

Chapter 13: Zones

(Added 12-9-1997 by O-18451 N.S.)

Article 1: Base Zones

(Added 12-9-1997 by O-18451 N.S.)

Division 1: General Rules for Base Zones

(Added 12-9-1997 by O-18451 N.S.)

§131.0101 Purpose of Base Zones

The purpose of this article is to establish base zones to help ensure that land uses within the City are properly located and that adequate space is provided for each type of *development* identified. Base zones are intended to regulate uses; to minimize the adverse impacts of these uses; to regulate the zone *density* and intensity; to regulate the size of buildings; and to classify, regulate, and address the relationships of uses of land and buildings.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0102 Amendments to Base Zones

On the effective date of Ordinance O-18691, (January 1, 2000) all zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in Chapter 13, Article 1, Divisions 1 through 6.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0103 Official Zoning Maps

- (a) Base zones are represented on the Official Zoning Maps to be prepared by the City. The Official Zoning Maps shall be identified as an exhibit accompanying the ordinance that the City Council approves for any zoning or rezoning action. The Official Zoning Maps are the authority for identifying the boundary of any application of a base zone.

- (b) Where uncertainty exists with respect to the boundaries of zones shown on the Official Zoning Maps the following rules shall apply:
- (1) Where a zone boundary follows a *lot* line, the *lot* line shall be the boundary.
 - (2) Where a zone boundary follows a public *street*, the centerline of the *street* shall be the boundary.
 - (3) Where any unzoned *public right-of-way* is officially vacated or abandoned, the zone boundary applied to *abutting property* shall be the centerline of the vacated or abandoned *public right-of-way*.
 - (4) Where a zone boundary divides a *lot* or parcel, the location of the boundary shall be determined by the scale contained on the Official Zoning Map.
 - (5) Where there is an obvious mistake that can be corrected by reference to documents on file or by reference to the legislative record, the City Manager may identify the zone boundary.

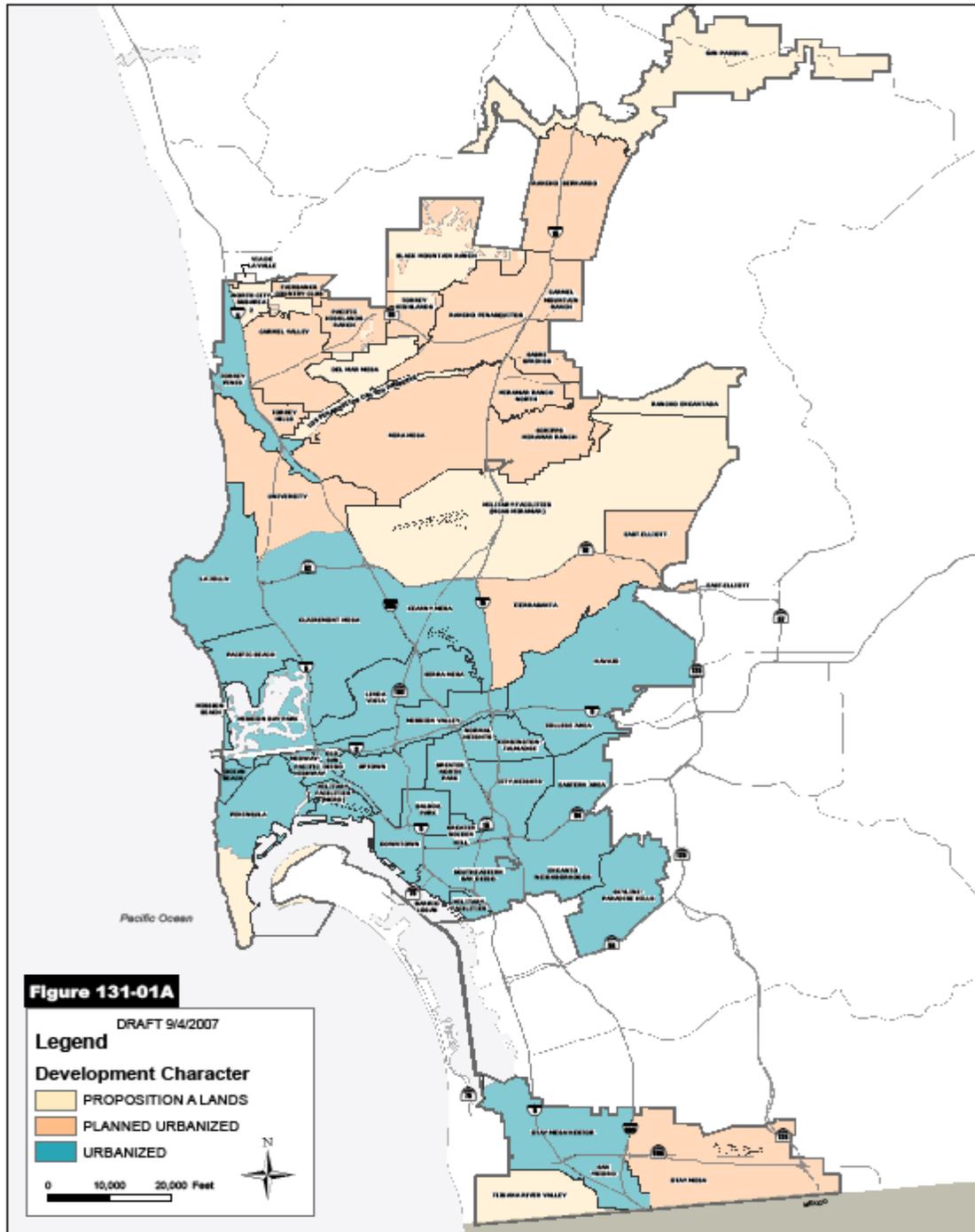
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0105 Development Character Areas

