ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 131.0507 AND 131.0522, TABLE 131-05B, SECTION 131.0531, TABLE 131-05E, AND SECTIONS 131.0540 AND 131.0543; AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 BY AMENDING SECTION 132.1402 AND TABLE 132-14A, AND SECTION 132.1403, DIAGRAM 132-14K, ALL RELATING TO THE HILLCREST FOCUSED PLAN AMENDMENT TO THE UPTOWN COMMUNITY PLAN.

WHEREAS, the Uptown Community is located in the City of San Diego bounded by Interstate 5 to the west, Mission Valley to the north, Balboa Park and the community of North Park to the east, and Downtown to the south and includes the Hillcrest and Medical Complex neighborhoods; and

WHEREAS, the City of San Diego desires to update the Uptown Community Plan, which was adopted in 2016; and

WHEREAS, the City of San Diego has prepared the Hillcrest Focused Plan Amendment (Plan Amendment) to the Uptown Community Plan which includes approximately 380 acres in the Hillcrest and Medical Complex neighborhoods within in the Uptown Community bounded on the west by Dove Street, on the north by hilltop bluffs along the northern edge of the Medical Complex neighborhood, on the east by Park Boulevard, and on the south by Walnut Avenue; and

WHEREAS, San Diego Resolution R-_____ (INSERT DATE OF FINAL PASSAGE, 2024) which was considered along with this ordinance, proposes to adopt the Plan

Amendment; and

WHEREAS, implementation of the proposed Plan Amendment requires amendments to the San Diego Municipal Code relating to Commercial Base Zones at Chapter 13, Article 1, Division 5 to add two new Community Commercial Base Zones, CC-3-10 and CC-3-11; and

WHEREAS, implementation of the proposed new Community Commercial Base Zones will bring Citywide benefits of having a zone to implement General Plan land use Residential Designation High 2, allowing a maximum density of 218 dwelling units per acre, and General Plan land use Residential Designation High 3, allowing a maximum density of 290 dwelling units per acre, as proposed by San Diego Resolution No. R-YYYYY and upon adoption of R-YYYYY by the City Council; and

WHEREAS, implementation of the proposed new Community Commercial Base Zones will help achieve City of San Diego Climate Action Plan goals and housing goals by providing additional housing opportunities along high-frequency transit corridors and major transit stops; and

WHEREAS, implementation of the proposed Plan Amendment also requires amendments to the San Diego Municipal Code relating to Community Plan Implementation Overlay Zones (CPIOZ) at Chapter 13, Article 2, Division 14 to establish and implement a new CPIOZ area in the Uptown Community; and

WHEREAS, the Plan Amendment CPIOZ requirements are specific to new development within the CPIOZ areas as shown herein and in Diagram 132-14K in the San Diego Municipal Code; and

WHEREAS, the proposed CPIOZ Type A implements supplemental development regulations in the Plan Amendment to implement the vision and policies of the Uptown Community Plan; and

WHEREAS, the proposed CPIOZ Type A identifies specific locations within the Uptown Community Plan area where ministerial approval would be granted for projects consistent with the Uptown Community Plan that comply with the base zone regulations and supplemental development regulations; and

WHEREAS, the supplemental development regulations include requirements that currently do not exist citywide and are specific to the unique historical, cultural, residential and commercial conditions in the proposed CPIOZ area and address building heights and stepbacks, urban design, public spaces and promenades, and identify and address a Hillcrest Historic District, Legacy Commercial Retail Establishments, and a Commercial and Entertainment Activity Area; and

WHEREAS, these historical, cultural, residential and commercial factors support the necessity for the additional supplemental development regulations in the Plan Amendment CPIOZ; and

WHEREAS, the supplemental development regulations are intended to implement Plan Amendment goals to: preserve significant historic features and characteristics of the identified Hillcrest Historic District while allowing for new development; celebrate the legacy of the LGBTQ+ community by providing an interpretive trail as part of a development requiring a public space or promenade; create inviting public spaces and amenities for community engagement, relaxation, and recreation, including pedestrian promenades and interpretive trails and paving; ensure a thriving and sustainable business and commercial district by requiring notice for prospective buyers and renters regarding noise levels from nearby eating and drinking establishments; and avoid displacement of longstanding legacy commercial businesses by providing these businesses with notice and an opportunity for equivalent leasable space when a development proposes to demolish a building housing such establishments; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. That Chapter 13, Article 1, Division 5 of the San Diego Municipal Code is amended by amending Sections 131.0507 and 131.0522, Table 131-05B, Section 131.0531,

