

## Article 1: Base Zones

### Division 7: Mixed-Use Base Zones

(“Mixed-Use Base Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)

#### §131.0701 Purpose and Intent

The purpose of the mixed-use zones is to provide housing and jobs near commercial centers and corridors to reduce dependency on the automobile, to promote access to transit and multi-modal transportation systems, and to provide for a walkable, pedestrian-oriented setting, including infill of existing *development*. The intent of these regulations is to create a mix of uses and provide distinct regulations for *density*, activation, and articulation that encourages pedestrian activity within *transit priority areas*. These zones are intended to accommodate small to large-scale horizontal or vertical mixed-use *development*, while maintaining connectivity to transit and promoting the livability and vitality of the *development*.

(“Purpose and Intent” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)

#### §131.0702 Definitions

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

*Secondary use* means an allowed use that is less than 50 percent and more than 10 percent of the total *floor area ratio* of all uses.

*Paseo* means a pedestrian access way connecting *streets*, *plazas*, *alleys*, *public parks*, and other existing and future public spaces abutting or within a *premises*. All buildings abutting a *paseo* shall have active building frontages along the *paseo*. A *paseo* shall have *signs* visible from the adjacent *public right-of-way* stating that the *paseo* is open to the public.

(“Definitions” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)

**§131.0703 Purpose of the RMX (Residential Mixed-Use) Zones**

The purpose of the RMX zones is to provide a mix of uses with a focus on residential uses. The RMX zones support residential employment through the inclusion of *shopkeeper units*, small-scale artisan or production spaces, live/work units, or amenities for home employment and small businesses. Residential *development* shall be the *primary use*. The *secondary use* can be non-residential or residential. If the *secondary use* is residential, it shall comply with Section 131.0712.

The RMX zones are differentiated in Table 131.07B based on the *floor area ratio* and *structure height*.

*(“Purpose of the RMX (Residential Mixed-Use) Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0704 Purpose of the EMX (Employment Mixed-Use) Zones**

The purpose of the EMX zones is to provide a mix of uses with a focus on non-residential uses with opportunities for residential *development*. The EMX zones allow for a broad mix of uses, including office, research and development, industrial, and retail. Non-residential *development* shall be the *primary use*. The *secondary use* can be non-residential or residential. If the *secondary use* is non-residential, it must be a different non-residential use than the *primary use*.

The EMX zones are differentiated in Table 131-07B based on *floor area ratio* and *structure height*.

*(“Purpose of the EMX (Employment Mixed-Use) Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0706 Use Regulations of Mixed-Use Zones**

The purpose and intent of the mixed-use zones is to allow a varied mix of uses that reduce the dependency on automobiles and promote transit accessibility and walkability.

The regulations in Section 131.0707 apply in the mixed-use zones where indicated in Table 131-07A.

(a) The uses permitted in any mixed-use zone may be further limited by the following:

- (1) Use limitations applicable to the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15);

- (2) The presence of *environmentally sensitive lands*, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations); or
  - (3) Any other applicable provision of the San Diego Municipal Code.
- (b) Within the mixed-use zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-07A. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in Sections 131.0706 and 131.0707.
  - (c) All uses or activities permitted in the mixed-use zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
  - (d) Temporary uses may be permitted in the mixed-use zones in accordance with Chapter 12, Article 3, Division 4, Temporary Use Permit Procedures.
  - (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

*(“Use Regulations of Mixed-Use Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0707 Use Regulations Table for Mixed-Use Zones**

The uses allowed in the mixed-use zones are shown in Table 131-07A.

**Legend for Table 131-07A**

<b>Symbol in Table 131-07A</b>	<b>Description of Symbol</b>
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

**Table 131-07A**  
**Use Regulations Table for Mixed-Use Zones**

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Open Space</b>							
<b>Active Recreation</b>		P	P	P	P	P	P
<b>Passive Recreation</b>		P	P	P	P	P	P
<b>Natural Resources Preservation</b>		-	-	-	-	-	-
<b>Park Maintenance Facilities</b>		P	P	P	P	P	P
<b>Agriculture</b>							
<b>Agricultural Processing</b>		-	-	-	-	-	-
<b>Aquaculture Facilities</b>		P	P	P	P	P	P
<b>Dairies</b>		-	-	-	-	-	-
<b>Horticulture Nurseries &amp; Greenhouses</b>		-	-	-	-	-	-
<b>Raising &amp; Harvesting of Crops</b>		-	-	-	-	-	-
<b>Raising, Maintaining &amp; Keeping of Animals</b>		-	-	-	-	-	-
<b>Separately Regulated Agriculture Uses</b>							
Agricultural Equipment Repair Shops		-	-	-	-	-	-
Commercial Stables		-	-	-	-	-	-
Community Gardens		L	L	L	L	L	L
Equestrian Show & Exhibition Facilities		-	-	-	-	-	-
Open Air Markets for the Sale of Agriculture-related Products & Flowers		-	-	-	-	-	-
<b>Residential</b>							
<b>Mobilehome Parks</b>		-	-	-	-	-	-
<b>Multiple Dwelling Units</b>		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<b>Rooming House</b> [See Section 131.0112 (a)(3)(A)]		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<b>Shopkeeper Units</b>		L	L	L	L <sup>(1)</sup>	L <sup>(1)</sup>	L <sup>(1)</sup>
<b>Single Dwelling Units</b>		-	-	-	-	-	-
<b>Separately Regulated Residential Uses</b>							
<i>Accessory Dwelling Units</i>		L	L	L	L <sup>(1)</sup>	L <sup>(1)</sup>	L <sup>(1)</sup>
<i>Boarder &amp; Lodger Accommodations</i>		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<i>Continuing Care Retirement Communities</i>		L	L	L	L	L	L

