

ORDINANCE NUMBER O- 20263 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 18 2013

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 14, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 1514.0103 AND 1514.0104; AMENDING CHAPTER 15, ARTICLE 14, DIVISION 2 BY AMENDING SECTION 1514.0201; AMENDING CHAPTER 15, ARTICLE 14, DIVISION 3 BY AMENDING SECTIONS 1514.0302, 1514.0303, 1514.0304, AND 1514.0305; AMENDING CHAPTER 15, ARTICLE 14, DIVISION 4 BY AMENDING SECTIONS 1514.0401, 1514.0404, AND 1514.0406, AND AMENDING CHAPTER 15, ARTICLE 14 BY AMENDING APPENDIX B AND APPENDIX E, ALL RELATING TO THE MISSION VALLEY PLANNED DISTRICT.

WHEREAS, in the City of San Diego, the San Diego River extends for approximately 17.5 miles, affecting land that includes the community planning areas of Mission Valley, Navajo, Tierrasanta, and East Elliott; and

WHEREAS, although the San Diego River could provide an invaluable regional and community asset for active and passive recreation and could include development that complements the river and allows for a thriving ecological system, it has not met its potential in that regard; and

WHEREAS, the City of San Diego, in consultation with various federal and state agencies, non-profit organizations, other interested parties, and community members, created a Master Plan for the San Diego River; and

WHEREAS, the Master Plan contains five guiding principles: restoration and maintenance of the river; unification of fragmented lands and habitats; creation of a connected

river with unique spaces; revelation of the river valley's history; and reorientation of development toward the river; and

WHEREAS, in order to implement the recommendations of the Master Plan, the City's Land Development Code development regulations pertaining to land adjacent to the San Diego River must be amended; NOW, THEREFORE,

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

Section 1. That Chapter 15, Article 14, Division 1 of the San Diego Municipal Code is amended by amending sections 1514.0103 and 1514.0104 to read as follows:

**§1514.0103 Administrative Regulations**

(a) General Provisions

- (1) [No change in text.]
- (2) The Mission Valley Planning Group shall have the opportunity to comment on all proposals that require a discretionary Mission Valley Development Permit. The recommendations of the Mission Valley Planning Group shall be forwarded to the appropriate decision maker at noticed public hearings.
- (3) Where not otherwise specified in the Mission Valley Planned District Ordinance, the following provisions of the Land Development Code apply:  
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 7 (Off-Site Development Impact  
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  
the Mission Valley Planned District Ordinance, the Planned  
District Ordinance applies.

- (4) When provided for by the City Council approved budget, the provisions of the Mission Valley Planned District Ordinance shall be reviewed annually and a report to the City Council with recommendations shall be filed by the City Manager and the Mission Valley Planning Group on the effectiveness of the Mission

Valley Planned District Ordinance in promoting the goals of the community plan.

(b) Exemptions

(1) through (2) [No change in text.]

(3) Public projects that have approved permits to conduct maintenance work in the Special Flood Hazard Areas are exempt from the requirements of the River Park Subdistrict.

**§1514.0104 Definitions**

For the purposes of this Article, the definitions in Section 1514.0104 apply. The definitions in Section 113.0103 also apply unless the definition conflicts with a definition set forth in Section 1514.0104, in which case the Section 1514.0104 definition applies.

Blank Wall - means any wall or garage door not enhanced by architectural detailing, artwork, transparent windows, doors or similar features.

Floodway - means the 100-year floodway as mapped by the Federal Emergency Management Agency (FEMA) on the date the development application is deemed complete.

Gross Acres - means the total land area of a site including private streets, floodway, and hillsides.

Ground Floor - means the floor level nearest to street grade. Where two floor levels are equidistant from street grade, the lower floor is the ground floor.

Path Corridor - means a 35-foot wide area within the River Corridor Area. See Diagram 1514-03A, San Diego River Park Subdistrict Components.

Plaza - means a pedestrian area on private property, open to the sky and to an adjoining public right-of-way or Major Pedestrian Path (see Appendix B, Figure 5). A plaza may be used for any type of pedestrian activity permitted in the adjacent sidewalk area.

San Diego River Park Corridor Area (River Corridor Area) – means the area comprised of the Floodway and the Path Corridors on each side of the Floodway. See Diagram 1514-03A, San Diego River Park Subdistrict Components.

San Diego River Park Influence Area (River Influence Area) - means the area extending outward from the River Corridor Area for 200 feet on each side of the river. See Diagram 1514-03A, San Diego River Park Subdistrict Components.

San Diego River Park Pathway (River Pathway) - means a minimum 14-foot wide pathway for pedestrian and bicycle use within the Path Corridor in the River Corridor Area.

San Diego River Park Subdistrict (River Park Subdistrict) - means the area comprised of the River Corridor Area and the River Influence Area.

Step back - means the horizontal separation between two major vertical elements, occurring at upper levels of a structure.

Section 2. That Chapter 15, Article 14, Division 2 of the San Diego Municipal Code is amended by amending section 1514.0201 to read as follows:

**§1514.0201 Permit Application, Review and Issuance**

(a) General

(1) through (2) [No change in text.]

(3) The Mission Valley Community Plan, the San Diego River Park Master Plan, and the Mission Valley Financing Plan are companion documents to the Mission Valley Planned District Ordinance. The guidelines of the community plan have been restated in the Mission Valley Planned District Ordinance. The financing plan details the funding sources and phasing plan for necessary public facilities.

(b) Exemption for Interior and Exterior Modifications, Repairs and Alterations

(1) through (3) [No change in text.]

(4) 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:

(A) The gross site acreage and the Hillside Review acreage if applicable;

(B) The purpose for which the proposed building structure or improvement is intended to be used; and

(C) The existing and proposed square footage of commercial or industrial uses, the number of rooms for hotel uses, and the number of dwelling units for residential uses as appropriate.

(5) Within the River Park Subdistrict, any development that does not require a construction permit and that meets the requirements of Section 1514.0201(b)(3) is not required to obtain a Mission Valley Development Permit.

(c) [No change in text.]

(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 or more of the following situations is applicable (see Table 1514-02A).

(A) [No change in text.]

(B) The proposal is fully or partially sited in the River Park Subdistrict, (see Section 1514.0302 and Appendix E); or

(C) The proposal is located in the Hillside Subdistrict north of Friars Road or contains acreage in "steep hillsides," as defined in Section 113.0103, south of I-8; or

(D) through (E) [No change in text.]

(2) through (5) [No change in text.]