Development Character Areas are established to ensure that appropriate *development* regulations are applied to community plan areas based upon their age and geographic location and include *Proposition A Lands*, *Planned Urbanized Communities*, and *Urbanized Communities*. Development Character Area boundaries generally follow community plan area boundaries except in the case of University City, which falls into two Development Character Areas. Development Character Areas are represented on Figure 131-01A.

(Added 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

Figure 131-01A
Development Character Areas



(Added 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

§131.0110 Determination of Use Category and Subcategory

- (a) A use shall be identified as belonging to a use category and use subcategory based upon the descriptions in Section 131.0112 and the facility needs and operational characteristics of the use including type of use, intensity of use, and *development* characteristics of use. The Use Regulations Tables in the base zones shall be used to determine in which base zones the use is permitted. If a particular use could meet the description of more than one use subcategory, the subcategory with the most direct relationship to the specific use shall apply. The City Manager shall identify a particular uses's category and subcategory upon request of an *applicant* or a property owner.
- (b) If the *applicant* or property owner disputes the City Manager's determination, the City Manager may place the question of the appropriate use category and use subcategory for that particular use on the Planning Commission's agenda. The City Manager shall present the factors used in the determination and the position of the *applicant* or property owner. The Planning Commission shall recommend to the City Manager its interpretation of the appropriate use category or use subcategory for the particular use.
- (c) If an appropriate use category and use subcategory cannot be determined for a specific use by referring to the Use Regulations Tables, an amendment to the Use Regulations Table may be initiated in accordance with Chapter 12, Article 3, Division 1 (Zoning and Rezoning Procedures).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0111 Grouping of Use Categories

For the purpose of determining applicable development regulations, use categories shall be grouped according to the following:

- (a) Any use within the open space use category is considered an open space use or open space *development*.
- (b) Any use within the agricultural use category is considered an agricultural use or agricultural *development*.
- (c) Any use within the residential use category is considered a residential use or residential *development*.
- (d) Any use within the institutional, retail sales, commercial services, offices, and vehicle and vehicular equipment sales and services categories is considered a commercial use or commercial *development*.
- (e) Any use within the wholesale, distribution, storage, and industrial categories is considered an industrial use or industrial *development*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0112 Descriptions of Use Categories and Subcategories

- (a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

- (1) Open Space Use Category

- This category includes uses that may occur on land that has been identified for public recreational uses or to be left in a generally natural state. The open space subcategories are:

- (A) Active Recreation — Public park facilities that require major land *development* for installation, require a high level of maintenance, and can accommodate large assemblages of people.
 - (B) Natural Resources Preservation — Undeveloped land left in a natural state for specific use as visual open space or environmental mitigation.