Table 131-05E, and Sections 131.0540 and 131.0543, to read as follows:

Article 1: Base Zones

Division 5: Commercial Base Zones

§131.0507 Purpose of the CC (Commercial--Community) Zones

(a) [No change in text.]

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(b) The CC zones are differentiated based on the uses allowed and regulations as follows:

(1) through (2) [No change in text.]

- (3) The following zones allow a mix of pedestrian-oriented, community-serving commercial uses and residential uses:
 - CC-3-4 is intended to accommodate *development* with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area

- CC-3-5 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-3-6 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,000 square feet of *lot* area
 - CC-3-7 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 800 square feet of *lot* area
 - CC-3-8 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 600 square feet of *lot* area

CC-3-9 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 400 square feet of *lot* area

- CC-3-10 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 200 square feet of *lot* area
- CC-3-11 is intended to accommodate *development* with a high intensity, pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 150 square feet of *lot* area

(4) through (5) [No change in text.]

§131.0522 Use Regulations Table for Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B

[No change in text.]

Table 131-05B

Use Regulations Table for Commercial Zones

Use Categories/Subcategories	Zone Designator					Z	ones					
[See Section 131.0112 for an explanation and descriptions	1st & 2nd >>	CN (1)-		C	R-		СО	_		C	V-	CP-
of the Use Categories,	3rd >>	1-	1	1- 2	2-	1-	2-	3.	-	1	-	1-
Subcategories, and Separately Regulated Uses]	4th >>	1 2 3 4 5	6	1	1	1 2	1 2	2 1 2	3	1	2	1
Open Space through Signs, Sep	arately											
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[No change in text.]												

Use Categories/Subcategories						7.	nes	!			
Use Categories/Subcategories	Zone					L	1103	,			
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	3rd >>	1-	$\frac{2}{2}$			3-	10	11	4-	< 1 0	5-
	4th >>	1 2 3 1	2345	4 5	6 7	89	10	11	1 2 3 4 5 6	5 1 2	3 4 5 6
Open Space											
Active Recreation		-	o chang				-	-	[No chai	nge in	text.]
Passive Recreation		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Natural Resources Preserv	vation	[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Park Maintenance Faciliti	es	[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Agriculture											
Agricultural Processing		[N	o chang	ge in te	xt.]		-	-	[No cha	nge in	text.]
Aquaculture Facilities		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Dairies		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Horticulture Nurseries &		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Greenhouses											
Raising & Harvesting of C	Crops	[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Raising, Maintaining & K	eeping	[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
of Animals											
Separately Regulated Agricul Uses	ture										
Agricultural Equipment Rep	air	ΓN	o chang	e in te	vt 1		_	_	[No chai	nge in	text]
Shops	Juli		5 chang	,c m u	A]					ige in	i text.j
Commercial Stables		IN	o chang	e in te	xt.]		-	-	[No chai	nge in	text.]
Community Gardens						chan	ige i	n te		-8]
Equestrian Show & Exhibit	ion	١N	o chang	ge in te			_	-	[No chai	nge in	text.]
Facilities		L.,	·· -c	,	L.					0	ц.
Open Air Markets for the Sa	ale of	[N	o chang	ge in te	xt.]		-	-	[No cha	nge in	text.]
Agriculture- Related Produc		_	c		-					-	-
Flowers											
Residential											
Mobilehome Parks		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Multiple Dwelling Units the	rough				[No	chan	ige i	n te	ext.]		
Shopkeeper Units									1		
Single Dwelling Units		[N	o chang	ge in te	xt.]		-	-	[No chai	nge in	text.]
Separately Regulated Residen	tial										
Uses							,		1		
Accessory Dwelling Units			o chang	-			L	L	[No chai		
Continuing Care Retirement	t	[N	o chang	ge in te	xt.]		L	L	[No chai	nge in	text.]
Communities											

