ORDINANCE NUMBER O- 19592 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 27 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REPEALING CHAPTER 10, ARTICLE 3, DIVISION 9 OF THE SAN DIEGO MUNICIPAL CODE, AND AMENDING CHAPTER 15, BY ADDING ARTICLE 2, DIVISION 1 TITLED "GENERAL RULE," SECTIONS 152.0100, 152.0101, 152.0102, 152.0103, AND 152.0104; DIVISION 2 TITLED "PERMITS AND PROCEDURES," SECTIONS 152.0201 AND 152.0202; DIVISION 3 TITLED "ZONING AND SUBDISTRICTS," SECTIONS 152.0301, 152.0302, 152.0303, 152.0304, 152.0305, 152.0306, 152.0307, 152.0308, 152.0309, 152.0310, 152.0311, 152.0312, 152.0313, 152.0314, 152.0315, 152.0316, 152.0317, 152.0318 AND 152.0319; DIVISION 4 TITLED "GENERAL AND SUPPLEMENTAL REGULATIONS," ALL RELATING TO BARRIO LOGAN PLANNED DISTRICT

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

Section 1. That Chapter 10, Article 3, Division 9, is repealed, and Chapter 15 of the San Diego Municipal Code is amended by adding Article 2, Division 1, Sections 152.0100, 152.0101, 152.0102, 152.0103, and 152.0104, to read as follows:

Article 2: Barrio Logan Planned District

Division 1: General Rules

§152.0100 Purpose and Intent

It is the purpose of these regulations to provide development criteria and urban design standards for the erection, construction, establishment, addition, enlargement, conversion, demolition, move on, alteration or rehabilitation of quality residential, commercial, industrial, public and quasi-public developments related to the small lot configuration and the urbanization pattern of the Barrio

Logan community. The intent is to implement the Barrio Logan/Harbor 101 Community Plan and the Barrio Logan Redevelopment Plan.

§152.0101 Boundaries of Planned District Area

The regulations contained in the Barrio Logan Planned District Ordinance shall apply in all subdistricts of the Barrio Logan Planned District. The boundaries of the Barrio Logan Planned District in the City of San Diego, California, and its various subdistricts as amended are designated on Map Drawing No. C-840, on file in the office of the City Clerk as Document No. OO-17746 and contained in this Division as Figure 1. The Barrio Logan Planned District is generally bounded by Commercial Street on the north, Interstate 5 on the east, Division Street on the south, and the Mean High Tide Line (Port District) on the west.

§152.0102 Applicable Regulations

Where not otherwise specified in the Barrio Logan Planned District Ordinance, the following chapters of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13 (Zones);

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

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

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

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

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

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

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

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

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

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and the Barrio Logan Planned District Ordinance, the Planned District Ordinance shall apply. Where there is a conflict between the provisions of the Barrio Logan Planned District Ordinance and the goals and objectives of the Barrio Logan Redevelopment Plan (Ordinance No. O-17644 (New Series)), the provisions of the Redevelopment Plan shall apply.

§152.0103 Failure to Maintain

(a) All commonly owned land, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to maintain the commonly owned land, improvements and facilities shall be, and the same is hereby declared to be, unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

(b) Procedures for the abatement, removal and enjoinment of such public nuisance shall be as set forth in Land Development Code Chapter 12, Article 1, Division 3 (Violations of the Land Development Code and General Remedies) in addition to other remedies as provided by law.

§152.0104 Definitions

Artists' Studios - This includes but is not limited to work and exhibit space for artist and artisans, including individuals practicing one of the fine arts, performing arts, or skilled in an applied art or craft.

Automobile Painting, Washing and Detailing - Painting, washing, waxing, or cleaning of automobiles or similar light vehicles.

Automobile Service Stations - Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and customary accessory uses. This classification includes incidental maintenance and repair of automobiles and light trucks but excludes body and fender work or repair of heavy trucks or vehicles.

Banks, Credit Unions, and Savings and Loan Associations - Financial institutions including money exchange houses that provide retail banking services.

Bed and Breakfast Inns - Establishments offering lodging on a less-than-weekly basis with incidental eating and drinking services for lodgers only. A single kitchen must serve the entire premises.

Building Materials and Services - Retailing, wholesaling, or rental of building supplies or equipment.

Business, Communication and Home Services - Establishments providing appliance repair, office machine repair, building maintenance (janitorial),

landscape maintenance, window cleaning, upholstering, graphic design, drafting, copying, faxing, printing or photographic services, broadcasting, recording, telephone switching centers and telegraph offices.

Catering Services - Preparation and delivery of food and beverages for off-site consumption without provision for on-site consumption.

Child Care Facilities - Large family day care homes and child care centers subject to Land Development Code Section 141.0606.

Clubs, Lodges and Fraternal Organizations - Private or non profit dining, meeting, recreational or social facilities used primarily by members and their guests.

College and Universities - Public or private educational institutions that offer a course of study leading to a recognized degree, including facilities incidental to the educational institution and which support the college or university curriculum, students or faculty.

Commercial Recreation and Entertainment - Provision for participant or spectator recreation or entertainment.

Cultural Institutions - Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. As a land use classification, it includes libraries, museums and nonprofit art galleries.

Eating and Drinking Establishments - Businesses serving or selling prepared food or beverages, including alcoholic beverages for consumption on the premises. This includes but is not limited to restaurants, cafes, cocktail lounges,

bars, and taverns with live entertainment. Drive-through food establishments are not permitted.

Food/Grocery Sales - Retail sales of prepared food and food for home preparation. This includes but is not limited to bakeries and bakery products, tortilla factories, seafood/meat/poultry markets, fruit and vegetable markets, candy stores, ice cream stores, delicatessens, grocery stores and supermarkets, and similar uses.

Government Offices - Administrative, clerical, or public contact offices of a government agency, including but not limited to postal facilities, together with incidental storage and maintenance facilities for vehicles.

Hotels and Motels - This includes but is not limited to establishments offering lodging with or without meals and having kitchens in no more than 60 percent of the guest units.

Laboratories - This includes but is not limited to establishments providing medical or dental laboratory services; or establishments that provide photographic, analytical or testing services.

Limited Residential - Dwelling units on upper floors of nonresidential uses.

Liquor Sales - Retail sales of alcoholic beverages pursuant to the provisions of Land Development Code Section 141.0502.

Live/Work Quarters (Lofts) - An area comprised of one or more rooms or floors in a building originally designed for industrial or commercial occupancy. The new construction shall include cooking space, sanitary facilities, and living and

working space for artists, artisans, and similarly situated individuals, as permitted by land Development Code Section 141.0311.

Maintenance Repair and Service Facilities - Establishments engaged in servicing or repairing industry machines and equipment, carpentry, welding and metal forming shops, print shops, laundry and dry cleaning plants, and other similar facilities. As a land use classification, this excludes vehicle dismantling, salvage and wrecking of automobiles and of other similar light vehicles, processing of scrap metals, junk yards and storage of salvaged materials, and similar uses. Maintenance Repair and Service Facilities does not include establishments engaged in chrome plating or materials.

Manufacturing - Establishments engaged in the manufacturing, fabricating, assembly, treatment, servicing, packaging, processing, and handling of finished products and product parts primarily from previously prepared materials. Manufacturing does not include establishments engaged in chrome plating or materials.

Marine Oriented/Waterfront Dependent Uses - Manufacturing, distributing and processing of parts and equipment, and the provision of services related to marine and waterfront uses, and other supporting uses including U.S. Navy presence, research, shipping, fishing, water recreation and tourism. As a land use classification, this includes facilities that need access to the waterfront, as well as uses dependent upon servicing waterfront oriented activities. Examples include boat building, sales and related maintenance, shipping and brokerage facilities and

services, marine parts sales, installation and services, marine carpentry and woodworking, sail making and repair, and cargo freight services.

Mercado District Residential - Multifamily housing, and convenience commercial services and accessory uses for primary use by residents on the premises.

Multifamily Residential - Two or more dwelling units on a lot. This classification does not include single room occupancy ("SRO") hotels.

Nonprofit, Charitable Institutions - Philanthropic, social services that promote the public health and welfare. This classification excludes residential care facilities, provisions for on-site residence or confinement, adult day care, alcohol recovery facilities, parolee rehabilitation services, emergency shelters and kitchens.

Park and Recreation Facilities - Noncommercial parks, playgrounds, gymnasiums, recreation facilities and dedicated open spaces.

Parking Structures - Freestanding parking garages or structures open to the public for a fee or off-site parking structures associated with a specific building or business.

Performing Arts/Theatres - Facilities providing live musical, dance and theatrical performances and film presentations other than those regulated as commercial or adult businesses.

Personal and Convenience Services - This includes but is not limited to the provision of personal services including barber and beauty shops, tailors, shoe

repair shops, dry cleaning and laundry (excluding bulk cleaning), photocopying and self-service laundromats.

Personal Improvement Services - This includes but is not limited to the provision of instructional services or facilities, including photography, fine arts, crafts, drama, dance, music, sculpture, martial arts, driving schools, business and trade schools, weight reducing/tanning salons, health clubs/ spas and fitness studios.

Primary Health Care - Drop-in medical service facilities, including clinics, counseling and referral services to persons afflicted with bodily or mental disease or physical injury, and to persons suffering from alcohol and drug abuse without provision for on-site residence or confinement.

Professional and Business Offices - This includes but is not limited to offices of entities or organizations providing professional, executive, administrative, management, travel, real estate, insurance and consulting services including advertising, computer program design, data processing, architectural, engineering and landscape design, contractors offices, investment, legal and medical/dental offices and laboratories incidental to an office use.

Religious Assembly - Facilities for religious worship and incidental religious education.

Research and Development Facilities - Establishments primarily engaged in industrial or scientific research including limited product testing. As a land use classification, this includes but is not limited to pharmaceutical research laboratories, electron and biochemical research firms, including administrative

offices and accessory use buildings commonly used in conjunction with research and development activities on the premises.

Residential Care – Twenty-four (24) hour non-medical care for adults and/or children in need of personal services, supervision, protection, or assistance essential to sustaining the activities of daily living, and facilities receiving any form of government funding or subsidy for that purpose. As a land use classification, this excludes housing for the elderly, handicapped, and nursing and convalescent homes.

Retail Sales - This includes but is not limited to department stores, drug stores, general household supplies, dispensing opticians, clothing stores, fabric stores, antique stores, art stores and art galleries, florists and florist supplies, locksmith shops, leather goods, gift shops, hardware stores, jewelry stores, furniture stores, music and video stores, resale and pawn shops, pet stores and businesses retailing the following goods: toys, hobby materials, books, rugs and carpets, photographic supplies, electrical and electronic equipment, sporting goods, shoes, office equipment and supplies, stationery, medical supplies, bicycles (including repair), new automotive parts and accessories (excluding service and installation).

Schools, Public or Private - Public or private kindergarten, elementary or secondary schools, or other private schools that offer a curriculum comparable to that of the public schools of the State of California, excluding colleges and universities.

Senior Citizens Housing - At least one person residing in each unit shall be at least 55 years of age or physically handicapped. Senior housing may also include

facilities meeting state and federal program standards for such housing, and are subject to the standards contained in Land Development Code Section 141.0310.

Single Family Residential - One dwelling unit on a lot.

Single-Room-Occupancy ("SRO") - A *dwelling unit* as defined in Land Development Code Section 113.0103 and regulated by Land Development Code Chapter 14, Article 3, Division 5.

Surface Parking - Surface parking lots offering short-term or long-term parking to the public for a fee.

Transportation Facilities and Related Storage - Rights-of-way facilities for loading, unloading, and transferring passengers, baggage, and freight transfers among different modes of transportation. As a land use classification, this includes bus terminals, shipping terminals, railroads, storage yards for buses, trolleys, and railroad cars, and related maintenance and service facilities.