- (C) Park Maintenance Facilities — Major *structures* or facilities used in conjunction with the maintenance of *public parks*.
 - (D) Passive Recreation — Recreational facilities associated with pastimes that are incidental to natural open space. These facilities require minor land *development* for installation, require minimum maintenance, do not attract large assemblages of people, and have little impact on natural open space.
- (2) Agriculture Use Category

This category includes uses that involve the raising and harvesting of crops, the raising of animals, and the processing of plant and animal by-products. The agriculture subcategories are:

- (A) Agricultural Processing — Uses related to the processing or preparation of crops, animals, or animal by-products grown or raised on the same *premises* for consumption or transportation to markets.
- (B) Aquaculture Facilities — Uses that grow plants and animals in a water medium, either indoors or outdoors.
- (C) Dairies — Uses related to the milking of livestock and processing milk for consumption or transportation to markets.
- (D) Horticulture Nurseries and Greenhouses — Uses that propagate and grow plants in containers or in the ground and the associated sales of those plants.
- (E) Raising and Harvesting of Crops — Uses that involve the planting, maintaining, and harvesting of crops for consumption or for commercial purposes.
- (F) Raising, Maintaining, and Keeping of Animals — Uses that involve the feeding, housing, and maintenance of animals for private or commercial purposes.

(3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

- (A) *Rooming houses.* *Rooming house* has the same meaning as in San Diego Municipal Code Section 113.0103.
- (B) *Mobilehome Parks* — A *premises* with two or more mobilehomes used as dwelling units other than companion units or employee housing.
- (C) *Multiple Dwelling Units* — Dwelling units where more than one dwelling unit is located on a single *lot*.
- (D) *Single Dwelling Units* — Dwelling units where no more than one dwelling unit is located on a *lot*, usually detached, and occupied by a single household unit.

(4) Institutional Use Category

This category includes uses that provide unique services that are of benefit to society as a whole. All of the uses in this use category are separately regulated uses. See Section 131.0112(b).

(5) Retail Sales Use Category

This category includes uses involving the sale, lease or rental of new or used goods to the general public. The retail sales subcategories are:

- (A) *Building Supplies and Equipment* — Uses that provide goods to repair, maintain, or visually enhance a *structure* or *premises*.
- (B) *Consumer Goods, Furniture, Appliances, and Equipment* — Uses that provide goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics.
- (C) *Food, Beverages, and Groceries* — Uses that provide food for consumption off of the *premises*.
- (D) *Pets and Pet Supplies* — Uses that provide household pets and pet supplies for sale; grooming services.
- (E) *Sundries, Pharmaceuticals, and Convenience Sales* — Uses that provide goods for personal grooming and for the day-to-day maintenance of personal health and well-being.

(F) Wearing Apparel and Accessories — Uses that provide goods to cover, protect, or visually enhance the human form.

(6) Commercial Services Use Category

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

(A) Building Services — Uses that provide maintenance and repair services for all structural and mechanical elements of *structures*, as well as the exterior spaces of a *premises*.

(B) Business Support — Uses that provide personnel services, printing, copying, and photographic services, or communication services.

(C) Eating and Drinking Establishments — Uses that prepare or serve food or beverages for consumption on or off the *premises*.

(D) Financial Institutions — Uses related to the exchange, lending, borrowing, and safe-keeping of money.

(E) Funeral and Mortuary Services — Uses that provide services related to the death of a human.

(F) Instructional Studios - Uses that provide a place where skills including dance, art, and martial arts are taught to individuals or groups. Instructional studios do not include educational facilities.

(G) Maintenance and Repair - Uses that provide maintenance, cleaning and repair services for consumer goods.

(H) Off-Site Services - Uses that provide for deliveries of a wide variety of products and that provide services that are used at a location separate from the business providing the delivery or service.

(I) Personal Services - Uses that provide a variety of services associated with personal grooming and the maintenance of health and well-being.

