

Article 2: Overlay Zones

Division 14: Community Plan Implementation Overlay Zone

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

§132.1401 Purpose of the Community Plan Implementation Overlay Zone

The purpose of the Community Plan Implementation Overlay Zone is to provide supplemental development regulations that are tailored to specific sites within community plan areas of the City. The intent of these regulations is to ensure that *development* proposals are reviewed for consistency with the use and *development* criteria that have been adopted for specific sites as part of the community plan update process.

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

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

- (a) This overlay zone applies to properties that are identified in a community plan as areas requiring supplemental development regulations or processing of a *development permit* and that have been incorporated by ordinance into this overlay zone. Table 132-14A lists the community plan areas in which this overlay zone has been applied and the corresponding rezone maps that indicate which properties are within the boundaries of the overlay zone. These maps are filed in the office of the City Clerk. The properties within this overlay zone are shown generally on Diagrams 132-14A through 132-14U.

Table 132-14A
Community Plans with Property in the Community Plan Implementation Overlay Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Barrio Logan (See Diagram 132-14T)	C-1018
Clairemont Mesa (See Diagram 132-14A)	C-771.1, B-4344
College Area (See Diagram 132-14Q)	B-4339
Encanto Neighborhoods (See Diagram 132-14O)	C-962
Kearny Mesa (See Diagram 132-14S)	C-1011
Mid-City Eastern Area-Chollas Triangle (See Diagram 132-14N)	B-4310
Midway-Pacific Highway (See Diagram 132-14D)	B-4331
Mira Mesa (See Diagram 132-14U)	C-1025
Mission Valley (See Diagram 132-14R)	C-1026
Navajo (See Diagram 132-14E)	C-954
Otay Mesa (See Diagram 132-14B)	C-956, B-4300
Pacific Beach (See Diagram 132-14F)	B-37371, B-3857
Peninsula (See Diagram 132-14G)	C-744, C-781
Rancho Bernardo (See Diagram 132-14H)	C-773.1
Rancho Peñasquitos (See Diagram 132-14I)	B-4025
Sherman Heights and Grant Hill Historic Districts (See Diagram 132-14M)	B-4312
Skyline Paradise Hills (See Diagram 132-14L)	B-4272
Southeastern San Diego (See Diagram 132-14P)	C-961
University (See Diagram 132-14J)	C-1030
Uptown (See Diagram 132-14K)	C-1032

- (b) Table 132-14B shows the location of the supplemental regulations and the type of permit required by this division, if any, for specific types of *development* proposals in this overlay zone.

Table 132-14B
Community Plan Implementation Overlay Zone Applicability

Type of <i>Development</i> Proposal	Supplemental Development Regulations	Required Permit Type/ Decision Process
(1) Interior building improvements that do not involve a change in use or provide additional <i>floor</i> area, or improvements that do not require a <i>construction permit</i>	None—Exempt from this division	No permit required by this division
(2) Any <i>development</i> within the boundaries shown on a map identified in Section 132.1402, where the map shows “Type A” and the proposed development complies with the development standards or criteria in the applicable community plan	Refer to the applicable community plan	No permit required by this division
(3) Any <i>development</i> within the boundaries shown on a map identified in Section 132.1402, where the map shows “Type A” and the proposed <i>development</i> does not comply with the <i>development</i> standards or criteria in the applicable community plan ⁽¹⁾	Refer to the applicable community plan	Site Development Permit/ Process Three
(4) Any <i>development</i> within the boundaries shown on a map identified in Section 132.1402, where the map shows “Type B” ⁽¹⁾	Refer to the applicable community plan	Site Development Permit/ Process Three

Footnotes for Table 132-14B

- ¹ A *development* that is affordable housing, an in-fill project, and/or a sustainable building as described in Section 143.0915 may be permitted with a Neighborhood Development Permit decided in accordance with Process Two subject to Section 143.0920(d).

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)
(Amended 5-21-2009 by O-19857 N.S.; effective 6-20-2009.)
(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(Amended 6-18-2013 by O-20265 N.S.; effective 7-18-2013.)
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)
(Amended 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)
(Amended 7-28-2015 by O-20540 N.S.; effective 8-27-2015.)
(Amended 12-15-2015 by O-20581 N.S.; effective 1-14-2016.)
(Amended 12-16-2016 by O-20770 N.S.; effective 1-15-2017.)
(Amended 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)
(Amended 6-29-2018 by O-20957 N.S.; effective 7-29-2018.)
(Amended 10-10-2018 by O-20991 N.S.; effective 11-9-2018.)
(Amended 7-9-2019 by O-21097 N.S.; effective 8-8-2019.)

[Editors Note: Amendments as adopted by O-21097 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 9-12-2019 by O-21121 N.S.; effective 10-12-2019.)

[Editors Note: Amendments as adopted by O-21121 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 10-8-2019 by O-21135 N.S.; effective 11-7-2019.)
(Amended 4-9-2020 by O-21183 N.S.; effective 5-9-2020.)

[Editors Note: Amendments as adopted by O-21183 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 6-24-2020 by O-21200 N.S.; effective 7-24-2020.)

[Editors Note: Amendments as adopted by O-21200 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)

(Amended 12-8-2020 by O-21264 N.S.; effective 1-7-2021.)

(Amended 12-9-2020 by O-21273 N.S.; effective 1-8-2021.)

(Amended 1-27-2022 by O-21411 N.S.; effective 2-26-2022.)

(Amended 1-13-2023 by O-21593 N.S.; effective 2-12-2023.)

[Editors Note: Amendments as adopted by O-21593 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 8-1-2023 by O-21709 N.S.; effective 8-31-2023.)

(Amended 9-17-2024 by O-21866 N.S.; effective 12-1-2024.)

(Amended 9-17-2024 by O-21868 N.S.; effective 12-1-2024.)

[Editors Note: Amendments as adopted by O-21868 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-21868-SO.pdf].

§132.1403 Exception to the Community Plan Implementation Overlay Zone

The City Manager may grant an exception to the requirements of this division for the *development* that is minor, temporary, or incidental and is consistent with the intent of this division. Exceptions made by the City Manager shall be recorded and entered in the project files prepared in the process of approving the *development*.

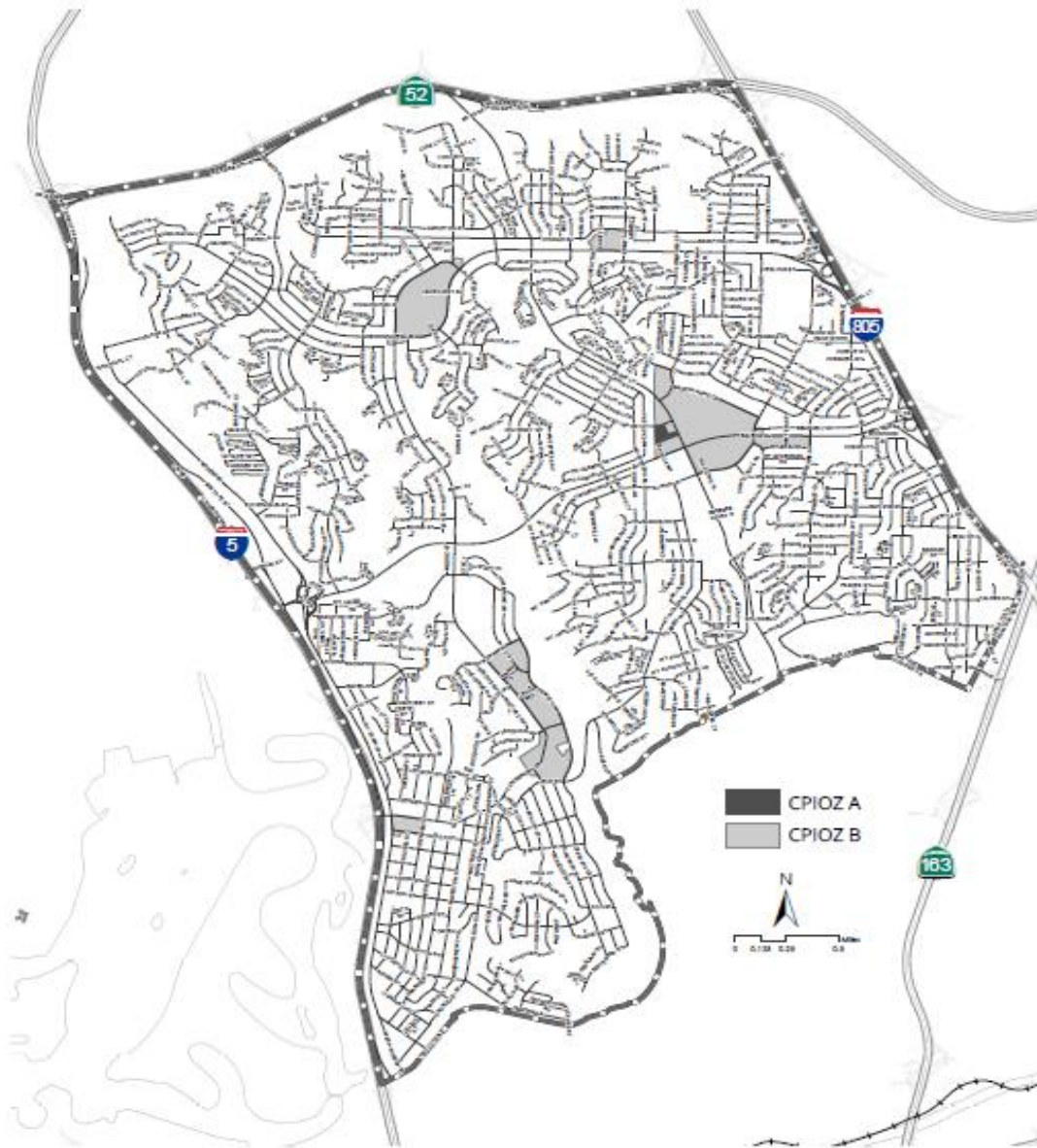


DIAGRAM 132-14A

Clairemont Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-771.1 & B-4344 for illustration purposes only.
(Amended 4-9-2020 by O-21183 N.S.; effective 5-9-2020.)

