



DATE ISSUED: July 2, 2008 **REPORT NO. PC- 08-041**

ATTENTION: Planning Commission, Agenda of July 10, 2008

SUBJECT: AMENDMENTS TO THE GASLAMP QUARTER PLANNED DISTRICT ORDINANCE (SAN DIEGO MUNICIPAL CODE CHAPTER 15, ARTICLE 3, DIVISIONS 1 THROUGH 4) AND GASLAMP QUARTER DESIGN GUIDELINES (FORMERLY TITLED URBAN DESIGN AND DEVELOPMENT MANUAL) FOR THE GASLAMP QUARTER DISTRICT OF THE DOWNTOWN COMMUNITY PLANNING AREA – PROCESS FIVE

APPLICANT: Centre City Development Corporation (CCDC)

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of the proposed amendments to the Gaslamp Quarter Planned District Ordinance (“GQPDO”) and the Gaslamp Quarter Planned District Design Guidelines (“Design Guidelines”)?

Staff Recommendation: Recommend to the City Council **APPROVAL** of the amendments to the GQPDO and Design Guidelines.

Community Planning Group Recommendation: On November 15, 2006, the Centre City Advisory Committee (CCAC) voted 21-0 and the Project Area Committee (PAC) voted 12-0 to approve the amendments to the GQPDO and Design Guidelines.

Centre City Development Corporation Board: On December 20, 2006, the Centre City Development Corporation (CCDC) Board voted unanimously to recommend that the Planning Commission and City Council approve the amendments to the GQPDO and Design Guidelines.

Other Recommendations: On November 30, 2006, the Historical Resources Board (HRB) approved the amendments to the GQPDO and Design Guidelines by a unanimous vote.

Gaslamp Quarter Association: On November 14, 2006, the Gaslamp Quarter Association (“GQA”) approved the amendments to the GQPDO and Design Guidelines by a unanimous vote.

Environmental Review: Under the 2006 Final Environment Impact Report (FEIR) for the Centre City Redevelopment Project and Downtown Community Plan an Environmental Secondary Study is prepared for all developments and actions in the Downtown area in order to evaluate the project's compliance with the Downtown Community Plan, therefore, the findings and conclusions of the FEIR. The proposed amendments have been found to be consistent with all applicable planning documents.

Fiscal Impact Statement: None with this action.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The 16.5 block Gaslamp Quarter Historical District ("District") is located within the Downtown Community Plan area, bounded by Broadway to the north; Fourth Avenue to the west, except for the one-half block on the west side of Fourth Avenue between Market Street and Island Avenue; Sixth Avenue to the east; and Harbor Drive to the south (Attachment 1). In 1976 the GQPDO and the Urban Design and Development Manual ("Development Manual") were adopted to guide development within the District. The Development Manual provides an illustrative and descriptive explanation of the ordinance language. The District was designated on the National Register in 1980 and includes many historic landmarks related to San Diego's earliest commercial area. In 1982 the Redevelopment Agency of the City of San Diego adopted the Gaslamp Quarter as a Redevelopment Project, which was then administered by the Planning Director of the City of San Diego.

In February 1990, the City Council amended the GQPDO to provide for new height regulations and associated design criteria for projects proposed of up to 75 feet for new construction throughout the District. In addition, on sites of 30,000 square feet or greater located south of Island Avenue developers could request an increase in height from 75 feet to 125 feet with City Council approval. The last time the GQPDO was amended was in 1992 when the District merged into the existing Centre City Redevelopment Project area which was expanded to include all of downtown. At that time, the City Council designated the President of CCDC as the reviewing and permitting authority for the administration of the GQPDO and Development Manual. In 1992 when CCDC began administering the Gaslamp Quarter regulations, CCDC staff found, in conjunction with the GQA, and CCDC's historical preservation architectural consultants, that the existing regulations were in need of revisions.

For many years, the Gaslamp Quarter Association Land Use and Planning Committee (GQLUP) has been working with CCDC staff and CCDC's historical preservation architectural consultant,

Heritage Architecture and Planning, to revise language in the GQPDO and Development Manual to better clarify the design criteria and regulations. The last time the Development Manual was updated and printed was in 1985.

CCDC and the GQLUP have held over half a dozen community meetings and workshops to explain the proposed changes and obtain community input and support. This hearing for these proposed amendments was originally scheduled to go before the Planning Commission in April 2007; however, the City Attorney's office requested revisions to the GQPDO and environmental review documents. In addition to making the requested revisions, additional delays resulted from necessary formatting and numbering amendments to the Municipal Code and CCDC staff turn-over with the retirement of long time Senior Planner for the Gaslamp Quarter, Beverly Schroeder.

The proposed amendments consist of two documents: the GQPDO and Development Manual. A summary of the proposed amendments to the GQPDO and the Development Manual are listed below. The GQPDO amendments are attached in strikeout/underline as Attachment 2. The Development Manual is to be replaced in its entirety by the Design Guidelines. Both the existing Development Manual and the draft Design Guidelines are included as Attachments 3 and 4, respectively.

DISCUSSION

The GQPDO and Design Guidelines have been revised to reflect contemporary issues in the Gaslamp Quarter. The two documents work together to regulate development in the Gaslamp Quarter. CCDC hired Heritage Architecture and Planning to prepare the revisions to the Design Guidelines. Heritage Architecture has extensive knowledge and experience of the Gaslamp Quarter and in the field of historical preservation. Changes to the GQPDO and Design Guidelines include the following:

1. Period of Significance

(Design Guidelines Page 6 / GQPDO Section 157.0301)

The Gaslamp Quarter was placed on The National Register of Historic Places (NRHP) in 1980. The period of significance established in the NRHP nomination was "1880-1910," even though nearly one-third of the buildings included as contributing structures to the District in the NRHP nomination were built outside of the stated period of significance. Four buildings of significance were built before 1880 and twenty-three were built after 1910. In order to reflect the scope of buildings contributing to the character of the historic district, the period of significance has been updated to "1873-1930." Future action will also be taken to update the period of significance as listed in the NRHP, so those additional buildings can be eligible for tax credit programs.

In addition, the San Diego Land Development Code requires the review of buildings 45 years old that might be considered potentially historic. As part of the revised Design Guidelines, it has been noted that any changes proposed to buildings over 45 years of age within the District boundaries will be carefully evaluated to prevent damage to potentially historic resources. Existing buildings that staff finds may be potentially historic will be brought to the HRB staff for their review, and if appropriate, to the HRB for consideration of designation.

2. Building Height Regulations - (*Design Guidelines* Pages 22-24 / *GQPDO* Section 157.0302(a)(3))

Under existing regulations that will be retained, the base maximum building height will remain at 60 feet. While buildings have been allowed to increase their height to 75 feet, the proposed amendments will require a new Process 2 application to be reviewed by HRB and GQLUP. New developments on parcels 30,000 square feet or larger located south of Island Avenue will continue to be allowed a height of 125 feet with approval by City Council.

In order to address requests from the GQLUP to provide an incentive to develop on larger sites located north of Island Avenue, a new section titled “Additional Stories” has been added to the GQPDO and Design Guidelines. “Additional Stories” pertains to sites of 20,000 square feet or more north of Island Avenue containing no contributing historical structures. Buildings meeting these criteria would be able to add an additional 26 feet above the 75-foot height limit (101 feet maximum) through a Process 2 application provided the following regulations are met:

- Additional stories must be set back a minimum of 50 feet from Fifth Avenue and 15 feet (depending on the additional story height) from 4th and 6th avenues.
- Building parapets of street-facing building facades must be solid and a minimum 24 inches tall.
- Fences and screen walls will be limited to a five-foot height. No fences or screen walls are permitted within the first eight feet from any street-facing building facade.
- Stair enclosures, mechanical equipment, or other equipment located on the roof of the additional stories must be set back a minimum of 25 feet from any street-facing additional story’s parapet with a maximum height of 15 feet.

3. General Guidelines for Rehabilitation of Designated Historic Structures
(*Design Guidelines* Pages 26-30 / *GQPDO* Section 157.0303)

While previous editions of the Design Guidelines included reference to and excerpts from the *Secretary of the Interior's Standards for the Treatment of Historic Properties (The Standards)*, this information was only presented in the appendix, and not emphasized within the document. The revised Design Guidelines now place greater emphasis on the regulation of changes to the contributing buildings in the District by including information from *The Standards* in the main body of the Design Guidelines and adding the language as a new section in the GQPDO. The new GQPDO section states "All modifications to contributing buildings shall follow the *Secretary of the Interior's Standards for the Treatment of Historic Properties.*" The Design Guidelines state, "Prior to commencing any work on an historic structure, *The Standards* should be reviewed and any proposed modifications should be evaluated for compliance." The revised section lists *The Standards* which explicitly describe the dictums to be followed during any work on an historic building. In addition, the section provides excerpts from *the Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Guidelines)* for storefronts, which are so integral to the character of the historic district. A list of suggested references including *The Standards*, the *Secretary's Guidelines*, and the National Park Services *Preservation Briefs* have also been provided.

4. Signage (*Design Guidelines* Pages 31-37 / *GQPDO* Section 157.0402)

The signage section has been revised to address several new issues that have arisen during recent sign application reviews. New descriptions and images have been added to the Design Guidelines and the GQPDO to assist the applicant in providing signage that is more pedestrian in nature and limits the use of plastic. New sign guidelines addressed in the Design Guidelines include:

a) Administration of Sign Applications (*Page 31*)

Certain sign proposals may require photomontages showing the proposed sign on the building in the proposed location(s) and full-size paper or cardboard mock-ups of proposed signs (including proposed colors and fonts) for final permitting approval.

b) Sample Photos (*Pages 31-32*)

Contemporary examples of both conforming and non-conforming signs are

featured in this section. In addition, a photographic example of historic signage has been included.

c) Permanent Sign Banners (Page 36)

Permanent sign banners will be permitted to project from the facade provided the banner does not block the windows of the facade. Banner size and proportion would follow the same guidelines as regular signs. The banner's structure should be sufficient to minimize the wind's effect on the banner. Faded or torn banners must be removed or replaced.

d) Neon Signs [Pages 34-35, items (q) and (r)]

Neon signs are generally not allowed on the exterior of buildings in the Gaslamp Quarter. However, with the broadening of the period of significance, it is acceptable for the significant Art Deco buildings in the Gaslamp Quarter to feature non-product neon signage. The Guidelines list the specific Art Deco style buildings for which this exception is applicable.

e) Permanent Menu Boards (Page 37)

Menu boards shall not exceed 200 square inches (2 - 8-1/2x11) and will be permitted, provided it does not encroach into the public right-of-way. Menu boards may also be mounted directly to the face of the building, provided damage to the historic facade is minimized.

f) Multi-Media Signage (Page 37)

Multi-media installations such as video monitors or overhead projectors that feature animated or static displays shall not be permitted.

g) Audible Devices (Page 37)

Speakers or other such amplification devices intended to project sounds into the public right-of-way shall not be permitted.

5. Automatic Teller Machines (ATMs)
(*Design Guidelines* Page 39 / *GQPDO* Section 157.0405)

In general, ATMs and cash machines are not compatible with the historic district. However, as a desirable convenience in today's society, ATMs shall be permitted inside

any building and on non-contributing buildings along Fourth and Sixth avenues and all east-west streets. ATMs are not permitted on the exterior of contributing structures, nor are they permitted on any building facade along Fifth Avenue.

6. Sidewalk Cafés

(Design Guidelines Pages 40-45 / GQPDO Section 157.0305(c) and 157.0414)

a) Exemplary Images *(Pages 41-45)*

Photographs, showing examples of both conforming and non-conforming café features, have been added to the Design Guidelines along with photos showing contemporary examples of conforming railing designs.

b) Windscreens *[Page 44, item (i)]*

Windscreens will be allowed to extend above the maximum railing height. The maximum height of the windscreen is 5'-0". Additional screening between the top of the windscreen and bottom of the awning or canopy will not be permitted.

c) Prohibited Uses *[Page 43, item (b)]*

Food prep stations, espresso carts, and decorative displays are now explicitly prohibited from occupying space within an outdoor café area.

d) Planters as Dividers *[Page 44, item (j)]*

Planters can be used in lieu of railings perpendicular to the building facade provided the barriers maintain the eight-foot minimum clearance in the public right-of-way. In addition, the planters and contained foliage are not allowed to rise above the 3'-6" height restriction for railings.

e) Public Right-of-Way *(Page 45-46)*

The revised Design Guidelines provide definitions for "public right-of-way" and "pushcarts." In addition, the Guidelines briefly describe permitted and non-permitted uses in the public right-of-way.

f) Table Umbrellas *[Page 45, item (o)]*

Table umbrellas are permitted in the café area, provided umbrellas do not encroach into the 8'-0" pedestrian zone and have a minimum 7'-0" height

clearance. Umbrellas are not permitted in cafes covered by awning or canopies. Product or business advertisement is prohibited.

7. Rooftop Antennae and Satellite Dishes
(*Design Guidelines* Page 22 / *GQPDO* Section 157.0407)

By City ordinance, cellular phone antennas are not permitted on historic buildings. Cellular phone antennas, on newly constructed buildings, shall not be visible from the public right-of-way. Satellite dishes, on both historic and new construction, shall not be visible from the public right-of-way. In addition, screened enclosures for satellite dishes must not be visible from the public right-of-way.

8. Painting and Repainting Exterior Surfaces (*Design Guidelines* Page 25)

A section regarding painting of existing and new buildings has been added. Repainting of building facades in the District will require review and approval by CCDC of the paint colors to be used. The Sherwin Williams Preservation Palette is listed as a reference; however, the owner or tenant is not obligated to use Sherwin Williams' products.

9. Building Modulation (*Design Guidelines* Pages 13-14)

The Design Guidelines now allow new buildings to deviate from the previously prescribed twenty-five foot or fifty-foot vertical modulation. Variations from the twenty-five foot or fifty-foot standard for modulation are acceptable if the building's massing and facade are well-articulated.

10. Map of Gaslamp Quarter w/List of Buildings
(*Design Guidelines* Pages 47-51)

A list of all historic buildings within the Gaslamp Quarter designated in either the National Register, the HRB register, or both has been gathered and collated into a comprehensive list. Accompanying this list of information is the map of the Gaslamp Quarter locating the contributing structures.

11. Publication Format

Several other elements of the Design Guidelines have been modified to provide clarifications to complicated recommendations. The revised publication features guidelines that are more comprehensive and easier to follow because of these changes. These changes include:

a) Publication Images

Drawn graphics and photographs throughout the document have been revised or added to provide a stronger relationship between text and the images. In addition to historic photographs, the revised document provides numerous contemporary examples of buildings and features throughout the district.

b) Brief Summary of Gaslamp Quarter History (Page 5)

A historical overview of the Gaslamp Quarter's history has been included. In addition, several historic photos are included that show the Gaslamp Quarter throughout the revised period of significance.

c) Building Codes and Suggested References (Pages 27-28)

The section regarding treatment of designated historic structures now features subsections with information regarding applicable building codes and a list of resources recommended for reference.

d) Gaslamp Quarter Boundary Map (Page 8)

A boundary map outlining the historic district has been included to feature just the area designated in the National Register of Historic Places nomination.

e) Building Height Definition (Page 11)

The text regarding calculation of a building's height has been rewritten to provide a clearer definition that is consistent with the City of San Diego Municipal Code.

f) Glossary of Terms (Pages 53-57)

The glossary has been edited and revised to reflect only those terms featured in the text of the Design Guidelines. In addition, contemporary photos have been added to illustrate several of the glossary terms.

g) Guidelines Cover

The cover of the Design Guidelines features an image of the historic streetscape that captures the character of the Gaslamp Quarter during the period of significance. The image demonstrates many aspects of the guidelines, from typical building massing to signage.

h) Credits Page (*Page 1-2*)

A "Credits" section has been added to the front of the publication.

Changes made to the GQPDO that are not included in the Design Guidelines include:

1. Permitted Uses – (Section 157.0304)

Some of the permitted uses were reorganized to permit certain uses only above or below the first floor in order to ensure pedestrian-oriented uses are located on the ground floor. Business and professional office uses, including real estate offices, would now only be permitted above or below the first floor. Condominium sales showrooms (or apartment rental offices) for new residential development are permitted on the first floor of the building where the units are to be sold. All existing ground-floor businesses and professional office uses are grandfathered in place as of the date of approval by the City Council of the amended GQPDO. Section 157.0304 (d) was added to prohibit certain uses such as adult entertainment establishments and tattoo and body-piercing uses from the entire Gaslamp Quarter.

2. Special Regulations for Ground Floor Uses – (Section 157.0304 (e))

The GQA requested that regulations be added to limit the impact of large single tenants on the streetscape. Language has been added to the GQPDO to restrict ground-level uses proposing to occupy more than 10,000 square feet. The GQPDO includes provisions that allow uses to occupy more than 10,000 square feet only through the approval of a Conditional Use Permit provided specific findings can be made.

3. Alcohol Sales – (Section 157.0305)

The language has changed for Alcoholic Beverage Sales Permits from "liquor, beer and wine shall not exceed 50-percent of the total gross sales of the business" to new language which states "operators possessing an on-sale eating place alcoholic beverage license must be a bona-fide eating establishment, maintain an operational kitchen facility..." The GQA has worked with ABC and SDPD Vice to come to an agreement on this change in language. Other changes include revisions to the "off-site" sale of alcoholic beverage regulations which will allow chilled beverages, regulations on the quarterly gross sales of alcohol, restrictions on hours of operation, and security measures which can be imposed by the President during the Conditional Use Permit process.

4. Parking Regulations – (Section 157.0401)

Language has been added pertaining to off-street parking that requires new developments on sites more than 10,000 square feet to provide parking for office, commercial/retail, hotel and residential uses if the uses are above certain square footage thresholds. Table 0401-A has been added to this section identifying these thresholds.

5. Appeals – (157.0202 (h))

Appeals on decisions for Process 2 permits (Neighborhood Use Permit, i.e., allows sidewalk cafes) or Process 3 permits (Conditional Use Permits) have been changed from the Planning Commission to the CCDC Board of Directors consistent with the rest of downtown. All other appeals must follow the appeal procedures outlined the Land Development Code.

6. Previously Conforming Uses and Structures – (Section 157.0306)

A new section has been added to the GQPDO, which will require that all signage, sidewalk cafes, awnings, ATMs or similar elements in existence on the effective date in which the new ordinance is in effect that do not conform with the provisions of the ordinance will be required to comply with the provisions of the GQPDO and Design Guidelines no later than five years from their effective date.

The proposed amendments to the GQPDO and Design Guidelines advances the Visions and Goals of the Downtown Community Plan and the Objectives of the Centre City Redevelopment Project by:

- protecting historic resources to communicate downtown's heritage;
- encouraging the rehabilitation and reuse of designated historic properties;
- allowing development adjacent to designated National Register sites respectful of the context and heritage, while permitting contemporary design solutions; and
- maintaining review procedures for projects affecting National, State and Local Registers and districts.

ENVIORNMENTAL ANALYSIS: The Centre City Redevelopment Project and related activities have been addressed by the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project area and certified by the Redevelopment Agency (Resolution No. R-04001) and the City Council (Resolution No. R-301265) on March 14, 2006. In addition, the Agency certified the Addendum to the FEIR for the 11th Amendment to the Redevelopment Plan for the Centre City

Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the Redevelopment Plan for the Centre City Redevelopment Project on July 31, 2007. These comprehensive environmental documents serve as the environmental documents for proposed project.

An Environmental Secondary Study for this project has been prepared in compliance with the San Diego Redevelopment Agency's amended "Procedures for Implementation of CEQA and the State CEQA Guidelines" (adopted July 17, 1990). Based on the environmental analysis contained in the Secondary Study, the proposed amendments have been determined to be adequately addressed in the FEIR and that applicable mitigation measures contained in the FEIR will be required as conditions of approvals needed to implement future projects pursuant to the GQPDO and Design Guidelines. Therefore, a negative declaration, subsequent environmental impact report, supplement to environmental impact report, or an addendum to environmental impact report is not required.

CONCLUSION

The proposed amendments to the GQPDO and Design Guidelines reflect contemporary issues in the Gaslamp Quarter. The Design Guidelines provide a clearer set of standards to follow in the rehabilitation of an existing historic structure or the design of new construction, or changes to an existing structure. The intent is to protect the unique character of the National Register Historic District and still allow for appropriate growth and changes to occur. Therefore, staff recommends that the Planning Commission recommend to the City Council approval of the proposed amendments to the GQPDO and Design Guidelines.

Respectfully submitted,

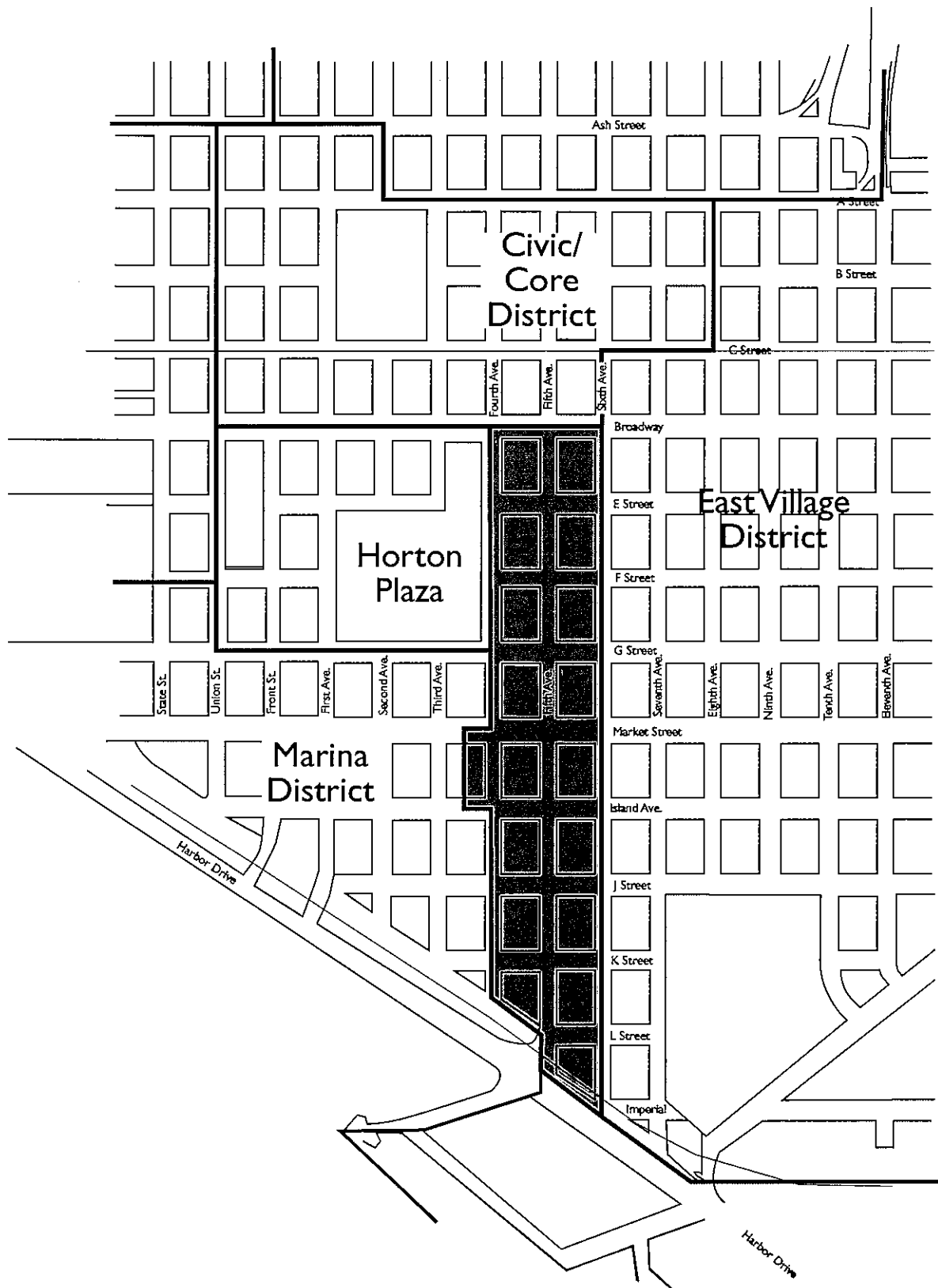
Brad S. Richter
Manager of Current Planning

Lucy Contreras
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Attachments: Attachment 1 - Project Location Map
 Attachment 2 - Strikeout Version Gaslamp Quarter PDO
 Attachment 3 - 1985 Urban Design and Development Manual
 Attachment 4 - Draft Gaslamp Quarter Design Guidelines
 Attachment 5 – Final Environmental Secondary Study

ATTACHMENT 1

PROJECT LOCATION MAP



Gaslamp Quarter Planned District

ATTACHMENT 2

STRIKEOUT VERSION GASLAMP QUARTER PDO

Revised Strikeout/Underline 6/30/08

Article 7: Gaslamp Quarter Planned District

(“Gaslamp Quarter Planned District” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

Division 1: General Rules

(“General Rules” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

§157.0101 Purpose and Intent

- (a) ~~The public health, safety, and general welfare require that property in the Gaslamp Quarter be revitalized and protected from further impairment in value. It is necessary to impose reasonable requirements and restrictions upon erection of new buildings and structures and the use, maintenance and alteration of existing and relocated buildings and structures. To assist in this endeavor, the distinctive architectural character that existed from 1880 to 1910 shall be retained and enhanced. Businesses that can enhance this historic environment will be encouraged to locate in the Gaslamp Quarter and ones that do not enhance this environment will be terminated or altered. The major segment of the modern City of San Diego began here and was the central business district of those early times. Many officially designated historical landmarks provide a basic architectural unity and visual distinction in the area, and historically significant architecture is found throughout the district. Six architectural elements in varying pattern and emphasis govern the overall structural form and design continuity. These are: scale and proportion, fenestration, materials, color, texture, detail and decorative features. The Gaslamp Quarter's historic quality is further enhanced by its central location, contrasting impressively with the contemporary buildings of the Centre City core area. The revitalization of the Gaslamp Quarter is in keeping with the objectives and proposals of the General Plan, and would complement the adjacent Horton Plaza Redevelopment Project and will assist in the implementation of the Gaslamp Quarter Redevelopment Project.~~
- (b) ~~Pursuant to findings of the San Diego City Council on July 26, 1982, the Gaslamp Quarter Redevelopment Project Area was found to be blighted. Furthermore, the City Council determined that revitalization of the area was necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code section 33000-et. seq.). These findings were based upon the following conditions which characterize the project area:~~

- ~~(1) — The existence of unfit or unsafe buildings and structures due to age, obsolescence, faulty exterior spacing and mixed-character and shifting of uses;~~
 - ~~(2) — The existence of properties which suffer from deterioration and disuse because of: inadequate public improvements, facilities, utilities and open spaces, including inadequate and insufficient traffic circulation, parking, sidewalks, curbs, gutters, street lights, and lots (parcels) of an irregular form, shape and size, which cannot be remedied with private or governmental action without redevelopment;~~
 - ~~(3) — The existence of properties which suffer from economic dislocation, deterioration and disuse resulting from faulty planning;~~
 - ~~(4) — A lack of proper utilization of property, resulting in a stagnant and unproductive condition of land potentially useful and valuable; and;~~
 - ~~(5) — The existence of social blight because of mixed and noneonforming uses, vacant buildings, substandard dwelling units, the lack of adequate open space, a concentration of "adult" entertainment uses and a high crime rate.~~
- ~~(e) — Certain businesses attract criminal activity and aggravate existing crime problems and should be eliminated from the Gaslamp Quarter. Other businesses are operated in a manner which allows and encourages the incursion of criminal elements and criminal activity in the Gaslamp Quarter by failing to establish sufficient security measures to prevent crime, by permitting criminal activity to take place on their premises and by failing to establish sufficient security measures to prevent crime, by permitting criminal activity to take place on their premises and by failing to cooperate with the police department to deter and discourage crime on their premises and should be prevented from operating in this manner.~~

(“Purpose and Intent” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

Downtown San Diego began in the Gaslamp Quarter and contains the highest concentration of historically significant commercial buildings in the City of San Diego. In 1980, the entire Gaslamp Quarter was listed as a *Historical District* on the National Register of Historic Places. The National Register designation includes architecturally significant buildings built between 1873 and 1930.

The purpose of the Gaslamp Quarter Planned District Ordinance (GOPDO) is to establish design and development criteria to ensure that the development and redevelopment of the Gaslamp Quarter Planned District and Gaslamp Quarter *Historical District* (District) implements the goals of the Downtown Community Plan.

The distinctive architectural character of the District shall be retained and enhanced by establishing such procedures and providing such regulations as are deemed necessary to:

- (a) Protect improvements which represent elements of the District's cultural, social, economic, and architectural history;
- (b) Safeguard the District's historic, aesthetic, and cultural heritage as embodied and reflected in such improvements;
- (c) Foster civic pride in the beauty and character of the District and in the accomplishments of its past;
- (d) Enhance the visual character of the District by encouraging new design and construction that complement the existing *historical resources*; and
- (e) Protect and enhance the District's aesthetic and historical attractions to residents, tourists, visitors and others, thereby serving as a stimulus and support to business and industry.

§157.0102 Boundaries

The regulations as defined herein shall apply in the Gaslamp Quarter Planned District which is within the boundaries of the Centre City area in the City of San Diego, California, as shown in Figure A. ~~designated on that certain Map Drawing No. C-446.1, and described in the boundary description, filed in the office of the City Clerk under Document No. 756382.~~

("Boundaries" added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

§157.0103 Administration

~~(a) — President~~

The Centre City Development Corporation (CCDC) is responsible for the planning and zoning functions for the City of San Diego within the Gaslamp Quarter Planned District. The CCDC President of Centre City Development Corporation (the "President"), or his or her designee, a designated representative of the President, as the designee of the City Council, shall administer the GOPDO Gaslamp Quarter Planned District Ordinance in accordance with the provisions of this Article. to ensure compliance with the regulations and procedures of this Division, the Gaslamp Quarter Planned District Design Guidelines, the Downtown Community Plan, the Centre City Streetscape Manual, the Centre City Redevelopment Plan and any adopted policies or guidelines adopted by the City of San Diego or the Redevelopment Agency of the City of San Diego to implement the Downtown Community Plan.

~~(b) — Powers and Duties~~

~~It is the duty of the President to administer the regulations and procedures contained within the Gaslamp Quarter Planned District Ordinance in the manner prescribed herein for both public and private developments; to recommend to the Planning Commission and the Centre City Development Corporation Board of Directors (the "Board of Directors") any changes to the regulations, provided such changes are necessary for the proper execution of the adopted plan, and to adopt rules of procedure to supplement those contained within this Planned District Ordinance. The President shall utilize architectural criteria and design standards adopted by the City Council and restrictions on use specified in these regulations in evaluating the appropriateness of any development for which a permit is applied under the Gaslamp Quarter Planned District Ordinance. The President may approve, modify, or disapprove any applications for a permit, based upon the conditions of compliance or noncompliance with the adopted regulations and approved criteria and standards.~~

~~(“Administration” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0104 Applicable Regulations

(a) Gaslamp Quarter Planned District Design Guidelines

(1) The Gaslamp Quarter Planned District Design Guidelines supplement the GOPDO and include review procedures, standards and guidelines for development.

(2) The Gaslamp Quarter Planned District Design Guidelines may be amended as needed to comply with revisions to local, state, or federal law. The document may be amended in one of the following ways:

(A) Minor amendments shall be approved by the CCDC President. Minor amendments shall include changes to clarify language or concepts, to reformat or reorganize language, or to reflect new or outdated technology or techniques.

(B) Major amendments to the Gaslamp Quarter Planned District Design Guidelines shall be approved by the CCDC Board of Directors. Major Amendments shall be reviewed by the Historical Resources Board (HRB) and the Gaslamp Quarter Association (GQA) prior to approval by the CCDC Board of Directors.

(b) Where not otherwise specified in the ~~Gaslamp Quarter Planned District Ordinance~~GOPDO, the following ~~regulations chapters~~ of the Land Development Code set forth in the San Diego Municipal Code shall apply to the Gaslamp Quarter Planned District:

- Chapter 11 Land Development Procedures
- Chapter 12 Land Development Reviews
- Chapter 13 Zones
- Chapter 14 General Regulations
- Chapter 14 Article 1, General Rules for Separately Regulated Uses
- 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 7, Off-Site Development Regulations
- Chapter 14 Article 2, Division 8, Refuse and Recyclable Materials Storage Regulations
- Chapter 14 Article 2, Division 9, Mechanical and Utility Equipment Screening
- Chapter 14 Article 2, Division 10, Loading Area Regulations
- Chapter 14 Article 2, Division 11, Outdoor Storage Display, and Activity 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 applicable regulations of the Land Development Code and the ~~Gaslamp Quarter Planned District Ordinance~~GOPDO, the ~~Planned District Ordinance~~ appliesGOPDO shall govern.

(“Applicable Regulations” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

Revised Strikeout/Underline 6/30/08

Article 7: Gaslamp Planned District

*("GaslampPlanned District" added 3-27-2007 by O-19588 N.S.;
effective 4-26-2007.)*

Division 2: Permits and Procedures

*("Permits and Procedures" added 3-27-2007 by O-19588 N.S.;
effective 4-26-2007.)*

§157.0201 ~~Procedures for Gaslamp Quarter Special Permits Application and Review~~

(a) ~~Special Permit Required~~

~~(1) — After August 14, 1976, a special permit shall be required prior to application for any City permit or license within the Gaslamp Quarter Planned District.~~

No person shall commence any of the following types of work activities in the Gaslamp Quarter Planned District without first obtaining the approval of the CCDC President in accordance with regulations in the Land Development Code set forth in the San Diego Municipal Code: ~~erection of any new building or structure, including those moved into the Gaslamp Quarter Planned District, the remodeling, alteration, addition or demolition of any existing building, grading or landscaping within the Gaslamp Quarter Planned District, or put any building or structure within the Gaslamp Quarter Planned District to any use, without first obtaining a special permit in accordance with this section.~~

- (1) New construction of any building or structure;
- (2) Grading;
- (3) Demolition;
- (4) Additions to existing buildings;
- (5) Alterations and/or remodeling of the exterior of existing buildings;
- (6) Awning installation;
- (7) Signage installation;
- (8) Painting the exterior of buildings;
- (9) Sidewalk Café installation;
- (10) Installation of exterior utilities visible from or within, the public right-of-way; or
- (11) Installation of exterior mechanical equipment or ductwork.

~~(2) — In addition to the CCDC President's approval ~~this special permit~~, all applicable ~~building permits code requirements must be met for any alteration, addition or repair of a building.~~ must be obtained from the City of San Diego Development Services Department.~~

(a) Minor Alterations to Historical Resources

The CCDC President may approve minor alterations that enhance, restore, maintain, repair, rehabilitate or allow adaptive reuse of a building consistent with the Secretary of the Interior's Standards in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code and the regulations contained in this Division and the Gaslamp Quarter Planned District Design Guidelines. Minor alterations include improvements that enhance, restore, maintain, repair, or allow adaptive reuse of existing buildings that do not adversely affect the special character or special historical, architectural, archeological or cultural value of the building or Historical District when applicable.

The CCDC President may refer the application to the Historical Resources Board (HRB) and/or the Gaslamp Quarter Association (GOA) for their recommendation prior to taking action on an application for a minor alteration.

(b) Substantial Alterations to Historical Resources

Substantial Alterations as defined in Section 143.0250 of the Land Development Code to a historical resource shall be processed as a Site Development Permit (Process 4) in accordance with Chapter 14, Article 3, Division 2 and 3 of the Land Development Code and all other relevant provisions of the San Diego Municipal Code.

(c) Gaslamp Quarter Development Permit

A Gaslamp Quarter Development Permit is required of all new construction involving 1,000 square feet or more of Gross Floor Area (GFA) not within an existing building envelope.

The following permits are also required within the Gaslamp Quarter Planned District:

- (1) Neighborhood Use Permit (Process 2) for sidewalk cafés in the public right-of-way or any other outdoor area for eating and/or drinking on private property.
- (2) Conditional Use Permit (Process 3) for establishments providing live music, entertainment and/or dancing, whether or not in conjunction with the sale of alcohol.
- (3) Conditional Use Permit (Process 3) for establishments engaged in the sale of alcoholic beverages for consumption off the premises.

- (4) Site Development Permit (Process 4) for any *substantial alterations* to *historical resources* as defined in Chapter 14, Article 3, Division 2 and 3 of the Land Development Code.

§157.0202 Gaslamp Quarter Development Review Procedures

(a) Gaslamp Quarter Development Permit Process

The following thresholds and procedures for review and approval shall apply to projects requiring a Gaslamp Quarter Development Permit:

- (1) The CCDC *President* may approve, conditionally approve or deny new construction of buildings up to 60 feet, with review and comment by the GOA under a Process 2 application. The decision of the CCDC *President* may be appealed to the CCDC Board of Directors
- (2) The CCDC *President* may approve, conditionally approve or deny new construction above 60 feet and up to 75 feet (or up to 101 feet subject to Section 157.0302(a)(3)), with review and comment by the GOA and the HRB under a Process 2 application. The decision of the *President* may be appealed to the CCDC Board of Directors.
- (3) The City Council may approve, conditionally approve or deny construction of buildings up to 125 feet with a *Floor Area Ratio (FAR)* of up to 6.0 on parcels 30,000 square feet or more located south of Island Avenue subject to Section 157.0302 (a)(4). The development shall be reviewed by the GOA, the Centre City Advisory Committee (CCAC), the CCDC Board of Directors, and the HRB prior to consideration by the City Council. The City Council shall consider the Permit in a public hearing.
- (4) Projects containing 100,000 square feet of GFA and/or 50 dwelling units or greater shall be reviewed and approved by the CCDC Board of Directors. The development shall be reviewed by the CCAC, the GOA and the HRB prior to consideration by the Board.
- (5) Projects that require the review and approval by the Redevelopment Agency of the City of San Diego of any form of agreement or financial assistance shall also be reviewed by the Redevelopment Agency, which shall have the final Design Review approval authority for such projects.

(b) ~~Content~~ Design Review Progression

~~The application shall include the following:~~

- ~~(1) — A description of the purposes for which the proposed building, structure or improvement is intended to be used; or the new or different purposes for which the existing building or structure is to be used.~~
- ~~(2) — In the case of the erection, remodeling, alteration, addition to or demolition of any building or structure, or the moving of a building into the Gaslamp Quarter Planned District, or any grading or landscaping:
 - ~~(A) — Adequate plans and specifications indicating proposed uses, lot area, lot coverage and off-street parking;~~
 - ~~(B) — Adequate plans and specifications for the building and improvements showing the exterior appearance, color and texture of materials and architectural design of the exterior;~~
 - ~~(C) — Adequate plans and specifications for any outbuildings, party walls, courtyards, fences, setbacks, landscaping, signs, lighting or traffic safety; and~~~~
- ~~(3) — An application for a special permit shall be obtained from the President. An application for a special permit will be accepted upon payment of a fee as required by Land Development Code Chapter 11, Article 2, Division 2 (Fees and Deposits).~~
- ~~(4) — Any other information deemed necessary by the President to judge compliance with the regulations contained in this Planned District Ordinance and other applicable laws and regulations.~~

The preparation, submittal, and review of projects in the Gaslamp Quarter Planned District shall proceed through the following progression:

- (1) Basic Concept Drawings. This submittal shall illustrate the basic organization of the site and shall identify *historical resources* on the site and any adjoining *historical resources*. Plans shall be reviewed for two-and three-dimensional considerations such as the relationship of land uses within the project, relationship of the proposed project and the existing uses adjoining the site including *historical resources* siting considerations such as vehicular and pedestrian circulation, architectural composition, and quality of proposed materials. The submittal shall include three dimensional images of the project. A narrative explanation indicating how the overall design of the project proposal provides architectural features compatible with the character of the District and incorporates the design standards described in the Gaslamp Quarter Planned District Design Guidelines.

(2) Design Development Drawings. This submittal shall be a refinement of, and resolve issues identified at, the Basic Concept Drawings stage. Drawings shall include accurate site surveys, floor plans, elevations, sections, design details, and a palette of exterior colors and materials.

Other considerations such as pedestrian and vehicular circulation, landscape plans, provisions for servicing, off-site improvement drawings, utility infrastructure, and exterior architectural and urban design features shall also be included in the submittal as appropriate.

(3) 100 Percent Construction Drawings. These represent the final plans, specifications, and other documentation as appropriate for the proposed project. These drawings shall illustrate how the conditions approving the previous submissions have been accommodated. These drawings shall be in sufficient detail to obtain a building permit.

(c) Determination

A Gaslamp Quarter Development Permit shall only be granted if the project, as submitted or modified, is consistent with the Centre City Redevelopment Plan, Downtown Community Plan, GQPDO, Gaslamp Quarter Planned District Design Guidelines, San Diego Municipal Code and Land Development Code, and any other adopted plans or policies of the City of San Diego and/or the Redevelopment Agency of the City of San Diego pertaining to the Gaslamp Quarter Planned District.

~~Upon submittal by the applicant of basic concept drawings and review of those basic concept drawings, the President may approve, modify or disapprove any application for a special permit. In approving the special permit, the President may impose reasonable conditions to ensure compliance with these regulations. The President shall not approve an application for a special permit except upon determining that the building, structure or improvement and use for which the special permit was applied (1) is consistent with the California Building Code and Fire Code and the regulations in this Planned District Ordinance, and (2) will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or injurious to property and improvements in the neighborhood or to the general welfare of the city and is not detrimental to implementation of the Gaslamp Quarter Redevelopment Plan. Action by the President shall include a statement that the President finds that the building, structure, or improvement or use for which the special permit was applied does or does not conform to the regulations in this Planned District Ordinance.~~

Denial of a Gaslamp Quarter Development Permit requires the CCDC President to issue findings in writing of non-conformance with any of the submitted plans or documents. ~~In the event the President does not approve an application for a special permit, the specific facts on which the determination is based shall be included in the written decision as provided for in Section 157.0201(d) (Notification).~~

~~The Building Official of the City of San Diego may approve special permit applications of an emergency nature without prior approval of the President, if such actions are to rehabilitate any condition which renders a building unsafe or to demolish the structure for the same reasons. All such actions by the Building Official shall be immediately reported to the President.~~

(d) Notification Required Public Notice

~~Within 60 days after the submission of a complete application to the President, the President shall as required in Section 157.0201(e), send his or her decision in writing to the applicant and, if legally required, to the Building Official and City Engineer, except when the applicant requests or agrees to an extension of time regarding this notification.~~

Public notice of projects in the Gaslamp Quarter Planned District shall be provided in accordance with the following procedures.

- (1) All projects requiring a Gaslamp Quarter Development Permit shall be required to post a notice on the project site in accordance with Section 112.0304 of the Land Development Code.
- (2) All projects requiring a Gaslamp Quarter Development Permit shall provide notice to the surrounding neighborhood in accordance with Section 112.0302 of the Land Development Code. A Notice of Application shall be mailed to those interested parties listed in Section 112.0302. Further notice shall be provided to all persons requesting such notice of review meetings and/or decisions regarding the project.
- (3) All projects requiring a Gaslamp Quarter Development Permit approved by the City Council shall provide notice in accordance with Section 112.0301(c) of the Land Development Code.
- (4) All projects that require a Process Two, Three, Four or Five approval shall be noticed according to the provisions of Section 112.0302 of the Land Development Code.

(e) Permit Issuances

Upon approval and issuance of ~~a the special Gaslamp Quarter Development Permit by the President,~~ the applicant ~~shall be~~ will be directed to appropriate responsible City of San Diego department(s) to for ~~obtaining~~ any additional City permits and/or licenses necessary for the applicant to complete ~~his or her~~ the project. These additional permits and licenses shall conform to all of the other applicable regulations and ordinances of the City.

(f) ~~Conditions~~Permit Time Limits

~~Any special permit granted by the President to use the property or for work to be performed as provided for in Section 157.0201, shall be conditioned upon the privileges granted being utilized within 18 months after the date of issuance of the special permit. Failure to commence the use or start work within this 18 month period will automatically void the special permit unless an extension of time has been granted by the President as set forth in Section 157.0201(g). Construction must actually be commenced within the stated period and must be diligently pursued to completion. If the President finds that the use has not commenced or there has been no construction substantial in character since the date of the issuance of the special permit, or that there has been during the course of development, a lapse of work for 6 months, the special permit shall become void.~~

A Gaslamp Quarter Development Permit approved under this Division will be effective for a period of 3 years from the date of issuance. If a building permit for the subject project has not been obtained within the 3 years, the applicant may apply for an extension pursuant to Section 126.0111 of the Land Development Code.

~~(g)~~ Extension of Time to a Valid Special Permit

~~The President may grant an extension of time up to 3 years on the time limit contained in a currently valid special permit. To initiate a request for extension of time, the property owner or owners shall file a written application with the President in the office of the Centre City Development Corporation ("CCDC") prior to the expiration of the special permit. The President may grant the extension of time if he or she finds from the evidence submitted that there has been no material change of circumstances since the special permit was originally granted. Land Development Code Section 129.0219 shall also apply for extension of building permits issued in conjunction with this special permit.~~

~~(h)~~(g) Revocation

~~The President may at any time revoke a special permit issued under this Section. Prior to revocation, the holder of the special permit shall be given a hearing after 10 calendar days' notice. After such a hearing, the President may revoke a permit upon determining:~~

If the CCDC President determines that there has been a violation of the terms, conditions, requirements, or provisions of any Gaslamp Quarter Development Permit, or an approval issued by CCDC under this Division, the CCDC President, in addition to any other remedies provided for in Chapter 12, Article 1 of the Land Development Code, may issue a notice of intent to revoke the Permit or approval to the holder of the Permit or the CCDC approval. The notice of intent to revoke shall inform the permit holder of the violation(s) and provide a reasonable time for compliance. If the holder fails to correct the all stated violations, the CCDC President may schedule a public hearing to revoke or modify the permit or CCDC approval in accordance with Chapter 12, Article 1 of the Land Development Code. The CCDC President may revoke a Permit or CCDC approval upon determining:

- (1) That the building or structure for which the permit was issued is being used for purposes other than, or in addition to the purposes and manner described in the application submitted for the special Gaslamp Quarter Development Permit application or CCDC approval;
- (2) That the holder of the special Gaslamp Quarter Development Permit or CCDC approval has knowingly permitted criminal activity to take place on the premises or has failed to take reasonable steps to make the premises safe and secure from criminal activity. Successive criminal activity over any continuous period of time shall be deemed evidence of knowing permission of criminal activity;
- (3) That the ~~use or operation~~ construction, remodel or design of the building or structure for which the ~~special~~ Gaslamp Quarter Development Permit was issued or CCDC approval was provided is contrary to the GOPDO, Gaslamp Quarter Planned District Design Guidelines and/or these regulations or any other laws or regulations; the plans and drawings submitted and approved; or
- (4) That the use and/or operation of the building or structure for which the ~~special~~ Gaslamp Quarter Development Permit was issued or CCDC approval was provided is detrimental or injurious to:—(a) the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood; (b) property and improvements in the neighborhood; (c) the general welfare of the City of San Diego ~~city~~; or (d) ~~to~~ the implementation of the Centre City Gaslamp Quarter ~~Redevelopment Plan.~~

(h) Appeals

Appeals shall be noticed and heard in accordance with Chapter 11, Article 2, Division 5 of the Land Development Code. Appeals of Process Two and Process Three applications shall be heard by the CCDC Board of Directors in lieu of the Planning Commission.

(“Procedures for Special Permit Application and Review” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

~~§157.0202 — Appeals to the Planning Commission~~

~~(a) — Filing~~

~~If the President denies or conditionally approves an application, the applicant may appeal from that decision to the City Planning Commission within 10 working days after the decision is filed with CCDC.~~

~~Appeals shall be noticed and heard in accordance with Land Development Code Chapter 11, Article 2, Division 5 (Decision Process). The appeal shall be in writing and filed in duplicate with CCDC upon forms provided by the CCDC. If an appeal is filed within the time specified, it automatically stays proceedings in the matter until a determination is made by the Planning Commission.~~

~~(b) — Public Hearing~~

~~Upon the filing of the appeal, CCDC shall set the matter for public hearing before the Planning Commission giving the same notice as provided in Land Development Code Chapter 11, Article 2, Division 3 (Notice). The President shall transmit to the Planning Commission a copy of his or her decision and findings, and all other evidence, maps, papers and exhibits upon which the President made the decision.~~

~~(c) — Decision of the Planning Commission~~

~~Upon the hearing of an appeal, the Planning Commission may by resolution, affirm, reverse, or modify, in whole or in part, any determination of the President. The Planning Commission decision is final.~~

(“Appeals to the Planning Commission” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

§157.0203 Conditional Use Permits

- (a) ~~Notwithstanding the provisions of Section 151.0401, T~~ the *President* CCDC Designated Hearing Officer is the shall be the decision maker for the purpose of granting Conditional Use Permits in accordance with Process Three within the ~~boundaries of the the~~ Gaslamp Quarter Planned District boundaries, ~~Planned District delineated in Section 157.0102.~~ Process Three applications that also require Design Review by the CCDC Board of Directors shall be consolidated into a single hearing before the CCDC Board.

- (b) ~~The *President* shall grant~~ Conditional Use Permits shall be reviewed and approved according to the provisions of ~~Section 151.0401,~~ this Division, Land Development Code Chapter 12, Article 6, Division 3 of the Land Development Code (Conditional Use Permit Procedures), and Chapter 14, Article 1 of the Land Development Code (Separately Regulated Use Regulations).

(“Conditional Use Permits” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

§157.0204 — Alcoholic Beverage Sale Permit Application

~~Application for an Alcoholic Beverage Sale Permit must be made by the tenant of the property affected and prior to any application to the Alcoholic Beverage Control Board.~~

~~Application shall be filed with the City Manager and shall state fully the circumstances and conditions relied upon as grounds for the application, and shall be accompanied by adequate plans, a legal description of the property involved and a detailed description of the proposed use. Prior to the filing of an application, the applicant shall file a fee equal to the cost of processing said application. Fees and deposits will be adjusted periodically by resolution of the City Council to ensure full cost recovery for services. A list of current fees and deposits is on file in the office of the City Clerk.~~

~~(a) — Alcoholic Beverage Sale Permit Approval~~

~~(1) — Criteria for consumption of Alcoholic Beverages “on the premises of the sale”: In addition to the criteria in Section 157.0201(d), the following criteria shall be used by the President in making his or her determination regarding the issuance of an Alcoholic Beverage Sale Permit for the sale of alcoholic beverages within the Gaslamp Quarter:~~

~~(A) — The sale of alcoholic beverages shall be an accessory or secondary use to the primary use of the property and the intended use must be in conformance with permitted uses outlined in the Gaslamp Quarter Planned District Ordinance and all other relevant regulations in the Municipal Code.~~

- ~~(B) — Application shall be for a location currently under significant rehabilitation and or new construction or where significant rehabilitation and/or new construction has been completed.~~
- ~~(C) — Liquor, beer and wine sales shall not exceed 50 percent of the total gross sales of the business conducted at that location. Food may be served throughout the premises at anytime. Entertainment with amplification is permitted throughout the premises.~~
- ~~(D) — The proposed use will not adversely affect the General Plan, the Centre City Community Plan, or the Gaslamp Quarter Redevelopment Plan.~~
- ~~(2) — Criteria for consumption of alcoholic beverages "off the premises of sale": In addition to the criteria in Section 157.0201(e), the following criteria are used by the President in making his or her determination regarding the issuance of an Alcoholic Beverage Sale Permit for the sale of alcoholic beverages within the Gaslamp Quarter:
 - ~~(A) — The sale of alcoholic beverages shall be an accessory or secondary use to the primary use of the property and the intended use must be in conformance with permitted uses as outlined in the Gaslamp Quarter Planned District Ordinance and all other relevant regulations in the Municipal Code.~~
 - ~~(B) — Application shall be for a location currently under significant rehabilitation and or new construction, or where significant rehabilitation and/or new construction has been completed.~~
 - ~~(C) — No wine or distilled spirits shall be sold in containers of less than 750 milliliters.~~
 - ~~(D) — No malt beverage products shall be sold in less than six pack quantities per sale.~~
 - ~~(E) — No wine shall be sold with an alcoholic content greater than 15 percent by volume.~~
 - ~~(F) — No refrigerated or otherwise chilled alcoholic beverages shall be sold or maintained on the licensed premises.~~
 - ~~(G) — Quarterly gross sales of alcoholic beverages shall not exceed 20 percent of the quarterly gross sales of the establishment.~~~~

- ~~(H) — No alcoholic beverage shall be sold or delivered except between the hours of (10 a.m.) and (10 p.m.) of each day of the week.~~
- ~~(I) — No pool tables or amusement devices shall be maintained on the licensed premises.~~
- ~~(J) — The proposed use will not adversely affect the General Plan, the Centre City Community Plan, or the Gaslamp Quarter Redevelopment Plan.~~
- ~~(3) — Decision. The President may grant an Alcoholic Beverage Sale Permit containing each of the above conditions for a use which includes the sale of alcoholic beverages within the Gaslamp Quarter. The President may also grant, with Police Department comment, an Alcoholic Beverage Sale Permit with additional conditions as follows:
 - ~~(A) — Allowing the sale of refrigerated or otherwise chilled alcoholic beverages and/or~~
 - ~~(B) — Allowing the off premises quarterly sales of alcoholic beverages not to exceed 50 percent of the quarterly gross sales of the establishment and/ or~~
 - ~~(C) — Allowing uses as identified in Section 157.0204(b)(1) relief from Section 157.0204(a)(1)(C).~~

~~The President may grant such Permit, if, after considering the facts presented in the application and at the hearing, concludes that the criteria set forth above and in Section 157.0201(e) have been met. In granting this Permit, the President may impose reasonable conditions to ensure compliance with the provisions of 157.0204.~~
 - ~~(D) — Revocation of the Alcoholic Beverage Sale Permit. The City Manager may revoke an Alcoholic Beverage Sale Permit if conditions as set forth in the Permit are not being met.~~~~
- ~~(b) — Uses involving sale of alcoholic beverages in the entertainment district. If any proposed use includes the sale of alcoholic beverages, an applicant, in addition to the information required by Section 157.0201(b), shall include the information required by Section 157.0204 and such uses shall be governed by the additional requirements of Sections 157.0204 and 157.0303.~~

~~Restricted Uses~~

~~(1) — An Alcoholic Beverage Sale Permit for a use which includes the sale of alcoholic beverages for consumption "on the premises of the sale" shall be issued to only the following uses:~~

~~(A) Nightclubs and supper clubs~~

~~(B) — Restaurants (defined as businesses that regularly serve food, excluding drive-in and drive-through).~~

~~(C) — Dinner Theaters~~

~~(D) — Entertainment Clubs, Comedy Clubs, etc.~~

~~(2) — An Alcoholic Beverage Sale Permit for a use which includes the sale of alcoholic beverages for consumption "off the premises of the sale" shall be issued to only the following uses:~~

~~(A) — Delicatessens~~

~~(B) — Drug stores~~

~~(C) — Food stores~~

~~(D) — Restaurants~~

~~("Alcoholic Beverage Sale Permit Application" added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0205(4) Removal of Damaged Historical Structures Resources

If any designated or contributing historical resource building or structure of architectural or historic value or interest is damaged by earthquake, fire, or an act of God and is determined unsafe by the Building Official, the property owner shall apply for a demolition permit. The demolition permit shall be referred to the HRB pursuant to Section 143.0250 of the Land Development Code. In the case of an emergency, the CCDC President, in consultation with the Building Official and the HRB staff, may authorize without a public hearing, the minimum amount of work necessary to protect the public health or safety and welfare, pursuant to Section 143.0214 of the Land Development Code. to such an extent that in the opinion of the President and the Building Official it cannot reasonably be repaired and restored, the same may be removed upon issuance of a permit for its removal.

