

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 3, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 153.0311 TO ADD NEW LAND USE AND RENUMBERING SECTIONS 153.0311, 153.0312, 153.0313, 153.0314, AND 153.0315; TO ADD A NEW LAND USE FOR THE CARMEL VALLEY AREA FOR THE ONE PASEO PROJECT.

§153.0311 Mixed-Use Center (MC)

(a) Purpose and Intent

The purpose of the Mixed-Use Center Zone is to create a community village which is compact, multi-functional, and pedestrian-oriented. The Mixed-Use Center permits a diversity of uses including residential multiple dwelling units, retail sales, offices, and commercial services. All development shall be consistent with the Carmel Valley Employment Center, Development Unit No. 2 Precise Plan.

(b) Use Regulations

(1) The use regulations of Land Development Code Chapter 13, Article 1, Division 5 (Commercial Base Zones) for the CC-5-5 zone shall apply.

(2) Uses within the Community Village shall be subject to the minimum development shown in Table 153-03F.

Table 153-03F
Minimum Use Requirements

<u>Use Category</u>	<u>Minimum Development⁽¹⁾</u>
<u>Retail and Commercial Sales</u>	<u>20%</u>
<u>Office</u>	<u>20%</u>
<u>Multiple Dwelling Units</u>	<u>40%</u>
<u>Public Space</u>	<u>10%</u>

Footnote to Table 153-03F

¹ See the Carmel Valley Employment Center Unit 2 Precise Plan for the maximum amount of development.

- (3) The primary use in the ground floor of structures adjacent to areas designated for street activating uses at ground level, as identified in Diagram 153-03A, shall be limited to the following uses and subject to the permitting process in Table 131-05B for the CC-5-5 zone:
- (A) Residential (including accessory uses associated with Multiple Dwelling Units)
 - (B) Institutional (limited to Museums)
 - (C) Retail Sales, services including separately Regulated Retail Sales Uses
 - (D) Commercial Services, including Separately Regulated Commercial Services Uses (excluding Business Services, Funeral & Mortuary Services, Off Site Services, and Radio & Television Studios)
 - (E) Offices (limited to Medical, Dental, & Health Practitioner), including Separately Regulated Offices Uses

**Diagram 153-03A
STREET ACTIVATING USES**



(c) Development Regulations

The development regulations of the CC-5-5 zone of Land Development Code Chapter 13, Article 1, Division 5 (Commercial Base Zones) shall apply, except for the following:

(1) Setbacks

(A) Del Mar Heights Road - 30 feet

(B) High Bluff Drive - 30 feet

(C) El Camino Real – 30 feet, except that a maximum of 30 percent of a structure may maintain a minimum setback of 10 feet.

(D) One Paseo South Western Property Boundary - 15 feet

(2) Maximum Structure Height

Maximum structure height shall be in accordance with Diagram 153.-03B.

**Diagram 153-03B
MAXIMUM STRUCTURE HEIGHT**



(d) Supplemental Development Regulations

(1) Density and Intensity - The number of dwelling units or total gross floor area shall not exceed that set forth by the CC-5-5 zone and the applicable land use plan, and shall be based on the area of the entire zone. The dwelling units or gross floor area may be distributed without regard to the proposed lot boundaries provided the distribution is consistent with the land use transfer provisions of the Carmel Valley Employment Center Unit 2 Precise Plan.

(2) A minimum eight-foot wide non-contiguous sidewalk shall be provided on Del Mar Heights Road and El Camino Real.

(e) Parking

(1) The development regulations of Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations) shall apply, except the required number of parking spaces shall be determined in accordance with a shared parking study as approved by the City Manager.

(2) Temporary parking areas may be permitted provided a plan addressing phasing, ingress/egress, screening, and landscaping is approved by the City Manager.

(f) Landscape

The development regulations of Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations) shall apply except as follows.