Utilities - Electric distribution, gas regulating, and communication stations which do not involving aerial transmissions, which serve the immediate area provided all equipment is located within a single building. As a land use classification, this also includes facilities or infrastructure for cellular transmitting facilities subject to special standards and procedures, and all applicable provisions of the Municipal Code.

Vehicle/Equipment Repair - Repair of automobiles, trucks, recreational vehicles, motorcycles, including the sale, installation and servicing of related equipment and parts. As a land use classification, this includes auto repair shops, wheel and brake shops, tire sales and installation, tire retreading or recapping,

metal recycling, body and fender shops, and similar uses, but excludes vehicle dismantling, salvage and storage of inoperative vehicles.

Vehicle/Equipment Sales and Rentals - Sale and rental of automobiles, trucks, recreational vehicles, motorcycles, auto parts, construction equipment and similar equipment, including storage of usable (operative) vehicles, and related incidental maintenance.

Wholesale, Storage and Distribution - Establishments primarily engaged in wholesaling, storage and bulk sales distribution including open air handling of materials and equipment. Typical uses include wholesale distributors, moving and storage firms, storage of ambulant vendor vehicles (such as those used to sell ice cream products), wholesale showrooms, storage warehouses, and similar uses, but excludes storage of inoperative vehicles and of flammable or hazardous materials not associated with the industrial services operating on the premises.

Wholesale and Warehouse - Storage and packaging of goods and merchandise associated with the primary on-site use, provided that the total floor area occupied for wholesaling or warehousing per business establishment does not exceed 25 percent of the total collective buildings' gross floor area.

Section 2. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 2, Division 2, Sections 152.0201, and 152.0202, to read as follows:

Article 2: Barrio Logan Planned District

Division 2: Permits and Procedures

§152.0201 Administrative Regulations

(a) General Provisions

(1) Any use, except for those uses permitted in the Barrio Logan Planned District which existed on March 2, 1992, shall be considered a previously conforming use. Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) shall apply except that expansion or enlargement of previously conforming uses is not permitted.

(2) Prior to any change in business use, an applicant shall obtain a Zoning Use Certificate pursuant to Land Development Code Chapter 12, Article 3, Division 3 (Zoning Use Certificate Procedures).

(3) If an applicant proposes to move a building from one location to another, the applicant shall first obtain a Neighborhood Development Permit pursuant to Land Development Code Section 143.0302.

(4) All City projects, government subsidized projects, public facilities, structures and improvements, and redevelopment projects, shall

conform to the purpose and intent of the Barrio Logan Planned District and shall be subject to the same regulations, conditions and standards established in the Barrio Logan Planned District.

(b) Exceptions

(1) The amendments herein shall not apply to any project for which a building permit has been obtained or for which a complete application has been received and accepted by the City prior to March 2, 1992. Amendments to approved permits shall be subject to the provisions of the Barrio Logan Planned District.

(2) Unless the work would expand a previously conforming use, approval by the City Manager is not required for interior modifications, repairs or alterations for which a building permit is not required as of March 2, 1992.

(3) A Hearing Officer may approve, conditionally approve or deny, in accordance with Process Three, any or all of the following exceptions listed in Section 152.0201(b)(3)(A) through (b)(4) to certain Redevelopment Subdistrict regulations provided such exception(s) would serve to carry out the purpose and intent of the Redevelopment Subdistrict. These exceptions shall be limited to the area within the Redevelopment Subdistrict bounded by Harbor Drive, the Coronado Bay Bridge rights-of-way and the Barrio Logan Redevelopment Project Area boundaries, and shall apply only if this portion of the Redevelopment Subdistrict continues to

be used for marine oriented industries, and port related transportation uses. The exceptions are:

(A) Section 152.0405 (Outdoor Display, Operation and Storage) shall only apply to the portion of the property lying within 50 feet of the Harbor Drive property line. All other property included within the exception area described in Section 152.0201(b)(3), is exempt from the regulations of Section 152.0405.

(B) Enclosure requirements shall not apply to equipment and installations which are integral parts of the manufacturing or industrial process on the premises.

(C) Merchandise, material or equipment may be stored at a height greater than the wall or fence which screens it from Harbor Drive as allowed in Section 152.0201(b)(3)(A) above, provided the merchandise, material, or equipment is located at least 50 feet from the Harbor Drive property line.

(D) Except for office buildings, the height of structures may exceed the maximum building height of 35 feet or 2 stories established in Section 152.0319 (Figure 4). However, this exception shall apply only to structures which are an integral part of the exclusive use and directly related to the existing industrial operations on the property.

(E) Should a property span 2 or more Barrio Logan Subdistricts or spans the Barrio Logan Planned District and the Centre City Planned District, that property shall be subject to consistent regulations to be determined by the Hearing Officer at the time of review.

(4) In granting any exception, the Hearing Officer shall make the following findings:

(A) The proposed exception shall not result in any substantial reduction of public views toward San Diego Bay or Centre City.

(B) The proposed exception is consistent with the goals, objectives and intent of the Barrio Logan Redevelopment Plan and the Redevelopment Subdistrict of the Barrio Logan Planned District.

§152.0202 Permit Application, Review and Issuance

(a) General Permit Procedures

(1) No permit shall be issued for the installation of fixtures or equipment, or for the erection, construction, conversion, establishment, alteration, rehabilitation, demolition, move on, addition or enlargement of any building, structure or improvement, or for the occupancy of any building, structure or premises, or for the grading, subdivision or street closure, nor shall any site be used in any portion of the Barrio Logan Planned District until the

application has been approved pursuant to Section 152.0202(b)(1) through (b)(5). Each applicant shall state the purpose for which the proposed building, structure or improvement is intended to be used. Applications for grading permits and demolition of structures shall not be accepted unless application is made concurrently for a building permit.

(2) The City Manager shall review projects which affect historic sites designated pursuant to all applicable Municipal Code sections. All applications for the demolition or removal of any building shall be submitted to the City Manager for review. The City Manager may approve, in accordance with Process One, an application for a demolition permit if it is determined that the site in question is not a potential historic site. The City Manager shall make that determination within 10 working days of the receipt of the application. If the City Manager does not make the determination within the specified period, the site shall be deemed not to be a potential historic structure. If the site is a potential historic structure, the demolition or removal permit application may be approved, conditionally approved or denied by the Planning Commission, in accordance with Process Four. The application shall not be approved for 90 calendar days or until the Historical Resources Board has evaluated and acted on the site's historical

significance, whichever occurs first. The provisions of Section 152.0202(a)(2) do not apply to the following:

(A) Any building or structure found by the Building Official of the City of San Diego to present a hazard to public health or safety and for which an emergency permit for demolition must be issued; or

(B) Any permit approved as part of a development project submitted, reviewed and approved in accordance with the Barrio Logan Planned District, and provided that the development application includes an environmental document prepared in accordance with the California Environmental Quality Act which describes and addresses the historic/architectural significance of the property. The environmental document shall be reviewed by the Historical Resources Board for the purpose of recommending to the City Manager whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

(3) If any structure or building is intentionally demolished or substantially damaged without obtaining a demolition permit, a building permit for that site will not be issued for a period of one year, or a previously issued permit may be revoked for a period of one year from the date the City is made aware of the demolition. If

the demolished or damaged structure was a designated historic site, a building permit will not be issued for 2 years, or a previously issued building permit may be revoked for a period of 2 years from the date the City is made aware of the demolition.

(4) On behalf of the Redevelopment Agency of The City of San Diego, the City Manager or designee shall review all development proposals located within the Redevelopment Subdistrict of the Barrio Logan Planned District, and make recommendations to the Hearing Officer.

(b) Barrio Logan Planned District Permit

(1) A Barrio Logan Planned District Permit (Process Three) is required for all proposed development within the Redevelopment Subdistrict of the Barrio Logan Planned District. Additions to existing developments within the Redevelopment Subdistrict which meet all development regulations and do not exceed 20 percent of the existing floor area shall be reviewed as a Process One. All proposed development outside the redevelopment subdistrict which meets the relevant development regulations shall be reviewed as a Process One. The City Manager may conduct further review and approve or deny an application for an exception from the provisions of the Barrio Logan Planned District in accordance with Process Two, when the application is for limited relief in the case of new construction or remodeling which would

result in a finished product (all structures on the premises) deviating 20 percent or less from applicable development regulation pertaining to: required yards or setbacks, coverage, or special character design criteria included in Section 152.0310(h). However, the City Manager shall require additional landscaping that may be feasibly placed on the site or parkway according to City- wide landscape standards, and/or other architectural features or improvements.

(2) The City Manager shall in no case provide Administrative Review or approve an application for an exception from floor area ratio, height, density, amount of parking, or use.

(3) The decision of the City Manager shall be based upon substantial conformance with the regulations and the Purpose and Intent of the Barrio Logan Planned District. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.

(4) The City Manager's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0504. Prior to the filing of the application, the applicant shall pay to the City a deposit equal to the estimated cost of processing the application. The deposit shall be adjusted periodically by the City Manager to ensure full cost recovery. A current list of all deposits is kept in the office of the City Clerk.

(5) The permit application shall be filed in accordance with Land Development Code Section 112.0102. An application for a Barrio Logan Planned District Permit may be approved, conditionally approved or denied by a Hearing Officer, in accordance with Process Three. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Section 112.0506.

(c) Coastal Development Permit

A Coastal Development Permit is required for all proposed development within the Barrio Logan Planned District except for development specifically exempted under Land Development Code Section 126.0704 or categorically excluded pursuant to Categorical Exclusion Order No. (Editor's note: a number will be inserted if and when a Categorical Exclusion Order is issued by the California Coastal Commission.)

(d) Variances and Conditional Use Permits.

(1) Variances and conditional use permits may be granted where variances or permits would serve to carry out the purpose and intent of the Barrio Logan Planned District, provided findings are made in accordance with Land Development Code Section 126.0305 or Section 126.0805 as applicable.

(2) Applications for zone variances or conditional use permits shall be processed concurrently with any other required discretionary actions relating to the subject property, in accordance with Land Development Code Section 112.0103.

(3) The procedure for application for Variance, Conditional Use Permit and Subdivision, as well as the procedures for taking action on such matters, shall be the same as set forth in Land Development Code Chapter 11 (Land Development Procedures) and Chapter 12 (Land Development Reviews).

Section 3. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 2, Division 3, Sections 152.0301, 152.0302, 152.0303, 152.0304, 153.0305, 152.0306, 152.0307, 152.0308, 153.0309, 153.0310, 152.0311, 152.0312, 152.0313, 152.0314, 152.0315, 152.0316, 152.0317, 152.0318, and 152.0319, to read as follows:

Article 2: Barrio Logan Planned District

Division 3: Zoning and Subdistricts

§152.0301 Subdistricts of the Barrio Logan Planned District

In order to regulate the location and minimize the land use conflicts among residential, industrial and commercial areas, and to implement the Barrio Logan Redevelopment Project, subdistricts of the Barrio Logan Planned District are established. The boundaries of said subdistricts are designated on Figure 1 of the Barrio Logan Planned District.

§152.0302 Subdistrict A Purpose and Intent

Subdistrict A is intended to be applied primarily to the existing, older, predominantly residential neighborhoods of the Barrio Logan community for the purpose of encouraging the rehabilitation and development of residential structures at a maximum density of approximately 29 dwelling units per net acre, while allowing existing nonresidential uses to remain within certain rehabilitation

and development standards. The provisions of Subdistrict A are basically designed to accommodate walk-up, low-rise apartments with provisions for screening and buffering residential uses from nonresidential uses.

§152.0303 Subdistrict A Permitted Uses

(a) No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes:

(1) One-family dwellings

(2) Two-family dwellings

(3) Apartment houses, excluding premises designed or used for the temporary residence of persons for less than one week.