[Editors Note: Amendments as adopted by O-21183 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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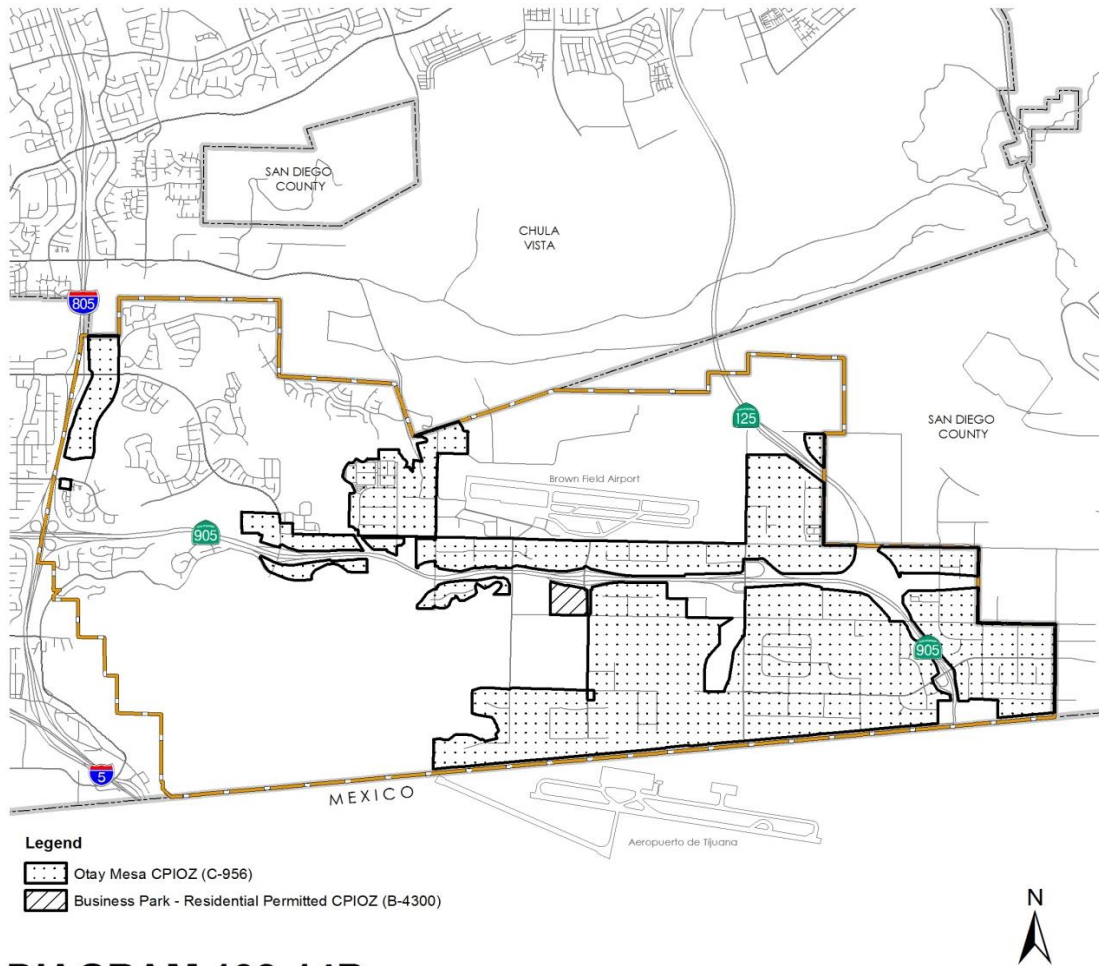


DIAGRAM 132-14B

Otay Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. B-4300 & C-956 for illustration purposes only.

(Added new Diagram 132-14B titled “Otay Mesa Community Plan Implementation Overlay Zone” and amended 4-11-2014 by O-20361 N.S.; effective 5-18-14.)

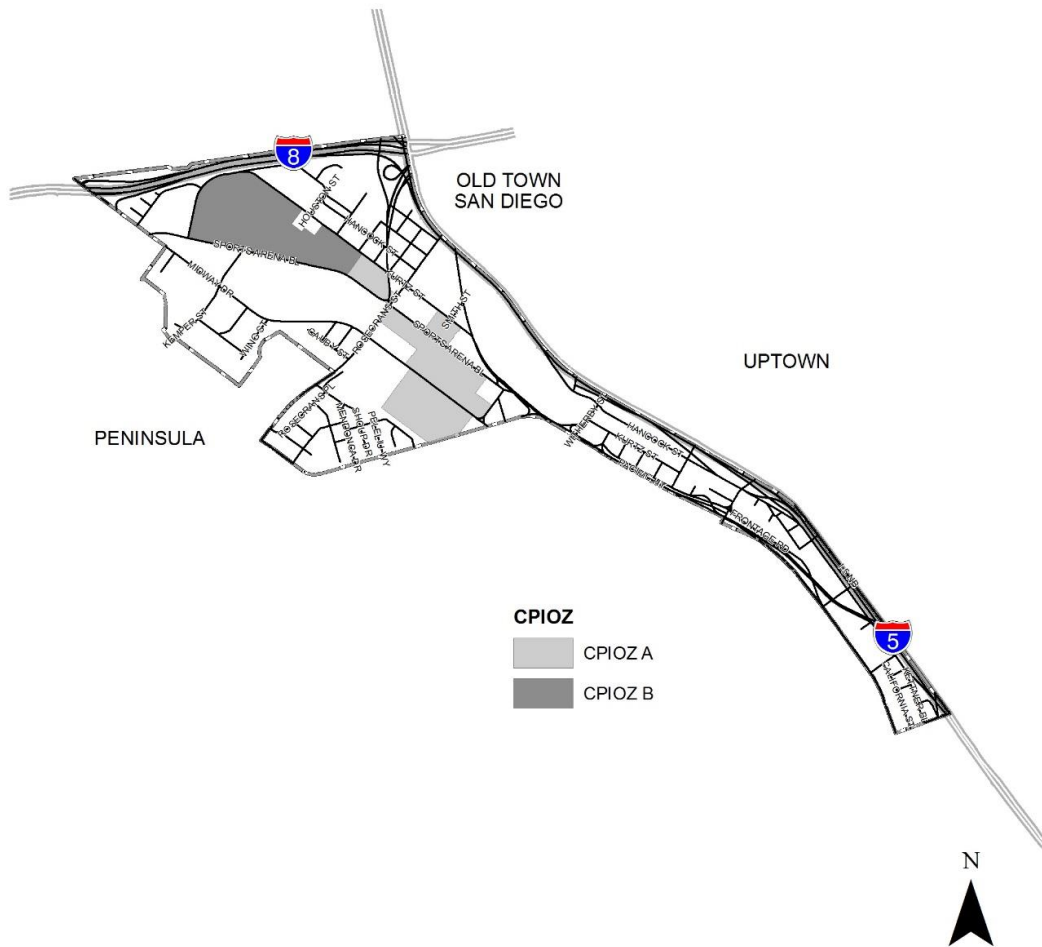


DIAGRAM 132-14D

Midway-Pacific Highway

Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4331 for illustration purposes only.

(Retitled from “Midway-Pacific Highway Corridor Community Plan Implementation Overlay Zone” to “Midway-Pacific Highway Community Plan Implementation Overlay Zone” and amended 10-10-2018 by O-20991 N.S.; effective 11-9-2018.)

