

52a
6/12

ORDINANCE NUMBER O- 20176 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 26 2012

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 156.0302, 156.0307 AND 156.0308, AND AMENDING FIGURES B AND J, ALL RELATING TO THE CENTRE CITY PLANNED DISTRICT ORDINANCE.

WHEREAS, the primary purpose of the Centre City Planned District Ordinance is to implement the San Diego Downtown Community Plan (Downtown Community Plan); and

WHEREAS, the Centre City Development Corporation (CCDC), as the agent for the City of San Diego within the downtown area, has proposed amendments to the Centre City Planned District Ordinance (CCPDO) to implement the Downtown Community Plan; and

WHEREAS, the amendments would amend the CCPDO to: expand the areas in which a Floor Area Ratio (FAR) bonus can be purchased and increase the amount of FAR that can be purchased through the program; include a Public Safety Facilities land use district and designate certain properties to be included in this district; and designate certain properties currently utilized as parks as open space; and

WHEREAS, the proposed amendments to the Centre City Planned District Ordinance have been reviewed, considered, and recommended for approval by the Centre City Advisory Committee and the CCDC Board of Directors; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on April 12, 2012 for the purpose of considering the proposed amendments to the Centre City Planned District Ordinance; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendments to the Centre City Planned District Ordinance consistent with the Downtown

Community Plan and recommended approval of the proposed amendments; NOW,
THEREFORE,

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

Section 1. That Chapter 15, Article 6, Division 3 of the San Diego Municipal Code is amended by amending sections 156.0302, 156.0307 and 156.0308, and amending Figures B and J, to read as follows:

§156.0302 Definitions

The following definitions apply to this Article. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this Division or in Chapter 11, Article 3, Division 1 of the Land Development Code appears in the text in italicized letters.

Active commercial uses through *Private open space* [No change in text.]

Public safety facility means a facility operated by the City of San Diego or its agent that is utilized for public safety and emergency services, including police and fire protection.

Pushcart through *Urban open space* [No change in text.]

§156.0307 Land Use Districts

Twelve land use districts, shown in Figure B, define geographic areas that are subject to specific land use classifications. In addition, twelve overlay districts, shown in Figures C, D, and F, establish areas where additional requirements apply. Permitted land use classifications within each land use district are shown on Table 156-0308-A. Specific requirements for minimum and maximum percentages of *active commercial uses* on the *ground-floor* along *street frontages* are provided.

(a) Base Districts

The purpose of each base district is as follows:

(1) through (12) [No change in text.]

(13) Public Facilities (PF). This district is intended to accommodate one or more existing or proposed *public safety facilities*. *Mixed-use developments* are allowed within this district provided the *public safety facility* is located within the *development*.

(b) [No change in text.]

§156.0308 Base District Use Regulations

(a) and (b) [No change in text.]

Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS																
LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required; MS = Main Street; CS= Commercial Street; E= Employment Overlay																
Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Public Park/ Plaza/Open Space	P	P	P	P	P	P	P	P	P	P	L	P	P			
Agriculture	--	--	--	--	--	--	--	--	--	--	--	--	--			
Community Gardens	P	P	P	P	--	P	P	--	--	P	--	P	--	§123.0601- 0606, §141.0203		
Residential¹																
Group Living	L	L	L	L	--	L	L	--	--	L	L	--	--			
Multiple Dwelling Units	P	P	P	P	--	P	P	--	--	P	L	--	--			
Shopkeeper Units	P	P	P	P	--	P	P ²	--	--	P	L	--	--			
Live/Work Quarters	P	P	P	P	--	P	P	--	--	P	L	--	--	§141.0311		
Separately Regulated Residential Uses																
Fraternalities, Sororities and Dormitories	N	N	N	N	--	N	N	--	--	N	N	--	--	§141.0304 (c)-(e)		
Home Occupations	P	P	P	P	--	P	P	--	--	P	L	--	--	§141.0308		
Senior Housings	C	C	C	C	--	C	C	--	--	C	C	--	--	§141.0310 §156.0309(e)(1)		
Living Units	P	P	P	P	--	P	P	--	--	P	L	--	--	§156.0315 (b)		
Residential Care Facilities	C	C	C	C	--	C	C	--	--	C	L	--	--	§141.0312		