(4) Board and lodging houses

(5) Schools, limited to primary, elementary, junior high and senior high

(6) Public parks and public playgrounds

(7) Churches, temples or buildings of permanent nature used primarily for religious purposes.

(8) Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Land Development Code Section 141.0701.

(9) Any use permitted in the IL-3-1 zone (Land Development Code Section 131.0622) for lots or premises used for industrial or commercial activities or occupied by buildings designed for industrial or commercial use, including lots integrated by use into

such industrial or commercial premises, which existed on the effective date of this ordinance.

(10) Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:

(A) Not more than 2 lodgers per dwelling unit.

(B) Recreational and health facilities which are designed, used and clearly intended for the use of residents of apartment houses, boarding and lodging houses, including tennis courts, putting greens, exercise rooms and sauna and steam baths.

(C) Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used and clearly intended for the primary convenience of the occupants of the residential complex, including the following:

(i) Barber shops

(ii) Beauty shops

(iii) Communal dining facilities

(iv) Snack bars

(v) Dry cleaning and laundry pick up agencies

(11) Any other uses which may be determined by the Planning Commission, in accordance with Process Four, which are consistent with the purpose and intent of Subdistrict A. The

adopted resolution embodying such findings shall be filed in the office of the City Clerk.

(12) Special Regulations

(A) Residential Uses

All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio, or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays, or advertising relating to accessory uses shall be visible from any street. The combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than 10 percent of the gross floor area of the structures containing permitted uses.

(B) Nonresidential Uses

All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed in Section 152.0405(a) (Outdoor Display, Operation and Storage) shall be operated entirely within enclosed buildings or walls or fences as required in Section 152.0405.

§152.0304 Subdistrict A Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot be used unless the lot or premises and building or portion thereof shall comply with the following requirements and special regulations:

(a) Density

No lot shall be occupied by more than one dwelling unit for each 1,500 square feet of lot area, except that any currently developed lot may be redeveloped to the density which existed on the effective date of this ordinance.

(b) Minimum Lot Requirements

(1) Area - 3,500 square feet

(2) Street frontage - 25 feet

(3) Width

(A) Interior lot - 25 feet

(B) Corner lot - 25 feet

(4) Depth - 100 feet

(5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237, and which does not comply in all respects with the minimum lot requirements specified in this ordinance may nevertheless be used as permitted and otherwise regulated by the provisions applicable to Subdistrict A.

(c) Minimum Yards

(1) Front - 5 feet

(2) Side

(A) Interior - 3 feet, except that the yard specified herein shall be increased 3 feet for each story above two.

(B) Street - 4 feet

(3) Exception

(A) Two adjoining lots which have a common side lot line and which are developed concurrently may be developed with 0 side yards on the common side lot line, provided that each opposite interior side yard is not less than 6 feet, which shall be increased 3 feet for each story above two.

(B) The front and street side yard requirements shall not apply to lots or premises where required walls or fences, in compliance with Section 152.0405(d) (Outdoor Display, Operation and Storage), are not required to observe minimum yards.

(d) Maximum Coverage and Floor Areas Ratio

(1) Residential

(A) Interior lot coverage - 40 percent

(B) Corner lot coverage - 50 percent

(2) Nonresidential

The maximum floor area ratio shall be 2.0.

(e) Building Height

Maximum building height shall be 35 feet.

(f) Maximum Driveway Width

Driveway width and spacing shall comply with Land Development Code Section 141.0560.

§152.0305 Subdistrict B Purpose and Intent

(a) The purpose of Subdistrict B is to accommodate areas of the community which provide goods and services for residential, commercial and industrial areas and through historic patterns of development, contain residential, commercial, and industrial mixed-uses.

(b) Since these areas were generally developed during the first half of this century and feature parcels or lots which are typically small and narrow in size and configuration, it is, therefore, the intent of Subdistrict B that it provide standards and regulations which are designed to minimize conflicts between development which occurred during the first half of the century and development which would be permitted to take place under the standards and development regulations of Subdistrict B as well as the existing mixed-use development patterns.

(c) It is further the intent of Subdistrict B that it apply to that area of the community with mixed land use, including some heavy industrial; and that it allow the improvement, development or redevelopment of commercial and industrial uses with little need for variances.

§152.0306 Subdistrict B Permitted Uses

No building or improvement, or portion thereof, shall be erected, constructed, or enlarged, nor shall any premises be used except for one or more of the following purposes:

(a) One-family dwellings

(b) Two-family dwellings

(c) Apartment houses, excluding structures designed or used for the temporary residence of persons for less than one week.

(d) Any nonresidential use permitted in the IH-2-1 zone (except establishments engaged in the chrome plating of materials) as set forth in Land Development Code Section 131.0622.

(e) Parking lots and facilities; provided, however, that except for covered parking facilities which are located completely below grade such parking lots and facilities shall be accessory to a use permitted in this section which shall be located on the same premises.

(f) Any uses which the Planning Commission determines, in accordance with "Process Four", to be similar in character to the uses enumerated in this section and are clearly within the intent and purpose of Subdistrict B. The adopted resolution embodying any such finding shall be filed in the office of the City Clerk.

(g) Accessory uses for any of the foregoing permitted uses including on-premises signs constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with Land

Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

(h) All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed in Section 152.0405 (a), (Outdoor Display, Operation and Storage) shall be operated entirely within enclosed buildings or walls or fences as required in Section 152.0405.

§152.0307 Subdistrict B Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used nor shall any premises be used unless the lot or premises and building shall comply with the following regulations and standards.

(a) Density

No lot or parcel shall be developed or occupied by more than one dwelling unit for each 1,500 square feet of lot area, except that any currently developed lot may be redeveloped to the density which existed on the effective date of this ordinance (July 5, 1983).

(b) Minimum Lot Requirements

(1) Area - 3,500 square feet

(2) Street frontage - 25 feet

(3) Width - 25 feet

(4) Depth - 100 feet

(5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section

113.0237, and which does not comply in all respects with the minimum lot requirements specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this section.

(c) Minimum Yards

(1) Front-5 feet for not less than 50 percent of lot frontage

(2) Side

(A) Interior - 0 except that a 3 foot side yard shall be provided if any portion of the side lot line abuts residentially zoned or residentially used property. Such side yard shall be increased 3 feet for each story above two.

(B) Street - 5 feet for not less than 50 percent of lot frontage

(3) Rear - 0

(4) Exception - The front and street side yard requirements shall not apply to lots or premises where required walls or fences, in compliance with Section 152.0405(d) (Outdoor Display, Operation and Storage), are not required to observe minimum yards.

(d) Maximum Floor area ratio

The maximum floor area ratio shall be 2.0.

(e) Building Height

Maximum building height shall be 35 feet.

(f) Maximum Driveway Width.

Driveway width and spacing shall comply with Land Development Code Section 142.0560.

§152.0308 Subdistrict C Purpose and Intent

(a) The purpose of Subdistrict C is to regulate the development of this area with a maximum density of approximately 29 dwelling units per net acre.

(b) It is the intent of these regulations to allow the improvement or development of the standard Barrio Logan lots with little or no need for variance. Subdistrict C also includes special character multiple family neighborhood guidelines intended to preserve the low intensity scale, while allowing for multiple family use, as set forth in Section 152.0310(h).

§152.0309 Subdistrict C Permitted Uses

It shall be unlawful to erect, construct, convert, establish, alter, move-on or enlarge any building or improvement or portion thereof, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

(a) One-family dwellings

(b) Two-family dwellings

(d) Multi-family dwellings, excluding structures designed or used for the temporary residence of persons for less than one week.

(e) Boarding and lodging houses for no more than 2 lodgers per guest room. Communal dining facilities may not occupy more than 10 percent of the gross floor area occupied by the boarding or lodging house.

(f) Public parks and public playgrounds

(g) The following conditional uses may be permitted according to the regulations set forth in Municipal Code Section 151.0401 and Land Development Code Chapter 14, Article 1 (Separately Regulated Use Regulations).

(1) Churches, temples or buildings used primarily for religious purposes.

(2) Private clubs, lodges and fraternal organizations

(3) Nursery and elementary schools, and day care facilities

(4) Residential care facilities for not more than 12 persons

§152.0310 Subdistrict C Development Regulations

It shall be unlawful to erect, construct, convert, establish, alter, move-on or enlarge any building or improvement or portion thereof, nor shall any lot be used in violation of any of the following requirements and special regulations:

(a) Density

No lot shall be occupied by more than one dwelling unit for each 1,500 square feet of lot area.

(b) Minimum Lot Requirements

(1) Area - 3,500 square feet

(2) Street frontage - 25 feet

(3) Width - 25 feet

(4) Depth - 100 feet

(5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237 and which does not comply in all respects with the

minimum lot requirements specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to Subdistrict C.

(c) Maximum Lot Dimensions and Area: Lot consolidations created through maps or by means of building across property lines shall be prohibited when such action would create a parcel containing over 7,000 square feet of lot area or over 50 feet of frontage along the front property line.

(d) Required Setbacks

(1) Front - 15 feet

(2) Side

(A) Interior - For lots that are 25 feet or less in width, 3 feet;, and for lots greater than 25 feet in width, 4 feet.

(B) Street - 5 feet

(3) Rear - 4 feet

(e) Lot Coverage Requirements

(1) 50 percent maximum for interior lots

(2) 60 percent maximum for corner lots

(f) Building Height

(1) 25 feet maximum allowed in the front 35 percent of the lot

(2) 35 feet maximum allowed in the rear 65 percent of the lot

(3) Chimneys and vents are allowed to exceed the permitted height by an additional 5 feet.

(g) Driveway Standards

Driveway width and spacing shall comply with Land Development Code Section 142.0560.

(h) Special Character Design Criteria

(1) Requirements for the addition of dwelling units

(A) Where one or more dwelling units already exist on a lot, any additional dwelling unit, whether attached or detached, shall incorporate the same roof style.

(B) A minimum separation of 10 feet shall be required between the exterior building walls of the existing building and any additional detached dwelling unit on that lot.

(C) There shall be pedestrian access from each added dwelling unit to an abutting street.

(2) Requirements for development on vacant or cleared lots

(A) The particular facade, side or elevation of the building closest to the front yard shall have at least one pedestrian entry parallel to the street and contain a transparent glass window or windows with an aggregate area of at least 20 square feet.

(B) The facade of any new multi-story residential building closest to the front yard shall incorporate a 6 foot horizontal recess from the exterior wall of the first story.

(C) Covered porches may encroach 3 feet into the required front yard setback. A covered front porch having a

minimum 6 foot depth and a width of 40 percent or more of the total first floor building width, can be used to fulfill the second-story 6 foot offset described in Section 152.0310(h)(2)(B).

(D) Not more than two 10 foot wide garage doors or a single 16-foot wide garage door shall be permitted on the front facade. Any covered parking accessed from the street and in the front 30 percent of the lot shall be fully enclosed. Uncovered parking in the front 30 percent of the lot is not permitted.

(3) Second-story additions to existing buildings shall conform to the regulations set forth in Sections 152.0310(h)(2)(B) and (C) above.

§152.0311 Subdistrict D Purpose and Intent

Subdistrict D is intended for use in the areas of the Barrio Logan community that have a wide range of industrial and heavy commercial uses customarily associated with the waterfront industry that has been established near the harbor. It is the purpose of Subdistrict D to enable the varied uses to coexist with minimum adverse impacts on each other and nearby residential areas of the community while, at the same time, enhancing the visual quality of the area. It is further the intent of this Subdistrict to allow the improvement, development or redevelopment of industrial uses with little or no need for variances.