**Table 1514-02A****Major Categories - Mission Valley Development  
Permit Processing**

<b>Ministerial Permit<sup>(1)</sup></b>	<b>Discretionary Permit</b>	<b>Discretionary Permit and Plan Amendment<sup>(4)</sup></b>
<ul style="list-style-type: none"> <li>• Traffic Threshold 1,<sup>(2)</sup></li> <li>• Not within the River Park Subdistrict, the Hillside Subdistrict, or steep hillsides, or the Multiple Use Zone,<sup>(3)</sup> and</li> <li>• Does not include structured parking</li> </ul>	<ul style="list-style-type: none"> <li>• Traffic Threshold 2,<sup>(2)</sup></li> <li>• Within the River Park Subdistrict,<sup>4</sup> the Hillside Subdistrict, or steep hillsides, or the Multiple Use Zone,<sup>(3)</sup> or</li> <li>• Includes structured parking</li> </ul>	<ul style="list-style-type: none"> <li>• Exceeds Traffic Threshold 2<sup>(2)</sup> or</li> <li>• Includes Land Use Designation change or Other Plan Inconsistency</li> </ul>

Footnote for Table 1514-02A

<sup>1</sup> Subject to the exemptions and exception in Section 1514.0201.<sup>2</sup> Refer to Section 1514.0301(d) to determine development intensity thresholds.<sup>3</sup> Refer to Section 1514.0301(d)(1)(B)-(D).<sup>4</sup> Subject to the exemption in Section 1514.0201(d)(5).

Section 3. That Chapter 15, Article 14, Division 3 of the San Diego Municipal Code is amended by amending sections 1514.0302, 1514.0303, 1514.0304, and 1514.0305, to read as follows:

**§1514.0302 San Diego River Park Subdistrict (River Park Subdistrict)****(a) Purpose**

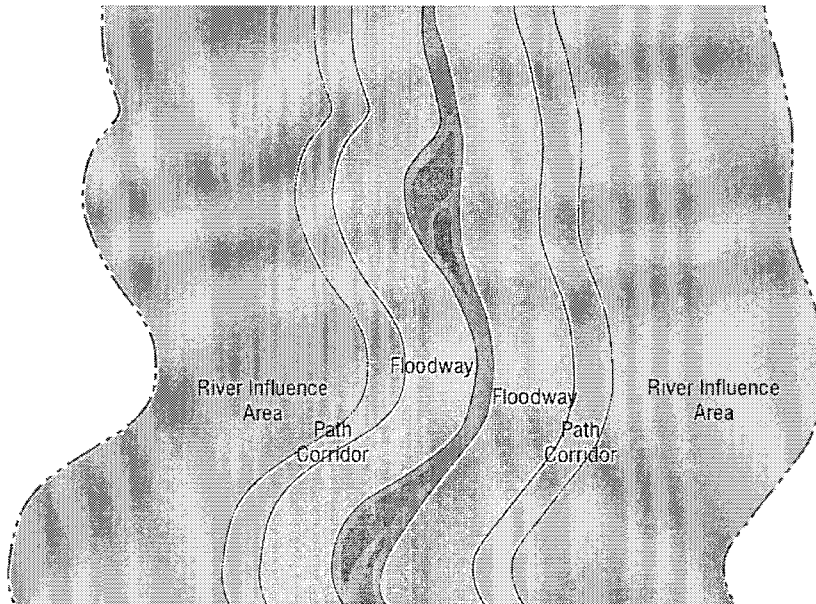
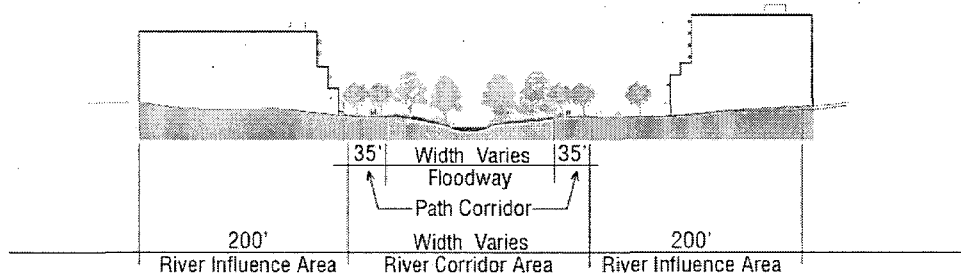
It is the purpose of the River Park Subdistrict regulations to ensure that development along the San Diego River implements the San Diego River Park Master Plan and the Mission Valley Community Plan. It is also the intent of the River Park Subdistrict regulations to preserve and enhance the character of the San Diego River valley, to provide for sensitive rehabilitation and redevelopment, and to create the River Pathway.



(b) Boundaries

The River Park Subdistrict includes the River Corridor Area and the River Influence Area. The regulations of this subdistrict apply to any project fully or partially within these boundaries. See Appendix E and Diagram 1514-03A, San Diego River Park Subdistrict Components.

**Diagram 1514-03A  
San Diego River Park Subdistrict Components**



(c) River Corridor Area

(1) Permitted Uses and Development

- (A) Development within the Floodway shall be in accordance with Section 143.0145 (Development Regulations for Special Flood Hazard Areas).
- (B) Within the Path Corridor, only the following development shall be allowed:
  - (i) The River Pathway,
  - (ii) Trails, in accordance with Section 1514.0302(c)(4), and
  - (iii) Development determined by the City Manager to be for passive recreational use, such as picnic areas, scenic and interpretive overlooks, fitness stations, seating, and educational exhibit areas.
- (C) Within locations that are not mapped as Multi-Habitat Planning Area (MHPA), as identified by the City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan, or determined to be wetland buffers in accordance with Section 143.0141, the following development shall be allowed: children's play areas, multipurpose courts, turf fields, and development determined by the City Manager to be for active recreational use.
- (D) Portions of the Path Corridor that are mapped as MHPA, as identified by the City of San Diego MSCP Subarea Plan, or determined to be wetland buffers in accordance with

Section 143.0141 shall be developed in accordance with the MSCP Subarea Plan's Land Use Considerations and the Environmentally Sensitive Lands Regulations in Chapter 14, Article 3, Division 1.

(2) Grading

(A) Grading within the Floodway shall be conducted in accordance with the MSCP Subarea Plan's Land Use Considerations and the Environmentally Sensitive Lands Regulations in Chapter 14, Article 3, Division 1.

(B) Grading within the Path Corridor shall, to the satisfaction of the City Manager:

(i) Avoid long, continuous engineered slopes with hard edges;

(ii) Provide gradual transitions at the top and bottom of slopes; and

(iii) Stabilize and revegetate slopes with native plants consistent with the surrounding habitat type.