Use Categories/Subcategories				Zone	2	
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Subcategories, and	2nd >>					
Separately Regulated Uses]	3rd >>	1- 2-	3-			4- 5-
				3 9 10	11	
	4th >>	1 2 3 1 2 3 4 3	4 5 6 7 8	5 9 10	11	1 2 3 4 5 6 1 2 3 4 5 6
Employee Housing:						
6 or Fewer Employees		[No chang	ge in text.]	-	-	[No change in text.]
12 or Fewer Employees		[No chang	ge in text.]	-	-	[No change in text.]
Greater than 12 Employ	ees	[No chang	ge in text.]	-	-	[No change in text.]
Fraternities and Sororities		[No chang	ge in text.]	С	C	[No change in text.]
Garage, Yard, & Estate Sale	s	[No chang	ge in text.]	-	-	[No change in text.]
Guest Quarters		[No chang	ge in text.]	-	-	[No change in text.]
Home Occupations		[No chang	ge in text.]	L	L	[No change in text.]
Interim Ground Floor Resid	ential	[No chang		N ⁽¹⁸⁾	N ⁽¹⁸⁾	
Junior Accessory Dwelling	Units	[No chang		-	-	[No change in text.]
Live/Work Quarters		[No chang	ge in text.]	L	L	[No change in text.]
Low Barrier Navigation Cer	nter	[No chang		L	L	[No change in text.]
Movable Tiny Houses		[No chang		-	-	[No change in text.]
Permanent Supportive Hous	ing	[No chang		L	L	[No change in text.]
Residential Care Facilities:						
6 or Fewer Persons		[No chang	ge in text.]	Р	Р	[No change in text.]
7 or More Persons		[No chang	ge in text.]	С	С	[No change in text.]
Student Housing		[No chang	ge in text.]	L	L	[No change in text.]
Transitional Housing:						
6 or Fewer Persons		[No chang	ge in text.]	Р	Р	[No change in text.]
7 or More Persons		[No chang	ge in text.]	L	L	[No change in text.]
Watchkeeper Quarters		[No chang		-	-	[No change in text.]
Institutional						
Separately Regulated Instituti	ional					
Uses						
Airports		[No chang	ge in text.]	С	С	[No change in text.]
Battery Energy Storage Faci	lities					
Small Scale (≤ 0.25 acre	2)	[No chang	ge in text.]	L	L	[No change in text.]
Medium Scale (0.25 acr	e < 1	[No chang	ge in text.]	С	С	[No change in text.]
acre)			_			
Large Scale (>1 acre)		[No chang	ge in text.]	С	С	[No change in text.]
Botanical Gardens & Arbore	etums	[No chang		С	С	[No change in text.]
Cemeteries, Mausoleums,			ge in text.]	С	С	[No change in text.]
Crematories			-			
Correctional Placement Cen	ters	[No chang	ge in text.]	С	С	[No change in text.]

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Building Supplies & Equipment[No change in text.][No change in text.]Food, Beverages and Groceries[No change in text.]P(1)P(1)[No change in text.]		cuttes					լո	io chal	iige i	in te	xι.]						
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Consumer Goods, Furniture, Appliances, Equipment[No change in text.] $P^{(1)}$ $P^{(1)}$ [No change in text.]		,		LINO	chall	50 m		1	L ()	1 ()		LINO	Ciial	ige		·•]	
Pets & Pet Supplies [No change in text.] P ⁽¹⁾ [No change in text.]				[No	chan	oe in	text	1	P (11)	P (11)		[No	char	ισe	in text	1	
Sundries, Pharmaceutical, & [No change in text.] P ⁽¹⁾ [No change in text.]		&									-						
Convenience Sales	, , , , , , , , , , , , , , , , , , , ,	u		LINO	chang	50 m		1	1	1		LINU	cital	ige		•]	