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Employee Housing:</b>							
6 or Fewer Employees		N	N	N	L	L	L
12 or Fewer Employees		-	-	-	L	L	L
Greater than 12 Employees		-	-	-	C	C	C
Fraternities, Sororities and Student Dormitories		C	C	C	C	C	C
Garage, Yard, & Estate Sales		L	L	L	L	L	L
Guest Quarters		-	-	-	-	-	-
Home Occupations		L	L	L	L	L	L
<i>Junior Accessory Dwelling Units</i>		-	-	-	-	-	-
Live/Work Quarters		L	L	L	L	L	L
Low Barrier Navigation Centers		L	L	L	L	L	L
<i>Movable Tiny Houses</i>		-	-	-	-	-	-
<i>Permanent Supportive Housing</i>		L	L	L	L	L	L
<b>Residential Care Facilities:</b>							
6 or Fewer Persons		P	P	P	P	P	P
7 or More Persons		C	C	C	C	C	C
<b>Transitional Housing:</b>							
6 or Fewer Persons		P	P	P	P	P	P
7 or More Persons		L	L	L	L	L	L
Watchkeeper Quarters		-	-	-	L	L	L
<b>Institutional</b>							
<b>Separately Regulated Institutional Uses</b>							
Airports		-	-	-	-	-	-
Botanical Gardens & Arboretums		-	-	-	-	-	-
Cemeteries, Mausoleums, Crematories		-	-	-	-	-	-
Correctional Placement Centers		-	-	-	-	-	-
<b>Educational Facilities:</b>							
Kindergarten through Grade 12		L	L	L	L	L	L
Colleges / Universities		C	C	C	C	C	C
Vocational / Trade School		L	L	L	L	L	L
Electric Vehicle Charging Stations		L	L	L	L	L	L
Energy Generation & Distribution Facilities		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C
Exhibit Halls & Convention Facilities		-	-	-	C	C	C
<i>Flood Control Facilities</i>		L	L	L	L	L	L
<i>Historical Buildings Used for Purposes Not Otherwise Allowed</i>		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Homeless Facilities:</b>							
Congregate Meal Facilities		C	C	C	C	C	C
Emergency Shelters		C	C	C	C	C	C
Homeless Day Centers		C	C	C	C	C	C
Hospitals, Intermediate Care Facilities & Nursing Facilities		C	C	C	C	C	C
Interpretive Centers		C	C	C	C	C	C
Museums		C	C	C	C	C	C
Major Transmission, Relay, or Communications Switching Stations		L	L	L	L	L	L
<i>Placemaking on Private Property</i>		C	C	C	C	C	C
Outdoor Dining on Private Property		L	L	L	L	L	L
Satellite Antennas		L	L	L	L	L	L
<i>Social Service Institutions</i>		C	C	C	C	C	C
Solar Energy Systems		L	L	L	L	L	L
<b>Wireless Communication Facility:</b>							
<i>Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use</i>		L	L	L	L	L	L
<i>Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use</i>		N	N	N	N	N	N
<i>Wireless communication facility in the public right-of-way with above ground equipment</i>		C	C	C	C	C	C
<i>Wireless communication facility outside the public right-of-way</i>		L	L	L	L	L	L
<b>Retail Sales</b>							
<b>Building Supplies &amp; Equipment</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>
<b>Food, Beverages and Groceries</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>
<b>Consumer Goods, Furniture, Appliances, Equipment</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>
<b>Pets &amp; Pet Supplies</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>
<b>Sundries, Pharmaceutical, &amp; Convenience Sales</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>
<b>Wearing Apparel &amp; Accessories</b>		P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>	P <sup>(8)</sup>

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Separately Regulated Retail Sales Uses</b>							
Agriculture Related Supplies & Equipment		-	-	-	P	P	P
Alcoholic Beverage Outlets		C	C	C	L	L	L
Farmers' Markets							
Weekly Farmers' Markets		L	L	L	L	L	L
Daily Farmers' Market Stands		L	L	L	L	L	L
<i>Marijuana Outlets</i>		-	-	-	-	-	-
Plant Nurseries		P	P	P	P	P	P
Retail Farms		L	L	L	L	L	L
Retail Tasting Stores		L	L	L	L	L	L
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-	-	-
<b>Commercial Services</b>							
<b>Building Services</b>		P	P	P	P	P	P
<b>Business Support</b>		P	P	P	P	P	P
<b>Eating &amp; Drinking Establishments</b>		P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>
<b>Financial Institutions</b>		P	P	P	P	P	P
<b>Funeral &amp; Mortuary Services</b>		-	-	-	P	P	P
<b>Instructional Studios</b>		P	P	P	P	P	P
<b>Maintenance &amp; Repair</b>		-	-	-	P	P	P
<b>Off-site Services</b>		-	-	-	P	P	P
<b>Personal Services</b>		P	P	P	P	P	P
<b>Radio &amp; Television Studios</b>		P	P	P	P	P	P
<b>Tasting Rooms</b>		P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>
<b>Visitor Accommodations</b>		P	P	P	P	P	P
<b>Separately Regulated Commercial Services Uses</b>							
<i>Adult Day Care Facility</i>		L	L	L	L	L	L
Adult Entertainment Establishments:							
Adult Book Store		-	-	-	-	-	-
Adult Cabaret		-	-	-	-	-	-
Adult Drive-In Theater		-	-	-	-	-	-
Adult Mini-Motion Picture Theater		-	-	-	-	-	-
Adult Model Studio		-	-	-	-	-	-
Adult <i>Motel</i>		-	-	-	-	-	-
Adult Motion Picture Theater		-	-	-	-	-	-



Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Adult Peep Show Theater		-	-	-	-	-	-
Adult Theater		-	-	-	-	-	-
Body Painting Studio		L	L	L	L	L	L
Massage Establishment		L	L	L	L	L	L
Sexual Encounter Establishment		-	-	-	-	-	-
Assembly and Entertainment Uses, Including Places of Religious Assembly		L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>
Bed & Breakfast Establishments:							
1-2 Guest Rooms		P	P	P	P	P	P
3-5 Guest Rooms		P	P	P	P	P	P
6+ Guest Rooms		P	P	P	P	P	P
Boarding Kennels/Pet Day Care		L	L	L	L	L	L
Camping Parks		-	-	-	-	-	-
<i>Child Care Facilities:</i>							
Child Care Centers		L	L	L	L	L	L
Large Family Child Care Homes		L	L	L	L	L	L
Small Family Child Care Homes		L	L	L	L	L	L
Eating and Drinking Establishments with a Drive-in or Drive-through Component		-	-	-	-	-	-
Fairgrounds		-	-	-	-	-	-
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-	-	-	-	-	-
Helicopter Landing Facilities		-	-	-	C	C	C
Massage Establishments, Specialized Practice		P	P	P	P	P	P
Mobile Food Trucks		L	L	L	L	L	L
Nightclubs & Bars Over 5,000 Square Feet in Size		C	C	C	L	L	L
Parking Facilities as a <i>primary use</i> :							
Permanent Parking Facilities		-	-	-	-	-	-
Temporary Parking Facilities		-	-	-	-	-	-
Private Clubs, Lodges and Fraternal Organizations		P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P	P	P
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size		C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>
Pushcarts:							
Pushcarts on Private Property		L	L	L	L	L	L
Pushcarts in <i>Public Right-of-Way</i>		N	N	N	N	N	N
Recycling Facilities:							
Large Collection Facility		-	-	-	-	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Small Collection Facility		L	L	L	L	L	L
Large Construction & Demolition Debris Recycling Facility		-	-	-	-	-	-
Small Construction & Demolition Debris Recycling Facility		-	-	-	-	-	-
Drop-off Facility		-	-	-	L	L	L
Green Materials Composting Facility		-	-	-	-	-	-
Mixed Organic Composting Facility		-	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic		-	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic		-	-	-	-	-	-
Reverse Vending Machines		L	L	L	L	L	L
Tire Processing Facility		-	-	-	-	-	-
Sidewalk Cafes, Streetaries, and Active Sidewalks		L	L	L	L	L	L
Sports Arenas & Stadiums		-	-	-	-	-	-
Theaters that are Outdoor or Over 5,000 Square Feet in Size		C	C	C	C	C	C
Urgent Care Facilities		P	P	P	P	P	P
Veterinary Clinics & Animal Hospitals		L	L	L	L	L	L
Zoological Parks		-	-	-	-	-	-
<b>Offices</b>							
<b>Business &amp; Professional</b>		P	P	P	P	P	P
<b>Government</b>		P	P	P	P	P	P
<b>Medical, Dental &amp; Health Practitioner</b>		P	P	P	P	P	P
<b>Regional &amp; Corporate Headquarters</b>		P	P	P	P	P	P

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Separately Regulated Office Uses</b>							
Real Estate Sales Offices & Model Homes		L	L	L	L	L	L
<i>Sex Offender</i> Treatment & Counseling		L	L	L	L	L	L
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>							
<b>Commercial Vehicle Repair &amp; Maintenance</b>		-	-	-	P	P	P
<b>Commercial Vehicle Sales &amp; Rentals</b>		-	-	-	P	P	P
<b>Personal Vehicle Repair &amp; Maintenance</b>		-	-	-	P	P	P
<b>Personal Vehicle Sales &amp; Rentals</b>		-	-	-	P	P	P
<b>Vehicle Equipment &amp; Supplies Sales &amp; Rentals</b>		P	P	P	P	P	P
<b>Separately Regulated Vehicle &amp; Vehicular Equipment Sales &amp; Service Uses</b>							
Automobile Service Stations		-	-	N	N	N	N
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		-	-	C	C	C	C
<b>Distribution and Storage</b>							
<b>Equipment &amp; Materials Storage Yards</b>		-	-	-	-	-	-
<b>Moving &amp; Storage Facilities</b>		P	P	P	P	P	P
<b>Distribution Facilities</b>		-	-	-	P	P	P
<b>Separately Regulated Distribution and Storage Uses</b>							
Impound Storage Yards		-	-	-	-	-	-
Junk Yards		-	-	-	-	-	-
Temporary Construction Storage Yards Located Off-site		-	-	-	L	L	L
<b>Industrial</b>							
<b>Heavy Manufacturing</b>		-	-	-	-	-	-
<b>Light Manufacturing</b>		-	-	-	P <sup>(3)</sup>	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Marine Industry</b>		-	-	-	-	-	-
<b>Research &amp; Development</b>		P	P	P	P	P	P
<b>Testing Labs</b>		P	P	P	P	P	P
<b>Trucking &amp; Transportation Terminals</b>		-	-	-	-	-	-
<b>Separately Regulated Industrial Uses</b>							
Artisan Food and Beverage Producer		L	L	L	L	L	L