(3) River Pathway

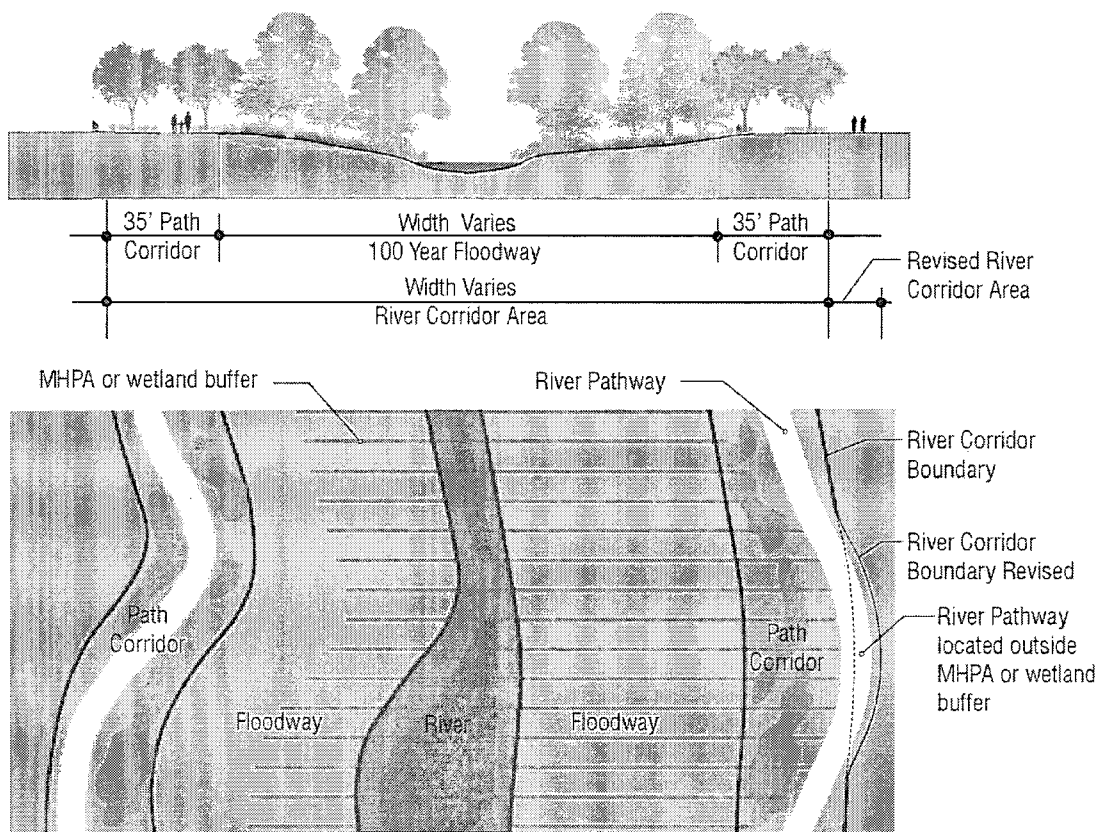
(A) Development on a lot located wholly or partially in the River Corridor Area shall include a River Pathway. The River Pathway shall meander, to the satisfaction of the City Manager.

(B) Where portions of the Path Corridor are mapped as MHPA, as identified by the City of San Diego MSCP Subarea Plan,

or determined to be wetland buffers in accordance with Section 143.0141, the River Pathway shall be located (immediately adjacent to the Path Corridor) outside the portions of the MHPA and the wetland buffer. See Diagram 1514-03B, Path Corridor Realignment for MHPA and Wetland Buffer.

Diagram 1514-03B

Path Corridor Realignment for MHPA and Wetland Buffer



- (C) The entire River Pathway shall be dedicated with an easement that allows public access.

- (D) The River Pathway shall be completed in the first phase of any phased development.
- (E) The River Pathway shall include the following features:
  - (i) A minimum 10-foot wide pathway of concrete or similar material in a color that blends with the surrounding native soil;
  - (ii) A minimum 2-foot wide area of decomposed granite or similar material along each side of the River Pathway in a color similar to the River Pathway;
  - (iii) A minimum 10-foot wide landscape area between the Floodway and the River Pathway; and
  - (iv) A minimum 12-foot vertical clearance above finished grade of the River Pathway.
- (4) Trails. Pedestrian-only trails may be located within the River Corridor Area in accordance with the following:
  - (A) Trail alignments shall mimic natural conditions and minimize grading and disturbance to vegetation.
  - (B) Trails shall be designed to provide continuous loops to the River Pathway, with no trail alignment resulting in a dead end.
  - (C) Trails located in areas mapped as MHPA, as identified by the City of San Diego MSCP Subarea Plan, or determined to be wetland buffers in accordance with Section 143.0141,

are subject to the MSCP Subarea Plan's Land Use Considerations and the Environmentally Sensitive Lands Regulations in Chapter 14, Article 3, Division 1.

(D) Trails shall include the following features:

- (i) A maximum 8-foot width;
- (ii) An 8-foot vertical clearance above finished grade of the trail; and
- (iii) Surface material of decomposed granite or similar material in a color that blends with the surrounding native soil.

(5) Picnic Areas and Overlooks

- (A) Development on a lot located wholly or partially in the River Corridor Area shall include at least one picnic area or overlook along the River Pathway unless either exists less than one-half mile away.
- (B) Picnic areas and overlooks shall include a combination of site furniture as determined by the City Manager on a case-by case basis.

(6) Lighting

- (A) Light posts shall not exceed 12 feet in height.
- (B) All lighting shall be shielded and directed away from the Floodway, the edge of the River Pathway fronting the river and the MHPA.

(7) Site Furniture

- (A) Site furniture, such as picnic table(s), trash and recycling receptacles, bicycle racks, shade structures, benches, interpretive signs, and drinking fountains, shall be designed and constructed in accordance with the San Diego River Park Master Plan Design Guidelines.
- (B) Site furniture shall incorporate the San Diego River Park logo as illustrated in the San Diego River Park Master Plan Design Guidelines.
- (C) Lots that do not have picnic areas or overlooks shall include along the River Pathway a minimum of one piece of site furniture for every 200 linear feet of the River Pathway.

(8) Signs

- (A) Signs shall be designed in accordance with the San Diego River Park Master Plan Design Guidelines and include the San Diego River Park Logo.
- (B) Overlooks shall include, at a minimum, one interpretive sign.
- (C) Development shall include an information kiosk (as described in the San Diego River Park Master Plan Design Guidelines) at any location where the River Pathway intersects a public street.

(9) Fences

(A) Fences located between the River Pathway and the River:

- (i) Shall be provided only as required to protect sensitive habitat or historic resources, and shall allow for wildlife movement;
- (ii) Shall be located a minimum of 5 feet from the River Pathway or trails and shall follow the natural grade;
- (iii) Shall consist of horizontal rails of either wood peeler logs or steel posts and cables;
- (iv) Shall not exceed 42 inches in height; and
- (v) Shall be at least 75 percent open. For purposes of this subsection, chain link fencing shall not qualify as a 75 percent open fence.

(B) Any fences located between the River Pathway and the River Influence Area shall be constructed in accordance with Section 1514.0302(d)(14).

(10) Plant Materials

(A) Development shall include a mixture of native plants and trees consistent with the surrounding habitat type.

(B) Non-native grasses and lawn areas shall not be permitted in any areas mapped as MHPA, as identified by the City of San Diego MSCP Subarea Plan, or determined to be wetland buffers in accordance with Section 143.0141.



