

ORDINANCE NUMBER O- 20704 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 04 2016

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 6, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 126.0303; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 131.0222; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 3 BY AMENDING SECTION 131.0322; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTIONS 131.0422, 131.0431, AND 131.0448; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 BY AMENDING SECTION 131.0522; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 BY AMENDING SECTION 131.0622; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 3 BY ADDING NEW SECTION 141.0303, AND BY RENUMBERING SECTIONS 141.0303, 141.0304, 141.0305, AND 141.0306; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 141.0412; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTION 142.0525; AMENDING CHAPTER 15, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 155.0238; AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 BY AMENDING SECTION 156.0308; AND AMENDING CHAPTER 15, ARTICLE 19 – APPENDIX A, ALL RELATING TO HOUSING.

ITEM # 57  
7/26/16

WHEREAS, the City of San Diego desires to amend the San Diego Municipal Code regarding housing; and

WHEREAS, the City is required by Senate Bill 2 of 2007 (Cedillo Bill) to identify a zone or zones where homeless shelters sufficient to accommodate the specified need are allowed without discretionary approval (by right); and

WHEREAS, the City has identified the IS-1-1 zone as the appropriate zone for the location of emergency shelters by right, utilizing the parameters set forth in the Cedillo Bill as well as access to transit, social services, employment opportunities, and the availability of sufficient land area for the use; and

WHEREAS, the City also desires to create a new use category and accompanying regulations for Continuing Care Retirement Facilities, which are licensed by the State of California to provide a range of housing types, based on the changing level of care required by the resident; NOW, THEREFORE,

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

Section 1. That Chapter 12, Article 6, Division 3 of the San Diego Municipal Code is amended by amending section 126.0303, to read as follows:

**§126.0303 When a Conditional Use Permit Is Required**

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13. The decision process is described in Section 126.0304.

(a) Conditional Use Permits Decided by Process Three

Agricultural equipment repair shops through Companion units [No change in text.]

Continuing care retirement communities

Educational facilities through *Wireless communication facilities* (under circumstances described in Section 141.0420) [No change in text.]

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

Section 2. That Chapter 13, Article 1, Division 2 of the San Diego Municipal Code is amended by amending section 131.0222, to read as follows:

**§131.0222 Use Regulations Table for Open Space Zones**

The uses allowed in the open space zones are shown in Table 131-02B.

**Legend for Table 131-02B**

[No change in text.]

**Table 131-02B**  
**Use Regulations Table for Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones				
		OP-		OC-	OR <sup>(1)</sup> -	OF <sup>(11)</sup> -
	1st & 2nd >>					
	3rd >>	1-	2-	1-	1-	1-
4th >>	1	1	1	1	2	1
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]					
Continuing Care Retirement Communities	-	-	-	-	-	
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]					

Footnotes for Table 131-02B [No change in text.]

Section 3. That Chapter 13, Article 1, Division 3 of the San Diego Municipal Code is amended by amending section 131.0322, to read as follows:

**§131.0322 Use Regulations Table for Agricultural Zones**

The uses allowed in the agricultural zones are shown in Table 131-03B.

**Legend for Table 131-03B**

[No change in text.]

**Table 131-03B  
Use Regulations Table for Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]		[No change in text.]			
Continuing Care Retirement Communities		-	-	-	-
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]			

**Footnotes for Table 131-03B**<sup>1</sup> through <sup>6</sup> [No change in text.]<sup>7</sup> For housing 6 or fewer employees, see Section 141.0304 to determine which use regulations apply.<sup>8</sup> through <sup>12</sup> [No change in text.]

Section 4. That Chapter 13, Article 1, Division 4 of the San Diego Municipal Code is amended by amending sections 131.0422, 131.0431, and 131.0448, to read as follows:

**§131.0422 Use Regulations Table for Residential Zones**

The uses allowed in the residential zones are shown in the Table 131-04B.

**Legend for Table 131-04B**

[No change in text.]

**Table 131-04B  
Use Regulations Table for Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																						
	1st & 2nd >>	RE-	RS-												RX-		RT-							
	3rd >>	1-	1-												1-		1-							
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]																							
Continuing Care Retirement Communities	-	-												-	-									
<b>Residential, Separately Regulated Residential Uses, Employee Housing through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i></b> [No change in text.]	[No change in text.]																							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones												
	1st & 2nd >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]													
Continuing Care Retirement Communities	C			C			L			L		L		
<b>Residential, Separately Regulated Residential Uses, Employee Housing through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i></b> [No change in text.]	[No change in text.]													

**Footnotes for Table 131-04B**<sup>1</sup> through <sup>9</sup> [No change in text.]<sup>10</sup> A guest quarters or habitable accessory building is permitted in accordance with Section 141.0307 only as an *accessory use to a single dwelling unit*.<sup>11</sup> through <sup>12</sup> [No change in text.]**§131.0431 Development Regulations Table for Residential Zones**

The following development regulations apply in the residential zones as shown in

Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

(a) RE Zones

**Table 131-04C  
Development Regulations for RE Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones		
	1st & 2nd >>	RE-		
	3rd >>	1-	1-	1-
	4th >>	1	2	3
<b>Max permitted density</b> (DU per <i>lot</i> ) through <b>Max paving/hardscape</b> [See Section 131.0447] [No change in text.]		[No change in text.]		
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.0307]		[No change in text.]		
<b>Garage regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]		

(b) RS Zones

**Table 131-04D  
Development Regulations for RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
<b>Max permitted density</b> (DU per <i>lot</i> ) through <b>Max paving/hardscape</b> [See Section 131.0447] [No change in text.]		[No change in text.]						
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.0307]		[No change in text.]						
<b>Garage regulations</b> [Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]						

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
<b>Max permitted density</b> (DU per <i>lot</i> ) through <b>Max paving/ hardscape</b> [See Section 131.0447] [No change in text.]		[No change in text.]						
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.0307]		[No change in text.]						
<b>Garage regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]						

Footnotes for Table 131-04D [No change in text.]