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<i>Hazardous Waste</i> Research Facility		-	-	-	-	-	-
<i>Hazardous Waste</i> Treatment Facility		-	-	-	-	-	-
Marijuana Production Facilities		-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone		-	-	-	C	C	C
Mining and Extractive Industries		-	-	-	-	-	-
Newspaper Publishing Plants		-	-	-	C	C	C
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-	-	-	P	P	P
Very Heavy Industrial Uses		-	-	-	-	-	-
Wrecking & Dismantling of Motor Vehicles		-	-	-	-	-	-
<b>Signs</b>							
<b>Allowable Signs</b>		P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>
<b>Separately Regulated Signs Uses</b>							
Community Entry Signs		L	L	L	L	L	L
Neighborhood Identification Signs		N	N	N	N	N	N
Comprehensive Sign Program		N	N	N	N	N	N
Revolving Projecting Signs		N	N	N	N	N	N
Signs with Automatic Changing Copy		N	N	N	N	N	N
Theater Marquees		N	N	N	N	N	N

**Footnotes for Table 131-07A**

- <sup>1</sup> Not allowed on sites designated as Prime Industrial Land in a *land use plan*.
- <sup>2</sup> Not allowed within the Coastal Overlay Zone, except that assembly and entertainment uses may be incorporated as an *accessory use* to visitor accommodations.
- <sup>3</sup> Activities that would require a permit from the Hazardous Materials Management Division of the County of San Diego or from the San Diego Air Pollution Control District require a Conditional Use Permit.
- <sup>4</sup> Eating and drinking establishments abutting an existing residential base zone shall only operate between 6:00 a.m. and 12:00 a.m.

- 5 Tasting rooms are only permitted as an *accessory use* to a beverage manufacturing plant or an artisan beverage producer.
- 6 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 7 All mixed-use zones shall use Category A within Section 142.1220.
- 8 *Development* of a large retail establishment is subject to Section 143.0302.

*(“Use Regulations Table for Mixed-Use Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)  
(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)*

**[Editors Note:** Amendments as adopted by O-21254 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.  
Click the link to view the Strikeout Ordinance highlighting changes to prior language [http://docs.sandiego.gov/municode\\_strikeout\\_ord/O-21254-SO.pdf](http://docs.sandiego.gov/municode_strikeout_ord/O-21254-SO.pdf)]

*(Amended 2-1-2021 by O-21288 N.S.; effective 3-3-2021.)*

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**§131.0708 Development Regulations of Mixed-Use Zones**

The purpose and intent of the development regulations is to allow increased density and flexibility, while maintaining ground floor pedestrian orientation, connectivity and activation through design rather than use.

- (a) Within the mixed-use zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this Division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Section 143.0302, Table 143-03A.
- (c) The regulations in this Division apply to all proposed *development* in the mixed-use base zones whether a permit or other approval is required, except where specifically identified.

*(“Development Regulations of Mixed-Use Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0709 Development Regulations Table for Mixed-Use Zones**

The following development regulations apply in the mixed-use zones as shown in Table 131-07B.

**Table 131-07B  
Development Regulations for RMX and EMX Zones**

Development Regulations	Zones					
	RMX-			EMX-		
	1	2	3	1	2	3
<b>Minimum Lot Area (sf)</b>	20,000					
<b>Minimum Lot Dimensions</b>	-					
<b>Setback Requirements</b>						
Min Front <i>Setback</i> (ft) Max Front <i>Setback</i> (ft) <sup>1</sup>	- 20	- 20	- 20	- 20	- 20	- 20
Min Side & Rear <i>Setback</i> (ft) Max Side & Rear <i>Setback</i> (ft)	- -	- -	- -	- -	- -	- -
Min <i>Street</i> side <i>Setback</i> (ft) Max <i>Street</i> side <i>Setback</i> (ft) <sup>1</sup>	- 20	- 20	- 20	- 20	- 20	- 20
<b>Maximum Floor Area Ratio</b> <sup>(3)</sup>	3.0	5.0	7.0	3.0	5.0	7.0
<b>Maximum Structure Height</b> (ft) <sup>(2)</sup>	120	240	-	120	240	-
<b>Minimum Ground-floor Height for Non-Residential Uses</b> (ft)	13	13	13	13	13	13
<b>Supplemental Regulations for RMX Zones</b> [See Section 131.0712]	Applies			-	-	-
<b>Building Frontage Activation, Articulation and Transparency</b> [See Section 131.0713]	Applies					
<b>Pedestrian Entrances and Connections</b> [See Section 131.0714]	Applies					

Development Regulations	Zones					
	RMX-			EMX-		
	1	2	3	1	2	3
<b>Open Space Regulations for Residential Only</b> [See Section 131.0715]	Applies					
<b>Parking Design</b> [See Section 131.0716]	Applies					
<b>Supplemental Regulations for Premises Greater than Five Acres</b> [See Section 131.0718]	Applies					
<b>Loading Area Regulations</b> [See Section 142.1001]	Applies					
<b>Visibility Area</b> [See Section 113.0273]	Applies					
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]	Applies					
<b>Dwelling Unit Protection Regulations</b> [See Chapter 14, Article 3, Division 12]	Applies					

**Footnotes for Table 131-07B**

- <sup>1</sup> The maximum front and *street* side *setback* applies to 60 percent of one *street* or *front* side frontage for each building along the *street* or front side. The remaining 40 percent is not required to observe the maximum *setback* and may be located farther from the *property line*. Exceptions to the maximum front and *street* side *setbacks* can be made for *development* that includes a public plaza, *paseo*, linear park, or outdoor eating establishment where the *existing grade* slopes 20 percent or more, where the *development* is adjoining a freeway, or for phased projects where a future phase is demonstrated to implement the required maximum *setback*.
- <sup>2</sup> See Section 131.0717 for buildings over 90 feet in height.



- <sup>3</sup> Underground or structured parking is exempt from *floor area ratio* calculation.

(“Development Regulations Table for Mixed-Use Zones” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)  
(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)

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## §131.0710 Deviations

*Development* that proposes deviations to the development regulations of this Division may be permitted with a Neighborhood Development Permit decided in accordance with Process Two for the following:

- (a) *Development* that proposes deviations from applicable Land Development Code regulations, provided that the *findings* in Section 126.0404(a) are made.
- (b) *Development* located within *environmentally sensitive lands* in accordance with Section 143.0110, including *development* that may potentially impact *steep hillsides* where alternative compliance is requested in accordance with Section 143.0151, provided that the *findings* in Sections 126.0404(a) and (b) are made. In the event an *environmentally sensitive lands* deviation is requested, the supplemental *findings* in Section 126.0404(c) shall also be made.
- (c) A deviation may not be requested for the following:
  - (1) A deviation from the requirements of the Airport Approach Overlay Zone (Chapter 13, Article 2, Division 2).
  - (2) A deviation from the requirements of the Airport Environs Overlay Zone (Chapter 13, Article 2, Division 3).

- (3) A deviation from the requirements of the Coastal Height Limit Overlay Zone (Chapter 13, Article 2, Division 5).
- (4) Within the Coastal Overlay Zone, a deviation from the requirements of the Parking Impact Overlay Zone (Chapter 13, Article 2, Division 8).
- (5) A deviation from the requirements of the Clairemont Mesa Height Limit Overlay Zone (Chapter 13, Article 2, Division 13).
- (6) A deviation from the requirements of the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15).
- (7) Within the Coastal Overlay Zone, a deviation from the requirements of the Environmentally Sensitive Lands Regulations (Chapter 14, Article 3, Division 1).
- (8) A deviation from the requirements of the Historical Resources Regulations (Chapter 14, Article 3, Division 2).

*(“Deviations” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0711 Phasing**

For any *development* within the mixed-use zones that is proposed to be constructed in phases, the *applicant* shall submit a *development* phasing plan that specifies the chronology of *development*, including required land use components, *structures*, public facilities, and infrastructure. *Development* shall be phased so that supporting public facilities and infrastructure will be provided concurrently with the need and completed before occupancy of the *structures*.

*(“Phasing” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0712 Supplemental Regulations for RMX Zones**

These regulations are intended to enable joint living and working opportunities and contribute to the vitality of mixed-use zones. The following regulations apply to *development* within RMX zones where indicated in Table 131-07B, when the *primary use* and *secondary use* are both residential.

- (a) A minimum of 10 percent of the *structures*’ *ground floor gross floor area ratio* shall be dedicated to facilitating home-based employment, excluding leasing offices, gyms, or community rooms. This requirement can be met by including one or more of the following:

- (1) Live/work quarters in accordance with Section 141.0311;
  - (2) *Shopkeeper units*; or
  - (3) A minimum of 500 square feet to accommodate home-occupation amenities, shared resources, and facilities such as conference rooms or co-work spaces.
- (b) Each *dwelling unit* on the ground *floor* fronting a *public right-of-way* or a private drive shall have a separate ground *floor* entrance adjacent to the *public right-of-way*, or a path that leads directly to the *public right-of-way*.
- (“*Supplemental Regulations for RMX Zones*” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)

**§131.0713 Building Frontage Activation, Articulation and Transparency**

The purpose and intent of these regulations is to create visual interest that enhances the pedestrian experience, assists in diminishing the overall mass of buildings, and creates variation from a pedestrian’s perspective.

- (a) All buildings shall be oriented so that primary pedestrian entrances for each ground *floor* use are accessible from an abutting public sidewalk or pedestrian connection to a sidewalk. Where there is an internal pedestrian pathway or a plaza, the primary pedestrian entrance may be internal.
- (b) All buildings located on a *public right-of-way* and *building facades* that front a private drive, plaza, or other open space area in the *development* shall provide a minimum of two frontage activation elements from Table 131-07C.

**Table 131-07C  
Building Frontage Activation Elements**

<b>Activation Element</b>	<b>Amount- Minimums</b>	<b>Min Width</b>	<b>Min Depth</b>
<b>Commercial Storefront</b>	None	None	None
<b>Porches, Patios, Yards and/or Stoops</b>	50% of the <i>building facade</i> at ground level or one for every 30 feet of frontage  At least 30 square feet in total area	None	None
<b>Vertical and/or Horizontal Off-Setting Planes</b>	None	2 ft	2 ft
<b>Balconies</b>	30% of the <i>building facade</i> or one for every 30 feet of frontage	4 ft	6 ft
<b>Arcades, Colonnades or Galleries</b>	30% of the <i>building facade</i>	20 ft	10 ft
<b>Awning, Canopy, Marquee, Sunshade or Trellis</b>	50% of the <i>building facade</i> at ground level  15% for upper floor <i>building facades</i>	2 ft	2 ft
<b>Roll up or Large Opening Doors</b>	None, but still subject to transparency requirements	Greater than 5 ft	N/A
<b>Plazas</b>	See Section 131.0718(d)(7)	20 ft	N/A
<b>Paseos</b>	None	8 ft	N/A

- (c) The maximum length for the portion of a building located within 20 feet of a *street property line* is 100 feet, unless there is a recess or separation to break up the building mass.

- (d) A total of 50 percent of the *building facade* shall be offset by at least two feet in depth from the rest of the *building facade*.
- (e) For buildings exceeding eight *dwelling units*, at least 30 percent of the roof area shall have designs that vary and provide either vertical or horizontal relief from the remainder of the roof area.
- (f) Buildings at intersections with traffic signals shall include one of the following gateway or architectural features at the corner. These features may not exceed the height limit within the Coastal Overlay Zone or other height overlay zones.
  - (1) Rounded corner with vertical or horizontal projecting or exaggerated roof element;
  - (2) Corner plaza;
  - (3) Recessed entries;
  - (4) Variations in materials or color; or
  - (5) Roll up or large opening doors greater than five feet in width.
- (g) For non-residential uses, a minimum of 60 percent of the *street wall* area on the ground *floor* shall be transparent.
- (h) For residential uses, a minimum of 40 percent of *street wall* area on the ground *floor* shall be transparent.

**Diagram 131-07A**  
**Transparency Requirement for Non-Residential Uses**



*(“Building Frontage Activation, Articulation and Transparency” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0714 Pedestrian Entrances and Connections**

The purpose and intent of these regulations is to provide a logical interconnected network for pedestrians to facilitate access to the *premises* and internal circulation within the *premises*, which must comply with all state and federal regulations regarding accessibility compliance.

- (a) Pedestrian Entrances. One pedestrian entrance is required for every 300 feet of *street frontage*. A minimum of one pedestrian entrance is required for each *premises*. Each pedestrian entrance shall be accessed from the *public right-of-way* at grade.
- (b) Pedestrian Paths. Pedestrian paths shall be provided in accordance with Section 131.0550.
- (c) Pedestrian Connections shall comply with the following:
  - (1) An internal connection system shall connect all primary entrances on the *premises* and provide connections to other areas of the *premises* used by building occupants, including parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities. For main entrances that are within 10 feet of a public sidewalk, pedestrian connections to public sidewalks may be substituted for internal connections;
  - (2) Direct pedestrian access shall be provided to adjacent *development*. If direct access to adjacent *development* is not possible due to existing *development*, connections shall be identified on the development plans to allow future access at the time of redevelopment of the adjacent property; and
  - (3) Direct pedestrian connections shall be provided to transit stops abutting the building.

*(“Pedestrian Entrances and Connections” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0715 Open Space Regulations for Residential Uses**

The purpose and intent of these regulations is to provide a minimum amount of private and common outdoor area for residents.

- (a) Private Exterior Open Space. Each *development* shall provide the following private exterior open space.
  - (1) A minimum area of 36 square feet and a minimum dimension of six feet in any direction of open space per *dwelling unit* is required.
  - (2) Private open space shall be provided on a balcony, patio, or roof terrace for at least 50 percent of all *dwelling units*.
  - (3) Balconies shall be proportionately distributed throughout the *development* in relationship to floor levels and sizes of the *dwelling units*.
  - (4) Where private exterior open space is not provided at the quantity required above, an equal amount of common exterior space in addition to the requirements of Section 131.0715(b) shall be provided.
  
- (b) Common Space. Each *development* shall provide the following common space, either indoor or outdoor, at *grade*, podium level, or roof level.
  - (1) A minimum of 30 square feet is required for each *dwelling unit*, or 40 square feet when a *dwelling unit* is bordered by three building walls exceeding a height of 15 feet.
  - (2) The common space may contain active or passive areas and a combination of hardscape and landscape features.
  - (3) A minimum of 10 percent of the common outdoor open space shall be landscaped.
  - (4) All common open space on the *premises*, including recreational facilities, shall be accessible to all occupants and be physically connected to other common open space areas on the *premises*.
  - (5) Amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, pet areas, spas, pools, play areas, plazas, roof-top patios, picnic areas, and open recreational facilities may be counted as common space.



- (c) Required private exterior open space or common space shall be surfaced with lawn, artificial turf, pavers, decking, or sport court paving use.

*(“Open Space Regulations for Residential Uses” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0716 Parking Design**

The purpose and intent of these regulations is to screen and conceal the *off-street parking spaces* from the *public right-of-way*.

- (a) *At grade off-street parking spaces* are prohibited within the front and *street yard*.
- (b) Up to 30 percent of the total amount of required parking for each use can be at *grade off-street parking spaces*, which shall be screened with landscaping, wrapped buildings, or an architectural screen so they are not visible from the *public right-of-way*. If the *at grade off-street parking spaces* are screened with a building along all *street frontages*, up to 100 percent of the required parking may be at *grade off-street parking spaces*. Chain-link fencing around *at grade off-street parking spaces* is prohibited. Existing or required driveways, curb cuts, and access lanes provided for vehicular access, fire access, or pedestrian access to the parking area are exempt from the screening requirement.
- (c) If the longest frontage of an *off-street parking space* area existing as of September 12, 2019 is adjacent to a *freeway*, and there is *freeway* noise over 70 DBA CNEL, then Section 131.0716(a) - (b) do not apply. The *freeway* may be separated from the *off-street parking space* area frontage by a *public right-of-way*, a landscaped area, or both.

*(“Parking Design” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)*

**§131.0717 Bulk Standards for Buildings Over 90 Feet in Height**

For purposes of this Section, bulk and scale are divided into the two main areas of the building base and the tower. Buildings over 90 feet in height shall adhere to the following requirements:

- (a) For the purposes of this Section, building base means the *structural envelope* located immediately above *existing grade, proposed grade, or a basement*. The maximum *lot coverage* for the building base shall be 100 percent. The maximum height of the building base shall be 90 feet.

- (b) The minimum height of the *street wall* shall be 30 feet.
- (c) A *street wall* shall be provided for 70 percent of the building frontage along the *public right-of-way*, with the following exceptions, which may be subtracted from the length of the frontage:
  - (A) Publicly or privately-owned plazas;
  - (B) Courtyard entrances up to 30 feet wide for residential uses;
  - (C) Recessed entrances up to a maximum of 25 feet in width and a maximum of 15 feet in depth; and
  - (D) Entries into interior or auto courts, or auto drop-offs may be allowed behind the required *street wall*.
  - (E) Areas where the *existing grade* of the *public right-of-way* differs from the building pad by more than two feet.
- (d) For the purposes of this Section, tower means the *structural envelope* located immediately above the building base to the top of the building.
  - (1) The maximum *lot coverage* of the tower shall be 75 percent.
  - (2) Within a single *development*, towers shall be separated by a minimum of 50 feet.

(“Bulk Standards for Buildings Over 90 Feet in Height” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)

**§131.0718 Supplemental Regulations for Premises Greater Than Five Acres**

The purpose and intent of these regulations is to break down sites larger than 5 acres into approximately two-acre segments to enhance a sense of place; facilitate pedestrian circulation; reduce walking distances; improve connections to the *public right-of-way* or private drives, transit, and adjoining neighborhoods; and promote the livability and vitality of such *development*. These requirements shall apply even in the event of the approval of a Lot Line Adjustment which reduces the size of the *premises* to less than 5 acres.

- (a) Connectivity. A minimum of one *paseo* and one bicycle access way into the *development* shall be provided for approximately every two acres of developable area, as shown in Diagram 131-07B. Two *paseos* are required on corner sites.

- (b) Pedestrian Paths. Pedestrian paths shall be provided in accordance with Section 131.0550.
- (c) Private Drives. For the purposes of this Section, a private drive is a nonpublic thoroughfare. Private drives shall connect *public rights-of-way* to multiple locations within a *development*. Where private drives are provided, they shall comply with the following:
  - (1) Private drives shall be designed to reduce conflicts between vehicles and pedestrian and bicycle circulation.
  - (2) Non-contiguous sidewalks shall be provided along both sides of private drives.
  - (3) The alignment of private drives shall be coordinated and connected to the *public right-of-way*, emphasizing interconnected *streets* and the ability to reach local destinations through multiple routes.
  - (4) The number of trees required for each private drive frontage shall be calculated at the average rate of one 24-inch box canopy tree for every 40 feet of private drive frontage. Tree spacing may be varied to accommodate site conditions or design considerations.
  - (5) Trees shall be planted between the curb and the internal *street wall*. Where there is no *street wall*, trees shall be located within 12 feet of the curb-line along the private drive frontage.
- (d) Pedestrian Circulation Space. The pedestrian circulation system shall be un gated and publicly accessible. The pedestrian circulation shall include three or more of the following features:
  - (1) Artwork that is integrated with the design of the pedestrian circulation space. Qualifying artwork may not incorporate addresses, text or logos related to the adjacent building or tenants of such buildings. Artwork may satisfy the Civic Enhancement Allocation regulations, in accordance with Chapter 2, Article 6, Division 7.
  - (2) Food service, including service in a retail space directly accessible from the major portion of the plaza or an open-air café.