- (C) Plant materials shall provide views to the river along at least 50 percent of the river side of the River Pathway of each lot.
  - (D) On the river side of the River Pathway and within 10 feet of the non-river side of the River Pathway:
    - (i) Trees shall have a canopy clearance of 8 feet above the finished grade of the River Pathway; and
    - (ii) All other plant materials shall not exceed 30 inches above the finished grade of the River Pathway.
- (d) River Influence Area
- (1) Lot Coverage. Maximum lot coverage for any development on a lot located wholly or partially within 115 feet of the River Corridor Area shall be 65 percent.
  - (2) Building Height and Massing. Maximum building height and massing on lots adjacent to the River Corridor Area shall be determined by the distance the building is set back from the River Corridor Area, and shall be in compliance with Table 1514-03C or the base zone, whichever is more restrictive. See Diagram 1514-03C, River Influence Area Maximum Building Height and Setback.

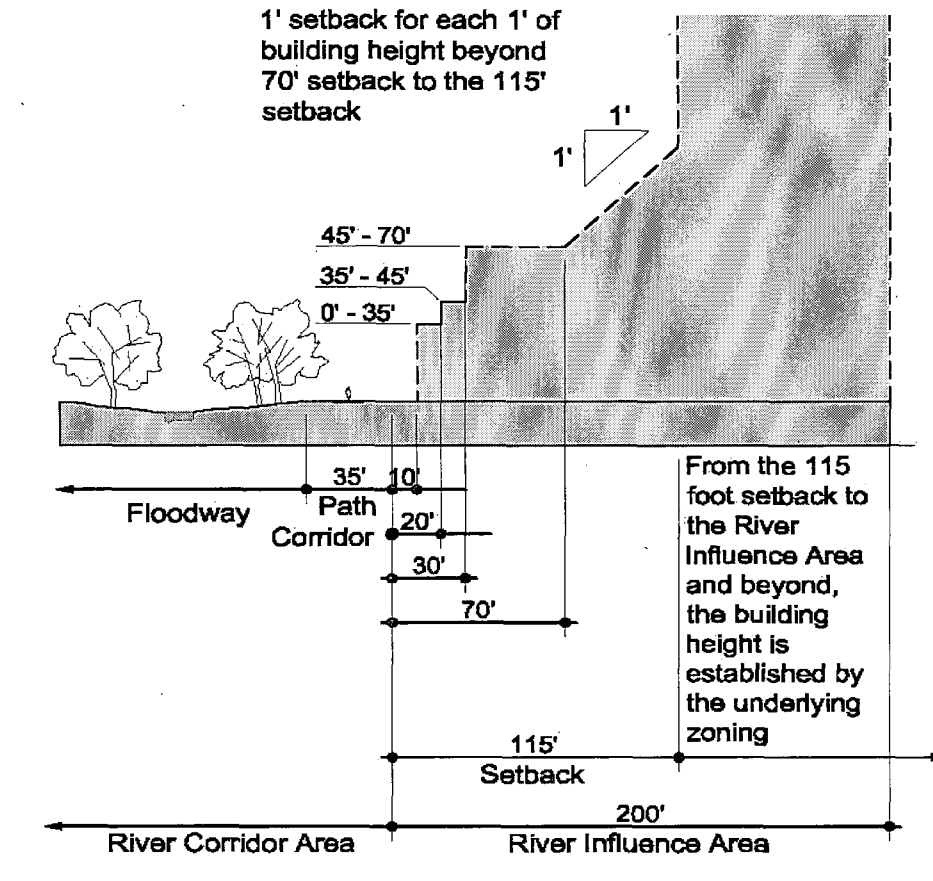
Table 1514-03C  
River Influence Area Setback, Height and Massing

Minimum Distance the Building is Set Back from the River Corridor Area <sup>1</sup>	Maximum Building Height Allowed	Massing
10 feet <sup>2</sup>	35 feet	No more than 50 percent of a building's wall may be located at the setback measured from the River Corridor Area.
20 feet	45 feet	Not regulated by this Division.
30 feet	70 feet	At or above 70 feet in height above finished grade, a building's wall shall be at least 30 percent narrower than the width of the building wall on the ground floor.
70 feet	The maximum building height allowed is equal to the number of feet the building is set back from the River Corridor Area.	
115 feet	The maximum building height allowed is established by the base zone.	

Footnotes to Table 1514-03C

- <sup>1</sup> Where river and street setbacks overlap, the requirements of the River Influence Area setback shall apply.
- <sup>2</sup> Buildings shall be set back a minimum of 10 feet from the River Corridor Area, Architectural features, such as eaves, cornices, eyebrows, trellises, bay windows, balconies, entry roofs and arbors, and fireplaces, may extend a maximum of 4 feet into the 10-foot setback.

**Diagram 1514-03C**  
River Influence Area Building Height and Setback



- (3) Setbacks. Setback requirements of the Mission Valley Planned District Ordinance shall apply to setbacks not identified in Table 1514-03C.
- (4) Off Setting Planes. Off setting planes requirements of the Mission Valley Planned District Ordinance shall apply.
- (5) Building Facade and Entrance. Development that abuts the River Corridor Area shall provide a river-fronting facade and entrance that are of substantially equivalent design and quality of materials

as the primary building facade and entrance to the satisfaction of the City Manager.

- (6) Building Transparency. Building facades that front the River Corridor Area or building facades that front a street that abuts and runs parallel to the River Corridor Area shall provide building transparency in accordance with the following:
  - (A) The amount of transparency, measured as the visible light transmittance (VLT), shall be at least 0.65 VLT.
  - (B) Commercial and Mixed Use Zones.
    - (i) A minimum of 50 percent of the total facade shall be transparent; and
    - (ii) A minimum of 70 percent of the ground floor shall be transparent.
  - (C) Industrial Zones. A minimum of 25 percent of the total facade shall be transparent.
- (7) Building Reflectivity. Building facades that front the River Corridor Area shall not include materials with a visible light reflectivity (VLR) factor greater than 10 percent.
- (8) Exterior Equipment Enclosures, Outdoor Storage, Loading Areas, and Refuse Collection Areas. Any exterior equipment enclosure, outdoor storage, loading area, or refuse collection area:
  - (A) Shall be located a minimum of 100 feet from the River Corridor Area;

- (B) Shall be screened with landscape and an opaque wall at least 6 feet in height or, if the item to be screened exceeds 6 feet in height, a wall 1-foot taller than the item, to a maximum wall height of 10 feet. Screening shall be of the same design and materials as the primary building facade; and
  - (C) Loading areas shall also comply with the requirements of Section 1514.0403(d) (Off-Street Freight Loading Spaces Required).
- (9) Access to the River Corridor Area
- (A) Building Access to the River Corridor Area. Development on lots that abut the River Corridor Area shall provide building access paths connecting the primary structure with the River Pathway in accordance with the following:
    - (i) One building access path for every 300 linear feet of river frontage; and
    - (ii) The building access path shall be to the primary building entrance or to a secondary entrance that, to the satisfaction of the City Manager, is of substantially equivalent design and quality of materials as the primary entrance.
  - (B) Public Access Pathway Across a Development Site. Development on lots that abut the River Corridor Area shall provide public access pathways connecting the public

street and the River Pathway in accordance with the following:

- (i) At least one public access pathway shall be provided for every 1,000 linear feet of frontage along the River Corridor Area;
- (ii) The public access pathway shall be designed to the same quality as the primary on site pathways, to the satisfaction of the City Manager; and
- (iii) Development including a public access pathway shall include signs in accordance with Section 1514.0302(d)(14)(D).
- (iv) An easement for public use shall be required for public access pathways.