(c) RX Zones

**Table 131-04E**  
**Development Regulations for RX Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones	
	1st & 2nd >>	RX-	
	3rd >>	1-	1-
	4th >>	1	2
<b>Maximum Permitted Density</b> (DU per <i>lot</i> ) through <b>Max floor area ratio</b> [See Section 131.0446(c)] [No change in text.]		[No change in text.]	
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.0307]		[No change in text.]	
<b>Garage Regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]	

Footnote for Table 131-04E [No change in text.]

(d) RT Zones

**Table 131-04F  
Development Regulations for RT Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones				
	1st & 2nd >>	RT-				
	3rd >>	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5
<b>Maximum Permitted Density</b> (DU per <i>lot</i> ) through <b>Max Floor Area Ratio</b> [See 131.0446(d)], 3 <i>story</i> buildings [No change in text.]	[No change in text.]					
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.0307]	[No change in text.]					
<b>Garage Regulations</b> [See Section 131.0449(b)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]	[No change in text.]					

(e) RM Zones [No change in text.]

**§131.0448 Accessory Buildings in Residential Zones**

This section is intended to clarify the regulations applicable to non-habitable *accessory buildings* in residential zones.

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

(d) Habitable *accessory buildings* may be permitted as follows:

(1) As an *accessory building* to a *single dwelling unit* in accordance with Sections 141.0302 or 141.0307; or

(2) [No change in text.]

Section 5. That Chapter 13, Article 1, Division 5 of the San Diego Municipal Code is amended by amending section 131.0522, to read as follows:

**§131.0522 Use Regulations Table for Commercial Zones**

The uses allowed in the commercial zones are shown in Table 131-05B.



**Legend for Table 131-05B**

[No change in text.]

**Table 131-05B  
Use Regulations Table for Commercial Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones												
		CN <sup>(1)</sup>		CR-		CO-			CV-		CP-			
		1-	1- 2-	1- 2- 3-	1- 2-	1- 2-	1-							
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]		[No change in text.]												
Continuing Care Retirement Communities		C <sup>(2)</sup>	C	-	C	-	C	C <sup>(2)</sup>	-					
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]												

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-			4-			5-											
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]		[No change in text.]																							
Continuing Care Retirement Communities		C	-	C	C	C <sup>(15)</sup>																			
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]																							

**Footnotes for Table 131-05B**

<sup>1</sup> through <sup>17</sup> [No change in text.]

Section 6. That Chapter 13, Article 1, Division 6 of the San Diego Municipal Code is amended by amending section 131.0622, to read as follows:

**§131.0622 Use Regulations Table for Industrial Zones**

The uses allowed in the industrial zones are shown in Table 131-06B.

**Legend for Table 131-06B**

[No change in text.]

**Table 131-06B  
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>	1	1	1	1	1	1	1	1	1	1
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]										
Continuing Care Retirement Communities	-	-	L <sup>(17)</sup>	-	-	-	-	-	-	-	-
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Institutional, Separately Regulated Institutional Uses, Homeless Facilities, Congregate Meal Facilities</b> [No change in text.]	[No change in text.]										
Emergency Shelters	-	C	-	-	C	C	-	C	L	-	-
<b>Institutional, Separately Regulated Institutional Uses, Homeless Facilities, Homeless Day Centers through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]										

**Footnotes for Table 131-06B**<sup>1</sup> through <sup>16</sup> [No change in text.]<sup>17</sup> See Section 131.0623(j)<sup>18</sup> through <sup>20</sup> [No change in text.]

Section 7. That Chapter 14, Article 1, Division 3 of the San Diego Municipal Code is amended by adding new section 141.0303, and by renumbering sections 141.0303, 141.0304, 141.0305, and 141.0306, to read as follows:

**§141.0303 Continuing Care Retirement Communities**

Continuing care retirement communities are licensed by the state as both a residential care facility for the elderly and a skilled nursing facility, regulated under the California Health and Safety Code, and overseen by the California

Department of Social Services. They provide residents with multiple living environments based on the changing level of care required by the resident. The communities typically provide independent *dwelling units*, assisted living *dwelling units*, and convalescent and memory care rooms.

Continuing care retirement communities may be permitted with a Conditional Use Permit decided in accordance with Process Three, in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), or as a limited use in zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the following regulations.

- (a) Continuing care retirement communities are not permitted in agricultural zones in *Proposition A Lands*.
- (b) Convalescent and memory care rooms shall, at a minimum, comply with California Code of Regulations Title 22, Division 6, Chapter 8 (Residential Care Facilities for the Elderly).
- (c) Parking areas shall be lighted for the safety of tenants. Lighting shall be of a design that deters vandalism. The location, type, and size of the proposed lighting fixtures shall be specified on the *development permit* application.
- (d) The number of vehicle trips shall be determined as follows:
  - (1) Four trips per *dwelling unit*; and
  - (2) Three trips per room for convalescent and memory care rooms.
- (e) Continuing care retirement communities shall be subject to the landscape regulations for commercial *development* in Table 142-04A.