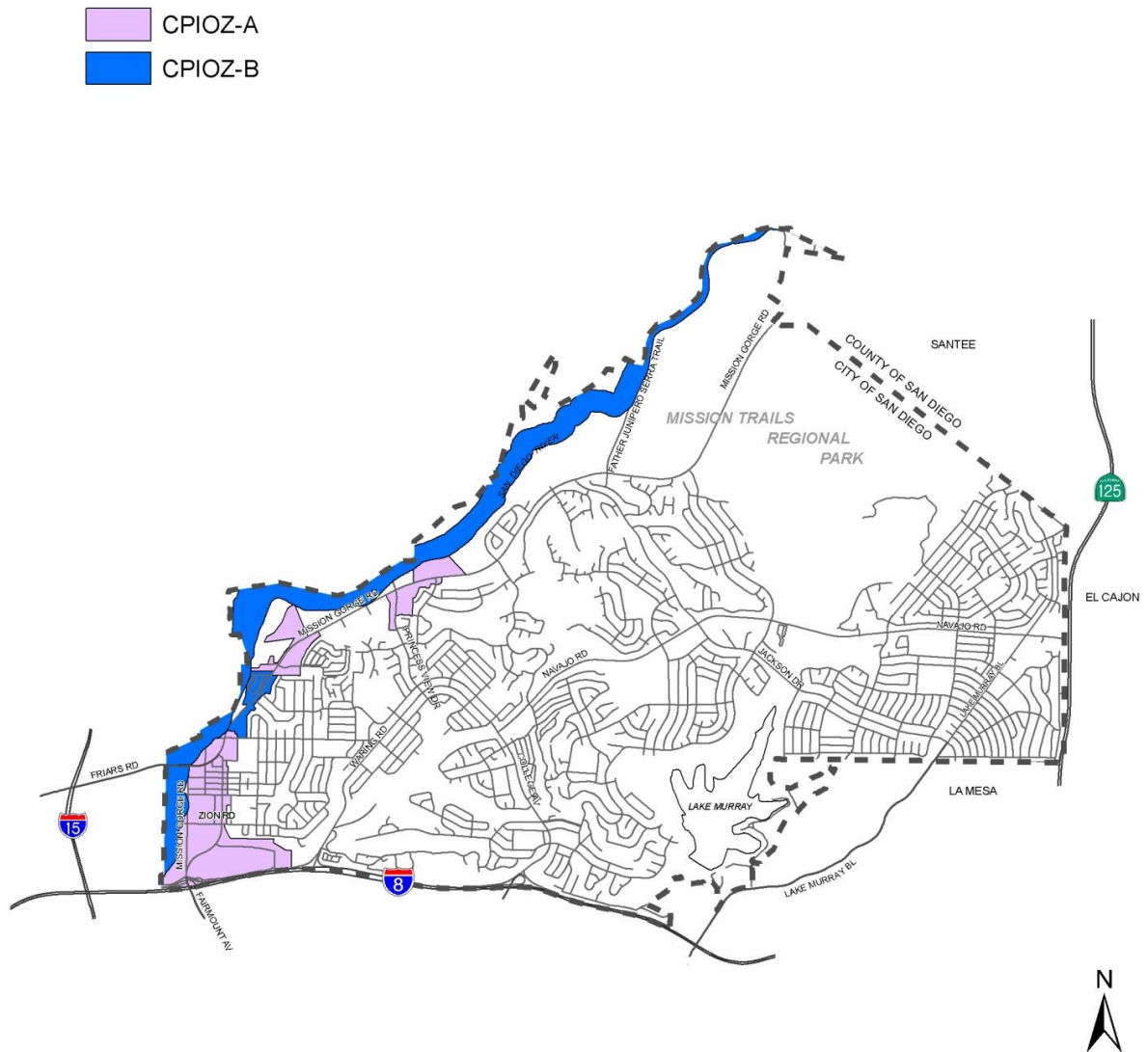


DIAGRAM 132-14E

Navajo Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-954 for illustration purposes only.

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

(Amended 6-18-2013 by O-20265 N.S.; effective 7-18-2013.)

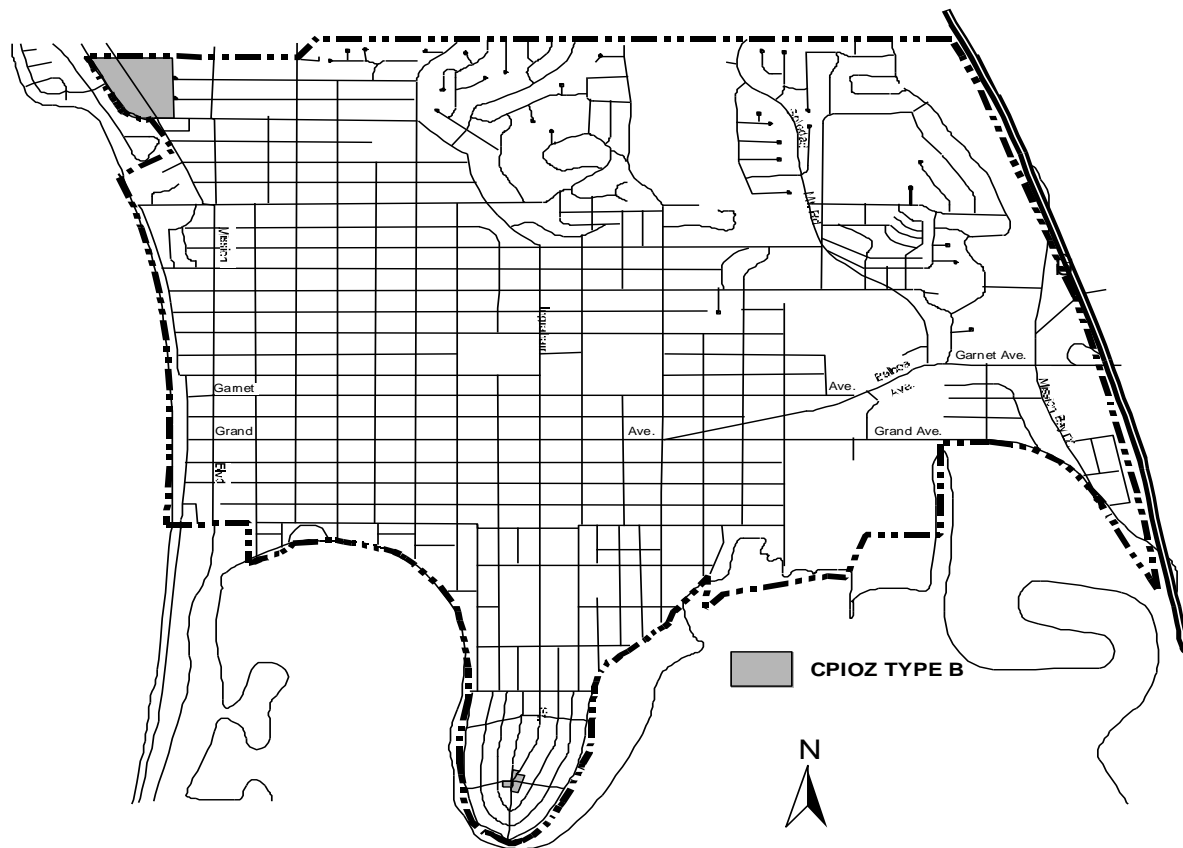
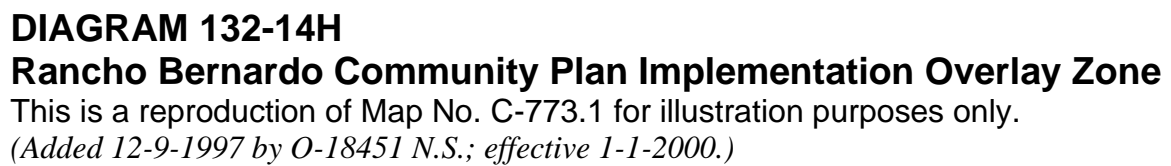


DIAGRAM 132-14F

Pacific Beach Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. B-3737.1 & B-3857 for illustration purposes only.

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



<i>Ch.</i>	<i>Art.</i>	<i>Div.</i>	
13	2	14	12



CPIOZ

Community Plan Implementation Overlay Zone
(Type B)

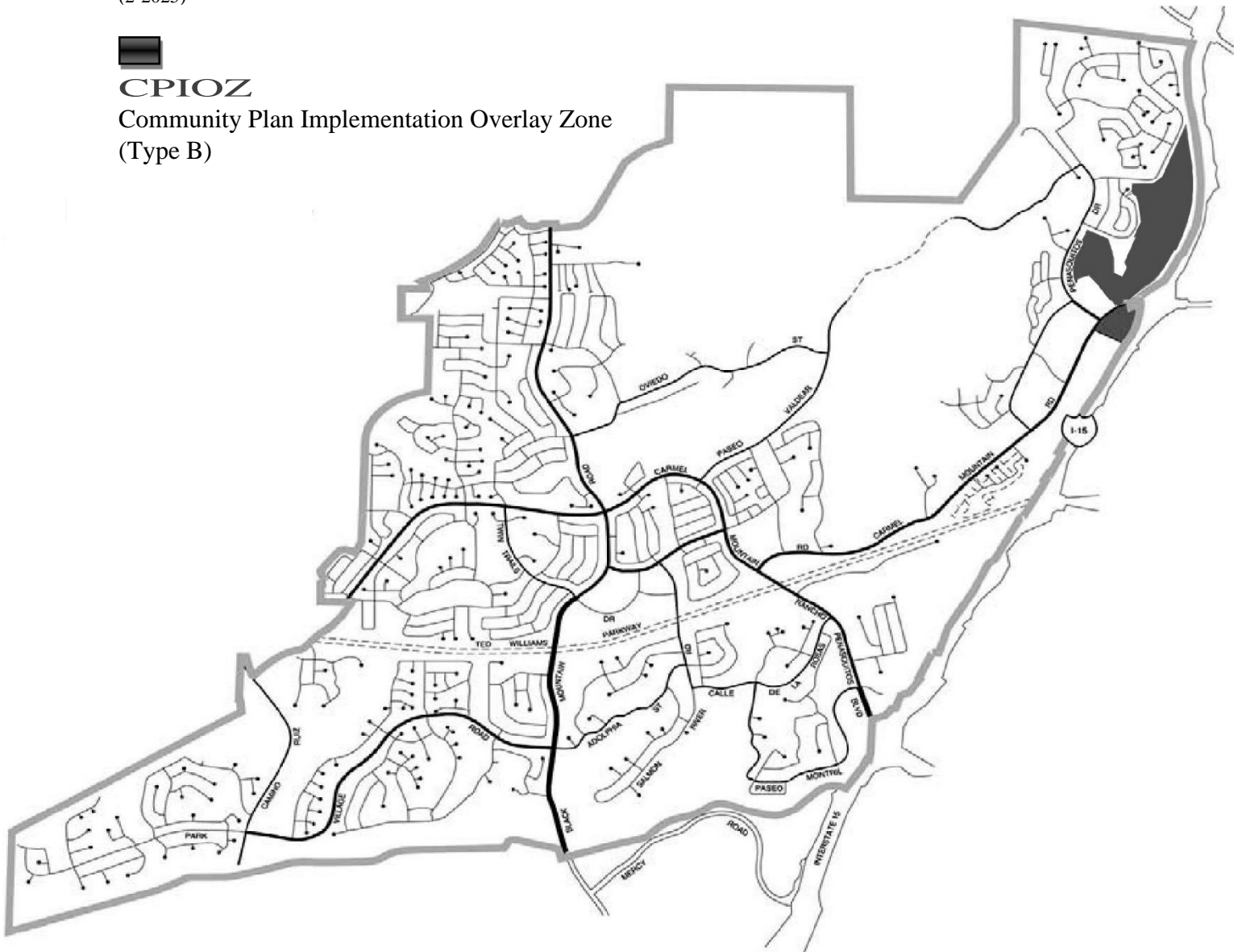


DIAGRAM 132-14I

Rancho Peñasquitos Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4025 for illustration purposes only.