(C) Public Access Pathways from Streets that Abut and Run Parallel to the River Corridor Area. Public access pathways shall connect the street to the River Path at every street intersection and, at a minimum, provide a connection every 1,000 linear feet of street frontage along the River Corridor Area.

- (10) Off-Street Surface Parking. Off-street surface parking areas located adjacent to the River Corridor Area shall be set back and screened for the full height and length of the parking area, with one or more of the following:

- (A) Residential, commercial, industrial, or mixed use development, in accordance with the base zone; or
- (B) With landscape materials, in which case the following provisions shall apply:
  - (i) Parking areas shall be set back a minimum of 20 feet from the River Corridor Area;
  - (ii) Parking areas adjacent to the River Corridor Area shall not exceed 30 percent of the length of the lot frontage along the River Corridor Area or a maximum of 120 feet of the lot frontage along the River Corridor, whichever is less;
  - (iii) Parking areas shall be screened with shrubs capable of achieving a minimum height of 30 inches along 80 percent of the length of the parking area along the River Corridor Area frontage within a 2 year period, except that screening shall not be required at pedestrian access points; and
  - (iv) Screening for parking areas shall include one 24-inch box evergreen tree for every 30 feet of frontage along the River Corridor Area. The trees shall be spaced apart or in naturalized groupings.
- (11) Parking Structures. Parking structures located adjacent to the River Corridor Area shall be set back and screened for the full height and length of the parking area, with one or more of the following:

- (A) Residential, commercial, industrial, or mixed use development, in accordance with the base zone; or
  - (B) Landscape materials in accordance with Sections 1514.0302(d)(10)(B)(i) and (ii) and in which case the following provisions shall apply:
    - (i) Parking structures shall be set back a minimum of 30 feet from the River Corridor Area.
    - (ii) Parking structures adjacent to the River Corridor Area shall not exceed 50 percent of the length of the lot frontage along the River Corridor Area.
- (12) Lighting. All lighting within 100 feet of the River Corridor Area shall be shielded and directed away from the River Corridor Area.
- (13) Fences. Within 10 feet of the River Corridor Area, only the following fences are permitted:
- (A) A solid fence that does not exceed 3 feet in height;
  - (B) A fence that is at least 75 percent open and does not exceed 6 feet in height; or
  - (C) A combination of a 3-foot tall solid fence topped with a 3-foot tall fence that is at least 75 percent open.
  - (D) For purposes of this subsection, chain link fencing shall not qualify as a 75 percent open fence.
- (14) Signs



- (A) Within 100 feet of the River Corridor Area, wall signs fronting the river shall not exceed a height of 15 feet above finished grade.
  - (B) No ground sign may be installed between a building and the River Corridor Area except for monument signs, which may not exceed 5 feet in height and shall be located within a landscaped area at least equivalent to the area of the sign face.
  - (C) Signs fronting the River Corridor Area shall be face lighted or internally lighted.
  - (D) Public Access Pathway Signs. Development shall include a directional sign, designed in accordance with the San Diego River Park Master Plan, placed in a clearly visible location at the intersection of a public access pathway and the street, and the intersection of a public access pathway and the River Pathway.
- (15) Plant Material. Plant materials within 15 feet of the River Corridor Area shall be non-invasive low water use species.
- (16) Streets that Abut and Run Parallel to the River Corridor Area
- (A) Streets shall be the minimum width allowed by the Street Design Manual of the Land Development Manual.
  - (B) Development shall be designed to minimize the number of curb cuts, to the satisfaction of the City Manager.

- (C) On-street parking shall be provided in clusters of parking bays along the river side of the street.

**§1514.0303 Hillside Conservation, Design and Height Limitation Subdistrict (“Hillside Subdistrict”)**

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

(c) Southern Slopes

(1) [No change in text.]

(2) Steep Slope Lands

(A) [No change in text.]

(B) Development shall not be permitted in steep slope lands, except as indicated in Table 1514-03D.

**Table 1514-03D  
Encroachment into Steep Slopes**

[No change in text.]

(3) through (4) [No change in text.]

(d) through (e) [No change in text.]

**§1514.0304 Residential Zones (MVR-1, MVR-2, MVR-3, MVR-4, MVR-5)**

(a) [No change in text.]

(b) Permitted Uses

(1) No building or improvement, or portion there of, 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 Table 1514-03E.

(2) [No change in text.]

**Legend for Table 1514-03E**

[No change in text.]

**Table 1514-03E  
Residential Zones Use Table**

[No change in text.]

Footnotes for Table 1514-03E

1 through 4 [No change in text.]

(c) Density Regulations

Maximum residential density is based on the Mission Valley Development Intensity District trip allocation (see Section 1514.0301) and expressed in dwelling units per gross acre (du/ac), exclusive of Hillside Review acreage, as indicated in Table 1514-03F.

**Table 1514-03F  
Density Regulations**

[No change in text.]

(d) Minimum Lot Area and Dimensions

(1) Minimum lot area (square feet) and dimensions (linear feet) are established in Table 1514-03G.

**Table 1514-03G  
Minimum Lot Area and Dimensions**

[No change in text.]

(2) through (3) [No change in text.]

(e) Yard and Setback Requirements

(1) [No change in text.]

- (2) Minimum Parking and Building Setbacks- All Residential Zones as indicated in Table 1514-03H.

**Table 1514-03H  
Minimum Parking and Building Setbacks**

[No change in text.]

- (3) [No change in text.]
- (f) Open Area - Exterior Usable Open Area

- (1) [No change in text.]
- (2) Standards

- (A) The open area provided on the property shall not be less than that shown in Table 1514-03I.

**Table 1514-03I  
Open Area**

[No change in text.]

- (B) [No change in text.]

- (g) through (m) [No change in text.]

**§1514.0305 Commercial Zones (MV-CO, MV-CV, MV-CR)**

- (a) [No change in text.]
- (b) Permitted Uses
  - (1) No building or improvement, or portion there of, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the uses listed for applicable zones in Table 1514-03J. The predominant land use shall be consistent with the community plan land use designation.