Use Categories/Subcategories								Zoi	nes									
Cit Categories/Subcategories	Zone							201	IUS	,								
[See Section 131.0112 for an	Designa																	
explanation and descriptions	tor																	
of the Use Categories,	1st &							C	C-									
Subcategories, and	2nd >>							U	U -									
Separately Regulated Uses]		1		2			2					4					5	
~	3rd >>	1-	10	$\frac{2}{2}$			3-	- T - T	10	11	1	4	_	~ ~			5-	
	4th >>	123	$ 1 ^2$	345	94	5 6	7 8	3 9 1	10	11	1	2 3	4	5 6		23	3 4	56
Wearing Apparel & Acces	sories		[No	chan	ge ii	ı text	.]	F	D (11)	P ⁽¹¹⁾		[No	o c	han	nge	in t	ext.]
Separately Regulated Retail S Uses	ales																	
Agriculture Related Supplie	s &		[No	chan	ge ii	ı text	.1		_	-		ſNo	o c	har	ige	in t	ext.	1
Equipment			L0		8- H		1					L- ''			0*			L
Alcoholic Beverage Outlets			[No	chan	ge ii	n text	.]		L	L		[No	o c	har	nge	in t	ext.	1
Cannabis Outlets					-	n text			-	-					-		ext.	
Farmers' Markets							-	1							<u> </u>			
Weekly Farmers' Marke	ts		[No	chan	ge ii	ı text	.]]	L	L		[No	o c	har	nge	in t	ext.	1
Daily Farmers' Market S					-	ı text]	Ĺ	L		_			<u> </u>		ext.	-
Plant Nurseries						ı text]	Р	Р					-		ext.	
Retail Farms					-	ı text]	Ĺ	L					-		ext.	
Retail Tasting Stores			[No	chan	ge ii	ı text	.]]	Ĺ	L		[No	o c	har	nge	in t	ext.]
Swap Meets & Other Large	Outdoor		[No	chan	ge ii	ı text]		-	-		[No	o c	har	nge	in t	ext.]
Retail Facilities																		
Commercial Services						7												
Building Services			[No	chan	ge iı	n text	.]		-	-		[No	o c	han	nge	in t	ext.]
Business Support			[No	chan	ge iı	ı text	.]		P	P		[No	o c	han	nge	in t	ext.]
Eating & Drinking			[No	chan	ge iı	n text	.]	F	D (16)	P ⁽¹⁶⁾		[No	o c	han	nge	in t	ext.]
Establishments																		
Financial Institutions					-	n text			P	Р					<u> </u>		ext.	-
Funeral & Mortuary Servi	ices					n text			P	Р							ext.	
Instructional Studios					-	n text			P	Р					-		ext.	
Maintenance & Repair						n text]	P	Р		_			<u> </u>		ext.	-
Off-site Services			-		<u> </u>	n text	-		-	-					-		ext.	
Personal Services			-		<u> </u>	n text	-		P	Р		-			0		ext.	
Radio & Television Studio	S		-		<u> </u>	n text	-		P	Р					-		ext.	
Tasting Rooms			[No	chan	ge ii	n text	.]	(1	- 17)	- (17)		[No	o c	han	ige	in t	ext.]
Should there be a numbVi	sitor		[No	chan	ge ii	ı text	.]]	Р	Р		[No	o c	har	nge	in t	ext.]
Accommodations																		
Separately Regulated Comme Services Uses	rcial																	
Adult Day Care Facility			[No	chan	ge ii	ı text	.]]	Ĺ	L		[No	o c	har	ige	in t	ext.	1
Adult Entertainment Establish	ments:		-					1				L			0-	2		
Adult Book Store			[No	chan	ge ii	ı text	.]]	Ĺ	L		[No	o c	har	nge	in t	ext.	1

Attachment 02

(O-20[INSERT REMAINDER OF TITLE])

Use Categories/Subcategories		7	ones	
Use Categories/Subcategories	Zone		ones	
[See Section 131.0112 for an	Designa			
explanation and descriptions	tor			
of the Use Categories,	1st &		CC-	
Subcategories, and	2nd >>		CC-	
Separately Regulated Uses]	3rd >>	1- 2- 3-		4- 5-
			0 10 1	
	4tn >>			
Adult Cabaret		[No change in text.]	LL	E U 4
Adult Drive-In Theater		[No change in text.]	LL	
Adult Mini-Motion Pict	ure	[No change in text.]	LL	[No change in text.]
Theater				
Adult Model Studio		[No change in text.]	LL	
Adult Motel		[No change in text.]	LL	
Adult Motion Picture Th		[No change in text.]	LL	
Adult Peep Show Theate	er	[No change in text.]	LL	
Adult Theater		[No change in text.]	LL	L 0 1
Body Painting Studio		[No change in text.]		[rio enange in tenti]
Massage Establishment		[No change in text.]	LL	1 U I
Sexual Encounter Establ		[No change in text.]	LL	
Assembly and Entertainment	Uses,	[No change in text.]	LL	[No change in text.]
Including Places of Religious				
Assembly				
Boarding Kennels/Pet Day Ca	ire	[No change in text.]	CC	
Camping Parks		[No change in text.]	LL	[No change in text.]
Child Care Facilities:			<u> </u>	
Child Care Centers		[No change in text.]	LL	L U 1
Large Family Child Care Ho		[No change in text.]	LL	
Small Family Child Care Ho		[No change in text.]	LL	
Eating and Drinking Establish		[No change in text.]	CC	[No change in text.]
with a Drive-in or Drive-throu	ıgh			
Component				
Fairgrounds		[No change in text.]		- [No change in text.]
Golf Courses, Driving Ranges	s, and	[No change in text.]	CC	[No change in text.]
Pitch & Putt Courses				
Helicopter Landing Facilities	• 1• •	[No change in text.]	CC	
Massage Establishments, Spec	cialized	[No change in text.]	LL	[No change in text.]
Practice			Tart	
Mobile Food Trucks		[No change in text.]	L(15)	[No change in text.]
Nightclubs & Bars Over 5,000) Square	[No change in text.]	CC	[No change in text.]
Feet in Size				
Parking Facilities as a Primar				
Permanent Parking Faci	lities	[No change in text.]	N N	[No change in text.]

-PAGE 11 OF 26-

Use Categories/Subcategories				Zones	1		
	Zone						
[See Section 131.0112 for an	Designa						
explanation and descriptions	tor						
of the Use Categories,	1st &			CC-			
Subcategories, and	2nd >>						
Separately Regulated Uses]	3rd >>	1- 2-	3-			4-	5-
	4th >>	1 2 3 1 2 3 4 5	4 5 6 7 8	9 10	11	1 2 3 4 5 6	1 2 3 4 5 6
Temporary Parking Faci	lities	[No chang	ge in text.]	P	Р	[No chang	ge in text.]
Private Clubs, Lodges and Fra	ternal	[No chang	ge in text.]	C	С	[No chang	ge in text.]
Organizations							
Privately Operated, Outdoor		[No chang	ge in text.]	L	L	[No chang	ge in text.]
Recreation Facilities Over 40,	000						
Square Feet in Size ⁽⁹⁾			-				
Pushcarts on Private Property		[No chang	ge in text.]	Ν	Ν	[No chang	ge in text.]
Recycling Facilities:							
Large Collection Facility		[No chang	ge in text.]	L	L	[No chang	ge in text.]
Small Collection Facility		[No chang	ge in text.]	-	-	[No chang	ge in text.]
Large Construction & Der	nolition	[No chang	ge in text.]	-	-	[No chang	ge in text.]
Debris							
Recycling Facility							
Small Construction & Der	nolition	[No chang	ge in text.]	L	L	[No chang	ge in text.]
Debris Recycling Facility							
Drop-off Facility		[No chang	ge in text.]	-	-	[No chang	ge in text.]
Green Materials Composti	ng	[No chang	ge in text.]	-	-	[No chang	ge in text.]
Facility							
Mixed Organic Compostir	ng	[No chang	ge in text.]	-	-	[No chang	ge in text.]
Facility							
Large Processing Facility		[No chang	ge in text.]	-	-	[No chang	ge in text.]
Accepting at Least 98% of							
Annual Weight of Recycla							
from Commercial & Indus	strial						
Traffic			•				•
Large Processing Facility		[No chang	ge in text.]	-	-	[No chang	ge in text.]
Accepting All Types of Tr	raffic	FNT 1		т	т		
Small Processing Facility	T_4-1	[INO chang	ge in text.]	L	L	[INO chang	ge in text.]
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Annual Weight of Recycla From Commercial & Indu							
Traffic	sulai						
Small Processing Facility		[No chane	ge in text.]		_	[No chang	re in text 1
Accepting All Types of Tr	affic		, mienij	-	-		
Reverse Vending Machine		[No chang	ge in text.]	L	L	[No chang	e in text l
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Tire Processing Facility		[No chang	ge in text.]	-	-	[No chang	ge in text.]