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

(Amended 6-29-2021 by O-21345 N.S.; effective 7-29-2021.)

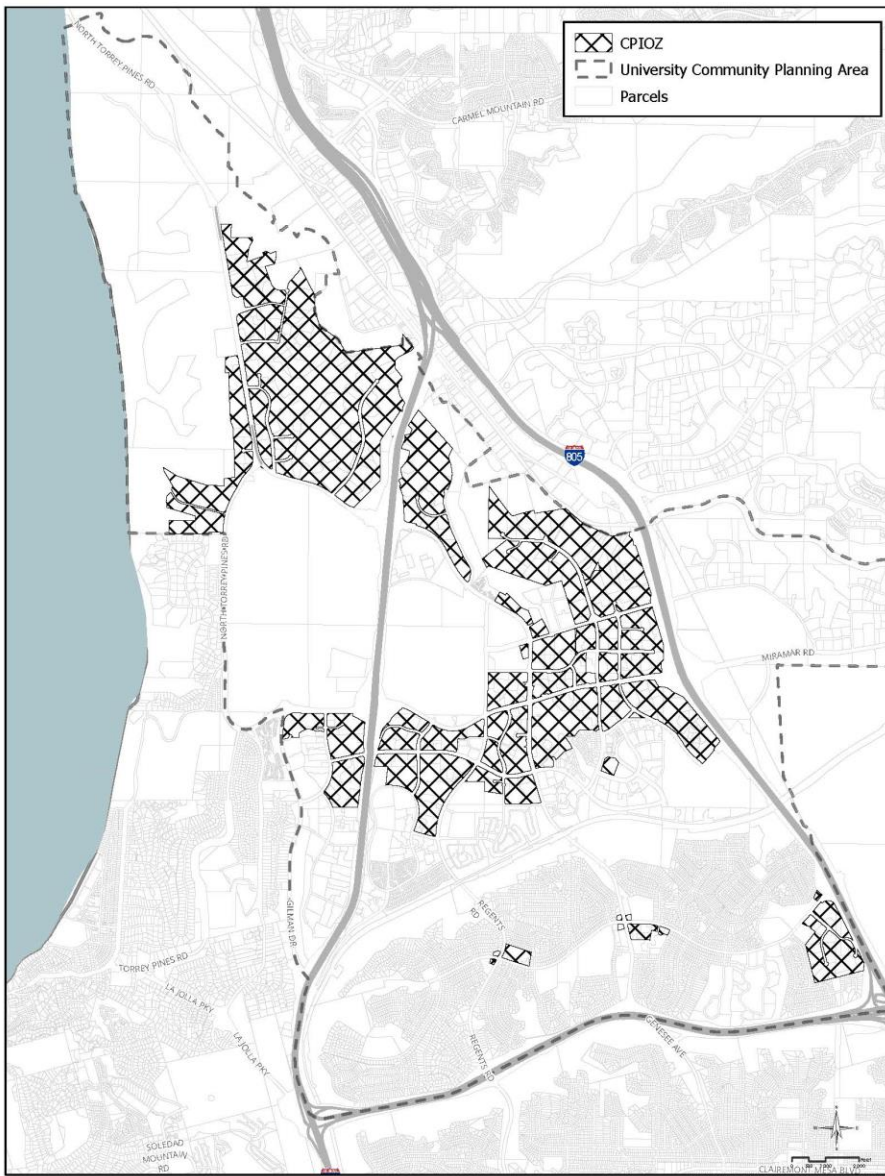


DIAGRAM 132-14J

University Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-1030 for illustration purposes only.

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

(Amended 9-17-2024 by O-21868 N.S.; effective 12-1-2024.)

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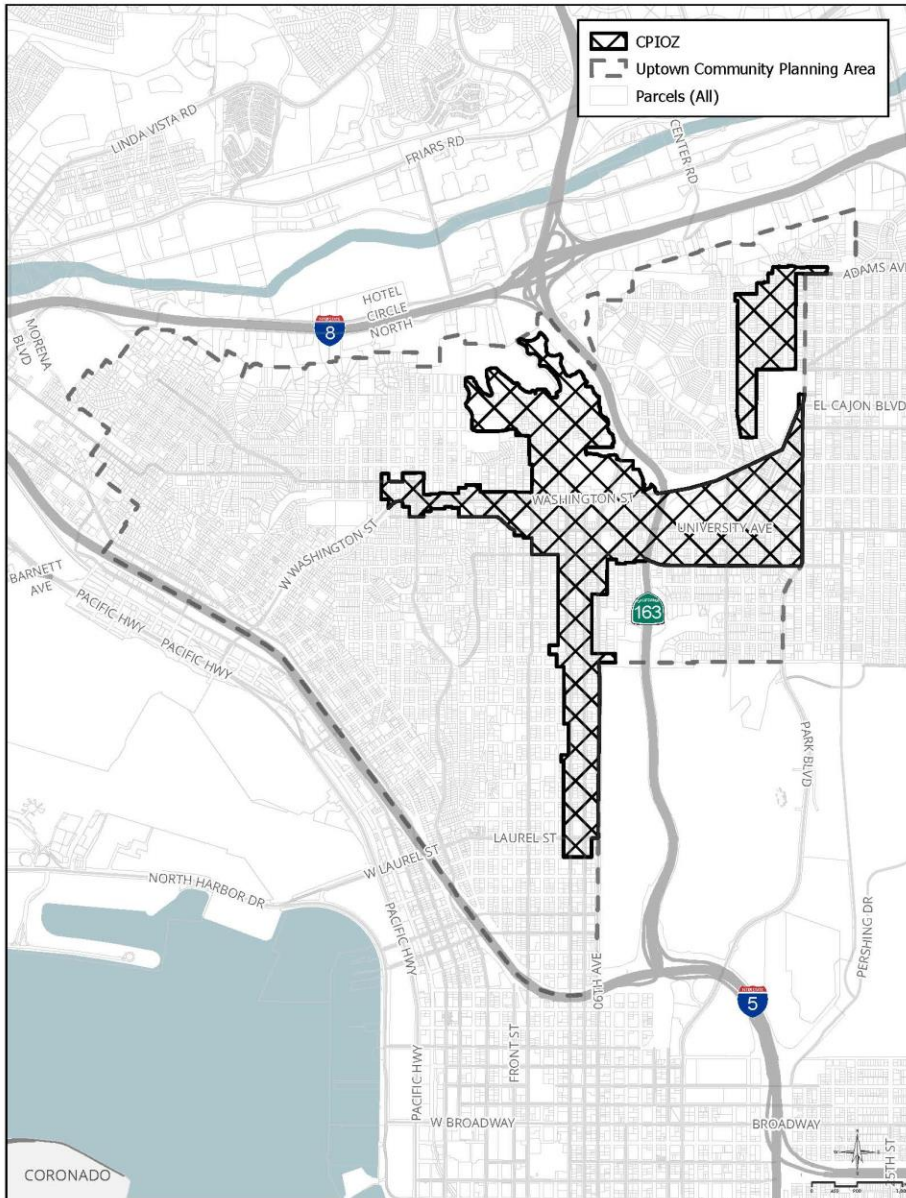


DIAGRAM 132-14K

Uptown Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-1032 for illustration purposes only.

(Amended 6-29-2018 by O-20957 N.S.; effective 7-29-2018.)

(Amended 9-17-2024 by O-21866 N.S.; effective 12-1-2024.)