**Legend for Table 1514-03J**

Symbol in Table 1514-03J	Description of Symbol
-	Not Permitted
P	Permitted
L	Subject to Limitations
CUP	Conditional Use Permit

**Table 1514-03J  
Commercial Zones Use Table**

<b>COMMERCIAL</b>	<b>MV- CO</b>	<b>MV- CV</b>	<b>MV- CR</b>
Accessory Uses	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>
Advertising, Secretarial & Telephone answering services	P	-	L <sup>1</sup>
Antique shops	-	P	P
Apparel shops	L <sup>1</sup>	L <sup>1</sup>	P
Art Stores and Galleries	L <sup>1</sup>	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 <sup>1</sup>	P	P
Barber shops	L <sup>1</sup>	P	P
Beauty shops	L <sup>1</sup>	P	P
Bicycle shops including rental and repair	L <sup>1</sup>	P	P
Boat sales/rentals agencies	P	-	-
Book stores	L <sup>1</sup>	P	P
Building materials stores	-	-	P
Business machine sales display & service	L <sup>1</sup>	-	P
Childcare Facilities	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 <sup>1</sup>	P	P
Curtain and drapery shops	-	-	P
Custom shops for curtains, draperies, floor coverings upholstery and wearing apparel	-	-	P
Dairy stores	L <sup>1</sup>	L <sup>1</sup>	P
Drug stores	L <sup>1</sup>	L <sup>1</sup>	P
Dry cleaning establishments (no truck delivery of finished cleaning)	L <sup>1</sup>	L <sup>1</sup>	P
Dry cleaning & laundry agencies and self-service dry cleaning & laundry establishments	L <sup>1</sup>	L <sup>1</sup>	P
Dry goods stores	-	-	P
Electronic data processing, tabulating, and record keeping services	P	-	L <sup>1</sup>
Employment agencies	P	-	P
Equipment and tool rental establishments (no man-ridden equipment)	-	-	P

COMMERCIAL	MV- CO	MV- CV	MV- CR
Financial institutions over 5,000 sq. ft.	L <sup>1</sup>	-	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 <sup>1</sup>	L <sup>1</sup>	P
Foreign Language Schools	P	-	P
Frozen food lockers	-	-	P
Furniture stores	-	-	P
Gift Shops	L <sup>1</sup>	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 <sup>1</sup>	P	P
Leather goods and luggage shops	-	L <sup>1</sup>	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 <sup>1</sup>	L <sup>1</sup>	P
Office furniture and equipment sales	L <sup>1</sup>	-	P
Offices; business and professional	P	P <sup>2</sup>	P <sup>2</sup>
Paint and wallpaper stores	-	-	P
Palm Readers, psychic readers	P	L <sup>1</sup>	P
Parking lots/structures	P	P	P
Pet shops	-	-	P
Pharmacies	L <sup>1</sup>	L <sup>1</sup>	P
Photographic equipment, supplies and film processing stores	L <sup>1</sup>	P	P
Photographic studios	L <sup>1</sup>	-	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 <sup>2</sup>	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

COMMERCIAL	MV- CO	MV- CV	MV- CR
Recycling Collection Center	L <sup>1</sup>	L <sup>1</sup>	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 <sup>1</sup>	P	P
Stationers	L <sup>1</sup>	P	P
Studios for teaching or art, dancing and music	P	L <sup>1</sup>	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 <sup>1</sup>	L <sup>1</sup>	P
Video Sales and Rentals	L <sup>1</sup>	L <sup>1</sup>	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.	-	-	P
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.			

## Footnotes Table 1514-03J

1 through 2 [No change in text.]

(2) through (4) [No change in text.]

(e) through (d) [No change in text.]

(e) Yard and Setback Requirements

(1) [No change in text.]

(2) Building and parking setbacks shall be provided from the property line at a minimum dimension (linear feet) as stated in the Table 1514-03K.

(3) through (4) [No change in text.]

**Table 1514-03K  
Setbacks**

[No change in text.]

Footnote for Table 1514-03K.

1 [No change in text.]

(f) through (l) [No change in text.]

Section 4. That Chapter 15, Article 14, Division 4 of the San Diego Municipal Code is amended by amending section 1514.0401, 1514.0404, 1514.0406, and 1514.0407, to read as follows:

**§1514.0401 Purpose of Special Regulations**

These special regulations apply to all development proposals subject to review under the Mission Valley Planned District Ordinance. The purpose of these regulations is to supplement the regulations of the underlying zones and subdistricts, in order to focus on the circulation system elements of private and public development projects; site and building design features that affect public views; and signage. It is also the purpose of these special regulations to support implementation of the San Diego River Park Master Plan. Where there is a conflict between these special regulations and those of Section 1514.0302 (San Diego River Park Subdistrict), the provisions of Section 1514.0302 shall apply.



**§1514.0404 Supplemental Design Requirements**

(a) Height

(1) North of Interstate 8 and south of Friars Road, buildings shall not exceed 250 feet in height. Within the River Influence Area, buildings shall also comply with the height limitations of Section 1514.0302(d)(2).

(2) [No change in text.]

(b) Reflectivity

(1) [No change in text.]

(2) Ministerial projects: No more than 50 percent of any single elevation of a building's exterior may be constituted of material with a visible light reflectivity (VLR) factor greater than 30 percent, except that, within the River Influence Area, Section 1514.0302(d)(7) shall apply.

(c) [No change in text.]

**§1514.0406 Signage**

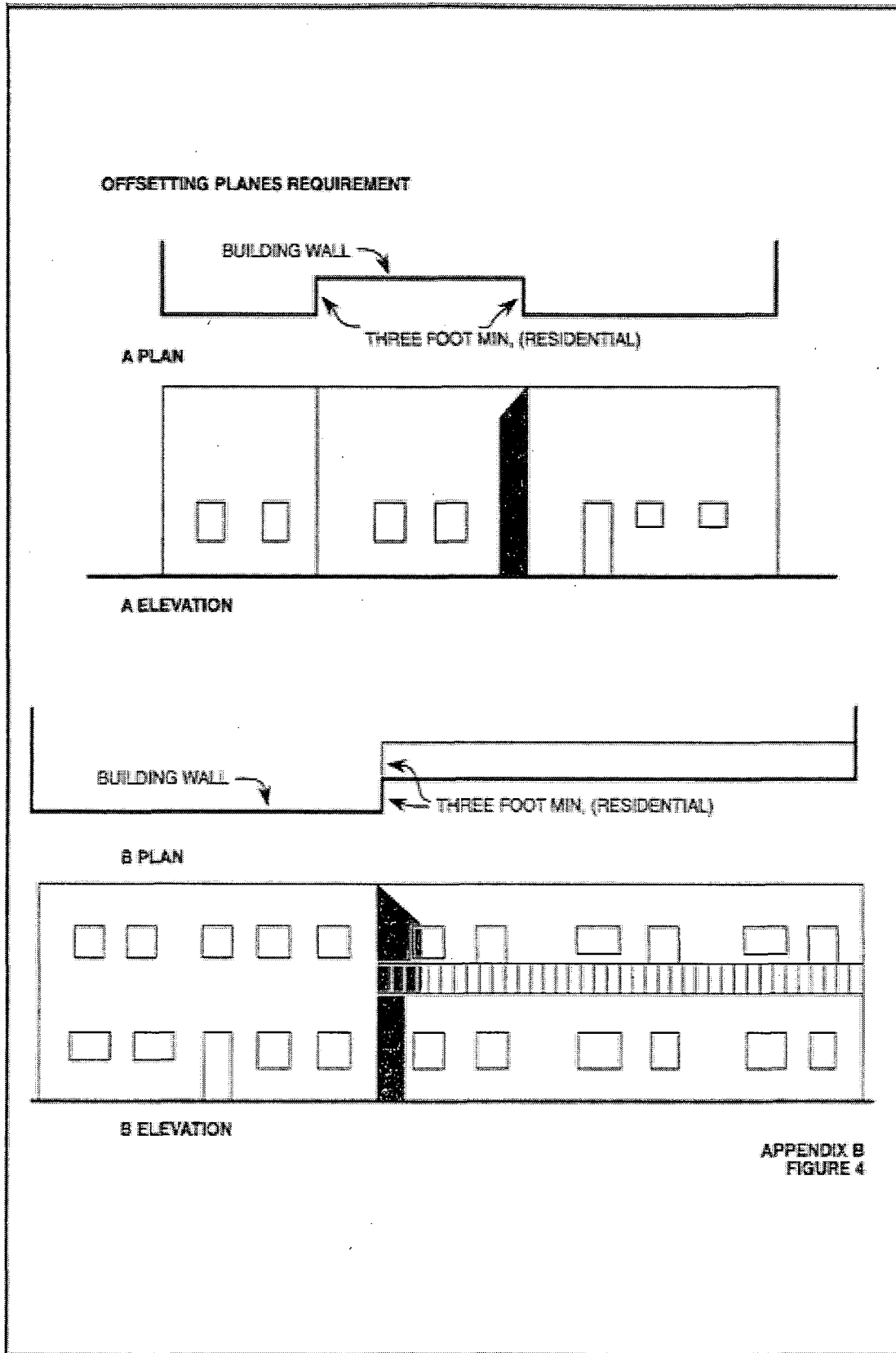
Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations) apply except as stated below:

(a) [No change in text.]

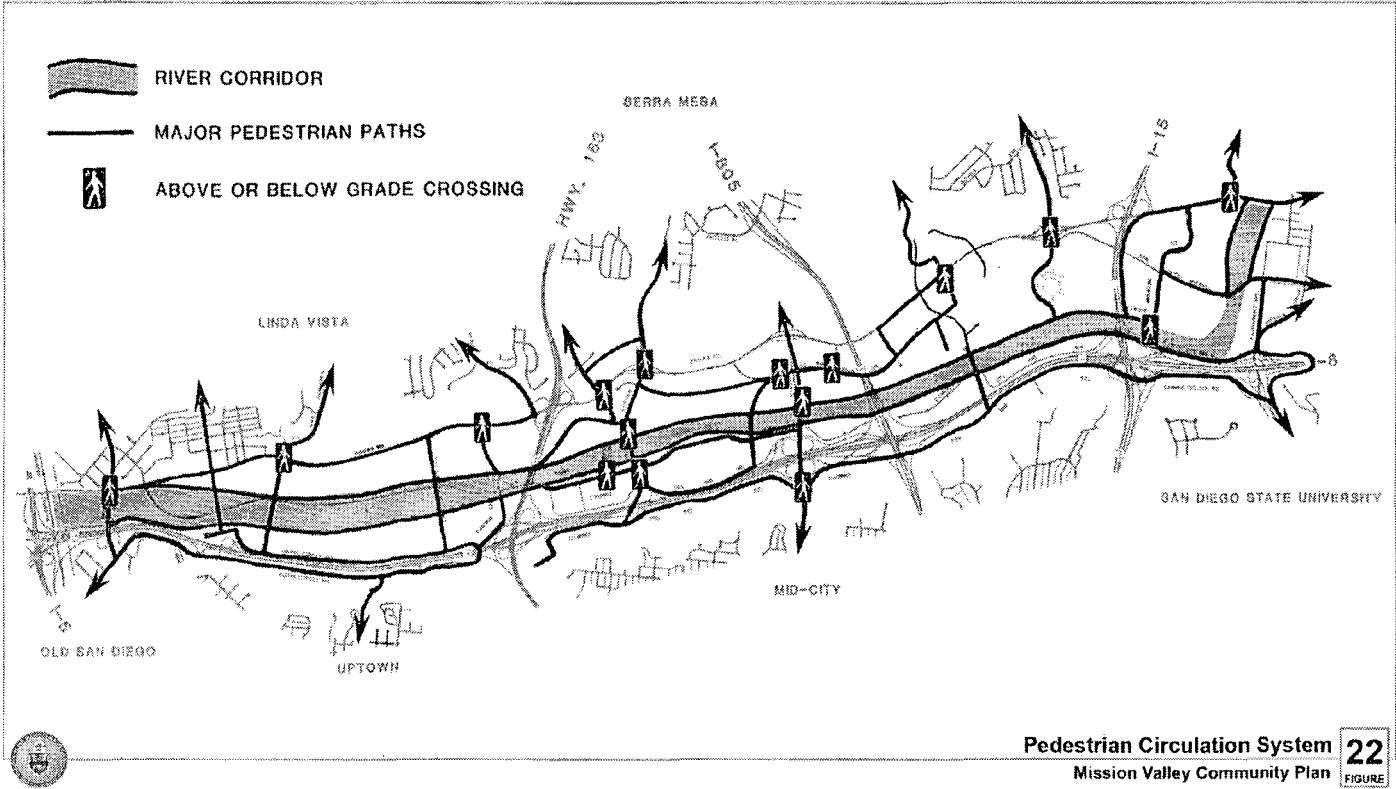
(b) Within the River Park Subdistrict, Sections 1514.0302(c)(7) and 1514.0302(d)(14) shall apply within the River Corridor Area and the River Influence Area, respectively.