~~("Removal of Damaged Historic Structures" added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0206 — Previously Conforming Uses

(a) — Termination

~~The existence of certain previously conforming uses such as card rooms and arcades has attracted undesirable and criminal behavior. This criminal activity makes it increasingly difficult for other shops and businesses in the Gaslamp District to prosper and threatens the safety of visitors and residents of the Gaslamp Quarter. The following previously conforming uses shall be discontinued:~~

- ~~(1) — Card rooms. The use of property for a card room shall be terminated within one year from the effective date of the ordinance adopting the Gaslamp Quarter Planned District Ordinance whereupon the City Manager shall immediately notify the property owner and/or Business Operator of such termination.~~
- ~~(2) — Arcades. The use of property for an arcade shall be terminated within one year from the effective date of Ordinance No. O 11870 adopting the Gaslamp Quarter Planned District Ordinance whereupon the City Manager shall immediately notify the property owner and/or Business Operator of such termination~~

(b) — In General

~~Except for card rooms and arcades, previously conforming uses shall be governed by Land Development Code Chapter 12, Article 7, Division 1 (Previously Conforming Premises and Uses) and the provisions of the Gaslamp Quarter Redevelopment Plan. (“Previously Conforming Uses” added 3-27-2007 by O 19588 N.S.; effective 4-26-2007.)~~

Revised Strikeout/Underline 6/30/08

Article 7: Gaslamp Quarter Planned District

~~(“Gaslamp Planned District” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

Division 3: Zoning and Subdistricts

~~(“Zoning and Subdistricts” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0301 Character of the Area

(a) The architecture of the area is characterized by structures erected during a ~~30~~ 57 year period from ~~1880 to 1910~~ 1873 to 1930. The ~~structures~~ buildings are typically two ~~or three to four~~ stories high and are constructed of common brick with continuous facades at the property line. Ground floors are frequently 20 feet high with cornices separating them from the upper floors. Corbeling is very often found at the terminal cornice, particularly in the case of brick buildings. The ~~front sides~~ fronts of buildings of the structures are often designed with closely set bays framed with segmental, stilted or flat arches that are 10 to 12 feet apart. The openings are deep-set and the entrances are typically inset. Heavy ornate cornices and spandrels, carefully detailed parapets and bay windows are also typical design elements of the structures. The Gaslamp Quarter Planned District (District) is unique in that it marks the beginning area of development for downtown San Diego. The area retains much of the original architecture of its early history as a collection of late 19th and 20th century structures. The District is valued for its historical significance not only at the local level by the City of San Diego, but also on a national level by the United States.

~~(b) A significant number of buildings within the Gaslamp Quarter Historic District typify the desired architecture of the Gaslamp Quarter. For further information, refer to the San Diego Historical Site Resources Board Register, the National Register of Historic Places, and ~~of~~ the Gaslamp Quarter Planned District Design Guidelines ~~Planned District Ordinance and Urban Design and Development Manual.~~~~

~~(“Character of the Area” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0302 General Design Regulations for New Buildings

Concurrent with the adoption of ~~this~~ the Gaslamp Quarter Planned District Ordinance (GOPDO), the City Council ~~shall~~ by resolution has also adopted the Gaslamp Quarter Planned District Design Guidelines, which contain architectural and design ~~standards~~ guidelines to be used in evaluating the appropriateness of any development for which a permit is applied under ~~this Planned District Ordinance~~ the GOPDO. ~~Such architectural and design standards shall be filed in the office of the City Clerk as a numbered document.~~

(a) Building Height Regulations

Building heights in the Gaslamp Quarter Planned District are measured from the average grade of the site, measured at the highest and lowest adjoining public sidewalk grades, to the top of the parapet of the highest habitable floor.

Uninhabited roof structures that conceal mechanical equipment and/or elevator stair overruns are exempt from this requirement when they are set back from the front property line by at least 15 feet.

~~(1) — Basic Building Height Limit (60 Foot Height Limit).~~

~~(A) — Basic building height in the Gaslamp Quarter shall be limited to 60 feet including parapets and appurtenances.~~

~~(B) — Any new structure must maintain a minimum of 30 feet at the property line.~~

~~(C) — Ground floors shall be a minimum of 12 feet in height (except where adjacent buildings have less than a 12 foot ground floor) and separated from the upper floors by a continuous projecting band, articulated recess or cornice.~~

~~(D) — Ground floor treatment shall be pedestrian in scale, storefront character and design detail.~~

~~(E) — The maximum horizontal roof dimension for building elements 60 feet or more in height shall be no more than 75 feet along street frontages of Fourth, Fifth and Sixth Avenues.~~

~~(F) — Projects on parcels 30,000 square feet or more shall modulate building heights for variation and articulation of building bulk with respect to the historic Gaslamp quarter lot pattern and relate building mass to adjacent structures.~~

~~(2) — Maximum Building Height (75 Foot Height Limit)~~

~~At the discretion of the President, buildings in the Gaslamp Quarter may achieve a maximum height of up to 75 feet with review and comment by the Historical Resources Board prior to action by the President. Buildings exceeding 60 feet in height shall be in general accord with the architectural and historic character reflected in the Gaslamp Quarter for streetwall definition, site relationships, horizontal and vertical building form as well as architectural detail and fabric.~~

- ~~(A) Buildings that exceed the basic 60 foot height limit shall maintain a continuous vertical streetwall.~~
 - ~~(B) Excess bulk or building elements above 60 feet shall not visually intrude into the district nor adversely affect view, nor in any other way significantly compromise the scale and character of adjacent block faces.~~
 - ~~(C) Additional building floors shall be permitted above the cornice provided that the facades of these floors continue the rhythm, proportion and detail of the main building.~~
 - ~~(D) Building facades and elements exceeding 60 feet in height shall continue the traditional lot rhythm and vertical design proportion of symmetrically stacked window openings, building bays and details that respect the existing tall, narrow profile of the historic buildings in the district.~~
 - ~~(E) The maximum horizontal roof dimensions for buildings greater than 60 feet in height shall be no more than 75 feet along street frontages of Fourth, Fifth and Sixth Avenues.~~
 - ~~(F) On parcels 30,000 square feet or more, projects shall modulate building heights for variation and articulation of building bulk with respect to the historic Gaslamp Quarter lot pattern and relate building mass to adjacent structures.~~
 - ~~(G) On parcels 30,000 square feet or more south of Island, the City Council may grant an additional height exception up to 125 feet provided that the maximum floor area ratio shall not exceed 6.0, and building elements greater than 75 feet in height shall observe a setback of 50 feet along Fifth Avenue.~~
- (1) Basic building height in the Gaslamp Quarter Planned District shall be limited to a maximum of 60 feet. Any new structure must maintain a minimum height of 30 feet at the property line.
- (2) Building height may be increased to a maximum of 75 feet at the discretion of the CCDC *President* after review and comment by the Gaslamp Quarter Association (GQA) and the Historical Resources Board (HRB).

- (3) Building height may be increased on sites that are north of Island Avenue, which may feature a maximum of two additional stories that do not exceed 26 feet above the 75 foot maximum allowable building height pursuant to Section 157.0202(a)(2). Additional stories are only permitted on sites 20,000 square feet or greater containing no contributing historical structures. Additional stories must be set back a minimum of 50 feet from Fifth Avenue and depending on the additional story's height 15 feet from Fourth and Sixth Avenues and any east-west streets. Regulations concerning additional stories, height, massing, architectural style, material use, articulation, setbacks, and fencing are featured in the Gaslamp Quarter Planned District Design Guidelines. All regulations outlined in the Gaslamp Quarter Planned District Design Guidelines shall be complied with in order to obtain approval for any additional stories.
- (4) Building height may be increased to a maximum of 125 feet on parcels 30,000 square feet or more located south of Island Avenue, provided that: (a) the maximum Floor Area Ratio (FAR) shall not exceed 6.0; (b) building elements greater than 75 feet in height shall observe a setback of 50 feet along Fifth Avenue; and (c) the proposed project will be evaluated as offering significant benefits to the District pursuant to Section 157.0202 (a)(3).

(b) ~~Street Wall Criteria and~~ Site Relationships and Street Wall Requirements

(1) Site Relationships.

Historically, buildings in the Gaslamp Quarter Planned District were built to the property line facing each street. Modern setbacks for plazas and landscaped buffers were not part of ~~Vietorian architecture~~ the architectural vocabulary popular in the period of significance or considered appropriate for retail development at the turn of the century. The streets and sidewalks provided open space for pedestrian activity and social and commercial vitality to the area. The Gaslamp Quarter Planned District is characterized by ~~the traditional street wall and building geometry~~ a nearly continuous line of building facades commonly referred to as a "Street Wall". Refer to the Gaslamp Quarter Planned District Design Guidelines for specific requirements on site relationships.

~~(A) Building mass, placement and entry relationship shall be functionally and aesthetically compatible with their surroundings.~~

- ~~(B) — Infill construction along the existing street frontage shall maintain matching setbacks which are consistent with adjacent development to provide a continuous facade appearance along the street.~~
- ~~(C) — Development of whole and half block sites (parcels 30,000 square feet or larger) shall respect the traditional Gaslamp Quarter character, building configuration as well as lot patterns assembled from 25 and 50 foot wide lots.~~
- ~~(D) — Site design and building entry elements shall contribute to the continuity of pedestrian scale, storefront character and street activity.~~
- ~~(E) — Buildings containing an east-west facade shall incorporate at least one primary entrance on that facade. A minimum of 60 percent street level on the east-west facade shall be storefront with direct access from the subject street.~~

(2) Street Wall Requirements

New infill buildings shall provide a continuous street wall plane and strong street edge definition at the property line. Street wall glazing should be deeply recessed, with detailed window frames permitted to protrude beyond the front face of the building. Generally, ground floor windows shall be horizontal in shape.~~All windows except for the ground floor~~ Upper level windows shall have a longer vertical dimension than horizontal dimension. All upper level ~~W~~windows should be rhythmically spaced, matching the bay spacing ~~below at the ground floor~~ and sensitive to the general proportions of windows in nearby buildings. Refer to the Gaslamp Quarter Planned District Design Guidelines for specific design requirements.

- (A) The street wall of all buildings shall be continuous at the property line except for storefront entry. Doors are not allowed to project into the public right-of-way by more than twelve (12) inches
- (B) Cornices, bay windows, and ornamentation may project beyond the property line at upper levels to a distance no greater than 3'-0". All other local codes and ordinances must be met in addition to these criteria

- (C) Additional habitable stories, mechanical penthouses, building appurtenances and other roof top elements shall respect the historic character and structural forms of adjacent buildings
- (D) Ground floor treatment shall have a traditional storefront character and pedestrian scale in the details

~~Awnings and canopies may project over the sidewalk as follows:~~

~~(i) A maximum of 5' 0" projection beyond the property line is permitted for standard awnings at street level.~~

~~(ii) A maximum of 3' 0" projection beyond the property line is permitted for awnings above street level.~~

~~(iii) One entry way canopy per building may be permitted to project a maximum of 8' 0" beyond the property line to establish the main entry, subject to approval by the President and consistent with all other codes and ordinances.~~

~~(E) The window area above street level shall be no greater than 60 percent of the total facade.~~

~~(F) Street level building setbacks to create plazas, parks, or other public open space will not be permitted.~~

(c) Horizontal Building Form Criteria

A strong, horizontal division of major building elements can be seen in the Gaslamp Quarter Planned District. Most of the *historical buildings* are characterized by a delineation of a building base, middle, and top. New infill buildings shall observe this pattern. Street level storefronts, restaurants and other pedestrian oriented shops establish the building base. The middle portion of the building is defined by floor-to-floor building heights and punctuated with narrowly spaced window openings.

Typically, the top of historic buildings in the Gaslamp Quarter Planned District ~~buildings~~ is generally highly articulated and ornamental and often provides the most expressive design features. However, any roof forms or articulation at the top of new construction shall be contemporary, understated in design and always subordinate to the elements, features and forms of ~~actual~~ adjacent historical roof lines structures.

- (1) Architectural Form
- (A) The building base includes those elements relating to the sidewalk pedestrian environment such as entries, show windows, and business signage. The ground floor shall be established no lower than 12 feet and no higher than 20 feet. The building base is differentiated from the upper part of the buildings by ~~the storefront band.~~ a projecting band and/or articulated recess in a continuous horizontal direction across the building façade.
- ~~(i) The building base shall be defined by a projecting band and/or articulated recess in a continuous horizontal direction across the building facade. This line shall be established no lower than 12 feet and no higher than 20 feet.~~
- ~~(ii) A further definition of the base is highly encouraged such as with triangular awnings, or a change in material.~~
- ~~(iii) The building base and entry shall be designed to integrate storefronts, signage and window display space into the overall fabric of the building form.~~
- (B) The middle of the building contains the window openings which coincide with the horizontal floor bands above the street level and may be capped with a cornice.
- ~~(i) Belt courses and moldings below the cornice are encouraged but not required.~~
- ~~(ii) The traditional ornamental cornice is not required. The effect can be achieved with contemporary materials and design.~~
- (C) The top of the building refers to roofing elements that terminate above the horizontal floor bands and cornice. ~~The following must be appropriately addressed in the design of building tops.~~ Additional floors are permitted above the cornice provided the facades of these floors continue the proportion and detail of the main building. Elevator penthouses and other roof elements shall be set back from the street façade.

All mechanical equipment, appurtenances and access areas shall be intentionally grouped, and architecturally screened and painted to match the roof colors and materials.

~~(i) Additional building floors are permitted above the cornice provided the facades of these floors continue the proportion and detail of the main building.~~

~~(ii) Elevator penthouses and attic elements shall set back from the street facade and cover no more than 30 percent of rooftop area. Such elements shall be subordinate in architectural importance to the main building facade below and shall not be visible from any of the surrounding streets.~~

~~(iii) Building elements exceeding 60 feet in height shall be in accordance with criteria for maximum building height.~~

(2) Floor-to-Floor Heights

(A) The exterior facades of new construction and infill buildings must respect the floor-to-floor heights typical of adjoining structures. A lesser floor height may be permitted subject to approval of the CCDC President to allow for mezzanines and design expression for other contemporary uses.

~~(B) Where above grade parking is proposed, all floors must be level, with ramping systems internal to the project. This is to insure proper horizontal proportions and detail on the exterior facades.~~

(d) Vertical Building Proportion Criteria

(1) The historic development of the Gaslamp Quarter Planned District occurred on blocks subdivided into 25' x 100' lots. Individual buildings, generally developed on small parcels, assembled from these lots. Thus, a majority of the existing *historical buildings* in the district are either 25 feet or 50 feet wide. The result is a predominance of buildings incorporating narrow windows and vertical building proportions.

- (2) Accordingly, *historical buildings* in the ~~e~~District ~~reflect reinforcement of~~ emphasize vertical elements in window openings, building bays and details such as pilasters and columns. Their vertical emphasis creates a rhythm across the facade that breaks down the horizontal bulk of buildings.

~~(A) — Infill Buildings.~~

~~The facades of infill buildings shall be organized into regular bays of symmetrically stacked fenestration.~~

~~(i) — All windows above the street level shall have a dominant vertical proportion.~~

~~(ii) — Show windows at the street level may vary from the vertical proportion provided they are coordinated with the upper level fenestration.~~

~~(iii) — Columns, pilasters, reveals, and other details may be used in a contemporary manner to enhance verticality and continuity.~~

(A) Design Criteria

The facades of new buildings shall be organized into regular bays of symmetrically stacked fenestration. All windows above the street level shall have a dominant vertical proportion. Storefront windows at street level may vary from the vertical proportion provided they are coordinated with the upper level fenestration. Refer to the Gaslamp Quarter Planned District Design Guidelines for specific design requirements.

(B) Additional Design Criteria for Corner Buildings

~~In addition to the criteria for infill buildings, e~~Corner buildings shall develop fully articulated facades on both street frontages so that each façade reinforces the design intent of the entire building. ~~These facades must include strong vertical demarcation of the corner building form. The portion of corner buildings 50 feet in from the corner at the intersection may be distinguished by changes in height, materials, fenestration, offsets, and reveals. No diagonal corner entries shall be permitted.~~

Corner entrances shall be distinguished with fenestration and offsets which emphasize the corner and complement the building's overall design. Refer to the Gaslamp Quarter Design Planned District Guidelines for specific design requirements.

(e) Architectural Fabric and Materials

- (1) *Historical structures* in the ~~d~~District are generally constructed of substantial, highly finished, detailed plaster or concrete and natural materials such as brick or stone. ~~The natural color of materials and earth tones predominate. Paint colors on historical buildings in the Gaslamp Quarter Planned District are typical of those found in the Victorian and Art Deco styles popular during the Gaslamp Quarter Planned District's period of significance.~~

New buildings should maintain the quality of materials expressed in surrounding existing buildings. Color and lighting should be used to compliment natural materials and highlight architectural forms and details. ~~Buildings will be encouraged to use~~ The use of storefront lighting is spotlights encouraged to help project the buildings' appearance and architectural features and contribute to a secure well-lit streetscape environment.

All paint color schemes are subject to review and approval by the CCDC President. The applicant shall provide color samples for review. The Gaslamp Quarter Planned District Design Guidelines contain specific information regarding the type of materials that are acceptable and how they can be used.

- ~~(2) — Brick masonry, stone, granite, or highly finished and detailed plaster are required facing materials. Ceramic tile may be used for limited areas. The use of plaster shall be limited to 20 percent of the base or 60 percent of the overall building facade.~~
- ~~(3) — Detailing may be wood, ornamental sheet metal, carved or cast stone, tile, brick, or terra cotta.~~
- ~~(4) — Storefront framing elements such as bulkheads may be painted wood, cast iron, fiberglass, or other highly finished, substantial materials.~~
- ~~(5) — Window frames should be painted wood, painted steel sash, or high quality natural metal finishes. Reflective silver aluminum storefront and window systems are not permitted.~~
- ~~(6) — Natural masonry colors and earth tones should dominate. Accent color schemes are encouraged subject to review by the President. Color samples should be provided by the applicant.~~

(f) Architectural Detail

- (1) A dominate design characteristic found in the contributing buildings of the Gaslamp Quarter Planned District ~~district~~ is the rich architectural detail and ornamentation. ~~Building elements, features and forms shall be contemporary in design integrity as well as respect the authenticity of historical Gaslamp Quarter styles and details. New building elements, features and forms shall reflect the scale, articulation and integrity of historical District detailing, but shall be distinguished as contemporary contributions. New elements shall not parody historic styles. New construction or additions shall be designed in a manner that makes clear what is historic and what is new. Refer to the Gaslamp Quarter Planned District Design Guidelines for specific design requirements on window and storefront detailing.~~

~~(A) Window/Glazing Treatment~~

- ~~(i) Window openings should be punched into the wall plane and windows set back a minimum of 4 inches from the outside wall plane.~~
- ~~(ii) No reflective or tinted glass is permitted.~~
- ~~(iii) When existing buildings are renovated, "blocked" or altered window openings are encouraged to be replaced with new or restored window frames to match the original opening.~~
- ~~(iv) Operable sash windows and multi-pane glass are encouraged.~~
- ~~(v) Articulated window head and sill details are strongly encouraged.~~

~~(B) Building Facades~~

- ~~(i) Storefront and building cornices and parapets may be articulated in profile.~~
- ~~(ii) Building cornices may be embellished with decorative flag and banner poles.~~
- ~~(iii) Columns, pilasters, and belt courses may be used for relief of flat wall-plane areas.~~

~~(iv) — The use of masonry is encouraged for embellishment with color, pattern, profile, texture, and shape. This may include varying coursing patterns, custom shapes, colors and details such as quoins and belt courses in a contemporary manner.~~

~~(v) — Additional detail materials such as ornamental metal, cast masonry, concrete, and tile are permitted provided that a contemporary design integrity is maintained.~~

~~(g) — Criteria for Courtyards, Arcades and Alley Spaces~~

~~(1) — A unique characteristic of the Gaslamp Quarter is the interior block~~

~~open spaces that frequently occur where buildings are set back from the mid-block property line. Where totally surrounded by existing historic buildings, internal alley spaces should be encouraged to serve adjacent buildings. New courtyards and arcades could be developed through buildings linking them to the street.~~

~~(2) — Internal spaces with open alley connections may be improved to invite public circulation. Back courtyards could support specialty retail, restaurant and entertainment activities with street level entry.~~

~~Rooftop terraces and balconies facing these internal courts and streets should be encouraged. Building sides facing courts and streets internal to the block may be oriented to these spaces with consideration for available light, air and view.~~

~~(A) — Subject to building and fire codes, party walls may include recessed windows or alcoves for fenestration if located above the height of possible adjacent development.~~

~~(B) — Rear and side walls adjoining interior block open space should incorporate fenestration to take advantage of light and air and provide access to useable open space.~~

~~(C) — Roof decks and step back terraces should be incorporated in order to increase rear entrance exterior open space.~~

~~(D) — Mid block connections will not be permitted where it is determined that it would be detrimental to the vitality of street front uses.~~

~~(h) — Roofs~~

~~In general, roofs shall not be visible from the street.~~

~~(i) — Remodeling~~

~~To preserve the historical integrity of the Gaslamp Quarter, all exterior remodelings must be in character with the original style of the building in question, regardless of its era.~~

~~(“General Design Regulations” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§157.0303 General Guidelines for Rehabilitation of Designated Historical Structures

(a) General Considerations

This section applies to contributing buildings in the Gaslamp Quarter Planned District. A contributing building is one that has been individually designated or designated as part of the District nomination to the National Park Service. Typical modifications of contributing buildings range from facade repainting to construction of additions. The appendix of the Gaslamp Quarter Planned District Design Guidelines provides a comprehensive list of the contributing buildings in the District. Refer to the San Diego Historical Site Board Register and the National Register of Historic Places for newly listed *historical buildings* in the Gaslamp Quarter Planned District. All modifications to contributing buildings shall follow the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

These standards are supported through the application of the following guidelines for work done in the District:

- (1) Rehabilitate property in a manner which will require the minimum alteration to the character defining elements of the building.
- (2) Exterior rehabilitation work should give priority to retaining all distinguishing *historical* materials and architectural features. The removal or alteration of any significant historical material or architectural features should be avoided.
- (3) Deteriorated exterior architectural features should be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in design, color, texture and other visual qualities.

Repair or replacement of architectural features should be based on accurate duplications of original features, substantiated by physical or pictorial evidence. Changes that create a false sense of historical development, such as conjectural features or elements from other historical properties, shall not be undertaken. The San Diego Historical Society has a substantial collection of vintage photographs of the District which in addition to other sources, should be researched to obtain accurate information on the specific building.

- (4) Distinctive exterior stylistic features, materials, finishes, or examples of skilled craftsmanship which characterize older structures should be retained and treated with sensitivity.
- (5) Many exterior changes to building and environments have been made over the years and are evidence of the history of the building and the District. These changes may have developed significance in their own right, and this significance should be recognized and respected.
- (6) All buildings should be recognized as products of their own time. Alterations that have no historical basis and which seek to create inappropriate earlier exterior appearances or architectural styles are discouraged.
- (7) New additions, exterior alterations, or related new construction shall not destroy the significant historical or architectural materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
- (8) Wherever possible, new additions or alterations to historical buildings should be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original building would be unimpaired.

(b) Code and Zoning Considerations

For qualified historical structures, the California Historical Building Code applies (Chapter 8, Title 24, California Code of Regulations). Land Development Code Chapter 12, Article 7, Division 1 (Previously Conforming Premises and Uses) of the Land Development Code shall not apply to historical or architecturally significant buildings, structures, or sites as designated by the HRB. Refer to the Gaslamp Quarter Planned District Design Guidelines for further information regarding applicable codes.

§157.03034 Permitted Uses

~~In the Within the Gaslamp Quarter Planned District Redevelopment Project Area, no building or improvement or portion thereof shall be ~~erected, constructed, converted, established, altered, or enlarged, nor shall any premises~~ be used except as permitted by this Division. for one or more of the following purposes: Permitted ground floor uses in the Gaslamp Quarter Planned District are limited to active uses focusing on restaurants and retailing of consumer goods and services. No single user or business shall occupy more than 10,000 square feet on the ground floor of a building except as provided in Section 157.0305(d) of this Division.~~

(a) Permitted Uses on Any Floor of a Building:

Retailing of consumer convenience goods and dispensing of consumer services from the following establishments located on any floor of a building are permitted uses:

- (1) Antique shops
- (2) Art galleries
- (3) Bakeries including combination retail/wholesale establishments
- (4) Barber shops
- (5) Beauty shops
- (6) Bicycle shops
- (7) ~~General b~~Bookstores: ~~A general bookstore is an establishment engaged in the buying, selling or trading of new and/or used books and periodicals of general interest. A general bookstore does not include an "Adult Bookstore" as described in Land Development Code Section 41.0601(a).~~
- (8) Boutiques
- (9) Camera shops/photographic equipment, supplies and film processing.
- (10) Clothing stores
- (11) Computer and copy services stores (including sales, display and copy reproduction). Does not include uses involving printing presses or other large commercial equipment.

- (~~14~~2) Confectionaries (candy stores)
- (~~12~~3) ~~Decorator and home accessory shops~~ Condominium sales offices and apartment leasing offices which are primarily related to residential units on the same premises.
- (14) Decorator and home accessory shops
- (~~13~~5) Delicatessens
- (16) Drafting and blueprint services.
- (~~14~~7) Drug stores
- (18) Entertainment center or establishments, freestanding or operating in conjunction with any other permitted use, which utilizes electronic or mechanical games of skill or amusement not to exceed five (5) devices.
- (19) Entertainment clubs, comedy clubs, etc. subject to the provisions of Section 157.0305 of this Division.
- (~~15~~20) Financial institutions
- (~~16~~21) Florists
- (~~17~~22) Food stores ~~not exceeding 10,000 sq. ft.~~
- (~~18~~) ~~Gift and novelty shops. — Excluding any establishment listed and described in Land Development Code Section 141.0601(a).~~
- (23) Furniture stores
- (~~19~~24) Hardware stores
- (~~20~~25) Hobby shops
- (~~21~~26) Ice cream parlors
- (~~22~~27) Import and art objects stores
- (~~23~~28) Jewelry stores
- (~~24~~29) Locksmith shops

- (~~25~~30) Leather goods stores
- (~~26~~31) Luggage shops
- (~~27~~32) Medical appliance sales
- (~~28~~33) ~~Nurseries~~ Music stores
- (~~29~~34) Nightclubs and supper clubs subject to the provisions of Section 157.0305 of this Division ~~excluding an "Adult Cabaret" as described in Land Development Code Section 141.0601(a)~~
- (~~30~~35) ~~Open air cafes (sidewalk cafes not located in public right of way)~~ Office furniture and equipment sales
- (~~31~~36) Pawn shops
- (~~32~~37) Pet shops
- (~~33~~38) Photographic studios. ~~Excluding any establishment listed and described as an Adult Entertainment Establishment in Land Development Code Section 141.0601(a).~~
- ~~This provision does not apply to any school of art which is operated by any person or entity which meets the requirements established in the Education Code of the State of California for the issuance of diplomas, and is authorized under the Education Code to issue diplomas.~~
- (~~34~~39) Post offices
- (~~35~~40) Radio and television studios~~Wholesale and/or retail produce markets for the sale of fresh fruit, produce, flowers, plants, meat, poultry and groceries~~
- (~~36~~) ~~Entertainment Clubs, Comedy Clubs, etc.~~
- (~~37~~41) Restaurants (excluding drive-in and drive-thru restaurants), subject to the provisions Section 157.0305 of this Division~~of subsection F of this section~~
- (42) Retail produce markets for the sale of fresh fruit, produce, flowers, plants, meat, poultry and groceries.
- (~~38~~43) Shoe stores

- (~~39~~44) Shoe repair shops
- (~~40~~45) Shoe shine parlors
- (~~41~~46) Sporting goods stores
- (~~42~~47) Stationers and card shops. ~~Excluding any establishment listed and described as an Adult Entertainment Establishment in Land Development Code Section 141.0601(a).~~
- (~~43~~48) Studios for art, dance and music. ~~Excluding any establishment listed and described as an Adult Entertainment Establishment in Land Development Code Section 141.0601(a).~~

~~This provision does not apply to any school of art which is operated by any person or entity which meets the requirements established in the Education Code of the State of California for the issuance of diplomas and is authorized under the Education Code to issue diplomas.~~
- ~~(44) Supper clubs, excluding those establishments described under 27. "Nightclubs," subject to the provisions of Section 157.0204.~~
- (~~45~~49) Theaters. ~~Excluding an establishment listed and described as an Adult Entertainment Ordinance as an Adult Entertainment Establishment in Land Development Code Section 141.0601(a).~~
- (~~46~~50) Tobacco shops
- (~~47~~51) Travel agencies
- (~~48~~52) Variety stores
- (~~49~~53) Wedding shops
- ~~(50) Business and professional office uses (i.e., accountants, advertising agencies, architects, attorneys, contractors, doctors, engineers, insurance brokers, securities brokers, surveyors and graphic artists).~~
- ~~(51) Computer and copy services stores (including sales, display, and copy reproduction). Does not include uses involving printing presses or other large commercial equipment.~~
- ~~(52) An entertainment center or establishment, freestanding or operating in conjunction with any other permitted use enumerated herein, which utilizes electronic or mechanical games of skill or amusement not to exceed 5 devices.~~

- (b) Permitted Uses Only Above or Below the First Floor of a Building~~The following uses shall be permitted only above or below the first floor:~~
- ~~(1) — Drafting and blueprint services~~
 - ~~(2) — Medical appliances sales~~
 - ~~(3) — Office furniture and equipment sales~~
 - ~~(4) — Furniture stores~~
 - (5) Addressing, secretarial and telephone answering services
 - (2) Business and professional office uses (i.e., accountants, advertising agencies, architects, attorneys, contractors, doctors, real estate, engineers, insurance brokers, securities brokers, surveyors and graphic artists).
 - (3) Dwelling units
 - ~~(6)~~ 4 Electronic data processing, tabulating, and record keeping
 - ~~(7)~~ 5 Funeral parlors
 - ~~(8)~~ 6 Hotels ~~, motels and apartment hotels~~ (except for hotel lobbies, restaurants and lounges) and other ancillary functions).
 - ~~(9) — Radio and TV stations~~
 - ~~(10)~~ 7 Labor unions and trade associations
 - ~~(11)~~ 8 Lithography shops
 - ~~(12)~~ 9 Medical, dental, biological, and ~~x~~X-ray laboratories
 - ~~(13)~~ 10 Newspaper plants.
 - ~~(14)~~ 11 Photographic equipment, supplies and film processing in connection with. ~~This restriction shall apply to~~ wholesale uses only.
 - ~~(15)~~ 12 Private clubs, fraternal organizations, and lodges
 - ~~(16)~~ 13 Wholesaling and warehousing
 - ~~(17) — Dwelling units~~

(c) Permitted Specialized Uses on Any Floor:

- (1) Charitable organizations (nonprofit or otherwise) and their attendant activities.
- (2) Churches, ~~temples or buildings of a permanent nature used primarily for religious purpose~~ as accessory use only.
- (3) Museums
- (4) Tourists and historical information centers. A public facility wherein visitors and/or residents are given assistance and information about the historical nature of the Gaslamp Quarter Planned District and downtown area.
~~The sale or distribution of food and the provision of lodging is prohibited for those specialized uses, except to employees of these organizations.~~

~~(d) — Other uses typically conducted within the street right of way during the 1880-1910 era; such as: flower sales, musicians, newsstands, shoeshine stands and sales of merchandise typically sold by street vendors during the 1880-1910 era, when such uses are in conjunction with the use of adjacent private property and have been authorized by an encroachment permit issued by the City Engineer pursuant to Sections 62.0620, 62.0630 and 157.0303(e).~~

(d) Prohibited Uses

The following uses shall be prohibited in the entire District as both principal and accessory uses:

- (1) Adult entertainment establishments as defined by the San Diego Municipal Code Section 101.1801 or Section 141.0601(a) of the San Diego Municipal Code.
- (2) Card rooms
- (3) Commercial amusement establishments or establishments which include more than five “games of skill or amusement” such as any mechanical, electrical, electronic, or video machine device or apparatus, or combination thereof. Tattoo and body piercing establishments
- (4) Correctional placement facilities. This category shall include “halfway houses”, work furlough facilities, or other facilities intended to house inmates or other persons considered to be wards of the State.

(5) Drive-through businesses

(6) Tattoo and body piercing establishments

(e) Special Regulations for Ground Floor Uses

Uses may not occupy more than 10,000 square feet on the ground floor of any building unless a Conditional Use Permit has been approved for such a use pursuant to Section 157.0305 (d) of this Division.

Ground floor uses larger than 10,000 square feet in use in accordance with prior regulations but no longer permitted on the ground floor by these revised regulations may continue subject to Chapter 12, Article 7, Division 1 of the Land Development Code but may not enlarge their space on the ground floor. The use may expand into a basement or upper floor only if permitted in accordance with this Division.

(f) Specialized Uses in the Public Right-of-Way

~~(e)~~ Specialized uses in the ~~street~~ public right-of-way which are consistent with the ~~1880-1910-1873-1930~~ era may be considered on all streets with the exception of Broadway. Proposed uses must meet safety and design criteria set forth in the Gaslamp Quarter Planned District Urban Design and Development Manual-Design Guidelines as adopted by resolution by the City Council.

Prior to the use of ~~street~~ public right-of-way for a specialized use, an encroachment permit shall have been obtained from ~~the City Engineer~~ the Development Services Department of the City of San Diego, pursuant to Sections 62.0620, 62.0630 and 157.0303(e). A clear separation of the encroachment area and the remainder of the sidewalk shall be provided. ~~A special use shall be conducted in conjunction with the use of the adjacent private property.~~ Encroachments shall not be allowed to extend out into the public right-of-way for more than half the width of the sidewalk (from property line to curb). Permitted uses to be considered include: sidewalk cafes, moveable encroachments such as flower stalls, newsstands, and shoeshine stands. Pushcarts selling food are not allowed in the public rights-of-way.

In addition to ~~special~~ specialized uses, an encroachment permit may be granted to provide for:

~~(1)~~ Sstairways to the basement, and from upper floors, of a building which provide access to under-utilized areas of a building and/or improve circulation for life-safety aspects of a building.

~~(2) Awnings, canopies and marquees no closer than 2 feet from the curb line; and~~

~~(3) Street furniture including street lights, benches, fountains, flags, water troughs and similar items.~~

~~Sidewalk cafes, authorized pursuant to this subsection, which propose to serve alcoholic beverages, shall be exempt from the provisions of Municipal Code, Section 56.54, providing the serving and consumption of alcoholic beverages is within the confines of the encroachment area.~~

~~(f) Notwithstanding anything in this Section to the contrary, no premises shall be used, in whole or in part, either directly or indirectly, by any person, including a local, state or federal government or any contractor or agent thereof, for the purposes of housing or assisting in any manner inmates or paroles from federal, state or county prisons or jails or for detaining any person(s) pursuant to the authority of any law.~~

~~(g) Any other use which the Board of Directors may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of the Gaslamp Quarter Planned District Ordinance. The adopted resolution embodying such findings shall be filed in the office of the City Clerk of the City of San Diego.~~

~~(“Permitted Uses” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

§ 157.0305 Separately Regulated Uses

(a) Alcoholic Beverage Sales for On-Site Consumption

(1) Restaurants which offer made-to-order food products during all business hours shall not be required to obtain a Conditional Use Permit from the CCDC President for the sale of alcoholic beverages for “on-site” consumption.

(2) A Conditional Use Permit shall be required for the following restaurants or other permitted uses which include the sale of alcoholic beverages for “on-site” consumption:

(A) Restaurants, which may include brew pubs and/or micro-breweries, engaged in the sale of alcoholic beverages for “on-site” consumption hours when made-to-order food products are not available;

(B) Nightclubs or other uses offering live music, entertainment and/or dancing;

- (C) Food stores
- (D) Restaurants
- (E) Micro breweries (brew pub)
- (2) The following conditions of approval for an off-site consumption Conditional Use Permit shall apply:
 - (A) The sale of alcoholic beverages shall be complementary to the primary use of the property and the intended use must be in conformance with permitted uses as outlined in the GOPDO and all other relevant regulations.
 - (B) Application shall be for a location currently under significant rehabilitation and/or new construction, or where significant rehabilitation has been completed.
- (3) No wine or distilled spirits shall be sold in containers of less than seven-hundred-fifty (750) milliliters.
- (4) No malt beverage products shall be sold in less than six-pack quantities per sale.
- (5) No wine shall be sold with an alcoholic content greater than 15 percent by volume.
- (6) Quarterly gross sales of alcoholic beverages shall not exceed 25 percent of the quarterly gross sales of the establishment.
- (7) No alcoholic beverages shall be sold except between the hours of 10:00 a.m. and 10:00 p.m. of each day of the week.
- (8) Stores greater than 10,000 square feet in floor area where the shelving allocated to alcoholic beverages does not exceed 10 percent of the total shelving within the store shall not be required to obtain additional permits from the CCDC President.
- (9) After considering the facts presented in the application, the President may grant a Conditional Use Permit if it is concluded at the hearing that all of the applicable criteria set forth above have been met. In granting the Conditional Use Permit, the President may impose additional conditions as deemed necessary and desirable to protect the public health, safety and welfare which address the following issues to ensure compliance with the provisions of this Division:

- (A) Entertainment uses or activities or amusement devices on the premises;
- (B) Hours of operation for sales of alcoholic beverages;
- (C) Security measures;
- (D) Potential noise impacts to residential occupants;
- (E) Lighting, litter and nuisance abatement, or any other special requirements for the premises; and,
- (F) Any other special requirements for the premises.

(c) Uses Containing Outdoor Areas for Eating and/or Drinking

Establishments with outdoor areas for eating and/or drinking, either on private property and in the public right-of-way, shall be required to obtain a Neighborhood Use Permit (Process 2).

(d) Ground Floor Uses Over 10,000 Square Feet

The following findings must be made for approval of a Conditional Use Permit for uses occupying more than 10,000 square feet on the ground floor:

- (1) Uses shall not occupy more than 150 feet of continual lineal street frontage including around block corners;
- (2) Additional pedestrian entrances shall be provided for frontages greater than 100 feet; and,
- (3) The type of use, and the design of the tenant improvements, will create a lively pedestrian experience consistent with the goals and policies adopted for the District.

(e) Revocation

A Conditional Use Permit may be revoked pursuant to Section's 121.0313 through 121.0316 of the Land Development Code if conditions as set forth in the permit are not being met and/or evidence is provided to CCDC that the use is creating a nuisance to the surrounding neighborhood. Prior to revocation, the permit holder shall be given a public hearing to show cause why the permit should not be revoked. Consideration shall follow the same process of approval as the original Conditional Use Permit.

Revised Strikeout Underline 6/30/08

Article 7: Gaslamp Quarter Planned District

*(“Gaslamp Planned District” added 3-27-2007 by O-19588 N.S.;
effective 4-26-2007.)*

Division 4: General and Supplemental Regulations

*(“General and Supplemental Regulations” added 3-27-2007 by O-19588 N.S.;
effective 4-26-2007.)*

§157.0401 Off-Street Parking Requirements, ~~Construction, Maintenance and Operation Regulations~~

~~No off-street surface parking shall be visible from the street frontage. Such parking shall be restricted to the rear 50 percent of any parcel along Fifth Avenue. Such parking shall be in conformance with Land Development Code Section 142.0560 (Development and Design Regulations for Parking Facilities). Such parking shall also be in substantial conformance with the Architectural Controls as specified in this Planned District Ordinance. Substantial conformance shall be determined by the President; said determination shall be subject to appeal in the manner set forth in Section 157.0202.~~

~~(“Off-Street Parking, Construction, Maintenance and Operation Regulations” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

- (a) New developments located on sites containing more than 10,000 square feet shall comply with the minimum parking requirements established in Table 0401-A.
- (b) New developments on small sites of 10,000 square feet or less shall not be required to provide off-street parking.
- (c) All required parking shall meet the City of San Diego Parking Standards in Section 142.0560, Table 142-05J and Table 142-05K of the Land Development Code. Parking stalls provided in excess of required ratios may deviate from these standards subject to approval by the CCDC President.
- (d) Existing buildings converted from one permitted land use to another land use shall not be required to provide parking.
- (e) Driveway curb cuts shall not be permitted on Fifth Avenue.
- (f) The CCDC President may grant a deviation from the parking requirements for projects which have their only public street access along Broadway and/or Fifth Avenue through approval of a Neighborhood Use Permit (Process 2).

<u>TABLE 0401-A: OFF-STREET PARKING REQUIREMENTS</u>		
<u>Use Category</u>	<u>Minimum</u>	<u>Notes</u>
<u>Office</u>	<u>1.5 spaces per 1,000 sf</u>	<u>Projects containing less than 50,000 square feet of office space are exempt.</u>
<u>Commercial/Retail</u>	<u>1.0 spaces per 1,000 sf</u>	<u>Projects containing less than 30,000 square feet of commercial/retail space are exempt.</u>
<u>Hotel</u>	<u>0.3 spaces per room</u>	<u>Projects containing less than 25 guest rooms are exempt.</u>
<u>Dwelling Units</u>	<u>1.0 space per unit</u>	

§157.0402 Signs

Initial approval for the design of a sign shall be made by the CCDC President before an application for a sign permit shall be made to CCDC in accordance with the requirements of the Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures). The President shall review the application and provide a recommendation to the City Manager within 10 calendar days from of the date of receipt of the application. is made at the Development Services Department of the City of San Diego.

(a) Regulations

The structure, content, lettering, location, size, number, illumination, color, projection and other characteristics of all signs in the Gaslamp Quarter Planned District shall be subject to the following regulations: are regulated by the Gaslamp Quarter Planned District Design Guidelines. In addition to regulations for typical building signs, the Gaslamp Quarter Planned District Design Guidelines also includes regulations regarding permanent sign banners, neon signs, restaurant menu boards, multi-media signs, and audible devices.

- (1) ~~Signs shall be pedestrian oriented in size and shape. Lettering and symbols shall be simple and bold.~~
- (2) ~~The area of all signs on a building shall not exceed an area of two square feet for each foot of street frontage occupied by the building, and shall in no event exceed a total of 100 square feet on each street frontage.~~
- (3) ~~No roof sign shall be permitted.~~

- ~~(4) — A sign may not project perpendicularly beyond the property line more than 6 feet. This limitation shall apply to signs only.~~
- ~~(5) — Projecting signs for each establishment shall be limited to one 18 square foot double space sign on each street frontage occupied by the establishment. Faces of double sided signs shall be parallel.~~
- ~~(6) — The tops of all signs shall be placed entirely below the level of the lowest cornice or strong horizontal element located above the ground story of the building, but in no event higher than 3 feet above the top of the ceiling level of the ground story, with the exception of simply black or gold letters which may be applied to windows above the first floor. Lettering should be contemporary to the period in which the building or structure was built.~~
- ~~(7) — All illumination shall be by means of gas and/or incandescent bulbs to be in keeping with the lighting of the period.~~
- ~~(8) — Nothing herein shall prohibit flashing, moving, or animated signs providing that all provisions and conditions stated above are met.~~
- ~~(9) — Preservation of historic commercial graphics painted on the sides of buildings shall be encouraged.~~
- ~~(10) — Historical Signs: All requests for signs not conforming to that permitted in the above paragraphs shall be accompanied by documentary evidence that signs of such size and advertising such a business were in use in the area prior to 1910. Signs must conform in size, shape, design, material, coloring, lighting and location to the Pre 1910 period. Documentary evidence must be approved by the Historical Resources Board.~~

~~(b) — Compliance~~

~~Signs in existence on the effective date of Ordinance No. O 11870 which do not conform to the provisions of the Gaslamp Quarter Planned District Ordinance but which were constructed, erected, affixed, or maintained in compliance with all previous regulations shall be regarded as previously conforming signs.~~

~~Previously conforming signs shall be removed no later than 7 years from the date they became previously conforming. For previously conforming signs in existence on or before August 13, 1976, the effective date for removal of these signs is August 13, 1983. If the event signs become previously conforming by amendments to the sign regulations of the District they shall be removed no later than 7 years from the date they became previously conforming.~~

~~Previously conforming signs or parts thereof, including sign supports, may be declared "Public Nuisances" and then shall be abated as prescribed by law.
(*"Signs" added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.*)~~

§157.0403 Awnings and Canopies

Awnings and canopies were used historically in the Gaslamp Quarter Planned District. All new awnings and canopies shall be designed in compliance with the Gaslamp Quarter Design Planned District Guidelines which sets forth requirements on configuration, placement and materials.

§157.0404 Sidewalk Cafés

Sidewalk cafes shall comply with Section 141.0621 and 157.0305(c) of the Land Development Code and the Gaslamp Quarter Planned District Design Guidelines.

§157.0405 Automatic Teller Machines (ATM's)

In general, ATM's (or other similar electronic ticketing or video displays) are not considered to be compatible with the historical District. However, as a desirable convenience in today's society, such devices should be carefully located to minimize their visual impact. Such devices may be installed only on the exterior of a non-contributing building provided they meet the criteria set forth in the Gaslamp Quarter Planned District Design Guidelines.

§157.04036 Public Facilities, Structures and Area

All open spaces, streets, sidewalks, street furniture, street signs, lighting installations, and any incidental structures or monuments, shall conform to the intent of this Planned District Ordinance, which is to ~~re-create~~ complement the history ~~of the~~ and character of the Gaslamp Quarter Planned District in general accord with the period between ~~1880 to 1910~~ 1873 to 1930 and shall be subject to the same regulations, conditions and standards established herein.

~~(*"Public Facilities, Structures and Area" added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.*)~~

~~§157.0404 — Regulations for Historic and Architecturally Significant Structures~~

~~(a) — Alterations~~

~~Land Development Code Chapter 12, Article 7, Division 1 (Previously Conforming Premises and Uses) does not apply to historic or architecturally significant buildings, structures, or sites as designated by the Historical Resources Board.~~

~~(b) — Exceptions~~

~~The President may grant an exception to any regulation within this Planned District Ordinance including permitted uses, when the exception is necessary to permit the preservation or restoration of a historic or architecturally significant building, structure or site. The President may not grant exceptions to building code or fire code requirements. An exception shall be subject to the following conditions:~~

- ~~(1) — The subject building, structure or site must be identified by the Historical Resources Board as being historic or architecturally significant;~~
- ~~(2) — The proposed exception shall be referred to CCDC and the Historical Resources Board for a report and recommendation;~~
- ~~(3) — The President in granting an exception shall make a finding that the exception is necessary to permit the preservation or restoration of a historic or architecturally significant building, structure or site; that strict application of the provisions contained in this Planned District Ordinance would result in economic or other practical difficulties in securing the preservation or restoration of a historic or architecturally significant building, structure or site, and that the granting of an exception will not be injurious to the community or detrimental to the public welfare; and~~
- ~~(4) — In making a decision, the President shall make a written finding which shall specify facts relied upon in rendering his or her decision. A copy of this written finding, together with all evidence presented to the President, including plans required elsewhere in this Planned District Ordinance shall be filed along with the President's decision in the office of the City Clerk and the CCDC. The written finding and decision shall be mailed to the applicant and is subject to appeal as provided in Section 157.0202.~~

~~(“Regulations for Historic and Architecturally Significant Structures” added 3-27-2007 by O 19588 N.S.; effective 4-26-2007.)~~

§157.0407 Rooftop Antennae and Satellite Dishes

Cellular phone antennas or satellite dishes are not permitted on historical buildings or contributing structures. Cellular phone antenna, satellite dishes and associated screening enclosures on newly constructed buildings shall not be visible from the public right-of-way.

§157.0408 Previously Conforming Structures

Previously conforming structures are structures which complied with all applicable state and local laws when it was first built or came into existence, but because of a subsequent change in zone or development regulations, is not in conformance with the current zone or development regulations applicable to that zone. All Previously Conforming signage, awnings, canopies, sidewalk cafés, ATM's, rooftop antennae and satellite dishes, or similar elements in existence on the effective date of this ordinance which do not conform to the provisions of the GOPDO and/or Gaslamp Quarter Planned District Design Guidelines shall be required to be revised, altered, or removed in order to comply with the current provisions of the GOPDO and Gaslamp Quarter Planned District Design Guidelines no later than five years from the effective date of this ordinance.