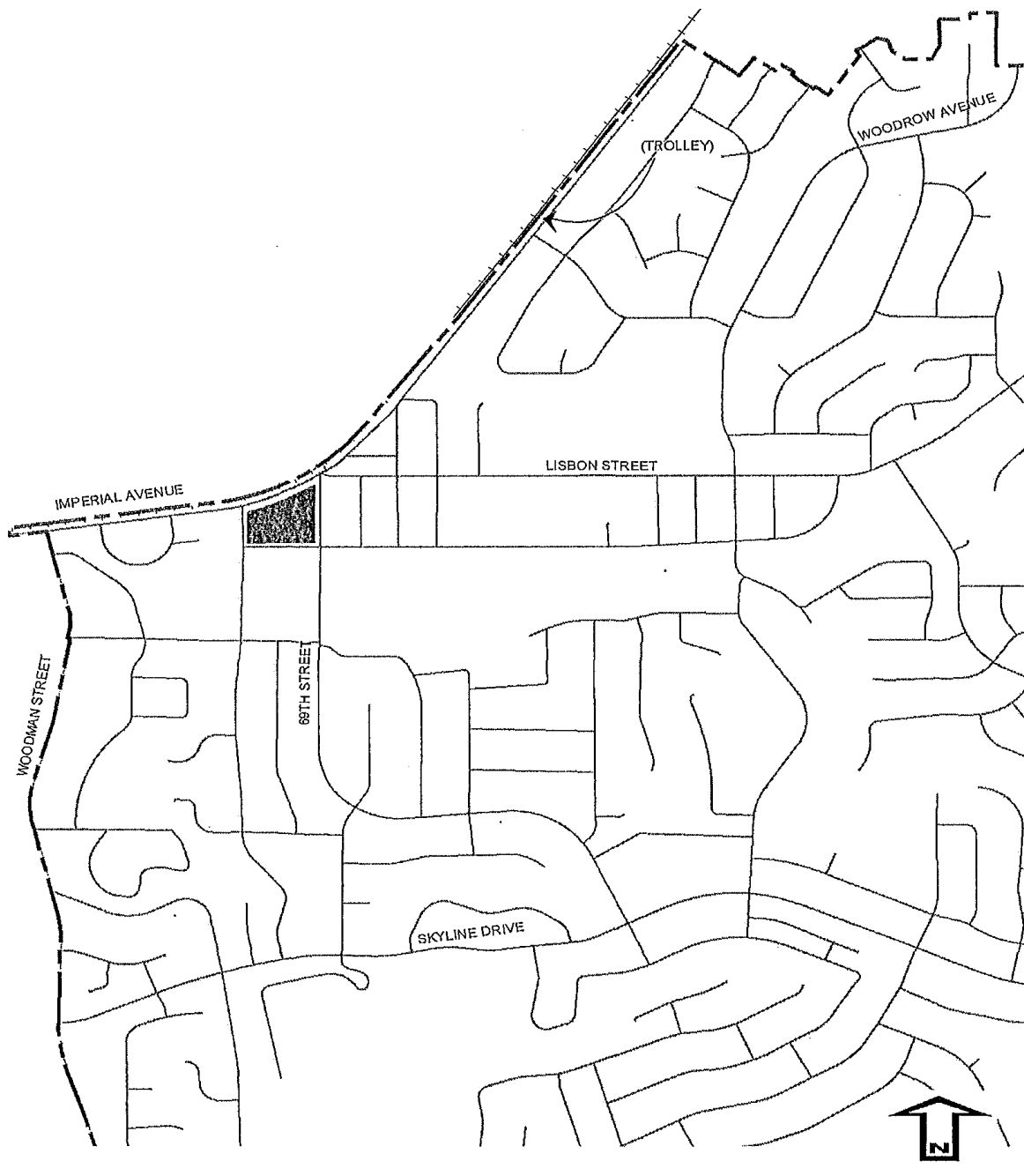


DIAGRAM 132-14L
Skyline-Paradise Hills Community Plan Implementation Overlay Zone

This is reproduction of Map No. V-2 for illustration purposes only.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

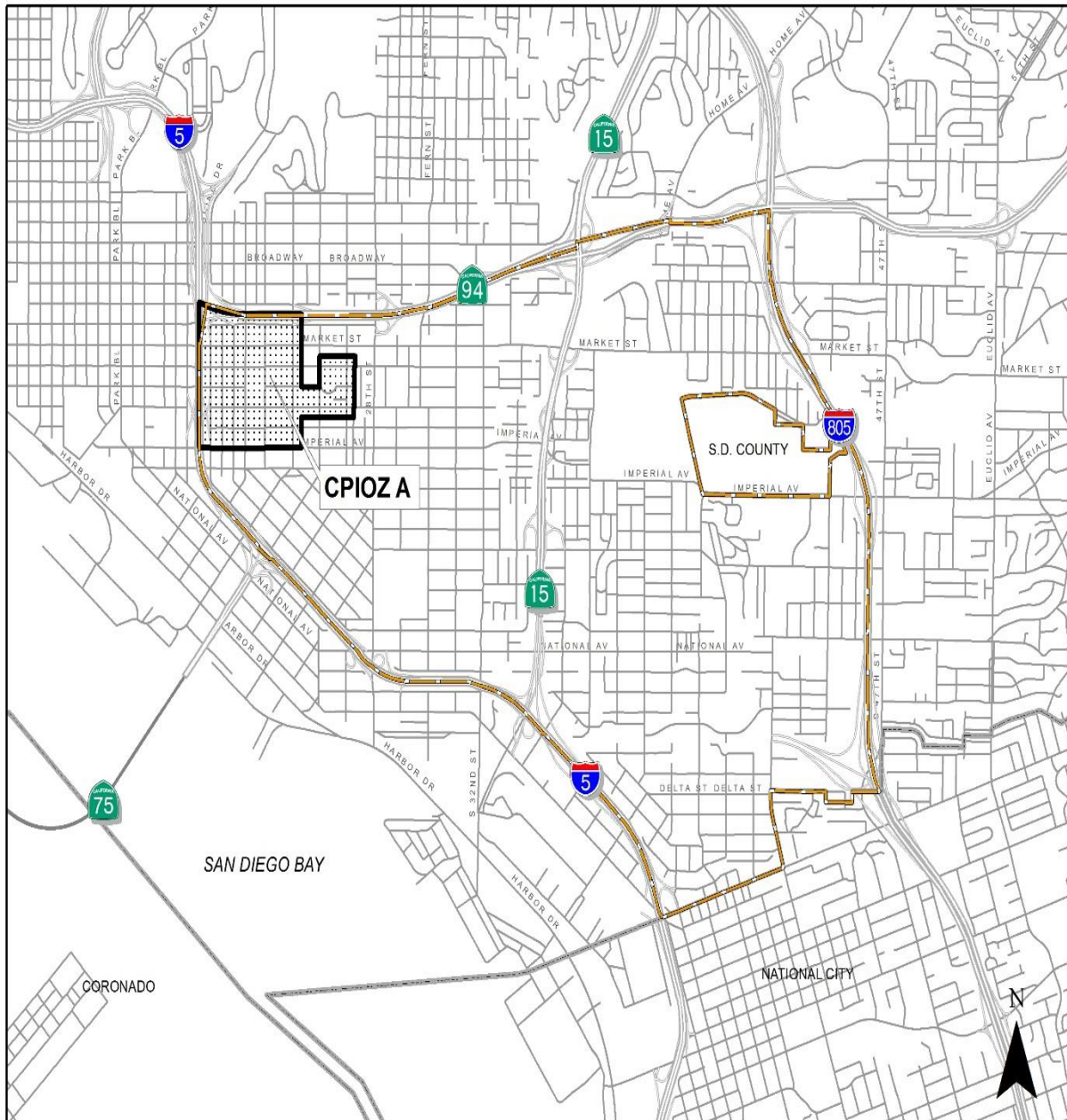


DIAGRAM 132-14M

Sherman Heights and Grant Hill Historic Districts

This is a reproduction of Map No. B-4312 for illustration purposes only.

(Added new Diagram 132-14M titled "Sherman Heights and Grant Hill Historic Districts" and amended 12-15-2015 by O-20581 N.S.; effective 1-14-2016.)

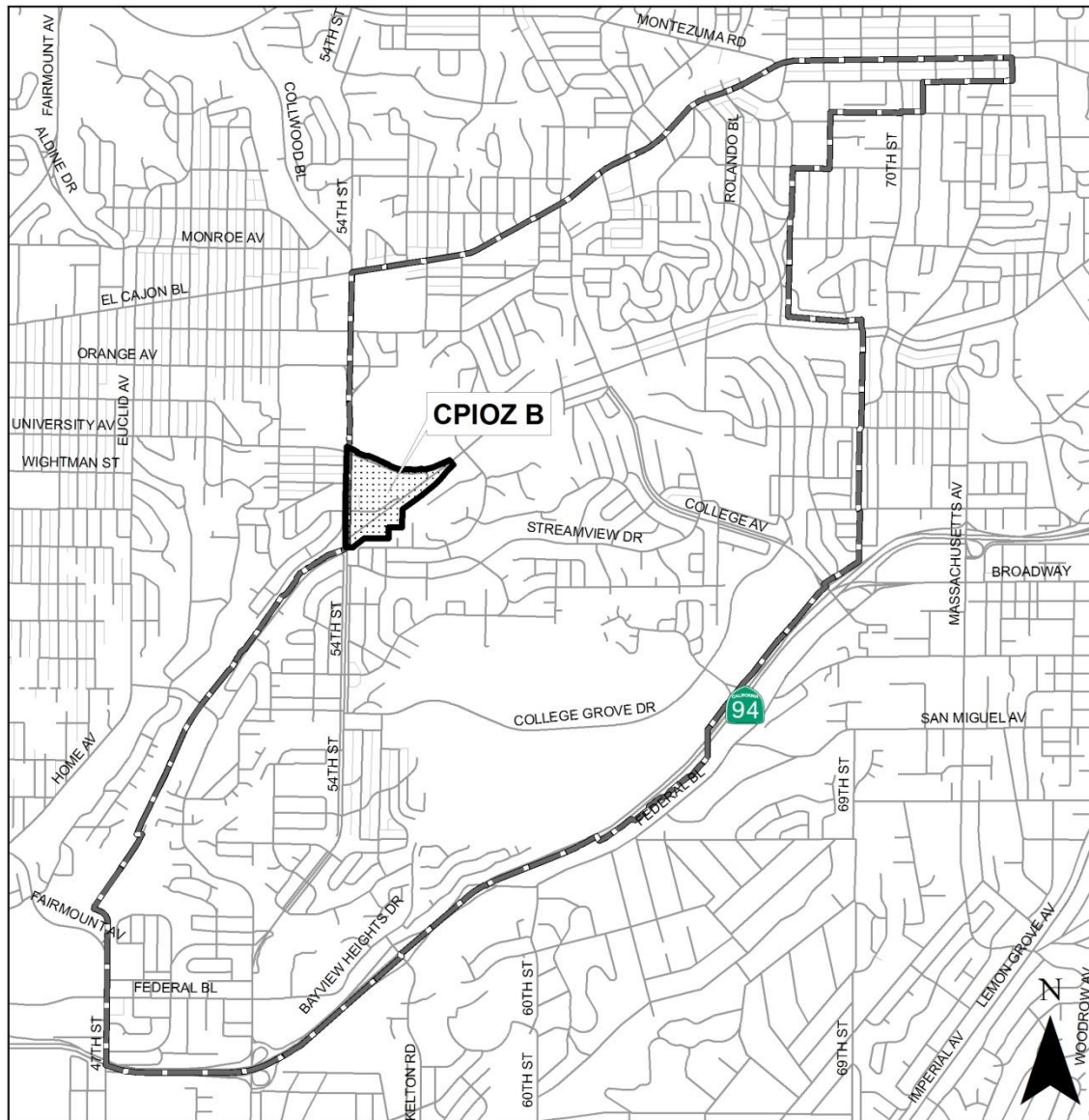


DIAGRAM 132-14N

Mid-City Eastern Area - Chollas Triangle Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4310 for illustration purposes only.
(Added 7-28-2015 by O-20540 N.S.; effective 8-27-2015.)