<u>Table 153-03G</u>		
<u>PLANTING REQUIREMENTS FOR THE CVPD-MC ZONE</u>		
<u>Type of Area</u>	<u>Planting Area Required (Percent of total area)</u>	<u>Plant Points Required ⁽¹⁾</u>
<u>Street Yard</u>	<u>25%</u>	<u>0.05 points</u>
<u>Remaining Yard</u>	<u>30%</u>	<u>0.05 points</u>
<u>Plaza (includes Paseo)</u>	<u>15%</u>	<u>0.02 points</u>
<u>Private Amenity Open Space</u>	<u>5%</u>	<u>0.02 points</u>

Footnote to Table 153-03G:

Points shall be calculated based upon Table 142-04B Plant Point Schedule in Section 142.0403.

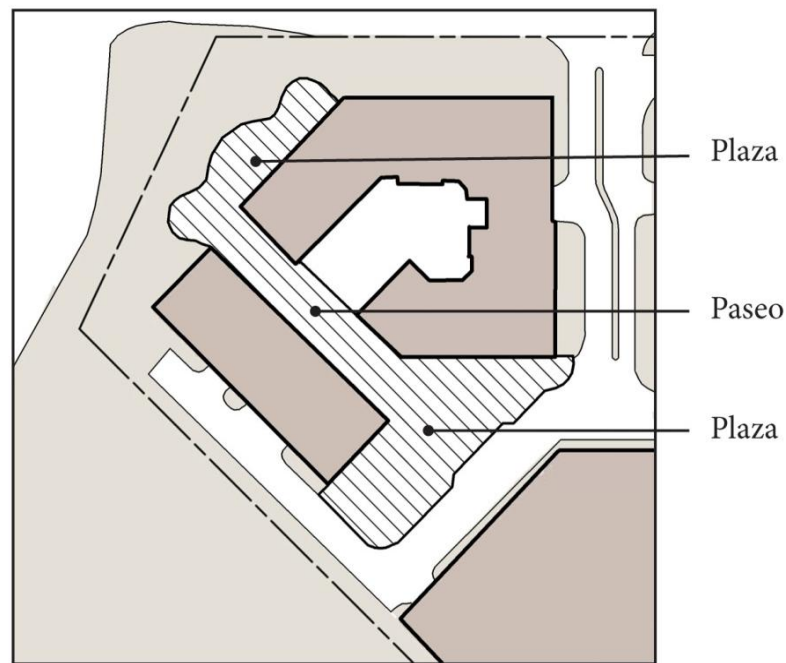
(1) Plazas and Paseos

Plaza means an outdoor area designed to be used as a public space. Plazas include one or a combination of paving, play areas, seating areas, water features, useable lawn areas, shrub beds, and plants in containers. Paseos are pedestrian ways that connect a plaza with other spaces or uses and are considered a part of the plaza for purposes of overall calculation of landscape area and point requirements for each plaza. Diagram 153-03C illustrates the relationship between Plazas and Paseos.

(A) Plazas are subject to the planting area and point requirements in Table 153-03G.

- (B) At least one-half of the required planting points shall be achieved with trees.
- (C) Plazas developed on structural podiums may satisfy all planting area and point requirements with raised planters and pots with a minimum inside dimension of 24 inches. Raised planters and pots for trees shall have a minimum inside width of 48 inches.