- (f) Permitted *Density*
  - (1) The *density* shall comply with the base zone.
  - (2) Only independent and assisted living *dwelling units* shall be used to calculate *density*.
  - (3) The *density* shall be calculated using the area of the entire *development*.

**§141.0304 Employee Housing**

Employee housing is housing provided for agricultural workers in accordance with the California Health and Safety Code, Employee Housing Act. Employee housing does not include housing for persons engaged in household domestic service. Employee housing is permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0304(a). Employee housing may be permitted with a Neighborhood Use Permit or a Conditional Use Permit in the zones indicated with an “N” or a “C,” respectively, in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0304(b).

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

**§141.0305 Fraternity Houses, Sorority Houses, and Student Dormitories**

[No change in text.]

**§141.0306 Garage, Yard, and Estate Sales**

[No change in text.]

**§141.0307 Guest Quarters or Habitable Accessory Buildings**

Guest quarters or habitable *accessory buildings* are attached or detached accessory living quarters developed of habitable construction, and located on a *lot* with a *single dwelling unit* that do not provide complete, independent living facilities and do not have direct access to the primary *dwelling unit*. Guest quarters or habitable *accessory buildings* are solely for the use of the occupants of the primary *dwelling unit* or their guests or employees.

Guest quarters or habitable *accessory buildings* may be permitted accessory to a *single dwelling unit* as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

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

(h) *Roof decks*, including railings, shall not exceed the height limits in Section 141.0307(f).

(i) [No change in text.]

Section 8. That Chapter 14, Article 1, Division 4 of the San Diego Municipal Code is amended by amending section 141.0412, to read as follows:

**§141.0412 Homeless Facilities**

(a) This section regulates the following homeless facilities.

(1) [No change in text.]

(2) **Emergency shelters:** Any facility that provides housing for homeless persons with minimal supportive services that is limited to occupancy of six months or less. An emergency shelter may be seasonal or year-round.

Emergency shelters operating for 30 days or less in any 365-day period which are *accessory uses* to religious institutions or religious organizations are exempt from this section.

(3) [No change in text.]

(b) [No change in text.]

(c) Emergency Shelters

(1) Emergency shelters are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(A) Emergency shelters shall provide an on *premises* waiting area of at least 10 square feet per bed to accommodate clients and to prevent queuing into the *public right-of-way*. Any outdoor waiting area shall be physically separated from the *public right-of-way*.

(B) Emergency shelters shall provide off-street parking at a rate of at least 1 space for each full-time-equivalent employee, calculated at 8 hours of working time per employee per 24-hour period.

(C) Hours of operation shall be limited to the hours between 6:00 p.m. and 8:00 a.m.

(D) Emergency shelters shall provide on-site supervision at all times. At least one full-time-equivalent employee shall be provided for every 20 beds.

(E) The *applicant* shall submit and implement the following:

- (i) A communications plan for addressing issues or concerns regarding the emergency shelter raised by the local community, neighborhood, business organizations, and adjacent neighbors;
  - (ii) A loitering control plan to minimize the congregation of overnight residents during daylight hours on the *premises*, in parking lots serving the *premises*, and on public sidewalks adjacent to the *premises*; and
  - (iii) A litter control plan to maintain the *premises* and any adjacent *premises* in a litter free condition at all times.
- (F) Adequate outdoor lighting for public safety shall be maintained. Outdoor lighting shall comply with Section 142.0740.
- (2) Emergency shelters may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.
- (A) Emergency shelters are not permitted in *Proposition A Lands*.
  - (B) Emergency shelters shall provide at least 35 square feet of sleeping area per bed.

- (C) Emergency shelters shall provide a waiting area of at least 10 square feet per bed to accommodate clients and to prevent queuing into the *public right-of-way*. Any outdoor waiting area shall be physically separated from the *public right-of-way*.
- (D) Emergency shelters shall provide at least 1 toilet for every 15 beds.
- (E) Emergency shelters shall provide off-street parking at a rate of at least 1 space for each full-time-equivalent employee, calculated at 8 hours of working time per employee per 24-hour period.
- (F) Hours of operation shall be limited to the hours between 6:00 p.m. and 8:00 a.m.
- (G) Emergency shelters shall provide on-site supervision at all times. At least one full-time-equivalent employee shall be provided for every 20 beds.
- (H) Living, dining, and *kitchen* areas shall be physically separated from sleeping areas. The shelter shall provide telephone services separate from the office phone in order to provide privacy.
- (I) The *applicant* shall submit and implement the following:
  - (i) A communications plan for addressing community-raised issues or concerns regarding the emergency



shelter with the local community, neighborhood, business organizations, and adjacent neighbors;

- (ii) A loitering control plan to minimize the congregation of overnight residents during daylight hours on the *premises*, in parking lots serving the *premises*, and on public sidewalks adjacent to the *premises*; and
- (iii) A litter control plan to maintain the *premises* and any adjacent *premises* in a litter free condition at all times.

(d) [No change in text.]