~~**§157.0405 Minimum Maintenance of Structure and Facilities**~~

~~(a) Purpose and Intent~~

~~The purpose of this Section is to provide the Gaslamp Quarter District with the assurance that certain conditions in the area which contribute to blight will be corrected so as to preserve and protect the health, safety and welfare of the area as a whole, provide a safe and pleasant environment, and assist in the implementation of the Gaslamp Quarter Redevelopment Plan.~~

~~(1) The Gaslamp Quarter has been found and declared to be a "blighted" area as defined by the Community Redevelopment Law (California Health and Safety Code Section 33000 et seq.), and such "blighted" conditions that exist in the District have been determined by the legislature to be inimical to the public health, safety and welfare. Due to these conditions, certain buildings and uses may be found to be injurious and inimical to the public health, safety and welfare.~~

~~(2) It is further found and determined that the adoption and enforcement of this section of the ordinance is a critical element necessary and~~

~~appropriate to implement the Redevelopment Plan for the Gaslamp Quarter and achieve the beneficial and remedial objectives of the Plan for the Gaslamp Quarter Redevelopment Project Area.~~

~~(b) — Enforcement~~

~~The City Manager is hereby designated as the officer to exercise the powers assigned by this Planned District Ordinance in relation to blighted buildings in the Gaslamp Quarter. The City Manager is authorized and directed to adopt, promulgate, amend, and administrate rules consistent with the Planned District Ordinance and necessary to carry out of the duties of the City Manager hereunder.~~

~~(e) — Right of Entry~~

~~Whenever necessary to make an inspection to enforce any of the provisions of this Planned District Ordinance or whenever the City Manager has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises physically blighted as defined in the adopted Gaslamp Quarter Redevelopment Plan and Section 157.0405(e) and upon presentation of proper credentials, the City Manager may, with the consent of the occupant or with the consent of the owner or person in charge of an unoccupied building or pursuant to a lawfully issued warrant, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the City Manager by this Planned District Ordinance.~~

~~(1) — No owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand pursuant to a lawful warrant is made, to promptly permit entry therein by the City Manager for the purpose of inspection and examination pursuant to this Planned District Ordinance.~~

~~(2) — In order to enforce this Planned District Ordinance, the City Manager shall investigate all buildings on a regular basis.~~

~~(d) — Minimum Maintenance Standards~~

~~All buildings or structures shall be maintained in accordance with the following standards in order to provide for the preservation of the buildings or structures and to arrest and correct conditions of deterioration in the absence of which the buildings or structures will become blighted and will contribute significantly to the spread of blight throughout the Gaslamp District:~~

~~(1) — Adequate and effective weather protection shall be provided:~~

~~(A) — To prevent interior walls, ceiling and coverings from crumbling, breaking, falling or becoming loose.~~

- ~~(B) — To prevent deterioration of exterior walls due to ineffective or non-existent exterior wall cover, lack of paint or other approved protective coating.~~
 - ~~(C) — To prevent exterior walls or roofs from becoming broken, split, decayed or buckled.~~
 - ~~(D) — By maintaining all doors and windows in weathertight condition.~~
- ~~(2) — Adequate and effective maintenance of building fronts and sides abutting streets, rear and side walls and roofs shall be provided.~~
- ~~(A) — Decorative elements of building fronts and sides abutting streets shall be structurally sound. Unsound, rotten or weakened cornices, or portions, shall be removed and repaired or replaced to match as closely as possible the original pattern. All exposed wood shall be painted. Show windows, entrances, signs, lighting, sun protection, security grilles, etc. shall be maintained in good repair.~~
 - ~~(B) — Rear and side walls shall present a neat and fresh appearance. Rear walls shall be painted to cover evenly all miscellaneous patched and filled areas or stuccoed to present an even and uniform surface.~~
- ~~Sidewalls, where visible from the street, shall be finished or painted so as to be harmonious with the front of the building or structure.~~
- ~~(C) — Chimneys, elevator penthouses or any other auxiliary structures on the roof shall be maintained as required for rear and side walls. Any construction visible from the street or from other buildings shall be finished so as to be harmonious with other visible building walls.~~

~~(e) — Determination of Violation of Maintenance Requirements~~

~~Failure to maintain a building or structure in the manner provided by Section 157.0405(d) shall constitute a violation of this Planned District Ordinance and such building or structure is hereby declared to be a blighted building or structure.~~

- ~~(1) — Commencement of Proceedings. Whenever the City Manager has inspected or caused to be inspected any building, structure, premises, land or portion thereof, and determines that it is a blighted building used or maintained in violation of this Planned District Ordinance, he~~

~~or she shall commence proceedings to cause the correction of each violation.~~

~~(2) Notice and Order. The City Manager shall issue a written notice and order directed to the owner of the building with a copy to the Building Official. The notice and order shall contain:~~

~~(A) The street address and a legal description of real property and/or description of personal property sufficient for identification of where the violation occurred or is located.~~

~~(B) A statement that the City Manager has found the building to be in violation of this Planned District Ordinance with a brief and concise description of the condition found to be in violation.~~

~~(C) A statement of the corrective action required to be taken. If the City Manager has determined that corrective work is required, the order shall require that all required permits be secured and the work physically commenced within such time and be completed within such time as the City Manager shall determine reasonable under the circumstances.~~

~~(D) A statement informing the recipient that he must comply with required permit procedures for buildings, including requirements of the Gaslamp Quarter Planned District Ordinance.~~

~~(E) Any blighted building or structure not brought into compliance with the order of the City Manager or decision of the Planning Commission may be abated in accordance with the provisions of the Gaslamp Quarter Redevelopment Plan or other civil or criminal remedies provided by the San Diego Municipal Code may be instituted.~~

~~(f) Abatement~~

~~In addition to or as an alternative to any other judicial or administrative remedy provided in the Gaslamp Quarter Planned District Ordinance or by law or other ordinance, the City Manager may abate any of the properties on which any of the foregoing conditions exist under the provisions of the Gaslamp Quarter Redevelopment Plan as presently adopted or herein after amended~~

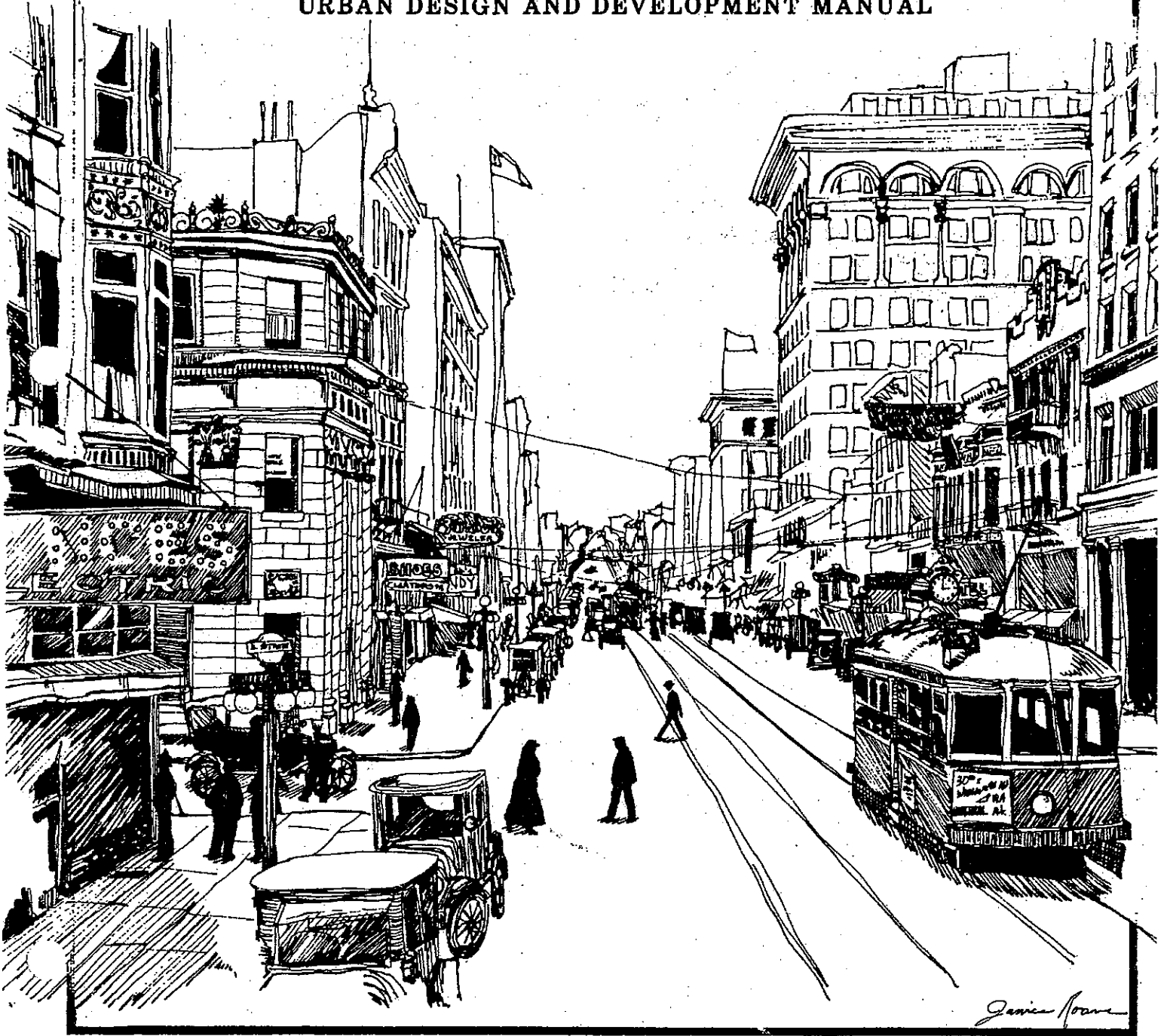
~~(“Minimum Maintenance of Structure and Facilities” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)~~

ATTACHMENT 3

1985 URBAN DESIGN AND DEVELOPMENT MANUAL

Gaslamp Quarter

PLANNED DISTRICT ORDINANCE
and
URBAN DESIGN AND DEVELOPMENT MANUAL



**GASLAMP QUARTER PLANNED DISTRICT ORDINANCE
DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE
(ADDED 7/14/76 BY 011870 N.S.)**

§ 103.0400 Purpose and Intent

The public health, safety, and general welfare require that property in the Gaslamp Quarter be revitalized and protected from further impairment in value. It is necessary to impose reasonable requirements and restrictions upon erection of new buildings and structures and the use, maintenance and alteration of existing and relocated buildings and structures. To assist in this endeavor, the distinctive architectural character that existed from 1880 to 1910 shall be retained and enhanced. Businesses that can enhance this historic environment will be encouraged to locate in the Gaslamp Quarter and ones that do not enhance this environment will be terminated or altered. The major segment of the modern City of San Diego began here and was the central business district of those early times. Many officially designated historical landmarks provide a basic architectural unity and visual distinction in the area, and historically significant architecture is found throughout the district. Six architectural elements in varying pattern and emphasis govern the overall structural form and design continuity. These are: scale and proportion, fenestration, materials, color, texture, detail and decorative features. The Gaslamp Quarter's historic quality is further enhanced by its central location, contrasting impressively with the contemporary buildings of the Centre City core area. The revitalization of the Gaslamp Quarter is in keeping with the objectives and proposals of the General Plan, and would complement the adjacent Horton Plaza Redevelopment Project and will assist in the implementation of the Gaslamp Quarter Redevelopment Project.

Pursuant to findings of the San Diego City Council on July 26, 1982, the Gaslamp Quarter Redevelopment Project Area was found to be blighted. Furthermore, the City Council determined that revitalization of the area was necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code section 33000 et. seq.). These findings were based upon the following conditions which characterize the project area:

1. the existence of unfit or unsafe buildings and structures due to age, obsolescence, faulty exterior spacing and mixed-character and shifting of uses;
2. the existence of properties which suffer from deterioration and disuse because of: inadequate public improvements, facilities, utilities and open spaces, including inadequate and insufficient traffic circulation, parking, sidewalks, curbs, gutters, street lights, and lots (parcels) of an irregular form, shape and size, which cannot be remedied with private or governmental action without redevelopment;
3. the existence of properties which suffer from economic dislocation, deterioration and disuse resulting from faulty planning;

restrictions on use specified in these regulations in evaluating the appropriateness of any development for which a permit is applied under this Division. The Executive Vice President may approve, modify, or disapprove any applications for a permit, based upon the conditions of compliance or noncompliance with the adopted regulations and approved criteria and standards.

(Amended 2-18-92 by O-17738 N.S.)

§ 103.0403 Procedures for Special Permit Application and Review

A. SPECIAL PERMIT REQUIRED

After August 14, 1976, a special permit shall be required prior to application for any City permit or license within the Gaslamp Quarter Planned District. No person shall commence any work in the erection of any new building or structure, including those moved into the Planned District, the remodeling, alteration, addition or demolition of any existing building, grading or landscaping within the Planned District, or put any building or structure within the Planned District to any use, without first obtaining a special permit in accordance with this section.

In addition to this special permit, all applicable building code requirements must be met for any alteration, addition or repair of a building.

B. CONTENT

The application shall include the following:

1. A description of the purposes for which the proposed building, structure or improvement is intended to be used; or the new or different purposes for which the existing building or structure is to be used.
2. In the case of the erection, remodeling, alteration, addition to or demolition of any building or structure, or the moving of a building into the planned district, or any grading or landscaping:
 - a. Adequate plans and specifications indicating proposed uses, lot area, lot coverage and off-street parking;
 - b. Adequate plans and specifications for the building and improvements showing the exterior appearance, color and texture of materials and architectural design of the exterior;
 - c. Adequate plans and specifications for any outbuildings, party walls, courtyards, fences, setbacks, landscaping, signs, lighting or traffic safety; and

E. ISSUANCES

Upon approval and issuance of the special permit by the Executive Vice President, the applicant will be directed to appropriate City of San Diego department(s) to obtain any additional City permits and licenses necessary for the applicant to complete his or her project. These additional permits and licenses shall conform to all of the other regulations and ordinances of the City.

F. CONDITIONS

Any special permit granted by the Executive Vice President to use the property or for work to be performed as provided for in Municipal Code section 103.0403, shall be conditioned upon the privileges granted being utilized within eighteen (18) months after the date of issuances of the special permit. Failure to commence the use or start work within this 18-month period will automatically void the special permit unless an extension of time has been granted by the Executive Vice President as set forth in Section 103.0403 H below. Construction must actually be commenced within the stated period and must be diligently pursued to completion. If the Executive Vice President finds that the use has not commenced or there has been no construction substantial in character since the date of the issuance of the special permit, or that there has been during the course of development, a lapse of work for six (6) months, the special permit shall become void.

G. EXTENSION OF TIME TO A VALID SPECIAL PERMIT

The Executive Vice President may grant an extension of time up to three (3) years on the time limit contained in a currently valid special permit. To initiate a request for extension of time, the property owner or owners shall file a written application with the Executive Vice President in the office of the Centre City Development Corporation (hereafter known as "CCDC") prior to the expiration of the special permit. The Executive Vice President may grant the extension of time if he or she finds from the evidence submitted that there has been no material change of circumstances since the special permit was originally granted. San Diego Municipal Code section 91.0303(e) shall also apply for extension of building permits issued in conjunction with this special permit.

H. REVOCATION

The Executive Vice President may at any time revoke a special permit issued under this Section. Prior to revocation, the holder of the special permit shall be given a hearing after ten (10) calendar days' notice. After such a hearing, the Executive Vice President may revoke a permit upon determining:

C. DECISION OF THE PLANNING COMMISSION

Upon the hearing of an appeal, the Planning Commission may by resolution, affirm, reverse, or modify, in whole or in part, any determination of the Executive Vice President. The Planning Commission decision shall be final.

(Amended 1-9-95 by O-18149 N.S.)

§ 103.0405 Conditional Use Permits

- A. Notwithstanding the provisions of Chapter X, Article 1, Division 5, Sections 101.0510, 101.0512, 101.0513, 101.0514, 101.0515, 101.0516, 101.0517, 101.0518, 101.0550, 101.0560 and 101.0580, the Executive Vice President shall be the decision maker for the purpose of granting Conditional Use Permits within the boundaries delineated in Municipal Code section 103.0401.
- B. The Executive Vice President shall grant Conditional Use Permits according to the same criteria required for the Conditional Use Permits listed in Section 103.0405(A). In all cases, the appeals procedures shall remain the same for the Conditional Use Permits listed in Section 103.0405(A) with noticing and hearing procedures set forth in Chapter XI, Article 1, Divisions 4 and 5 of the Municipal Code.

(Amended 1-9-95 by O-18149 N.S.)

§ 103.0406 Character of the Area

The architecture of the area is characterized by structures erected during a 30 year period from 1880 to 1910. The buildings are typically two or three stories high and are constructed of common brick with continuous facades at the property line. Ground floors are frequently 20 feet high with cornices separating them from the upper floors. Corbeling is very often found at the terminal cornice, particularly in the case of brick buildings. The fronts of buildings are often designed with closely set bays framed with segmental, stilted or flat arches, 10 to 12 feet apart. The openings are deep-set and the entrances are typically inset. Heavy ornate cornices and spandrels, carefully detailed parapets and bay windows are also typical design elements.

A significant number of buildings within the Gaslamp Quarter Historic District typify the desired architecture of the Planned District. For further information, refer to the San Diego Historical Site Board Register, National Register of Historic Places, or the Gaslamp Quarter Planned District Ordinance and Urban Design and Development Manual.

(Amended 1-22-85 by O-16361 N.S.)

- b. Excess bulk or building elements above 60 feet shall not visually intrude into the district nor adversely affect view, nor in any other way significantly compromise the scale and character of adjacent block faces.
- c. Additional building floors shall be permitted above the cornice provided that the facades of these floors continue the rhythm, proportion and detail of the main building.
- d. Building facades and elements exceeding 60 feet in height shall continue the traditional lot rhythm and vertical design proportion of symmetrically stacked window openings, building bays and details that respect the existing tall, narrow profile of the historic buildings in the district.
- e. The maximum horizontal roof dimensions for buildings greater than 60 feet in height shall be no more than 75 feet along street frontages of Fourth, Fifth and Sixth Avenues.
- f. On parcels 30,000 square feet or more, projects shall modulate building heights for variation and articulation of building bulk with respect to the historic Gaslamp Quarter lot pattern and relate building mass to adjacent structures.
- g. On parcels 30,000 square feet or more south of Island, the City Council may grant an additional height exception up to 125 feet provided that the maximum floor-area-ratio shall not exceed 6.0, and building elements greater than 75 feet in height shall observe a setback of 50 feet along Fifth Avenue.

B. STREET WALL CRITERIA AND SITE RELATIONSHIPS

1. **SITE RELATIONSHIPS:** Historically, buildings in the Gaslamp were built to the property line facing each street. Modern setbacks for plazas and landscaped buffers were not part of Victorian architecture or considered appropriate for retail development at the turn of the century. The streets and sidewalks provided open space for pedestrian activity, social and commercial vitality to the area. The Gaslamp Quarter is characterized by the traditional street wall and building geometry.
 - a. Building mass, placement and entry relationship shall be functionally and aesthetically compatible with their surroundings.
 - b. Infill construction along the existing street frontage shall maintain matching setbacks which are consistent with adjacent development to provide a continuous facade appearance along the street.

- f. Street level building setbacks to create plazas, parks, or other public open space will not be permitted.

C. HORIZONTAL BUILDING FORM CRITERIA

A strong, horizontal division of major building elements can be seen in the Gaslamp Quarter. Most of the historic buildings are characterized by a delineation of a building base, middle, and top. Street level storefronts, restaurants and other pedestrian oriented shops establish the building base. The middle portion of the building is defined by floor-to-floor building heights and punctuated with narrowly spaced window openings. Typically, the top of historic Gaslamp Quarter buildings is generally highly articulated and ornamental and often provides the most expressive design features. However, any roof forms or articulation at the top of new construction shall be contemporary, understated in design and always subordinate to the elements, features and forms of actual historic roof lines.

1. ARCHITECTURAL FORM.

- a. The building base includes those elements relating to the sidewalk pedestrian environment such as entries, show windows, and business signage. It is differentiated from the upper part of the buildings by the storefront band.
 - (1) The building base shall be defined by a projecting band and/or articulated recess in a continuous horizontal direction across the building facade. This line shall be established no lower than 12 feet and no higher than 20 feet.
 - (2) A further definition of the base is highly encouraged such as with triangular awnings, or a change in material.
 - (3) The building base and entry shall be designed to integrate storefronts, signage and window display space into the overall fabric of the building form.
- b. The middle of the building contains the window openings which coincide with the horizontal floor bands above the street level and may be capped with a cornice.
 - (1) Belt courses and moldings below the cornice are encouraged but not required.
 - (2) The traditional ornamental cornice is not required. The effect can be achieved with contemporary materials and design.

- b. Show windows at the street level may vary from the vertical proportion provided they are coordinated with the upper level fenestration.
- c. Columns, pilasters, reveals, and other details may be used in a contemporary manner to enhance verticality and continuity.

2. **CORNER BUILDINGS.** In addition to the criteria for infill buildings, corner buildings shall develop fully articulated facades on both street frontages. These facades must include strong vertical demarcation of the corner building form. The portion of corner buildings 50 feet in from the corner at the intersection may be distinguished by changes in height, materials, fenestration, offsets, and reveals. No diagonal corner entries shall be permitted.

E. ARCHITECTURAL FABRIC AND MATERIALS

Historic structures in the district are generally constructed of substantial, highly finished, natural materials. The natural color of materials and earth tones predominate. New buildings should maintain the quality of materials expressed in existing buildings. Color and lighting should be used to compliment natural materials and highlight architectural forms and details. Buildings will be encouraged to use storefront spotlights to help project the buildings appearance and contribute to a secure well-lit streetscape environment.

1. Brick masonry, stone, granite, or highly finished and detailed plaster are required facing materials. Ceramic tile may be used for limited areas. The use of plaster shall be limited to 20 percent of the base or 60 percent of the overall building facade.
2. Detailing may be wood, ornamental sheet metal, carved or cast stone, tile, brick, or terra cotta.
3. Storefront framing elements such as bulkheads may be painted wood, cast iron, fiberglass, or other highly finished, substantial materials.
4. Window frames should be painted wood, painted steel sash, or high quality natural metal finishes. Reflective silver aluminum storefront and window systems are not permitted.
5. Natural masonry colors and earth tones should dominate. Accent color schemes are encouraged subject to review by the Executive Vice President. Color samples should be provided by the applicant.

G. CRITERIA FOR COURTYARDS, ARCADES AND ALLEY SPACES

A unique characteristic of the Gaslamp Quarter is the interior block open spaces that frequently occur where buildings are set back from the mid-block property line. Where totally surrounded by existing historic buildings, internal alley spaces should be encouraged to serve adjacent buildings. New courtyards and arcades could be developed through buildings linking them to the street.

Internal spaces with open alley connections may be improved to invite public circulation. Back courtyards could support specialty retail, restaurant and entertainment activities with street level entry. Rooftop terraces and balconies facing these internal courts and alleys should be encouraged. Building sides facing courts and alleys internal to the block may be oriented to these spaces with consideration for available light, air and view.

1. Subject to building and fire codes, party walls may include recessed windows or alcoves for fenestration if located above the height of possible adjacent development.
2. Rear and side walls adjoining interior block open space should incorporate fenestration to take advantage of light and air and provide access to useable open space.
3. Roof decks and step back terraces should be incorporated in order to increase rear entrance exterior open space.
4. Mid-block connections will not be permitted where it is determined that it would be detrimental to the vitality of street front uses.

H. ROOFS

In general, roofs shall not be visible from the street.

I. REMODELING

To preserve the historical integrity of the Gaslamp Quarter, all exterior remodelings must be in character with the original style of the building in question, regardless of its era.

(Amended 2-18-92 by O-17738 N.S.)

30. Open air cafes (sidewalk cafes not located in public right-of-way).
31. Pawn shops.
32. Pet shops.
33. Photographic studios. Excluding any establishment listed and defined in the Adult Entertainment Ordinance.
This provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation or institution which meets the requirements established in the Education Code of the State of California for the issuance of, and, in fact, authorized thereunder to issue and confer a diploma.
34. Post offices.
35. Wholesale and/or retail produce markets for the sale of fresh fruit, produce, flowers, plants, meat, poultry and groceries.
36. Entertainment Clubs, Comedy Clubs, etc.
37. Restaurants (excluding drive-in and drive-thru restaurants), subject to the provisions of subsection F of this section.
38. Shoe stores.
39. Shoe repair shops.
40. Shoe shine parlors.
41. Sporting goods stores.
42. Stationers and card shops. Excluding any establishment listed and defined in the Adult Entertainment Ordinance.
43. Studios for art, dance and music. Excluding any establishment listed and defined in the Adult Entertainment Ordinance.
This provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation or institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of, and is, in fact, authorized thereunder to issue and confer a diploma.
44. Supper clubs, excluding those establishments described under 27. "Nightclubs," subject to the provisions of subsection F in this section.
45. Tobacco shops.
46. Travel agencies.
47. Theaters. Excluding an establishment listed and defined in the Adult Entertainment Ordinance.
48. Variety stores.
49. Wedding shops.
50. Business and professional office uses (i.e., accountants, advertising agencies, architects, attorneys, contractors, doctors, engineers, insurance brokers, securities brokers, surveyors and graphic artists).
51. Computer and copy services stores (including sales, display, and copy reproduction). Does not include uses involving printing presses or other large commercial equipment.

- E. Specialized uses in the street right-of-way which are consistent with the 1880-1910 era may be considered on all streets with the exception of Broadway. Proposed uses must meet safety and design criteria set forth in the Gaslamp Quarter Urban Design and Development Manual as adopted by resolution by the City Council. Prior to the use of street right-of-way for a specialized use, an encroachment permit shall have been obtained from the City Engineer, pursuant to Section 62.0301 and 62.0302 of this Code. A clear separation of the encroachment area and the remainder of the sidewalk shall be provided. A special use shall be conducted in conjunction with the use of the adjacent private property.

In addition to special uses, an encroachment permit may be granted to provide for:

1. Stairways to the basement and from upper floors of a building which provide access to under-utilized areas of a building and/or improve circulation for life-safety aspects of a building;
2. Awnings, canopies and marquees no closer than two (2) feet from the curb line; and
3. Street furniture including street lights, benches, fountains, flags, water troughs and similar items.

Sidewalk cafes, authorized pursuant to this subsection, which propose to serve alcoholic beverages, shall be exempt from the provisions of Municipal Code, Section 56.54, providing the serving and consumption of the encroachment area.

- F. Uses involving sale of alcoholic beverages in the entertainment district. If any proposed use includes the sale of alcoholic beverages, an applicant, in addition to the information required by Section 103.0403 B., shall include the information required by Section 103.0408F.2. and such uses shall be governed by the additional requirements of this section.

1. Restricted Uses

- a. An Alcoholic Beverage Sale Permit for a use which includes the sale of alcoholic beverages for consumption "on the premises of the sale" shall be issued to only the following uses:
 - (1) Nightclubs and supper clubs.
 - (2) Restaurants (defined as businesses that regularly serve food, excluding drive-in and drive-through).
 - (3) Dinner Theatres.
 - (4) Entertainment Clubs, Comedy Clubs, etc.

- (3) Liquor, beer and wine sales shall not exceed 50 percent of the total gross sales of the business conducted at that location. Food may be served throughout the premises at anytime. Entertainment with amplification is permitted throughout the premises.
 - (4) The proposed use will not adversely affect the General Plan, the Centre City Community Plan, or the Gaslamp Quarter Redevelopment Plan.
- b. Criteria for consumption of alcoholic beverages "off the premises of sale": In addition to the criteria in Section 103.0403.C, the following criteria are used by the Executive Vice President in making his or her determination regarding the issuance of an Alcoholic Beverage Sale Permit for the sale of alcoholic beverages within the Gaslamp Quarter:
- (1) The sale of alcoholic beverages shall be an accessory or secondary use to the primary use of the property and the intended use must be in conformance with permitted uses as outlined in the Gaslamp Quarter Planned District Ordinance and all other relevant regulations in the Municipal Code.
 - (2) Application shall be for a location currently under significant rehabilitation and or new construction, of where significant rehabilitation and/or new construction has been completed.
 - (3) No wine or distilled spirits shall be sold in containers of less than 750 milliliters.
 - (4) No malt beverage products shall be sold in less than six-pack quantities per sale.
 - (5) No wine shall be sold with an alcoholic content greater than 15 percent by volume.
 - (6) No refrigerated or otherwise chilled alcoholic beverages shall be sold or maintained on the licensed premises.
 - (7) Quarterly gross sales of alcoholic beverages shall not exceed 20 percent of the quarterly gross sales of the establishment.
 - (8) No alcoholic beverage shall be sold or delivered except between the hours of (10 a.m.) and (10 p.m.) of each day of the week.

§ 103.0409

Off-Street Parking, Construction, Maintenance and Operation

No off-street surface parking shall be visible from the street frontage. Such parking shall be restricted to the rear 50% of any parcel along Fifth Avenue. Such parking shall be in conformance with standards adopted by the Board of Directors as set forth in a document entitled "Locational Criteria, Development Standards and Operations Standards -- Off-Street Parking Lots," on file in the office of the City Clerk as Document No. 00-17738 and the Development Services Department of the City of San Diego. Such parking shall also be in substantial conformance with the Architectural Controls as specified in Chapter X, Article 3, Division 4, of the San Diego Municipal Code. Substantial conformance shall be determined by the Executive Vice President; said determination shall be subject to appeal in the manner set forth in San Diego Municipal Code section 103.0404.

(Amended 7-25-94 by O- 18088 N.S.)

§ 103.0410

Signs

Initial application for a sign permit shall be made to CCDC, along with all appropriate documentation required by Municipal Code sections 101.1101 through 101.1126 (the "San Diego Sign Ordinance") and Municipal Code section 103.0410, for review and comment to the Sign Code Administrator prior to the Sign Code Administrator issuing a sign permit pursuant to the provisions of Municipal Code sections 101.1101 through 101.1126 and Municipal Code Section 103.0410. This review and comment by the Executive Vice President shall take no longer than ten (10) calendar days from the date of receipt of the application.

A. REGULATIONS

The structure, content, lettering, location, size, number, illumination, color, projection and other characteristics of all signs in the Gaslamp Quarter District shall be subject to the following regulations:

1. Signs shall be pedestrian oriented in size and shape. Lettering and symbols shall be simple and bold.
2. The area of all signs on a building shall not exceed an area of two square feet for each foot of street frontage occupied by the building, and shall in no event exceed a total of 100 square feet on each street frontage.
3. No roof sign shall be permitted.
4. A sign may not project perpendicularly beyond the property line more than six feet. This limitation shall apply to signs only.
5. Projecting signs for each establishment shall be limited to one 18 square foot double space sign on each street frontage occupied by the establishment. Faces of double sided signs shall be parallel.

§ 103.0411 Public Facilities, Structures and Area

All open spaces, streets, sidewalks, street furniture, street signs, lighting installations, and any incidental structures or monuments, shall conform to the intent of Division 4 of this Article which is to re-create the history of the character of the Gaslamp Quarter in general accord with the period between 1880 to 1910 and shall be subject to the same regulations, conditions and standards established herein.

(Added 7-14-76 by O-11870 N.S.)

§ 103.0412 Regulations for Historic and Architecturally Significant

A. ALTERATIONS

Chapter X, Article 1, Division 3 of the Municipal Code, concerning alterations of non-conforming uses, shall not apply to historic or architecturally significant buildings, structures, or sites as designated by the Historical Site Board.

B. EXCEPTIONS

The Executive Vice President shall have the power to grant an exception to any regulation within Division 4 of this Article including permitted uses, when such an exception is necessary to permit the preservation or restoration of a historic or architecturally significant building, structure or site. This shall not apply where building code or fire code requirements are involved. An exception shall be subject to the following conditions:

1. The subject building, structure or site must be identified by the Historical Site Board as being historic or architecturally significant;
2. The proposed exception shall be referred to CCDC and the Historical Site Board for a report and recommendation;
3. The Executive Vice President in granting an exception shall make a finding that the exception is necessary to permit the preservation or restoration of a historic or architecturally significant building, structure or site; that strict application of the provisions contained in Chapter X, Article 3, Division 4, of the San Diego Municipal Code, would result in economic or other practical difficulties in securing the preservation or restoration of a historic or architecturally significant building, structure or site, and that the granting of an exception will not be injurious to the community or detrimental to the public welfare; and

B. IN GENERAL

Except for card rooms and arcades, nonconforming uses shall be governed by Chapter X, Article 1, Division 3 of the San Diego Municipal Code and the provisions of the Gaslamp Quarter Redevelopment Plan.

(Added 1-22-85 by O-16361 N.S.)

§ 103.0416 Minimum Maintenance of Structure and Facilities

A. PURPOSE AND INTENT

The purpose of this Section is to provide the Gaslamp Quarter District with the assurance that certain conditions in the area which contribute to blight will be corrected so as to preserve and protect the health, safety and welfare of the area as a whole, provide a safe and pleasant environment, and assist in the implementation of the Gaslamp Quarter Redevelopment Plan.

The Gaslamp Quarter has been found and declared to be a "blighted" area as defined by the Community Redevelopment Law (California Health and Safety Code Section 33000 et seq.), and such "blighted" conditions that exist in the District have been determined by the legislature to be inimical to the public health, safety and welfare. Due to these conditions, certain buildings and uses may be found to be injurious and inimical to the public health, safety and welfare.

It is further found and determined that the adoption and enforcement of this section of the ordinance is a critical element necessary and appropriate to implement the Redevelopment Plan for the Gaslamp Quarter and achieve the beneficial and remedial objectives of the Plan for the Gaslamp Quarter Redevelopment Project Area.

B. ENFORCEMENT

The Development Services Director or his/her designated representative is hereby designated as the officer to exercise the powers assigned by this ordinance in relation to blighted buildings in the Gaslamp Quarter. The Director is authorized and directed to adopt, promulgate, amend, and administrate rules consistent with the ordinance and necessary to carry out of the duties of the Director hereunder.

C. RIGHT OF ENTRY

Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Development Services Director of The City of San Diego has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises physically blighted as defined in the adopted Gaslamp Quarter Redevelopment Plan and Section 103.0416 C. and upon

- b. Rear and side walls shall present a neat and fresh appearance. Rear walls shall be painted to cover evenly all miscellaneous patched and filled areas or stuccoed to present an even and uniform surface. Sidewalls, where visible from the street, shall be finished or painted so as to be harmonious with the front of the building or structure.
- c. Chimneys, elevator penthouses or any other auxiliary structures on the roof shall be maintained as required for rear and side walls. Any construction visible from the street or from other buildings shall be finished so as to be harmonious with other visible building walls.

E. DETERMINATION OF VIOLATION OF MAINTENANCE REQUIREMENTS

Failure to maintain a building or structure in the manner provided by Section 103.0416 D shall constitute a violation of this Division and such building or structure is hereby declared to be a blighted building or structure.

1. Commencement of Proceedings. Whenever the Development Services Director has inspected or caused to be inspected any building, structure, premises, land or portion thereof, and determines that it is a blighted building used or maintained in violation of this Division, he or she shall commence proceedings to cause the correction of each violation.
2. Notice and Order. The Development Services Director shall issue a written notice and order directed to the owner of the building with a copy to the Building Official. The notice and order shall contain:
 - a. The street address and a legal description of real property and/or description of personal property sufficient for identification of where the violation occurred or is located;
 - b. A statement that the Development Services Director has found the building to be in violation of this Division with a brief and concise description of the condition found to be in violation.
 - c. A statement of the corrective action required to be taken. If the Development Services Director has determined that corrective work is required, the order shall require that all required permits be secured and the work physically commenced within such time and be completed within such time as the Development Services Director shall determine reasonable under the circumstances;

What preservation is really all about is the retention and active relationship of the buildings of the past to the community's functioning present.

Ada Louise Huxtable

A BRIEF HISTORY OF THE GASLAMP QUARTER

San Diego's historic Gaslamp Quarter, located in Centre City, contains many of the only remaining significant turn-of-the-century commercial buildings in San Diego. Structures such as the Nesmith-Greely Building, the Yuma Building, and the Louis Bank of Commerce, all built in 1888, reflect the boldness, desire for sophistication, and even some of the pioneer innocence of San Diego's early commercial entrepreneurs. Their efforts transformed San Diego from a frontier town into a true commercial urban center between the years of 1880 and 1910.

The first of these commercial pioneers was Alonzo E. Horton. In 1867, a mere three and one-half weeks after migrating to the area from Wisconsin, Horton purchased all the land between Front, "A" Street, and Commercial for twenty-seven cents per acre. The land was subdivided into small lots and sold to those who would join Horton in his vision of building a modern commercial center. Some lots were given free of charge to anyone who agreed to construct a building on the lot.

In 1867, Dr. Backesto purchased the entire block between Fourth and Fifth Avenues and Market and "G" Streets. This particular block has become known as the Century Block since all of the buildings constructed on it date back at least 100 years. The Backesto Building, located on this block at the northwest corner of Fifth and Market, was considered one of the finest buildings in San Diego at the time of its construction in 1873.

Another pioneer entrepreneur who was encouraged by the promise of Horton's endeavor was Joseph E. Jessop. An English silversmith and watchmaker, Jessop was forced by poor health to move to San Diego from his native country in 1890. Following a rugged ranch life in the Kearny Mesa area, the English craftsman established J. Jessop and Son Watchmaker on "F" Street between Fourth and Fifth Avenues in a modest woodframe building. The business grew with the new city and Jessop moved his location three times to remain nearer to the center of the expanding business district. Before moving in 1985 to the present location in the Horton Plaza Retail Center adjacent to the Gaslamp Quarter, Jessop Jewelers was located at 1041 Fifth Avenue.

Horton provided further stimulus to development when he completed a wharf at the foot of Fifth Avenue in March of 1869. The town grew slowly until 1880 when the railroad, along with the publicity it brought, promoted rising land speculation and caused great leaps in

Since 1976, the Gaslamp Quarter has undergone a dramatic transformation thanks to the diligent efforts of many groups and individuals. One of the first steps toward the revitalization of the Gaslamp Quarter was the designation of the entire 16 and one-half block area as a National Register Historic District. The City of San Diego's Historical Site Board recognized yet another aspect of the San Diego's early history when, in 1987, it established the Chinese/Asian Thematic Historic District. This historic district, bounded by Third and Sixth Avenues, and "J" and Market Streets, was the location of San Diego's Chinatown during the late 1800s. Several Asian-style buildings, some of which are within the boundaries of the Gaslamp Quarter, can still be found in this district.

Both public investment and private renewal efforts have contributed significantly to the revitalization of San Diego's first commercial district. Much of the sidewalk area has been reconstructed with brick paving. Streetscape improvements, such as the installation of benches and trees, along with ornamental five-globed light fixtures typical of those used at the turn of the century, have made the sidewalks more inviting to pedestrian activity. In 1990, a "gateway" into the Gaslamp Quarter was created with the installation of a sign which spans Fifth Avenue near "L" Street, marking the entrance to the "Historic Heart of San Diego".

Business owners have recognized the tremendous potential of the Gaslamp Quarter. In the last few years, Fifth Avenue in the Gaslamp Quarter has become widely recognized as San Diego's "restaurant row" as more and more restaurant owners have taken advantage of the unique character and location of the historic district. Sidewalk cafes, in particular, have thrived and contributed to the liveliness of the Gaslamp Quarter. The district has been further enlivened with the opening of new shops, nightclubs, and art galleries. The upper floors of many of the historic commercial buildings have been rehabilitated and converted to residential units, enabling some San Diegans to take even greater advantage of all that the Gaslamp Quarter now has to offer by taking up residence there.

CARE MUST BE TAKEN IN REMODELING OLDER BUILDINGS, IN ORDER TO ENHANCE RATHER THAN WEAKEN THE ORIGINAL CHARACTER OF SUCH BUILDINGS.

The character and style of older buildings of all types and degrees of merit can be needlessly hidden and diminished by misguided improvements. Architectural advice, and where necessary and feasible, the assistance of public programs, should be sought in order to assure that the richness of the original design and its materials and details will be restored.

The signs placed on building facades should be in keeping with the style and scale of the building and street and should not interfere with architectural lines and details. Compatible signs require the skills of architects and graphic designers. The interest and participation of property owners and occupants should be enlisted in these efforts to retain and improve design quality.

RESPECT THE CHARACTER OF OLDER DEVELOPMENT NEARBY IN THE DESIGN OF NEW BUILDINGS.

Care should be exercised in the design of new buildings to be constructed near historic landmarks. The new and old can stand next to one another with pleasing effects, but only if there is a similarity or successful transition in scale, building form and proportion. The detail, texture, color and materials of the old should be repeated or complemented by the new.

Existing buildings provide strong facades that give continuous enclosure to the street space. This established character should be respected.

DESIRED USES

In light of the goals previously stated, the following uses have been and will continue to be encouraged in the Gaslamp Quarter:

- Day and nighttime entertainment and restaurant establishments.
- Activities which bring together a broad spectrum of people of all backgrounds.
- Activities which enrich the quality of life and broaden one's experience and understanding.
- Activities which attract the casual shopper, whether resident or visitor.
- Activities which encourage maintenance and development of balanced housing.
- Activities which offer personal or professional services to a wide variety of users.

GENERAL DESIGN CRITERIA AND REGULATIONS

The sixteen and one-half block Gaslamp Quarter district contains a wealth of rich Victorian architecture. Within the district, historical continuity exists in building scale, proportion, architectural detail, and window openings as well as in construction materials such as brick and stonework. In order to preserve the integrity of the Gaslamp Quarter, design criteria have been developed by which individual structures may be compared and evaluated. The intent in establishing general design criteria is to identify specific design elements which will assure the maintenance and preservation of the architectural and historic character of the area. The following guidelines have provided the context within which design criteria for the Gaslamp Quarter have been developed. The Gaslamp Quarter District should function so as to:

- Exist as a living, changing commercial area, not a static or "pure" museum.
- Protect and preserve the basic characteristics and salient architectural details of meritorious and compatible buildings.
- Afford the widest possible scope for continuing vitality through private renewal and architectural creativity, within appropriate controls and standards.
- Encourage the development of vacant and incompatible properties in accordance with the character of the area.
- Maintain an exciting mixture of uses and activities as presently found in the area.
- Provide for maximum use by and convenience to pedestrians.

This chapter contains general design guidelines which are applied to construction projects of all types in the Gaslamp Quarter. Design guidelines which are specific to new "infill" construction are contained in the following chapter.

Criteria for the renovation of existing buildings is intended to permit reasonable design flexibility to express the significant building character unique to the Gaslamp Quarter. In some cases, older buildings should be renovated to retain their traditional exterior appearances while interiors may be expressed in contemporary design terms. In other instances, contemporary storefronts and appropriate signage can improve the appearance of buildings while at the same time be compatible with the existing building features and materials. In all cases visual unity of the buildings' facades and their complementary relationship to adjacent block faces is paramount.

C. FENESTRATION

Glazing should be deeply recessed. The elegantly detailed window frames often protrude beyond the front face of the building. Window openings should be punched into the wall plane with windows set back a minimum four inches from the outside wall plane. Reflective or tinted glass is not allowed. Except on the ground floor, all windows shall be longer in their vertical dimension than they are wide. They should be rhythmically spaced, matching the bay spacing below and the general proportions of windows in nearby buildings. The window area on the floors above street level shall not exceed sixty percent of the total facade area.

When existing buildings are renovated, "blocked" or altered window openings should be replaced with new or restored window frames to match the original opening.

D. MATERIALS

Primary facing materials may be brick masonry (which sometimes may be painted and/or stuccoed), stone, granite, and highly finished and detailed plaster (plaster shall be limited to 20 percent of the base or 60 percent of the overall building facade). Appurtenances, including bays, cornices, dentils, pilasters, etc., may be constructed of wood. Detailing and decorative features such as pilasters, rails, grills, lamps, and other trim may be constructed of wood, ornamental sheet metal, carved or cast iron, tile, brick, or terra cotta. Window frames should consist of painted wood, painted steel sash, or high quality natural metal finishes. Canvas may be used for awnings, marquees and canopies.

E. COLOR

Natural masonry colors and earth tones should predominate. The natural red of common brick should be typical, however, accent color schemes utilizing whites, blacks, reds, browns, yellows, greens, grays and blues are encouraged. No adjacent buildings should be painted an identical shade of color.

F. TEXTURE

Typical facing materials should be textured in appearance. However, the overall street facade should be unified in scale and appearance.

G. DETAIL

Arches are most frequently found on the ground floor, and may be either segmental, stilted or flat. Upper terminal cornices, as well as cornices separating the ground floor from the upper floors shall be provided. These are often heavy and projecting. Other classical features shall predominate including pediments, columns or pilasters and parapets.

5. Historic buildings represent crucial links with past events and architectural styles and, when preserved, afford educational, recreational, cultural and other benefits. Relatively homogeneous groupings of buildings of architectural and historic merit, as in the Gaslamp Quarter, are especially rare and irreplaceable.
6. Renovation and restoration of older, well-designed buildings can preserve the character and interest of the streetscape if the original building design is respected in use of materials and details.
7. Scale is created through the relationship of building size and detail to both human size and perception. Scale is also determined by building mass and how it relates to open space. The predominant element of scale may be brick or stone units, window or door openings, porches and balconies, etc.
8. Facade line continuity is desirable. Therefore, setbacks and arcades, not generally features of the Gaslamp Quarter, should be carefully considered. But interior courts and pedestrian plazas offer great potential.
9. Signs should be restrained in design, modest in size, and should not obscure building features. The integration of signs into the building facade is highly desirable. Signs can form exciting collages related to the building to which they are affixed. They need not necessarily be pristine or sterile; in fact, they can sometimes even be gaudy.
10. There is need for benches and places to sit and for handsome light fixtures with footcandle brilliance, scaled for pedestrian use. There is need for drinking fountains, bollards to control traffic, flags and moving signs, bicycle holders, small pavilions at outdoor cafes, newsstands and flower stalls.

These principles are illustrated in the following examples:

GENERAL DESIGN CRITERIA FOR INFILL BUILDINGS

New construction which is to replace the occasional missing building in an otherwise intact block can be described as infill construction. The new building literally fills in the vacancies or empty gaps between and around existing structures.

The pressure of new development and renovation work in the Gaslamp Quarter district establishes the need for criteria that encourage a creativity in the design of new buildings and which complements the form of existing historic structures in terms of size, mass, material, and color. New construction, however, should reflect the contemporary design standards of the present and apply current construction technology and building materials. Quality, sensitive contemporary construction built within the context of existing older structures should be encouraged rather than artificial copies of the building styles of the past. Accordingly, design principles and criteria have been established to respect the architecture and historic character of older development as well as to ensure the compatibility of the scale, design, and detail of new construction.

The creation of a well-integrated environment that includes both historic references and sensitive new ideas requires criteria that emphasize underlying principles of design. Regulations aimed at precise replications would restrict the expression of new ideas, while regulations that are too open-ended are likely to result in buildings that are not compatible with the district image.

THE CORNERSTONE CONCEPT:

Buildings which occupy corner locations in the Gaslamp Quarter are distinctly different, because the corner buildings have two facades. They form a more complete building than mid-block structures which are characterized by a single two-dimensional front. The significance of corner buildings is twofold:

- They are three dimensional, visually more prominent within the district, and serve to anchor the corners. Distinctive architectural treatment should emphasize "how" buildings turn corners.
- Corner buildings also serve as a reference for a variable building height limit that is responsive to the form of existing historic buildings in the district. These existing structures also provide a basis to relate building scale from block to block.

GENERAL DESIGN CRITERIA FOR INFILL BUILDINGS

1. BUILDING HEIGHT REGULATIONS

A. Basic Building Height Limit (60-foot Height Limit)

Buildings in the Gaslamp Quarter are characterized by the Victorian architecture and construction practices of the late 1890s and early 1900s. Factors affecting building heights in this period included building materials, structural framing, and the maximum number of stories that could be comfortably walked to with stairway circulation.

In the Gaslamp Quarter, the average range of building heights in stories of contributing sites is from two (2) to four (4) stories. While the range of heights contributes to the visual image of varying rooflines for individual properties, a general upper limit in scale is established by the height of several five- (5-) and six- (6-) story contributing buildings. With a ground floor height often between 12 and 15 feet, these taller buildings establish a general height plane of between 50 and 60 feet.

There are a limited number of contributing buildings that achieve heights greater than 60 feet. However, these buildings represent the exception rather than the overwhelming number of contributing buildings less than 60 feet.

- Basic building height in the Gaslamp Quarter shall be limited to 60 feet including parapets and appurtenances.
- Any new structure must maintain a minimum height of 30 feet at the property line.
- Ground floors shall be a minimum of 12 feet in height (except where adjacent buildings have less than a 12-foot ground floor) and separated from the upper floors by a continuous projecting band, articulated recess, or cornice.
- Ground floor treatment shall be pedestrian in scale, storefront character, and design detail.
- The maximum horizontal roof dimensions for buildings shall be no more than 75 feet along street frontages of Fourth, Fifth, and Sixth Avenues.
- On parcels 30,000 s.f. or more, projects shall modulate building heights for variations and articulation of building bulk with respect to the historic Gaslamp Quarter lot pattern and relate building mass to adjacent structures.

cases, the maximum floor area ratio may not exceed 6.0 and building elements greater than 75 feet in height shall be set back at least 50 feet along Fifth Avenue.

2. STREET WALL CRITERIA AND SITE RELATIONSHIPS

A. SITE RELATIONSHIPS

Historically, buildings in the Gaslamp Quarter were built to the property line facing each street. Modern setbacks for plazas and landscaped buffers were not part of Victorian architecture or considered appropriate for retail development at the turn of the century. The streets and sidewalks provided open space for pedestrian activity, social, and commercial vitality to the area. The Gaslamp Quarter is characterized by the traditional street wall and building geometry. New infill buildings should maintain this historic feature by creating a strong street edge definition.

- Building mass, placement, and entry relationship's shall be functionally and aesthetically compatible with their surroundings.
- Infill construction along the existing street shall maintain matching setbacks which are consistent with adjacent development to provide a continuous facade appearance along the street.
- Development of whole and half block sites (parcels 30,000 s.f. or larger) shall respect the traditional Gaslamp Quarter character and building configuration as well as lot patterns assembled from 25- and 50-foot-wide lots.
- Site design and building entry elements shall contribute to the continuity of pedestrian scale, storefront character, and street activity.

B. STREET WALL REQUIREMENTS

Street wall glazing should be deeply recessed with detailed window frames permitted to protrude beyond the front face of the building. All windows except for the ground floor should have longer vertical dimension than horizontal dimension. Windows should be rhythmically spaced, matching the bay spacing below and the general proportions of windows in nearby buildings.

- The street wall of all buildings shall be continuous at the property line except for storefront entry.
- Cornices, bay windows, and ornamentation may project beyond the property line at upper levels to a distance no greater than 3' 0". All other local codes and ordinances must be met in addition to this criteria.

A. Architectural Form

- The building base includes those elements relating to the sidewalk pedestrian environment such as entries, show windows, and business signage. It is differentiated from the upper part of the building by the storefront band.
 - The building base shall be defined by a projecting band and/or articulated recess in a continuous horizontal direction across the building facade. This line shall be established no lower than 12 feet and no higher than 20 feet.
 - A further definition of the base is highly encouraged such as with triangular awnings or a change in material.
 - The building base and entry shall be designed to integrate storefronts, signage, and window display space into the overall fabric of the building form.
- The middle of the building contains the window openings which coincide with the horizontal floor bands above the street level and may be capped with a cornice.
 - Belt courses and moldings below the cornice are encouraged but not required.
 - The traditional ornamental cornice is not required. The effect can be achieved with contemporary materials and design.
- The top of the building refers to roofing elements that terminate above the horizontal floor bands and cornice. The following must be appropriately addressed in the design of building tops.
 - Additional building floors are permitted above the cornice provided the facades of these floors continue the proportion and detail of the main building.
 - Elevator penthouses and attic elements shall set back from the street facade and cover no more than 25 percent of rooftop area. Such elements should be subordinate in architectural importance to the main building facade below and shall not be visible from any of the surrounding streets.

portion of corner buildings 50 feet in from the corner at the intersection may be distinguished by changes in height, materials, fenestration, offsets, and reveals. No diagonal corner entries shall be permitted.

5. ARCHITECTURAL FABRIC AND MATERIALS

Historic structures in the district are generally constructed of substantial, highly finished, natural materials. The natural color of materials and earth tones predominate. New buildings should maintain the quality of materials expressed in existing buildings. Color and lighting should be used to complement natural materials and highlight architectural forms and details. Buildings will be encouraged to use storefront spotlights to help project the buildings' appearances and contribute to a secure well-lit streetscape environment.

- Brick masonry, stone, granite, or highly finished and detailed plaster are required facing materials. Ceramic tile may be used for limited areas. The use of plaster shall be limited to 20 percent of the base or 60 percent of the overall building facade.
- Detailing may be wood, ornamental sheet metal, carved or cast stone, tile, brick, or terra cotta.
- Storefront framing elements such as bulkheads may be painted wood, cast iron, fiberglass, or other highly finished, substantial materials.
- Windows should be painted wood, painted steel sash, or high-quality natural metal finishes. Reflective silver aluminum storefront and window systems are not permitted.
- Natural masonry colors and earth tones should dominate. Accent color schemes are encouraged subject to the review process. Color samples should be provided by the applicant.

6. ARCHITECTURAL DETAIL

A dominant design characteristic found in the buildings of the district is the rich architectural detail and ornamentation. Building elements, features, and forms shall be contemporary in design integrity as well as respect the authenticity of historical Gaslamp Quarter styles and details.

Window/Glazing Treatment:

- Window openings should be punched into the wall plane and windows set back a minimum of four inches from the outside wall plane.

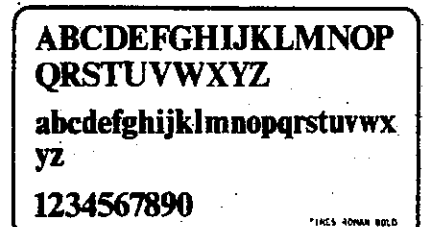
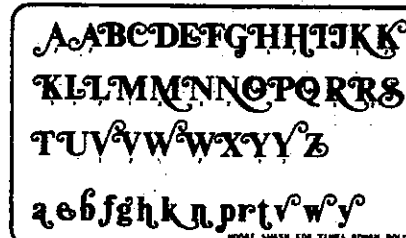
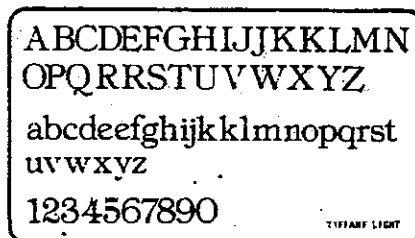
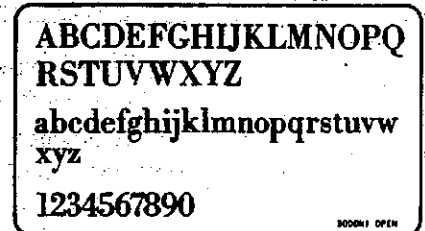
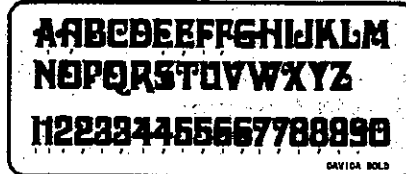
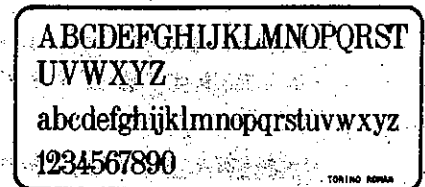
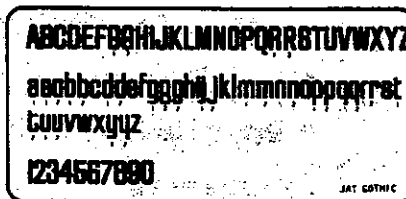
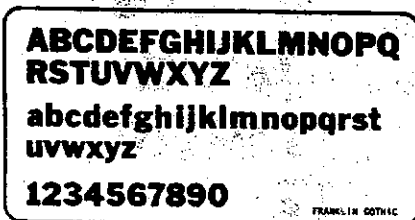
- Rear and side walls adjoining interior block open space should incorporate fenestration to take advantage of light and air and provide access to useable open space.
- Roof decks and step-back terraces should be incorporated in order to increase rear entrance exterior open space.
- Mid-block connections will not be permitted where it is determined that it would be detrimental to the vitality of street front uses.

4. A sign may not project perpendicularly beyond the property line more than six (6) feet. This limitation shall apply to signs only.
5. Projecting signs for each establishment shall be limited to one 18 square foot double sided sign on each street frontage occupied by the establishment. Faces of double sided signs shall be parallel.
6. The tops of all signs shall be placed entirely below the level of the lowest cornice or strong horizontal element located above the ground story of the building, but in no event higher than three feet above the top of the ceiling level of the ground story, with the exception of simple black or gold letters applied to windows above the first floor. Lettering should be contemporary to the period in which the building or structure was built.

Acceptable type faces include the following examples:

Pioneer
 Bank Gothic Medium
 Times Roman Bold
 Moore Swash for Times Roman Bold
 Fantail
 Jay Gothic
 Franklin Gothic
 Pistilli Roman
 Davida Bold

Bracelet
 Tiffany Light
 Egyptian Bold Extended
 Outline Gothic
 Egyptian 505 Bold
 Bondoni Open
 Caslon Light Swash
 Inserat Grotesk
 Torino Roman



7. All visible illumination shall be by means of gas and/or incandescent bulbs to be in keeping with the lighting of the period. Fluorescent lighting may be used for back lighting providing the overall effect does not conflict with the 1880-1910 period. In addition, no neon tubing, exposed wiring, luminous paints or plastic (except as noted below) shall be permitted for any sign.
8. Nothing herein shall prohibit flashing, moving, or animated signs providing that all provisions and conditions stated above are met.
9. Preservation of historic commercial graphics painted on the sides of buildings shall be encouraged.
10. The effort of design in the District is to keep a moderate and attractive and compatible styling so as not to cause erratic or disturbing distractions from the architectural character of the Gaslamp Quarter. Materials and details of appearance shall be in accord with those characteristics of the 1880-1910 period.

The following materials are permitted on the exterior of signs in the Gaslamp Quarter Planned District.

- a. Wood, natural or painted
- b. Metal
- c. Glass
- d. Plastic (subject to conditions noted below)*
- e. Fabrics, banners and flags only

*Plastic may be used as a substitute for glass in signs. Plastic may also be used to substitute for other permitted materials when it is treated to give the appearance of the material for which it will be substituted. Plastic may be used in backlit signs, provided it is treated with a Black Matte Clear paint equal to Super Grip Flex FR-2-201 made by Wyandotte.

The following materials are not acceptable:

- a. Contemporary finish materials such as plastics (except as noted above), unpainted aluminum and stainless steel.
- b. Fluorescent paint or reflecting surfaces.
- c. Exposed metal supports in extruded, rolled or tubular sections.