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays
<i>Transitional Housing</i>	C	C	C	C	--	C	C	--	--	C	C	--	--	§141.0313	
Institutional															
<i>Public Safety Facilities</i>	P	P	P	P	P	P	P	P	P	P	L	P	P		MS, CS, E
Separately Regulated Institutional Uses															
<i>Churches & Places of Religious Assembly</i>	P	P	P	P	--	P	C	--	--	P	L	--	--		CS
<i>Communication Antennas</i>															
Minor Telecommunication Facility	L	L	L	L	L	L	N	L	L	L	L	C	L	§141.0420	
Major Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	L	C	C	§141.0420	
Satellite Antennas	L/C	L/C	L/ C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	§141.0405	
Correctional Placement Centers	C	--	--	--	--	C	--	--	--	C	--	--	--	§141.0406	
<i>Cultural Institutions</i>	P	P	P	P	P	P	C ⁹	--	--	P	L	P	P		MS,CS, E
Educational Facilities	P	P	P	P	P	P	C ⁹	--	--	P	L	--	P		CS,E
Energy Generation & Distribution Stations	C	C	C	C	C	C	--	C	C	C	--	--	C	§141.0408	
Exhibit Halls & Convention Facilities	--	--	--	--	--	C	--	C	C	C	L	--	P		E
<i>Historical Buildings Occupied by Uses Not Otherwise Allowed</i>	C	C	C	C	C	C	C	C	C	C	C	C	C	§156.0315(d)	
Homeless Facilities ⁶	C	--	C	C	--	C	--	--	--	C	C	--	--	§141.0412 §156.0315(e)	
Hospitals, 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities	P	C	P	P	--	P	--	--	--	P	L	--	P		CS, E
Major Transmission, Relay or Communication	C	--	C	C	--	C	--	C	C	--	--	--	--	§141.0416	

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Switching Station																
<i>Social Service Institutions</i>	C	--	C	C	--	C	--	--	--	C	C	--	--	§156.0315(e)	CS	
Retail Sales	P	P	P	P	P	P	P	P	--	P	L	--	P	§156.0307 (a), (b) & Figure C	MS, CS, E	
Commercial Services																
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	--	--	--		CS, E	
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	L	P	P		CS, E	
With Outdoor Use Area	N	N	N	N	N	N	--	--	--	N	N	N	N			
Building Services	P	P	P	P	P	P	--	--	--	P	--	--	--		CS, E	
Business Support	P	P	P	P	P	P	P	--	--	P	--	--	P		CS, E	
Eating & Drinking Establishments																
<i>Bona Fide Eating Establishments</i>	P	P	P	P	P	P	P	--	--	P	L	P	P	§156.0315 (a)	MS, CS, E	
<i>Non-Bona Fide Eating Establishments w/Alcohol</i>	C	C	C	C	C	C	--	--	--	C	C	--	C	§156.0315 (a)	MS, CS, E	
With Outdoor Use Area	N	N	N	N	N	N	N	--	--	N	N	P	N		MS, CS, E	
With Live Entertainment & Dancing	C	C	C	C	C	C	--	--	--	C	C	--	C	§156.0315 (a)	MS, CS, E	
<i>Mobile Food Facilities</i>	C	C	C	C	C	C	C	--	--	C	C	C	--			
Financial Institutions	P	P	P	P	P	P	P	--	--	P	L	--	P		MS, CS, E	
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	--	--	--		CS, E	
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	L	--	P		CS, E	
Off-Site Services	P	P	P	P	P	P	--	P	--	--	--	--	P			
Personal Services	P	P	P	P	P	P	P	--	--	P	--	--	P		MS, CS, E	
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	--	--	P		CS, E	
Visitor																