Section 9. That Chapter 14, Article 2, Division 5 of the San Diego Municipal Code is amended by amending section 142.0525, to read as follows:

**§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**

- (a) Minimum Required Parking Spaces. The required automobile parking spaces, motorcycle parking spaces, and bicycle parking spaces for *development of multiple dwelling units*, whether attached or detached, and related and *accessory uses* are shown in Table 142-05C. Other allowances and requirements, including the requirement for additional common area parking for some projects, are provided in Section 142.0525(b) through (d).

**Table 142-05C**  
**Minimum Required Parking Spaces for**  
**Multiple Dwelling Units and Related Accessory Uses**

<i>Multiple Dwelling Unit Type and Related and Accessory Uses</i>	<b>Automobile Spaces Required Per Dwelling Unit</b> (Unless Otherwise Indicated)			<b>Motorcycle Spaces Required Per Dwelling Unit</b>	<b>Bicycle<sup>(5)</sup> Spaces Required Per Dwelling Unit</b>
	<b>Basic<sup>(1)</sup></b>	<b>Transit Area<sup>(2)</sup></b>	<b>Parking Impact<sup>(4)</sup></b>		
<b>Studio up to 400 square feet through Transitional Housing (6 or fewer persons)</b> [No change in text.]	[No change in text.]				
Continuing Care Retirement Communities					
<i>Dwelling units</i>	1.0	0.75	1.25	N/A	N/A
Convalescent and memory care rooms	1.0 per 3 beds	1.0 per 3 beds	1.0 per 3 beds	N/A	N/A
Employees	1 per peak shift	0.75 per peak shift	1.25 per peak shift	See Section 142.0530(f)	See Section 142.0530(e)
<b>Accessory uses (Spaces per square feet<sup>(7)</sup>)</b>	[No change in text.]				

**Footnotes for Table 142-05C**<sup>1</sup> through <sup>2</sup> [No change in text.]<sup>3</sup> The required motorcycle and bicycle parking spaces are those required for *dwelling unit* type for studios up to 400 square feet through 5+ *bedrooms*.<sup>4</sup> through <sup>8</sup> [No change in text.]

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

Section 10. That Chapter 15, Article 5, Division 2 of the San Diego Municipal Code is amended by amending section 155.0238, to read as follows:

**§155.0238 Use Regulations Table of CU Zones**

The uses allowed in the CU zones are shown in Table 155-02C:

**Legend for Table 155-02C**

[No change in text.]

**Table 155-02C  
Use Regulations Table for CU Zones**

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 <sup>(1)</sup>		2-			3-				
	4th >>	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]										
Continuing Care Retirement Communities	C		C			C					
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]										

**Footnotes for Table 155-02C**

<sup>(1)</sup> through <sup>(13)</sup> [No change in text.]

Section 11. That Chapter 15, Article 6, Division 3 of the San Diego Municipal Code is amended by amending section 156.0308, to read as follows:

**§156.0308 Base District Use Regulations**

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

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>																
<b>LEGEND:</b> 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 <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	MS/CS & E Overlays	
<b>Public Park/ Plaza/Open Space through Separately Regulated Residential Uses</b> [No change in text.]	[No change in text.]															

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>																
<b>LEGEND:</b> 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																
<b>Use Categories/ Subcategories</b>	C	NC	ER	BP	WM <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	MS/CS & E Overlays	
Continuing Care Retirement Communities	C	C	C	C	--	C	C	--	--	C	C	--	--	§141.0303		
Fraternities, Sororities and Dormitories	N	N	N	N	--	N	N	--	--	N	N	--	--	§141.0305 (c)-(e)		
<b>Separately Regulated Residential Uses, Home Occupations through Other Use Requirements, Temporary Uses and Structures</b> [No change in text.]	[No change in text.]															

**Footnotes for Table 156-0308-A**

<sup>1</sup> through <sup>12</sup> [No change in text.]

Section 12. That Chapter 15, Article 19 of the San Diego Municipal Code is amended by amending Appendix A, to read as follows:

**Article 19: Southeastern San Diego Planned District  
Appendix A: Uses**

Legend: [No change in text.]

<b>Permitted Uses</b>	<b>Residential Zones</b>		<b>Commercial Zones</b>			<b>Industrial Zones</b>	
	<b>SF</b>	<b>MF</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>I-1</b>	<b>I-2</b>
<b>Residential</b> through Any other use which the Planning Commission may find to be similar in character or compatible to the uses permitted in the specific zone or zones. The adopted resolution embodying such finding shall be filed in the Office of the City Clerk. Any other use allowed with a Conditional Use Permit decided in accordance with Process Five as identified in Section 151.0401(f) (General Provisions). [No change in text.]	[No change in text.]						

**Footnotes for Appendix A: Uses**

<sup>1</sup> through <sup>8</sup> [No change in text.]

<sup>9</sup> Guest quarters shall be permitted in accordance with Section 141.0307.

Section 13. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 14. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport, Marine Corps Air Station (MCAS) Miramar, Gillespie Field, Montgomery Field, and Brown Field Airports (collectively, Airports), this Ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, except that the provisions of this Ordinance 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.

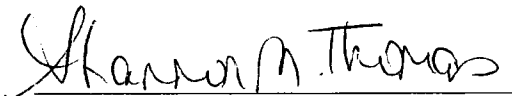
That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airports, the Ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCPs for the Airports, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this Ordinance as amended 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.