Ch.	Art.	Div.
13	2	14
		18

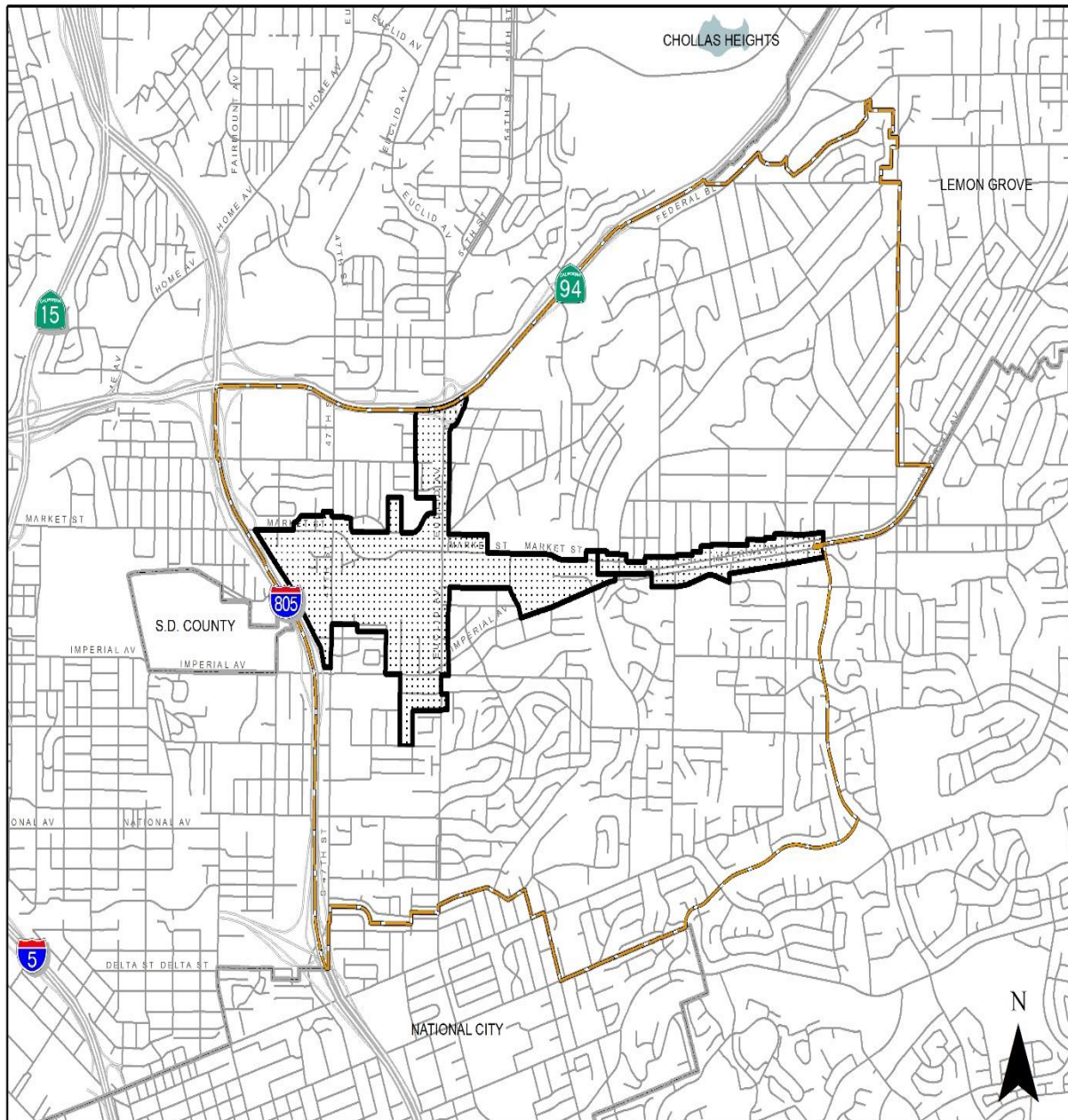


DIAGRAM 132-140
Encanto Neighborhoods Community Plan Implementation Overlay
Zone

This is a reproduction of Map No. C-962 for illustration purposes only.
(Added 12-15-2015 by O-20581 N.S.; effective 1-14-2016.)

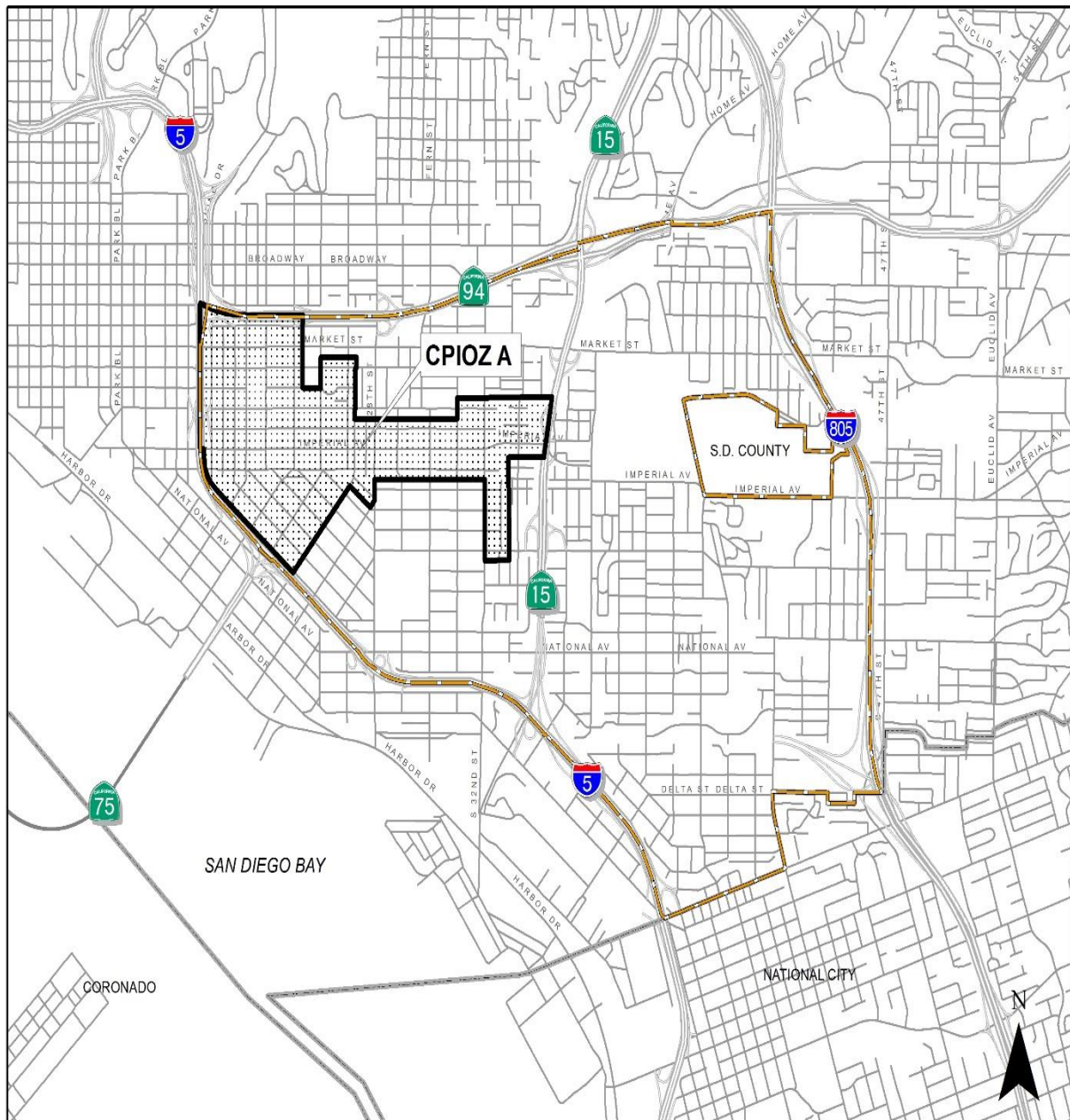


DIAGRAM 132-14P
Southeastern San Diego Community Plan Implementation Overlay
Zone

This is a reproduction of Map. No. C-961 for illustration purposes only.
(Added 12-15-2015 by O-20581 N.S.; effective 1-14-2016.)