Arcades. For the purposes of this Section, an arcade is a space located along a *street frontage* or an interior pathway or plaza that is free of obstructions. Driveways, parking spaces, passenger drop-offs, loading berths, or trash storage facilities are not permitted within an arcade. Arcades shall comply with the following:

- (A) Minimum depth (ft.): 10
  - (B) Maximum depth (ft.): 15
  - (C) Minimum height (ft.): 12
  - (D) Maximum height (ft.): 30
- (3) Building entrance recess area. For the purposes of this Section, a building entrance recess area is a space adjoining a sidewalk for the entire length of the building entrance area that provides unobstructed access to a building lobby or ground *floor* use. It may overlap with an arcade. Building entrance recess areas shall comply with the following:
- (A) Minimum width (ft.): 10
  - (B) Maximum width (ft.): 50
  - (C) Maximum height (ft.): 30
- (4) Sidewalk Widening. A sidewalk widening enlarges a pre-existing or required sidewalk by at least five additional feet, but no more than 10 additional feet, measured perpendicular to the *street*.
- (5) Pedestrian Through-block Connections. For the purposes of this Section, a pedestrian through-block connection is a paved, open or enclosed space providing unobstructed pedestrian access to a building entrance or lobby. Driveways, parking spaces, passenger drop-offs, loading berths, and trash storage facilities are not permitted within a pedestrian through-block connection. Pedestrian through-block connections shall comply with the following:
- (A) Location: at least 150 feet from the intersection of two *streets*
  - (B) Minimum width (ft.): 10, which can include landscaping
  - (C) Maximum width (ft.): 20, which can include landscaping

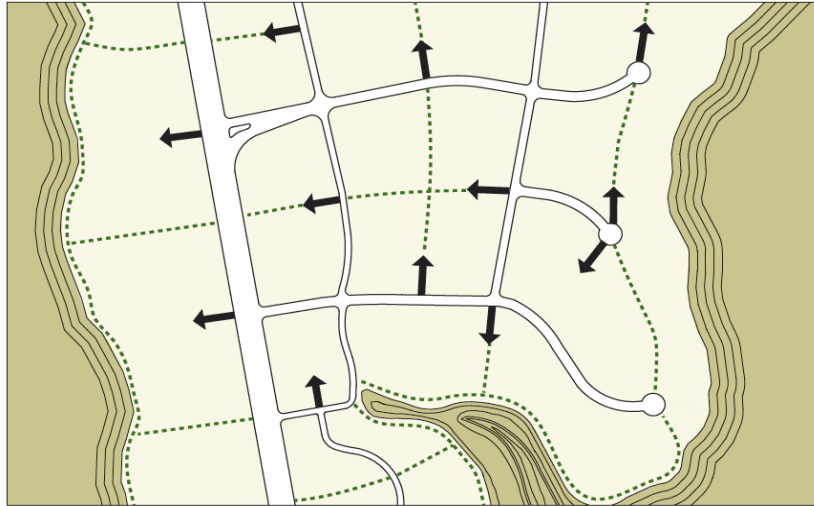
- (6) Plazas. For the purposes of this Section, a plaza is an open space that adjoins or is visible from a *public right-of-way* or private drive. A plaza may be public or private and can include play areas, pedestrian pathways, seating area, game tables, performance areas, water features, useable lawn areas, paving, shrub beds, and plants in containers. Garage entrances, driveways, parking spaces, passenger drop-offs, loading berths, trash storage facilities, as well as the access or service for these facilities, are not permitted within a plaza.

Plazas must comply with the following:


- (A) Minimum width (ft.): 40
- (B) Circulation paths within a plaza shall connect to all *streets* and building entrances that front the plaza.
- (C) A minimum of 50 percent of a plaza shall be free of obstructions.
- (D) Seating shall be provided by movable seating, fixed individual seats, benches with or without backs, and design feature seating, such as seat walls, ledges and seating steps.
- (E) Trees and Planting
  - (i) Four, 24-inch box canopy trees are required for plazas that are 6,000 square feet or less.
  - (ii) For each 1,000 square feet of plaza area over 6,000 square feet, an additional tree is required.
  - (iii) Fifteen percent of the plaza area shall be comprised of plants. This can include hanging plants, beds with plants, or living walls.
- (F) Multi-Modal Parking.
  - (i) A combination of six parking spaces for bicycle or micro-mobility equipment shall be provided.
  - (ii) If the plaza is greater than 10,000 square feet, a combination of ten parking spaces for bicycle or micro-mobility devices shall be provided.

- (iii) For the purposes of this Section, micro-mobility means a compact sized device designed for personal mobility with one or two passengers that is powered by a rechargeable electric battery. For example, micro-mobility devices include electric scooters, electric bicycles, or other similar sized personal compact devices.
- (G) Food services, including food service in a retail space, shall be directly accessible from the plaza.
- (H) Abutting Frontages. For residential uses fronting a plaza, at least 40 percent of the exterior walls facing the plaza shall be transparent or glazed.

**Diagram 131-07B**  
**Example of Connectivity for Premises Greater than Five Acres**



LEGEND

-  Reduce block size through pedestrian and vehicular accessways. Provide a minimum of one pedestrian and one bicycle access way or one *paseo* into the development for every two acres of developable area.
- - - - - A minimum of three pedestrian circulation space features per Section 131.0718(d).

*(“Supplemental Regulations for Premises Greater Than Five Acres” added 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)  
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