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the Airports; and the City Council shall hold a second hearing not less than 45 days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Shannon M. Thomas  
Deputy City Attorney

SMT:als  
06/22/2016  
Or.Dept:DSD  
Doc. No.: 1046008\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 26 2016.

ELIZABETH S. MALAND  
City Clerk

By Mary Fernandez  
Deputy City Clerk

Approved: 8/3/16  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

ITEM # 232  
7/12/16

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 6, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 126.0303; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 131.0222; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 3 BY AMENDING SECTION 131.0322; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTIONS 131.0422, 131.0431, AND 131.0448; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 BY AMENDING SECTION 131.0522; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 BY AMENDING SECTION 131.0622; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 3 BY ADDING NEW SECTION 141.0303, AND BY RENUMBERING SECTIONS 141.0303, 141.0304, 141.0305, AND 141.0306; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 141.0412; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTION 142.0525; AMENDING CHAPTER 15, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 155.0238; AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 BY AMENDING SECTION 156.0308; AND AMENDING CHAPTER 15, ARTICLE 19 – APPENDIX A, ALL RELATING TO HOUSING.

**§126.0303 When a Conditional Use Permit Is Required**

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13. The decision process is described in Section 126.0304.

- (a) Conditional Use Permits Decided by Process Three



Agricultural equipment repair shops through Companion units [No change in text.]

Continuing care retirement communities

Educational facilities through *Wireless communication facilities* (under circumstances described in Section 141.0420) [No change in text.]

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

**§131.0222 Use Regulations Table for Open Space Zones**

The uses allowed in the open space zones are shown in Table 131-02B.

**Legend for Table 131-02B**

[No change in text.]

**Table 131-02B  
Use Regulations Table for Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR <sup>(1)</sup> -		OF <sup>(11)</sup> -
	3rd >>	1-	2-	1-	1-	1-	
	4th >>	1	1	1	1	2	1
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]						
<u>Continuing Care Retirement Communities</u>	=	=	=	=	=		
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]						

Footnotes for Table 131-02B [No change in text.]

**§131.0322 Use Regulations Table for Agricultural Zones**

The uses allowed in the agricultural zones are shown in Table 131-03B.

**Legend for Table 131-03B**

[No change in text.]

**Table 131-03B  
Use Regulations Table for Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]				
<u>Continuing Care Retirement Communities</u>	=				=
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]				

**Footnotes for Table 131-03B**

<sup>1</sup> through <sup>6</sup> [No change in text.]

<sup>7</sup> For housing 6 or fewer employees, see Section 141.03034 to determine which use regulations apply.

<sup>8</sup> through <sup>12</sup> [No change in text.]

**§131.0422 Use Regulations Table for Residential Zones**

The uses allowed in the residential zones are shown in the Table 131-04B.

**Legend for Table 131-04B**

[No change in text.]

**Table 131-04B  
Use Regulations Table for Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																						
	1st & 2nd >>	RE-	RS-												RX-		RT-							
	3rd >>	1-	1-												1-		1-							
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]																							
<u>Continuing Care Retirement Communities</u>	=													=			=							
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]																							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones												
	1st & 2nd >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]													
<u>Continuing Care Retirement Communities</u>	<u>C</u>			<u>C</u>			<u>L</u>			<u>L</u>		<u>L</u>		
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]													

**Footnotes for Table 131-04B**<sup>1</sup> through <sup>9</sup> [No change in text.]<sup>10</sup> A guest quarters or habitable accessory building is permitted in accordance with Section 141.03067 only as an *accessory use* to a *single dwelling unit*.<sup>11</sup> through <sup>12</sup> [No change in text.]**§131.0431 Development Regulations Table for Residential Zones**

The following development regulations apply in the residential zones as shown in Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

(a) RE Zones

**Table 131-04C  
Development Regulations for RE Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones					
	1st & 2nd >>	RE-					
	3rd >>	1-		1-		1-	
	4th >>	1	2	3	4	5	6
<b>Max permitted density</b> (DU per lot) through <b>Max paving/hardscape</b> [See Section 131.0447] [No change in text.]	[No change in text.]						
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.03067]	[No change in text.]						
<b>Garage regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]	[No change in text.]						

(b) RS Zones

**Table 131-04D  
Development Regulations for RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
<b>Max permitted density</b> (DU per lot) through <b>Max paving/hardscape</b> [See Section 131.0447] [No change in text.]		[No change in text.]						
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.03067]		[No change in text.]						
<b>Garage regulations</b> [Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]						

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
<b>Max permitted density</b> (DU per lot) through <b>Max paving/ hardscape</b> [See Section 131.0447] [No change in text.]		[No change in text.]						
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.03067]		[No change in text.]						
<b>Garage regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]						

Footnotes for Table 131-04D [No change in text.]

(c) RX Zones

**Table 131-04E  
Development Regulations for RX Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones	
	1st & 2nd >>	RX-	
	3rd >>	1-	1-
	4th >>	1	2
<b>Maximum Permitted Density</b> (DU per <i>lot</i> ) through <b>Max floor area ratio</b> [See Section 131.0446(c)] [No change in text.]		[No change in text.]	
<b>Accessory uses and structures</b> [See Sections 131.0448 and 141.03067]		[No change in text.]	
<b>Garage regulations</b> [See Section 131.0449(a)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]	

Footnote for Table 131-04E [No change in text.]