Porcelain enamel and bright gloss enamel may be used in a manner consistent with the character of the 1880-1910 period.

ELECTRIC SIGNS

Signs of fifty years ago (1906) were crude. Yet, there were some ideas in designing - efforts being made to get away from just rectangles or squares and we find replicas of products were worked out in sheet metal and channel letters were often employed with incandescent lamps set in the channels. Signs often used raised glass stock symbols with opal glass letters. The canteen globe became popular, with copy and pictorials of many types painted on these globes. These were very popular for lodges, clubs and many commercial enterprises. While the channel letter signs studded with lamps were probably the most popular electric sign, there were many other types employed - signs built in sections with lamps screwed into the sign faces; signs with slots cut into the metal faces to form the shapes of letters; and lamps mounted inside the sign with the light emitted from these slots. The jeweled sign was popular, the jewel-like lenses fitted into sign openings and illuminated by lamps from within. Flashers were used in many large signs. In fact, there is a record of one of the very early electric displays being animated by a hand-operated flasher. Color caps were very popular, too - long before the day of the colored lamp.

In 1906 and in 1907, there was considerable emphasis on raised wood letters finished with gold leaf and on chipped glass signs decorated with gold leaf. The popularity of the gold leaf wood letter has continued, as it provides a very dignified impression and retains its handsome appearance indefinitely. While the old chipped glass sign has been forgotten, the gold leafed window sign endures and probably will always remain popular for business houses that require dignity in appearance.

Source: Signs of the Times, May 1956

PLANNED DISTRICT CHRONOLOGY

On March 4, 1976, the City Planning Commission unanimously approved the GASLAMP QUARTER PLANNED DISTRICT ORDINANCE AND URBAN DESIGN AND DEVELOPMENT MANUAL by Resolution Number 471.

On June 30, 1976, the City Council adopted Resolution Number 216357, establishing the GASLAMP QUARTER PLANNED DISTRICT, and approving the GASLAMP QUARTER URBAN DESIGN AND DEVELOPMENT MANUAL (Document Number 755835).

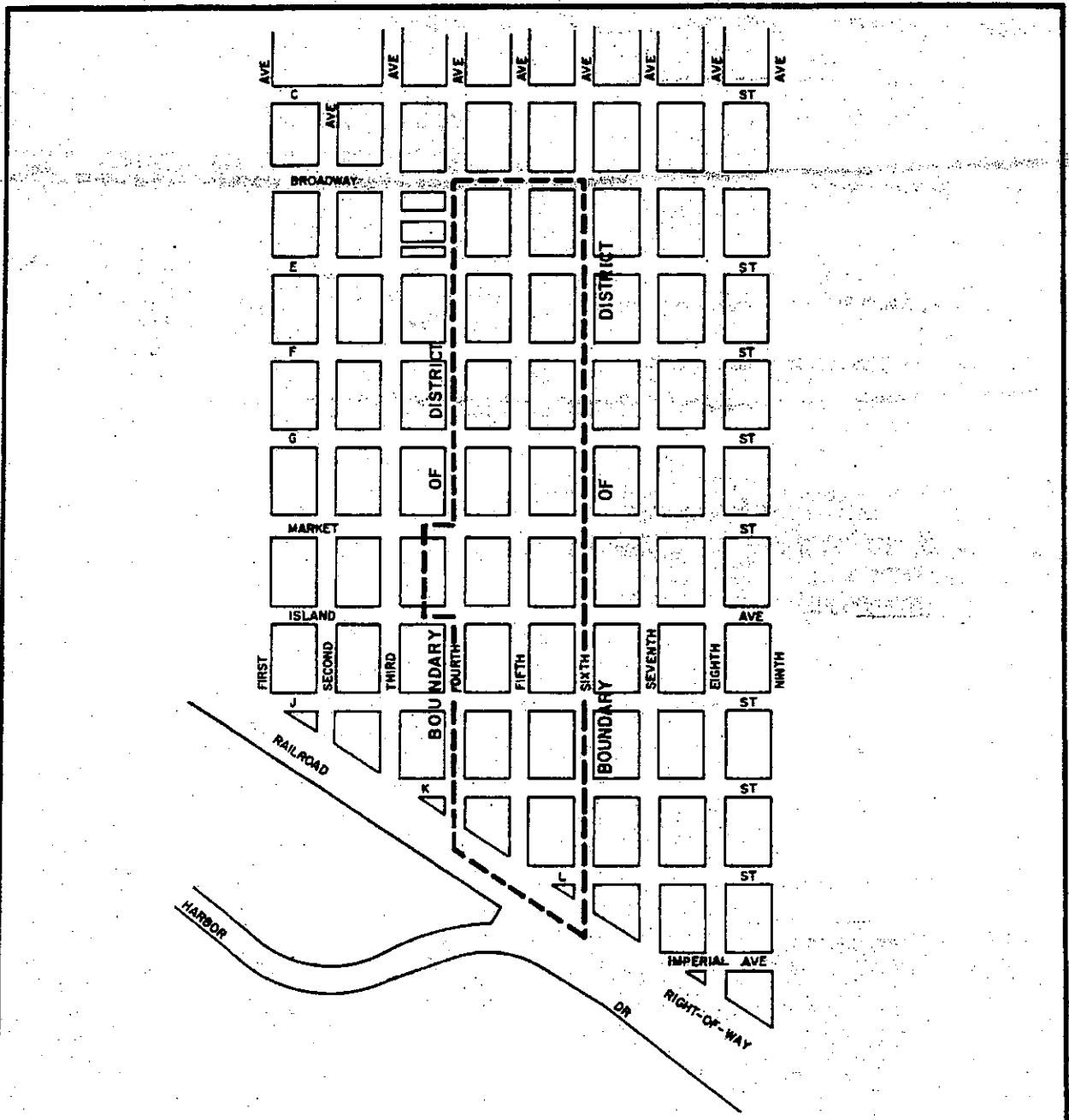
On August 31, 1976, the City Council adopted Resolution Number 216671, amending the boundaries of the GASLAMP QUARTER PLANNED DISTRICT (Document Number 756382); and amending the GASLAMP QUARTER PLANNED DISTRICT URBAN DESIGN AND DEVELOPMENT MANUAL (Document Number 756711).

On May 23, 1980, the GASLAMP QUARTER PLANNED DISTRICT was placed on the National Register of Historic Places.

On January 19, 1981, the City Council approved an ordinance (0-15450) amending permitted uses within the Gaslamp Quarter Planned District to provide for encroachments within the public right-of-way.

On November 2, 1982, the City Council adopted a resolution amending the Planned District Ordinance (PDO) to (a) reflect implementation of Gaslamp Quarter Redevelopment Plan provisions; (b) establish an alcoholic beverage sale permit and permit fee; and (c) modify storefront width requirements for financial institutions. The Gaslamp Quarter Redevelopment Plan was approved by the City Council and Redevelopment Agency on July 26, 1982 (Ordinance No. 0-15781). The adopted Plan prohibits additional off-sale liquor stores and charitable organizations which provide free food and lodging.

On January 22, 1985, the City Council adopted a resolution amending the Planned District Ordinance to: a) delete cardrooms and video arcades from the list of permitted use; b) establish a one-year period for abatement of cardrooms and video arcades; c) establish a special permit to be required prior to issuance of any City license or permit; d) provide for the issuance of alcoholic beverage sale permits for off-sale liquor uses; and e) allow for exemptions to the sixty (60) foot height limitation. The Redevelopment Plan was amended simultaneously to broaden eminent domain powers.



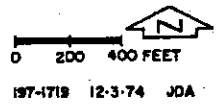
GASLAMP QUARTER PLANNED DISTRICT

ORD. NO. 11870NS BEFORE _____ REQUEST _____
 EFF. DATE ORD. 8-13-76 EFF. DATE ZONING 8-13-76 AREA 42± ACRES GROSS
 ZONING SUBJECT TO _____ MAP NAME _____ CASE PD 3

PLAN. COMM. RECOMMENDATION APPROVE
 CITY COUNCIL ACTION ADOPT

_____ CITY PLANNING DIRECTOR
 _____ SECRETARY OF COMMISSION

CITY OF SAN DIEGO
C-446.1



HISTORIC SITES - GASLAMP QUARTER SUB AREA

Fourth Avenue

1.	Whitney Building	345 Fourth Avenue
2.	Quin Building	500 Fourth Avenue
3.	Casa de Tomas Addition	520 Fourth Avenue
4.	Chinese Laundry	527 Fourth Avenue
5.	Cotheret Building	536 Fourth Avenue
6.	Tai Sing Building	539 Fourth Avenue
7.	Pacifica Hotel	547 Fourth Avenue
8.	Royal Pie Bakery	554 Fourth Avenue
9.	Carriage Works	655 Fourth Avenue
10.	Labor Temple Building	743 Fourth Avenue
11.	Ingle Building	801 Fourth Avenue
12.	Exchange Club Building	815 Fourth Avenue
13.	Panama Cafe	827 Fourth Avenue
14.	Windsor Hotel	843 Fourth Avenue
15.	Lawyer's Block Building	901 Fourth Avenue
16.	Schmitt Building	951 Fourth Avenue

Fifth Avenue

17.	T.M. Cobb Co. Bldg.	270 Fifth Avenue
18.	Buel-Town Co. Building	274 Fifth Avenue
19.	Pioneer Warehouse	310 Fifth Avenue
20.	Heartland Meat Co.	326 Fifth Avenue
21.	Grand Pacific Hotel	366 Fifth Avenue
22.	Brunswig Drug Co. Bldg.	383 Fifth Avenue
23.	Island Hotel	449 Fifth Avenue
24.	Nanking Building	467 Fifth Avenue
25.	Callan Hotel	502 Fifth Avenue
26.	Manila Cafe	515 Fifth Avenue
27.	Yamada Building	516 Fifth Avenue
28.	Higgins Building	527 Fifth Avenue
29.	Lincoln Hotel	536 Fifth Avenue
30.	Stingaree Hotel	538 Fifth Avenue
31.	Loewenstein Building	544 Fifth Avenue
32.	Marin Hotel	552 Fifth Avenue
33.	Montijo Building	560 Fifth Avenue
34.	Timkin Building	568 Fifth Avenue
35.	McGurck Block Building	611 Fifth Avenue
36.	Backesto Building	614 Fifth Avenue
37.	Combination Store	621 Fifth Avenue
38.	Yuma Building	632 Fifth Avenue
39.	Casino Theatre	643 Fifth Avenue
40.	Old City Hall Addition	658 Fifth Avenue
41.	Old City Hall	664 Fifth Avenue

GASLAMP QUARTER SUB AREA (Continued)

F Street

77.	Paris Hotel	409 F Street
78.	Keating Building	432 F Street
79.	William Penn Hotel	511 F Street
80.	George Hill Building	527 F Street

Market Street

81.	Frey Block Building	345 Market Street
82.	Lester Hotel	417 Market Street
83.	Broker's Building	404 Market Street
84.	Young Building	421 Market Street
* 85.	I.O.O.F. Building	526 Market Street

Island Avenue

86.	Wm. Heath Davis House	410 Island Avenue
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J Street

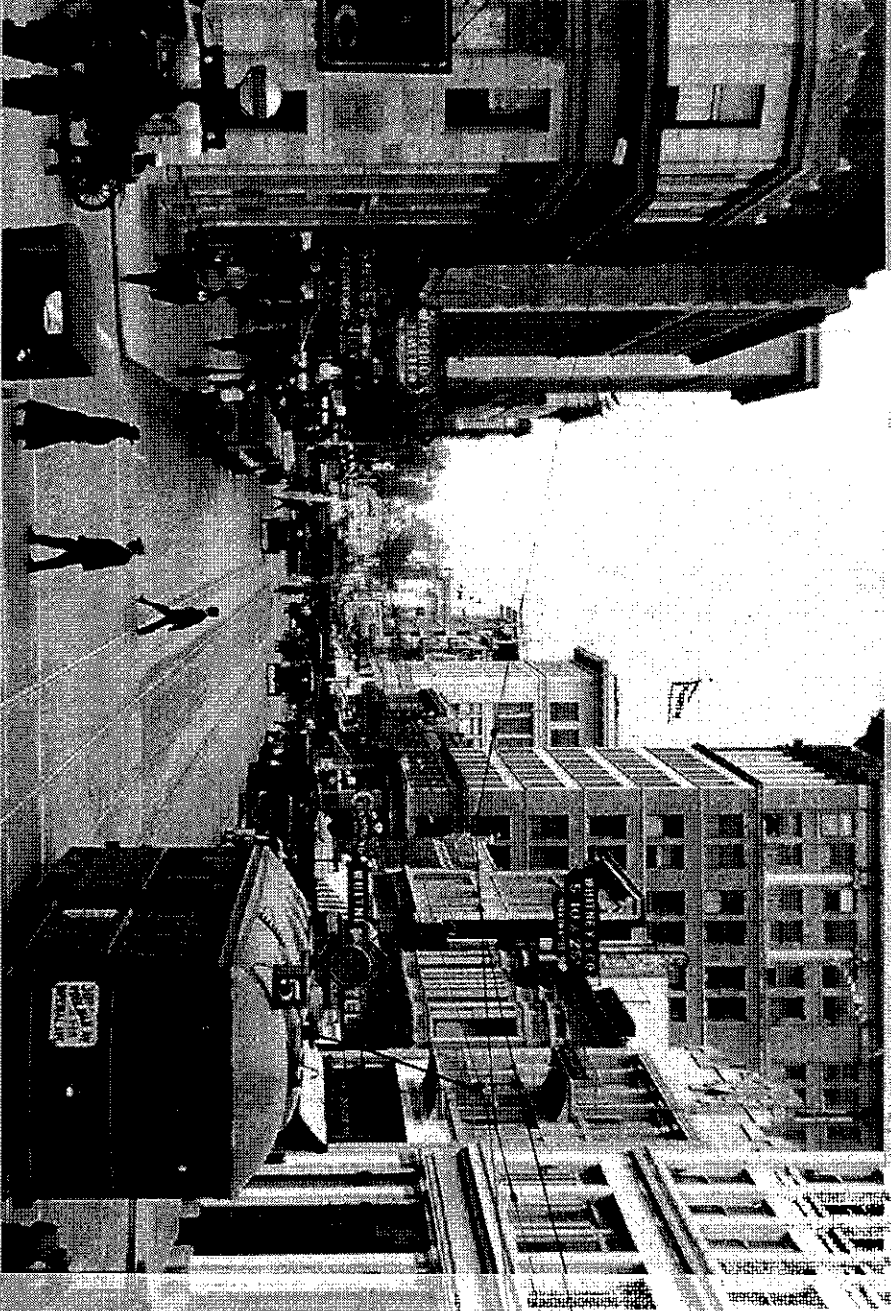
87.	Greenbaum Market Bldg.	528 J Street
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* Sites no. 60 and no. 85 are individually listed on the National Register of Historic Places. The entire Gaslamp Quarter has been placed on the National Register as an Historic District.

ATTACHMENT 4

DRAFT GASLAMP QUARTER DESIGN GUIDELINES

GASLAMP QUARTER PLANNED DISTRICT DESIGN GUIDELINES



*Looking north on Fifth Avenue, ca. 1923
Photo courtesy of the San Diego Historical Society*

Credits

From 1990 through 2006, several agencies and individuals have contributed to the production of the Gaslamp Quarter Planned District Design Guidelines. The following organizations were instrumental in the review and approval of this document.

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- Toni Atkins, District 3
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Historic photographs of the Gaslamp Quarter featured in this document have been provided by the San Diego Historical Society Photograph Collection, www.sandiegohistory.org.

Drawings and contemporary photographs are provided by Heritage Architecture & Planning.

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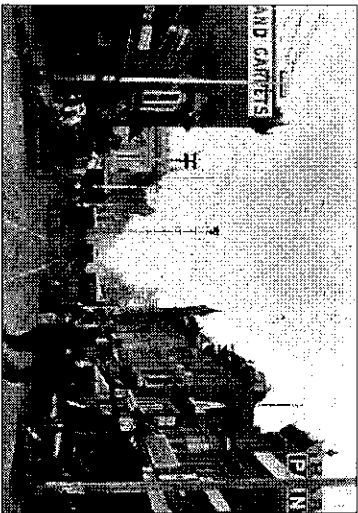


fig. 1 – Gaslamp Quarter Ca 1885 - Fifth Avenue looking North from Island Street.

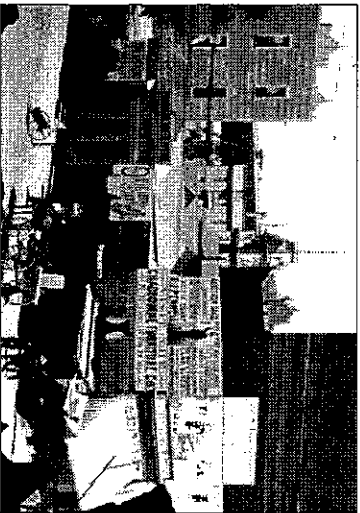


fig. 2 - Gaslamp Quarter Ca 1890 - southeast corner of Fifth Avenue and E Street

Purpose and Intent of the Guidelines

This document is based on Chapter 15, Article 7 of the San Diego Municipal Code, known as the Gaslamp Quarter Planned District Ordinance (PDO). The ordinance covers more items than will be discussed here, such as permitted uses and parking. The intent of these design guidelines is to provide property owners and developers with a set of standards to follow in the design and development of a new or existing property, and to clarify the steps necessary for obtaining a permit. It is hoped that these guidelines will help the reader avoid the pitfalls and frustrations often associated with development in historic districts.

Historical Overview of the Gaslamp Quarter

Downtown San Diego began in the Gaslamp Quarter. The original New Town was established by William Heath Davis (a.k.a. Kanaka Bill) in 1850. Unfortunately, Davis' settlement never developed into the thriving port town he had envisioned. Development in New Town finally took hold almost two decades later when Alonzo Horton established a wharf at the south end of Fifth Avenue in 1869. From that point on, Fifth Avenue has served as the commercial backbone of the Gaslamp Quarter. In the 1880s, the area of the Gaslamp Quarter south of Broadway, between Fourth Avenue and Sixth Avenue, developed at a rapid pace. During the same era, a strong community of Asian businesses began to grow in the area bound by Market Street, J Street, Third Avenue, and Fifth Avenue. The defining character of the Gaslamp Quarter was established by the Victorian, Italian Renaissance, and Spanish Revival buildings still standing today. As businesses moved further north along Fifth Avenue, the original district south of Market became a red-light district commonly referred to as "The Stingaree." Illicit businesses, catering to both miners and sailors, flourished throughout the turn of the century. The Gaslamp Quarter experienced its first renaissance in 1912 when surging citizen morality pressured police into raiding the red-light district. The Gaslamp Quarter continued to grow at a steady pace through the 1920s to around 1930 when the Great Depression slowed development nationwide.

During the 1950s, 60s, and 70s, major commerce continued to abandon the smaller scaled buildings of the Gaslamp Quarter in favor of larger sites in the north end of downtown. Once again, the district became dominated by illicit activities. The Gaslamp Quarter began to experience a second renaissance in the 1970s when concerned property owners and merchants started to restore the turn of

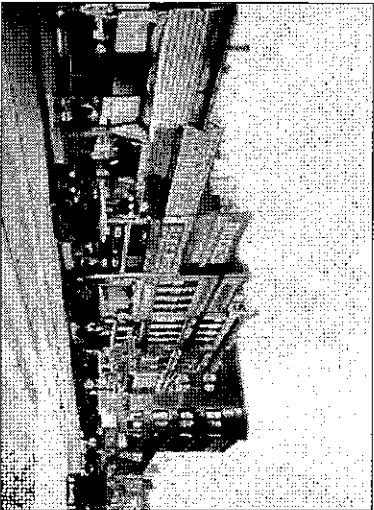


Fig. 3 – Gaslamp Quarter Ca 1910, West side of Fifth Avenue, north of G Street.

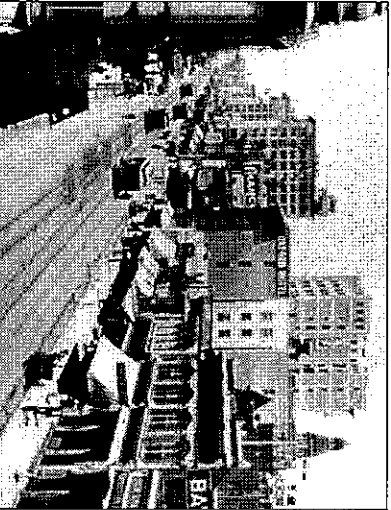


Fig. 4 – Gaslamp Quarter Ca 1912 - Fifth Avenue looking North from G Street,

the century architecture. In 1976, the first Gaslamp Quarter Urban Design and Development Manual was adopted by the City Council. The area bound by Fourth and Sixth Avenues, Broadway, and Harbor Drive was placed on the National Register of Historic Places in 1980. Property owners and merchants, along with San Diego's redevelopment agency, continue to restore and revitalize the historic buildings of the district. The Gaslamp Quarter Planned District features the highest concentration of historically significant commercial buildings in San Diego.

Period of Significance and Historic Designation

An important concept in historical designation is the "period of significance." The National Register designation lists eighty five buildings that significantly contribute to the defining character of the Gaslamp Quarter. The earliest contributing structure was built in 1873 and the last contributing structure was built in 1930. Therefore, the period of significance for the Gaslamp Quarter is from 1873 to 1930. The National Register nomination has identified many of the buildings within the Gaslamp Quarter as "contributing structures." These buildings, erected during the period of significance, contribute to the overall character of the district. In addition to those contributing structures built during the period of significance, buildings constructed earlier or later than the period of significance can also be deemed "contributing" according to the criteria established by the National Register of Historic Places.

Criteria for designation to the National Register of Historic Places can relate to significant persons, historical events, or architectural movements. The contributing elements of an historic building may include the entire building or just portions of the building, depending on the specific criteria for historic designation. Anyone using these guidelines for the renovation of an historic building should also consult Centre City Development Corporation (CCDC) for additional requirements. These guidelines are concerned with the exterior appearance of all buildings in the Gaslamp Quarter. Particular attention is directed to the "street wall." The street wall is the wall formed by a continuous line of building facades. This feature is critical to the scale, density, and visual interest that make the Gaslamp Quarter such an appealing place to be.

In addition, the City of San Diego Land Development Code (LDC) requires a review of buildings 45 years of age or older to determine if they are historic. (This requirement is consistent with the California Environmental Quality Act.) Therefore, any changes proposed to a building within the District boundaries built 45 years ago or more will be carefully evaluated to prevent the loss of potential historic structures.

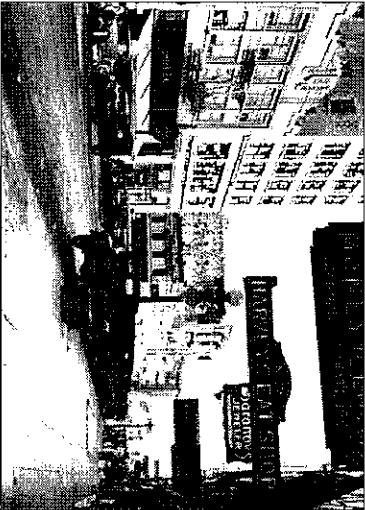


fig. 5 – Gaslamp Quarter Ca 1920, Fifth Avenue looking south, north of E Street.

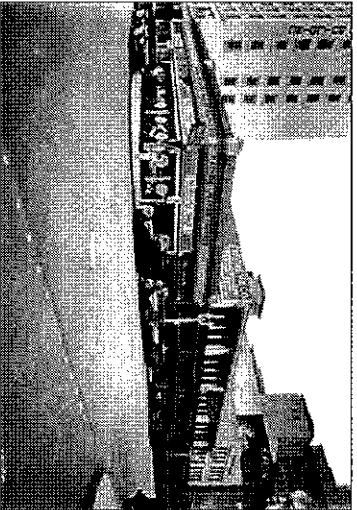


fig. 6 – Gaslamp Quarter Ca 1930, Corner of Sixth Avenue and E Street.

Application of the Gaslamp Quarter Design Guidelines

When a building is designated as contributing, it must comply with the section "General Guidelines for the Rehabilitation of Designated Historic Structures." Additions to contributing buildings, any work on non-contributing buildings, and any new construction must comply with the section "General Design Guidelines for New Construction." These guidelines focus on six architectural elements that affect the overall structural form and design continuity of the Gaslamp Quarter. These elements are: scale and proportion, fenestration, materials, color, texture, and decorative details.

Scale and Proportion

Lot sizes, street widths, building sizes, and size of building features are examples of elements contributing to scale and proportion. The Gaslamp Quarter is a rich pedestrian environment, and it is best experienced at a leisurely pace, on foot rather than from the window of an automobile. The height of the buildings (mostly 2-3 stories) creates an urban environment without dwarfing the pedestrian. The ratio of building height to street width allows ample sunlight onto the street. The narrow lots reflect a time when people shopped at a variety of small establishments, rather than large supermarkets and "megastores."

Fenestration

The type, size, and arrangement of the windows and doors compose the building fenestration. The distinction between upper story windows and ground level (storefront) windows is important. Windows give us clues to the use and character of interior spaces, as well as the building's construction and underlying structural system.

Building materials, colors, textures, and decorative details, as observed throughout the Gaslamp Quarter reflect the quality of craftsmanship, available building techniques, and popular tastes during the period of significance. These elements are addressed later in this section (pages 16-19).

While these guidelines are prescriptive, it is important to keep in mind that **they in no way suggest that new construction should imitate historic styles.** *The Secretary of the Interior's Guidelines for the Treatment of Historic Properties*, which sets the national standards for historic preservation, caution against creating the appearance of a false history. New construction, unless it is a reconstruction of a historic building, should not try to appear historic, nor should it mimic historic elements in a literal fashion. For this reason, anyone developing a property within the Gaslamp Quarter is encouraged to consult with CCDC early in the design process to avoid delays in the permit process.

Administration of the Gaslamp Quarter Design Guidelines

The President of CCDC administers the regulations and procedures outlined in this document. The President has certain discretionary powers, which will be described in later sections. The President may approve, modify, or disapprove any application for permit based upon the conditions of compliance or non-compliance with these standards.

Also applicable are Chapters 10 through 14 of the City of San Diego Municipal Code, called the Land Development Code. The Land Development Code covers all of San Diego and has general requirements for zoning, parking, grading, setbacks, etc., whereas the Gaslamp Quarter PDO covers requirements specific to the Gaslamp Quarter. Where there is a conflict between the Gaslamp Quarter PDO and the Land Development Code, the Gaslamp Quarter PDO takes precedence.

Gaslamp Quarter Planned District Boundaries

The Gaslamp Quarter extends from the south side of Broadway to Harbor Drive, and from the east side of Fourth Avenue to the west side of Sixth Avenue. Also included is the west side of Fourth Avenue (to the mid-block property line) between Market and Island. Appendix A provides a map of contributing buildings.

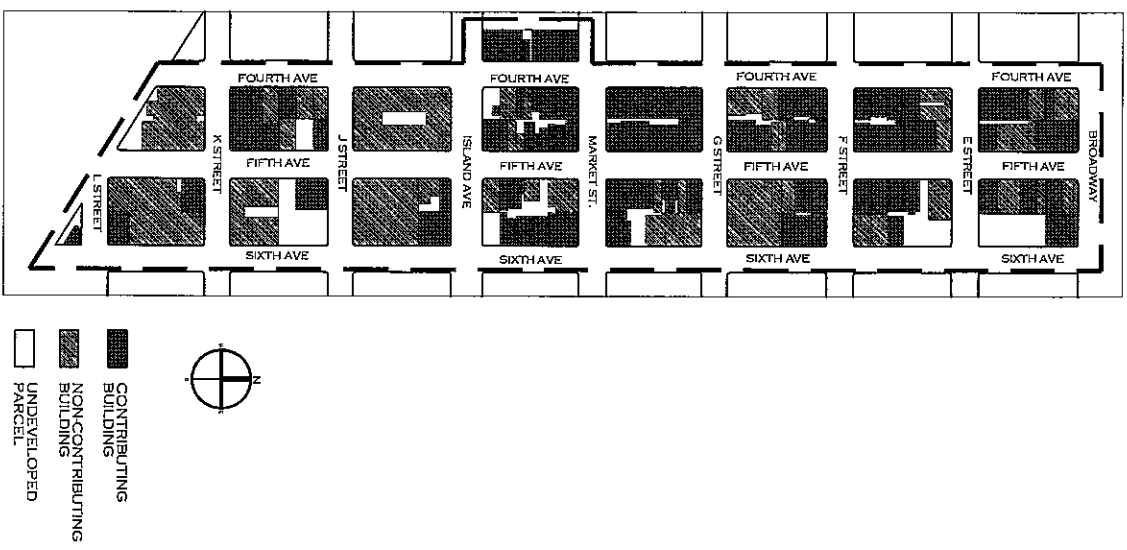


fig. 7 -- Gaslamp Quarter Boundary Map

Procedure for Permits

Since August 14, 1976, a Permit has been required prior to application for any City permit or license within the Gaslamp Quarter Planned District. Work requiring a Permit includes:

- New construction
- Relocation of buildings into or out of the district
- Remodeling, alteration, addition, or demolition of any existing building (contributing, noncontributing, or relocated)
- Remodeling, alteration, addition, or demolition of any existing grading or landscaping
- Any material or visible changes, such as repainting or signage, to the exterior appearance of an existing structure or to the public rights-of-way

An application for a Permit will be accepted upon payment of a fee and completion of required application documents. The application package should include a description of the intended use of the proposed building, structure, or improvement.

In addition to a Permit, all applicable building code requirements must be met and any other necessary permits obtained for any construction, alteration, addition, or repair of:

- A structure
- The public right-of-way
- Awnings
- Sidewalk Cafés
- Signage

Once CCDC has approved the Permit, a City permit must be obtained. Contact the City of San Diego Development Services Department for more information.

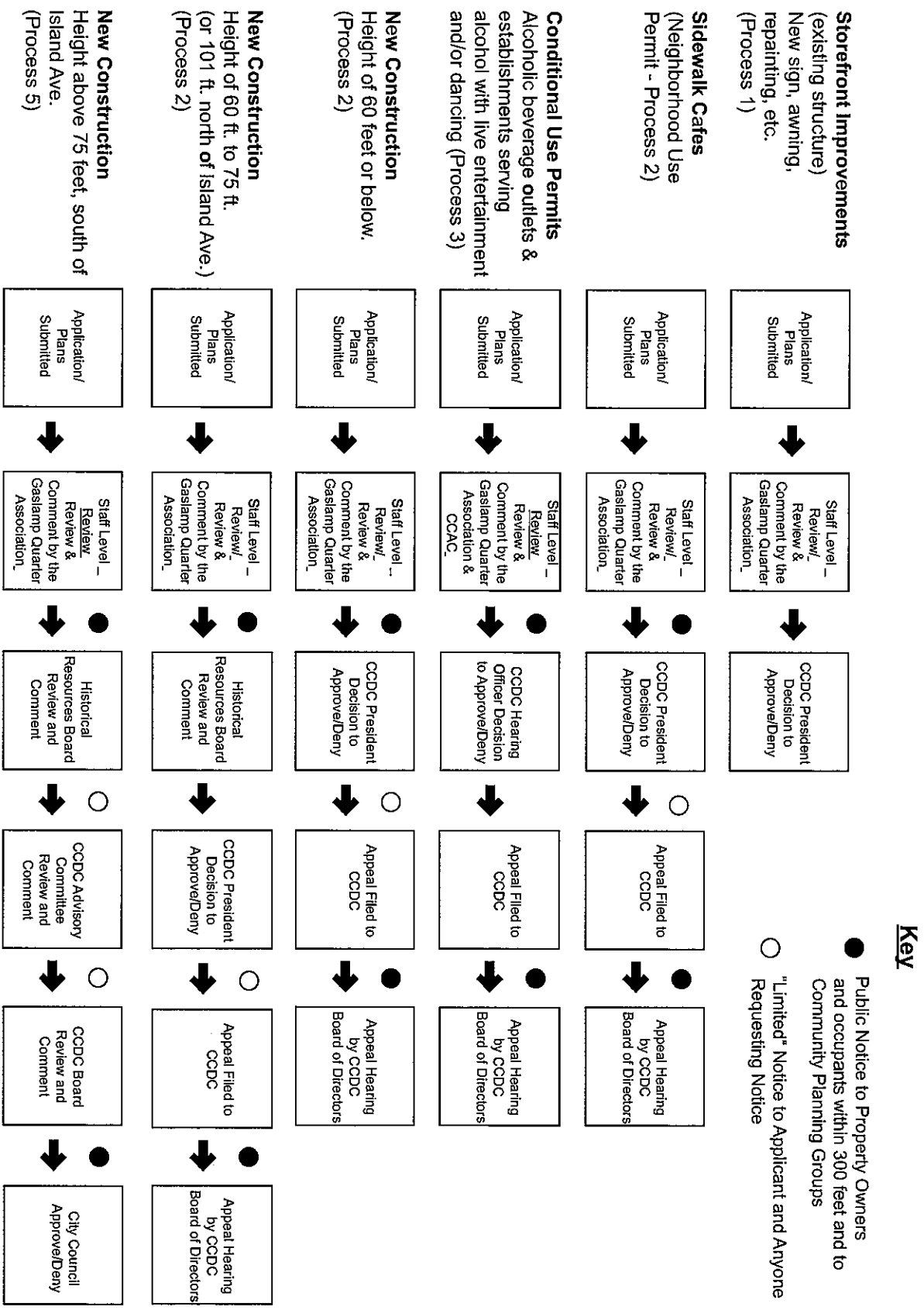


fig. 8 -- Examples of typical processes of approval.

General Design Regulations for New Construction

The following guidelines apply to all new construction, whether it be full block development or an infill project. In addition, these regulations apply to renovations or additions to existing buildings, regardless of whether or not the building contributes to the historical character of the district.

Renovations or additions to contributing buildings have additional requirements. Refer to the section of this document called **General Guidelines for Rehabilitation of Designated Historic Structures.**

Building Height Regulations

The overall height of a building shall be measured from the average of the highest and lowest grades of the site to the top of the parapet of the highest habitable floor. For the majority of buildings in the Gaslamp Quarter the building facades are usually at the property line and the highest point of the structure is usually the roof parapet of the highest habitable floor. For stepped or terraced buildings, the height is considered to be the maximum height of all segments. *fig. 9* Uninhabitable roof structures that conceal mechanical equipment and elevator and stair overruns shall not be included in the measurement of building height provided that these structures are set back from the building facade, are not visible from the public right-of-way, and do not project above a 45-degree plane inclined inward from the top of the parapet(s) of the nearest building wall(s) up to a maximum height of 30'. (See *Roofs section, page 20*)

Grade is defined as the elevation of the sidewalk or ground surface.

Very few lots in the Gaslamp Quarter are perfectly flat, so it is important to determine the grade elevation at all corners of the building. According to the City of San Diego Municipal Land Development Code 113.0270(a) (5) "...the overall structure height shall not exceed the maximum permitted

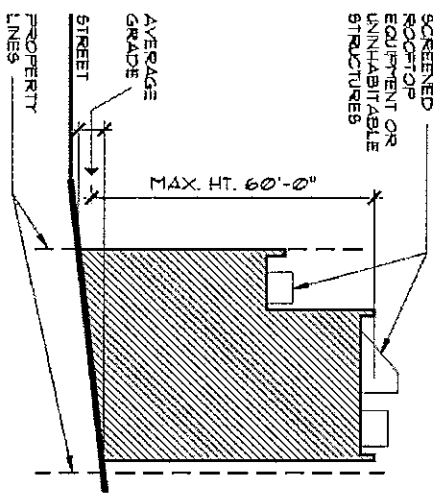


fig. 9 –How to measure building height.

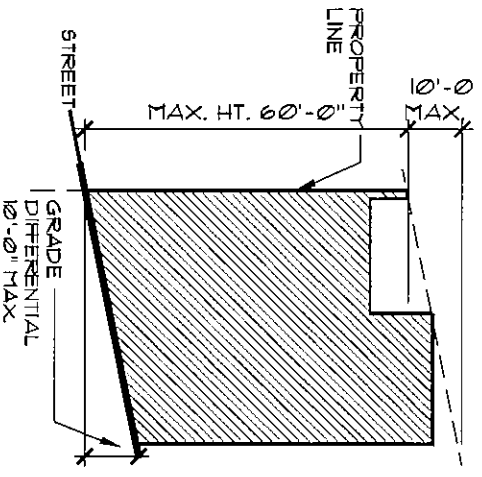


fig. 10 –How to determine reference for height measurement.

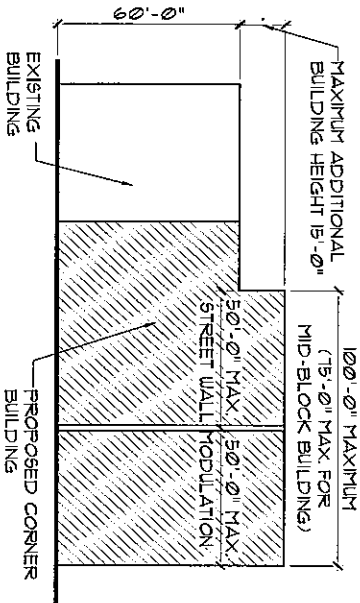


fig. 11--Maximum horizontal distance for buildings over 60 feet high.

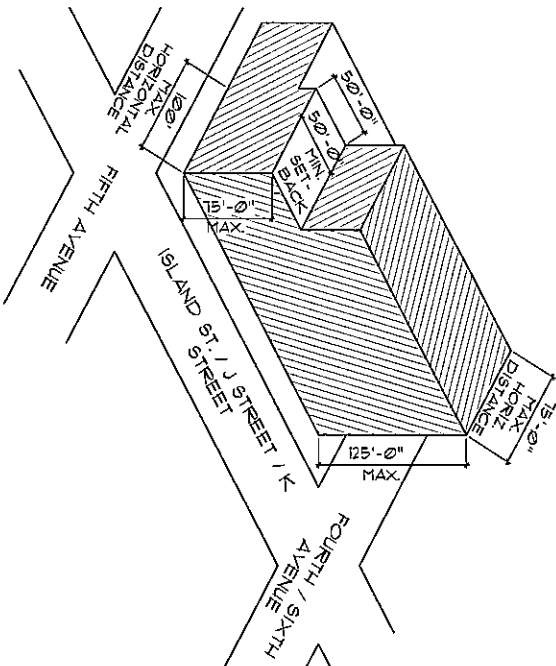


fig. 12--Setbacks for buildings over 75 feet high.

structure height...plus an amount equal to either the maximum grade differential within the structure's footprint or 10 feet, whichever is less." *fig. 10*

Gaslamp Quarter design regulations for building height are as follows:

- (a) The maximum height for buildings is 60 feet.
- (b) The minimum height for buildings at the property line is 30 feet. The purpose of this requirement is to maintain the street wall (which will be discussed in a later section).
- (c) The CCDC President may approve, conditionally approve or deny new construction above 60 feet and up to 75 feet (or up to 101 feet subject to Section 157.0302(a)(3) of the PDO). If a building is allowed the discretionary 75 foot maximum, then the following conditions apply:
 1. Building elements above 60 feet shall not visually intrude into the district nor adversely affect view, nor in any other way compromise the scale and character of adjacent block faces.
 2. The maximum horizontal roof dimensions for buildings greater than 60 feet in height shall be no more than 75 feet at mid-block street frontages along Fourth, Fifth and Sixth Avenues. The maximum horizontal roof dimension for corner lot buildings along Fourth, Fifth, and Sixth Avenues is 100 feet. *fig. 11*
 - (d) The City Council may approve, conditionally approve, or deny construction of buildings up to 125 feet or more located south of Island Avenue. This exception is granted only if the proposed project is evaluated as offering significant benefit to the district. The following provisions apply to the conditional height exception:
 1. Building elements above 75 feet shall be set back 50 feet from Fifth Avenue and shall make every effort to minimize visual

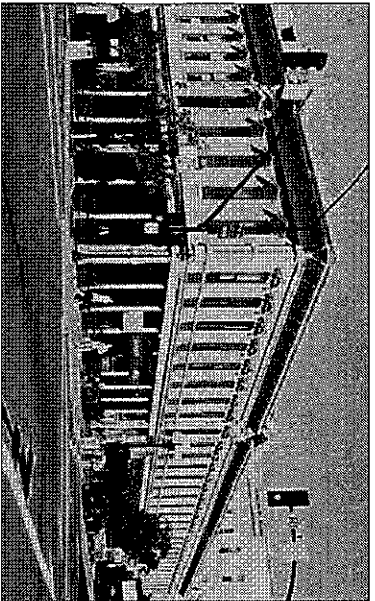


fig. 13 – Fenestration of the Backesto Block.

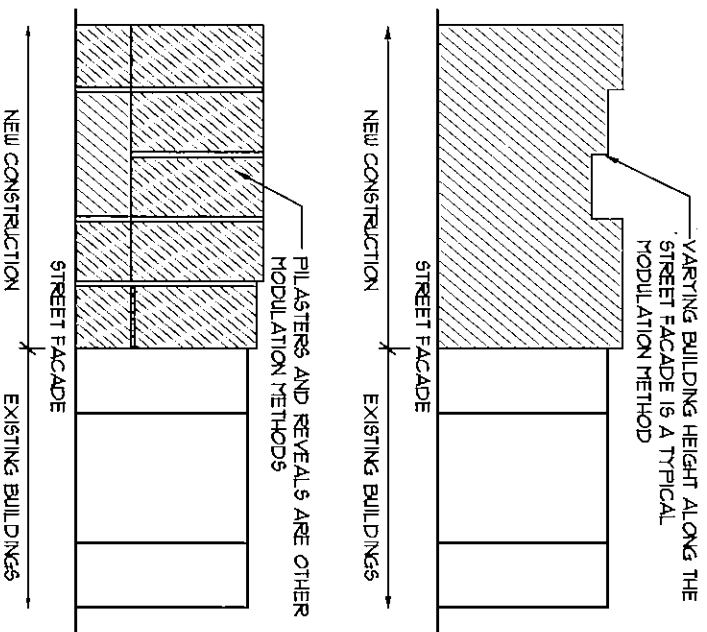


fig. 14 –Modulate building frontages with respect to historic lot pattern.

intrusion into the district and shall not adversely affect views, nor in any other way compromise the scale and character of adjacent block faces. *fig. 12*

2. As with the 75 foot height exception, the maximum horizontal roof dimensions for buildings or portions of buildings greater than 60 feet in height shall be no more than 75 feet for mid-block street frontages of Fourth, Fifth and Sixth Avenues and 100 feet for corner buildings. *fig. 12*

The “Street Wall” Concept

Historically, buildings in the Gaslamp were built to the property line facing each street. Modern setbacks for plazas and landscaped buffers were not part of the architectural vocabulary popular in the period of significance or considered appropriate for retail development at the turn of the century. The streets and sidewalks provided social and commercial vitality to the area.

The Gaslamp Quarter is characterized by a nearly continuous line of building facades, side-by-side in the same plane along the sidewalk. This continuity of facades causes the sidewalk and street between the opposing facades to feel like a large outdoor room. These continuous facades are referred to as the “street wall.” Scale, detail, and signage of the buildings work together to balance consistency in urban character and individuality in architectural design. The street wall effect is weakened when a building is demolished or a new building steps back from the dominant street wall line.

Many of the buildings in the Gaslamp Quarter are articulated based on the original 25’ lot width module. However, there are examples of contributing buildings, such as the Backesto Block, that are not designed on the 25’ module. The articulation of a building facade, in terms of fenestration and detailing, is ultimately the key to a successful and contextual building. *fig. 13*

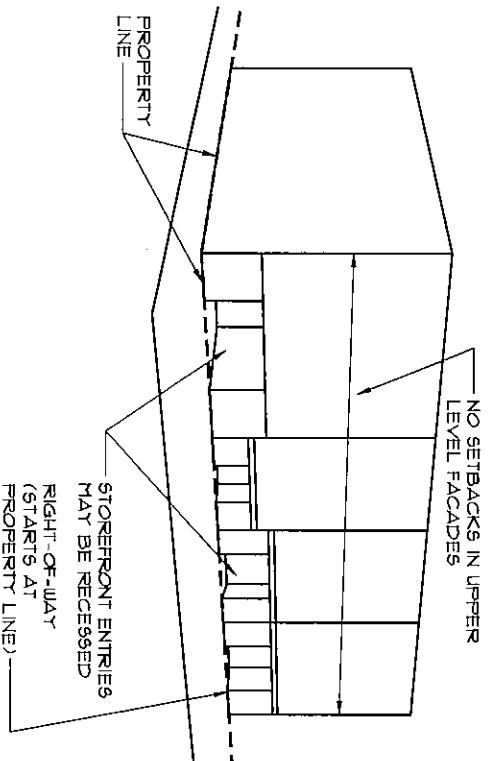


fig. 15 –Continuous street wall at upper levels.

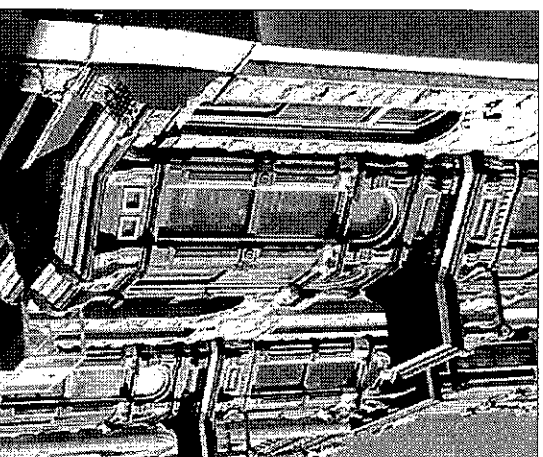


fig. 16 - Louis Bank of Commerce, 1888. Bay windows project beyond the property line.

- (a) Building mass, placement, and entry relationship shall be functionally and aesthetically compatible with adjacent buildings.
- (b) New projects shall modulate building frontages for variation and articulation of the building. The historic module of 25' and 50' widths is the primary tool for breaking down the scale of large building mass. Changes in height, materials, fenestration, offsets, and/or reveals between building portions are appropriate modulation methods. Variations from the 25' or 50' Gaslamp Quarter standard for volume modulation are acceptable if the building massing and facade is well articulated. *fig. 14*
- (c) Site design and building entry elements shall contribute to the continuity of pedestrian scale, storefront character, and street activity.
- (d) Facades along the numbered avenues (Fourth, Fifth and Sixth) shall incorporate at least one primary entrance on that facade. A minimum of 60 percent street level on the numbered avenues shall be storefront with direct access from the street. Access from lettered streets is less important.
- (e) Street level building setbacks to create plazas, dining areas, parks, or other open space will not be permitted.

Required Street Wall Characteristics

New infill buildings shall provide a continuous street wall plane and strong street edge definition at the property line. Street wall glazing should be deeply recessed, with detailed window frames permitted to protrude beyond the front face of the building. All windows except for the ground floor shall have a longer vertical dimension than horizontal dimension.

- (a) The street wall of all buildings shall be continuous at the

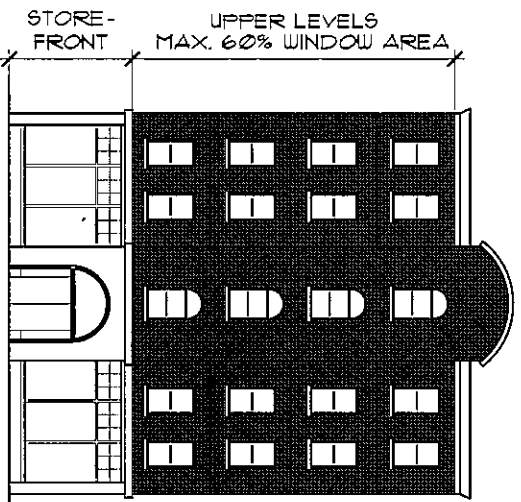


fig. 17—Window-to-wall ratio.

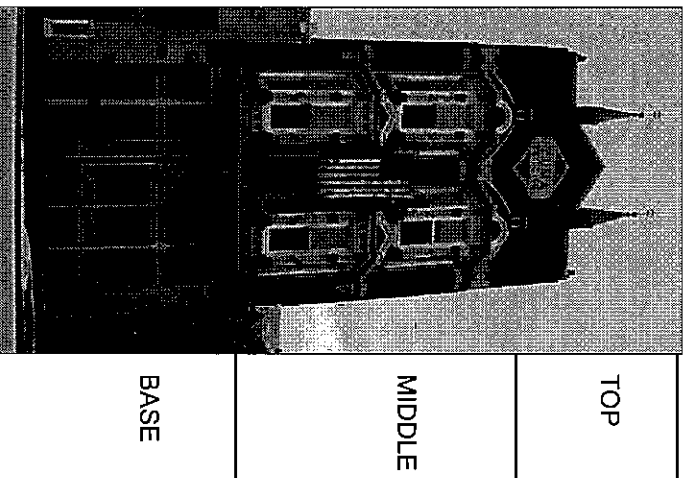


fig. 18—The Yuma Building, 1882. Typical horizontal division of buildings.

- (b) Cornices, bay windows, oriel windows, and other ornamentation may project beyond the property line at upper levels to a distance no greater than 4 feet. *fig. 16*
- (c) Ground floor treatment should be pedestrian in scale, storefront character, and design detail.
- (d) The window-to-wall ratio of the upper floors should be no greater than 60% window to 40% wall. *fig. 17*

Horizontal Characteristics

A strong, horizontal division of major building elements can be seen in the Gaslamp Quarter. Most of the historic buildings are characterized by a delineation of a building base, middle, and top. *fig. 18*

The top of the building refers to the cornice and any roofing elements that terminate above the cornice. Typically the tops of historic Gaslamp Quarter buildings are highly articulated and ornamental - often the most expressive portion of the building. However, any roof forms or articulation at the top of new construction shall be understated and always subordinate to the architectural elements, features, and forms of adjacent historical structures.

The middle portion of the building consists of horizontal floor bands, or belt courses, below a cornice. The floor bands are defined by vertically oriented, rhythmically spaced bays and windows, with consistent floor-to-floor heights. The upper stories are generally not as tall as the ground story.

Street level storefronts (restaurants and other pedestrian oriented shops) establish the building base. The building base includes those elements relating to the sidewalk pedestrian

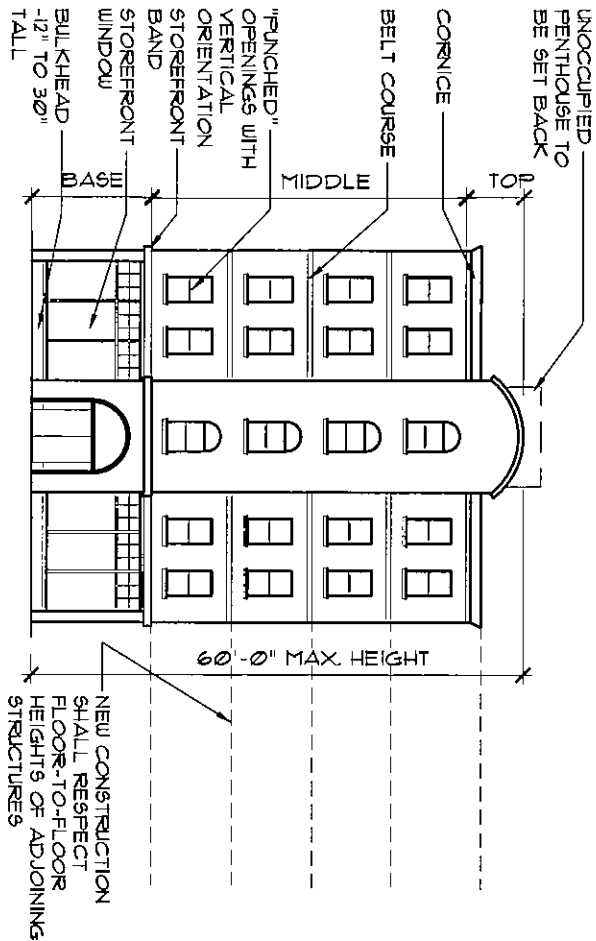


fig. 19 - Criteria for horizontal building forms.

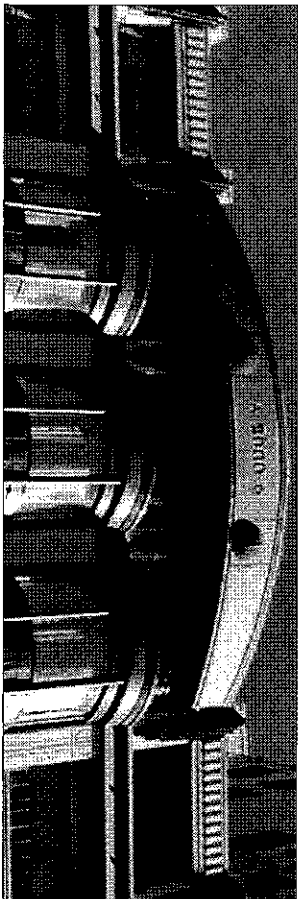


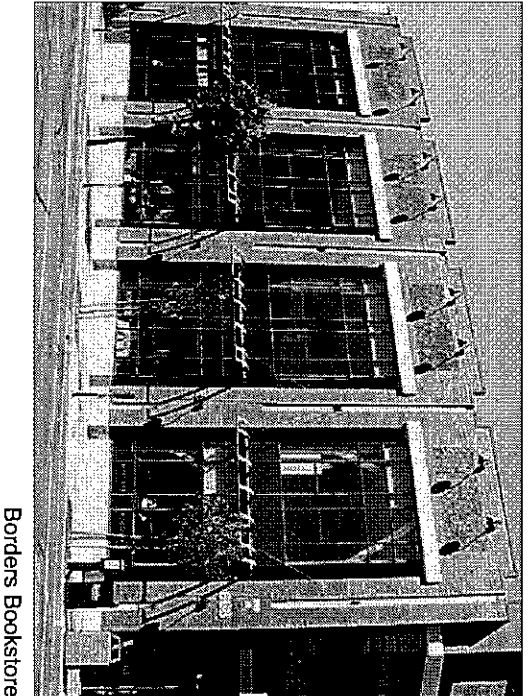
fig. 20 - A contemporary interpretation of the traditional cornice.

environment such as entries, show windows, and business signage. The base is separate from the upper part of the building by the storefront band.