§152.0312 Subdistrict D Permitted Uses

(a) In Subdistrict D, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any lot or premises be used except for one or more of the uses permitted in the IH-2-1 zone as set forth in Land Development Code Section 131.0622 provided, however, that the following uses are prohibited:

(1) Churches

(2) Dwellings, whether single-family or multiple-family including house trailers, except one dwelling on the same lot or parcel of land which is legally being used so as to require the continuous supervision of a caretaker or superintendent and their immediate family

(3) Hospitals, except for emergency hospitals incidental to uses permitted in Subdistrict D

(4) Hotels, motels, rooming houses, boarding houses and all other similar uses offering lodging to guests

(5) Institutions or homes for the treatment or care of convalescent persons, children, aged persons, alcoholics, the wounded or mentally infirm

(6) Schools, public and private, except for trade schools instructing in subjects incidental to a permitted use

(7) Trailer parks

(8) Establishments engaged in the chrome plating of materials

(b) On-premises signs are permitted if constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

(c) All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed in Section 152.0405(b) (Outdoor Display, Operation and Storage) shall be operated entirely within enclosed buildings or walls or fences as required in Section 152.0405.

§152.0313 Subdistrict D Property Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot be used unless the lot or premises and building comply with the following regulations and standards:

(a) Minimum Lot Requirements

(1) Area - 7,000 Square feet

(2) Street frontage - 50 feet

(3) Width - 50 feet

(4) Depth - 100 feet

(5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237 and which does not comply in all respects with the minimum lot requirements specified herein may nevertheless

be used as permitted and otherwise regulated by the provisions applicable to this zone.

(b) Minimum Yards

(1) Front - 10 feet

(2) Side - 5 feet

(3) Exception. The front and street side yard requirements shall not apply to lot or premises where required walls or fences, in compliance with Section 152.0405(d), are not required to observe minimum yards.

(c) Maximum Floor area ratio

The maximum floor area ratio shall be 2.0.

(d) Building Height

Maximum building height shall be 35 feet.

(e) Maximum Driveway Width. Driveway width and spacing shall be in conformance with Land Development Code Section 142.0560.

§152.0314 Subdistrict D Exceptions

(a) A Hearing Officer may approve, conditionally approve or deny, in accordance with Process Three, an application for an exception to certain Subdistrict D regulations where such exception would serve to carry out the purpose and intent of Subdistrict D. These exceptions shall be limited to the area within Subdistrict D which is on the westerly side (bay side) of Harbor Drive or the southerly side of 32nd Street, and may include any or all of the following exceptions:

(1) The provisions and regulations of Section 152.0405 (Outdoor Storage, Display, and Activity) shall only be required for all property lying within 50 feet of the Harbor Drive on Main Street property line. All other property lines are exempt from the regulations of Section 152.0405.

(2) All equipment, installations, etc., which are integral parts of the manufacturing or industrial process conducted on a parcel shall be exempt from the enclosure requirements of Section 152.0312(c) (Subdistrict D Permitted Uses) and Section 152.0403 (Off-Site Development Impact Regulations).

(3) Merchandise, material or equipment may be stored at a height greater than the wall or fence which screens it from Harbor Drive or Main Street per Section 152.0314(a)(1) above, providing the merchandise, material, or equipment is located at least 50 feet from the Harbor Drive or Main Street property line.

(4) The maximum building height may exceed 35 feet in lieu of the limits noted in Section 152.0313(d) (Building Height).

(5) The off-street parking requirements in Section 152.0402(e) (Off-Street Parking) may be replaced by:

(A) Every premises used for one or more of the permitted uses listed in Section 152.0312 (Permitted Uses) above shall be provided with minimum off-street parking accommodations

on the same premises or on a lot or premises per Section 152.0314(a)(5)(B) below, as follows:

(i) One parking space for each one and one-half employees on the shift having the greatest number of employees.

(ii) One parking space for each vehicle used in the conduct of a permitted use if said vehicle is regularly parked on the premises.

(B) The land used for required off-premises parking shall be located in Subdistrict D and shall be owned or controlled by the owner or owners of the use requiring the off-premises parking. In this connection, the owner or lessee of record of the off-premises parking site shall furnish evidence satisfactory to the Hearing Officer that he owns or has sufficient interest in such property to provide the off-premises parking required by Section 152.0314.

(C) Provision for off-premises parking spaces required by this section herein shall be maintained so long as they are required by the provisions of this section. In no event shall off-premises parking facilities which are provided to meet the requirements of this section be considered as providing any of the required spaces for any other structure or use.

(6) All uses shall be exempt from the provisions of Section 152.0401(e) (Landscaping), provided that a landscaped strip of not less than 10 feet in depth be provided along all property fronting on the Harbor Drive or Main Street right- of-way. Landscaping and irrigation shall be in substantial conformance with the Landscape Guidelines of the Land Development Manual. Substantial conformance shall be determined by the Hearing Officer. Approved landscaping, including any required watering systems, shall be installed prior to the use or occupancy of any lot or systems shall be in substantial conformance with the approved landscaping plan. All required landscaped areas shall be permanently maintained in accordance with the adopted standards referred to herein.

(b) The Hearing Officer shall further find that in granting or conditionally granting these exceptions that:

(1) The proposed exception shall not result in any substantial reduction of public views toward San Diego Bay or Centre City.

(2) The proposed exception shall not inhibit the efficient and safe flow of vehicles.

(3) The granting of an exception will be in harmony with the purpose and intent of the Subdistrict D regulations.

(c) The Hearing Officer's decisions on the application requesting the exception may be appealed to the Planning Commission in accordance with Land Development Code 112.0506.

§152.0315 Redevelopment Subdistrict Purpose and Intent

The Redevelopment Subdistrict is established to implement the goals and objectives of the Barrio Logan Redevelopment Project. The Redevelopment Subdistrict designates land uses and development standards intended to create a compact, small scale, pedestrian oriented environment, and encourage compatible mixed use land patterns. It is the intent of this division to encourage new development, as well as to retain, rehabilitate and adaptively reuse existing structures. It is further the intent of the Redevelopment Subdistrict to foster quality architecture, landscaping and urban design principles consistent with the objectives of the Redevelopment Plan, and to create an identifiable urban character and community image. Projects as large or larger than an entire city block or requiring land assembly assistance from the Redevelopment Agency shall be developed in accordance with design and operational standards as may be established by the Agency.

§152.0316 Redevelopment Subdistrict Permitted Land Use Categories

Six major land use categories, described in Figure 2 of the Barrio Logan Planned District are permitted within the Redevelopment Subdistrict. They are Commercial Use, Mercado District, Commercial/Residential Mixed Use, Residential Use, Public/Quasi- Public Use and Light Industry/Commercial Use. The permitted land use classifications within each of these 6 land use categories

are described in Section 152.0316 (Redevelopment Subdistrict - Land Use Classifications) and are further set out in Table 152-03A.

Legend for Table 152-03A

P	**Permitted**
CUP	**Conditional Use Permit**
-	**Not Permitted**

Table 152-03A
Permitted Land Use Categories

Land Use Classifications	**Land Use Categories**					
	Commercial Use	**Mercado District**	**Comm/Res. Mixed Use**	**Residential Use**	**Public/ Quasi - Public Use**	**Light Industrial/ Comm. Use**
Residential						
Single Family	-	-	P	P	-	-
Multi-Family	-	P	P	P	-	-
Live/Work (Loft)	P	-	P	P	-	P
Senior Citizen Housing	P	P	P	P	-	-
Mercado District Residential	-	See Section 152.0317 (a)(6)	-	-	-	-
Commercial Retail						
Food/Grocery Sales	P	P	P	-	-	P
Retail Sales	P	P	P	-	-	P
Liquor Sales	CUP	CUP	CUP	-	-	CUP
Limited Commercial	-	-	-	See Section 152.0317 (b)(4)	-	-
Commercial Services						
Artist's Studios	P	P	P	P	P	P
Banks/Credit Unions/Savings & Loans	P	P	P	-	-	P
Building Materials/Services	P	-	P	-	-	P
Business/Communication/ Home Services	P	P	P	-	-	P
Catering Services	P	P	P	-	-	P
Commercial Recreation/Entertainment	P	P	P	-	-	P
Eating/Drinking	P	P	P	-	-	P

Land Use Classifications	Land Use Categories					
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use
Establishment						
Laboratories	P	-	P	-	-	P
Personal Improvement Services	P	P	P	-	-	P
Personal/Convenience Services	P	P	P	-	-	P
Wholesale/Warehouse	P	-	P	-	-	P
Visitor Accommodations						
Bed & Breakfast	P	P	P	-	-	-
Hotels/Motels	P	P	P	-	-	-
Single Room Occupancy	CUP	-	CUP	-	-	-
Commercial Professional Office						
Professional/business Office	P	P	P	P	-	P
Government Offices	P	-	P	-	P	P
Public/Quasi Public						
Colleges/Universities	P	P	P	P	P	P
Schools, Public or Private	P	P	P	P	P	P
Cultural Institutions	P	P	P	P	P	P
Performing Arts/Theatres	P	P	P	P	P	P
Religious Assembly	P	P	P	P	P	P
Park & Recreation Facilities	P	P	P	P	P	P
Child Care Facilities	P	P	P	P	P	P
Clubs/Lodges/Fraternal Organizations	P	P	P	P	P	P
Nonprofit Charitable Institutions	CUP	CUP	CUP	-	CUP	CUP
Limited Human Care Facility Community/						

Land Use Classifications	Land Use Categories					
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use
Primary Health Care	CUP	CUP	CUP	-	CUP	CUP
Residential Care	CUP	CUP	CUP	-	CUP	CUP
Utilities	CUP	-	CUP	-	CUP	CUP
Vehicle/ Equipment Sales & Services						
Vehicle/Equipment Sales/Rentals	-	-	-	-	-	P
Vehicle/Equipment Repair	-	-	-	-	-	P
Auto Paint/Washing/Detailing	-	-	-	-	-	P
Auto Service Stations	-	-	-	-	-	P
Light Industrial						
Limited Manufacturing	-	-	-	-	-	P
Maintenance/Repair/ Service Facilities	-	-	-	-	-	P
Marine Oriented/Waterfront Dependent	-	-	-	-	-	P
Wholesale, Storage Distribution	-	-	-	-	-	P
Research and Development Facilities	-	-	-	-	-	P
Transportation Facilities & Related Storage	-	-	-	-	-	P
Limited Industrial	-	See Section 152.0317 (g)(7)	-	-	-	-
Parking						
Surface Parking	P	P	P	P	P	P
Parking Structure	P	P	P	P	P	P
Accessory Uses	P	P	P	P	P	P

§152.0317 Redevelopment Subdistrict - Land Use Classifications

Permitted land uses within the Barrio Logan Redevelopment Subdistrict are grouped into Land Use Classifications. Land use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the use classification. If a classification of use is necessary, the Planning Commission shall make that determination, in accordance with Process Four, taking into consideration the purpose and intent of the Redevelopment Subdistrict. The Planning Commission shall adopt a resolution embodying their determination. Certain land uses, as indicated in Section 152.0317, shall be examined on a case by case basis by the City Manager to determine whether and under which conditions those uses may be approved at a given site in accordance with Municipal Code Section 151.0401.

(a) Residential

(1) Single Family Residential

(2) Multifamily Residential

(3) Live/Work Quarters (Lofts): live/work quarters (lofts) shall be permitted within the Redevelopment Subdistrict of the Barrio Logan Planned District.

(4) Senior Citizens Housing

(5) Limited Residential

(6) Mercado District Residential: This classification applies to the block bounded by Newton Avenue, Evans Street, Dewey Street and Main Street. Convenience commercial uses may include uses

listed in Section 152.0317(c). Accessory uses may include, but not be limited to, recreation centers, health/fitness clubs and child care centers. Combined convenience commercial services and accessory uses shall not have a total square footage greater than 25 percent of the gross square footage of the lot area.