(d) RT Zones

**Table 131-04F  
Development Regulations for RT Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones				
	1st & 2nd >>	RT-				
	3rd >>	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5
<b>Maximum Permitted Density</b> (DU per <i>lot</i> ) through <b>Max Floor Area Ratio</b> [See 131.0446(d)], 3 <i>story</i> buildings [No change in text.]		[No change in text.]				
<b>Accessory <u>U</u>ses and <u>S</u>tructures</b> [See Sections 131.0448 and 141.03067]		[No change in text.]				
<b>Garage Regulations</b> [See Section 131.0449(b)] through <b>Visibility Area</b> [See Section 113.0273] [No change in text.]		[No change in text.]				

(e) RM Zones [No change in text.]

**§131.0448 Accessory Buildings in Residential Zones**

This section is intended to clarify the regulations applicable to non-habitable *accessory buildings* in residential zones.

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

(d) Habitable *accessory buildings* may be permitted as follows:

- (1) As an *accessory building* to a *single dwelling unit* in accordance with Sections 141.0302 or 141.03067; or
- (2) [No change in text.]

**§131.0522 Use Regulations Table for Commercial Zones**

The uses allowed in the commercial zones are shown in Table 131-05B.

**Legend for Table 131-05B**

[No change in text.]

**Table 131-05B  
Use Regulations Table for Commercial Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones												
	1st & 2nd >>	CN <sup>(1)</sup>	CR-		CO-			CV-		CP-				
	3rd >>	1-	1-	2-	1-	2-	3-	1-	1-					
	4th >>	1	2	3	4	5	1	1	1	2	1	2	1	2
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]		[No change in text.]												
<u>Continuing Care Retirement Communities</u>		<u>C</u> <sup>(2)</sup>	<u>C</u>	=	<u>C</u>	=	<u>C</u>	=	<u>C</u> <sup>(2)</sup>	=				
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]												

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	CC-																								
	3rd >>	1-			2-				3-					4-					5-							
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]		[No change in text.]																								
<u>Continuing Care Retirement Communities</u>		<u>C</u>	=	<u>C</u>	<u>C</u>																			<u>C</u> <sup>(15)</sup>		
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]																								

**Footnotes to for Table 131-05B**<sup>1</sup> through <sup>17</sup> [No change in text.]**§131.0622 Use Regulations Table for Industrial Zones**

The uses allowed in the industrial zones are shown in Table 131-06B.

**Legend for Table 131-06B**

[No change in text.]

**Table 131-06B  
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>>	1	1	1	1	1	1	1	1	1	1
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]										
<u>Continuing Care Retirement Communities</u>	=	=	<u>L<sup>(17)</sup></u>	=	=	=	=	=	=	=	=
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Institutional, Separately Regulated Institutional Uses, Homeless Facilities, Congregate Meal Facilities</b> [No change in text.]	[No change in text.]										
Emergency Shelters	-	C	-	-	C	C	-	C	<u>CL</u>	-	-
<b>Institutional, Separately Regulated Institutional Uses, Homeless Facilities, Homeless Day Centers through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]										

**Footnotes for Table 131-06B**<sup>1</sup> through <sup>16</sup> [No change in text.]<sup>17</sup> See Section 131.0623(i)(j)<sup>18</sup> through <sup>20</sup> [No change in text.]**§141.0303 Continuing Care Retirement Communities**

Continuing care retirement communities are licensed by the state as both a residential care facility for the elderly and a skilled nursing facility, regulated under the California Health and Safety Code, and overseen by the California

Department of Social Services. They provide residents with multiple living environments based on the changing level of care required by the resident. The communities typically provide independent *dwelling units*, assisted living *dwelling units*, and convalescent and memory care rooms.

Continuing care retirement communities may be permitted with a Conditional Use Permit decided in accordance with Process Three, in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), or as a limited use in zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the following regulations.

- (a) Continuing care retirement communities are not permitted in agricultural zones in *Proposition A Lands*.
- (b) Convalescent and memory care rooms shall, at a minimum, comply with California Code of Regulations Title 22, Division 6, Chapter 8 (Residential Care Facilities for the Elderly).
- (c) Parking areas shall be lighted for the safety of tenants. Lighting shall be of a design that deters vandalism. The location, type, and size of the proposed lighting fixtures shall be specified on the *development permit application*.
- (d) The number of vehicle trips shall be determined as follows:
  - (1) Four trips per *dwelling unit*; and
  - (2) Three trips per room for convalescent and memory care rooms.
- (e) Continuing care retirement communities shall be subject to the landscape regulations for commercial *development* in Table 142-04A.



(f) Permitted Density

(1) The density shall comply with the base zone.

(2) Only independent and assisted living dwelling units shall be used to calculate density.

(3) The density shall be calculated using the area of the entire development.

**§141.03034 Employee Housing**

Employee housing is housing provided for agricultural workers in accordance with the California Health and Safety Code, Employee Housing Act. Employee housing does not include housing for persons engaged in household domestic service. Employee housing is permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.03034(a). Employee housing may be permitted with a Neighborhood Use Permit or a Conditional Use Permit in the zones indicated with an “N” or a “C,” respectively, in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.03034(b).

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

**§141.03045 Fraternity Houses, Sorority Houses, and Student Dormitories**

[No change in text.]