- (a) The building base shall be defined by a projecting band and/or articulated recess in a continuous horizontal direction across the building facade called the storefront band. This line shall be established no lower than 12 feet and no higher than 20 feet. *fig. 19*
- (b) Provide a kickplate or bulkhead which shall be a minimum of 12 inches and a maximum of 30 inches. *fig. 19*
- (c) The building base and entry shall be designed to integrate storefronts, signage, and window display spaces into the overall fabric of the building form.
- (d) Belt courses denoting floor levels and moldings below the cornice are encouraged, but not required. *fig. 19*
- (e) In new construction, the traditional ornamental cornice is not required. The effect can be achieved with contemporary materials and design. *fig. 20*
- (f) Additional building floors are permitted above the cornice provided the facades of these floors continue the proportion and detail of the main building and are set back.
- (g) Elevator penthouses and other allowable unoccupied roof elements shall be set back from the street facade and every effort shall be made to minimize visibility of those elements from one block away, in each direction. (See

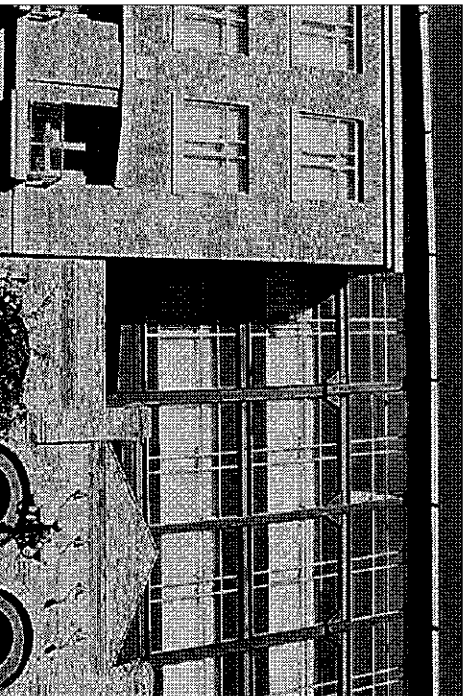
"Roofs" Section, pg. 22)

- (h) Building elements exceeding 60 feet in height shall be in accordance with criteria for maximum building height.
- (i) Exterior facades of new construction and infill buildings must respect the floor to floor heights typical of adjoining structures. A lesser floor height may be permitted subject to approval from the President of CCDC to allow for mezzanines and design expression for other contemporary uses.
- (j) Where above grade parking is proposed, all perimeter floors must be level with ramping systems internal to the project. This is to ensure proper horizontal proportions and detail on the exterior facades.



Borders Bookstore

fig. 21--The facades of these contemporary buildings maintain 25 and 50 foot lot sizes through changes in materials, vertical orientation of windows, and variation of roof lines.



Bridgeworks

Vertical Characteristics

The historic development of the Gaslamp Quarter generally occurred on blocks subdivided into 25 foot x 100 foot lots. Individual buildings typically developed on small parcels assembled from these lots. Thus, a majority of the existing buildings in the district are either 25 or 50 feet wide. The result is a predominance of buildings incorporating narrow windows and vertical building proportions.

Accordingly, historic buildings in the district reflect the primary verticality of elements in the window openings, building bays, and details such as pilasters and columns. Their vertical emphasis creates a rhythm across the facade that breaks down the horizontal bulk of buildings.

- (a) All windows above the street level shall have a dominant vertical proportion. Window openings shall be stacked and symmetrically arranged on the facade. Building bays and details shall respect the existing tall, narrow profile and symmetrical arrangement of those in historical buildings of the District. *fig. 21*

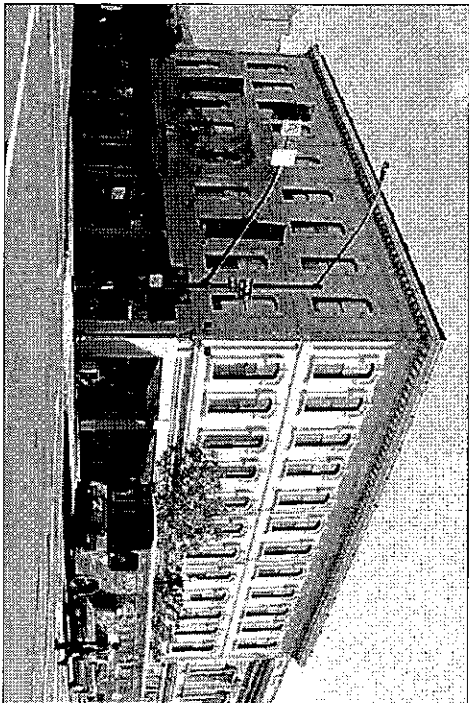


fig. 22 – McGurck Block Building, 1887. This corner building has developed both facades.

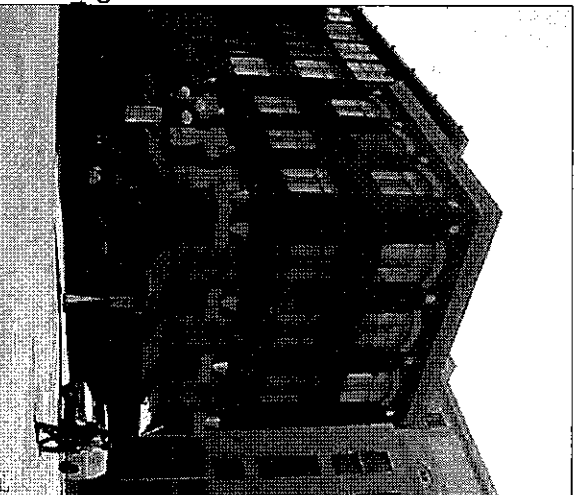


fig. 23 – Material changes and setbacks in the upper levels of the facade are appropriate ways to distinguish the portion of corner buildings within 50 feet of a corner.

- (b) Storefronts at the street level may vary from the vertical proportion provided they are coordinated with the upper level fenestration.
- (c) Columns, pilasters, reveals, and other details may be used in a contemporary manner to enhance verticality and continuity. *fig. 21*
- (d) Corner buildings shall develop fully articulated facades on both street frontages. These facades must include strong vertical demarcation of the corner building form. *fig. 22*
- (e) The portion of corner buildings within 50 feet of the corner shall be distinguished by changes in height, materials, fenestration, offsets, and reveals. *fig. 23*

Architectural Fabric and Materials

Historic structures in the district are generally constructed of substantial, highly finished materials, such as masonry, stone, cast iron, and wood. Paint colors on historic buildings are typical of those found in the Victorian and Art Deco styles popular during the Gaslamp Quarter's period of significance. (See "Painting and Repairing Exterior Surfaces," page 20)

New buildings should maintain this same quality of materials. Color and lighting should complement natural materials and highlight architectural forms and details. Buildings should use storefront spotlights to highlight the building and contribute to a secure environment. Paint colors should remain consistent with the styles in the period of significance.

- (a) Brick masonry, stone, granite, or highly finished and detailed plaster are suggested facing materials. Ceramic tile may be used for limited areas. *fig 24* The use of plaster shall be limited to 20 percent of the base

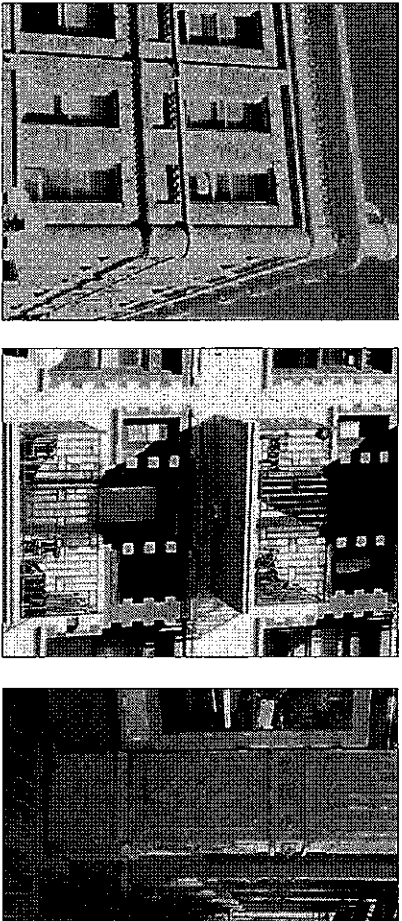


fig. 24 - Brick, terra cotta, stucco, tile, and cast iron are typical materials seen in the Gaslamp Quarter.



fig. 25 - Paneled wood bulkhead.

- or 60 percent of the overall building facade.
- (b) Detailing may be wood, appropriately finished ornamental sheet metal, carved or cast stone, tile, brick, or terra cotta.
- (c) Storefront framing elements, such as bulkheads, may be painted wood, cast iron, tile, or other appropriately finished materials. Chrome, exposed galvanized metal, and exposed aluminum finishes are not permitted. *fig. 25*
- (d) Window frames should be painted wood or high quality painted metal finishes. Reflective silver aluminum storefront and window systems are not permitted.
- (e) No grates, grills, or bars, either permanent, retractable or temporary shall be permitted on windows, doors, or alcoves.
- (f) Color selection should be appropriate to the style and setting of the building, with trim colors defining the facade trim and storefront. All color schemes are subject to review by the CCDC. The applicant must supply accurate color samples (See "Painting and Repainting of Exterior Surfaces," page 21).

Architectural Details

A dominant design characteristic found in the contributing buildings of the district is the rich architectural detail and ornamentation. All aspects of new buildings should harmonize with, but not mimic, the historic buildings.

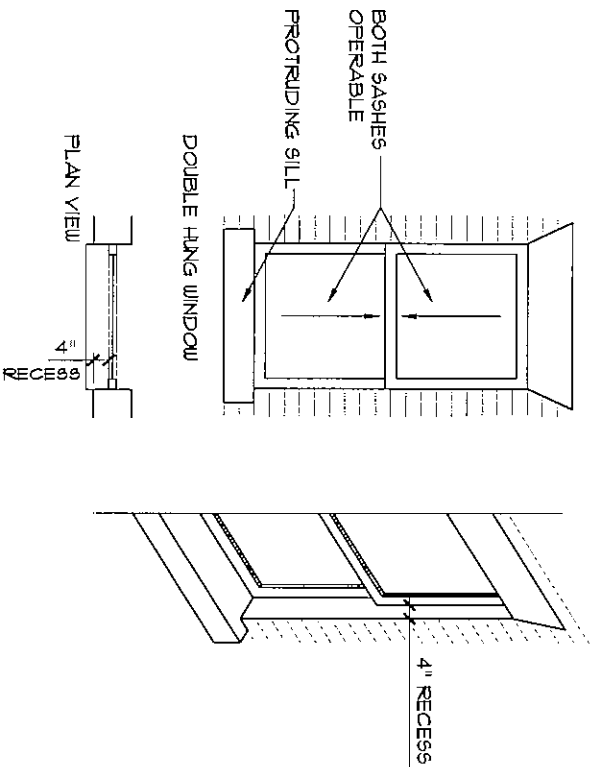
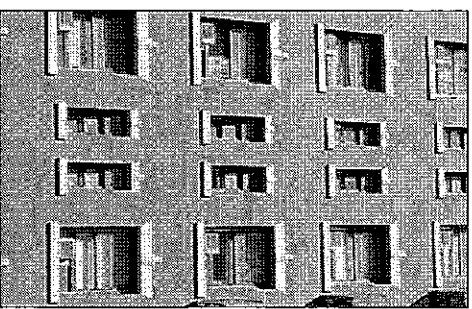
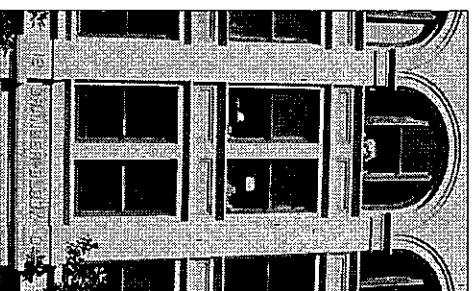
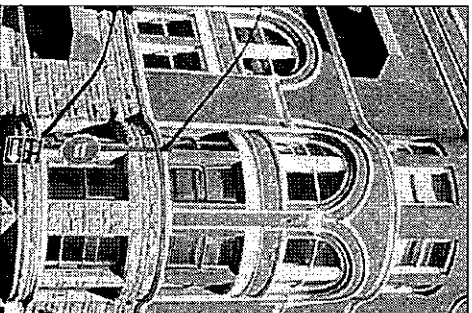


fig. 26 - Window set back from the wall plane.

- (a) Window openings above the ground floor should be punched into the wall plane and windows set back a minimum of 4 inches from the outside wall plane. *fig. 26*
- (b) Storefronts must maintain glazing where glazing traditionally occurred. If transparency is not desired, the inside face of the glazing may be painted black to provide an opaque finish. Solid panels in place of glazing are not permitted. No reflective glass is permitted.
- (c) Operable sash windows are encouraged.
- (d) Articulated window head and sill details are strongly encouraged. Articulation should not mimic or parody historical detail. *fig. 27*
- (e) Storefronts shall consist of large fixed-glass panels with bulkheads below. Operable windows are permitted at the ground floor.

fig. 27 - Windows of the Keating Building, 1890; the Granger Building, 1904; and the St. James Hotel, 1912.



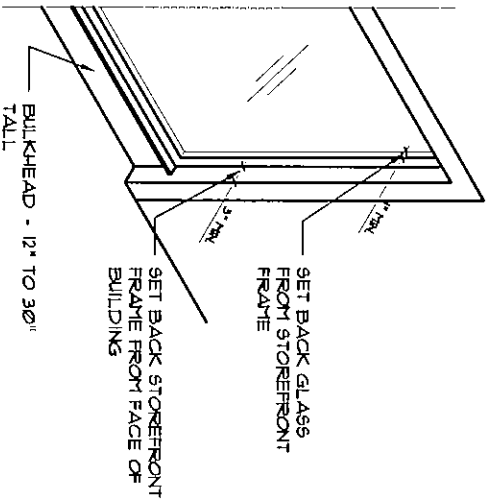


fig. 28 - Storefront detailing

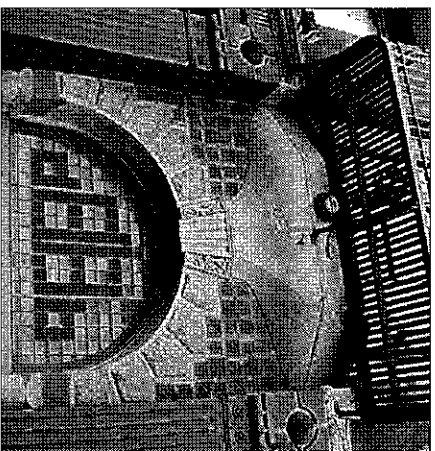


fig. 29 - Decorative Details of the Nesmith-Greeley Building, 1888.

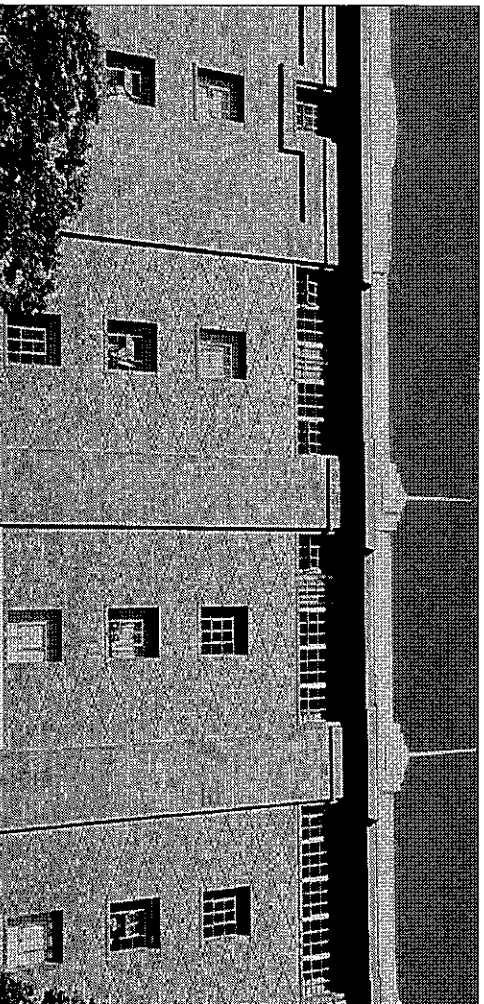


fig. 30 - Pioneer Warehouse, 1918--Masonry patterns and profiles provide relief to the flat wall plane.

- (f) Storefronts should be articulated to create a sense of depth to the building facade. At a minimum, storefront frames shall be set back from the building surface by three inches. Glass panels shall be set back from the storefront frame a minimum of one inch. A variety of storefront depths and configurations are evident on contributing building within the Gaslamp Quarter . Historic storefronts are set back as little as three inches and as great as one foot. The existing historic examples should be used as a guide for designing new storefronts. *fig. 28*

- (g) Masonry can provide interesting colors, patterns, profiles, textures and shapes. Various coursing patterns, custom shapes, colors and details such as quoins and belt courses are encouraged. *fig 29*
- (h) Additional detail materials such as ornamental metal, cast masonry, concrete, and tile are permitted, provided that appropriate design integrity is maintained. *fig 30*

Roofs

Penthouses intended to house

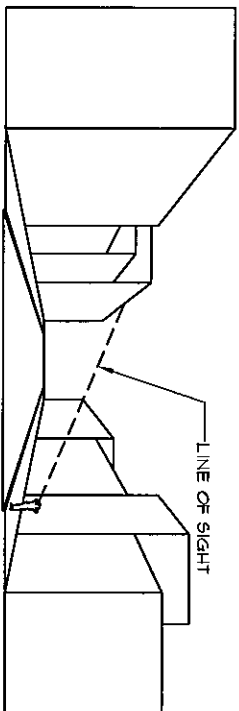


fig. 31 - Rooftop elements such as mechanical penthouses, exposed mechanical equipment, and satellite dishes should not be visible from the public right-of-way.

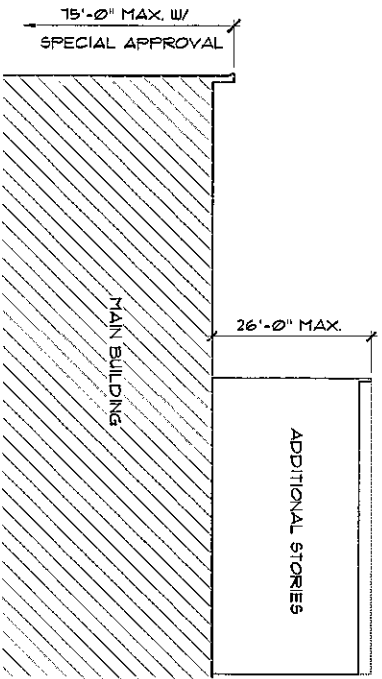


fig. 32 - Additional Stories height is measured from the top of the adjacent building roof to the top of the highest additional stories parapet.

mechanical equipment are permitted atop buildings though every effort should be made to minimize visibility of mechanical penthouses and other rooftop elements from the public right-of-way. *fig 31* The public right-of-way, as defined in this document, is the area from the building facade to a point 300 feet away, in each direction.

Traditional urban buildings have parapet walls at the street and party walls, with a shed roof that slopes towards the rear of the property or with a gable roof that drains to the street or alley. Parapet walls play an important role in preventing the spread of fire from one building to the next.

By City of San Diego Ordinance, cellular phone antennas are not permitted on historic buildings. Cellular phone antennas, on newly constructed buildings, shall not be visible from the public right-of-way. Satellite dishes, on both historic and new construction, shall not be visible from the public right-of-way. In addition, screened enclosures for satellite dishes and phone antennas must not be visible from the public right-of-way.

Additional Stories on New Buildings

Newly constructed buildings on sites that are north of Island Street may feature a maximum of two additional stories above the 75 foot maximum allowable building height. Additional stories are only permitted on sites 20,000 square feet or greater containing no contributing historic structures. The additional stories are limited to a flat roofed volume of maximum 26 feet. Height will be measured from the top of the adjacent building roof to the top of the highest additional stories parapet. If the additional stories contains multiple floor levels, all levels must be contained in one flat -walled building volume. *fig 32* Stepped or terraced stories are prohibited.

It is important that any additional stories volume be visibly limited from any point within the Gaslamp Quarter to maintain the character of the historic district. In order to minimize visibility, the additional stories must be set back from the outside face of all street-facing

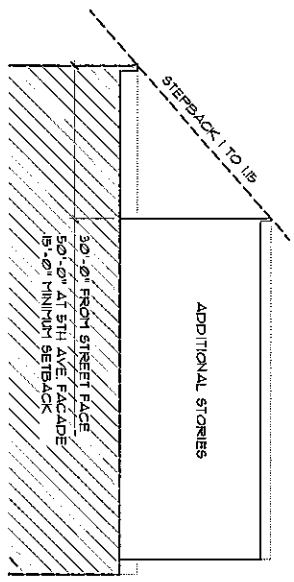


fig. 33 - To minimize visibility, the additional stories volume must be set back from street facing facades.

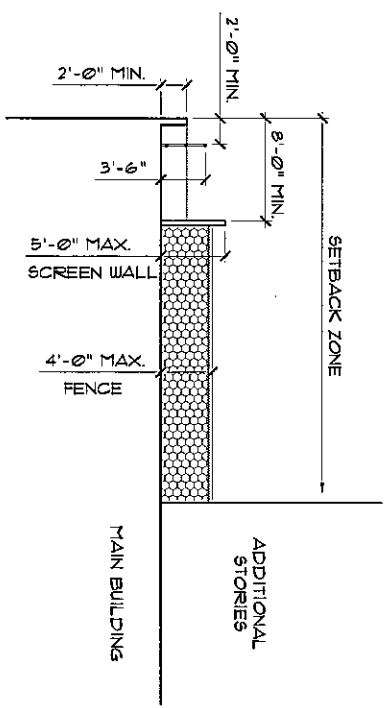


fig. 34- Fences and screen walls are permitted in the setback zone provided no portion of the fence or screen wall is within 8 feet of a street facade.

building parapets. The minimum setback at street-facing facades is a ratio of 1:1.15. At the maximum additional stories height of 26 feet the volume will be set back 30 feet from the main building facade. The minimum setback regardless of additional stories height is 15 feet. For building facades on Fifth Avenue, a mandatory setback of 50 feet is required, regardless of additional stories height. *fig 33*

The parapet of all street facing building facades must be solid and a minimum 24 inches tall. Optional 42 inch guardrails near the main building facade must be set back a minimum of 24 inches from the parapet edge and must be the maximum openness allowed per Code. Open grill fences and/or solid screen walls are allowed in the setback zone provided the following conditions are met: Open grill fences are 60% open minimum and a maximum of 5 feet tall, solid screen walls are a maximum 4 feet tall. No fences or screen walls are permitted within the first 8 feet from any street-facing building facade. *fig 34*

A maximum of one horizontal line of trellis or roof overhangs may project a maximum of 3 feet from the wall of the additional stories volume. No communication antennae or other similar equipment may be attached to any portion of the additional stories. *fig 35*

The additional stories volume may include mechanical equipment and equipment enclosures. Any stair enclosures, mechanical equipment, or other equipment located on the roof of the additional stories must be set back a minimum of 25 feet from any street-facing additional stories parapet. The mechanical equipment and enclosures must not occupy more than 30% of the additional stories roof area. The maximum height for any mechanical equipment or enclosures atop the additional stories is 15 feet. All mechanical equipment shall be fully screened from horizontal views with solid walls or louvered walls with a maximum 50% open louver area. Any equipment located on the roof of the main building block, outside of the additional stories footprint, shall be 5 feet maximum height, screened from adjacent windows, and painted out to match the predominant roof color. *fig 36*

Traditionally, the style, materials, and architectural details of penthouse volumes have been kept simple so that the main building retained

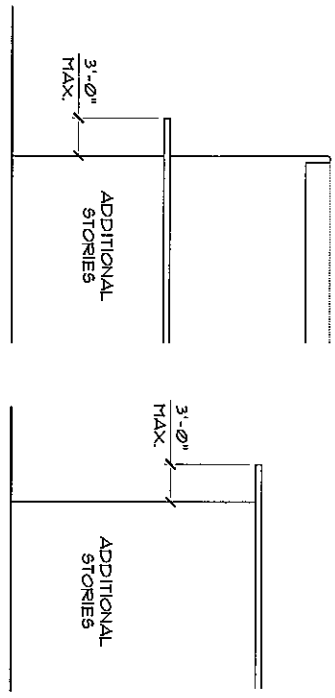


fig. 35- Trellises and overhang shall be limited to one horizontal line. That line may occur at any height on the additional stories volume.

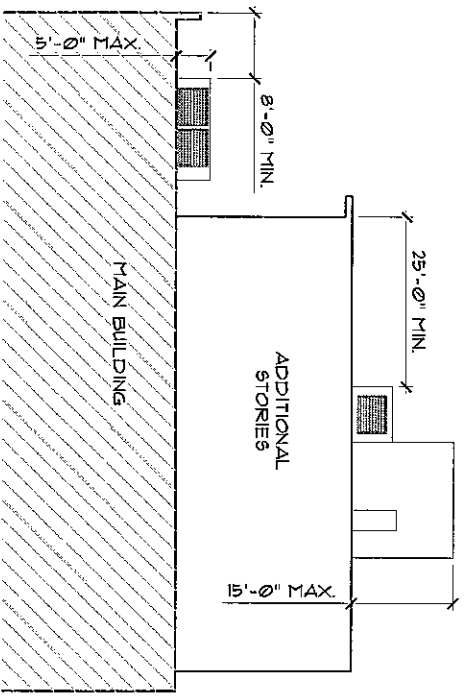


fig. 36- To minimize visibility, mechanical penthouses must be set back from street facing facades.

aesthetic dominance. The penthouse was supposed to blend with the main building and be secondary in aesthetic stature. This design relationship between building and penthouse should be the guide for design of the additional stories. The style and materials of the additional stories volume should be similar enough to the main building to create a cohesive composition. However, the architectural detailing of the additional stories volume should remain a simpler composition than the main building. At facades not facing a street, such as mid-block property lines, where the wall of the main building is flush with the additional stories wall, a contrasting horizontal band of minimum 2 feet height is required to accentuate the 75 foot parapet line. In addition, the contrasting band may be recessed or of a differing material. *fig 37*

The applicant shall submit dimensioned plans, sections and elevations illustrating the minimum required setbacks, heights, elevation treatments, and materials. In addition, the drawings must show all intended accessories such as railing, fences, screen walls, trellises, roof overhangs, and exterior light fixtures. The approval of the additional stories will require review and comment by the Gaslamp Quarter Association and the Historical Resources Board. Final approval is a discretionary action by the President of CCDC.

General Guidelines for Rehabilitation of Designated Historic Structures

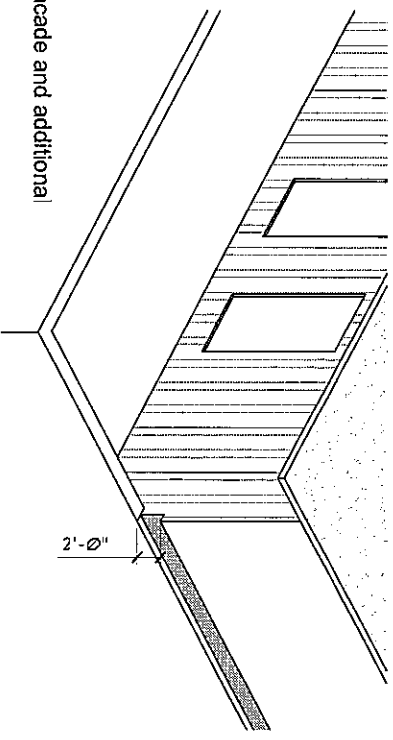


fig. 37- To accentuate the break between main building facade and additional stories facade, a contrasting band shall be created.

Painting and Repainting Exterior Surfaces

Existing buildings in the Gaslamp Quarter exhibit a broad range of materials and colors. Many of the historic buildings in the district feature exposed natural materials such as brick or stone. Every effort should be made to maintain these exposed materials. Painting over materials originally intended to be exposed can dramatically modify the character of the building and negatively impact the surrounding context. For previously painted portions of historic buildings, paint scraping and paint chemical analyses can be performed to determine the original paint colors. Exploration of an existing building's original paint colors should be the first step in choosing "repaint" colors.

As discussed in the Architectural Fabric and Materials section (page 16-17), the color palette selected for a newly constructed building in the Gaslamp Quarter should be contextually sensitive to the surrounding area. New construction should include brick, stone, granite, and other materials evident on historic structures in the district. Where portions of the exterior are to be painted, the historic buildings surrounding the new building can be a reference.

For painting new structures or repainting historic structures in the Gaslamp Quarter, the *Sherwin Williams Preservation Palettes* should be used as a guide to choosing colors appropriate to the period of significance. *The Victorian and Arts and Crafts* palettes focus on the prevailing colors used from the turn of the century through the 1920s. While there are many colors outside the *Sherwin Williams Preservation Palettes* that may be appropriate for accent and trim pieces, the *Preservation Palettes* should be the main reference for the predominant colors on a building facade.

The building owner is not obligated to use *Sherwin Williams* products, but should choose colors similar to those featured in the *Preservation Palettes*. A sampling of 3-color schemes from the *Preservation Palettes* can be viewed online at www.sherwin-williams.com/diy/color/palettes/. Keep in mind that the colors as seen on the website are not exact matches of the paint colors. Paint chips for color selection and matching can be obtained from the manufacturer. All proposed paint schemes and colors must be reviewed and approved by CCDC prior to painting.

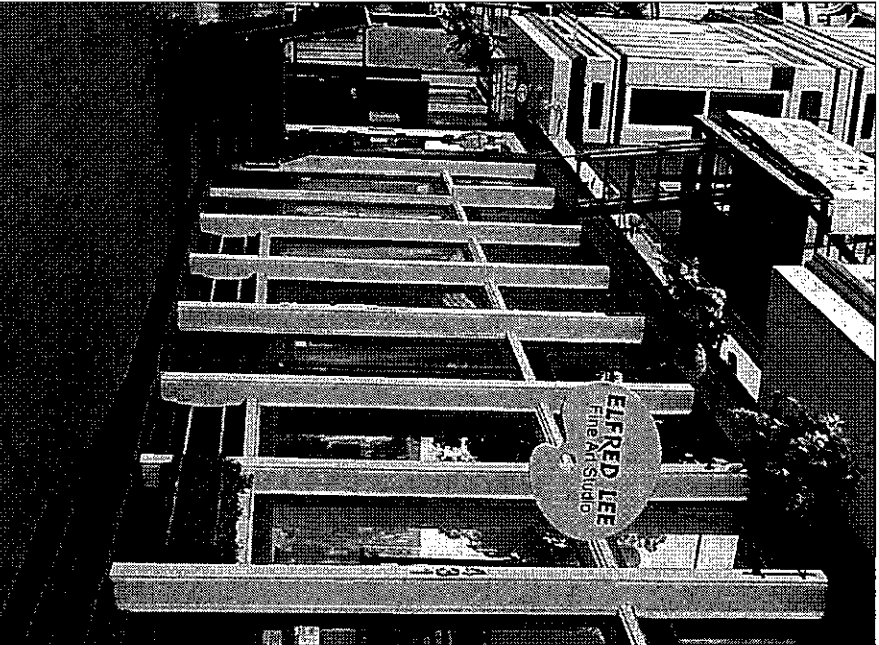


Fig. 38 - Historic paint colors enhance the authenticity of the building.

Modifications to contributing buildings in the Gaslamp Quarter shall follow the Secretary of the Interior's Standard for the Treatment of Historic Properties (*The Standards*) and National Park Service's *Preservation Briefs 14 - New Exterior Additions to Historic Buildings: Preservation Concerns*. Appendix A provides a complete listing of contributing structures within the Gaslamp Quarter. Typical modifications range from repainting the exterior to construction of additions. All modifications are subject to review by the CCDC and, in most cases, the City of San Diego Historical Resources Board. Approval of proposed modifications will be addressed on a case-by-case basis using *The Standards* and *Preservation Briefs* as a guide.

Prior to commencing any work on an historic structure, *The Standards* should be reviewed and any proposed modifications should be evaluated for compliance. The following guidelines are a summary of *The Standards* applicable to work in the Gaslamp Quarter.

- (1) Rehabilitate the property in a manner which will require the minimum alteration of contributing elements on the structure.
- (2) Exterior rehabilitation work should give priority to retaining all distinguishing historic materials and architectural features. The removal or alteration of any significant historical material or architectural features should be avoided.
- (3) Deteriorated exterior architectural features should be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in design, color, texture, and other visual qualities. Repair or replacement of architectural features should be based on accurate duplications of original features, substantiated by physical or pictorial evidence. Changes that create a false sense of historical development, such as conjectural features or elements from other historic properties, shall not be undertaken. (The San Diego Historical Society has a substantial collection of vintage photographs of the District. This, or other sources, should be researched to obtain accurate information on the specific building.)

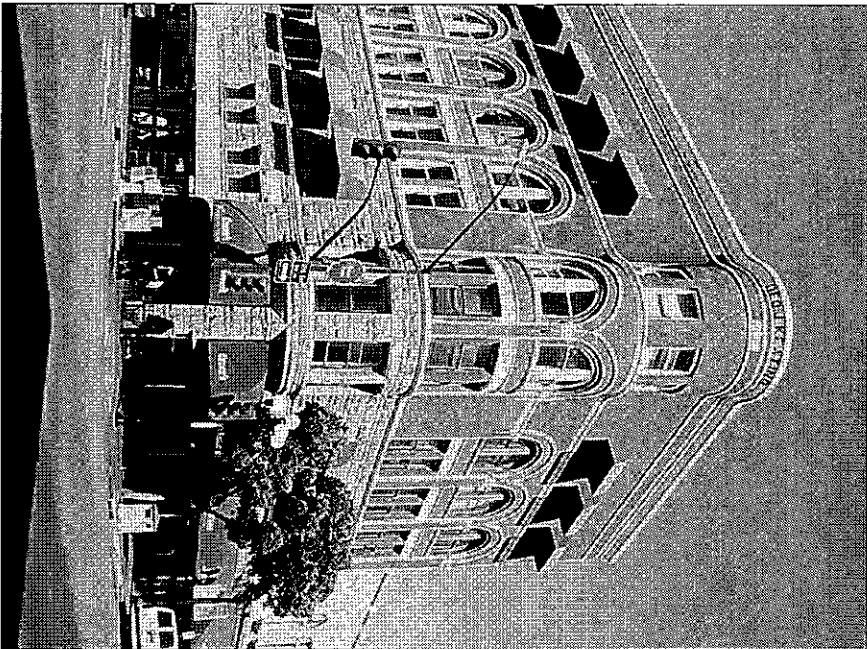


fig. 39. The Keating Building, built in 1890, is one of the finest historic buildings in the Gaslamp Quarter. It exhibits many of the features that could be used in the design of new buildings in the district. The use of stone and brick, tripartite horizontal divisions, cast stone detailing, and wood arched windows are some of the buildings distinguishing characteristics.

Suggested References

The following list of references should be consulted to determine the proper approach for modifications to contributing buildings in the Gaslamp Quarter.

San Diego Municipal Code LDC, Chapter 10, Article 3, Division 4: Gaslamp Quarter Planned District Ordinance (Gaslamp PDO)
 The Gaslamp PDO regulates development in the Gaslamp Quarter. The Design Guidelines are a companion to the Gaslamp PDO.

San Diego Municipal Code LDC, Chapter 14, Article 3, Division 2: Historical Resources Regulations
 This portion of the Land Development Code focuses on proposed work to existing buildings that may be 45 years of age or older.

Secretary of the Interior's Standards for the Treatment of Historic Properties (The Standards) and The Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Guidelines).
 This information can be found online at www2.cr.nps.gov/ips/sectan1.htm OR www2.cr.nps.gov/ips/standards/

The Standards are the primary guidelines used to evaluate and approve projects within the Gaslamp Quarter Planned District.

National Parks Service Preservation Briefs: The Preservation Briefs provide technical information in dealing with historic materials and other preservation related issues. *Preservation Briefs 14: New Exterior Additions to Historic Buildings* is particularly relevant to work in the Gaslamp Quarter. The National Parks Service continues to issue new publications. The most up-to-date catalog of the *Preservation Briefs* can be found online at www2.cr.nps.gov/ips/briefs/presbhom.htm

- (4) Distinctive exterior stylistic features, materials, finishes, or examples of skilled craftsmanship which characterizes older structures, should be retained and treated with sensitivity.
- (5) Many exterior changes to building and environments have been made over the years and are evidence of the history of the building and the District. These changes may have developed significance in their own right, and this significance should be recognized and respected.
- (6) All buildings should be recognized as products of their own time. Alterations that have no historical basis and which seek to create inappropriate earlier exterior appearances or architectural styles should be discouraged.
- (7) New additions, exterior alterations, or related new construction shall not destroy the significant historical, architectural materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scales, and architectural features to protect the historic integrity of the property and its environment.
- (8) Wherever possible, new additions or alterations to historic buildings should be done in such a manner that if they were to be removed in the future, the essential form and integrity of the original building would be unimpaired.
- (9) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if necessary, shall be undertaken using the gentlest means possible.

Buildings Codes and Historic Buildings

Regulations for the construction of buildings change frequently. Although not the focus of these design guidelines, be aware that there are a number of issues related to the building code, state laws, and federal laws that you can expect to encounter in an historic project:

- *Structural repair/seismic upgrade* - As knowledge about the dynamics of earthquakes improves, seismic requirements change. Many of the older buildings in the Gaslamp Quarter were built using unreinforced masonry.
- *Life/safety issues* - Requirements for exiting in the event of an emergency have become more strict over the years. Doors, stairways, and passageways in older buildings are often narrower than required by current building codes.
- *Health issues* - Hazardous materials such as asbestos and lead paint are frequently found in older buildings.
- *Accessibility* - With the passage of the Americans with Disabilities Act, public facilities (including stores and restaurants) must remove barriers for the physically challenged.

The California Historical Building Code (CHBC), as an appendix to the Uniform Building Code (UBC), regulates the preservation, rehabilitation, relocation, or reconstruction of qualified historic buildings. For certain code issues, the CHBC provides alternative solutions for historic buildings that maintain access for disabled persons, as well as a reasonable and cost effective approach to the health and safety of the building occupants, while preserving the historic features of the building. The San Diego Municipal Code Land Development Code (LDC) impacts work on historic buildings by regulating land use in the Gaslamp Quarter Planned District (Chapter 10, Article 3, Division 4) and proposed work on existing buildings 45 years or older (Chapter 14, Article 3, Division 4).

The Standards defines four distinct approaches to the treatment of historic properties: preservation, rehabilitation, restoration, and reconstruction. The amount of historic fabric remaining determines which treatment approach will be most appropriate. Preservation is the maintenance of the greatest amount of historic fabric with special attention to the form, features, and details of the historic building. Rehabilitation and restoration are approaches that recognize some changes must be made to facilitate new or continued use to a historic building through preservation of some significant elements and removal of non-original, non-contributing elements in order to restore the building to a period of significance. Reconstruction involves recreation of a non-surviving, significant building constructed in primarily new materials, based on physical or documentary evidence. Any given project could involve a combination of these approaches.

The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (The Secretary's Guidelines) is the companion guide to The Standards. Regardless of the chosen approach, The Secretary's Guidelines outline several integral steps to treatment. These steps are as follows (in order): identify, retain and preserve; protect and maintain; repair; replace; and design for missing features. In addition to review of The Standards, The Secretary's Guidelines shall serve as the primary reference document when working with contributing buildings in the Gaslamp Quarter.

The Secretary's Guidelines address nearly every component of an historic building and outline a procedure for treatment in terms of "Recommended" and "Not Recommended" items. As stated previously, any proposed work on contributing buildings in the Gaslamp Quarter shall follow the *The Standards* and *The Secretary's Guidelines*. Below is an excerpted portion of *The Secretary's Guidelines* in regards to rehabilitating historic storefronts.

Recommended:

Identify, retain and preserve

Identifying, retaining, and preserving storefronts--and their functional and decorative features--that are important defining the overall historic character of the building such as display windows, signs, doors, transoms, kick plates, corner posts, and entablatures.

The removal of inappropriate, nonhistoric cladding, false mansard roofs, and other later alterations can help reveal the historic character of a storefront.

Protect and maintain

Protecting and maintaining masonry, wood, and architectural metals which comprise storefronts through appropriate treatments such as cleaning, rust removal, limited paint removal, and reapplication of protective coating systems.

Protecting storefronts against arson and vandalism before work begins by boarding up windows and installing alarm systems that are keyed into local protection agencies.

Evaluating the overall condition of storefront materials to determine whether more than protection and maintenance are required, that is, if repairs to features will be necessary.

Not Recommended:

Identify, retain, and preserve

Removing or radically changing storefronts--and their features-- which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Changing the storefront so that it appears residential rather than commercial in character.

Removing historic material from the storefront to create a recessed arcade.

Introducing coach lanterns, mansard designs, wood shakes, nonoperable shutters, and small-paned windows if they cannot be documented historically.

Changing the location of a storefront's main entrance.

Protect and maintain

Failing to provide adequate protection of materials on a cyclical basis so that deterioration of storefront features results.

Permitting entry into the building through unsecured or broken windows and doors so that interior features and finishes are damaged through exposure to weather or through vandalism.

Stripping storefronts of historic material such as wood, cast iron, terra cotta, carrara glass, and brick.

Failing to undertake adequate measures to assure the preservation of the historic storefront.

Recommended:

Repair

Repairing storefronts by reinforcing the historic materials. Repairs will also generally include the limited replacement in kind-- or with compatible substitute materials--of those extensively deteriorated or missing parts of storefronts where there are surviving prototypes such as transoms, kick plates, pilasters, or signs.

Replace

Replacing in kind an entire storefront that is too deteriorated to repair--if the overall form and detailing are still evident--using the physical evidence as a model. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.

Not Recommended:

Repair

Replacing an entire storefront when repair of materials and limited replacement of its parts are appropriate.

Using substitute material for the replacement parts that does not convey the same visual appearance as the surviving parts of the storefront or that is physically or chemically incompatible.

Replace

Removing a storefront that is unrepairable and not replacing it; or replacing it with a new storefront that does not convey the same visual appearance.

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

Design for Missing Historic Features (Recommended)

Designing and constructing a new storefront when the historic storefront is completely missing. It may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the size, scale, material, and color of the historic building.

Design for Missing Historic Features (Not Recommended)

Creating a false historical appearance because the replaced storefront is based on insufficient historical, pictorial, and physical documentation.

Introducing a new design that is incompatible in size, scale, material, and color.

Using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building.

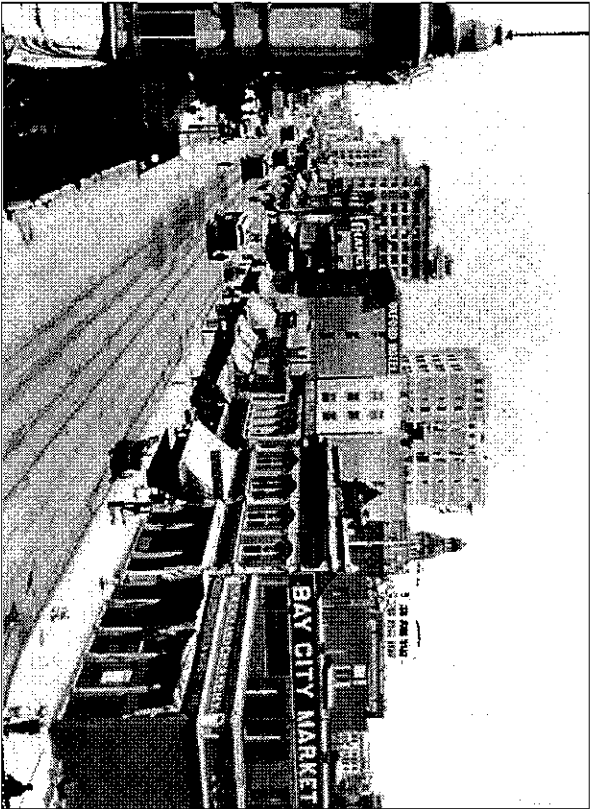


fig. 40 –The Gaslamp Quarter in 1912 shows an array of signage examples.

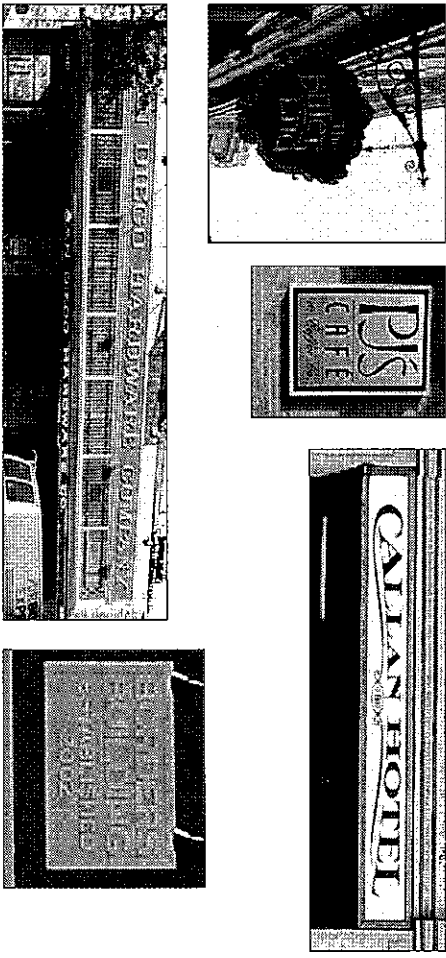


fig. 41 - Contemporary examples of conforming signs in the Gaslamp Quarter. (The San Diego Hardware sign and awning were reconstructed based on a 1926 photo of the historic facade.)

SIGNAGE

All signage must be approved by CCDC before installation. Details on the sign permit process can be found in the City of San Diego Municipal Land Development Code, Chapter 12, Article 9, Division 8. This reference also lists types of signs that do not require a permit.

When applying for a sign permit, include the following:

1. Street front elevational drawing or photo-simulation at 1/4" or 1/8"= 1'-0" scale, showing the sign in its context, and showing all dimensions.
2. For projecting signs, include dimensioned side views at the same scale.
3. Detail drawings of the sign to adequately describe its construction and method of attachment to the building.
4. Color and material information— either shown on the drawings or on a color board keyed to the drawings.
5. Color photomontage "Mock-Up" (minimum 8-1/2" x 11" sheet) showing proposed sign in context with the building.
6. In some cases, a full scale paper, cardboard, or plywood mock-up of the proposed sign may be required in order for review agencies to evaluate and approve a proposed sign.

Design Requirements

(a) Signs shall be pedestrian oriented in size and shape. Lettering and symbols should be appropriate to the style of the building or structure. In no event should a letter exceed 18 inches high.

(b) The area of all signs on a building shall not exceed an area of two square feet for each foot of street frontage occupied by the building, and shall in no event exceed a total of 100 square feet on each street frontage. *fig. 42*

(c) No roof sign shall be permitted.

(d) Projecting signs for each street-level establishment shall be limited to one 18 square foot, double-faced sign on each street frontage occupied by the establishment tenant. Faces of double-sided signs shall be parallel. A sign may not project more than 6 feet beyond the property line (measured perpendicularly). Distance between the bottom of the sign and the finished sidewalk surface shall be a minimum of 8 feet. *fig. 44*

(e) The tops of signs shall be placed entirely below the top of the lowest cornice or strong horizontal element located above the ground story of the building, but in no event shall the sign be higher than three feet above the top of the ceiling level of the ground story. Exceptions are simple black or gold letters which may be applied to window glazing above the first floor, lettering on the valence of upper story awnings (*fig. 52*), and traditional

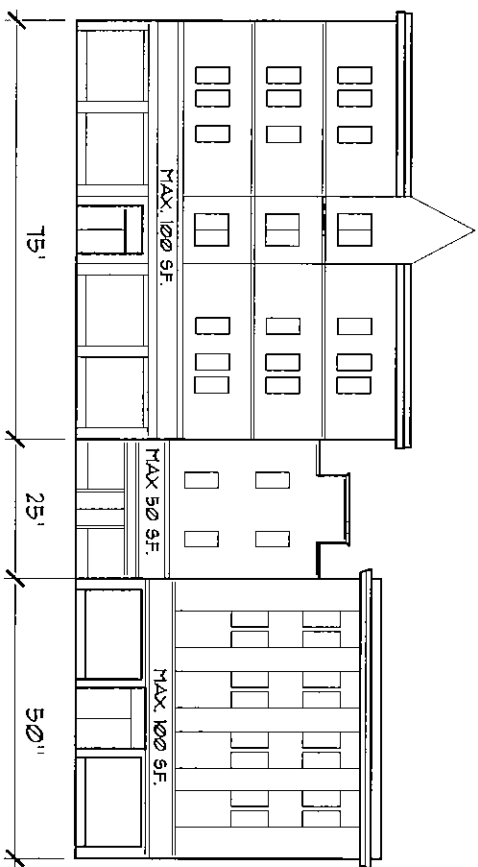


fig. 42 - Area of signage allowed is based on building frontage.

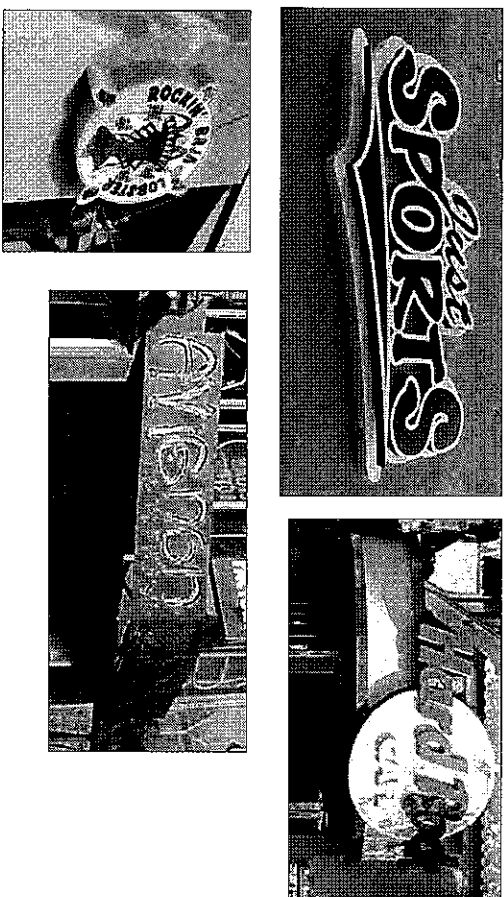


fig. 43 - Contemporary examples of **non-conforming** signs in the Gaslamp Quarter. These non-conforming examples include backlit plastic signs, oversized signs, and signs with contemporary fonts.

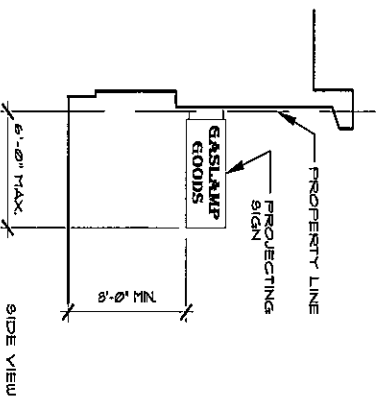
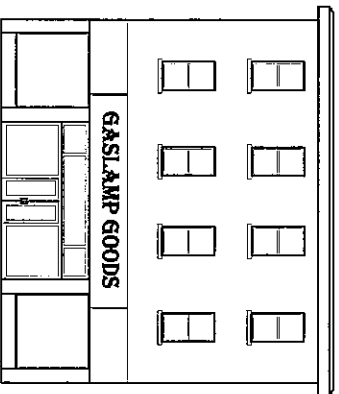
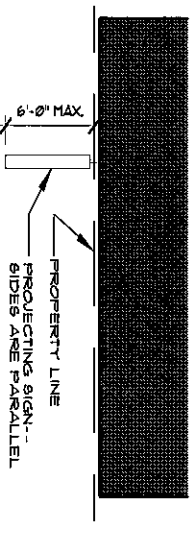
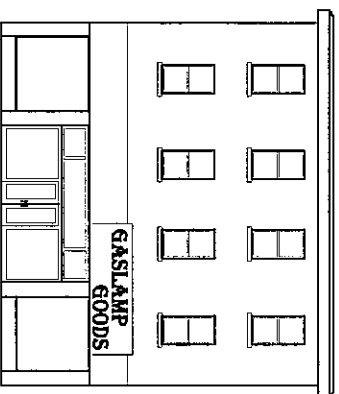


fig. 44 - Projecting signs



PERMITTED: SIGNAGE IS CENTERED, LOCATED BELOW THE HORIZONTAL BAND SEPARATING THE UPPER FLOORS FROM THE STOREFRONT, AND LOCATED WITHIN THE EXISTING FRIEZE.



NOT PERMITTED: SIGNAGE IS OFF-CENTER, EXTENDS ABOVE THE HORIZONTAL BAND SEPARATING THE UPPER FLOORS FROM THE STOREFRONT, AND COVERS PART OF THE EXISTING FRIEZE.

fig. 45 - Sign placement

wall-painted lettering applied directly to upper exposed portions of building walls similar to historic examples. (Fig. 40) Lettering for all signs should be contemporary to the period in which the building or structure was built and must not contain product advertising or advertising for businesses not housed in the building featuring the sign.

- (f) Signs should be mounted in locations that respect the design of the building, including the arrangement of bays and openings. Signs should not obscure windows, grillework, pilasters, or ornamental features. Wall-mounted signs on friezes, lintels, spandrels, and fascias over storefront windows should be sized to fit within these surfaces and not extend above, below, or beyond them. Typically, wall-mounted signs should be centered on horizontal surfaces (e.g., over a storefront opening). fig. 45

- (g) Cabinet (box construction) signs must have opaque, non-glossy finishes. The box depth should be the minimum necessary to house equipment. Letters may be illuminated or not. Letters may be routed and open, routed with a translucent covering or "pop-out" letters. Letters should also have a non-glossy finish. fig. 46

- (h) To minimize the visual mass and projection of the sign, all electrical transformer boxes and raceways should be concealed from public view. If a raceway cannot be mounted internally (behind the finished exterior wall) the exposed surfaces of the raceway should be integrated into the overall design of the sign.