- (J) Radio and Television Studios - Uses that provide for the production, recording, and broadcasting of radio and television shows and motion pictures.
 - (K) Visitor Accommodations - Uses that provide lodging, or a combination of lodging, food, and entertainment, primarily to visitors and tourists. (Outside the Coastal Overlay Zone, includes *SRO hotels*.)
 - (L) Tasting rooms - Uses accessory to a beverage manufacturing plant that offer tastings and sell beverages manufactured on the *premises* for on-site or off-site consumption. The subcategory includes establishments such as breweries, wineries, and distilleries that offer tastings and sales of alcoholic beverages in accordance with a license issued by the California Department of Alcoholic Beverage Control. This subcategory does not include uses that qualify as retail tasting stores under Section 141.0507.
- (7) Office Use Category

This category includes uses in an enclosed building that focus on business, government, professional, medical, or financial services. The offices subcategories are:

- (A) Business and Professional — Uses related to earning a livelihood through a commercial or mercantile endeavor or through the practice of a vocation requiring specialized training or education.
- (B) Government — Uses related to the administration of the regulations of local, state, or federal government.
- (C) Medical, Dental, and Health Practitioner — Uses related to diagnosis and treatment of human illness and physical malfunction that can be performed in an office setting. Medical and dental laboratories are included in this subcategory, unless otherwise indicated.
- (D) Regional and Corporate Headquarters — Uses related to the administration of large or geographically widespread businesses that may be located separately from the main activity of those businesses.

(8) Vehicle and Vehicular Equipment Sales and Services Use Category

This category includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment. The Vehicle and vehicular equipment sales and services subcategories are:

- (A) Commercial Vehicle Repair and Maintenance — Uses that repair and maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats.
- (B) Commercial Vehicle Sales and Rentals — Uses that provide for the sale or rental of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats.
- (C) Personal Vehicle Repair and Maintenance — Uses that repair the mechanical components or the bodies of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats or that wash, clean, or otherwise protect the exterior and interior surfaces of these vehicles.
- (D) Personal Vehicle Sales and Rentals — Uses that provide for the sale or rental of new or used autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats.
- (E) Vehicle Equipment and Supplies Sales and Rentals — Uses related to the sale, lease, or rental of new or used parts, tools, or supplies for the purpose of repairing or maintaining vehicles, including distribution of products from the same *premises* that sells, leases, or rents them.

(9) Distribution and Storage Use Category

This category includes uses that distribute and store goods. Long-term and short-term storage of commercial goods and personal items is included. The subcategories are:

- (A) Equipment and Materials Storage Yards - Uses engaged in the outdoor s13
- (B) storage of large equipment or products or large quantities of material.

- (B) Moving and Storage Facilities - Uses engaged in the moving and storage of household or office furniture, personal items, appliances, and equipment.
- (C) Distribution Facilities - Uses engaged in the commercial storage and distribution of goods.

(10) Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The subcategories are:

- (A) Heavy Manufacturing - Uses that process, fabricate, assemble, or treat materials using large outdoor equipment such as cranes and large tanks to produce unpackaged bulk products such as steel, paper, lumber, fertilizer, and petrochemicals. This subcategory includes heavy manufacturing uses that typically produce disturbing noise, dust, or other pollutants capable of harming or annoying adjacent uses.
- (B) Light Manufacturing - Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosives or unrefined petroleum. This subcategory includes light manufacturing uses that produce a wide variety of products including, but not limited to, durable goods, machinery, equipment, or large food and beverage production facilities that do not meet the criteria for artisan food and beverage production pursuant to Section 141.1001.
- (C) Marine Industry — Uses that produce, distribute, and store commercial marine vessels and equipment.
- (D) Research and Development — Uses engaged in scientific research and testing leading to the development of new products and processes.
- (E) Trucking and Transportation Terminals — Uses engaged in the dispatching and long-term or short-term storage of large vehicles. Minor repair and maintenance of vehicles stored on the *premises* is also included.

(11) *Signs Use Category*

This category includes all *structures* that provide identification of businesses, products, services, or sites. The *sign* subcategory is: Allowable *Signs* — *Structures* that are placed on the ground, or on *building facades* or roofs, whose *sign copy* identifies a business, a *premises*, activities on a *premises*, or direction to a *premises*. See Section 142.1205.