**§141.03056 Garage, Yard, and Estate Sales**

[No change in text.]

**§141.03067 Guest Quarters or Habitable Accessory Buildings**

Guest quarters or habitable *accessory buildings* are attached or detached accessory living quarters developed of habitable construction, and located on a *lot* with a *single dwelling unit* that do not provide complete, independent living facilities and do not have direct access to the primary *dwelling unit*. Guest quarters or habitable *accessory buildings* are solely for the use of the occupants of the primary *dwelling unit* or their guests or employees.

Guest quarters or habitable *accessory buildings* may be permitted accessory to a *single dwelling unit* as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

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

(h) *Roof decks*, including railings, shall not exceed the height limits in Section 141.03067(f).

(i) [No change in text.]

**§141.0412 Homeless Facilities**

(a) This section regulates the following homeless facilities.

(1) [No change in text.]

(2) Emergency shelters: Any facility that provides ~~sleeping accommodations and restroom facilities to homeless persons on a day-to-day basis, for periods of thirty days or less.~~ housing for homeless persons with minimal supportive services that is limited to occupancy of six months or less. An emergency shelter may be seasonal or year-round.

(A) ~~Emergency shelters operating for 30 days or less in any 365-day period which are accessory uses accessory uses to religious institutions or religious organizations ~~operating for 30 days or less in any 365-day period~~ are exempt from this section.~~

(3) [No change in text.]

(b) [No change in text.]

(c) Emergency Shelters

~~Emergency shelters may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. Section 112.0509(b) requiring a Planning Commission recommendation, shall not be applicable to emergency shelters.~~

(1) Emergency shelters are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(A) Emergency shelters shall provide an on *premises* waiting area of at least 10 square feet per bed to accommodate clients and to prevent queuing into the *public right-of-way*. Any outdoor waiting area shall be physically separated from the *public right-of-way*.

(B) Emergency shelters shall provide off-street parking at a rate of at least 1 space for each full-time-equivalent employee,

calculated at 8 hours of working time per employee per 24-hour period.

- (C) Hours of operation shall be limited to the hours between 6:00 p.m. and 8:00 a.m.
- (D) Emergency shelters shall provide on-site supervision at all times. At least one full-time-equivalent employee shall be provided for every 20 beds.
- (E) The applicant shall submit and implement the following:
- (i) A communications plan for addressing issues or concerns regarding the emergency shelter raised by the local community, neighborhood, business organizations, and adjacent neighbors;
  - (ii) A loitering control plan to minimize the congregation of overnight residents during daylight hours on the premises, in parking lots serving the premises, and on public sidewalks adjacent to the premises; and
  - (iii) A litter control plan to maintain the premises and any adjacent premises in a litter free condition at all times.
- (F) Adequate outdoor lighting for public safety shall be maintained. Outdoor lighting shall comply with Section 142.0740.

(2) Emergency shelters may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(1A) Emergency shelters are not permitted in *Proposition A Lands*.

(2B) Emergency shelters shall provide at least 35 square feet of sleeping area per bed.

(3C) Emergency shelters shall provide a waiting area of at least 10 square feet per bed to accommodate clients and to prevent queuing into the *public right-of-way*. Any outdoor waiting area shall be physically separated from the *public right-of-way*.

(4D) Emergency shelters shall provide at least 1 toilet for every 15 beds.

(5E) Emergency shelters shall provide off-street parking at a rate of at least 1 space for each full-time-equivalent employee, calculated at 8 hours of working time per employee per 24-hour period.

(6F) Hours of operation shall be limited to the hours between 6:00 p.m. and 8:00 a.m.

(7G) Emergency shelters shall provide on-site supervision at all times. At least one full-time-equivalent employee shall be provided for every 20 beds.

- (8H) Living, dining, and *kitchen* areas shall be physically separated from sleeping areas. The shelter shall provide telephone services separate from the office phone in order to provide privacy.
- (9I) The *applicant* shall submit the following materials to the decision maker for consideration and implement the following:
- (Ai) ~~A communications plan that describes how the provider will communicate with local community, neighborhood, and business organizations, and with adjacent neighbors on a regular basis, and how community issues or concerns will be addressed;~~  
A communications plan for addressing community-raised issues or concerns regarding the emergency shelter with the local community, neighborhood, business organizations, and adjacent neighbors;
- (Bij) ~~A loitering control plan to minimize the congregation of overnight residents during daylight hours in the vicinity of the shelter;~~ A loitering control plan to minimize the congregation of overnight residents during daylight hours on the premises, in parking lots serving the premises, and on public sidewalks adjacent to the premises; and

(Ciii) ~~A litter control plan to provide for the removal of litter in the vicinity of the shelter on a regular basis.~~  
A litter control plan to maintain the premises and any adjacent premises in a litter free condition at all times.

(d) [No change in text.]

**§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**

(a) Minimum Required Parking Spaces. The required automobile parking spaces, motorcycle parking spaces, and bicycle parking spaces for *development of multiple dwelling units*, whether attached or detached, and related and *accessory uses* are shown in Table 142-05C. Other allowances and requirements, including the requirement for additional common area parking for some projects, are provided in Section 142.0525(b) through (d).