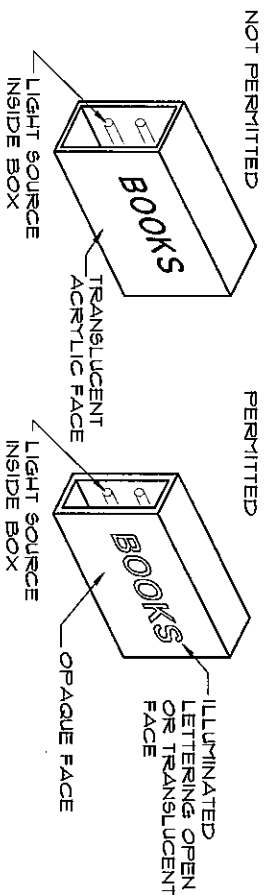


fig. 46--Cabinet box sign

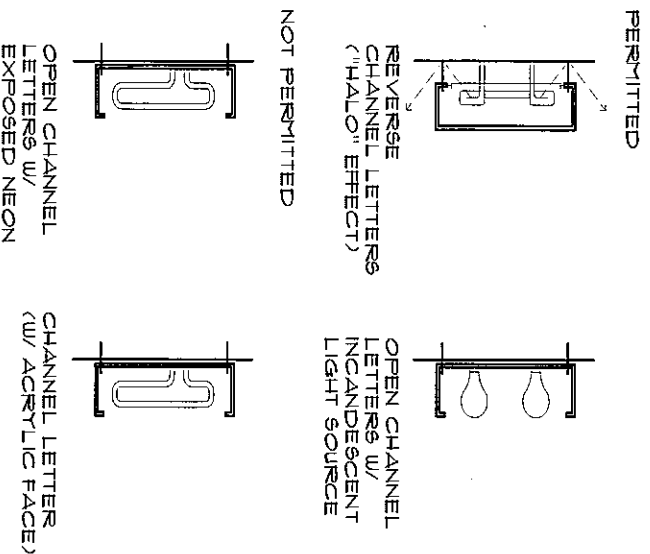


fig. 47 --Mounted letters

- (i) All electrical conduit shall be concealed from public view.
- (j) No exposed neon signs are allowed on the exterior of a building, except as allowed for historical signs.
- (k) Pin-mounted letters must be opaque and of non-reflective material. Reverse channel letters (with hidden light source) and open channel letters (with an exposed incandescent light source) are permissible. *fig. 47*
- (l) Projecting lighting fixtures used for externally illuminated signs should be simple and unobtrusive in appearance. They should not obscure the graphics of the sign.
- (m) To minimize irreversible damage to masonry, all mounting and supports drilled into masonry (including terra cotta) should be into mortar joints and not into the face of the masonry.
- (n) All exposed light sources shall be incandescent bulbs in keeping with the lighting of the period. Other types of light sources must be concealed.
- (o) All signs must have approval of the CCDC prior to installation and a sign permit issued by the proper City department. All signage within the Gaslamp Quarter shall conform to all City of San Diego land use codes.
- (p) Total coverage of signs on the exterior or interior of windows (any sign within one foot of the interior surface of windows) at the ground level should not exceed 20 percent of the total window and door area visible from the exterior of the building. Window signs shall not contain any product advertising, particularly alcoholic beverage products. *fig. 47*
- (q) Neon signs will only be permitted on Art Deco style historical buildings in the Gaslamp Quarter. The following four buildings are the only historic examples of Art Deco style in the Gaslamp Quarter: the Dalton Building, the Howard Building, the Dream Theater, and the Sun Building. Refer to *fig. 4*

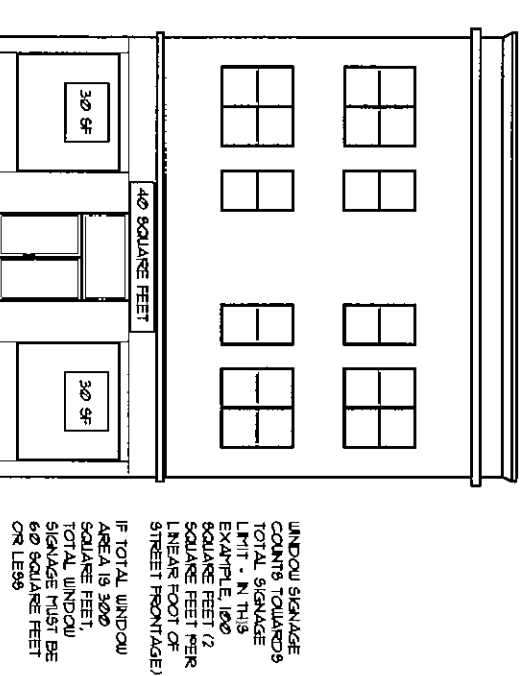


fig. 48—Total sign coverage

fig. 49 -William Penn Hotel, 1912. This is an example of a "previously conforming" sign that was not removed because of its historical significance.



- (r) Neon signs, both exterior (where allowed) and interior (within 5 feet of the exterior window), must only be used to provide the name of the store and type of business. Any other purpose, such as product advertisement for alcoholic beverages, shall not be permitted.
- (s) Flashing, moving, or animated signs shall not be permitted unless they are part of a documented historical sign.
- (t) Historical signs that do not conform to the requirements listed above must be accompanied by documentary evidence that signs of such size and advertising such a business were in use in the area prior to 1930 or are appropriate to the era of the building. Signs must conform in size, shape, design, material, coloring, lighting and location to the appropriate time period. Documentary evidence must be approved by the City of San Diego Historical Resources Board.
- (u) Preservation of historic commercial graphics painted on the sides of buildings shall be encouraged.
- (v) Murals and graphics that are in the historic character of the Gaslamp Quarter may be permitted on building walls that abut interior lot lines. All murals and graphics on building walls shall be subject to review and approval by CCDC.
- (w) Signs in existence on the effective date of the ordinance which do not conform to these regulations but do conform under the previous regulations are deemed "previously conforming." Unless a "previously

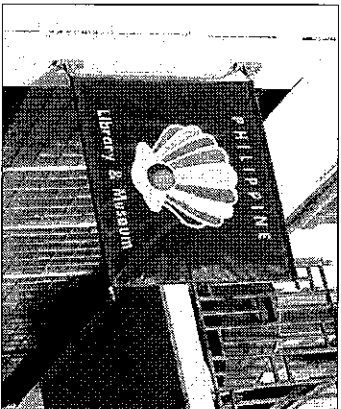


fig. 50—Contemporary Examples of Conforming Banners in the Gaslamp Quarter

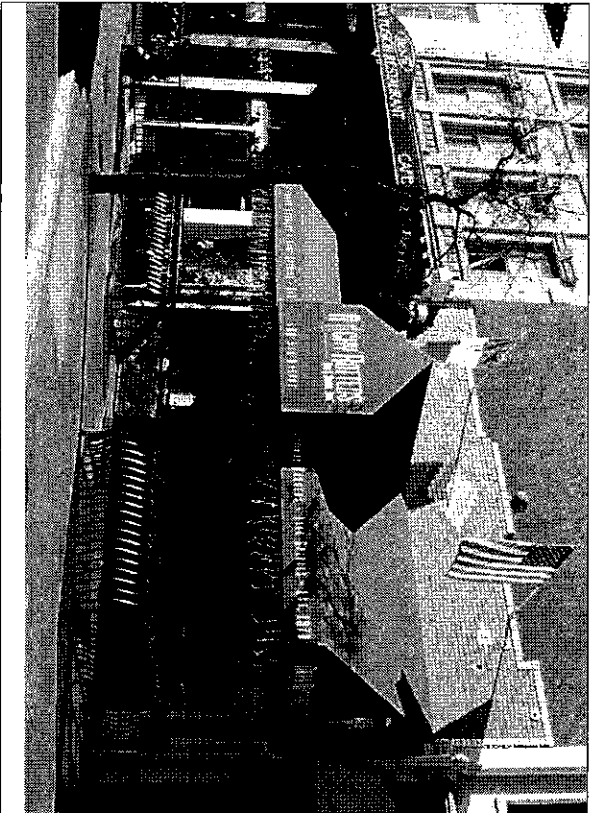
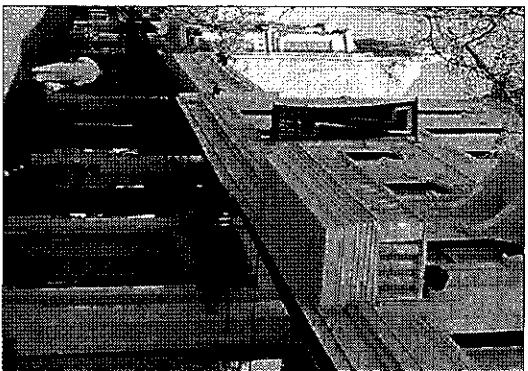


fig. 51—Contemporary Examples of Non-Conforming awnings and flags in the Gaslamp Quarter. Awnings and flags shall be proportional to the scale of the building.

conforming” sign has specific historical significance to the building (fig. 49), it must be removed no later than five years from the date it becomes previously conforming. If a sign should become previously conforming by future amendments to the Gaslamp PDO that sign must be removed no later than five years from the date it becomes previously conforming.

- (x) Signage approvals are not transferable. Signs must be removed or resubmitted for approval when the operation or building use changes.

Permanent Sign Banners

Permanent sign banners are permitted to project from the facade of a building provided the banner does not block the windows of the facade. (fig. 50) Banners will be limited to one 18 square foot, double-faced banner per building facade. Banners shall follow the same guidelines as all other signs in the District outlined in the previous section. The banner’s structure must be sufficiently sized to minimize the wind effects on the banner. To maintain tautness, support rods shall be located at both the top and bottom of the banner. Faded or torn banners must be removed or replaced. Banner area will count towards the total allowable signage area calculation.

Flags

For the purpose of this document, permitted flags are defined as fabrics displaying the symbol of a nation or state. Flags displaying graphics for businesses or products are not permitted in the Gaslamp Quarter. Unless specially approved by CCDC, flags shall be limited to one flag per building facade. The size and scale of a flag shall be compatible with the size and scale of the building. fig. 51



fig. 52 - A Contemporary Example of a Conforming menu board.

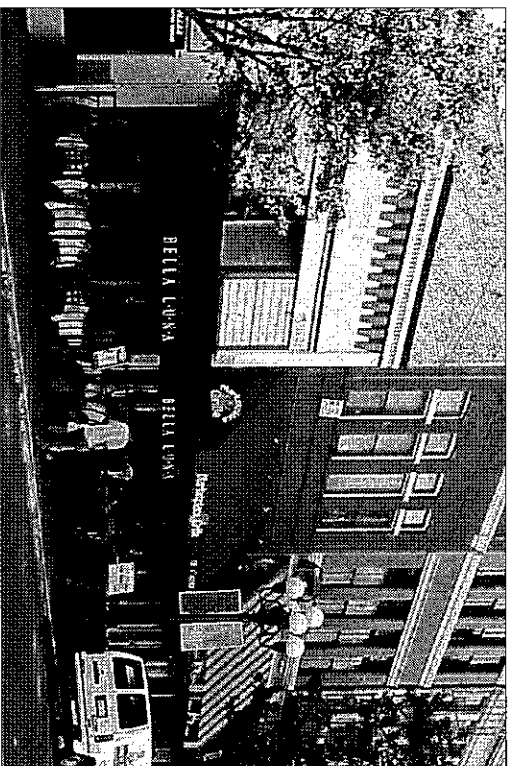


fig. 53 - A Contemporary View of the Gaslamp Quarter streetscape shows a variety of awnings and sidewalk cafés.

Permanent Menu Boards

Permanent menu boards may be mounted to the railing of a sidewalk café space, provided that no portion of the sign protrudes outside of the encroachment area. Menu boards may also be mounted directly to the face of the building, provided damage to the historic facade is minimized. The menu board and framing should be no more than 200 square inches total. Lighting fixtures shall be the minimum size needed to provide proper illumination to the menu. *fig. 52*

Menu boards will count towards the total allowable signage area calculation.

Multi-Media Signage

Multi-media installations such as video/computer monitors or overhead projectors that feature either animated or static electronic displays shall not be permitted in the Gaslamp Quarter. No audio of any kind (either live or pre-recorded) shall be heard from the public right-of-way. Multi-media installations shall only be permitted inside a business if they are directed at people within the building. The multi-media cannot be used for advertising or be directed at passers-by.

Existing non-conforming electronic displays, and new electronic displays installed after the adoption of this ordinance, must be removed immediately.

Audible Devices

Speakers or other amplification devices intended to project sounds into the public right-of-way shall not be permitted.

Awnings and Canopies

Guidelines:

- (a) The awning must be integral to the design of the building or storefront. Distinctive architectural features should not be covered, and installation of the awning or canopy must not damage the historic fabric. Awnings on corner buildings should not wrap around the corner.
- (b) The awning shall be made of a canvas-type fabric. Shiny, high-gloss materials are not permitted. Any other high quality awning material will be subject to design review approval.
- (c) Awnings shall be designed in a traditional triangular profile unless this conflicts with the architecture of the building or the design of the windows. Retractable awnings are strongly encouraged.
- (d) The fascia (valence) on an awning may not be more than 12 inches tall. *fig. 54*
- (e) Standard awnings at street level may project up to 7 feet from the property line. At no point shall the underside of the awning structure be less than 8 feet from the ground. *fig. 53, 54*
- (f) Awnings above street level may project up to 3 feet beyond the property line. *fig. 54*
- (g) Upon the CCDC's approval, one entry canopy per building may project up to 8 feet beyond the property line in order to establish the main entry.
- (h) Signage on the awning may be located on the valence but not on the angled portion of the awning. Lettering must be no higher than 10". (*figs. 53, 54 & 55*) Signage on awnings

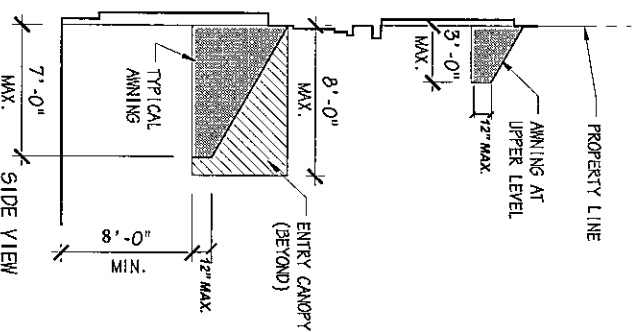
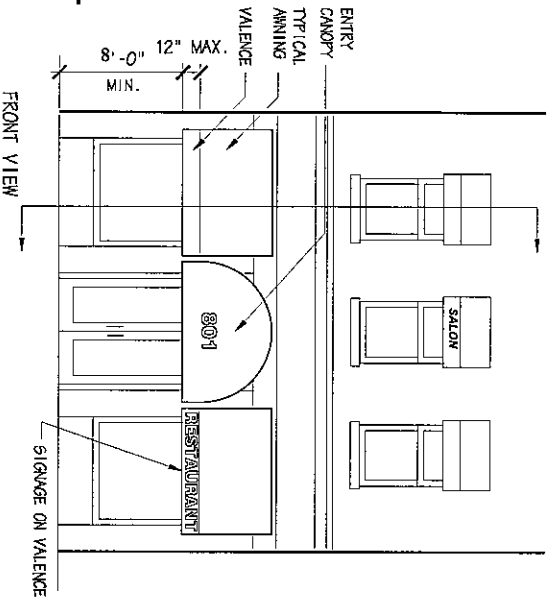


fig. 54 - Design criteria for awnings

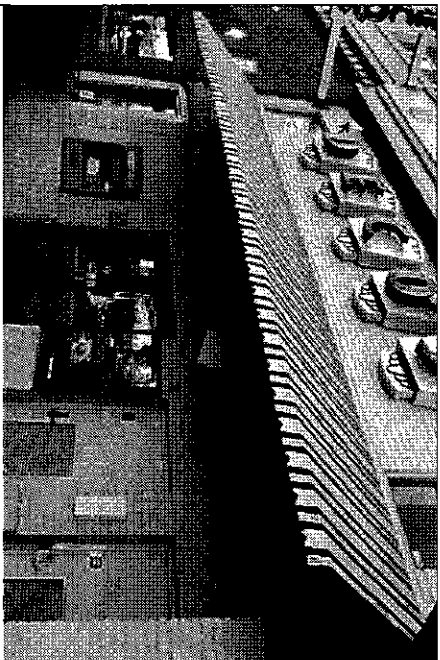
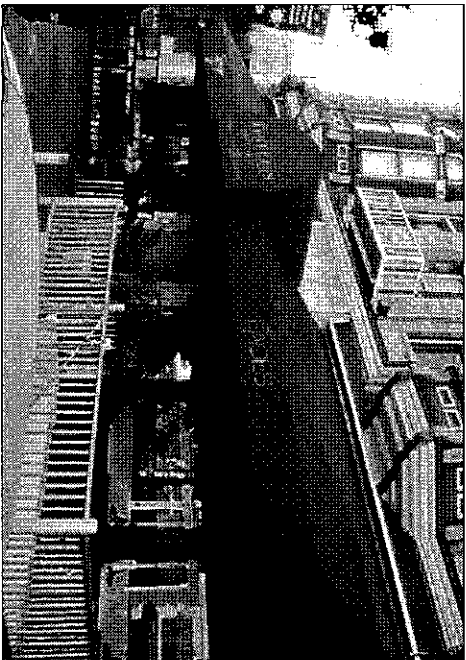


fig. 55 - Contemporary examples of conforming awnings and canopies in the Gaslamp Quarter.

counts toward the total allowable area of the signage (see “Signage” section). Large awnings covering multiple windows shall not be permitted to display lettering of any kind. Colors signage shall be compatible with the general color requirements of these guidelines.

- (i) Heaters or lighting may not be hung from the awning structure.
- (j) The awning structure must be supported by the building. Structural supports, such as posts, are not permitted in the public right-of-way.
- (k) Awnings cannot be backlit.
- (l) Faded or torn awnings must be removed or replaced.
- (m) To minimize obstruction of the building facade, no items will be permitted to hang from the awning valence. This includes lighting, plants, and windscreens.
- (n) Historically, awning colors were natural, earth tones to mimic the building materials used on roofs. The most typical awning had thin stripes of alternating colors. Intermittent stripes of white worked with stripes of dark green, medium green, dark red, or terra cotta red. Where awnings were one solid color, the same color palette was used. Historic awnings often featured a scalloped trim detail at the bottom of the valence. Incorporating historic colors, patterns, and trim details is strongly recommended for new awning designs. (fig. 55) Awnings not consistent with historic colors and patterns may be rejected.

Automated Teller Machines (ATMs)

In general, ATMs (or other similar electronic ticketing or video displays) are not compatible with the historic district. However, as a desirable convenience in today’s society, ATMs shall be permitted provided the machines are carefully located to minimize visual impact. Priority should be given to locating the machine inside a building lobby or recessed enclosed entry, so as not to be directly visible from the

exterior. *fig.56* The GQLUP will review the proposed ATM design and location and provide a recommendation to the President of CCDC who will determine whether the installation will be allowed.

ATMs will not be allowed in the following conditions:

1. No machine may be installed on the exterior of a contributing building.
2. Machines are not permitted on any building facade on Fifth Avenue.

ATMs may be installed on the exterior of a building in the following conditions:

1. Machines will be allowed on non-contributing buildings facing Fourth or Sixth Avenues or on streets running in the east/west direction. ATM installations will only be permitted if the following conditions are satisfied:
 - a) Machines installed on non-contributing buildings shall be recessed into the building facade adjacent to the public sidewalk. The total face area of an ATM and any attached signage or trim is ten square feet maximum.
 - b) No more than one machine per building may be installed on the exterior.
 - c) Freestanding machines are not allowed on the exterior.

An ATM sign, adhering to the sign guidelines, may be displayed on the exterior. ATM signs will count as part of the total allowable signage per building (see "Signage" section).

Existing non-conforming ATMs must be removed no later than five years from the date of the ordinance. New, non-conforming ATMs installed after adoption of this ordinance must be removed immediately. *fig 57*

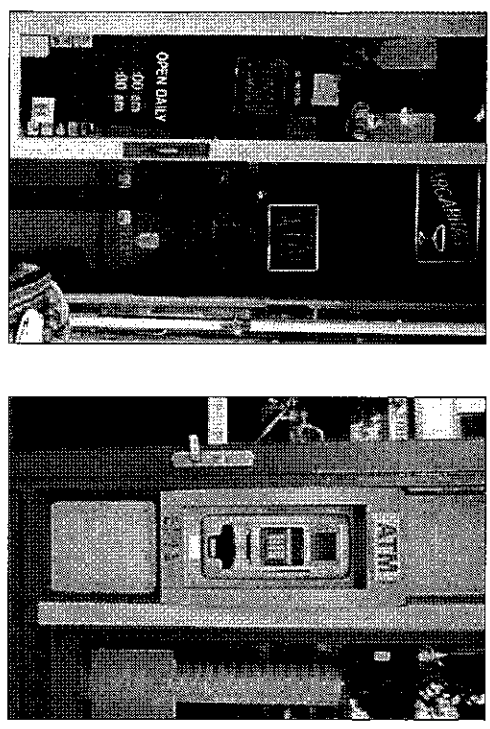


fig. 56 - Contemporary examples of conforming Automatic Teller Machines (ATMs). The ATM in the image on the left is inside a building on the Fifth Avenue. The image on the right is of an ATM on an East-West street.

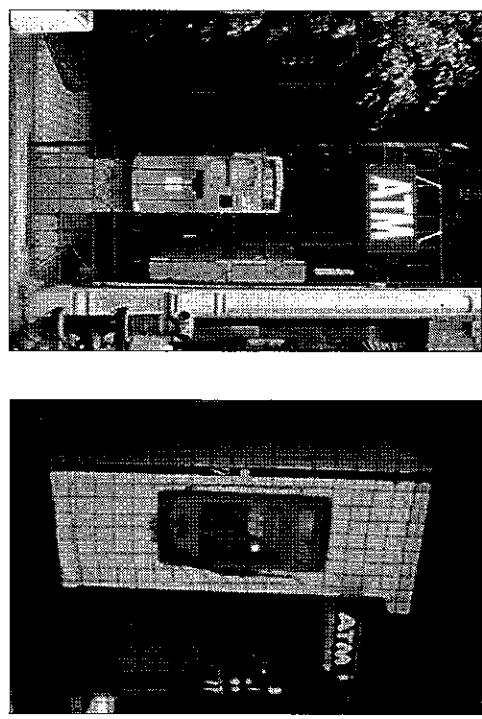


fig. 57 - Contemporary examples of non-conforming Automatic Teller Machines (ATMs) along Fifth Avenue.

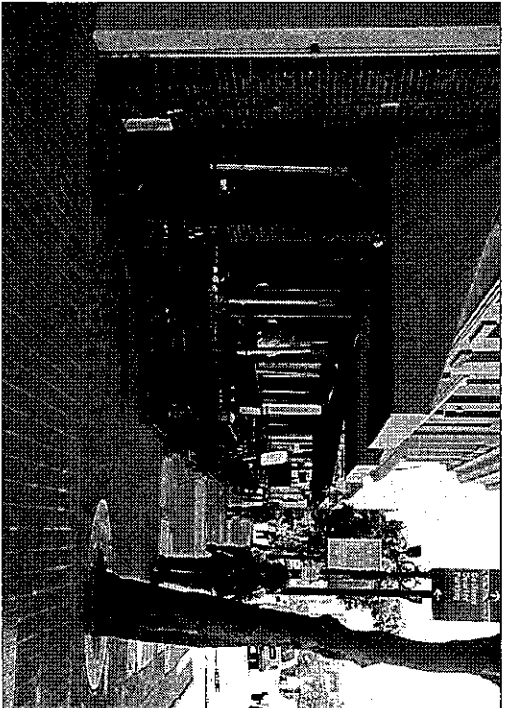


fig. 58 - This contemporary example of a sidewalk café features a creative yet conforming railing design.

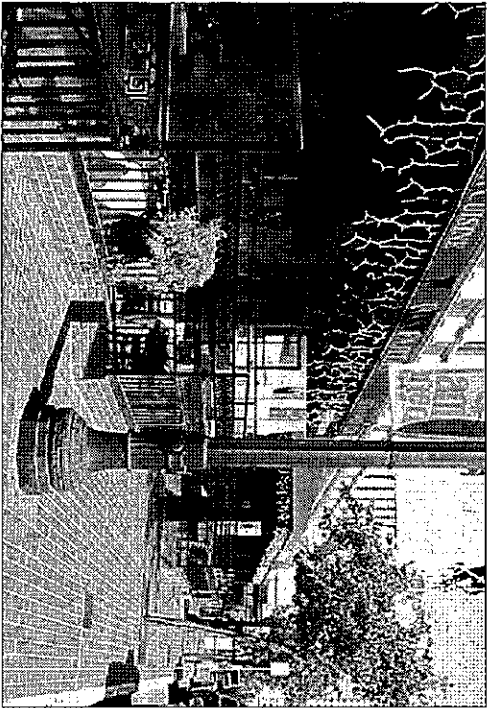


fig. 59 - Contemporary example of a non-conforming café enclosure. The rail and windscreen in the foreground extends well beyond the 3'-6" maximum height. The railing sits on a non-conforming brick base and features non-conforming plant boxes hanging into the public right-of-way. The hanging "icicle" lights are also non-conforming.

Sidewalk Cafés

Outdoor dining areas along the sidewalks can improve the business environment and enhance the quality of life, as long as these areas do not interfere with pedestrian traffic or interfere with the rights of adjoining property owners. Sidewalk cafés are a special privilege, not a matter of right. Sidewalk cafés require processing of a neighborhood use permit by CCDC.

Sidewalk cafés must abide by the City of San Diego Land Development Code Ordinance Section 141.0621.

A summary of these regulations is given below with important modifications specific to the Gaslamp Quarter.

1. The decision to allow a sidewalk café is discretionary and based on the width of the sidewalk, the relationship of the proposed café to other existing or planned uses in the area, the amount of pedestrian use, the impact of the café's location on pedestrian activity, and the ability of the café to enhance street character and activity.
2. A sidewalk café may exist only in conjunction with and adjacent to a street-level eating or drinking establishment. *fig. 58*
3. The sidewalk café shall be used only for dining, drinking, and circulation.
4. A railing 3'-6" in height or less must delineate the sidewalk café area; fences and solid walls are not permitted. The railing may be either permanently installed or moveable; if it is moveable, it shall be affixed to the sidewalk while the café is open for business. Clear, transparent, safety glass (not plexiglass) may be applied to the railing, on the café side, to

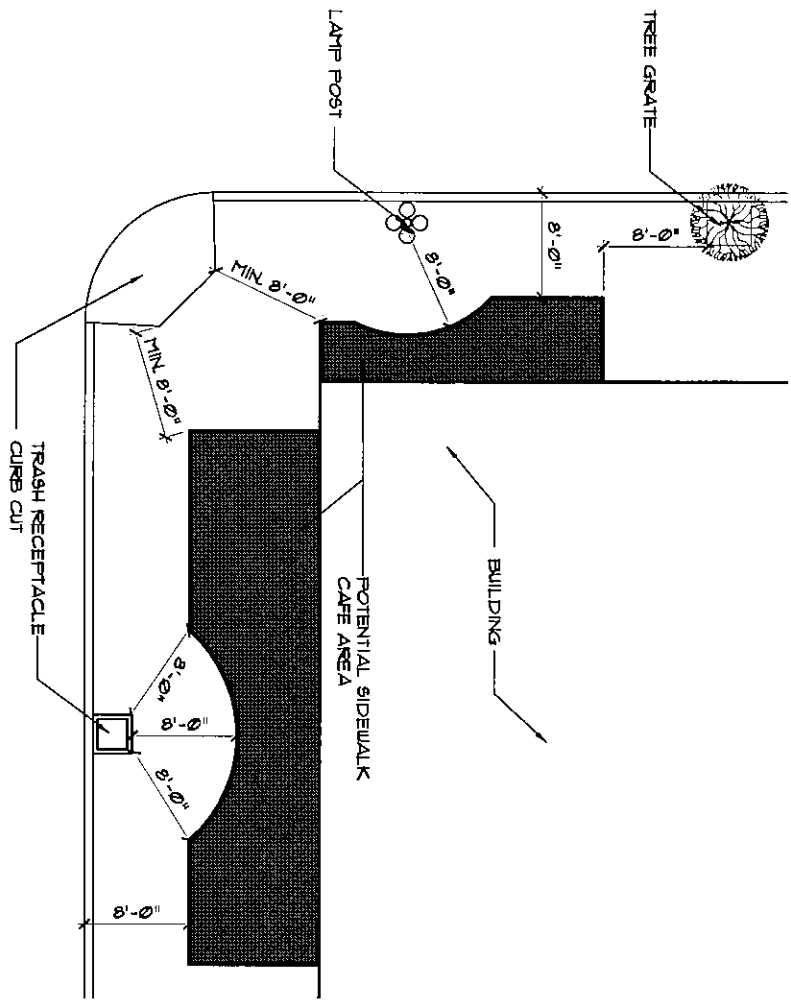


fig. 60 - Clearance regulation for design of sidewalk cafés.

5. There must be a clear path in the public right-of-way at all times. Obstructions include traffic signals or signs, light standards, parking meters, phone booths, bus stops, trash receptacles, benches, trees, and similar objects. The clear path shall be measured from the outermost part of the café to the curb or the nearest obstruction. Recesses in the building facade may not be used to satisfy the clear path requirement. The Land Development Code requires that the minimum clear path be 8 feet. Exceptions may be granted in some cases. However, in no case will sidewalk cafés be allowed to extend into the public right-of-way for more than half the sidewalk width (distance from the building property line to the curb). *fig. 60, 61*
6. Swinging gates, cantilevered objects or any other obstructions that create an unsafe environment for the blind or physically disabled are not allowed.
7. Furnishings are limited to moveable chairs, tables and umbrellas. Plant material may be placed in moveable planting boxes or planted in the ground inside of the café area adjacent to the barrier. Moderately-sized lighting fixtures may be permanently affixed to the front of the main building.

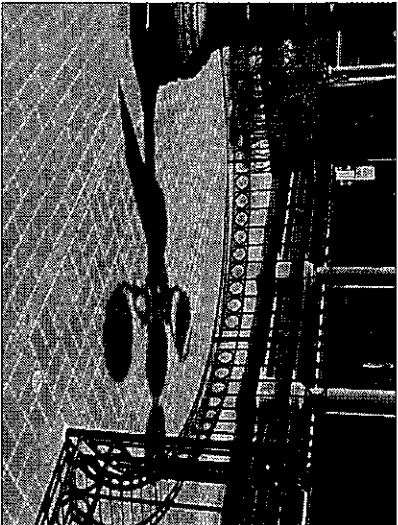


fig. 61—Café enclosures must set back from lamp posts and other sidewalk furniture to maintain the required 8 foot clearance.

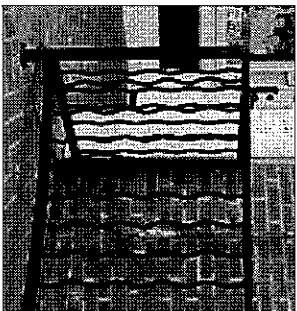
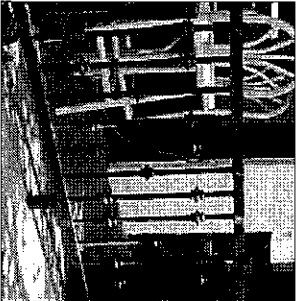
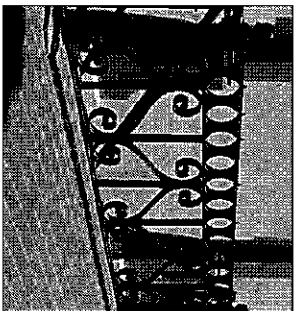
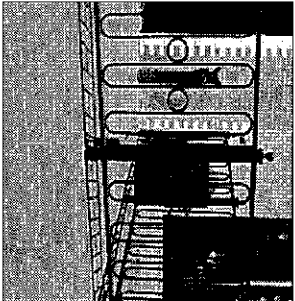


fig. 62 - Contemporary examples of conforming sidewalk café railings.

In addition to the Land Development Code regulations, the following guidelines apply in the Gaslamp Quarter:

- (a) The size and scale of the dining area shall be compact to suggest intimacy and should promote a visual relationship to the Gaslamp Quarter streetscape.
- (b) Sidewalk café areas are meant for dining and drinking only and should feature the minimum amount of furnishings necessary for that function. Food preparation stations, such as espresso carts, hot dog stands, or outdoor grills are not permitted in a sidewalk café. Food preparation stations must be contained within the private property of the building or an adjacent privately-owned lot. In addition, moveable or fixed outdoor decorative displays that consume space in the sidewalk café, such as fountains, shall not be permitted. *fig 63*
- (c) Sidewalk cafés shall be delineated by barriers that are simple in design, especially those adjacent to historic structures. All barriers shall be reviewed and approved in order to ensure they are in keeping with the aesthetic and architectural character of the area.
- (d) Railings shall be constructed of wrought or cast iron. Size, shape, and spacing of the support posts and pickets, can vary to achieve a tasteful and creative design. Pickets shall be no more than 3/4" in width, and spaced at least 3" apart. All railing designs are subject to review and approval by CCDC. *fig. 62*
- (e) The railings should be painted black unless an alternative color is approved by the CCDC President.
- (f) Railing designs shall not contain any company branding or product logos.

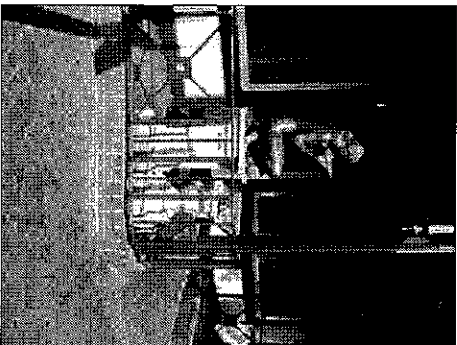
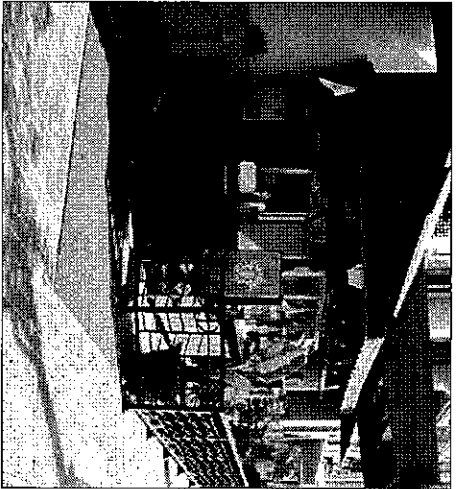


fig. 63 – Sidewalk cafés are to be used exclusively for seated dining. Food preparation stands, such as espresso carts, and decorative displays, such as fountains, are not permitted.

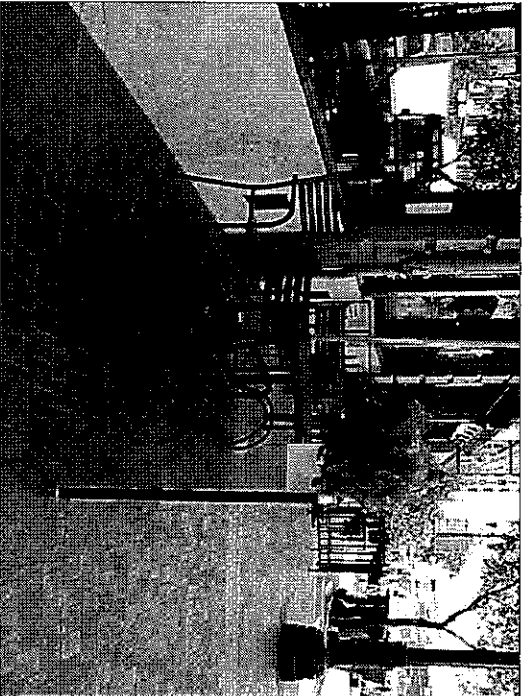


fig. 64 – Contemporary example of a conforming planting box.

- (g) The railing cap can be a maximum of 4 inches wide and be made out of unpainted stone, painted wrought iron, or wood (with a natural finish or stain).
- (h) All railings should be constructed where the top rail is level and all vertical posts are plumb.
- (i) Clear, shatterproof glass is permitted on the café side of a railing. The railing and clear enclosure shall not exceed 5 feet in height. Above the railing, the clear enclosure must be supported on three sides. Enclosures used to span the height between the wind screen and the awning, including roll-up plastic sheeting or folding shutters, will not be permitted. The area between the wind screen and the awning must remain open to the sidewalk at all times.
- (j) Large precast concrete or clay planters may be placed perpendicular to the building face, in lieu of a railing, to separate café spaces from neighboring establishments, providing those planters adhere to the public right-of-way requirements. Neither the plantings nor the planter are permitted to rise above the prescribed railing height.
- (k) The design materials and colors used for chairs, tables, lighting and other fixtures, including umbrellas and awnings, shall be submitted with the sidewalk café application for approval. Sidewalk café furnishings shall generally be consistent, both with the architectural style and colors used on the building facade and the quality of the Gaslamp Quarter streetscape improvements.
- (l) All requirements for awnings and canopies, listed in the previous section, apply.

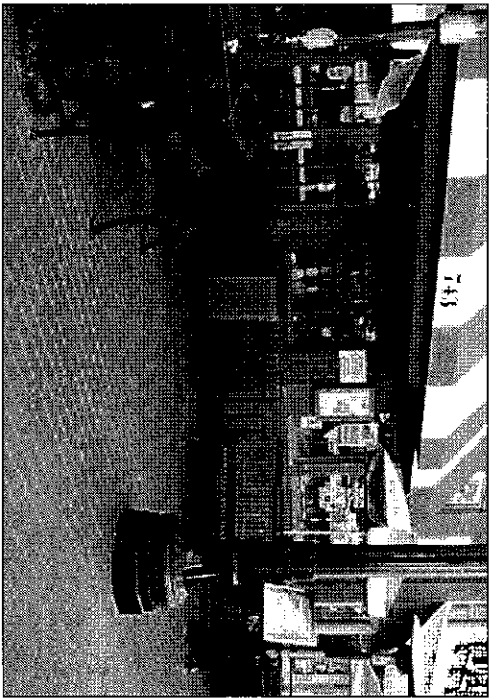


fig. 65 -- City issued site elements such as light posts and tree planters leave very little room for privately owned street furniture such as benches and menu boards. The sidewalk must be reserved for pedestrian movement.

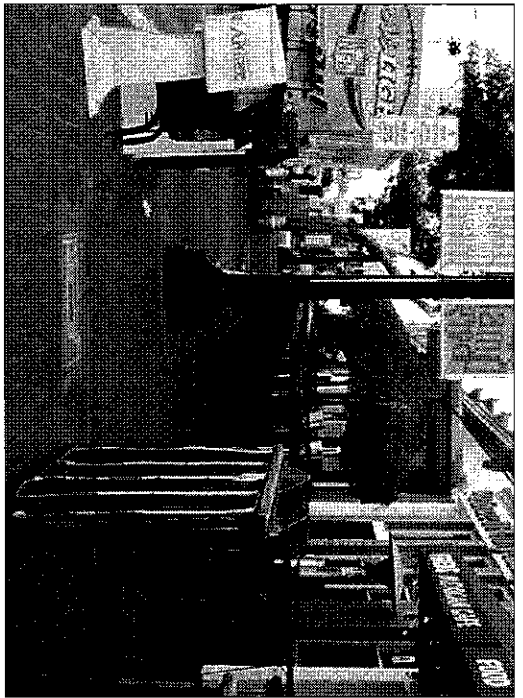


fig. 66 -- The addition of superfluous sidewalk elements can impede pedestrian access and pedestrian traffic flow.

- (m) Any plant material for a sidewalk café shall be properly maintained. Dying vegetation must be promptly replaced. The use of artificial plants is discouraged. No planting boxes shall hang over the outside edge of the railing or sit on top of the horizontal rail. *fig. 64*
- (n) Painting, staining, or otherwise modifying the existing brick paving in the public right-of-way is prohibited.
- (o) Table umbrellas are permitted in the café area, providing umbrellas do not encroach into the public right-of-way and has a minimum of 7'-0" height clearance. Umbrellas are not permitted in cafés covered by awnings or canopies. Product or business advertising on umbrellas is prohibited.

- (p) The area of a sidewalk café remains City property. The café exists to enliven the street and provide a transitional space for a restaurant. It should not be viewed as an extra room for the restaurant and its existence should not hinder the view of the building facade from the sidewalk. The floor surface inside the café area shall not be modified or elevated. The finish and height of the sidewalk inside the café area shall remain consistent with the sidewalk outside of the café.

Public Right-of-Way Permitted and Prohibited Uses

(a) Sidewalk Uses

- (1) The sidewalk area is bounded by the building facades at the property line, and the street curb. The permitted uses of the sidewalk area by a business tenant or building owner are planters, flower stalls, newsstands, shoeshine stands, and sidewalk cafés.

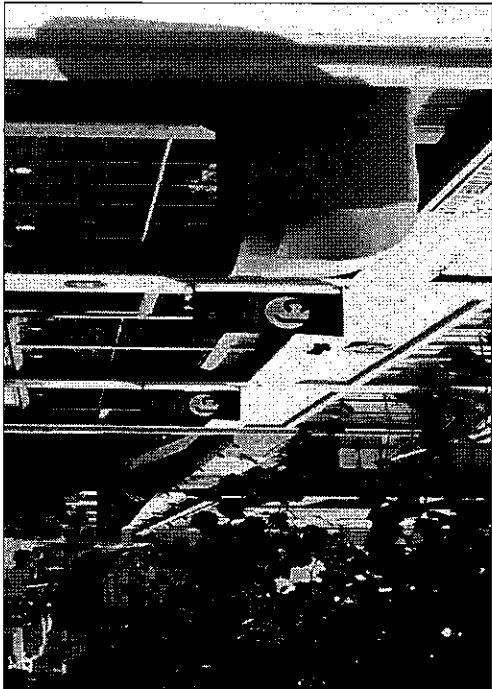


fig. 67 – Conforming planters in front of the building can enhance the Gaslamp Quarter.

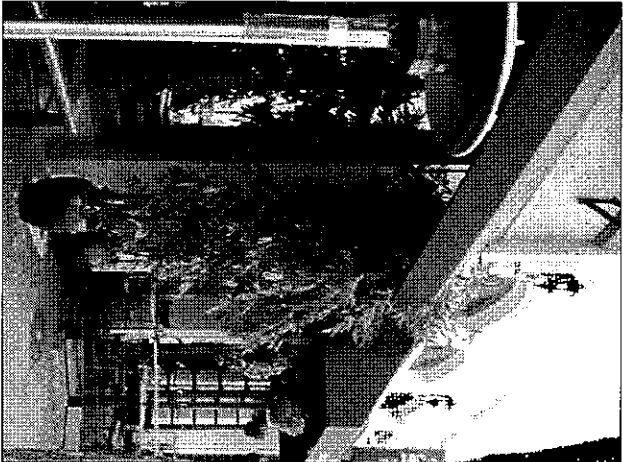


fig. 68 – Non-conforming plants can obscure the building face and detract from the historic character of the building.

All sidewalk uses require CCDC permits and an encroachment removal agreement from the City of San Diego.

(2) Outside of café easement boundaries, the sidewalk is reserved for pedestrian travel and City issued items such as meters, trash receptacles, light posts, and tree planters.

(3) Signs (including A-frame signs), furniture, equipment, or other items furnished by businesses or building owners are not permitted in the sidewalk area. *fig. 65, 66*

(4) Businesses that do not have sidewalk cafes are permitted to place potted plants within two feet of the building face. Pots shall be made of durable, weather-resistant materials. The style, size, and color of the pots shall be compatible with the character of the building. The maximum height of the potted plant shall be four feet from the sidewalk so as not to obscure views of the building. *fig. 67, 68*

(b) Pushcarts

(1) Pushcarts are permitted on private property as a limited use. Allowable pushcarts must abide by the City of San Diego Land Development Code Ordinance Section 141.0623.

(2) Pushcarts are not permitted in the public right-of-way including easements and encroachments.

APPENDIX A

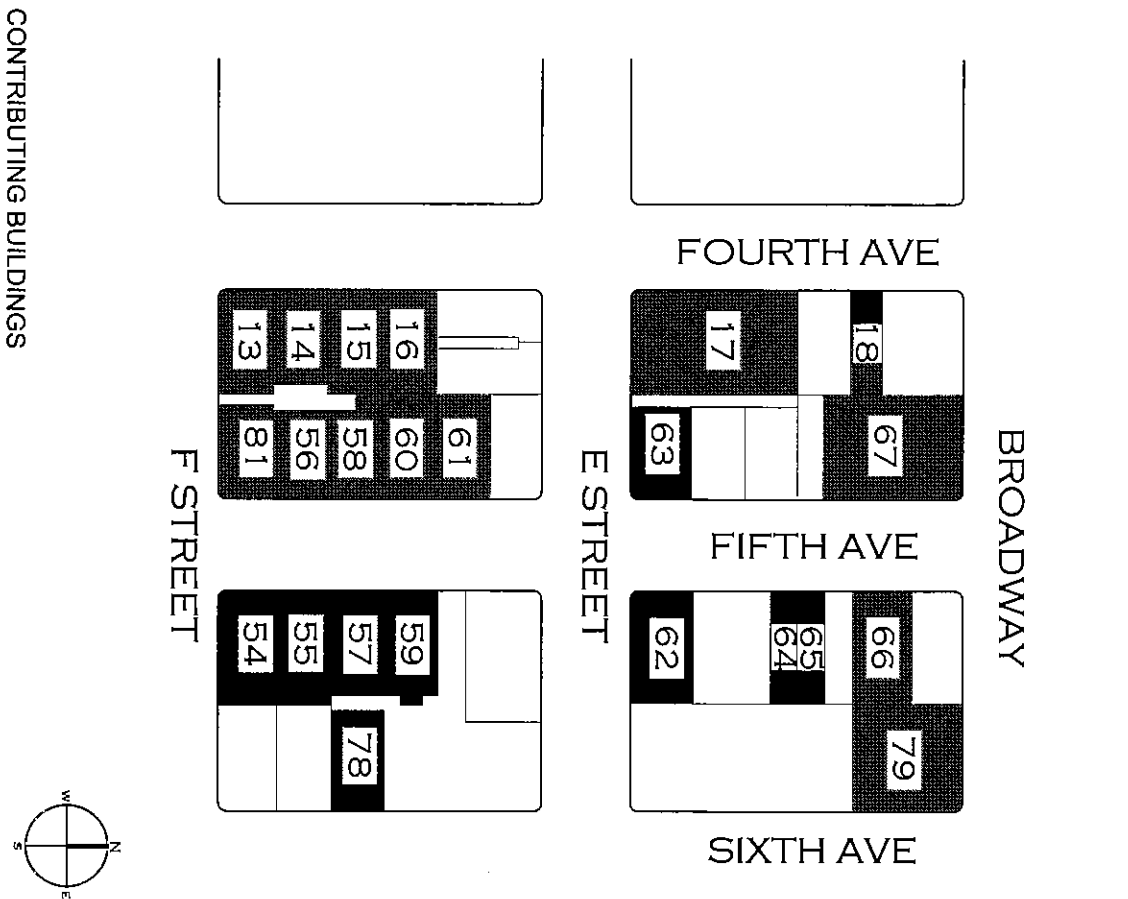
MAP OF CONTRIBUTING BUILDINGS IN THE GASLAMP QUARTER PLANNED DISTRICT

The Gaslamp Quarter Historic District was added to the National Register of Historic Places (NRHP) in 1980. As part of the NRHP nomination, eighty five buildings within the district were termed as having "unquestionable architectural and/or historical significance." It is believed that these buildings contribute to the character of the historic district.

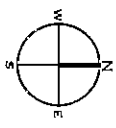
Within the National Register program, a process exists whereby buildings can be formally determined by the Office of Historic Preservation (OHP) and the National Park Service (NPS), to be contributors to the Gaslamp Quarter National Register Historic District. Such a determination is a necessary prerequisite for receipt of the federal tax benefits available to historic properties. More than 40% of the buildings included within the NHRP nomination have been formally determined to be contributors. All California buildings listed individually on the National Register or formally determined to be contributors to a National Register Historic District are also listed in the California Register of Historical Resources.

The district was also designated as a San Diego Historic Landmark by the City's Historical Resources Board (HRB) in 1983. As HRB #127, ninety buildings within the district boundaries were listed as contributing to the historic character of the district. Those ninety buildings are featured in the following list and identified in the map illustrated on the following pages. Thirteen of the buildings listed under HRB #127 have also been individually designated on the HRB register. Two historic buildings located within the Gaslamp Quarter, the Davis-Horton House (also known as the William Heath Davis House) and the National City & Otay Depot, were not listed as part of HRB #127. The Davis-Horton House was moved to its current location. However, the house is individually listed on the local register as HRB #9. The National City & Otay Depot was not included in the original designation because its significance had not been established at the time of the District nomination. The National City & Otay Depot has been added to the HRB register as HRB #700.

The following buildings have been designated as contributing to the historic character of the City of San Diego Historic Gaslamp Quarter landmark district, HRB #127.

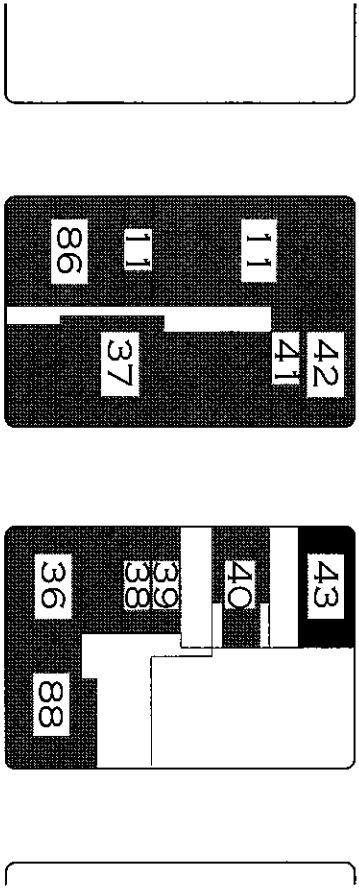
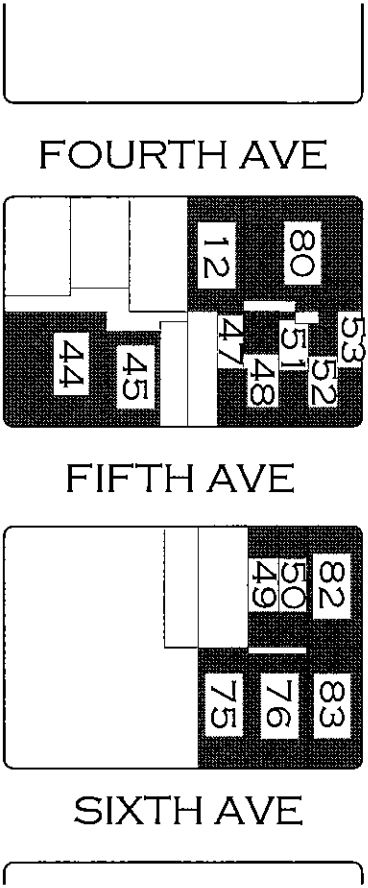


CONTRIBUTING BUILDINGS



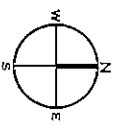
1. Pioneer Warehouse, Built 1918, 301 4th Avenue
2. Whitney Building, 1914, 343 4th Avenue
3. Quin Building, 1888/1930, 500 4th Avenue
4. Sewing Factory, 1930, 520 4th Avenue
5. Floral Exchange, 521 4th Avenue **DEMOLISHED**
(not shown on map)
6. Chinese Laundry, 1923, 527 4th Avenue
7. Cotheret Building, 1903, 536 4th Avenue
8. Tai Sing Building, 1923, 539 4th Avenue
9. Pacifica Hotel, 1913, 547 4th Avenue
10. Royal Pie Bakery, 1911, 554-560 4th Avenue
11. Carriage Works, 1889-1890, 627-655 4th Avenue
12. Labor Temple Building, 1907, 739 4th Avenue
13. Ingle Building, 1906, 801 4th Avenue
14. Exchange Club Building, 1905, 815 4th Avenue
15. Panama Café, 1907, 827 4th Avenue
16. Windsor Hotel, 1887, 843 4th Avenue
17. Lawyer's Block Building, 1889, 901 4th Avenue
18. Schmitt Bldg, 1888, 949-951 4th Avenue
19. TM Cobb Building & Sign Shop, 1874, 270 5th Avenue
DEMOLISHED (not shown on map)
20. Buel-Town Company Building, 1898, 275 5th Avenue
21. Pioneer Warehouse Addition, 1925, 310 5th Avenue
22. Heartland Meat Company, 322 5th Avenue, **DEMOLISHED**
23. Grand Pacific Hotel, 1887, 366 5th Avenue
24. Brunswig Drug, 1888, 363 5th Avenue
25. Café Building, 1912, 465 5th Avenue
26. Callan Hotel, 1878, 502 5th Avenue
27. Manila Café, 1930, 515 5th Avenue
28. Yamada Building, 1981, 516 5th Avenue

F STREET

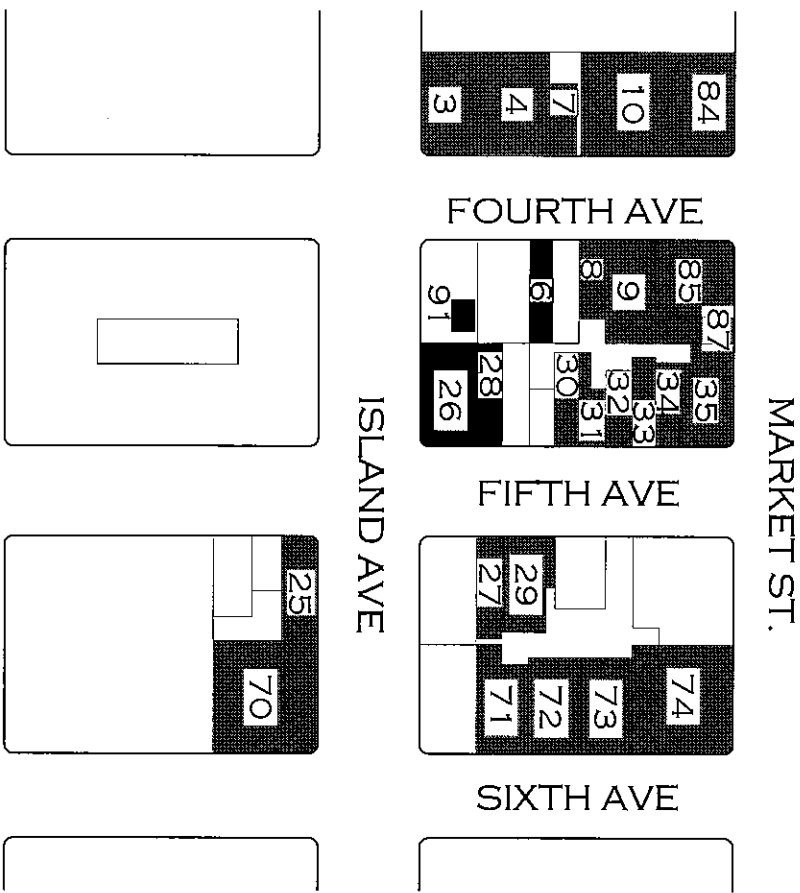


MARKET ST.