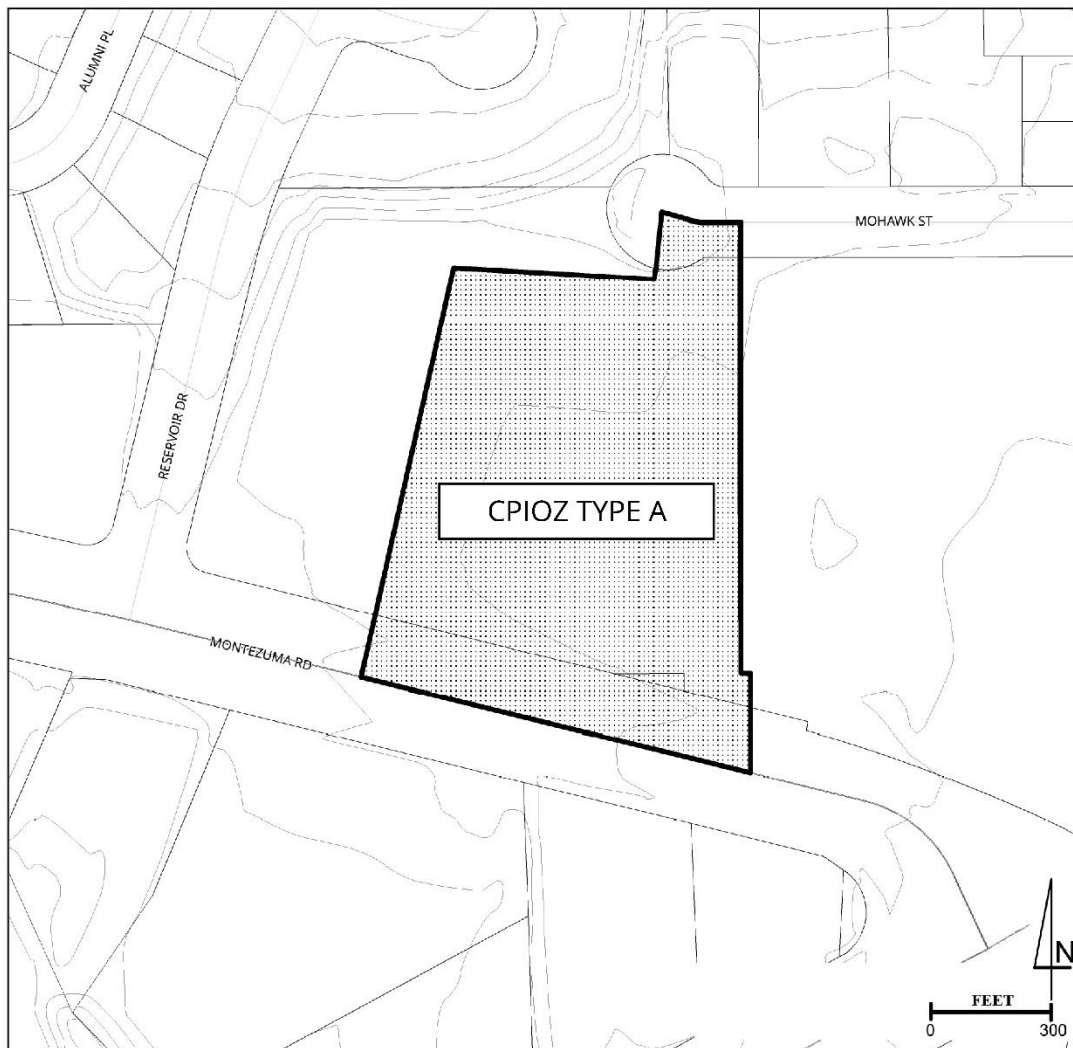


DIAGRAM 132-14Q

College Area Community Plan Implementation Overlay Zone

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(Added 7-9-2019 by O-21097 N.S.; effective 8-8-2019.)

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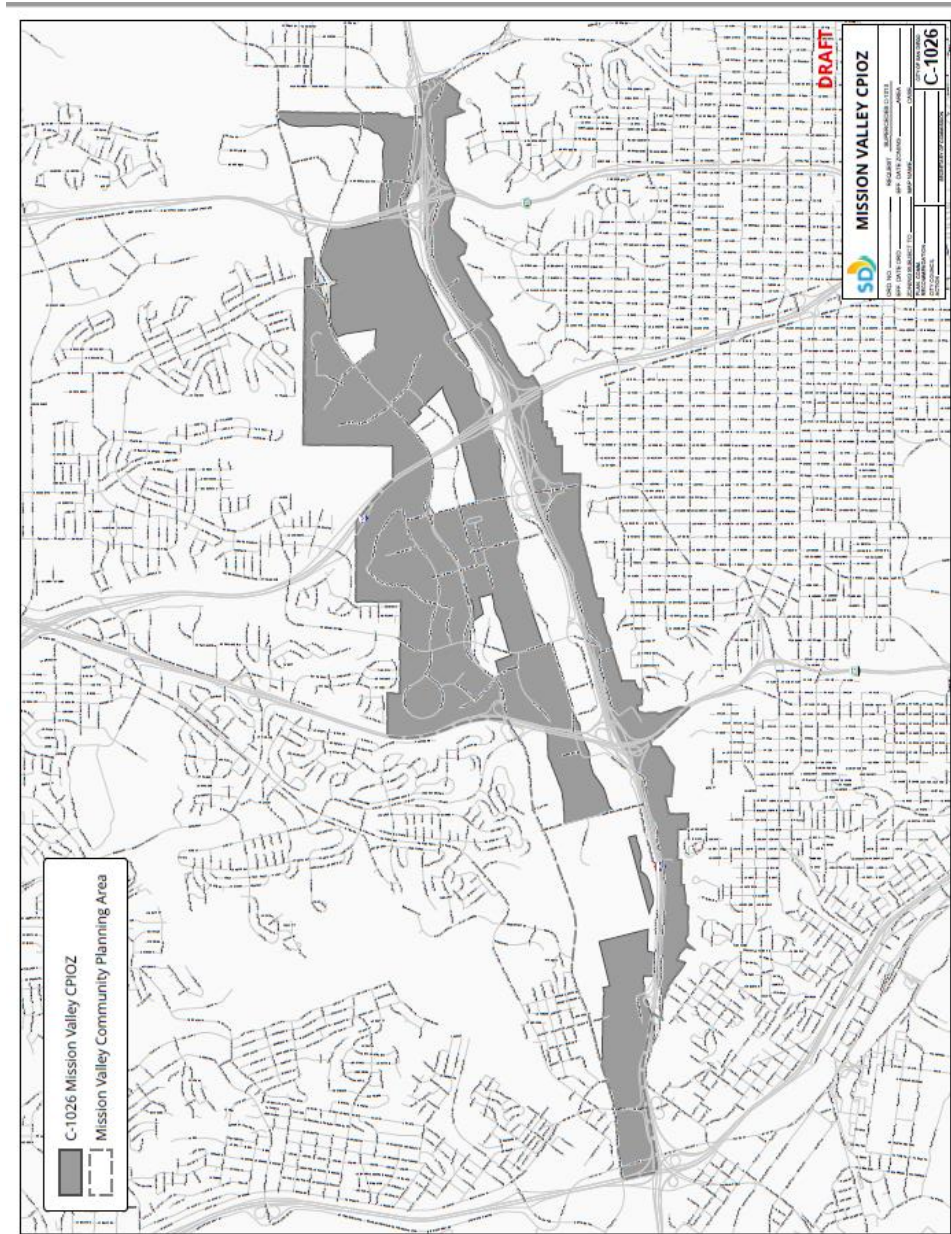


DIAGRAM 132-14R

Mission Valley Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-1026 for illustration purposes only.

(Amended 12-8-2020 by O-21264 N.S.; effective 1-7-2021.)

(Amended 8-1-2023 by O-21709 N.S.; effective 8-31-2023.)