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays
Accommodations															
<i>Hotels and Motels</i>	P	P ³	P	P	P	P	--	--	--	P	L	--	P		CS, E
Separately Regulated Commercial Service Uses															
Animal Hospitals & Kennels	N	--	N	N	--	N	N	--	--	--	--	--	--	§141.0604(b)(1) §141.0625	CS
<i>Bed & Breakfast Establishments</i>	P	P	P	P	--	P	P	--	--	P	L	--	--		CS
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	L	--	P		CS, E
Instructional Studios	P	P	P	P	P	P	P	--	--	P	L	--	P		MS, CS,E
Parking Facilities (structure or surface) ⁸	C	C	C	C	C	C	C	C	C	C	C	C	C	§156.0313	MS, CS
Private Clubs, Lodges and Fraternal Organizations	P	P	P	P	P	P	P	--	--	P	L	--	P		
<i>Pushcarts</i>	L/ N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	L/N	L/N	L/N	§141.0619	
Recycling Facilities															
Drop-Off Facilities	L	L	L	L	L	L	L	L	L	L	--	--	L	§141.0620 (b)	
Reverse Vending Machines	L	L	L	L	L	L	L	L	L	L	--	--	L	§141.0620 (c)	
Large Collection Facilities and Processing Facilities	--	--	--	--	--	C	--	C	C	--	--	--	--	§141.0620 (e)	
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	--	--	L	§141.0620 (d)	
Small and Large Processing Facilities	--	--	--	--	--	C	--	C	C	--	--	--	--	§141.0620 (f)	
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	N	N	N	§141.0621	
<i>SRO Hotels</i>	P	P ³	P	P	--	P	P	--	--	--	--	--	--	§143.0510 - §143.0590	
Offices	P	P	P	P	P	P	P	--	--	P	L	--	P		E

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays
Vehicle & Vehicular Equipment Sales & Service															
Personal Vehicle Sales & Rental Offices	P	P	P	P	P	P	--	P	--	P	--	--	P		CS, E
All Other Vehicle & Vehicular Equipment Sales & Services	--	--	--	--	--	C	--	C	C	--	--	--	--		
Separately Regulated Vehicle & Vehicle Equipment & Service Uses															
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	--	--	--	§141.0801	
Wholesale, Distribution & Storage															
Moving & Storage Facilities	L ⁴	--	L ⁴	L ⁴	P	P	--	P	P	--	--	--	--		
Warehouses & Wholesale Distribution	L ⁴	--	L ⁴	L ⁴	P	P	--	P	P	--	--	--	--		
Separately Regulated Wholesale, Distribution & Storage Uses															
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	N	--	N		
Industrial															
Heavy Manufacturing	--	--	--	--	--	--	--	C	--	--	--	--	--		
Light Manufacturing	P	--	P	P	P	P	--	P	P	--	--	--	--		
Marine Industry	--	--	--	--	--	C	--	C	--	--	--	--	--		
Research & Development	P	--	P	P	--	P	--	P	P	--	--	--	--		E
Trucking and Transportation Terminals	--	--	--	--	--	C	--	C	C	--	--	--	--		
Signs															
Allowable Signs	P	P	P	P	P	P	P	P	P	P	L	P	P	§142.1201 §142.1292	

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	PF ¹⁰	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays
														§156.0314	
Separately Regulated Sign Uses															
Community Entry or Neighborhood Identification Signs	N	N	N	C	N	N	N	N	N	N	N	N	N	§141.1101 §141.1104	
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	N	N	N	§141.1103	
Revolving Projecting Signs	N	N	N	C	N	N	N	N	N	N	N	N	N	§141.1104	
Automatic Changing Copy	N	N	N	C	N	N	N	N	N	N	N	N	N	§141.1105	
Theater Marquees	N	N	N	C	N	N	N	--	--	N	N	N	N	§141.1106	
Other Use Requirements															
Temporary Uses and Structures	L	L	L	L	L	L	L	L	L	L	L	L	L	§123.0401	
Outdoor Activities	C	C	C	C	C	C	C	--	--	C	C	C	C		MS,CS