CONTRIBUTING BUILDINGS



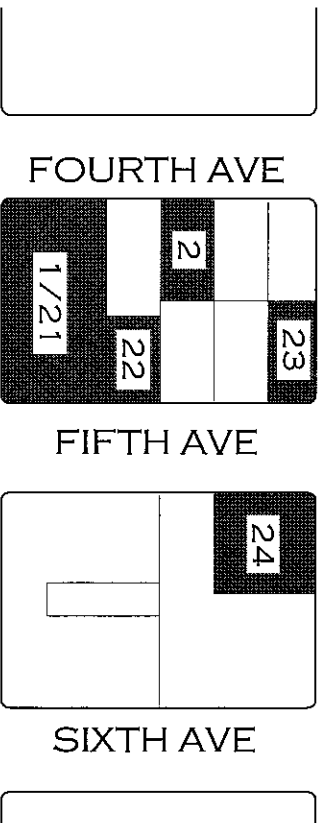
- 29. Higgins Building, 1887, 527 5th Avenue
- 30. Lincoln Hotel, 1913, 536 5th Avenue
- 31. Stingaree Building, 1885, 538 5th Avenue
- 32. Loewenstein Building, 1885, 544 5th Avenue
- 33. Marin Hotel, 1888, 552 5th Avenue
- 34. Montijo Building, 1887-1892, 554 5th Avenue
- 35. Timkin Building, 1894, 562 5th Avenue
- 36. McGurck Block, 1887, 611 5th Avenue
- 37. Backesto Block Building, 1884, 600-658 5th Avenue
- 38. Combination Store, 1880, 621 5th Avenue
- 39. Yurma Building, 1882, 631 5th Avenue
- 40. Casino Theatre, 1912, 643 5th Avenue
- 41. Bijou Theatre, 1875, 658 5th Avenue
- 42. Old City Hall, 1874, 664 5th Avenue
- 43. Bancroft Building/Aztec Theatre, 1886, 665 5th Avenue
- 44. Cole Block Building, 1890, 702 5th Avenue
- 45. Lewelyn Building, 1886, 722 5th Avenue
- 46. Efron Building, 739 5th Avenue, *DESIGNATION RESCINDED BY HRB & NRHP* (not shown on map)
- 47. Pat's Little Theatre, 1906, 748 5th Avenue
- 48. Durham Building, 1888, 750 5th Avenue
- 49. Pierce-Field Building, 1888, 753 5th Avenue
- 50. Dream Theatre, 1885/1931, 755 5th Avenue
- 51. Fritz Building, 1909, 760 5th Avenue
- 52. Loring Building, 1873, 764 5th Avenue
- 53. Spencer-Ogden Building, 1874, 770 5th Avenue
- 54. Marston Building, 1881, 809 5th Avenue
- 55. Hubbell Building, 1887, 813 5th Avenue
- 56. Mercantile Building, 1894, 822 5th Avenue
- 57. Nesmith-Greely Building, 1888, 825 5th Avenue



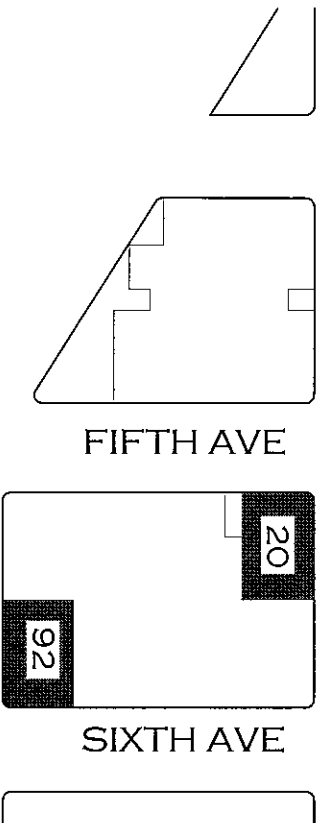
CONTRIBUTING BUILDINGS

- 58. Ingersoll-Tutton, 1894, 832 5th Avenue
- 59. Louis-Bank of Commerce, 1888, 835 5th Avenue
- 60. San Diego Hardware, 1910, 840 5th Avenue
- 61. Onyx Building, 1910, 852 5th Avenue
- 62. Robinson Building, 1913, 903 5th Avenue
- 63. 1st National Bank Building, 1884, 904 5th Avenue
- 64. Howard Building, 1887, 933 5th Avenue
- 65. Dalton Building, 1911/1930, 939 5th Avenue
- 66. Woolworth Building, 1922, 945 5th Avenue
- 67. Granger Building, 1904, 964 5th Avenue
- 68. Frost Building, 1926, 170 6th Avenue
- 69. Brunswick Drug Acid Yard, 348 6th Avenue, **DEMOLISHED** (not shown on map)
- 70. Produce Market, 1918, 454 6th Avenue
- 71. New York Hotel, 1887, 520 6th Avenue
- 72. Sterling Hardware, 1924, 530 6th Avenue
- 73. Simmons Building, 1906, 540 6th Avenue
- 74. Alan John, 1908, 568 6th Avenue
- 75. Gaslamp Galleria Building, 1921-1926, 744 6th Avenue
- 76. Snyder Building, 1923, 748 6th Avenue
- 77. Sheldon Block, 1886, 822 6th Avenue
- 78. St. James Hotel, 1912, 844 6th Avenue
- 79. Samuel I. Fox Building, 1929, 531 Broadway
- 80. Rambo Building, 1910, 409 F Street
- 81. Keating Building, 1890, 432 F Street
- 82. William Penn Hotel, 1912, 509 F Street
- 83. Hill Building, 1897, 527 F Street
- 84. Frey Block Building, 1911, 345 Market
- 85. Lester Hotel, 1906, 401 Market
- 86. Brokers Building, 1889, 422 Market

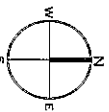
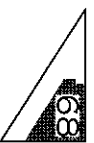
J STREET



K STREET



L STREET



CONTRIBUTING BUILDINGS

- 87. Sun Cafe/Young Building, 1873, 421 Market
- 88. I.O.O.F. Building, 1882, 526 Market
- 89. Greenbaum Market Building, 1915, 528 J Street
- 90. Engbretson Building, 541 J Street *DEMOLISHED*
(not shown on map)

The following buildings are individually designated to the NRHP as well as being formally determined contributors to the district designation:

- 62. Robinson Building, 1913, 903 5th Avenue
- 88. I.O.O.F. Building, 1882, 526 Market

The following building are individually listed in the San Diego HRB register as well as part of HRB #127:

- 10. Royal Pie Bakery, 1911, 554-560 4th Avenue
- 33. Marin Hotel, 1888, 552 5th Avenue
- 36. McGurck Block, 1887, 611 5th Avenue
- 37. Backesto Block Building, 1873, 600-658 5th Avenue
- 39. Yuma Building, 1882, 631 5th Avenue
- 45. Lewelyn Building, 1887, 722 5th Avenue
- 53. Spencer-Ogden Building, 1874, 770 5th Avenue
- 54. Marston Building, 1881, 809 5th Avenue
- 55. Hubbell Building, 1887, 813 5th Avenue
- 57. Nesmith-Greeley Building, 1887, 825 5th Avenue
- 59. Louis-Bank of Commerce, 1888, 835 5th Avenue
- 81. Keating Building, 1890, 432 F Street
- 88. I.O.O.F. Building, 1882, 526 Market

The following historic buildings located within the Gaslamp Quarter boundary are individually listed with the San Diego HRB but were not included as part of the original NRHP designation or HRB #127:

- 91. Davis-Horton House, 1850, 410 Island
- 92. National City & Otay Depot, 1896, 206 6th Avenue

APPENDIX B

GLOSSARY OF TERMS

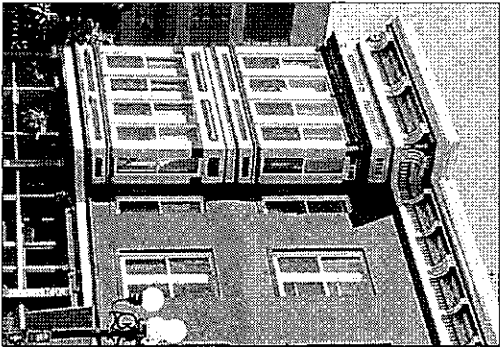


fig. A - Bay window, Grand Pacific Hotel, built 1887

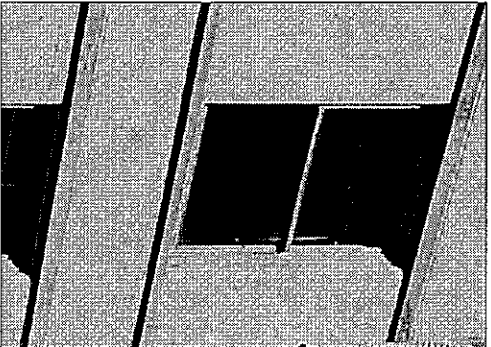


fig. B - Belt course, San Diego Hardware, built 1910

adaptive use	Adaptation of an existing building for a new use. (e.g. transformation of a warehouse into artists' lofts).
Art Deco	A style of architecture popular in the 1920s and 30s, associated with linear, hard-edge, or angular geometric composition with austere or eclectic stylized decoration.
awning	A protective overhang for windows and doors, usually made out of canvas, and usually separate from the structure of the building.
bay window	A window that is part of the projecting section of a building. In a bay window, the entire wall projects, whereas oriels and turrets project out from the wall. <i>fig. A</i>
belt course	A horizontal, projecting band of stone or masonry. <i>fig. B</i>
brackets	Support elements that project horizontally from a building's facade to support another element, such as a roof overhang.
bulkhead	Non-structural wall below storefront glazing.
California Historical Building Code	A series of comprehensive performance regulations (California Title 24, Part 8) that control and allow alternatives to prevailing codes when dealing with qualified historic buildings or sites.
canopy	Protective covering over an entryway—usually integral to the building's structure.
capital	The top of a column.
cast iron	Iron with a high carbon content that is formed in molds. Brittle in nature, it acts well in compression, but poorly in tension. It cannot be welded. Cast iron is commonly used for architectural ornamentation.
character-defining	Essential to the perception or understanding; a character-defining element is a feature that contributes to the special quality of a building or site, without which the uniqueness is lost.

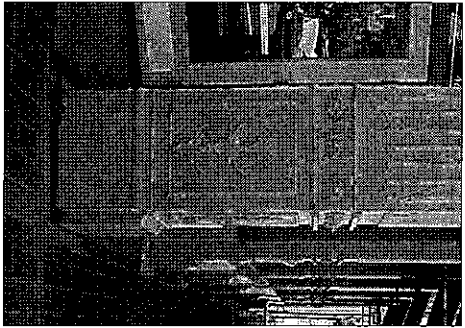


fig. C - Cast iron column, Nanking Building, built 1912

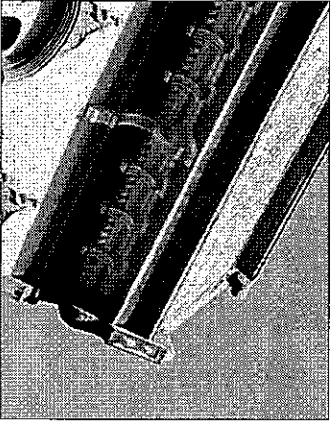


fig. D - Cornice, Llewelyn Building, built 1887

column	A vertical structural element. In Classical architecture, it takes on a cylindrical shape. <i>fig. C</i>
contributing	An item (i.e. building, site, structure) that adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant, because it was present during the period of significance and possesses historic integrity or is capable of yielding important information about the period.
cornice	The decorative horizontal cap of a building. In Classical architecture, the upper most part of the entablature. (See entablature) <i>fig. D</i>
double-hung	A type of window with two panels (sashes) that move vertically past each other.
eave	The underside of a roof overhang.
entablature	Traditionally, the horizontal portion of a classical temple, consisting of architrave, frieze, and cornice.
fabric	The elements and materials of which a building is made.
facade	The vertical face of a building. In architectural drawings, facades are referred to as elevations.
fascia	A decorative board used to mask structural members - often at the edge of a roof. Also used to refer to the vertical edge of an awning or canopy, same as valence.
fenestration	The arrangement of openings in a facade, such as windows and doors.
gable	A roof with two opposing slopes that meet at a single ridge. Also refers to the end of a gable roof.
glazing	Glass in an opening (used as a noun or verb).
grade	Ground level.

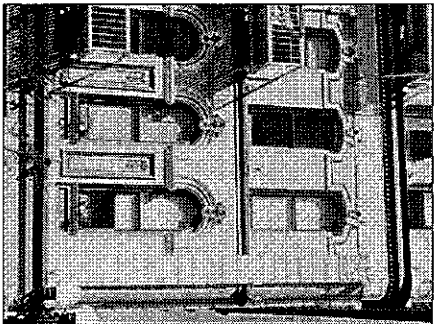


fig. E - Italianate details, Old City Hall, built 1874

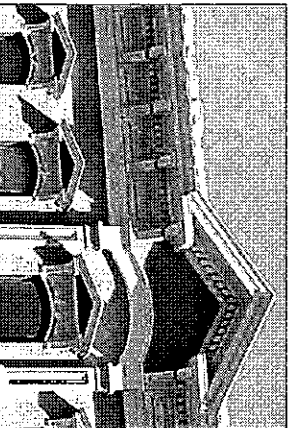


fig. F - Moulding, Backesto Building, built 1873

historic character	The sum of all visual aspects, features, materials, and spaces associated with a property's history.
historic context	Patterns, themes, or trends in history by which a specific occurrence, property, or site is understood and its meaning within prehistory or history is made clear.
historic district	An ensemble of buildings and their surroundings given a designation due to their significance as a whole.
Italianate	A style of architecture which draws loosely from the villas of Northern Italy for inspiration. <i>fig. E</i>
lintel	Horizontal support above a door, window or other opening.
massing	Arrangement of geometric volumes into a building's shape.
mortar joint	A masonry joint between two masonry units (brick, stone, terra cotta, etc.) filled with mortar to transfer the load, provide a bond between the units, and keep the weather out.
moulding	Generic term for ornamentation that is carved or cast (also <i>molding</i>). <i>fig. F</i>
mullion	Vertical element that separates adjoining windows and/or doors.
muntin	Vertical or horizontal element that separates panes of glass within a window.
National Register of Historic Places	List maintained and revised by The Secretary of the Interior of properties (building, sites, districts, and objects) designated as landmarks due to local, state, or national significance.
non-contributing	A feature (building, site, structure, or object) that does not add to the historic architectural qualities, historic associations, or archeological values for which a property is significant. The non-contributing feature can be altered or replaced.
oriel	A projecting window.

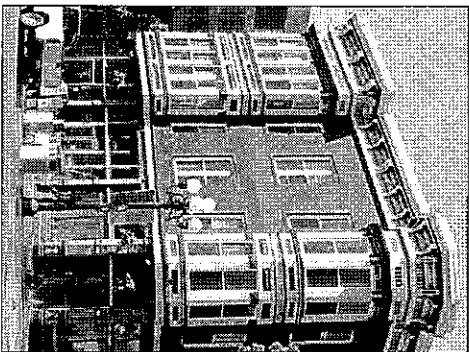


fig. G - Example of the Queen Anne style, Grand Pacific Hotel, built 1887

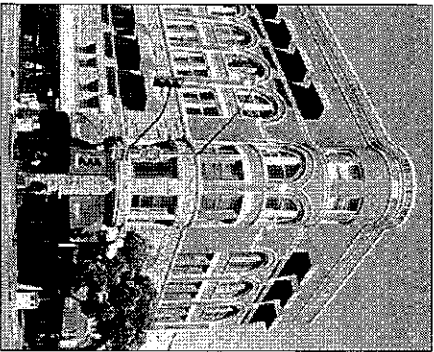


fig. H - Example of the Romanesque style, Keating Building, built 1890

parapet	A partial height wall that projects above the roof line. The front parapet often incorporates decorative elements, such as the cornice. Parapets are also important in protecting against the spread of roof fires.
period of significance	A defined period of time during which a property established its historical association, cultural meaning, or value.
plaster	A pier, either structural or decorative that is integral to the wall.
plaster	Lime, cement, and/or gypsum based material that is mixed with sand and water to form a paste. It can be applied to lath to create a wall surface, or molded into an ornamental shape. Plaster can have many additives, such as hair, eggs, milk, linseed oil, and tallow. Additives are often distinctive to the time and place of construction.
preservation	Defined by The Secretary of the Interior as "retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time."
pushcarts	Moveable, wheeled, non-motorized vehicles used by vendors for the sale of food or beverage products, fresh-cut flowers, or live plants in pots.
Queen Anne	A style of Victorian architecture characterized by asymmetry and varied massing and extensive ornamentation. Most often associated with residential buildings. Popular from the 1870s through the turn of the century. <i>fig. G</i>
reconstruction	Defined by The Secretary of the Interior as "a limited framework for re-creating a vanished or non-surviving building with new materials, primarily for interpretive purposes."
rehabilitation	Defined by The Secretary of the Interior as acknowledging "the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character."
restoration	Defined by The Secretary of the Interior as "the depiction

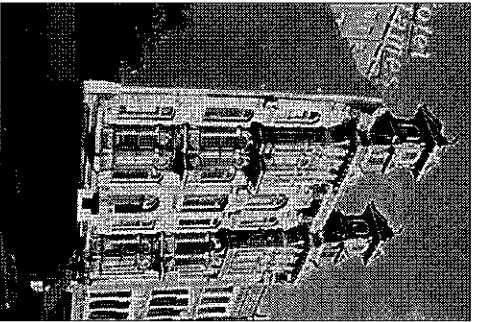


fig. I - Example of the Victorian style, Louis Bank of Commerce, built 1888

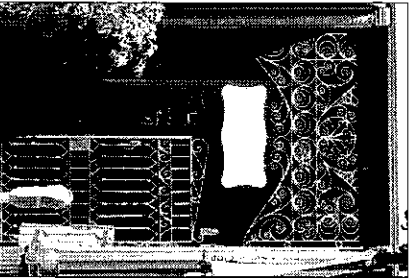


fig. J - New, contemporary wrought iron gate and ornament that complements the historic Keating Building, built in 1890

of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods.”

A revival style of the Victorian period that incorporated heavy masonry forms. Popular in the late 19th century, *fig. H*

A sliding panel in double or single hung window.

The relationship of parts, their relative size and proportions, to one another and to the human figure.

The meaning or value ascribed to a structure, landscape, or object; historic significance normally stems from integrity and historic associations and is based on National Register criteria for evaluation.

Traditionally, the street level of a commercial building consisting of show windows with bulkheads below.

Contemporary use refers to a non-structural system consisting of framing with fixed glass panels.

Exterior cement plaster.

Fired clay used in structural or decorative applications; often glazed.

General term for a number of architectural styles during the reign of Queen Victoria (19th century). Victorian buildings are characterized by multi-textured or multi-colored walls, strongly asymmetrical facades, and steeply pitched roofs. *fig. I* Also see Queen Anne.

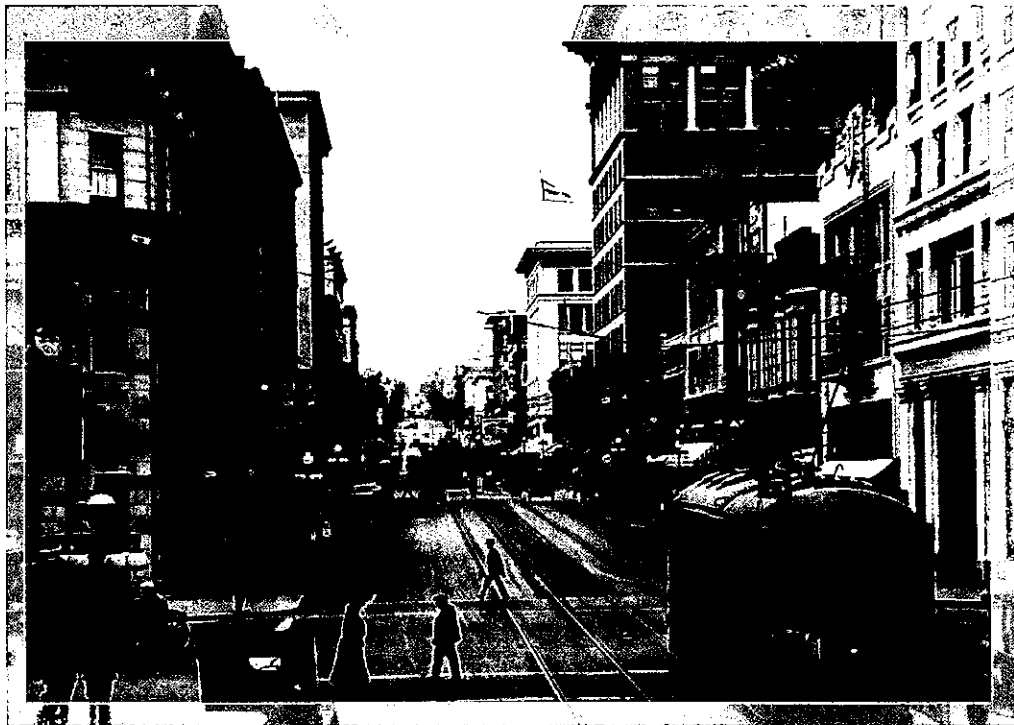
Malleable iron used for hardware, fences, chains, etc., that has good tensile strength and can be joined by welding. *fig. J*

ATTACHMENT 5

FINAL ENVIRONMENTAL SECONDARY STUDY

FINAL
ENVIRONMENTAL SECONDARY STUDY
FOR
THE PROPOSED GASLAMP QUARTER PLANNED DISTRICT
ORDINANCE
AND DESIGN GUIDELINES REVISIONS

MAY 2008



Prepared for: The Redevelopment Agency
of the City of San Diego
600 B St., Suite 400
San Diego, CA 92101

Preparation Administered by: Centre City Development Corporation
225 Broadway, Suite 1100
San Diego, CA 92101

Prepared by: EDAW, Inc.
1420 Kettner Blvd., Suite 500
San Diego, CA 92101

ENVIRONMENTAL SECONDARY STUDY

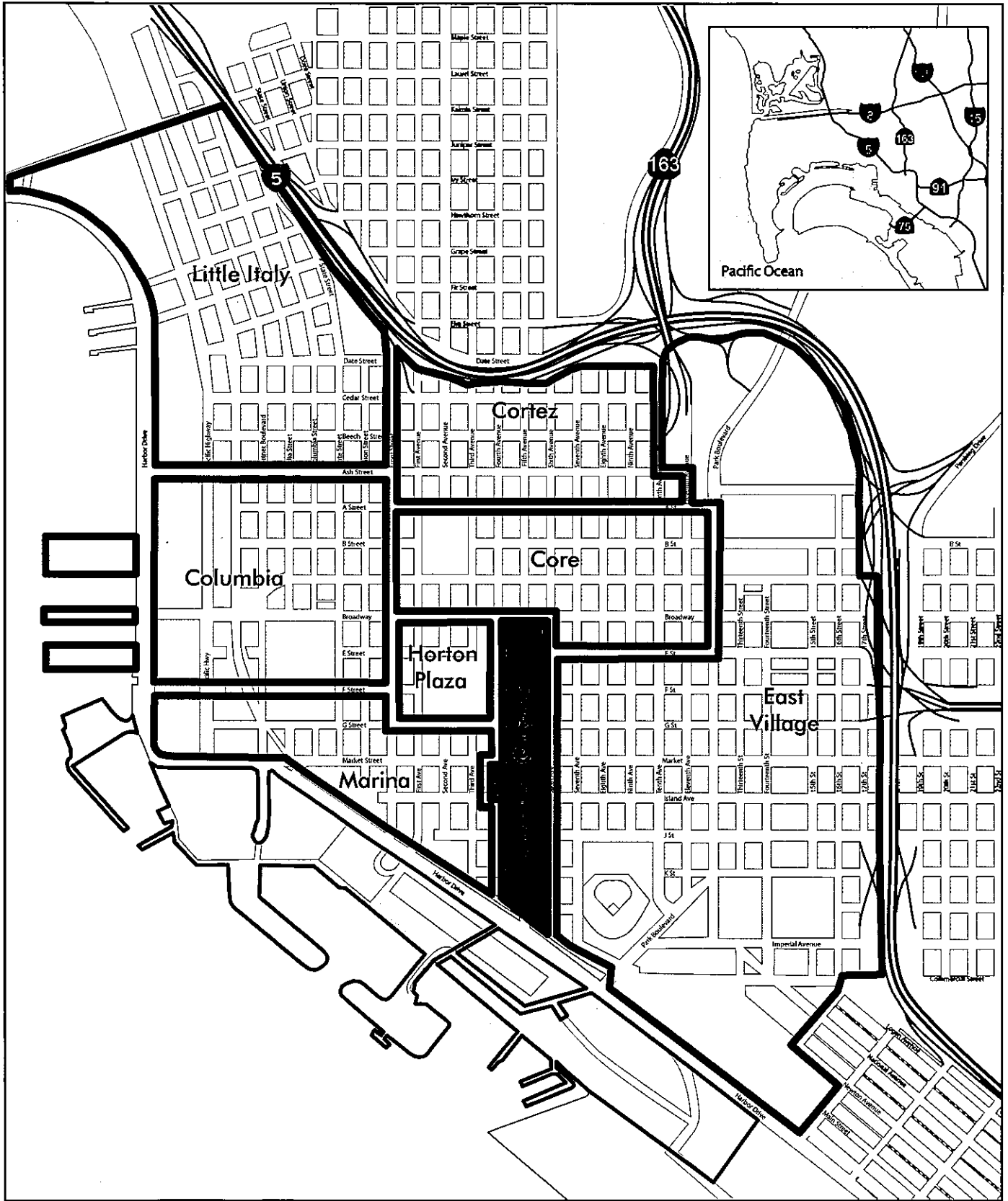
1. **PROJECT TITLE:** Gaslamp Quarter Planned District Ordinance and Design Guidelines Revisions.
2. **APPLICANT:** Redevelopment Agency of the City of San Diego.
3. **PROJECT LOCATION:** The Gaslamp Quarter District within the Centre City Redevelopment Project Area, downtown San Diego, which is bounded by Broadway to the north; Fourth Avenue to the west; Sixth Avenue to the east; and Harbor Drive to the south (Figures 1 and 2). The Gaslamp Quarter is a 16.5-block area located between Broadway and Harbor Drive and Fourth Avenue and Sixth Avenue within the Centre City Redevelopment Project Area, downtown San Diego. Centre City includes approximately 1,500 acres of the metropolitan core of San Diego, bounded by Interstate 5 on the north and east and San Diego Bay on the south and southwest. Centre City is located 15 miles north of the United States International Border with Mexico (Figures 1 and 2).
4. **PROJECT SETTING:** The Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area describes the existing setting of Centre City including the Gaslamp Quarter District. This description is hereby incorporated by reference. Located in the highly urbanized Centre City environment, the Gaslamp Quarter was designated as a historic district in the National Register in 1980 and includes 84 buildings considered as contributing structures to the historic character of the district. The Gaslamp Quarter is a vibrant commercial district with a wide variety of uses including restaurants, entertainment venues, art galleries, hotels, apartments, condominiums and specialty retail. Buildings in the Gaslamp Quarter District range from 30 to 125 feet in height. Applicable plans and policies governing development in the Gaslamp Quarter District include the Centre City Community Plan/Redevelopment Plan, Municipal Code Section 156.0313 regulations for parking in Centre City, and the Gaslamp Quarter Planned District Ordinance (GQPDO).
5. **PROJECT DESCRIPTION:** The project for the purposes of this Secondary Study is proposed revisions to the GQPDO and Design Guidelines. The proposed GQPDO and Design Guidelines have been reviewed and revised to implement the goals and policies of the Downtown Community Plan and to reflect contemporary issues in the Gaslamp Quarter. The two revised documents are intended to work together to regulate development in the historic Gaslamp Quarter. The following areas of the GQPDO and Design Guidelines have been revised:
 - Building Height
 - Off-Street Parking Requirements
 - Permitted Uses
 - Maximum Ground Floor Area Per Use
 - Period of Significance
 - General Guidelines for Rehabilitation of Historic Structures
 - Signage
 - Automatic Teller Machines (ATMs)
 - Sidewalk Cafes
 - Cellular Phone Antennas and Satellite Dishes
 - Painting and Repainting
 - Building Modulation
 - Alcohol Sales
 - Map of Gaslamp Quarter with List of Buildings
 - Administrative Process
 - Publication Format

A summary of the most pertinent revisions is provided in Attachment 1. The most notable revision to the GQPDO and Design Guidelines is the addition of an "Additional Stories" section, which amends the height regulations to allow the City at its discretion to allow two additional stories up to 26 feet in total additional height with setbacks above the current maximum height of 75 feet north of Island Street on sites 20,000 square feet or more and containing no historic structure. The revised GQPDO continues to permit building height increase up to 125 feet total on parcels 30,000 square feet or more located south of Island Avenue, with maximum FAR, minimum setback, and evaluation of benefit provisions. Another important change to the GQPDO is the addition of off-street parking requirements for future development within the Gaslamp Quarter District. The permitted uses section was also revised to restrict permitted ground floor uses to active uses focusing on restaurants and retailing of consumer goods and services. Other than the "Additional Stories" section, most of the revisions propose stricter requirements as a means to maintain and enhance the historic character of the Gaslamp Quarter District. Examples of the intended effects of some of the proposed revisions are also illustrated in Figures 3 through 7.

The revisions described above and in Attachment 1 would apply to future projects proposed within the Gaslamp Quarter Planned District. However, the additional stories regulations would apply only to sites 20,000 square feet or larger with no historic structure north of Island Avenue. Currently, the number of existing sites to which the new height regulations would most likely apply is limited to three sites that meet the size limitations and that include a parking lot or nonhistoric structure on the site. Each of these sites would have to demolish existing uses and provide required on-site parking to serve any future proposed uses.

No specific development projects relying on these revisions are currently known. Any future projects that propose to apply these new standards and regulations will be subject to future environmental review and mitigation, as appropriate, pursuant to the California Environmental Quality Act (CEQA) at the time a specific project is proposed.

Current discretionary approvals required for the proposed revisions include approval of the GQPDO and Design Guidelines by the Centre City Advisory Committee and Centre City Development Corporation (CCDC) Board of Directors, Historic Resource Board, Planning Commission, and City Council.



Source: CCDC, 2005

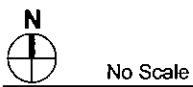
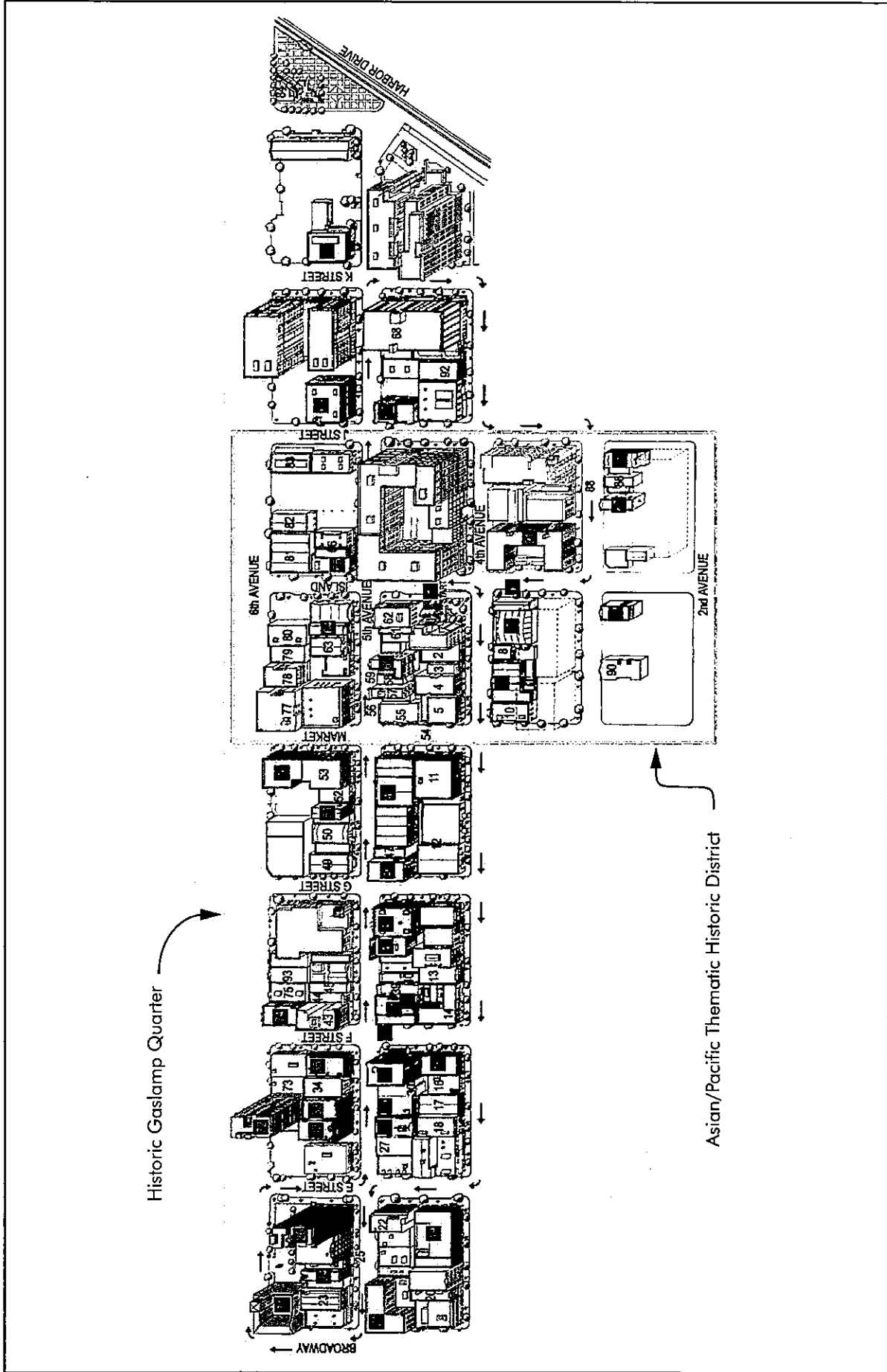


Figure 1
Regional Location and Vicinity Map



Historic Gaslamp Quarter

Asian/Pacific Thematic Historic District

Source: Heritage Architecture and Planning, 2005

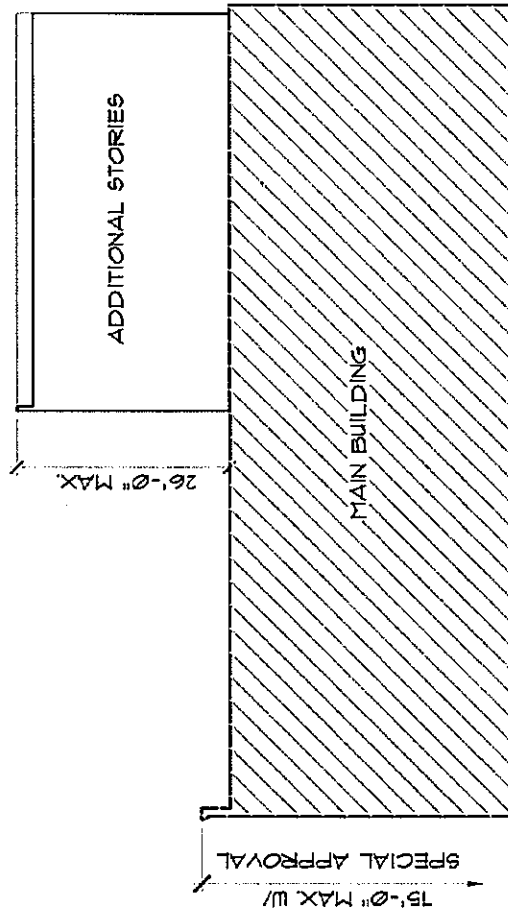


No Scale

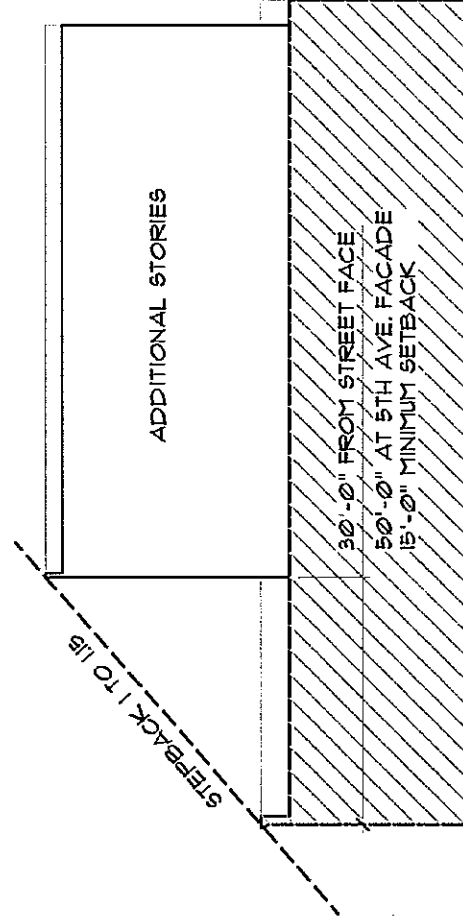
Gaslamp Quarter Planned District Ordinance and Design Guidelines Revisions

Figure 2
The Historic Gaslamp Quarter and
Asian/Pacific Thematic Historic Neighborhood Layout

May 2008
CCDC Secondary Study



Additional Stories Height Limit

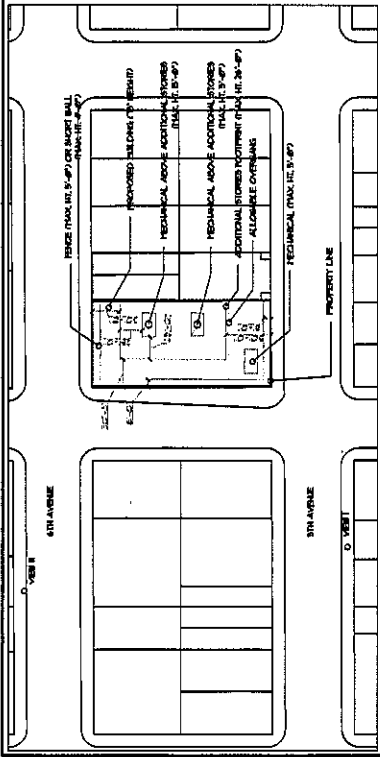


Additional Stories Stepback and Setback Requirements

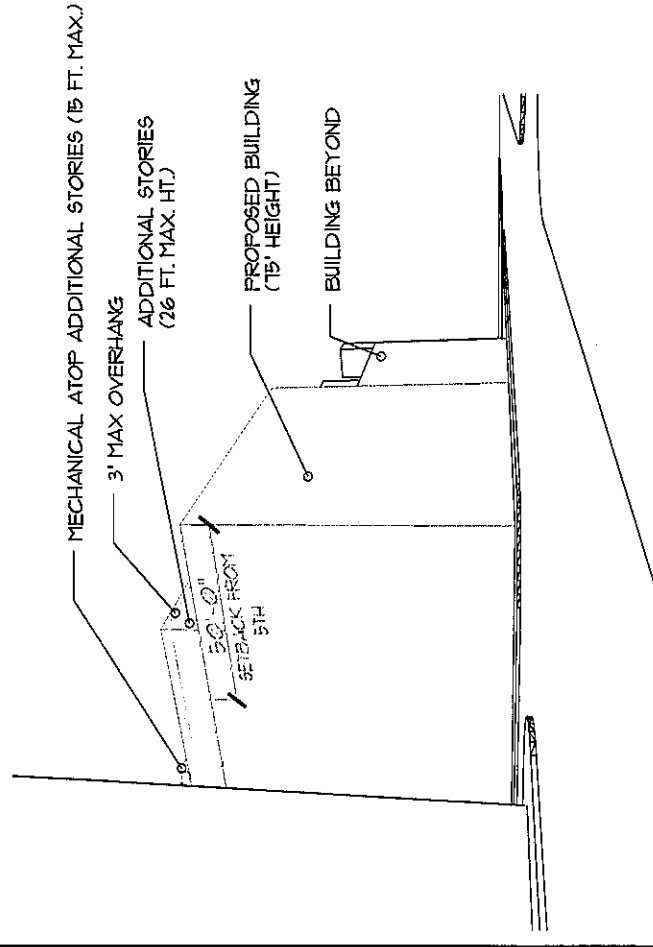
Source: Heritage Architecture and Planning, 2005

Figure 3
Additional Stories Height,
Stepback, and Setback Requirements

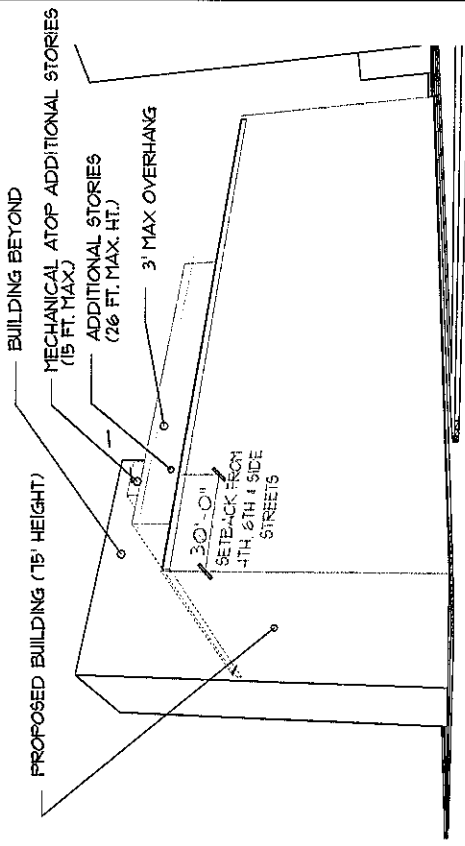
May 2008
CCDC Secondary Study



PLAN VIEW
PROPOSED ADDITIONAL STORIES



VIEW I: WEST SIDE OF 5TH AVE. LOOKING SOUTHEAST
PROPOSED ADDITIONAL STORIES



VIEW II: EAST SIDE OF 6TH AVE. LOOKING SOUTHWEST
PROPOSED ADDITIONAL STORIES

Source: Heritage Architecture and Planning, 2005



No Scale

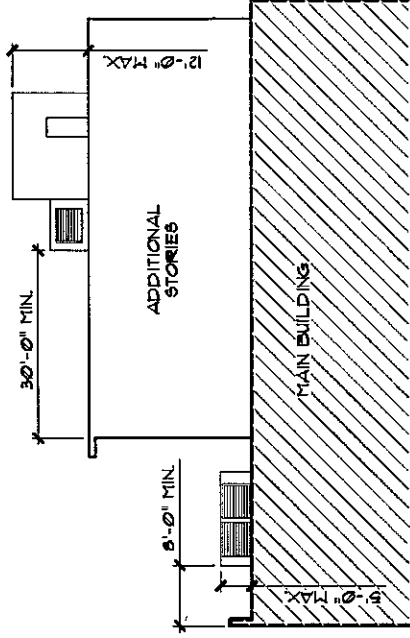
Gaslamp Quarter Planned District Ordinance and Design Guidelines Revisions

Figure 4

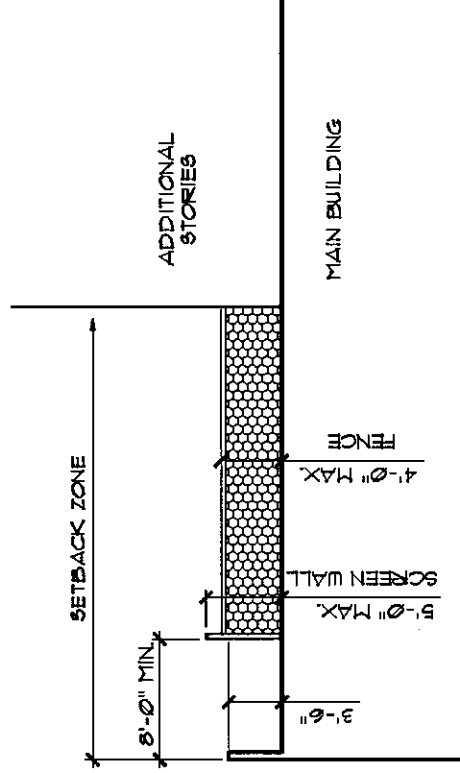
Proposed Additional Stories

May 2008
CCDC Secondary Study

Additional Stories Mechanical Penthouse Requirements

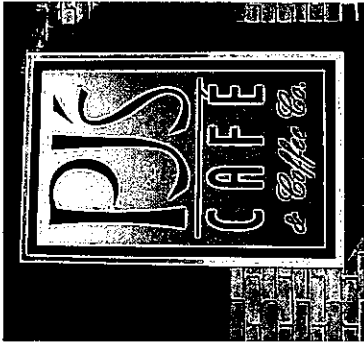
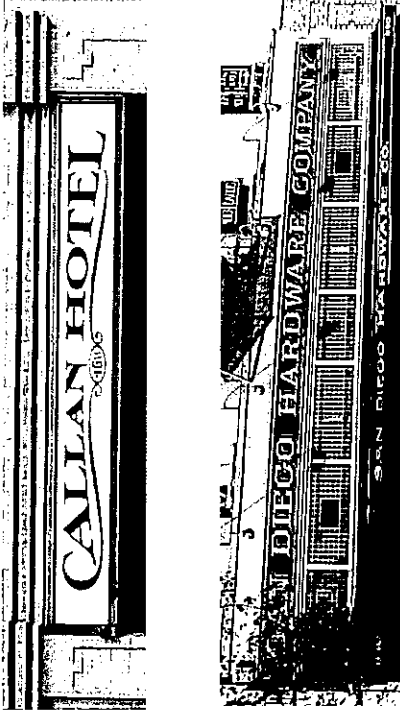


Additional Stories Fence/Screenwall Requirements

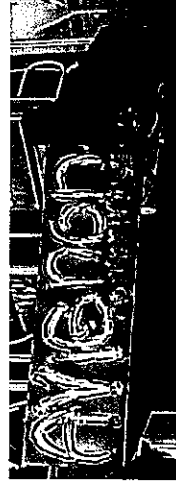
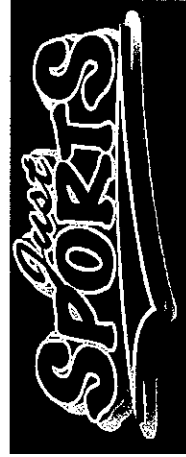
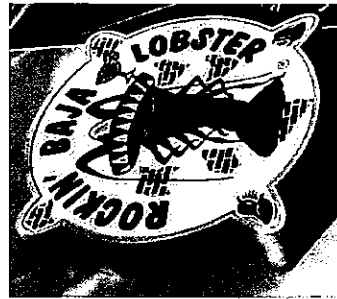


Source: Heritage Architecture and Planning, 2005

Figure 5
Additional Stories Mechanical
Penthouse and Fence/Screening Requirements



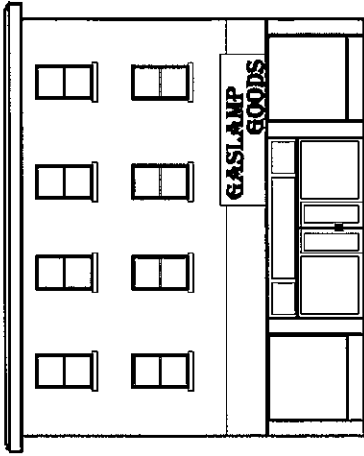
Examples of Conforming Signs in The Gaslamp Quarter



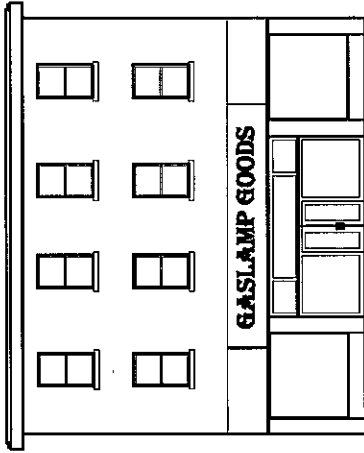
Examples of Non-Conforming Signs in The Gaslamp Quarter

Source: Heritage Architecture and Planning, 2005

Figure 6
Examples of Conforming and
Non-Conforming Signs in the Gaslamp Quarter

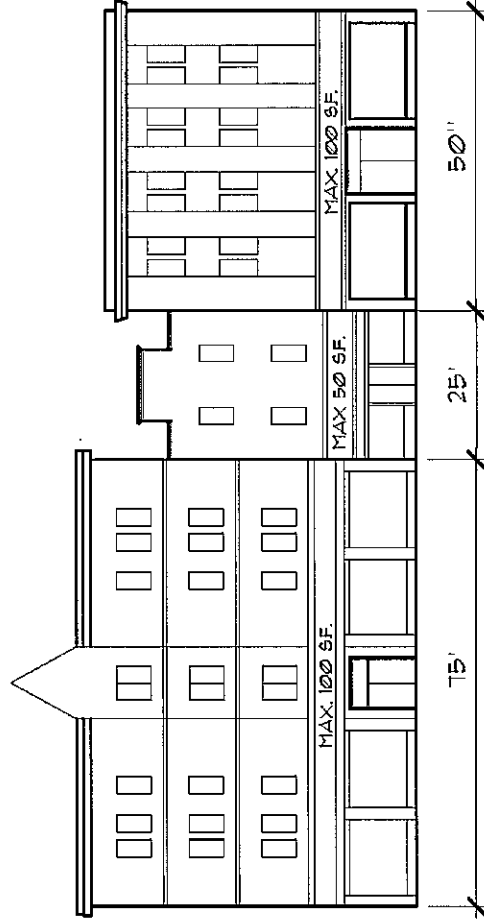


PERMITTED: SIGNAGE IS CENTERED, LOCATED BELOW THE HORIZONTAL BAND SEPARATING THE UPPER FLOORS FROM THE STOREFRONT, AND LOCATED WITHIN THE EXISTING FRIEZE.



NOT PERMITTED: SIGNAGE IS OFF-CENTER, EXTENDS ABOVE THE HORIZONTAL BAND SEPARATING THE UPPER FLOORS FROM THE STOREFRONT, AND COVERS PART OF THE EXISTING FRIEZE.

Sign Placement Requirements



Sign Area Requirements

Source: Heritage Architecture and Planning, 2005

Figure 7

Sign Placement and Area Requirements

May 2008
CCDC Secondary Study

6. **CEQA COMPLIANCE:** The Centre City Redevelopment Project and related activities have been addressed by the following environmental document, which was prepared prior to this Secondary Study and is hereby incorporated by reference:

Final Environmental Impact Report (FEIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Redevelopment Plan for the Centre City Project (State Clearinghouse Number 2003041001, certified by the Redevelopment Agency (Resolution No. R-04001) and the City Council (Resolution No. R-301265) on March 14, 2006.

Addendum to the FEIR for the 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, Amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and the Redevelopment Plan for the Centre City Redevelopment Project certified by the Redevelopment Agency by Resolution R-04193 and by the City Council by R-302932 on July 31, 2007.

The FEIR is a "Program EIR" as described in Section 15168 of the California Environmental Quality Act (CEQA) Guidelines. The aforementioned environmental documents are the most recent and comprehensive environmental document pertaining to the proposed project. Although the project amends the Gaslamp Quarter Planned District Ordinance, land uses for the area regulated by the GQPDO are established under the San Diego Downtown Community Plan and/or Redevelopment Plan for the Centre City Redevelopment Project, and therefore the FEIR and Addendum to the FEIR accounted for environmental effects of development in Gaslamp Quarter. These environmental documents are available for review at the office of the Centre City Development Corporation, 225 Broadway, Suite 1100, San Diego, CA 92101.

This Secondary Study has been prepared in compliance with the San Diego Redevelopment Agency's amended "Procedures for Implementation of CEQA and the State CEQA Guidelines" (adopted July 17, 1990). Under these Agency Guidelines, environmental review for subsequent specific development projects is accomplished using the Secondary Study process defined in the Agency Guidelines, as allowed by Sections 15168 and 15180 of the State CEQA Guidelines. The Secondary Study includes the same evaluation criteria as the Initial Study defined in Section 15063 of the State CEQA Guidelines. Under this process, the Secondary Study is prepared for each subsequent specific development project to determine whether the potential impacts were anticipated in the FEIR. No additional documentation is required for subsequent specific development projects if the Secondary Study determines that the potential impacts have been adequately addressed in the FEIR and subsequent specific development projects implement appropriate mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP) that accompanies the FEIR.

If the Secondary Study identifies new impacts or a substantial change in circumstances, additional environmental documentation is required. The form of this documentation depends upon the nature of the impacts of the subsequent specific development project being proposed. Should a proposed project result in (a) new or substantially more severe significant impacts that are not adequately addressed in the FEIR, or (b) there is a substantial change in circumstances that would require major revisions to the FEIR, or (c) any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the project on the environment, a Subsequent or Supplement to the EIR would be prepared in accordance with Sections 15162 or 15163 of the State CEQA Guidelines (CEQA Statutes Section 21166). If the lead agency under CEQA finds, pursuant to Sections 15162 and 15163, no new significant impacts will occur or no new mitigation will be required, the lead agency can approve the subsequent specific development project as being within the scope of the project covered by the FEIR, and no new environmental document is required.