(b) Commercial Retail

(1) Food/Grocery Sales

(2) Retail Sales

(3) Liquor Sales: A Conditional Use Permit

(4) Limited Commercial: This classification applies only to the Residential Use designation shown in Table 152-03A, and includes establishments listed in Sections 152.0317(b)(1), (b)(2), (c)(1), (c)(4), (c)(5), (c) (7), (c)(9), (c)(10) and (d)(1) provided such establishments front a public street, are directly accessible from the sidewalk, and do not have a total square footage greater than 20 percent of the total gross square footage of the lot area. This classification excludes home occupations described in Land Development Code Section 141.0308.

(c) Commercial Services

(1) Artists' Studios

(2) Banks, Credit Unions, and Savings and Loan Associations: This classification applies only to those institutions engaged in the

on-site circulation of cash. Drive-through banking facilities are not permitted.

(3) Building Materials and Services: This classification includes but is not limited to tool and small equipment sales or rentals (no ridden equipment) and building contractors' showrooms, but excludes activities classified under vehicle/equipment sales and services, as set out in Section 152.0317(f).

(4) Business, Communication and Home Services: This classification excludes activities specified under vehicle/ equipment sales and services in Section 152.0317(f).

(5) Catering Services

(6) Commercial Recreation and Entertainment: Typical uses include bowling alleys, miniature golf courses, tennis and racquet ball courts, gymnasiums and movie theaters. Video and pinball machine establishments and billiard and card parlors are prohibited.

(7) Eating and Drinking Establishments: The sale of alcoholic beverages in the Barrio Logan Planned District must comply with the provisions of Land Development Code Section 141.0502.

(8) Laboratories

(9) Personal Improvement Services

(10) Personal and Convenience Services

(11) Wholesale and Warehouse: This classification excludes auto storage.

(12) Visitor Accommodations:

(A) Bed and Breakfast Inns

(B) Hotels and Motels: This classification includes eating, drinking and banquet service.

(C) Single-Room-Occupancy ("SRO"): Within the Barrio Logan Redevelopment Subdistrict, each SRO unit shall have a minimum of 200 square feet, and the project shall not exceed 1.0 FAR. A Conditional Use Permit (CUP), decided by Process Three is required. SRO's shall be separated by a straight line (measured from property line to property line) of no less than one-quarter mile to another SRO within the Barrio Logan Planned District.

(d) Commercial/Professional Office

(1) Professional and Business Offices

(2) Government Offices

(e) Public and Quasi Public

(1) College and Universities

(2) Schools, Public or Private

(3) Cultural Institutions

(4) Performing Arts/Theatres

(5) Religious Assembly

(6) Park and Recreation Facilities

(7) Child Care Facilities

(8) Clubs, Lodges and Fraternal Organizations

(9) Nonprofit, Charitable Institutions: A Conditional Use Permit (CUP) decided in accordance with Process Four is required.

(10) Limited Community and Human Care Facilities:

(A) Primary Health Care: A Conditional Use Permit (CUP) decided in accordance with Process Four is required.

(B) Residential Care: A Conditional Use Permit (CUP) granted pursuant to Section 141.0312, is required.

(11) Utilities: In no case shall any utility or communication infrastructure exceed the height limitations contained in the Barrio Logan Planned District. This classification excludes satellite antenna which are permitted throughout the Barrio Logan Planned District subject to the provisions of Land Development Code Section 141.0405.

(f) Vehicle/Equipment Sales and Services

(1) Vehicle/Equipment Sales and Rentals

(2) Vehicle/Equipment Repair

(3) Automobile Painting, Washing and Detailing

(4) Automobile Service Stations: Automobile service stations are subject to Land Development Code Section 151.0401.

(g) Light Industrial. All industrial activity shall be located within an enclosed building. No use, activity, nor process shall produce vibrations, noxious odors, or noises that are perceptible without instruments by the average person at the property lines of a site.

(1) Manufacturing: This classification also includes pharmaceutical manufacturing, cleaning and canning of edible products, and those uses permitted in the IP-2-1 zone as set forth in Land Development Code Section 131.0622, except that basic industrial processing from raw materials is excluded and establishments engaged in the manufacturing, fabrication, assembly, testing, repair, servicing and processing of the following uses are not permitted:

(A) Aircraft manufacturing and assembly

(B) Aircraft parts other than engines

(C) Farm machinery and equipment

(D) Guided missiles and space vehicles

(E) Motor vehicles, parts, and accessories

(F) Small arms

(2) Maintenance Repair and Service Facilities

(3) Marine Oriented/Waterfront Dependent Uses

(4) Wholesale, Storage and Distribution

(5) Research and Development Facilities

(6) Transportation Facilities and Related Storage

(7) Limited Industrial: This classification applies only to the block adjacent to the trolley station and bounded by Main Street, Crosby Street, the rights-of- way of the San Diego Coronado Bay Bridge and the San Diego and Arizona Eastern Railroad. Permitted uses include establishments listed in Section 152.0317(g)(1) and similar labor intensive establishments, provided that such establishments do not have a total square footage greater than 25 percent of the total gross square footage of the premises.

(h) Parking

(1) Surface Parking

(2) Parking Structures

(i) Accessory Uses

Accessory Uses and Structures: Those uses and structures as defined by Land Development Code Section 113.0103.

(j) Other Uses

Any other uses which the Planning Commission may determine, in accordance with Process Four, to be similar in character and type to the uses, including accessory uses enumerated above, and consistent with the purpose and intent of the Redevelopment Subdistrict.

(k) Land Use Classifications Permitted by Land Use Categories

Land use classifications as described in Section 152.0317 shall be permitted as shown in Table 152-03A.

§152.0318 Redevelopment District Intensity of Development

(a) Maximum Density for Residential Development

Maximum residential density within the Redevelopment Subdistrict shall be one dwelling unit per 1,000 square feet, or 43 units per gross acre, plus an optional 25 percent bonus density for very low, low and moderate income dwelling units (in compliance with Land Development Code Chapter 14, Article 3, Division 7 (Affordable Housing Density Bonus Regulations) up to a maximum density of 53 dwelling units per gross acre, as shown in Figure 3 of Section 152.0318.

(1) When a proposed residential development meets the density set forth in Section 152.0318(a):

(A) The development shall be subject to special review by the Barrio Logan Project Area Committee (PAC) or similar body as recognized by the City Council, if in existence at the time of the project proposal. The purpose of the review shall be to determine whether the project conforms to the adopted Barrio Logan Redevelopment Plan, the Barrio Logan-Harbor 101 Community Plan, and the Progress Guide and General Plan. The project to be reviewed shall be submitted to the chairperson of the PAC or similar body at least 30 calendar days in advance of the scheduled meeting where review is sought.

(B) The applicant shall submit a Proposed Management Program for rental units which addresses security, maintenance and operational plan.

(b) Maximum Floor area ratio (FAR) for Nonresidential Development

Maximum FAR permitted within the Redevelopment Subdistrict shall be as shown in Figure 3 of this section.

(c) Mixed Residential and Nonresidential Uses

For mixed residential and nonresidential uses, the intensity of development shall be the sum of density for the residential and of the FAR for nonresidential.

(d) Development/Open Area Ratio

In residential or mixed use projects including residential development on the ground floor of a property, the area occupied by buildings and structures including porches, terraces, balconies, stairways and exterior elevator shafts, roofed or otherwise, and all parking areas including surface parking areas, shall not occupy over 65 percent of the lot area.

§152.0319 Redevelopment Subdistrict Property Development Regulations

It shall be unlawful to erect, construct, establish, move on, add, enlarge, convert, alter or maintain any building or portion thereof, or use any lot or premises be used in violation of any of the following requirements and special regulations:

(a) Minimum Lot Area and Dimensions

(1) Lot Area - 3,500 square feet

(2) Street frontage - 25 feet

(3) Width

(A) Interior Lot - 25 feet

(B) Corner Lot - 25 feet

(4) Depth - 100 feet

(5) Exceptions: Any lot or parcel which does not comply with all the minimum lot dimensions set forth in Section 152.0319(a) may nevertheless be used as a building site provided the lot or parcel qualifies as a legal lot pursuant to Land Development Code Section 113.0103 and Section 113.0237.

(b) Maximum Lot Area Regulations

Lot consolidations created through subdivision maps or by means of building across lot lines or property lines shall be prohibited when such action would create a premise containing over 14,000 square feet of lot area or over 100 feet of frontage along the front property line. This requirement is intended among other things, to deter massive, large scale developments inconsistent with the small scale pedestrian oriented objectives for the Redevelopment Subdistrict. The Mercado District, and those districts where Light Industry/Commercial Use land use categories are allowed, are exempted from the maximum lot regulations. Existing parcels in excess of 14,000 square feet shall not be affected by Section 152.0319.

(c) Minimum Setback Requirements

(1) Residential (when located at ground floor)

(A) Front - 10 feet

(B) Interior side - 5 feet up to 2 stories. 8 feet above 2 stories. On lots less than 25 linear feet in lot width, the minimum required interior side setback shall be zero. For the purposes of Section 152.0319, a story equals 10 feet maximum.

(C) Street side - 15 feet

(D) Rear - 3 feet if the lot abuts an alley. On lots not abutting an alley the rear setback shall be 0.

(E) As an alternative to providing a front setback, residential developments may add (combine) the required front setback area to the common, exterior usable area required in Section 152.0319(d)(1).

(F) A minimum separation of 10 feet shall be required between the exterior building walls of an existing structure and any additional detached structure on that lot.

(G) An unroofed portion of a structure or terrace less than 3 feet above the surface ground level shall be permitted within the front yard setback area. Roofed, open appendages such as porches and balconies may encroach up to 5 feet into the required front setback area. To qualify as open appendages, railings and enclosures not exceeding 4 feet in height must be located on at least 40 percent of the

perimeter of such open appendage. Encroachments as permitted in Section 152.0319 and as amended from time to time, are not allowed on the street side, interior side or rear setback areas.

(2) Nonresidential

(A) Front - 0, as described in Section 152.0319(e)(2).

(B) Interior side - 0. The "Hearing Officer" may require a 10 foot interior side setback where a project is adjoining an existing residential project in order to maintain adequate provisions for light and air.

(C) Street side - 0, as described in Section 152.0319(e)(2).

(D) Rear - 3 feet for lots which abut an alley. On lots not abutting an alley the rear setback shall be 0.

(E) Canopies/awnings may encroach into the public right-of-way in conformance with Section 4506 of the Uniform Building Code (1988 Edition).

(3) Exception: In order to preserve the existing character of Logan Avenue, front setbacks facing Logan Avenue shall align horizontally with adjacent structures on either side, if adjacent structures exist.

(d) Minimum Common and Private Exterior Areas

(1) Residential or mixed use projects including residential development on the ground floor of the property shall dedicate at

least 10 percent of the gross lot area to common, exterior usable areas. These areas may consist of courtyards, patios, gardens or play areas and shall exclude walkways and access paths to dwelling units. Common, exterior usable areas shall be open to the sky, shall have a minimum dimension of 25 square feet, and be centrally located within a project or between 2 or more buildings, or readily accessible to the occupants of the dwelling units. Mixed use projects with exclusively upper floor residential units are exempted from Section 152.0319.

(2) At least 60 percent of all residential units within a project shall provide a private exterior usable area for each unit. This area may consist of balconies, terraces, roof decks, or porches and shall have a minimum area of 20 square feet, but shall not exceed 100 square feet in size. In projects containing 20 units or more, up to 50 percent of the required private exterior usable area may be provided instead as common, exterior usable area.

(3) Common areas and recreational facilities shall be located so as to be readily accessible to the occupants of the dwelling units and shall be integrated in the overall project design.