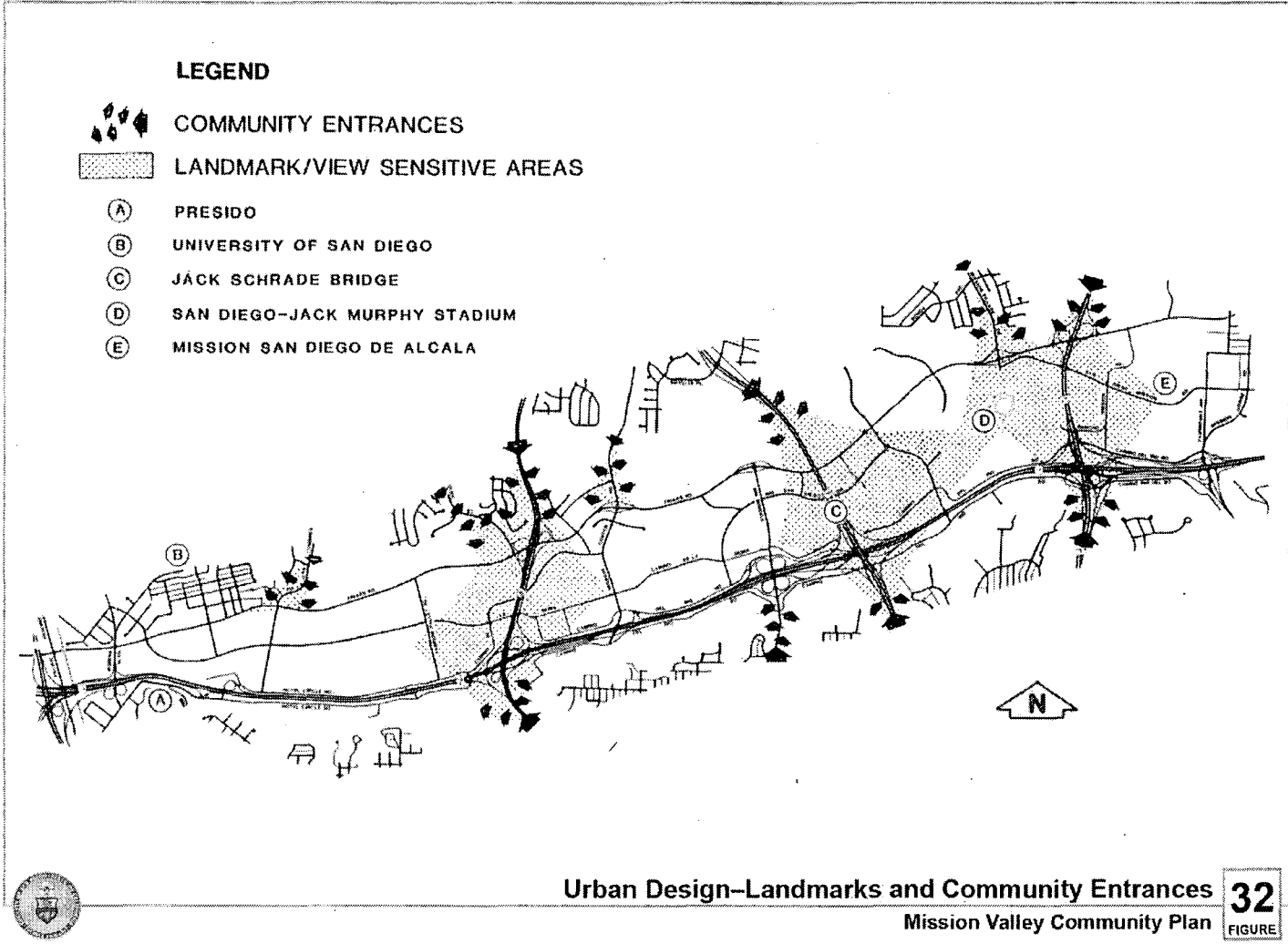
(c) through (h) [No change in text.]

Section 5. That Chapter 15, Article 14 of the San Diego Municipal Code is amended by amending Appendix B and Appendix E, to read as follows:



APPENDIX B  
FIGURE 5

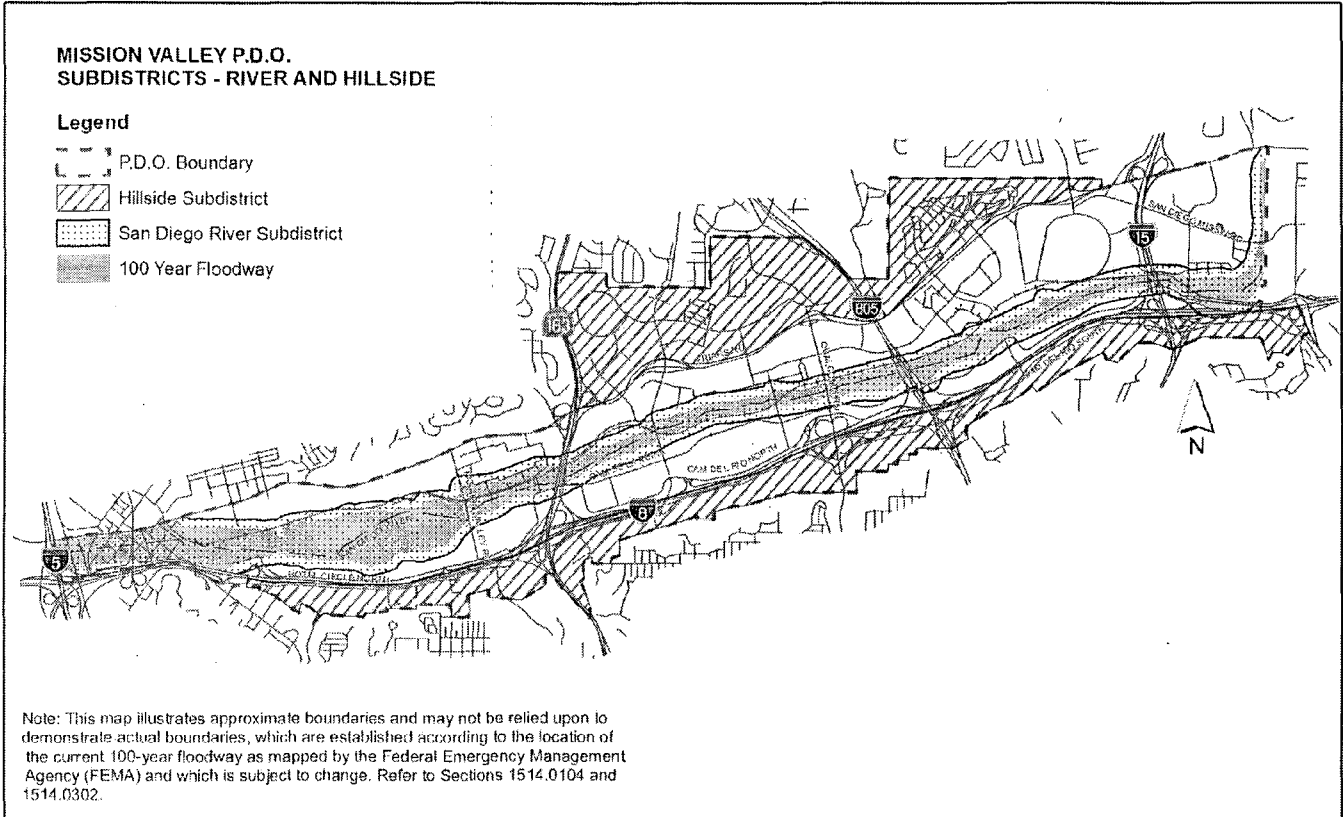




APPENDIX B  
FIGURE 6

Urban Design—Landmarks and Community Entrances  
Mission Valley Community Plan

**32**  
FIGURE



APPENDIX E  
RIVER AND HILLSIDE SUBDISTRICTS

Section 6. 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 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Keely M. Halsey  
Keely M. Halsey  
Deputy City Attorney

KMH:als  
05/06/13  
Or.Dept:DSD  
Doc. No. 534579\_5

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~JUN 04 2013~~

ELIZABETH S. MALAND  
City Clerk

By Elizabeth S. Maland  
Deputy City Clerk

Approved: 6/18/13  
(date)

Bob Filner  
BOB FILNER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on JUN 04 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 18 2013.

AUTHENTICATED BY: BOB FILNER  
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By *Elizabeth S. Maland*, Deputy

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

MAY 20 2013, and on JUN 18 2013

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.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By *Elizabeth S. Maland*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20263