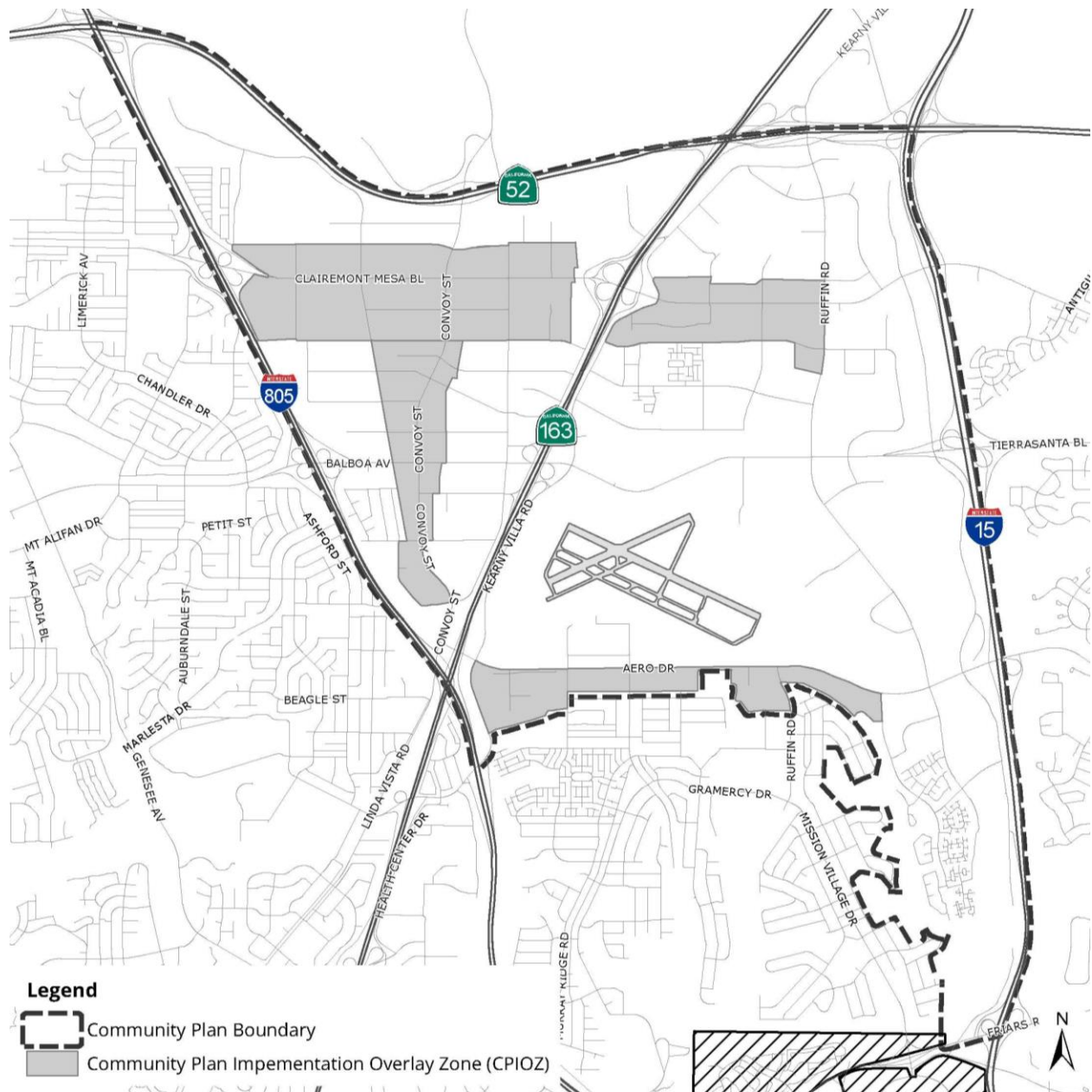


DIAGRAM 132-14S

Kearny Mesa Community Plan Implementation Overlay Zone

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(Added 12-9-2020 by O-21273 N.S.; effective 1-8-2021.)

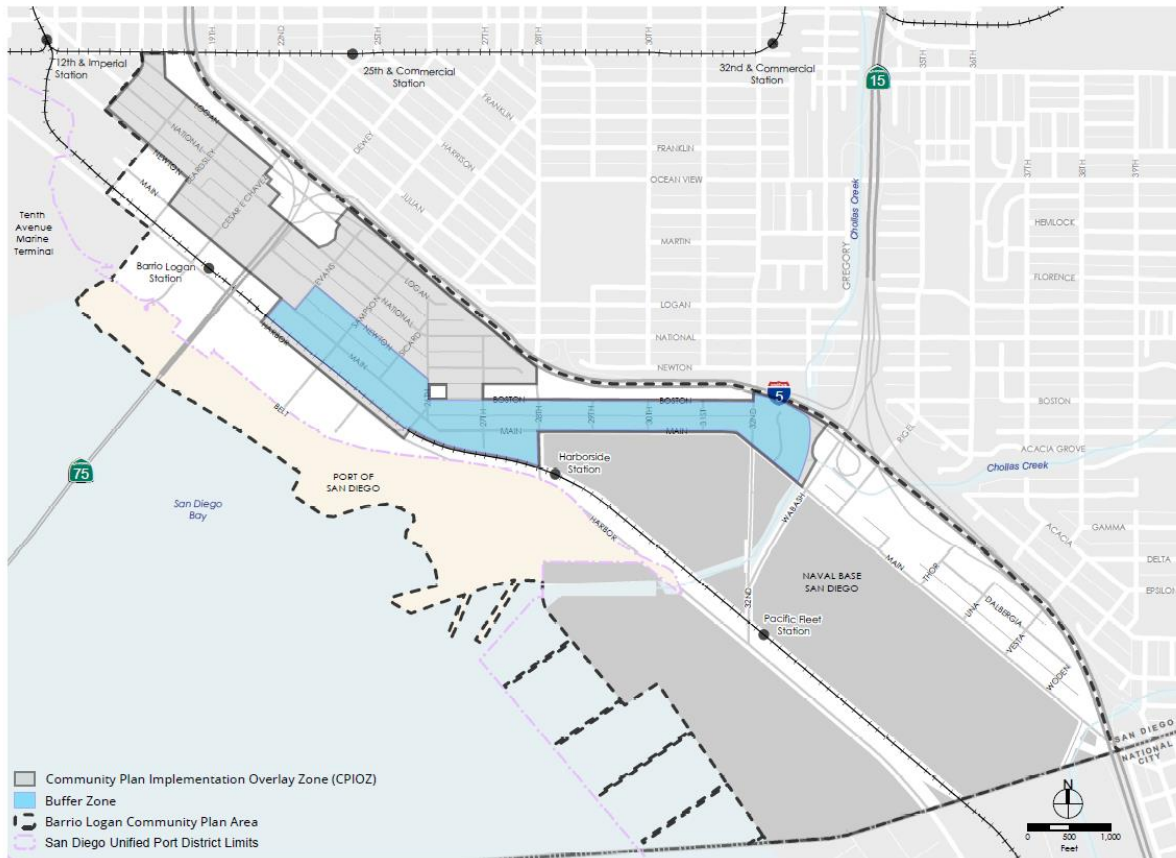


DIAGRAM 132-14T

Barrio Logan Community Plan Implementation Overlay Zone

This is a reproduction of Map. No. C-1018 for illustration purposes only.

(Added 1-27-2022 by O-21411 N.S.; effective 2-26-2022.)

(Amended 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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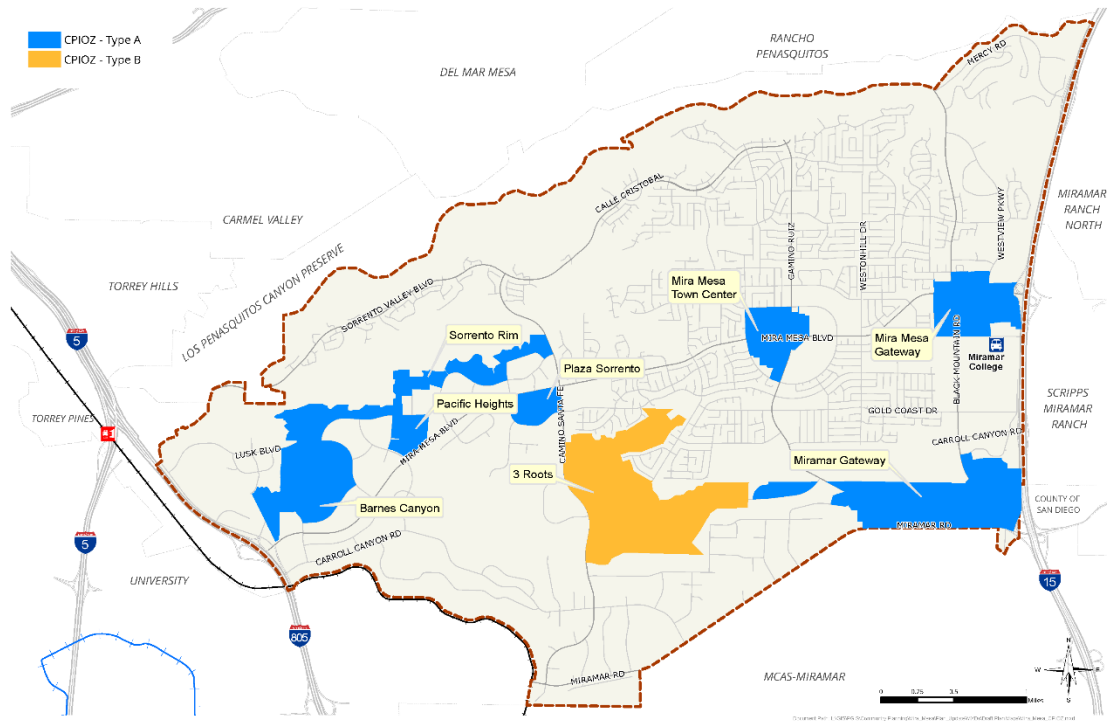


DIAGRAM 132-14U

Mira Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map. No. C-1025 for illustration purposes only.

(Added 1-13-2023 by O-21593 N.S.; effective 2-12-2023.)

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§132.1404 Public Right Right-of-Way In Lieu Fee

- (a) Community Plan Implementation Overlay Zones may contain supplemental development regulations for public *right-of-way* improvements identified in a *land use plan*. An *applicant* shall pay the Public Right-of-Way in Lieu Fee if either occurs:
 - (1) The *applicant* demonstrates that the construction of the public *right-of-way* improvements would create unsafe drainage, traffic, or pedestrian circulation conditions to the satisfaction of the City Engineer; or
 - (2) The City Engineer, in his or her sole discretion, determines that the public *right-of-way* improvements would create unsafe drainage, traffic, or pedestrian circulation conditions.
- (b) The *applicant* shall pay the Public Right-of-Way in Lieu Fee to the “Public Right-of-Way in Lieu Fee Fund,” in accordance with an adopted City Council Resolution.
- (b) The *applicant* shall pay the Public Right-of-Way in Lieu Fee prior to requesting the final inspection of the first *dwelling unit* in the *development* to the “Public Right-of-Way in Lieu Fee Fund.”

(“Public Right-of-Way In Lieu Fee” added 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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§132.1405 Conflicts between Supplemental and Base Zone Regulations

If there is a conflict between the supplemental development regulations for a Community Plan Implementation Overlay Zone and the development regulations of the applicable base zone, the Community Plan Implementation Overlay Zone supplemental development regulation shall apply.

(“Conflicts between Supplemental and Base Zone Regulations” added 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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