Diagram 153-03C
CONCEPT ILLUSTRATION OF PLAZA & PASEO



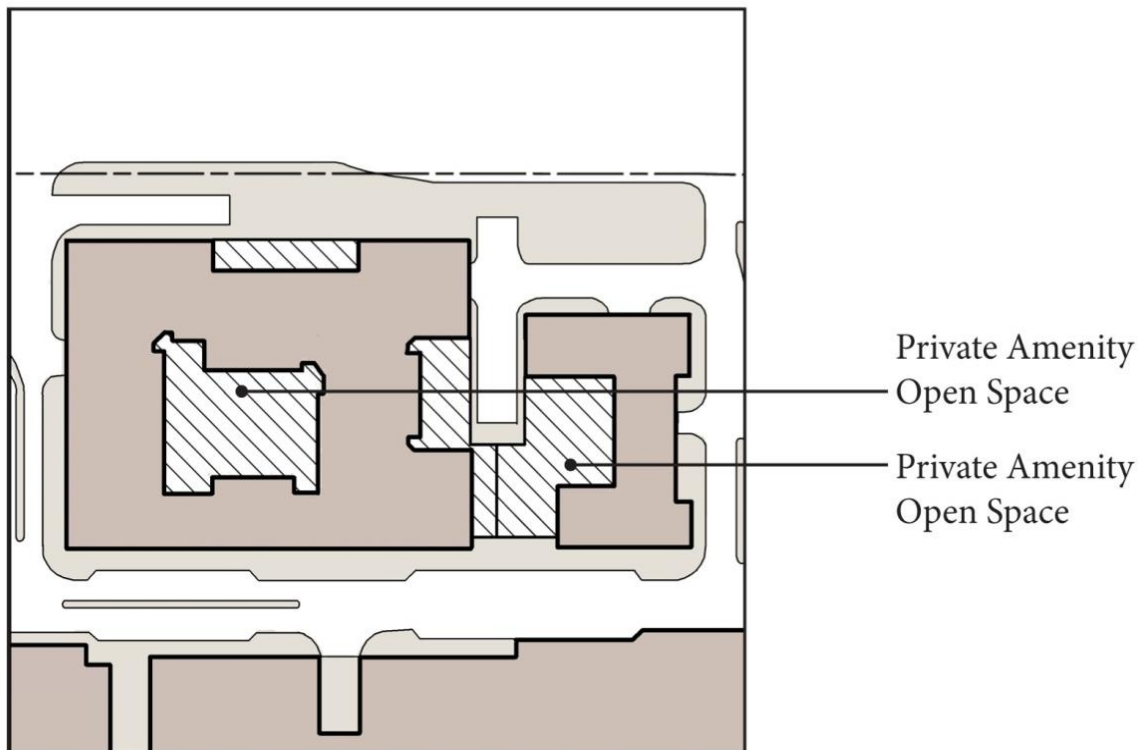
(2) Private Amenity Open Space

Private Amenity Open Space means a private outdoor area intended for the exclusive use of building occupants. Diagram 153-03D illustrates a Private Amenity Open Space area.

- (A) Private amenity open spaces are subject to the planting area and point requirements in Table 153-03G.
- (B) Required planting may be achieved by trees, shrubs, or any combination of the two.

- (C) Planting may be provided in raised planters and pots with a minimum inside dimension of 24 inches including on-structure planters. Raised planters and pots for trees shall have a minimum inside width of 48 inches.

**Diagram 153-03D
CONCEPTUAL ILLUSTRATION OF
TYPICAL PRIVATE AMENITY OPEN SPACE**



(3) Private Drives

Private drive means a nonpublic thoroughfare. Private drives connect public rights-of-way to multiple locations within a development. Diagram 153-03E illustrates private drives.

- (A) The number of trees required for each private drive frontage shall be calculated at the average rate of one 24-inch box canopy tree for every 40 feet of private drive frontage. Tree spacing may be varied to accommodate site conditions or design considerations.

(B) Trees shall be planted between the curb and the internal street wall. Where there is no street wall, trees shall be located within 12 feet of the curb-line along that private drive frontage

(C) Private drive trees shall be separated from improvements by the minimum distance shown in Table 142-04E in Section 142.0409 of the Land Development Code

**Diagram 153-03E
TYPICAL PRIVATE DRIVES**



(g) Phasing of Mixed-Use Center

(1) A development phasing plan shall be required for development within the mixed-use center. The plan shall identify interim conditions, and the anticipated chronology of development including land use, structures, and public facilities and infrastructure.

(2) Projects shall be phased to provide supporting public facilities and infrastructure concurrent with their need and completed prior to occupancy of any structure within the specific phase.

(3) Public use areas shall be developed concurrent with any abutting development.

§153.03112 **Open Space (OS)**
(a) and (b) [No change in text.]

§153.03123 **Floodway Zone** [No change in text.]

§153.03134 **Floodplain Fringe Zone** [No change in text.]

§153.03145 **A-1-10 Agricultural Zone** [No change in text.]

CLN:dkr
1/22/2014
Or.Dept: DSD