(e) Pedestrian Orientation Design Criteria

In order to encourage a pedestrian orientation on Logan, National and Newton Avenues, and Beardsley, Crosby, Main and Evans Streets, the

following development standards shall apply to developments fronting those avenues and streets:

(1) Residential

(A) Residential buildings shall be required to be oriented toward the street and provide front, and side street facade features such as doors, windows, balconies, porches, terraces, wall offsets, varied materials, textures, colors, or any combination thereof. Windows shall be provided on the wall surface extending from the sidewalk up to 12 feet in height. Wall offsets shall occur every 40 feet of linear street frontage.

(B) Every dwelling unit (including those within mixed use buildings) shall have direct pedestrian access from both the abutting street and rear parking areas.

(C) Not more than two 10 foot wide garage doors or a single 16 foot wide garage door shall be permitted on the front facade facing the above described pedestrian-oriented streets. Any covered parking accessed from such streets shall be fully enclosed. Open carports are not permitted except in the rear of the lot facing the alley.

(2) Nonresidential

(A) Nonresidential building walls shall be continuously extended at least 65 percent of the street frontage and shall

be located at the property line, or within 5 feet of the property line. Facade indentations shall be limited to 5 feet in depth. The continuity of the required street wall may be interrupted if pasajes are provided. For purposes of the Barrio Logan Planned District Ordinance, the term "pasaje" means a mid-block pedestrian passageway flanked by uses which have entrances or windows facing the passageway. On all corner parcels within the Redevelopment Subdistrict the building wall required by Section 152.0319 shall occupy the corner facing the street intersection. No surface parking areas or garages shall be permitted on corners of lots facing a street intersection. If the premises are bounded on all sides by pedestrian-oriented streets as designated in Section 152.0319, an exception to Section 152.0319 shall be made by the Hearing Officer, as to one or two abutting streets bounding the parcel in question.

(B) At least 50 percent of the first story area street wall surface shall incorporate pedestrian entrances, windows, display windows, or openings allowing views into atriums, courtyards and street oriented activities. Windows, openings and entrances shall be located at a "pedestrian height level," which for purposes of the Barrio Logan

Planned District is defined as the wall surface extending from the sidewalk up to 12 feet in height.

(C) Street wall facades shall be enhanced through the use of expression lines, architectural details, materials and texture changes, artworks, awnings, canopies, or color. Facade treatment shall change every 40 feet of linear street frontage to avoid large monotonous developments.

(D) Blank wall segments shall be limited to 15 feet in width; however, the maximum width may be increased to 25 feet if the wall surface is enhanced with architectural detailing, ornamentation, or art work.

(E) Surface parking occupying 35 percent or less of the linear street frontage shall be screened by a 3-foot high solid wall or fence separated from the adjacent public right-of-way by a 3-foot wide landscaped strip. This landscaped strip shall be achieved through the use of shrubs, vines, or ground covers. If surface parking occupies over 35 percent of the linear street frontage, the parking perimeter shall be defined by the wall or fence and landscaped strip required in Section 152.0319, or by arcades, colonnades or arches having a height compatible with the buildings on the premises and separated from the adjacent public right-of-way by the landscaped strip required in Section

152.0319, or a combination of wall, fence arcades, colonnades, or arches, and the required landscaped strip. The required wall or fence shall be made of masonry, brick or similar materials compatible with the buildings on the premises. Chain link and similar type fences are not permitted.

All above-grade parking spaces visible from the public right-of-way shall be architecturally screened or enclosed. Temporary, surface parking during the period of construction is exempted from Section 152.0319(e)(2)(E).

(F) Off-street loading areas shall not be located immediately adjacent to avenues or streets listed in Section 152.0319(e).

(G) The internal street system shall not be a dominant feature in the overall design; rather it shall be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities.

(f) Other Design Criteria

(1) The facade of buildings having 3 or more stories shall stepback at least once above the first story to allow for balconies, roof terraces, and decks, as described by Section 152.0319(d)(2).

(2) Roofs shall be articulated (i.e., gabled, domed); however a roof may be flat if such flat roof is hidden by a raised parapet or

terraces providing amenities to the occupants, such as an atrium or balcony.

(3) Warm and bright colors should be used to reinforce existing and desired character in the area.

(g) Maximum Building Height

(1) The maximum building heights and number of stories permitted within the Redevelopment Subdistrict shall be as shown in Figure 4. Height shall be measured in accordance with Land Development Code Section 113.0270.

(2) Chimneys, vents, elevator enclosures, solar systems, vertical decorative roof features, and similar roof appurtenances shall be excluded from maximum building height. Such appurtenances, however, shall be limited to 10 percent of the total roof plan area, and their height shall not exceed 20 percent or 6 feet, whichever is less, of the permitted maximum building height.

Section 4: That Chapter 15 of the San Diego Municipal Code is amended by adding Article 2, Division 4, Sections 152.0401, 152.0402, 152.0403, 152.0404, 152.0405, and 152.0406, to read as follows:

Article 2: Barrio Logan Planned District

Division 4: General and Supplemental Regulations

§152.0401 Landscaping

(a) General Landscaping Regulations for all Subdistricts

Where not otherwise specified in the Barrio Logan Planned District, landscaping shall be provided in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscaping Regulations).

(b) Subdistrict A, B, and D Landscaping Regulations

(1) Landscaping is required for all commercial and industrial uses which existed on the effective date of this ordinance (July 5, 1983) and shall be installed within 5 years of the effective date of this ordinance; provided, however, that for any portion of the lot or premises where no minimum yard is required, planter boxes or a landscaped strip between the property line and curb of the adjacent public street shall be substituted for the required landscaping. Such substitute landscaping shall be subject to the approval of the City Manager. In Subdistrict A, if the substitute landscaping is determined to be infeasible, no substitute landscaping shall be required.

(2) Required landscaping and required watering system shall be installed prior to the use of the premises. All required landscaped areas shall be permanently maintained in accordance with Land Development Code Chapter 14, Article 2, Division 4 (Landscaping Regulations) and the Landscape Standards of the Land Development Manual.

(c) Subdistrict A Landscaping Regulations

(1) Prior to the use and occupancy of any premises, 100 percent of the required front and street side yards shall be suitably landscaped except for those areas occupied by driveways and walkways.

(2) For any lot which is being developed with 2 or more dwelling units, or with a nonresidential use and prior to the issuance of any building permits, a complete set of landscaping and irrigation plans shall be submitted to the City Manager for approval; said landscaping and irrigation plan shall be in conformance with the Landscape Guidelines of the Land Development Manual.

(d) Subdistrict B Landscaping Regulations

(1) Prior to the use and occupancy of any premises of 25 feet in width or less, a minimum of 2 percent of said premises which shall be visible from an immediate abutting public street right-of-way, shall be suitably landscaped with shrubs, trees, and ornamental ground cover. The minimum landscaping requirement shall increase 1/2 of 1 percent for each 25 feet of parcel width but need not exceed a maximum of 5 percent. The landscaped area may include planter boxes and potted plants if said items are approved by the City Manager.

(2) Prior to the issuance of any building permits, a complete landscaping plan and irrigation plan shall be submitted to the City Manager for approval. This landscaping plan and irrigation plan shall be in conformance with the requirements of Sections

152.0307 and 152.0401 and with the Landscape Guidelines of the Land Development Manual.

(3) Minimum Planting Standards. Unless other planting requirements are specified in a landscape plan approved by the City Manager, required landscaped strips on lots used for commercial and industrial uses shall include:

(A) For each 15 linear feet of lot frontage, front and street side: one tree 10 feet in height or more at maturity.

(B) For each 100 square feet or portion thereof required front and street side yards: 5 shrubs.

(e) Subdistrict D Landscaping Regulations

Prior to the use or occupancy of any lot or premises, a planting strip shall be required along those portions of the perimeter of the lot or premises adjoining street highways and public places except where driveways and sidewalks are located. The planting strip shall have a depth of not less than 10 feet. All required landscaped areas shall be permanently maintained in accordance with the adopted standards.

(f) Redevelopment Subdistrict Landscaping

When decorative paving or architectural landscape elements are used, they shall consist of colored concrete, clay tile, stone, interlocking pavers, planters, clay or ceramic pots containing drought resistant planting materials, fountains or trellises.

§152.0402 Parking Regulations

(a) General Parking Regulations for all Subdistricts

Where not otherwise specified in the Barrio Logan Planned District, parking shall be provided in accordance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

(b) Subdistrict A Parking Regulations

(1) The off-street parking requirements set forth in Section 152.0402 will be imposed only upon the completion of new construction. For the purposes of this paragraph, new construction shall mean any construction, alteration(s) or enlargement(s) of a structure which activities, in the aggregate, increase the fair market value of the lot or premises upon which such construction, alteration or enlargement is undertaken by more than 50 percent of the assessed fair market value of such lot or premises for the fiscal year during which such construction, alteration or enlargement is undertaken. In calculating the number of parking spaces required for any such new construction, only the gross floor area of the new construction will be taken into consideration, and the gross floor area of any structures which existed on such affected lot or premises as of the effective date of this ordinance (July 5, 1983) shall be excluded.

(2) For lots which are less than 2,500 square feet in area, no parking shall be required.

(3) For all lots which abut an alley, all on-street parking spaces that are at least 20 feet in length measured along a full height curb shall be counted toward off-street parking requirements.

(4) Where ambiguity exists in the application of these off-street parking requirements or where any use not specified as a permitted use, is found to be a permitted use, the off-street parking requirement shall be consistent with that for similar uses in this subdistrict.

(c) Subdistrict B Parking Regulations

(1) The off-street parking requirements set forth in Section 152.0402 will be imposed only upon the completion of new construction. For the purposes of this paragraph, new construction shall mean any construction, alteration(s) or enlargement(s) of a structure which activities, in the aggregate, increase the fair market value of the lot or premises upon which such construction, alteration or enlargement is undertaken by more than 50 percent of the assessed fair market value of such lot or premises for the fiscal year during which such construction, alteration or enlargement is undertaken. In calculating the number of parking spaces required for any such new construction, only the gross floor area of the new construction will be taken into consideration, and the gross floor area of any structures which existed on such affected lot or premises as of the effective date of this ordinance (July 5, 1983) shall be excluded.

(2) For all lots which abut an alley, all on-street parking spaces that are at least 20 feet in length measured along a full height curb shall be counted toward off-street parking requirements.

(3) Where ambiguity exists in the application of these off-street parking requirements or where any use not specified as a permitted use, is found to be a permitted use, the off-street parking requirement shall be consistent with that for similar uses in this subdistrict.

(d) Subdistrict C Parking Regulations

(1) Where a property is served by an improved alley, at least two-thirds of the required automobile parking shall be accessed from the alley, and all on-street parking spaces at least 20 feet in length measured along a full height curb shall be counted toward off-street parking requirements.

(2) The off-street parking requirements set forth in Section 152.0402(d) will be imposed only upon the completion of new construction. For the purposes of this paragraph, new construction shall mean any construction, alteration(s) or enlargement(s) of a structure which activities, in the aggregate, increase the fair market value of the lot or premises upon which such construction, alteration or enlargement is undertaken by more than 50 percent of the assessed fair market value of such lot or premises for the fiscal

year during which such construction, alteration or enlargement is undertaken.

(3) Parking in front setbacks is prohibited.

(e) Subdistrict D Parking Regulations

(1) The off-street parking requirements set forth in Section 152.0402 will be imposed only upon the completion of new construction. For the purposes of this paragraph, new construction shall mean any construction, alteration(s) or enlargement(s) of a structure which activities, in the aggregate, increase the fair market value of the lot or premises upon which such construction, alteration or enlargement is undertaken by more than 50 percent of the assessed fair market value of such lot or premises for the fiscal year during which such construction, alteration or enlargement is undertaken. In calculating the number of parking spaces required for any such new construction, only the gross floor area of the new construction will be taken into consideration, and the gross floor area of any structures which existed on such affected lot or premises as of the effective date of this ordinance (July 5, 1983) shall be excluded.