- (b) Separately regulated uses are uses that may or may not meet the description of a use subcategory but are listed separately from any subcategory because in some or all zones they are regulated differently from other uses. Each use category contains a list of separately regulated uses, some of which may meet the description of a use subcategory within the same or another category. The use regulations identified for the separately regulated use shall supersede the use regulations for the use subcategory that may match the particular use.

(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

(Amended 4-23-2008 by O-19739 N.S.; effective 5-23-2008.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)

(Amended 10-15-2015 by O-20567 N.S.; effective 11-14-2015.)

[Editors Note: Amendments as adopted by O-20567 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-20567-SO.pdf]

(Amended 12-1-2016 by O-20752 N.S.; effective 12-31-2016.)

[Editors Note: Amendments as adopted by O-20752 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-20752-SO.pdf]

§131.0120 Applicable Overlay Zones in Base Zones

In addition to the regulations of the base zones applied to property as described in this article, overlay zone regulations may also apply. Overlay zone regulations are located in Chapter 13, Article 2.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0121 Applicable Planned Districts Using Base Zones

In addition to the regulations of the base zones applied to property as described in this article, planned district regulations may also apply. Applicable planned district regulations are located in Chapter 15, Article 2.

(Amended 10-2-2000 by O-18853 N.S.)

§131.0125 Accessory Use Regulations for All Base Zones

- (a) When the Use Regulations Table in any base zone identifies a use as a limited use or requiring a Neighborhood Use Permit or Conditional Use Permit, that use shall be subject to the same use regulations and use permit requirements whether or not the use is deemed a *primary use* or an *accessory use* on the *premises*.
- (b) A use that belongs in a subcategory where the subcategory is identified as not permitted in a particular base zone may be permitted as an *accessory use* in that zone, subject to all of the following requirements:
 - (1) The use must meet the definition of an *accessory use*, as specified in Section 113.0103;
 - (2) The use must be consistent with any use and development regulations applicable to that use in any other base zone in the same type of zone (open space, agricultural, residential, commercial, or industrial);
 - (3) The *floor area* of a single *accessory use* shall not exceed 25 percent of the *gross floor area* of the *structures* on the *premises*;
 - (4) At least 51 percent of the *gross floor area* on the *premises* shall be occupied by a *primary use* or combination of multiple allowed uses;
 - (5) When a *premises* contains multiple tenants, the determination of *accessory use* shall be based on the *gross floor area* of the individual tenant.
- (c) A separately regulated use that is identified as not permitted in a particular zone is not permitted as an *accessory use* in that zone.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0140 Use of Yards and Landscaped Areas in All Base Zones

The following regulations are related to other development regulations that are addressed in the Development Regulations Tables in each of the base zones and are applicable to all base zones. Except as specified by the applicable zone, *yards* and landscaped areas may be used only for the following items and purposes:

- (a) Living Landscape Material.
- (b) Incidental passage and use by occupants.
- (c) Landscape elements, constructed and installed to complement living landscape material, and not exceeding a height of 3 feet within front and street side yards.
- (d) *Fences* and walls as permitted in Chapter 14, Article 2, Division 3 (Fence Regulations).
- (e) Directional and other notification *signs* as permitted in Chapter 14, Article 2, Division 12 (Sign Regulations).
- (f) Walkways and paved driveways consistent with zone standards and applicable parking and landscape regulations.
- (g) Items that the City Manager may determine to be necessary to accommodate a temporary period of construction, site modification, or equipment change, when there is evidence of frequent and diligent physical effort to complete work.
- (h) Parking in accordance with Section 142.0510.
- (i) Storage of items when *screened* in accordance with Chapter 14, Article 2, Division 11 (Outdoor Storage and Display Regulations).

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0145 Applicability of Chapter 14 Regulations

The following regulations in Chapter 14 apply to *development* in all base zones:

General Development Regulations (Chapter 14, Article 2)

Supplemental Development Regulations (Chapter 14, Article 3)

Subdivision Regulations (Chapter 14, Article 4)

Building Regulations (Chapter 14, Article 5)

Electrical Regulations (Chapter 14, Article 6)

Plumbing Regulations (Chapter 14, Article 7)

Mechanical Regulations (Chapter 14, Article 8)

(“Applicability of Chapter 14 Regulations” added 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)