**Table 142-05C  
Minimum Required Parking Spaces for  
Multiple Dwelling Units and Related Accessory Uses**

<i>Multiple Dwelling Unit Type and Related and Accessory Uses</i>	<b>Automobile Spaces Required Per Dwelling Unit</b> (Unless Otherwise Indicated)			<b>Motorcycle Spaces Required Per Dwelling Unit</b>	<b>Bicycle<sup>(5)</sup> Spaces Required Per Dwelling Unit</b>
	<b>Basic<sup>(1)</sup></b>	<i>Transit Area<sup>(2)</sup></i>	<b>Parking Impact<sup>(4)</sup></b>		
<b>Studio up to 400 square feet through Transitional Housing (6 or fewer persons)</b> [No change in text.]	[No change in text.]				

<i>Multiple Dwelling Unit Type and Related and Accessory Uses</i>	<b>Automobile Spaces Required Per Dwelling Unit</b> (Unless Otherwise Indicated)			<b>Motorcycle Spaces Required Per Dwelling Unit</b>	<b>Bicycle<sup>(5)</sup> Spaces Required Per Dwelling Unit</b>
	<b>Basic<sup>(1)</sup></b>	<b>Transit Area<sup>(2)</sup></b>	<b>Parking Impact<sup>(4)</sup></b>		
<u>Continuing Care Retirement Communities</u>					
<u>Dwelling units</u>	<u>1.0</u>	<u>0.75</u>	<u>1.25</u>	<u>N/A</u>	<u>N/A</u>
<u>Convalescent and memory care rooms</u>	<u>1.0 per 3 beds</u>	<u>1.0 per 3 beds</u>	<u>1.0 per 3 beds</u>	<u>N/A</u>	<u>N/A</u>
<u>Employees</u>	<u>1 per peak shift</u>	<u>0.75 per peak shift</u>	<u>1.25 per peak shift</u>	<u>See Section 142.0530(f)</u>	<u>See Section 142.0530(e)</u>
<i>Accessory uses (Spaces per square feet<sup>(7)</sup>)</i>	[No change in text.]				

**Footnotes for Table 142-05C**<sup>1</sup> through <sup>2</sup> [No change in text.]<sup>3</sup> The required motorcycle and bicycle parking spaces are those required for *dwelling unit* type for studios up to 400 square feet through 5+ *bedrooms*.<sup>4</sup> through <sup>8</sup> [No change in text.]

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

**§155.0238 Use Regulations Table of CU Zones**

The uses allowed in the CU zones are shown in Table 155-02C:

**Legend for Table 155-02C**

[No change in text.]



**Table 155-02C  
Use Regulations Table for CU Zones**

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 <sup>-(1)</sup>		2-			3-				
	4th >>	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
<b>Open Space through Residential, Separately Regulated Residential Uses, Companion Units</b> [No change in text.]	[No change in text.]										
<u>Continuing Care Retirement Communities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<b>Residential, Separately Regulated Residential Uses, Employee Housing through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]										

**Footnotes to for Table 155-02C**

<sup>(1)</sup> through <sup>(13)</sup> [No change in text.]

**§156.0308 Base District Use Regulations**

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

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>																
<b>LEGEND:</b> 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 <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	MS/CS & E Overlays	
<b>Public Park/ Plaza/Open Space through Separately Regulated Residential Uses</b> [No change in text.]	[No change in text.]															
<u>Continuing Care Retirement Communities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	--	<u>C</u>	<u>C</u>	==	==	<u>C</u>	<u>C</u>	--	==	<u>§141.0303</u>		
Fraternities, Sororities and Dormitories	N	N	N	N	--	N	N	--	--	N	N	--	--	<u>§141.03045</u> (c)-(e)		

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>															
<b>LEGEND:</b> 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															
<b>Use Categories/ Subcategories</b>	C	NC	ER	BP	WM <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	MS/CS & E Overlays
<b>Separately Regulated Residential Uses, Home Occupations through Other Use Requirements, Temporary Uses and Structures</b> [No change in text.]	[No change in text.]														

**Footnotes to for Table 156-0308-A**

<sup>1</sup> through <sup>12</sup> [No change in text.]

**Article 19: Southeastern San Diego Planned District  
Appendix A: Uses**

Legend: [No change in text.]

<b>Permitted Uses</b>	<b>Residential Zones</b>		<b>Commercial Zones</b>			<b>Industrial Zones</b>	
	<b>SF</b>	<b>MF</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>I-1</b>	<b>I-2</b>
<b>Residential</b> through Any other use which the Planning Commission may find to be similar in character or compatible to the uses permitted in the specific zone or zones. The adopted resolution embodying such finding shall be filed in the Office of the City Clerk. Any other use allowed with a Conditional Use Permit decided in accordance with Process Five as identified in Section 151.0401(f) (General Provisions). [No change in text.]	[No change in text.]						

**Footnotes for Appendix A: Uses**

<sup>1</sup> through <sup>8</sup> [No change in text.]

<sup>9</sup> Guest quarters shall be permitted in accordance with Section 141.03067.

SMT:als  
06/22/2016  
Or.Dept: DSD  
Doc. No.: 1043890\_3

Passed by the Council of The City of San Diego on JUL 26 2016, 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"/>
Lorie Zapf	<input type="checkbox"/>	<input checked="" 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"/>
Chris Cate	<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 AUG 04 2016

AUTHENTICATED BY: KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Donnette J. Smith*, 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

JUL 12 2016, and on AUG 04 2016

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Donnette J. Smith*, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20704