(2) For all lots which abut an alley, all on-street parking spaces that are at least 20 feet in length measured along a full height curb shall be counted toward the off-street parking requirements.

(f) Redevelopment Subdistrict Parking Regulations

(1) The parking requirements and regulations set forth in Municipal Code Section 152.0402(a) and 152.0402(f) shall be imposed only upon completion of new construction. For the purposes of this section, new development shall mean any construction, addition, establishment, erection, enlargement, move on, alteration or conversion of a building or structure. In calculating the number of parking spaces required for new construction, only gross floor area of the new construction may be taken into consideration, and the gross floor area of any structures which existed on such affected lot or premises as of March 2, 1992, shall be excluded.

(2) Parking spaces shall not be located on required setback areas, except that parking, if unenclosed, may encroach on rear setback area.

(3) Off-street loading areas shall not be used for parking.

(4) Tandem parking shall be permitted only for residential uses and subject to Land Development Code Section 142.0555, as amended.

(5) Shared parking for nonresidential uses shall be permitted according to Land Development Code Section 142.0545.

(6) Driveways shall be in conformance with Land Development Code Section 142.0560.

(7) Where a property is served by an alley, parking shall be accessed from the alley unless physical access is not obtainable.

(8) Where ambiguity exists in the application of these off-street parking requirements or where any use not specified as a permitted use, is found to be a permitted use, the off-street parking requirement shall be consistent with that for similar uses in this subdistrict.

§152.0403 Off-Site Development Impact Regulations for Subdistricts A, B and D

(a) Within Subdistrict A artificial lighting used to illuminate a non-residential premises shall be directed away from adjacent properties.

(b) Within Subdistricts B and D artificial lighting used to illuminate any premises shall be directed away from adjacent properties.

§152.0404 Mechanical and Utility Equipment Screening Regulations

(a) Subdistricts A

No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the roof or upper outside walls of nonresidential buildings on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to the main building.

(b) Subdistricts B, C and D

No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the roof or upper outside walls of buildings on the

premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to the main building.

(c) Redevelopment Subdistrict

Mechanical equipment, tanks, ducts, trash collection areas, elevator enclosures, cooling towers, mechanical ventilators and similar equipment and appurtenances shall be completely enclosed as integral parts of buildings or have an appearance similar to the main building(s).

§152.0405 Outdoor Storage, Display, and Activity Regulations

The following Outdoor Storage, Display and Activity Regulations shall apply to all commercial and industrial uses in all Subdistricts of the Barrio Logan Planned District.

(a) The following listed merchandise sold or rented on the premises may be displayed outdoors without screening walls or fences except along common property lines of abutting residentially zoned or residentially used lots.

(1) Flowers and plants

(2) Food products

(3) Handcrafted products and goods

(4) Artwork and pottery

(5) Any other merchandise which the City Manager may find to be similar in character, type or nature to the other merchandise listed

in Section 152.0405(a)(1) through (4) above and which will not cause an adverse visual impact on the neighborhood.

(b) All other commercial and industrial uses, activities, and operations shall be conducted within an enclosed building or within an area that is completely enclosed by walls or fences a minimum of 6 feet in height. No merchandise or equipment shall be stored to a height greater than any wall or fence which encloses it; however, usable vehicles, material, installations, etc., which are integral parts of the manufacturing, industrial or service process conducted on a parcel may exceed such height. No wall or fence need be built between 2 abutting uses which are required to be enclosed.

(c) All walls and fences required in Section 152.0405(b) or any walls or fences visible from any publicly dedicated street or alley shall be of uniform masonry construction, solid wood construction derived from Redwood, Cedar or stained Douglas Fir species, or chain link fence with Redwood slats installed at a maximum interval of one inch, provided, however, that all walls and fences required in Section 152.0405(b) any walls or fences visible from any publicly dedicated street or alley enclosing those commercial and industrial uses, activities and operations whose use activity or operation involves automotive dismantling, salvaging, recycling or uses primarily devoted to outdoor storage shall be limited to those of uniform masonry construction, or solid wood construction derived from Redwood, Cedar or stained Douglas Fir species.

Landscaping treatment, consisting of creeping vines such as Bougainvillea or any similar drought tolerant, evergreen species shall be planted at a maximum of 3 foot intervals the entire exterior length of chain link fences installed to satisfy the requirements of Section 152.0405(b) and (c), except those portions abutting an alley. Landscaping shall be installed in such a manner as to allow the vines to climb the fence during growth. Gates in required walls and fences shall be constructed of either solid wood, chain link with Redwood slats (maximum 1-inch interval), or metal, except corrugated metal. In the event that a business which stores dangerous toxic chemicals outdoors elects to enclose its premises with a chain link fence, it shall provide a concrete stem wall extending 12 inches above grade surrounding the area devoted to such storage. Sharp pointed fencing not exceeding a height of 3 and 1\2 feet shall be permitted on top of a minimum 6-foot high fence, wall or gate, but shall not project beyond property lines. Required walls, fences, and gates shall be maintained in good repair.

(d) Walls and fences required by Section 152.0405(b) shall not be located within any required front yard or street side yard, provided however, that required walls or fences for any commercial or industrial use which existed on the effective date of this ordinance shall be exempt from the minimum yard requirements if compliance with the requirements of Section 152.0405(b) and (c) is accomplished within 2 years of the effective date of this ordinance (July 5, 1983).

(e) The City Manager may approve the use of other building materials for required walls, fences, and gates if he finds that such other building materials will be at least equal to the required materials in presenting a neat and attractive appearance. A change from the building material requirement, or to a lesser height, can be made pursuant to Land Development Code Chapter 12, Article 6, Division 8 (Variance Procedures).

(f) No merchandise, material or equipment shall be stored on the roof of any building.

(g) All commercial and industrial uses shall conform to the requirements of Sections 152.0405(a) through (d) and (f) within 5 years of the effective date of this ordinance (July 5, 1983).

§152.0406 Sign Regulations

(a) General Sign Regulations for all Subdistricts

Where not otherwise specified, all properties within the Barrio Logan Planned District shall comply with the sign regulations set forth in Land Development Code and Chapter 14, Article 2, Division 12 (Sign Regulations).

(b) Sign Regulations-Subdistrict A

(1) For each dwelling unit - one nameplate having a maximum area of one square foot.

2) For apartment houses, boarding and lodging houses, churches, temples, or buildings of a permanent nature used primarily for

religious purposes - wall signs as defined in Land Development Code Section 113.0103, designating the permitted uses of the premises, provided that no such sign shall project above the parapet or eaves of the buildings to which affixed or exceed a height of 12 feet, whichever is lower. In addition, one single or double-faced freestanding sign designating the permitted uses of the premises facing or adjacent to each street abutting the property. The height of any freestanding sign shall not exceed 8 feet measured vertically from the base at ground level to the apex of the sign.

(3) For parking lots - one single or double-faced freestanding directional sign located at each driveway. Said directional sign shall not exceed 2 square feet in total face area and 4 feet in height measured vertically from the base at ground level to the apex of the sign.

(4) The combined total face area of all wall and freestanding signs on the premises, excluding signs designating the premises for sale, rent, or lease, shall not exceed 20 square feet.

(5) For all premises - one single or double-faced freestanding sign with a maximum area of 8 square feet offering the premises for sale, rent or lease. Said sign shall not exceed a height of 4 feet measured vertically from the base at ground level to the apex of the sign. Such signs may be located anywhere on the premises.

(6) Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.

(7) Nonresidential uses - on- premises signs are permitted if constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

0 - 19592

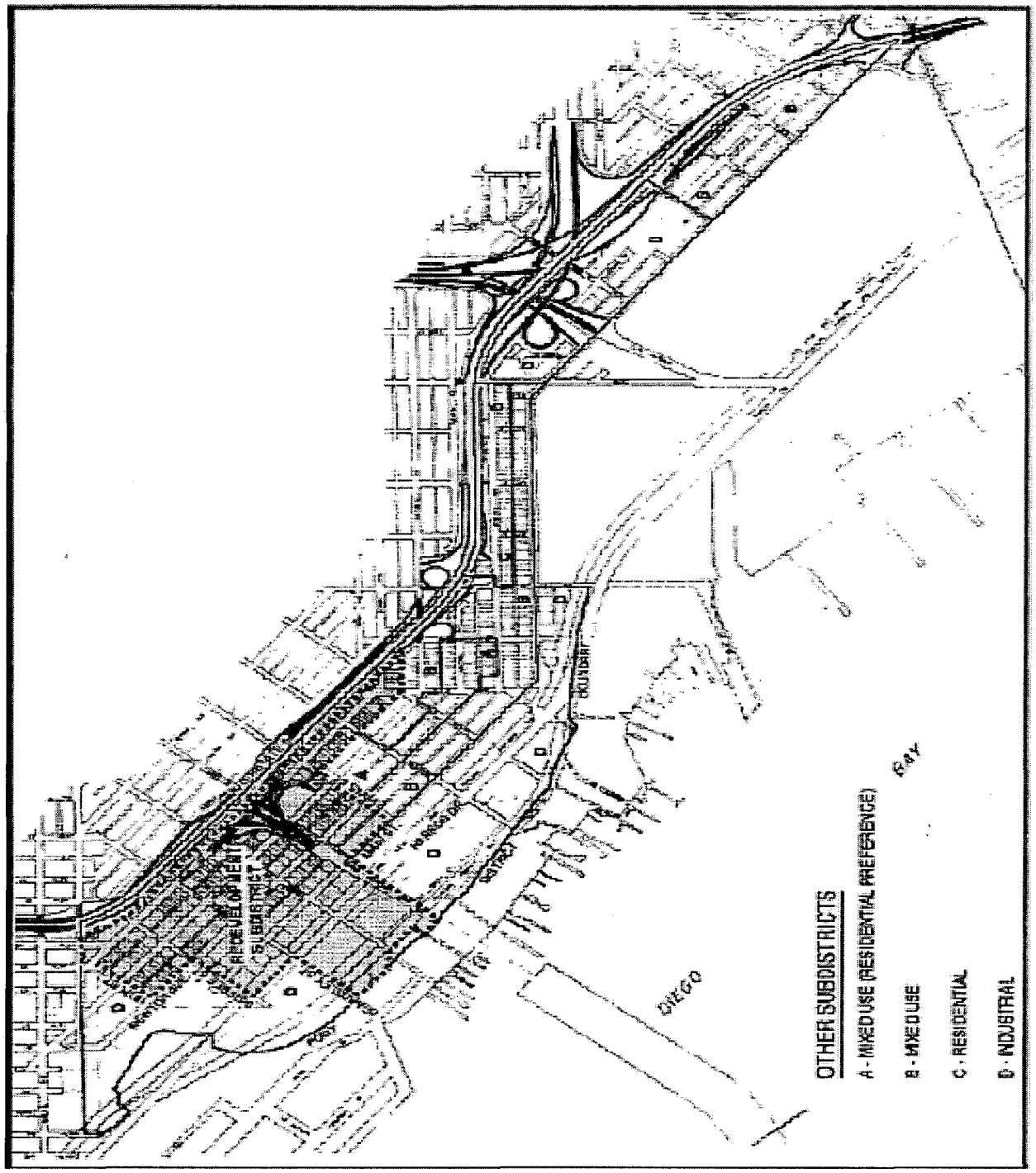
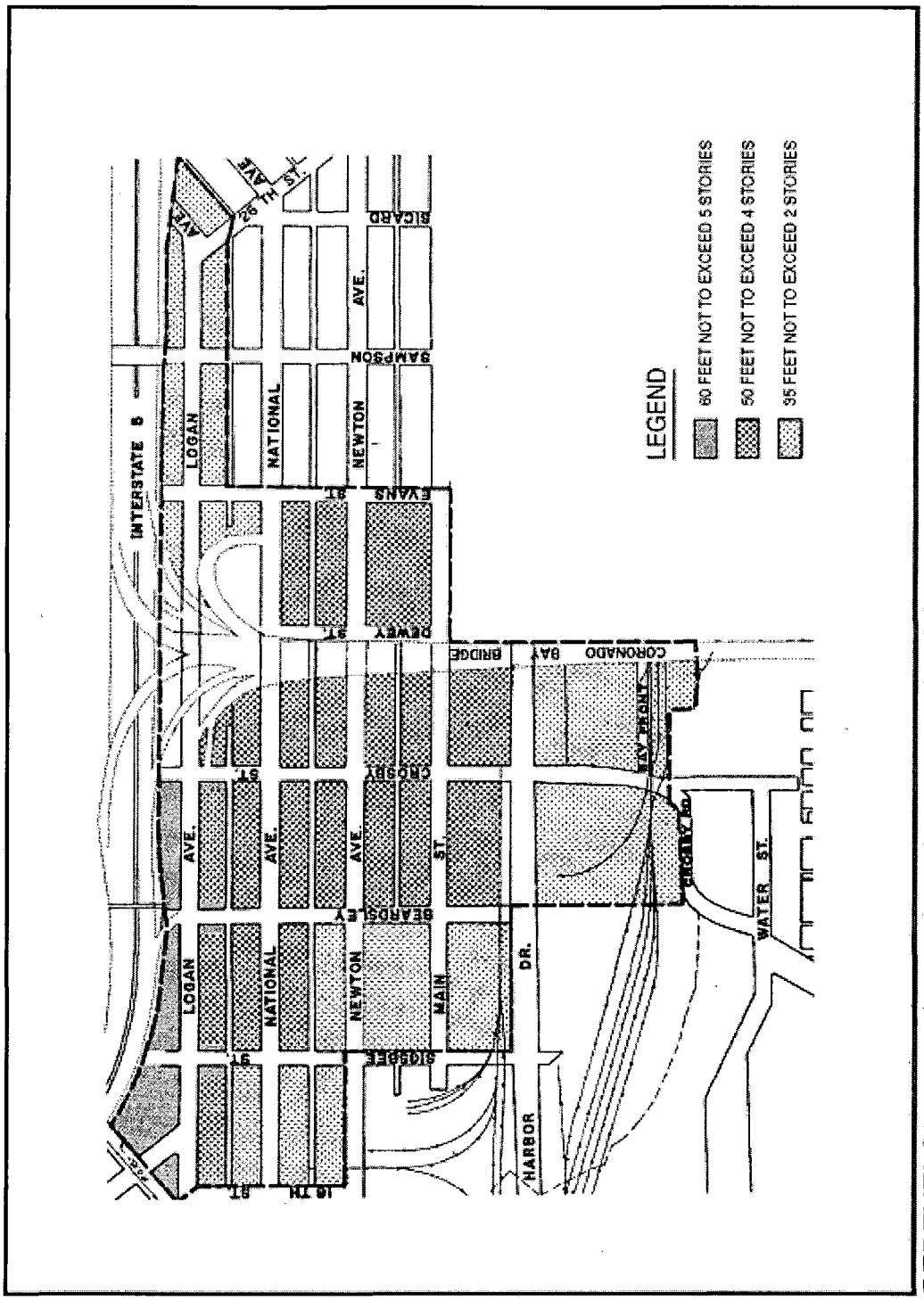