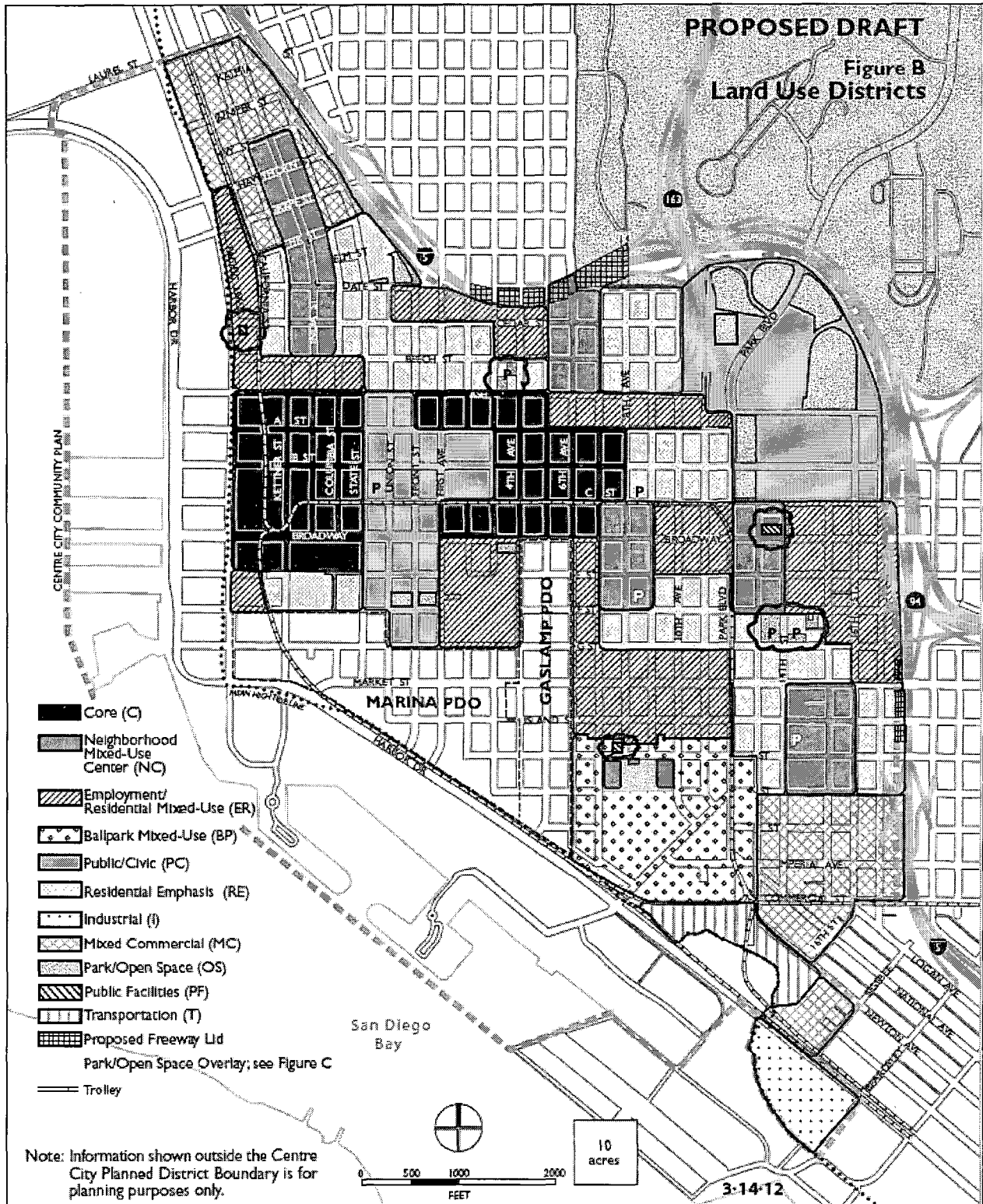
Footnotes to Table 156-0308-A

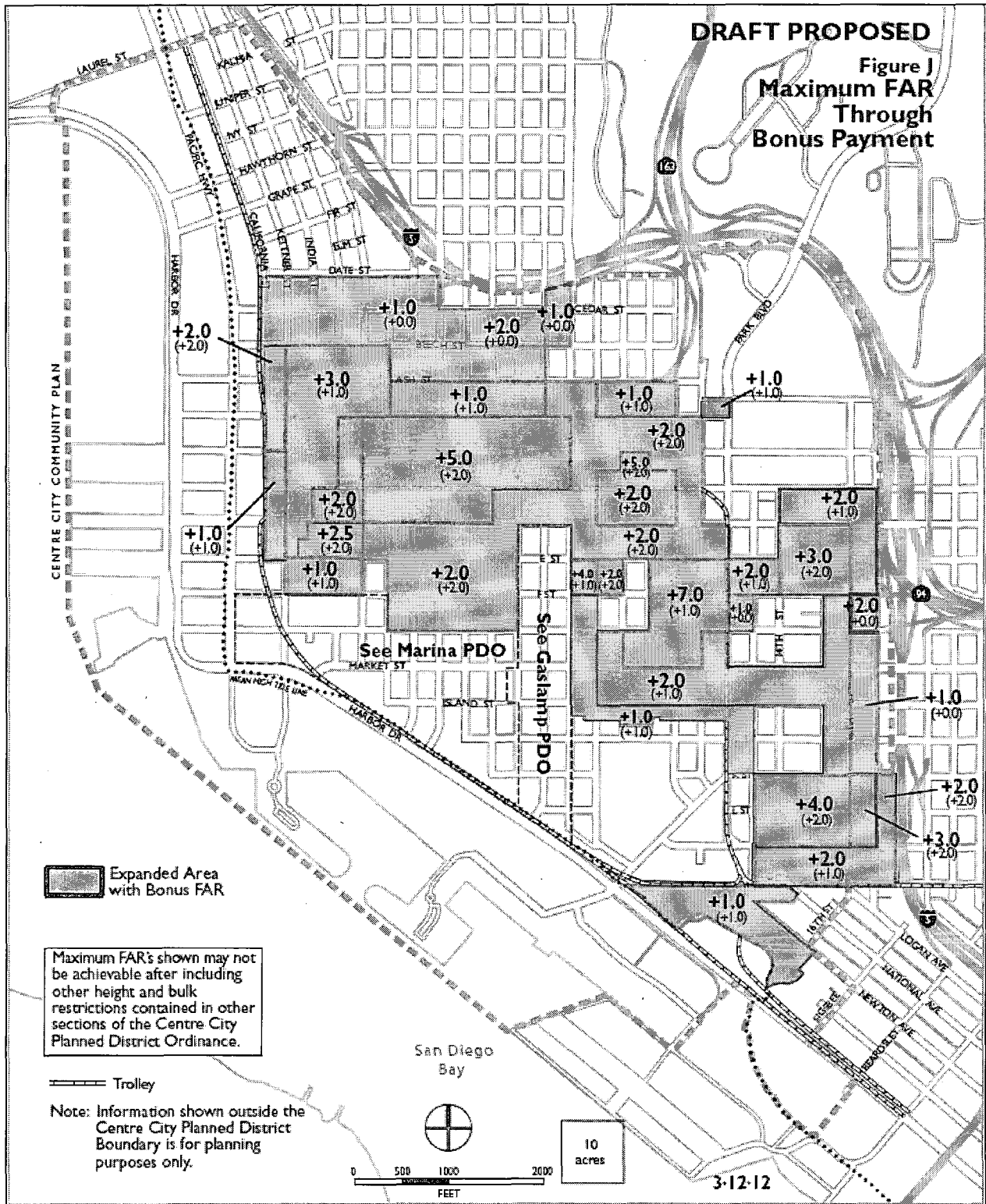
1 through 9 [No change in text.]

10 All uses listed in Table 156-0308-A as a Limited Use, permitted with a Neighborhood Use Permit, or permitted with a Conditional Use Permit may only be permitted within a *mixed-use development* containing a *public safety facility*.

TABLE 156-0308-B: MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE

[No change in text.]





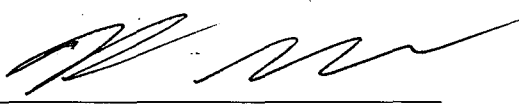
Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

Section 4. Permits shall not be issued for development that is inconsistent with this ordinance unless complete applications were submitted prior to the effective date of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

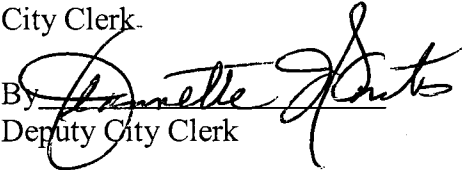


Keith Bauerle
Deputy City Attorney

KB:hm:sc
05/08/2012
Or.Dept:CCDC
Document No. 367981

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~JUN 12 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6-26-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor