations, policies and guidelines, and if it is found from the evidence presented that all of the following facts exist:

a. through d. [No change.]

4. On an individual project basis, the criteria of this planned district may

be increased or decreased if approved by the City Manager when one (1) or more of the following situations is applicable: 1) due to special conditions, or exceptional characteristics of the property, or of its location or surroundings, strict interpretation of the criteria of the planned district would result in unusual difficulties or unnecessary hardship or would be inconsistent with the general purpose of the planned district; 2) a superior design can be achieved by altering the adopted standards; or 3) conformance with the "Guidelines for Discretionary Review" necessitates deviation from the adopted standards.

5. [No change in first paragraph.]

TABLE FOR SECTION 103.2104

MAJOR CATEGORIES - MISSION VALLEY DEVELOPMENT
PERMIT PROCESSING

MINISTERIAL PERMIT	DISCRETIONARY PERMIT	DISCRETIONARY PERMIT AND PLAN AMENDMENT
Traffic Threshold 1 and Outside of River and Hillside Subdistricts* and not in Multiple Use Zone	Traffic Threshold 2 or Inside River or Hillside Subdistricts* or in Multiple Use Zone	Traffic Threshold 2 or Land Use Designation Change or Other Plan Inconsistency

*Discretionary permit exemption for properties located south of I-8 as described in Sections 103.2104(C) and (D).

E. SPECIAL REVIEW PROCESSES

1. Specific Plan Requirement. Specific plans should only be required when a project site is ten or more acres in size and the City Manager determines that a specific plan is necessary to ensure adequate provision and phasing of public facilities

and amenities. The decision of the City Manager shall be final.

2. [No change.]

3. Substantial Conformance Findings. All development plans submitted pursuant to an approved specific plan, development agreement, or planned development permit shall be subject to a written finding of substantial conformance with the approved specific plan by the City Manager, and said finding shall be final. Requests for a determination of substantial conformance shall be accompanied with a required deposit.

4. [No change.]

F. and G. [No change.]

H. DEFINITIONS

See Land Development Code Section 113.0103 for additional definitions.

[No change in definitions.]

*These terms are similar in concept to the definitions for street wall line, street wall, and street yard in Land Development Code Section 113.0103.

Section 4. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2105, to read as follows:

SEC. 103.2105 Development Intensity Overlay District

A. and B. [No change.]

C. DEVELOPMENT INTENSITY DETERMINATION

1. and 2. [No change.]

3. For land uses listed in Table II for Section 103.2105, the development intensity of each project shall be determined, in accordance with the provisions of this

planned district during permit review.

4. For land uses not listed in Table II for Section 103.2105, the document entitled "Definitions of Land Use Categories" shall be the basis for determinations by the City Manager regarding interpretation of the land uses and development intensity of each project. This document is on file in the Transportation and Traffic Engineering Division of the Engineering Department of The City of San Diego.

D. DEVELOPMENT INTENSITY THRESHOLDS

1. [No change.]

a. Area 1 - 150 ADT per gross acre for projects in the area lying north of the center line of Interstate 8, and west of the center line of State Route 163 except for any project lying within a "steep hillside" as defined in Land Development Code Section 113.0103. Land acreage within a "steep hillside" shall not be used to calculate the ADT allocation.

b. Area 2 - 140 ADT per gross acre for projects in the area lying north of the center line of Interstate 8 and east of the center line of State Route 163, except for any project lying within the steep hillsides as stated in Section 103.2105.D.1.a.

c. Area 3 - 200 ADT per gross acre for projects in the area lying south of the center line of Interstate 8 except for any project lying within the steep hillsides as stated in Section 103.2105.D.1.a.

2. Threshold 2 - Discretionary Mission Valley Development Permit.

a. and b. [No change.]

[No change in TABLE I FOR SECTION 103.2105 DEVELOPMENT

INTENSITY DISTRICTS.]

* Excluding acreage within "steep hillsides".

3. Traffic in Excess of Threshold 2 - Mission Valley Development Permit and Community Plan Amendment or Exception

a. [No change.]

b. Exceptions to the allocations established by Threshold 2 may be approved, conditionally approved or denied by a Hearing Officer in accordance with Process Three. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506. The Hearing Officer may approve an exception on a limited basis, without processing a community plan amendment when all of the following findings can be made:

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

[No change in TABLE II FOR SECTION 103.2105 DEVELOPMENT INTENSITY FACTORS.]

Section 5. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2106, to read as follows:

SEC. 103.2106 San Diego River Subdistrict ("River Subdistrict")

A. [No change.]

B. BOUNDARIES

The San Diego River Subdistrict includes the portions of the San Diego River in the OF-1-1 zone (Land Development Code Chapter 13, Article 1, Division 2 [Open Space Zones]) and land within 150 feet of this zone (see Appendix E). The criteria of this

subdistrict apply to any project fully or partially within these boundaries.

C. BUFFER

[No change in first paragraph.]

1. [No change.]
2. [No change in first paragraph.]

Within the transitional buffer, on the river wall side of the river path, only the following uses may be considered:

- a. [No change.]
- b. Active recreation at the discretion of the City Manager; and
- c. [No change.]

Parking and vehicular access areas are not permitted within the buffer areas.

D. [No change.]

E. RIVER SETBACK AND YARD

To provide for low scale buildings adjacent to the river that increase in height away from the river (see Appendix B, Figures 2 and 3):

1. Structures shall be designed to setback from the 100-year floodway line 1.2 feet for every one foot of height within 150 feet of the OF-1-1 zone, with a minimum setback of 30 feet (see Appendix B, Figure 2).

A maximum of 50 percent of the building wall may be located on the minimum 30-foot building setback from the OF-1-1 zone.

Where river and street setbacks overlap, the requirements of the river

setback shall prevail.

2. A minimum of 80 percent of the area within the river yard (the area between the river and the adjacent structures, see Section 103.2104H.), exclusive of the river path and any LRT facilities, shall be landscaped in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

3. and 4. [No change.]

G. MAXIMUM STRUCTURAL DEVELOPMENT COVERAGE

The maximum structural development coverage within 150 feet of the OF-1-1 zone shall be 50 percent.

H. OTHER SETBACKS

Refer to the underlying planned district land use zone for street, property side, and rear setbacks.

I. [No change.]

J. PEDESTRIAN/RIVER ORIENTATION

All development with river frontage shall be physically and functionally oriented to the river as follows:

[No change in second paragraph.]

To increase interest at the ground floor level of structures adjacent to the river, the pedestrian path orientation criteria found in Section 103.2109H.2. shall apply.

K. SIGNAGE

The Coastal Regulations of the Sign Regulations in Land Development Code Chapter 14, Article 2, Division 12, apply to all signs erected within 150 feet of the OF-1-

1 zone. All on premises signs in conformance with the criteria of this subdistrict, shall be removed without compensation to the sign owner upon completion of a 15 year amortization period commencing on the date of adoption of this planned district.

L. LIGHTING

Any artificial lighting shall be directed or shaded to avoid falling onto the biological buffer and wetlands habitat areas and adjacent properties not held in the same ownership.

GUIDELINES FOR DISCRETIONARY REVIEW

Criteria for Development Adjacent to the Floodway:

1. through 10. [No change.]

View Enhancement:

1. through 3. [No change.]

Flood Protection:

1. Permit modification and realignment of the existing OF-1-1 zone to create additional developable areas through channelization when the proposed channel will: carry the 100-year flood, maintain constant water flow velocity, provide erosion protection, and implement community plan wetlands management and urban design criteria.

2. [No change.]

3. Individual projects proposing modifications to the existing OF-1-1 zone shall not cause the existing water velocities passing through adjacent properties to be increased.

4. through 6. [No change.]

Wetlands:

1. through 5. [No change.]

Mitigation:

1. The OF-1-1 zone boundary encompasses a sensitive resource area where no modification should occur unless mitigation is accomplished in agreement with the Wetlands Management Plan (see Mission Valley Community Plan for habitat development guidelines).

2. through 10. [No change.]

Project Processing:

1. through 5. [No change.]

Section 6. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2107, to read as follows:

SEC. 103.2107 Hillside Conservation, Design and Height Limitation Subdistrict

("Hillside Subdistrict")

A. and B. [No change.]

C. SOUTHERN SLOPES

1. through 3. [No change.]

4. Signage

a. Ground signs greater than 40 feet in height shall not be permitted south of Interstate 8, automobile dealerships may utilize ground signs not exceeding fifty (50) feet in height, except pursuant to a variance approved, in accordance

with Land Development Code Chapter 12, Article 6, Division 8 (Variance Procedures). Nothing contained in this planned district or the Land Development Code Sign Regulations shall preclude on premises directional signs identifying products or services located on the premises; no such directional sign shall exceed two (2) square feet in area. All on premises signs in conformance with the Land Development Code Sign Regulations, but not in conformance with the criteria of this subdistrict, shall be removed without compensation to the sign owner upon completion of a fifteen (15) year amortization period commencing on the date of adoption of this planned district.

b. [No change.]

D. NORTHERN SLOPES

1. through 3. [No change.]

GUIDELINES FOR DISCRETIONARY REVIEW

General:

1. through 6. [No change.]

Southern Slopes:

1. through 4. [No change.]

Northern Slopes:

1. Develop near the base of the slope. Building height and setbacks should be designed to create a band of visible open slope areas landscaped according to Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations) between the ridge line and building roofs that mirror the greenbelt effect of the southern hillsides.

2. through 6. [No change.]

7. Revegetate graded slopes in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

Section 7. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2108, to read as follows:

SEC. 103.2108 Residential Zones (MVR-1, MVR-2, MVR-3, MVR-4, MVR-5)

A. [No change.]

B. PERMITTED USES

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 uses listed for applicable zones in Appendix A. Neighborhood serving commercial uses as shown in Land Development Code Section 131.0522 (CN zones) may occupy up to 25 percent of the ground floor area of residential developments in the MVR-4 and MVR-5 zones.

C. [No change.]

D. MINIMUM LOT AREA AND DIMENSIONS

1. and 2. [No change.]

3. Exception. Any lot or parcel which does not comply with all the minimum lot dimensions set forth in this division may nevertheless be used as a building site provided the lot or parcel qualifies under the definition of lot as set forth in Land Development Code Section 113.0103 and Section 113.0237.

E. through H. [No change.]

I. OFF-STREET PARKING

Parking shall be in conformance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

J. [No change.]

K. SIGNS

Signs shall be in conformance with Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

L. [No change.]

Section 8. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2109, to read as follows:

SEC. 103.2109 Commercial Zones (MV-CO, MV-CV, MV-CR)

A. and B. [No change.]

C. LANDSCAPING

The regulations of Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations) shall apply and shall constitute the minimum landscape requirements.

D. through H. [No change.]

I. ARCHITECTURAL DESIGN

1. [No change.]

2. [No change in first sentence.]

a. through c. [No change.]

d. Architectural Detail - To increase interest in the community through variations in building facades, architectural detail may include, material and color variations, bay windows, awnings, columns, cornices, eaves, window casings or any combination of these or other similar elements acceptable to the City Manager.

e. Offsetting Surfaces - To break up building mass to achieve a more human scale, each building wall elevation which faces any street or river yard shall have building offset variations, acceptable to the City Manager.

J. PARKING

1. Off-street parking shall be provided in accordance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

K. OUTDOOR DISPLAY AND STORAGE

1. The following uses and listed merchandise sold or rented on the premises may be displayed and stored outdoors without screening walls or fences: artwork and pottery, flowers and plants, food products, handcrafted products and goods, recreational equipment rentals, outdoor dining facilities, off- street parking, signs and other merchandise which the City Manager may find to be appropriate. All other uses shall be operated entirely within enclosed buildings.

2. [No change in first sentence.]

a. and b. [No change.]

c. Exemptions: the outdoor display and storage of for sale automobiles and trucks shall be exempt from the area and wall requirements. However,

automotive sales lots shall be planted with perimeter landscaping and meet the regulations for vehicular use areas in Land Development Code Sections 142.0406, 142.0407, and 142.0408.

L. AUTOMOBILE REPAIR AND PAINT FACILITIES REQUIREMENTS

These requirements also apply when these uses are permitted as accessory uses, or as a part of an automobile dealership.

1. and 2. [No change.]

3. Vehicular use areas and setbacks established by this planned district shall be in conformance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

M. [No change.]

Section 9. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2110, to read as follows:

SEC. 103.2110 Industrial Zone (MV-I)

A. PURPOSE

The provisions of the IL-2-1 zone (Land Development Code Chapter 13, Article 1, Division 6 [Industrial Zones]) and the additional criteria of this planned district zone apply to industrially designated land uses in Mission Valley. The criteria of this planned district zone supplement the design criteria of the IL-2-1 zone.

Any proposed development under the MV-I zone must also comply with all other relevant sections of this planned district. Where there is a conflict between the provisions of the IL-2-1 zone and the provisions of this planned district, the planned district applies.

B. [No change.]

C. PARKING REGULATIONS

Parking shall be in conformance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

D. and E. [No change.]

Section 10. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2111, to read as follows:

SEC. 103.2111 Multiple Use Zone (MV-M)

A. and B. [No change.]

C. PERMITTED USES

1. [No change.]

2. Within the MV-M Zone on sites of less than four acres that existed as of the date of adoption of this planned district, each proposal shall be exclusively residential or include land uses from at least two zone categories including a residential use. The residential land use portion shall account for at least 20 percent of the Average Daily Trips allocated to the project.

D. DEVELOPMENT CRITERIA

1. through 10. [No change.]

11. On sites used for industrial activities, require reclamation plans that contour slopes, control erosion, provide compatible revegetation and provide new water habitats where feasible in accordance with Land Development Code Chapter 14, Article

2, Division 4 (Landscape Regulations).

Section 11. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending section 103.2112, to read as follows:

SEC. 103.2112 Special Regulations

A. [No change.]

B. LANDSCAPING

Where not otherwise noted, the regulations of Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations) apply and constitute the minimum landscape requirements.

C. SIDEWALKS/PARKWAYS

1. [No change in first paragraph.]

The placing of signs, utilities and other public facilities shall be done in a manner so as to provide the clear unobstructed corridor sidewalk width and parkway design as required by this planned district.

The criteria established in this planned district supersede the criteria of the Street Design Manual of the Land Development Manual.

[No change in TABLE I FOR SECTION 103.2112.]

2. [No change.]

D. through F. [No change.]

G. VEHICULAR USE AREA

1. Surface Parking.

a. [No change.]

b. Driveway widths shall be in conformance with Land Development Code Section 142.0560(j).

2. Structured Parking.

Parking structures shall be in conformance with Land Development Code Section 142.0560(k).

H. [No change in text.]

I. [No change in text.]

J. BICYCLE PARKING FACILITIES

Bicycle parking facilities and lockers shall be provided in accordance with Land Development Code Sections 142.0525 and 142.0530.

K. [No change in text.]

L. ENCLOSURES

1. [No change.]

2. Fence and Wall - applicable fence and wall regulations are contained in Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).

M. HEIGHT

1. and 2. [No change.]

N. SIGNAGE

Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations) apply except as stated below:

1. through 4. [No change.]

5. Directional Signage. All residential and commercial office establishments shall provide a maximum two-foot high ground mounted sign located within the street yard setback within five feet of the driveway entrance, with maximum six inch high characters intended solely for the purpose of street address identification. This signage will not be calculated against permitted signage allowed under the the Land Development Code.

6. through 8. [No change.]

O. [No change in text.]

P. PERMIT COMPLIANCE PROGRAM

[No change in first paragraph.]

1. through 3.

GUIDELINES FOR DISCRETIONARY REVIEW

1. through 8. [No change.]

Transportation:

1. [No change.]

2. Provide landscaped medians along major east- west streets in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

3. through 5. [No change.]

Public Transit:

1. through 5. [No change.]

Parking Areas:

1. through 9. [No change.]

Bicycle Facilities:

1. through 5. [No change.]

Pedestrian Circulation:

1. through 3. [No change.]

4. Locate tall, canopied trees adjacent to the curb, between the street and sidewalk, in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

5. through 10. [No change.]

Community Facilities:

1. through 3. [No change.]

Noise:

1. and 2. [No change.]

Water:

1. [No change.]

2. Control surface runoff by promptly planting disturbed sites with ground cover vegetation, and incorporating sedimentation ponds into flood control or runoff control facilities. Long term maintenance for all vegetation should be provided.

3. through 5. [No change.]

Energy:

1. through 4. [No change.]

Cultural and Heritage Resources:

1. through 4. [No change.]

Landmarks:

1. through 5. [No change.]

Signage:

1. through 4. [No change.]

Section 12. That Chapter X, Article 3, Division 21, of the San Diego Municipal Code is amended by amending Appendix A, to read as follows:

APPENDIX A

APPENDIX A OF DIVISION 21 OF THE MISSION VALLEY PLANNED DISTRICT
AND OF CHAPTER X ARTICLE 3 OF THE SAN DIEGO MUNICIPAL CODE
PERMITTED USES

Legend: P = Permitted
- = Not Permitted

L = Subject to Limitations - Uses shall be limited to twenty-five percent (25%) of the gross floor area of permitted uses within the project area. Variances to increase this percentage may be requested.

CUP = Conditional Use Permit

Notes:

- (1) Except in the MVR-1 Zone, where a CUP is required for more than 6 children.
- (2) Permitted in the MVR-3, 4 and 5 Zones only.
- (3) Neighborhood Commercial uses are limited to twenty-five percent (25%) of the ground floor area of residential developments in the MVR-4 and MVR-5 zones, and are not permitted in the MVR-1, 2 or 3 Zones.

* Not on ground floor.

PERMITTED USES

**ALL
RESIDENTIAL
ZONES**

Residential/Compatible Residential

Single-family dwellings	P
Multi-family dwellings	P
Boarding and Lodging houses	P
Temporary Real Estate Offices/Model Homes new Subdivisions	P
Institutions/Home - full time child care (Maximum 15 children under 16 years)	CUP
Residential Care Homes for 7 or more clients	CUP
Residential Care Homes for 6 or fewer clients	P
Schools, limited to primary, elementary, junior high and senior high	P
Public Parks and Playgrounds	P
Churches, Temples or buildings of a permanent nature used for religious purposes	CUP (2)
Branch Public Libraries	P
Fraternities, Sororities	CUP
Mobilehome Park	CUP
Mobilehome (1) Watchman	CUP
Housing for the elderly	CUP (3)
Neighborhood Commercial uses per Section 101.0426	L

Any other use which the Planning Commission may find, in accordance with Process Four, to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this planned district. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

MV-CO MV-CV MV-CR

Commercial

Accessory Uses	L	L	L
Advertising, Secretarial & Telephone answering services	-	-	L
Antique shops	-	P	P
Apparel shops	L	L	P
Art Stores and Galleries	L	P	P
Automobile & truck sales, Rental agencies (usable vehicles only including automobile paint, repair, body and fender work)	-	-	P
Automobile wash	-	-	CUP
Automobile paint & repair (including body and fender work)	-	-	CUP
Bakeries	L	P	P
Barber shops	L	P	P
Beauty shops	L	P	P
Bicycle shops including rental and repair	L	P	P
Boat sales/rentals agencies			P
Book stores	L	P	P
Building materials stores			P
Business machine sales display & service	L	-	P
Childcare Facilities (1)	P	P	P
Churches, Temples or buildings of a permanent nature used for religious purposes	CUP	CUP	CUP
Cleaning & dyeing works (including rugs, carpets, and upholstery) 5,000 sq. ft. or less enclosed	-	-	P
Confectioneries	L	P	P
Curtain and drapery shops	-	-	P
Custom shops for curtains, draperies, floor coverings upholstery and wearing apparel	-	-	P
Dairy stores	L	L	P
Drafting and Blueprint services	L	-	P
Drug stores	L	L	P
Dry cleaning establishments (no truck delivery of finished cleaning)	L	L	P
Dry cleaning & laundry agencies and self-service dry cleaning & laundry			

establishments	L	L	P
Dry goods stores	-	-	P
Electronic data processing, tabulating, and recordkeeping services	P	-	L
Employment agencies	P	-	P
Equipment and tool rental establishments (no man-ridden equipment)	-	-	P
Financial institutions over 5,000 sq.ft.	L	-	P
Financial institutions 5,000 sq. ft. or less	P	P	P
Florists 5,000 sq. ft. or less	P	P	P
Food stores	L	L	P
Foreign Language School	P	-	P
Frozen food lockers	-	-	P
Furniture stores			P
Gift Shops	L	P	P
Gymnasium and health studios	P	P	P
Hardware stores	-	-	P
Hobby shops	-	P	P
Hotels, motels, and time-share projects	-	P	P
Interior Decorators (office & sales)	P	-	P
Jewelry stores	L	P	P
Leather goods and luggage shops	-	L	P
Liquor stores	-	P	P
Lithography shops	-	-	P
Locksmith shops	P	-	P
Medical, dental, biological, and X-ray laboratories	P	-	-
Medical appliance sales	-	-	P
Music stores	-	P	P
Newspaper plants	CUP	-	CUP
Nurseries (plants)	L	L	P
Office furniture and equipment sales	L	-	P
Offices; business and professional	P	P*	P*
Paint and wallpaper stores			P
Palm Readers, psychic readers	P	L	P
Parking lots/structures	P	P	P
Pet shops			P
Pharmacies	L	L	P
Photographic equipment, supplies and film processing stores	L	P	P
Photographic studios	L	-	P
Physical Therapists	P	-	P

Plumbing shops 5,000 sq. ft. or less; enclosed	-	-	P
Post offices	P	P	P
Private clubs, fraternal organizations and lodges	P	P*	P
Professional Schools	P	-	P
Public utility electric substations, gas regulators and communications equipment buildings	P	P	P
Pushcarts	Subject to Land Development Code Section 141.0619		
Radio, television and home appliance repair shops	-	-	P
Recreational facilities enclosed; including bowling lanes, skating rinks, gymnasiums, and health centers	P	P	P
Recreation Facilities - Open Air	CUP	CUP	CUP
Recycling Collection Center	L	L	P
Restaurants	P	P	P
Schools, public, private and nursery	P	-	P
Shoe stores	-	P	P
Shoe repair shops	P	P	P
Sporting goods stores	L	P	P
Stationers	L	P	P
Studios for teaching or art, dancing and music	P	L	P
Theaters, Nightclubs and bars of 5,000 sq. ft. or less	P	P	P
Theaters, nightclubs and bars over 5,000 sq. ft.	CUP	CUP	CUP
Tire sales, repair and recapping establishments (if entirely within an enclosed building)	-	-	P
Trade and business schools	P	-	P
Trailer sales agencies	-	-	P
Transportation terminals	P	P	P
Travel bureaus	P	P	P
Union Hall (social activities) + trade associations	P	-	P
Union Meeting Hall, hiring hall and office	-	-	P
Variety stores	L	L	P
Video Sales and Rentals	L	L	P
Wedding chapels	CUP	CUP	CUP

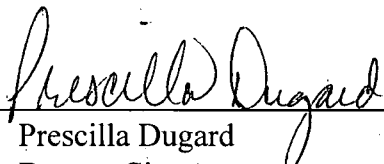
Wholesaling or warehousing of goods and merchandise, provided that the floor area occupied for such use per establishment does not exceed 5,000 sq. ft. For automobile dealership, the area shall not exceed 15,000 sq. ft.

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Section 13. This ordinance shall take effect and be in force on the date the Coastal Commission unconditionally certifies as a local coastal program amendment the provisions of the Land Development Code subject to Coastal Commission jurisdiction, adopted by the City Council on December 9, 1997, by Ordinance No. O-18451.

APPROVED: CASEY GWINN, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

PD:cdk
03/09/98
Or.Dept:Dev.Svcs.
O-98-66