7. **PROJECT-SPECIFIC ENVIRONMENTAL ANALYSIS:** See attached Environmental Checklist and Section 10 *Evaluation of Environmental Impacts*.

8. MITIGATION, MONITORING, AND REPORTING PROGRAM: Any future projects that are subject to the new standards and regulations will be subject to future environmental review and mitigation, as appropriate, pursuant to CEQA at the time a specific project is proposed. Mitigation may include, but is not necessarily limited to, the mitigation measures included in the Mitigation, Monitoring, and Reporting Program (MMRP) found in Volume 1B of the FEIR.

Some of the mitigation measures found in Volume 1B of the FEIR are planwide and implemented on an ongoing basis regardless of whether the proposed project is enacted. Other measures are to be specifically implemented by development projects as they come forward. No specific development project relying on the proposed revisions is currently known. Because of this, no project-specific mitigation monitoring table is currently identified for the proposed regulatory revisions.

9. DETERMINATION: In accordance with Sections 15168 and 15180 of the CEQA Guidelines, the potential impacts associated with future development within the Centre City Redevelopment Project are addressed in the FEIR prepared for the San Diego Downtown Community Plan, Centre City PDO and 10th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, which was certified on March 14, 2006, and the Addendum to the FEIR certified by the Redevelopment Agency by Resolution R-04193 and by the City Council by R-302932 on July 31, 2007.

These previous documents address the potential effects of future development within the Centre City Redevelopment Project based on buildout forecasts projected from the land use designations, density bonus, and other policies and regulations governing development intensity and density. Based on this analysis, the FEIR concluded that development would result in significant impacts related to the following issues (mitigation and type of impact shown in parentheses):

Significant but Mitigated Impacts

- Air Quality: Construction Emissions (AQ-B.1) (Direct (D))
- Land Use: Ballpark Noise (LU-B.1) (D)
- Land Use: Ballpark Lighting (LU-B.5) (D)
- Noise: Interior from Traffic Noise (NOI-B.1) (D)
- Noise: Interior from Ballpark Noise (NOI-B.2) (D)
- Paleontology: Impacts to Significant Paleontological Resources (PAL-A.1) (D)

Significant and Not Mitigated Impacts

- Aesthetics/Visual Quality: Views of Bay and Bay Bridge (MS-B.1) (D)
- Air Quality: Construction Emissions (AQ-B.1) (Cumulative (C))
- Air Quality: Mobile-source Emissions (C)
- Historical Resources: Historical (D/C)
- Historical Resources: Archaeological (D/C)
- Land Use: Traffic Noise (LU-8.2) (D)
- Land Use: Aircraft Noise (LU-B.3) (D)
- Land Use: Railroad Noise (LU-B.4) (D)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (D/C)
- Noise: Traffic Noise Level Increase on Grid Streets (NOI-A.1) (D/C)
- Noise: Exterior Traffic Noise in Residential Development (NOI-C.1) (D)
- Noise: Exterior Aircraft Noise in Residential Development (NOI-C.2) (D)
- Noise: Exterior Traffic Noise in Public Parks and Plazas (NOI-D.1) (D)
- Noise: Exterior Aircraft Noise in Public Parks and Plazas (NOI-D.2) (D)
- Parking: Excessive Parking Demand (TRF-D.1) (D/C)
- Traffic: Impact on Grid Streets (TRF-A.1.1) (D)
- Traffic: Impact on Surrounding Streets (TRF-A.1.2) (D/C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2.1) (D/C)
- Traffic: Impact from Removal of Cedar Street Ramp (TRF-A.2.2) (D)
- Water Quality: Urban Runoff (WQ-A.1) (C)

ENVIRONMENTAL CHECKLIST

10. EVALUATION OF ENVIRONMENTAL IMPACTS

This environmental checklist evaluates the potential environmental effects of the proposed project consistent with the significance thresholds and analysis methods contained in the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance (PDO), and Redevelopment Plan for the Centre City Project Area. Based on the assumption that the proposed activity is adequately addressed in the FEIR, the following table indicates how the impacts of the proposed activity relate to the conclusions of the FEIR. As a result, the impacts are classified into one of the following categories:

- Significant and Not Mitigated (SNM)
- Significant but Mitigated (SM)
- Not Significant (NS)

The checklist identifies each potential environmental effect and provides information supporting the conclusion drawn as to the degree of impact associated with the proposed project. Consistent with the FEIR analysis, the following issue areas have been identified as Significant and Not Mitigated even with inclusion of the MMRP found in Volume 1B of the FEIR:

- Air Quality: Construction Emissions (AQ-B.1) (Cumulative) (C)
- Air Quality: Mobile-source Emissions (C)
- Historical Resources: Archaeological (C)
- Land Use: Physical Changes Related to Transient Activity (LU-B.6) (C)
- Noise: Traffic Noise Level Increase on Grid Streets (NOI-A.1) (C)
- Parking: Excessive Parking Demand (TRF-D.1) (C)
- Traffic: Impact on Surrounding Streets (TRF-A.1.2) (C)
- Traffic: Impact on Freeway Ramps and Segments (TRF-A.2.1) (C)
- Water Quality: Urban Runoff (WQ-A.1) (C)

The following Overriding Considerations apply directly to the proposed project:

- Implement Downtown's Role as Primary Urban Center
- Relieve Growth Pressure on Outlying Communities
- Organize Balanced Mix of Uses around Neighborhood Centers
- Capitalize on Transit Opportunities

In certifying the FEIR and approving the Downtown Community Plan, Planned District Ordinance and Tenth Amendment to the Redevelopment Plan, the San Diego City Council and Redevelopment Agency adopted a Statement of Overriding Considerations, which determined that the unmitigated impacts were acceptable in light of economic, legal, social, technological, or other factors including the following.

Overriding Considerations

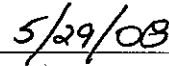
- Implement Downtown's Role as Primary Urban Center
- Relieve Growth Pressure on Outlying Communities
- Organize Balanced Mix of Uses around Neighborhood Centers
- Maximize Employment
- Capitalize on Transit Opportunities

Based on the environmental analysis contained in this Secondary Study, it is concluded that the proposed activity is adequately addressed in the FEIR and that applicable mitigation measures contained in the FEIR are currently being implemented planwide and/or will be required as conditions of approvals needed to implement future projects pursuant to the GQPDO and Design Guidelines. Therefore, a negative declaration, subsequent environmental impact report, supplement to environmental impact report, or an addendum to environmental impact report is not required.

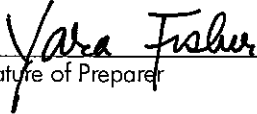
CCDC, the implementing body for the Redevelopment Agency of the City of San Diego, administered the preparation of this Secondary Study.



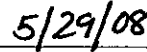
Signature of Lead Agency Representative



Date



Signature of Preparer



Date

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
1. AESTHETICS/VISUAL QUALITY:						
<p>(a) Substantially disturb a scenic resource, vista or view from a public viewing area, including a State scenic highway or view corridor designated by the Downtown Community Plan?</p> <p>According to the FEIR, views of scenic resources such as San Diego Bay, San Diego-Coronado Bay Bridge, Point Loma, Coronado, and the downtown skyline are afforded by public viewing areas within and around the downtown planning area and along view corridor streets within the planning area, although no designated scenic resources actually exist within the downtown planning area. Further, the Downtown Community Plan identifies Broadway as a view corridor street. The Gaslamp District is not visible from any portion of a State scenic highway.</p> <p>The proposed revisions would establish a height limit maximum of 60 feet, with new structures not to be built less than a height of 30 feet. This height maximum may be increased to a maximum of 75 feet at the discretion of the CCDC President after review and comment by the Gaslamp Quarter Association and Historical Resources Board. The height may be further increased on sites north of Island Avenue which feature up to two "additional stories" (26 feet maximum height addition). These would only be permitted on sites 20,000 square feet or greater containing no historical structures, and would bring the total permissible height to 101 feet. The additional stories would be setback at least 50 feet from Fifth Avenue and 15 feet from Fourth and Sixth avenues and east-west streets. This would reduce the visual impacts of the additional stories on the pedestrian experience in the district. Finally, for parcels south of Island Avenue, the building height may continue to be increased to 125 feet in height on parcels 30,000 square feet or more, provided that the maximum FAR does not exceed 6.0, building elements 75 feet or higher above ground are setback 50 feet along Fifth Avenue, and that the project will be evaluated as offering significant benefit to the district.</p> <p>Existing buildings in the Gaslamp Quarter District range from 30 feet to 125 feet in height. Therefore, the height</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>addition would not be out of context with the existing range of building heights in the Gaslamp Quarter.</p> <p>The height regulation exceptions for additional stories would apply only to sites that met the requirements described above. Currently, only three sites within the subject district meet the requirements of square footage and include a parking lot or no contributing historic structure(s) on the site. Each of these sites would have to demolish existing uses and provide required on-site parking to serve any future proposed uses. The limited potential application of this revision to the Design Guidelines, even with full execution, would amount to little change to the overall character of the historic district.</p> <p>The other stipulation of the "Additional Stories" allowance would require the façade of any additional stories to be set back from the outside face of all street-facing building parapets to minimize visibility of the additional volume and maintain the character of the district. The proposed "Additional Stories" section of the Design Guidelines requires setbacks and other design requirements for added stories (as illustrated in Figures 3, 4, and 5) to protect the existing character of the Gaslamp Quarter District. In addition, to ensure conformance with the existing neighborhood character, the additional stories would be required to follow all of the guidelines described in the Gaslamp Quarter Planned District Design Guidelines "Additional Stories" section.</p> <p>Any proposed additional stories will require approval of a Neighborhood Use Permit (Process 2) with review and comment by the Gaslamp Quarter Association and Historical Resources Board. The CCDC President may approve, conditionally approve, or deny new construction projects proposed with additional stories. The decision of the president may be appealed to the CCDC Board.</p> <p>These potential height increases would not occur in an area identified in the FEIR with potential to disturb public views of scenic resources. Therefore, the direct and cumulative impacts of the project revisions to views of scenic resources</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>from public viewing areas would not be significant. Furthermore, the FEIR concludes that buildout of the Downtown Community Plan would not significantly impact the view corridor along Broadway. Since the revisions require additional stories and building elements above 75 feet to be set back 15 to 50 feet from public streets, the impact of the proposed GQPDO and Design Guidelines would not be significant.</p> <p>Since no State scenic highway is visible from the Downtown Community Plan area, impacts to these scenic resources could not occur. The Design Guidelines do not include any revisions that would substantially disturb the existing visual character of the District. Thus, the impact of the project revisions on the visual character of the Gaslamp Quarter would not be significant.</p>						
<p>(b) Substantially incompatible with the bulk, scale, color and/or design of surrounding development? According to the Downtown Community Plan, the Gaslamp Quarter District is surrounded by the following districts: Civic Core to the north; East Village to east; Convention Center to the south; Marina to the south and west; and Columbia to the west.</p> <p>Generally, the proposed revisions to the GQPDO and Design Guidelines are intended to establish stricter guidelines for development and activities in the Gaslamp Quarter. For example, the Signage section has been revised with the intent of preventing signs from becoming more prominent than the historic building (See Figures 6 and 7). Another example is the Automatic Teller Machines (ATMs) section which permits ATMs because they are a desirable convenience, but limits their location and design so they do not detract from the charm of the Gaslamp Quarter. Moreover, the design guidelines include mandatory policies addressing six architectural elements that address the overall structural form and design continuity of the Gaslamp Quarter: scale and proportion; fenestration; and materials, color, texture, and decorative details. The revised Design Guidelines explain and illustrate the types of materials and fenestration that are typical to the district, and advise that new buildings and alterations to existing buildings maintain continuity with</p>				X	X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>these categories.</p> <p>The proposed revisions to the GQPDO also include an allowance for up to two "Additional Stories" (up to 26 feet above the maximum height) to be constructed in sites 20,000 square feet or greater for parcels north of Island Avenue. The "Additional Stories" section includes required setbacks and detailed design criteria to ensure that the additional stories volume would be visibly limited within the Gaslamp Quarter and the surrounding area. Additionally, the important aesthetic character of the Gaslamp Quarter would not be adversely affected by the addition of vertical stories on buildings. The "street wall," referring to the continuous façade of the storefronts and windows that creates the unique physical environment of the Gaslamp District, would not be disturbed by these additions. This regularly occurring differentiation of building facades creates a street-level environment that is typical of contemporaneous commercial districts like the Gaslamp District. This continuous "street wall" not only contributes to an aesthetically appealing area, but also creates a distinct pedestrian experience that is unique in San Diego and in modern urban areas. This pedestrian experience is referred to in the Period of Significance in the Design Guidelines and the two potential additional stories at three known, eligible sites would not introduce a bulk or scale incompatible with surrounding development.</p> <p>Though the revisions to the Design Guidelines do present options that could potentially have adverse effects on the aesthetic value of the historic district, it is determined that the effects are minimal and not significant. In fact, they enhance the existing regulations and minimize the potential for a negative impact associated with aesthetic impacts. Therefore, the direct and cumulative visual impacts of the proposed project on surrounding development would not be significant. Section 5(a) provides a detailed discussion of the project's impacts associated with historical resources and the distinctive architectural character of the Gaslamp District.</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
(c) Substantially affect daytime or nighttime views in the area due to lighting? <i>The City of San Diego's Light Pollution Law (Municipal Code Section 101.1300 et seq.) protects nighttime views (e.g., astronomical activities) and light-sensitive land uses from excessive light generated by development in the downtown area. Since any additional stories volume would be subject to the City's Light Pollution Law, the direct and cumulative impacts to daytime and nighttime views due to lighting would not be significant, consistent with the findings of the FEIR.</i>					X	X
2. AGRICULTURAL RESOURCES						
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? <i>Centre City is an urban downtown environment that does not contain land designated as prime agricultural soils by the Soils Conservation Service, nor does it contain any farmlands designated by the California Department of Conservation. Therefore, no impact to agricultural resources would occur.</i>					X	X
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The downtown planning area does not contain, nor is it near, land zoned for agricultural use or land subject to a Williamson Act Contract pursuant to Section 51201 of the California Government Code. Therefore, impacts resulting from conflicts with existing zoning for agricultural use or a Williamson Act contract would not occur.</i>					X	X
3. AIR QUALITY						
(a) Conflict with or obstruct implementation of an applicable air quality plan, including the County's Regional Air Quality Strategy or the State Implementation Plan? <i>The proposed revisions to the GQPDO and Design Guidelines allow construction of additional stories volume, which would not conflict with, but would help implement the Regional Air Quality Strategy by increasing development intensity in an existing pedestrian-oriented and transit-supportive district. No impact to an applicable air quality plan would occur.</i>					X	X
(b) Expose sensitive receptors to substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic			X	X		

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>fumes and substances, particulate matter, or any other emissions that may endanger human health? <i>The revisions to the proposed GQPDO and Design Guidelines include the construction of additional stories volume as discussed in Section 1(a).</i></p> <p><i>The FEIR indicates that construction activities could result in a potentially significant impact from exposing sensitive receptors to substantial emissions of particulate matter and requires implementation of Mitigation Measure AQ-B.1-1 at the project level to reduce this potentially significant impact to below a level of significance. Since no specific project involving construction activities associated with the construction of additional stories volume is known at this time, this mitigation measure is therefore not a requirement for this project. If and when a specific project proposes to construct additional stories under the GQPDO and Design Guidelines, the project would be subject to CEQA at that time. Environmental documentation prepared pursuant to CEQA would identify the potentially significant impacts of construction activities and, if a potentially significant impact is identified, require the implementation of Mitigation Measure AQ-B.1-1 or similar measure.</i></p> <p><i>The FEIR also finds that the long-term operation of development within the Downtown Community Plan area could involve the exposure of sensitive receptors to substantial air contaminants including reactive organic gases from any residential land uses, toxic air contaminants from any commercial retail land uses, and substantial concentrations of carbon monoxide (commonly referred to as CO "hot spots") due to traffic congestion. However, the FEIR concludes that the long-term operation of future development within the downtown would not expose sensitive receptors to significant levels of any of the substantial air contaminants discussed above. Since the "Additional Stories" section would not involve the emission of substantial levels of ROG's or other air contaminants beyond the level assumed in the FEIR, the impacts of the proposed GQPDO and Design Guidelines are not considered significant, consistent with the analysis of the FEIR.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>Additionally, the proposed revisions would not allow future development in close enough proximity to any industrial activities to be impacted by emissions associated with such activities. Therefore, impacts caused by the exposure of sensitive receptors to substantial air contaminants that may endanger human health over the long term would not be significant. Impacts associated with the generation of substantial air contaminants are discussed below in 3.c.</p>						
<p>(c) Generate substantial air contaminants including, but not limited to, criteria pollutants, smoke, soot, grime, toxic fumes and substances, particulate matter, or any other emissions that may endanger human health? The revisions to the proposed GQPDO and Design Guidelines would allow the construction of additional stories volume as discussed in Section 1(a), which may cause the generation of substantial air contaminants during the short term from construction activities and over the long term operation of development from mobile and stationary sources.</p> <p>The FEIR indicates that construction activities associated with development could involve potentially adverse impacts associated with hazardous building materials, the creation of dust, and the generation of construction equipment emissions. The FEIR concludes that existing City of San Diego regulations requiring a preconstruction hazards assessment and strict remediation measures if materials are present would ensure that air quality impacts associated with the release of hazardous building materials during construction activities are not significant. Since the proposed GQPDO and Design Guidelines do not include revisions that would in any way violate or impede implementation of the required preconstruction hazards assessment and strict remediation measures, impacts would not be significant, consistent with the analysis of the FEIR.</p> <p>Moreover, the FEIR concludes that construction activities associated with future development would cause the creation of dust and the generation of construction equipment emissions that, when considered together, result in a potentially significant impact; the FEIR requires implementation of Mitigation Measure AQ-B.1-1 at the</p>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>project level to reduce this potentially significant impact to below a level of significance. Since no specific project involving the construction of additional stories volume is known at this time, this mitigation measure is therefore not a requirement for this project. If and when a specific project proposes to construct additional stories under the GQPDO and Design Guidelines, the project would be subject to CEQA at that time. Environmental documentation prepared pursuant to CEQA would identify the potentially significant impacts of construction activities and, if a potentially significant impact is identified, require the implementation of Mitigation Measure AQ-B.1-1 or similar measure.</p> <p>The FEIR concludes that the mobile-source emissions (primarily air emissions from automobile trips) over the long-term operation of development in the downtown would not be significant. Since the construction of a maximum two additional stories volume on a limited number of sites would not result in a substantial increase in automobile trips in the downtown, the impact of the mobile-source emissions generated by the proposed revisions would not be significant, consistent with the analysis of the FEIR. However, the limited number of additional automobile trips generated by construction of additional stories volume, as well as dust potentially emitted during construction activities, would contribute to the significant and unmitigated cumulative impacts to the air quality of the San Diego Air Basin as identified in the FEIR.</p> <p>Lastly, the proposed revisions do not allow any land uses that would significantly increase stationary-source emissions in the downtown planning area beyond the levels identified in the FEIR; therefore, impacts from stationary sources would not be significant.</p>						
4. BIOLOGICAL RESOURCES						
(a) Substantially effect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies? Due to the highly urbanized nature of the downtown area, there are no sensitive plant or animal species, habitats, or wildlife						
					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
migration corridors within the area. In addition, the ornamental trees and landscaping located in the downtown area are considered of insignificant value to native wildlife in their proposed location. Therefore, no impact to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by local, state or federal agencies is anticipated to occur as a result of the proposed GQPDO and Design Guidelines.						
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state or federal agencies? According to the FEIR, the Downtown Community Plan area is not within a subregion of the San Diego County Multiple Species Conservation Program), and does not contain any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by local, state, or federal agencies. Therefore, impacts to riparian habitat or other sensitive natural communities would not occur as a result of the revised GQPDO and Design Guidelines.						
5. HISTORICAL RESOURCES						
(a) Substantially impact a significant historical resource, as defined in § 15064.5? The Gaslamp Quarter was placed in the National Register of Historic Places in 1980 and features the highest concentration of historically significant commercial buildings in San Diego. The proposed GQPDO and Design Guidelines have been revised to reflect contemporary issues in the Gaslamp Quarter. The intent of the proposed revisions is to regulate development in the district and ensure that the distinctive architectural character of this National Register Historic District is retained and enhanced.						
The Design Guidelines include two sections that regulate the character of development in the Gaslamp Quarter District. First, the General Design Regulations for New Construction ensure that all development activities (i.e., additions to contributing buildings, any work on non-contributing buildings, and any new construction)						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>incorporate architectural elements that maintain the overall character, form, and design continuity of the Gaslamp Quarter District. Second,) the General Guidelines for Rehabilitation of Designated Historic Structures maintains and enhances the historic character of the Gaslamp Quarter District by ensuring that modifications to contributing historic structures are performed in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the National Park Service's Preservation Briefs 14 – New Exterior Additions to Historic Buildings: Preservation Concerns.</i></p> <p><i>In addition to regulating new construction and guidelines for historically significant buildings, the GQPDO and Design Guidelines regulate design features that affect both types of buildings. The intent of these variables is to preserve and enhance the historic character of the Gaslamp Quarter. The features include building height, signage,; automatic teller machines (ATMs, sidewalk cafes, cellular phone antennas and satellite dishes, painting and repainting, building modulation, permitted uses, and maximum ground floor area per use.</i></p> <p><i>In the revised Design Guidelines, both the regulations applying to new construction and alterations to contributing buildings have been altered and expanded. In the revised guidelines, the emphasis on preservation of existing historic resources is strengthened. First, the Secretary of the Interior's Standards for the Treatment of Historic Properties has been moved from an appendix into the main body of the report. This emphasizes the importance of the regulations in the alterations of any historic building, and it also presents the criteria to all readers, so that it familiarizes a broader audience with their substantive intent. The scope of historic significance is also expanded in the revised guidelines. The revision widens the period of historic significance to 1873 to 1930, which would make four additional buildings contribute to the district. This would make them now eligible for the federal Historic Preservation Tax Credit. Eligibility for this credit often provides a significant financial incentive for the reuse of historic buildings, thus resulting in their preservation.</i></p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>The portion of the Guidelines referring to noncontributing building –I General Design Regulations for New Construction – would also be changed in the revisions. The revisions would allow for the construction of additional stories on newly constructed buildings north of Island Avenue on parcels greater than 20,000 square feet and containing no historical resources, with required building setbacks above 75 feet, up to 26 feet higher than the current 75-foot height maximum. Currently, three sites within the Gaslamp Quarter District meet the requirements for construction of additional stories. Building heights above 75 feet could have a potentially significant impact on the unique historical character of the Gaslamp Quarter, but because of the specialized guidelines regulating setback of these additional stories, any potentially adverse effects on historic resources and the unifying historic character of the district will be avoided.</p> <p>The “Additional Stories” section of the revised Gaslamp Quarter Planned District Design Guidelines includes additional detailed design criteria concerning height, massing, and setbacks (Figures 3, 4, and 5) to ensure that views of the additions would be limited from the street level while in the Gaslamp Quarter. Due to this adherence to the overall visual character of the district and the stipulation that the additional stories cannot be seen from the street level, the character-defining aspects of the Gaslamp Quarter would not be disturbed by the addition of these new stories. Additionally, any new construction occurring within the boundaries of this National Register Historic District, regardless of height, would be subject to the sections of the Design Guidelines regulating bulk and scale, fenestration, materials, color, texture, and decorative details. These guidelines would ensure that the additional stories are of a more simple composition than the main building space yet similar enough to create a cohesive composition. The additional stories volume would feature a simple composition so that the main building retains aesthetic dominance.</p> <p>Further, any proposed additional stories will require review and comment by the Gaslamp Quarter Association and the</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p><i>Historical Resources Board. The CCDC President may approve, conditionally approve, or deny new construction projects proposed with additional stories. The decision of the president may be appealed to the CCDC Board.</i></p> <p><i>Implementation of the policies and regulations of the GQPDO and Design Guidelines, which are in compliance with the aforementioned Secretary of the Interior's Standards and Guidelines, will ensure that implementation of the proposed revisions would not have a significant impact on the National Register-listed historical resources of the Gaslamp Quarter District, consistent with the analysis of the FEIR.</i></p>						
<p>(b) Substantially impact a significant archaeological resource pursuant to §15064.5, including the disturbance of human remains interred outside of formal cemeteries? <i>The likelihood of encountering archaeological resources is greatest for projects that include grading and/or excavation of areas on which past grading and/or excavation activities have been minimal (e.g., surface parking lots). Since archaeological resources have been found within inches of the ground surface in the downtown planning area, even minimal grading activities can impact these resources. In addition, the likelihood of encountering subsurface human remains during construction and excavation activities, although considered low, is possible. While the revised GQPDO and Design Guidelines would promote new construction, exact projects are not known at this time; therefore the proposed action would not have a direct impact on archaeological resources, and any specific project developed under the revised regulations would itself be subject to separate evaluation for environmental effects to archeological resources under CEQA.</i></p> <p><i>However, the FEIR has identified a potential for significant impacts to archaeological resources for construction in the Downtown Planning Area, and included mitigation measures which would minimize, but not fully mitigate, these impacts. Thus, the excavation, demolition, and surface clearance activities associated with new construction from implementation of the project could contribute to the potentially adverse impacts to archaeological resources, including buried human remains,</i></p>						
		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>identified in the FEIR. Since the potential for archaeological resources and human remains on the any proposed project site cannot be confirmed until grading is conducted, the exact nature and extent of impacts associated with a future project cannot be predicted. Consequently, the required mitigation may or may not be sufficient to reduce these cumulative-level impacts to below a level of significance. Therefore, impacts associated with this issue remain potentially significant and not fully mitigated, and consistent with the analysis of the FEIR.</p>						
<p>(c) Substantially impact a unique paleontological resource or site or unique geologic feature? The Gaslamp Quarter District is underlain by the San Diego Formation which has high paleontological resource potentials. The proposed GQPDO and Design Guidelines do not include changes with a potential to directly adversely affect paleontological resources; any excavation for future construction projects which involve excavation will be required to perform a separate project-specific environmental analysis to analyze potential effects to paleontological resources. However, the proposed project would permit new construction in the district which would be consistent with development considered in the FEIR.</p> <p>The FEIR concludes that development would have potentially adverse impacts to paleontological resources if grading and/or excavation activities are conducted beyond a depth of 1-3 ft. The project could potentially contribute to a cumulatively considerable impact to the development analyzed under the FEIR. However, the FEIR contains a mitigation measure which would ensure that any project impacts to paleontological resources are not significant. The project's proposal for two levels of subterranean parking would involve excavation beyond the FEIR standard, resulting in potentially significant impacts to paleontological resources. However, implementation of FEIR Mitigation Measure PAL-A.1-1 (see Attachment A) would ensure that the proposed project's potentially direct and cumulative impacts to paleontological resources are not significant.</p>				X	X	

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
6. GEOLOGY AND SOILS						
<p>(a) Cause a substantial health and safety risk associated with seismic or geologic hazards? <i>The Gaslamp Quarter District is located in a seismically active region. Although no fault or fault zone has been identified within the district, the Rose Canyon fault zone traverses the downtown planning area. The San Diego Fault, a known active fault with a designated Alquist-Priolo Earthquake Fault Zone, is located approximately 400-900 feet east of the Gaslamp Quarter District. According to the FEIR, a seismic event on this fault or other nearby faults could cause significant seismic groundshaking within the downtown area, including the Gaslamp Quarter District. Therefore, the proposed GQPDO and Design Guidelines allow the construction of additional stories volume (see Section 1(a) for more detailed discussion) in an area with potential for substantial health and safety risks associated with a seismic hazard. Although the potential for geologic hazards (landslides, liquefaction, slope failure, and seismically induced settlement) is considered low due to the moderate to nonexpansive geologic structure that underlies the district, such hazards could nevertheless occur. The FEIR indicates that conformance with, and implementation of all seismic-safety development requirements, including City requirements for the Downtown Special Fault Zone, the seismic design requirements of the Uniform Building Code, the City of San Diego Notification of Geologic Hazard procedures, and all other applicable requirements would ensure that the potential impacts associated with seismic and geologic hazards in the Downtown Community Plan area are not significant. Since the proposed revisions would not impede conformance with, or implementation of, the above-mentioned seismic safety development requirements, the impacts of the proposed revisions are not significant.</i></p>					X	X
7. HAZARDS AND HAZARDOUS MATERIALS						
<p>(a) Cause a substantial health and safety risk related to onsite hazardous materials? <i>The proposed revisions would not implement any changes that involve the routine transport, use, or disposal of hazardous materials. Therefore, no impact associated with this issue is expected to occur.</i></p>					X	X

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
(b) Be located on or within 2,000 feet of a site that is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i>According to the FEIR, the Gaslamp Quarter District does not contain a site on the State of California Hazardous Waste and Substances Sites List, and is not located within 2,000 feet of such a site. However, there are several sites on the County of San Diego's Site Assessment Mitigation Case Listing that are either located in the Gaslamp Quarter District or within 2,000 feet of the district. The FEIR concludes, however, that compliance with existing mandatory federal, state, and local regulations would ensure that significant hazards to public and the environment do not occur. Since the proposed GQPDO and Design Guidelines do not include revisions that would in any way violate or impede adherence to the existing mandatory regulations, impacts related to the creation of significant hazards to the public or the environment would not be significant, consistent with the analysis of the FEIR.</i>					X	X
(c) Cause a substantial safety risk to operations at San Diego International Airport? <i>The Gaslamp Quarter District is not located within the boundaries of the Airport Influence Area of the Airport Land Use Compatibility Plan for San Diego International Airport. Therefore, implementation of the proposed GQPDO and Design Guidelines is not anticipated to cause substantial safety risks to operations at San Diego International Airport; furthermore, the proposed amendments include limiting heights to 125 feet above ground within the Gaslamp Quarter District, which is well below the 500-foot limit imposed by the FAA on the district area. Therefore, impacts associated with this issue are not anticipated to occur.</i>					X	X
(d) Substantially impair implementation of an adopted emergency response plan or emergency evacuation plan? <i>The proposed GQPDO and Design Guidelines do not propose any features that would affect an emergency response or evacuation plan. Therefore, implementation of the proposed GQPDO and Design Guidelines is not anticipated to result in substantial impairment of an adopted emergency plan or an</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)							
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)						
Issues and Supporting Information												
emergency evacuation plan; impacts are not significant.												
8. HYDROLOGY AND WATER QUALITY												
<p>(a) Substantially degrade groundwater or surface water quality? According to the FEIR, adherence to existing state and local water quality controls would ensure that the urban runoff generated by new development within the Downtown Community Plan area would not degrade groundwater or surface water quality; best management practices (BMPs) required as part of the local Storm Water Pollution Prevention Plan (SWPPP) would reduce short-term water quality impacts during construction activities, whereas BMPs required by the local Standard Urban Stormwater Mitigation Program and Stormwater Standards would reduce the long-term impacts of development allowed by the revised documents. Furthermore, Waste Discharge Permits required for groundwater discharge during construction would ensure that impacts to groundwater quality are not significant. Since the proposed GQPDO and Design Guidelines do not include revisions that would in any way violate or impede adherence to the above-mentioned water quality controls, direct impacts to groundwater and surface water quality would not be significant.</p> <p>Despite not resulting in direct impacts to water quality, the FEIR found that the urban runoff generated by the cumulative development in the downtown area would contribute to the existing significant cumulative impact to the water quality of San Diego Bay. The revisions to the GQPDO and Design Guidelines allowing construction of additional stories volume and promoting redevelopment and new development in general would contribute to this existing significant cumulative impact. No mitigation other than adherence to existing regulations has been identified in the FEIR to feasibly reduce this cumulative impact to below a level of significance. Consistent with the FEIR, the contribution of the proposed GQPDO and Design Guidelines to this existing cumulative water quality impact will remain significant and unmitigated.</p>								X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
(b) Substantially increase impervious surfaces and associated runoff flow rates or volumes? <i>The FEIR concludes that development under the Downtown Community would not substantially increase impervious surfaces and associated runoff flow rates or volumes. Since the proposed GQPDO and Design Guidelines do not include revisions that would substantially increase impervious surfaces beyond the level assumed by the FEIR, impacts associated with increased runoff flow water or volumes would not be significant, consistent with the analysis of the FEIR. Impacts associated with the quality of urban runoff are analyzed in Section 8(a).</i>					X	X
(c) Substantially impede or redirect flows within a 100-year flood hazard area? <i>The area affected by the proposed revisions is not located within a 100-year floodplain. Similarly, the proposed GQPDO and Design Guidelines would not affect offsite flood hazard areas, as no 100-year floodplains are located downstream. Therefore, impacts associated with these issues are not significant.</i>					X	X
(d) Substantially increase erosion and sedimentation? <i>The hydrology of the Gaslamp Quarter District would not be substantially altered over the long term by implementation of the proposed GQPDO and Design Guidelines as the district would maintain a similar quantity of impervious surfaces as currently exists. However, the FEIR indicates that the potential for erosion and sedimentation could increase during any short-term site preparation, excavation, and other construction activities and it concludes that the mandatory preparation and implementation of a SWPPP would ensure that short-term impacts associated with erosion and sedimentation are not significant. Since the proposed GQPDO and Design Guidelines do not include revisions that would in any way impede preparation and implementation of a SWPPP, impacts associated with erosion and sedimentation are not significant.</i>					X	X
9. LAND USE AND PLANNING						
(a) Physically divide an established community? <i>The GQPDO and Design Guidelines have been revised to reflect contemporary issues in the Gaslamp Quarter. The</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
intent of the proposed revisions is to regulate development in the district. The revisions have been created to ensure that the distinctive character of this Notional Register Historic District is retained and enhanced. Implementation of the proposed revisions would not result in any land uses, facilities, or infrastructure that would disrupt or divide the community. Therefore, no significant impact associated with this issue would occur.						
(b) Substantially conflict with the City's General Plan and Progress Guide, Downtown Community Plan or other applicable land use plan, policy, or regulation? The Downtown Community Plan does not designate specific land uses or Floor Area Ratio (FAR) requirements within the Gaslamp Quarter District but requires the maintenance of existing fine grain development (i.e., the diversity of architectural styles and forms within a block, and encouragement of small-lot development) and ground floor retail uses within the entire Gaslamp Quarter District. The GQPDO and Design Guidelines implement these requirements through design regulations that maintain and enhance the existing architectural character and small lot development of the district and by limiting permitted ground floor uses to restaurants and the retailing of consumer goods and services. Further, the Gaslamp Quarter District is not located within the boundaries of the Airport Influence Area of the Airport Land Use Compatibility Plan for San Diego International Airport. The proposed project complies with all other goals and requirements of the Downtown Community Plan. Therefore, no significant direct or cumulative impacts associated with an adopted land use plan would occur.					X	X
(c) Result in substantial incompatibility with surrounding land uses? According to the FEIR, sources of land use incompatibility include lighting, shading, industrial activities, and noise. The proposed GQPDO and Design Guidelines would not result in adverse impacts due to substantially incompatible land uses. Compliance with the City's Light Pollution Ordinance would ensure that land use incompatibility impacts related to the emitting of, and exposure to, lighting caused by construction of additional stories volume are not significant. In addition, the FEIR concludes that existing regulations would ensure that any potential impacts caused by					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>industrial activities would not be significant. Similarly, there are no major planned neighborhood parks within or adjacent to the Gaslamp Quarter District that could be significantly impacted by shading from the construction of additional stories volume and building height increases. Potential impacts caused by incompatibility with traffic noise on adjacent grid streets are discussed in Sections 11.b and 11.c. No other impacts related to land use incompatibility would occur.</p>						
<p>(d) Substantially impact surrounding communities due to sanitation and litter problems generated by transients displaced by downtown development? The proposed revisions are not expected to result in the displacement of substantial numbers of transients. Therefore, the proposed revisions would not cause substantial direct impacts to surrounding communities due to sanitation and litter problems generated by displaced transients. However, the proposed revisions, through the promotion of increased street activity and redevelopment, would, in tandem with other downtown redevelopment activities, contribute to the significant cumulative impact on surrounding communities resulting from sanitation problems and litter generated by transients who are displaced from downtown into surrounding canyons and vacant land, as discussed in the FEIR. Continued support of Homeless Outreach Teams (HOTs) and similar transient outreach efforts will reduce, but not fully mitigate, the adverse impacts to surrounding neighborhoods caused by transient relocation. Therefore, the proposed GQPDO and Design Guidelines would contribute to the cumulatively significant and not fully mitigated impact to surrounding neighborhoods.</p>						
10. MINERAL RESOURCES						
<p>(a) Substantially reduce the availability of important mineral resources? The FEIR concludes that the viable extraction of mineral resources is limited in the Downtown Community Plan area due to its urbanized nature and the fact that the area is not designated as having high mineral resource potential. Therefore, no impact associated with this issue would occur.</p>						

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
11. NOISE						
<p>(a) Cause substantial noise generation? The FEIR indicates that development within the downtown could generate both temporary noise impacts caused by construction activities and long-term noise impacts caused by entertainment and industrial sources. However, the FEIR concludes that adherence to existing sections of the City of San Diego Municipal Code at the individual project level would ensure that noise impacts caused by construction activities and entertainment and industrial sources are not significant. Since the proposed revisions do not include any regulations or measures that would in any way violate or obstruct implementation of the applicable sections of the City of San Diego Municipal Code, the impacts of the GQPDO and Design Guidelines would not be significant, consistent with the analysis of the FEIR.</p> <p>Further, the FEIR concludes that buildout of the downtown will result in substantial traffic noise increases on several street segments. Although the additional trips associated with construction of additional stories volume would be minimal and would not directly generate substantial noise increases, these trips, in combination with other development in the downtown, would contribute to the cumulatively significant traffic noise increases on several street segments. This impact is consistent with the analysis of the FEIR and is considered cumulatively significant and not mitigated.</p>		X			X	
<p>(b) Cause substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels (e.g., exposure to levels exceeding 65 dB (A) CNEL)? The proposed revisions do not include regulations or policies that require outdoor residential open spaces or public parks and plazas. Therefore, substantial exposure of required outdoor residential open spaces or public parks and plazas to noise levels exceeding 65 dB (A) could not occur.</p>					X	X
<p>(c) Substantial interior noise within habitable rooms (e.g., levels in excess of 45 dB (A) CNEL)? The FEIR states that traffic noise levels in excess of 65 dB (A) could result in substantial interior noise within habitable rooms. The FEIR indicates that several street segments within the Gaslamp Quarter District are forecast to exceed</p>			X	X		

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>7,000 average daily trips (ADT), which means that noise levels on these streets would exceed 65 dB (A) CNEL and could expose habitable rooms facing these streets to levels in excess of 45 dB (A) CNEL (the interior standard required by California Code of Regulations, Title 24). The FEIR identifies this as a potentially significant impact and requires mitigation at the project level to reduce this impact below a level of significance. Similarly, the proposed revisions could also subject future development to significant noise impacts. Since there would be no projects that are proposing habitable rooms pursuant to the proposed revisions at this time, this mitigation measure is therefore not currently a requirement of the proposed project. If and when future development is proposed under the GQPDO and Design Guidelines, it would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify the potentially significant impacts associated with substantial interior noise levels within habitable rooms. If a significant impact is identified, appropriate mitigation would be required at that time. Consistent with the analysis in the FEIR, this is a potentially significant but mitigable direct and cumulative impact associated with new development in the downtown.</p>						
12. POPULATION AND HOUSING						
<p>(a) Substantially induce population growth in an area? The FEIR concludes that buildout of the Downtown Community Plan under the existing GQPDO would not induce substantial population growth that results in adverse physical changes. Although the "Additional Stories" section of the proposed GQPDO allows for increased development within the Gaslamp Quarter District than assumed in the FEIR, the proposed revisions are anticipated to allow the construction of only two additional stories on a limited number of sites in the downtown area. As demonstrated throughout the analysis of this Secondary Study, the additional stories allowed by the proposed revisions would not induce substantial population growth that results in adverse physical changes beyond the level assumed by the FEIR. Therefore, impacts associated with this issue would not be significant.</p>						
<p>(b) Substantial displacement of existing housing units or people? The proposed GQPDO does not include policies or regulations that could result in the substantial displacement of existing housing units or</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>people. Moreover, the "Additional Stories" section allows for the construction of a maximum two additional stories on a limited number of sites, which could add additional housing units to the downtown housing stock in the form of occupiable penthouses. Therefore, displacement of housing units and/or persons would not occur as a result of the proposed revisions, and the construction of replacement housing would not be required. Impacts associated with this issue would not occur.</p>						
13. PUBLIC SERVICES AND UTILITIES:						
<p>(a) Cause substantial adverse physical impacts associated with the provision of new schools? The FEIR concludes that the additional student population anticipated at buildout of the downtown would require the construction of at least one additional school. In and of itself, the project allowing the construction of a maximum two additional stories volume on a limited number of sites would not generate a sufficient number of students to warrant construction of a new school facility. However, the construction of additional stories volume would contribute, in combination with other development in the downtown, to the cumulative need for at least one additional school in the downtown, consistent with the analysis of the FEIR. Nevertheless, as indicated in the FEIR, the specific future location of a new school is currently unknown. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area that may occur from future construction of schools would be speculative and no further analysis of their impacts is required. However, construction of new schools would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p>						
<p>(b) Cause substantial adverse physical impacts associated with the provision of new libraries? The FEIR concludes that, cumulatively, development in the downtown would generate the need for a new Main Library and possibly several smaller libraries within the downtown. In and of itself, the project allowing the construction of a maximum two additional stories on a limited number of sites would not generate additional demand necessitating the construction of new library facilities. However, the</p>						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>construction of additional stories volume would contribute to the cumulative need for new library facilities in the downtown identified in the FEIR. Nevertheless, the specific future location of these facilities (except the Main Library, which is located across Park Boulevard from the proposed Project site) is currently unknown. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area that may occur from future construction of these public facilities would be speculative and no further analysis of their impacts is required (The environmental impacts of the Main Library were analyzed in a Secondary Study prepared by CCDC in 2001). Construction of any additional library facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p>						
<p>(c) Cause substantial adverse physical impacts associated with the provision of new fire protection/emergency facilities? The FEIR does not conclude that the cumulative development of the downtown would generate additional demand necessitating the construction of new fire protection/emergency facilities. Further, the project allowing the construction of a maximum two additional stories on a limited number of sites would not generate a level of demand for fire protection/emergency facilities beyond the level assumed by the FEIR. However, the FEIR reports that the San Diego Fire Department is in the process of securing sites for two new fire stations in the downtown area. A site for one new fire station has been identified, and the environmental effects were analyzed in a separate 2006 Secondary Study. However, the specific location of the second fire station is not known. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area that may occur from future construction of this fire station facility would be speculative and no further analysis of the impact is required. However, construction of the second new fire protection facility would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</p>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
<i>Issues and Supporting Information</i>						
(d) Cause substantial adverse physical impacts associated with the provision of new law enforcement facilities? <i>The FEIR analyzes impacts to law enforcement service resulting from the cumulative development of the downtown and concludes that the construction of new law enforcement facilities would not be required. Further, the project allowing the construction of a maximum two additional stories on a limited number of sites would not generate a level of demand for law enforcement facilities beyond the level assumed by the FEIR. However, the need for a new facility could be identified in the future. Pursuant to Section 15145 of CEQA, analysis of the physical changes in the downtown planning area that may occur from future construction of law enforcement facilities would be speculative and no further analysis of their impacts is required. However, construction of new law enforcement facilities would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures.</i>					X	X
(e) Cause substantial adverse physical impacts associated with the provision of new water transmission or treatment facilities? <i>The FEIR concludes that new water treatment facilities would not be required to address the cumulative development of the downtown. In addition, water pipe improvements that may be needed to serve the construction of additional stories volume are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.</i>					X	X
(f) Cause substantial adverse physical impacts associated with the provision of new storm water facilities? <i>The FEIR concludes that the cumulative development of the downtown would not impact the existing downtown storm drain system. Since implementation of the proposed revisions would not substantially increase the amount of impervious surfaces, the amount of runoff volume entering the storm drain system would not increase. Therefore, the proposed revisions would not create demand for new storm water facilities. Direct and cumulative impacts associated with this issue are considered not significant.</i>					X	X

Issues and Supporting Information	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
(g) Cause substantial adverse physical impacts associated with the provision of new wastewater transmission or treatment facilities? <i>The FEIR concludes that new wastewater treatment facilities would not be required to address the cumulative development of the downtown. In addition, sewer improvements that may be needed to serve the construction of additional stories volume are categorically exempt from environmental review under CEQA as stated in the FEIR. Therefore, impacts associated with this issue would not be significant.</i>					X	X
(h) Cause substantial adverse physical impacts associated with the provision of new landfill facilities? <i>The FEIR concludes that cumulative development within the downtown would increase the amount of solid waste sent to the Miramar Landfill and contribute to the eventual need for an alternative landfill. Although the construction of a maximum two additional stories on a limited number of sites allowed by the proposed revisions would generate a minor increase in solid waste during short-term construction and long-term operation, the amount of waste generated would not be substantial enough to have direct short- or long-term significant impacts on the Miramar Landfill. However, the proposed revisions would contribute, in combination with other development activities in the downtown, to the cumulative increase in the generation of solid waste sent to the Miramar Landfill and the eventual need for a new landfill as identified in the FEIR.</i> <i>The location and the size of a new landfill are speculative and no further analysis of their impacts is required. However, construction or expansion of a landfill would be subject to CEQA. Environmental documentation prepared pursuant to CEQA would identify potentially significant impacts and appropriate mitigation measures. Therefore, cumulative impacts of the proposed project are also considered not significant.</i>					X	X
14. PARKS AND RECREATIONAL FACILITIES						
(a) Cause a substantial increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <i>The FEIR discusses impacts to park</i>					X	X

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<p>and recreational facilities and the maintenance thereof and concludes that buildout of the Downtown Community Plan would not result in significant impacts associated with this issue. Further, the project allowing the construction of a maximum two additional stories on a limited number of sites would not generate a level of demand for parks and recreational facilities beyond the level assumed in the FEIR. Therefore, substantial deterioration of existing neighborhood or regional parks would not occur or be substantially accelerated as a result of the proposed revisions. No significant impacts associated with this issue would occur.</p>						
15. TRANSPORTATION/TRAFFIC						
<p>(a) Cause the LOS on a roadway segment or intersection to drop below LOS E? The FEIR states that the project's generating greater than 2,400 ADT would result in potentially significant impact to the level of service (LOS) of a roadway segment or intersection, and requires implementation of mitigation measures at the project level to mitigate the impact. Since no project involving the construction of additional stories volume is known at this time, this mitigation measure is therefore not a requirement of the proposed project. If and when the construction of additional stories volume is proposed under the GQPDO and Design Guidelines, it would be subject to CEQA and environmental documentation prepared pursuant to CEQA would identify the potentially significant traffic impacts and, if a potentially significant impact is identified, require the implementation of the appropriate mitigation measure(s). Therefore, the direct impacts of the proposed revisions on the level of service of a roadway segment or intersection are not considered significant.</p> <p>However, the additional automobile trips generated by the construction of additional stories volume allowed by the proposed revisions would, in combination with the traffic generated by other downtown development, contribute to the significant cumulative traffic impacts projected in the FEIR to occur on a number of downtown roadway segments and intersections, and streets within neighborhoods surrounding the Plan area at buildout of the Community Plan. The FEIR includes mitigation measures to address these impacts, but they may or may not be able to fully mitigate these cumulative impacts. Therefore, consistent with the analysis of the FEIR, the proposed revisions would contribute to the significant</p>						
		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
<i>cumulative impacts associated with this issue.</i>						
<p>(b) Cause the LOS on a freeway segment to drop below LOS E or cause a ramp delay in excess of 15 minutes? The FEIR concludes that development within the downtown will result in significant cumulative impacts to freeway segments and ramps serving the downtown planning area. Since the proposed revisions would allow additional trips to be generated in the downtown, the proposed revisions would contribute on a cumulative-level to the substandard LOS F identified in the FEIR on all freeway segments in the downtown area and on several ramps serving the downtown area. The FEIR includes mitigation measure TRF-A.2.1-1 to reduce these impacts to the extent feasible, but not below a level of significance. The FEIR concludes that the uncertainty associated with implementing freeway improvements and limitations in increasing ramp capacity limits the feasibility of fully mitigating impacts to these facilities. Thus, the cumulative-level impacts of the proposed revisions to freeways would remain significant and unavoidable, consistent with the analysis of the FEIR.</p>		X			X	
<p>(c) Create an average demand for parking that would exceed the average available supply? The proposed revisions to the GQPDO include the establishment of off-street parking requirements for office uses, commercial/retail uses, hotel rooms, and dwelling or live/work units. These requirements are identical to the off-street parking requirements of the Centre City PDO, which regulates development for the entire downtown, except for the Marina and Gaslamp Quarter districts. Through compliance with the proposed parking requirements, the construction of additional stories volume allowed by the proposed revisions would not have a significant direct impact on downtown parking. However, the FEIR concludes that the total parking demand generated by downtown development would exceed the amount of parking provided by such development in accordance with the Centre City PDO. Since the proposed revisions require the same amount of off-street parking spaces as the Centre City PDO, it is anticipated that total parking demand generated by development subject to the proposed GQPDO would exceed the amount of parking provided by such development in accordance with the requirements of the GQPDO. Implementation of FEIR Mitigation Measure</p>		X			X	

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information						
TRF-D.1-1 would reduce, but not fully mitigate, the significant cumulative impact of excessive parking demand. This mitigation measure is an ongoing activity implemented by the City and CCDC that is not the direct responsibility of the proposed revisions. Furthermore, no feasible mitigation has been identified that could be implemented by the project to mitigate this impact. Therefore, the proposed revisions would contribute to the cumulatively significant and not mitigated shortfall in parking supply anticipated to occur throughout the downtown by the FEIR.						
(d) Substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded? The Gaslamp Quarter District is located near public transit facilities, and the proposed revisions do not include measures that would substantially discourage the use of alternative modes of transportation or cause transit service capacity to be exceeded. On the contrary, the proposed revisions allow construction of additional stories volume in proximity to community-serving uses, including nearby shopping and recreational activities, which encourages walking. Additionally, the San Diego Association of Governments (SANDAG) has indicated that transit facilities should be sufficient to serve the downtown population without exceeding capacity. Therefore, no impact will occur associated with transit or alternative modes of transportation.						
16. MANDATORY FINDINGS OF SIGNIFICANCE						
(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? As indicated in the FEIR, due to the highly urbanized nature of the downtown area, no sensitive plant or animal species, habitats, or wildlife migration corridors are located in the Centre City area. Furthermore, the project would not eliminate important examples of major periods of California history or prehistory. No aspects of the project would substantially degrade the environment. Cumulative impacts are						

	Significant And Not Mitigated (SNM)		Significant But Mitigated (SM)		Not Significant (NS)	
	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)	Direct (D)	Cumulative (C)
Issues and Supporting Information described in subsection b below.						
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) As acknowledged in the FEIR, implementation of the Downtown Community Plan, PDO, and Redevelopment Plan will result in cumulative impacts associated with air quality, archaeological resources, physical changes associated with transient activities, noise, parking, traffic, and water quality. This project will contribute to each of these impacts. Implementation of the mitigation measures identified in the FEIR would reduce some significant cumulative impacts; however, the impacts would remain significant and immitigable. Cumulative impacts would not be greater than those identified in the FEIR.		X				
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? As described elsewhere in this study, the proposed project would result in significant impacts. However, these impacts would be no greater than those assumed in the FEIR. Implementation of the mitigation measures identified in the FEIR would mitigate many, but not all, of the significant impacts. The proposed project would result in significant cumulative impacts related to air quality, land use compatibility (indirect effects associated with homeless displacement), hydrology, noise, and traffic/parking. Other significant cumulative impacts associated with implementation of the proposed project would be mitigated to a level less than significant with incorporation of mitigation measures identified in the FEIR.	X	X				

DRAFT

PLANNING COMMISSION
RESOLUTION NO. PC-08-041

RECOMMENDATION OF PLANNING COMMISSION TO THE CITY COUNCIL FOR THE
ADOPTION OF THE GASLAMP QUARTER PLANNED DISTRICT ORDINANCE
AMENDMENTS AND ADOPTION OF THE GASLAMP QUARTER PLANNED DISTRICT
DESIGN GUIDELINES

WHEREAS, the primary purpose of the Gaslamp Quarter Planned District Ordinance [GQPDO] is to implement the Downtown Community Plan [Plan] ; and,

WHEREAS, the GQPDO and Gaslamp Quarter Urban Design and Development Manual were initially adopted by the Council of the City of San Diego on March 4, 1976 by Resolution Number 471 and amended by Ordinance O-15781 on July 26, 1982, and has been amended with respect to specific provisions since 1982, all such revisions within Chapter 15 of the San Diego Municipal Code; and,

WHEREAS, the Centre City Development Corporation [CCDC] , as the agent for the Redevelopment Agency of the City of San Diego within the downtown area, has proposed amendments to the GQPDO and completely revised, reformatted and reorganized the Gaslamp Quarter Urban Design and Development Manual to implement the Downtown Community Plan; and,

WHEREAS, the CCDC is proposing that the City Council repeal the existing Gaslamp Quarter Urban Design and Development Manual and adopt the proposed Gaslamp Quarter Planned District Design Guidelines to implement the GQPDO and further implement the Downtown Community Plan; and,

WHEREAS, the proposed amendments to the GQPDO and the Gaslamp Quarter Planned District Design Guidelines have been reviewed and considered by the Historical Resources Board [HRB], the Centre City Advisory Committee [CCAC], and the CCDC Board of Directors; and,

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on July 10, 2008 for the purpose of considering the amendments to the GQPDO and the Gaslamp Quarter Planned District Design Guidelines received for its consideration written and oral presentations, and heard public testimony ; and,

WHEREAS, the Planning Commission of the City of San Diego has found the proposed amendments to the GQPDO and Gaslamp Quarter Planned District Design Guidelines to be consistent with the Downtown Community Plan; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it recommends that the City Council adopt the proposed amendments to the GQPDO, repeal the Gaslamp Quarter Urban Design and Development Manual and adopt the Gaslamp Quarter Planned District Design Guidelines as presented to the Planning Commission at its July 10, 2008 hearing.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON July 10, 2008.

By _____
BRAD RICHTER
CCDC MANAGER OF CURRENT PLANNING