FIGURE 1 OF
CHAPTER X, ARTICLE 3,
DIVISION 9

O- 19592

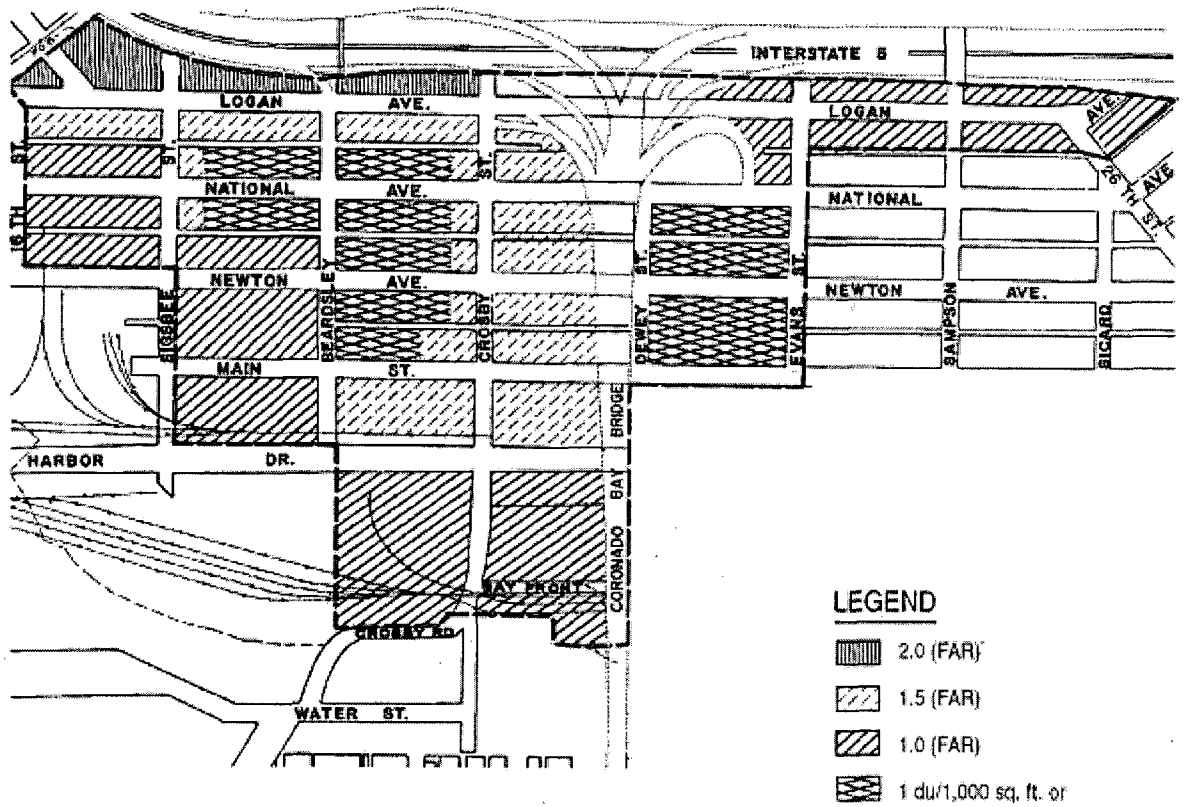


REDEVELOPMENT SUBDISTRICT - BARRIO LOGAN PLANNED DISTRICT

MAXIMUM BUILDING HEIGHTS

FIGURE 4 OF SECTION 103.0959

O-19592



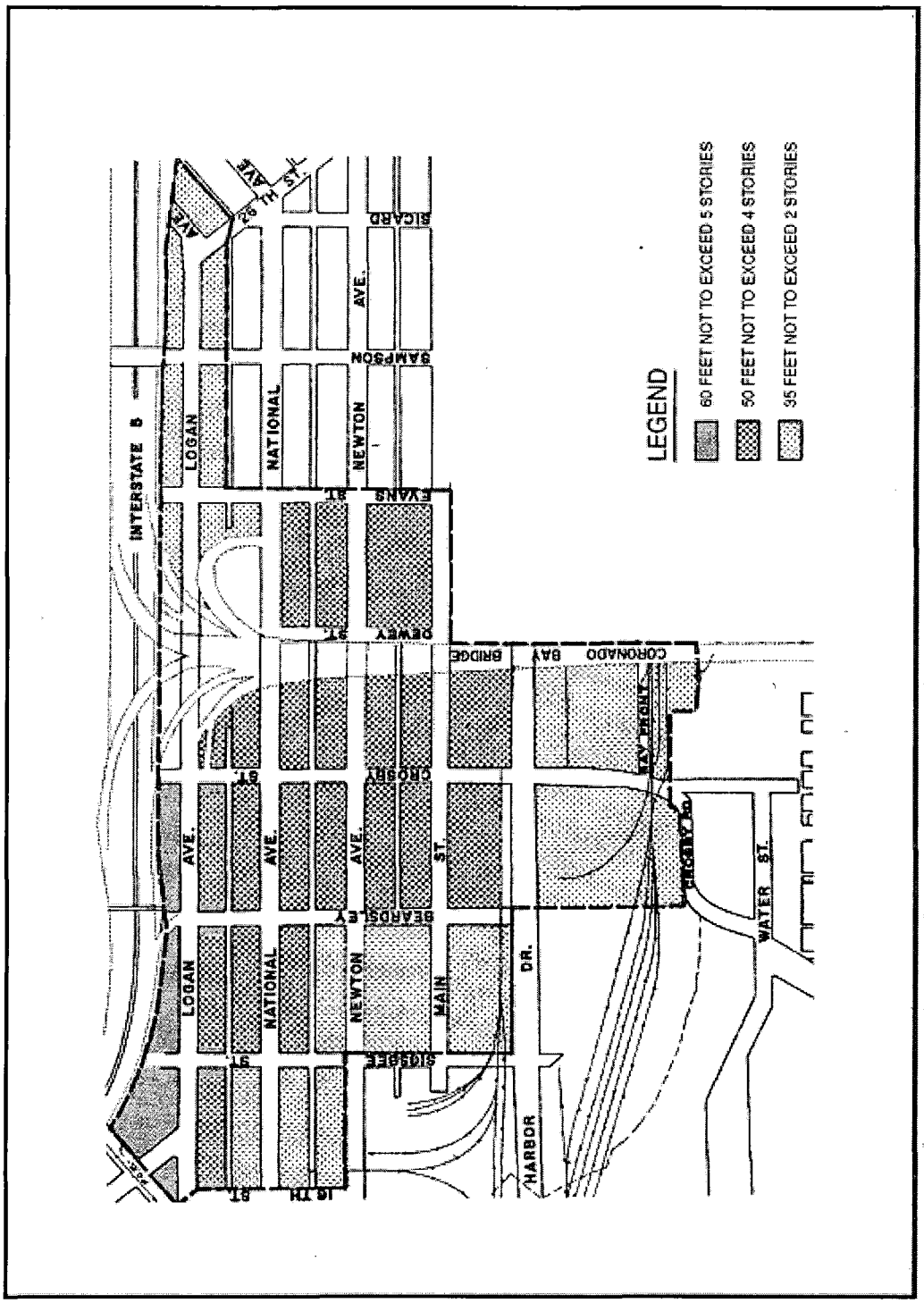
REDEVELOPMENT SUBDISTRICT - BARRIO LOGAN PLANNED DISTRICT

MAXIMUM DENSITY AND FLOOR AREA RATIOS (FAR)

FIGURE 3 OF
SECTION 103.0958

(O-2007-75)

O-19592



REDEVELOPMENT SUBDISTRICT - BARRIO LOGAN PLANNED DISTRICT

MAXIMUM BUILDING HEIGHTS

FIGURE 4 OF SECTION 103.0959

O-19592

Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

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

Section 7. That this activity is not a project and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:als
01/04/07
Or.Dept:DSD
O-2007-75
MMS#3401

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 20 2007.

ELIZABETH S. MALAND
City Clerk

By Sara Richard
Deputy City Clerk

Approved: 3·27·07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

_____
JERRY SANDERS, Mayor

O-19592