-PAGE 12 OF 26-

Use Categories/Subcategories						7.	nes			
Use Categories/Subcategories	Zone					LO	nes			
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explanation and descriptions	tor									
of the Use Categories,										
Subcategories, and	1st &					C	C-			
Subcategories, and Separately Regulated Uses]	2nd >>									
Separately Regulated Uses]	3rd >>	1-	2-			3-			4-	5-
	4th >>	123	1234	5 4	5 6 7	89	10	11	1 2 3 4 5 6	1 2 3 4 5 6
Sidewalk Cafes, Streetaries, a	nd	[No char	nge ir	n text.]		L	L	[No chang	ge in text.]
Active Sidewalks										
Sports Arenas & Stadiums		[No char	nge in	n text.]		С	С	[No chang	ge in text.]
Theaters that are Outdoor or O	Over	[No char	nge in	n text.]		C	С	[No chang	ge in text.]
5,000 Square Feet in Size										
Urgent Care Facilities		[No char	ige in	n text.]		N	Ν	[No chang	ge in text.]
Veterinary Clinics & Animal		[No char	nge in	n text.]		L	L	[No chang	ge in text.]
Hospitals				-						
Zoological Parks		[No char	nge in	n text.]		-	-	[No chang	ge in text.]
Offices			-	Ŭ						
Business & Professional			No char	nge in	n text.]		P	Р	[No chan	ge in text.]
Government			No char	-			Р	Р		ge in text.]
Medical, Dental & Health			No char					Р		ge in text.]
Practitioner		L L					-	-		50]
Regional & Corporate		1	No char	nge in	n text 1		Р	Р	[No chang	ge in text.]
Headquarters		L					-	•		Se in tentij
Separately Regulated Office U	Ises					I				
Real Estate Sales Offices &]	No char	nge in	n text]		L	L	[No chan	ge in text.]
Homes	Widder			150 11	r text.j		2	L		Se in text.]
Sex Offender Treatment &			No char	nge in	n text]		L	L	[No chang	ge in text.]
Counseling		L		150 11	I toxt.j			L		ge in text.]
Vehicle & Vehicular Equipme	nt Sales					1	L		1	
& Service										
Commercial Vehicle Repa	ir &	[No char	ive in	n text 1	T	-	-	[No chan	ge in text.]
Maintenance		l		-90 H						5° (0/10.)
Commercial Vehicle Sales	&]	No char	nge in	n text]		-	_	[No chang	ge in text.]
Rentals	~	l		-50 H	. wat.j					Se in text.j
Personal Vehicle Repair &	,	[No char	IOP it	n text 1		-	_	[No chane	ge in text.]
Maintenance		l		ige II	1 WAL.]					50 m text.j
Personal Vehicle Sales & H	Pentals	1	No char	nge in	n text 1		-	_	[No chang	ge in text.]
Vehicle Equipment & Sup			No char				_	_		ge in text.]
Sales & Rentals	phes	l		ige fi	1 (CAL.]		-	-		50 m text.j
	8 7						[I	
Separately Regulated Vehicle Vehicular Equipment Sales &										
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Automobile Service Stations		r	Noahar		tovt 1	<u> </u>	N	NT	[No share	to in toxt 1
Automobile Service Stations	5		No char	ige II	i text.]		11	11	lino chang	ge in text.]

Use Categories/Subcategories							7.	ones	5						
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explanation and descriptions	tor														
of the Use Categories,	1st &							CC-							
Subcategories, and	2nd >>														
Separately Regulated Uses]	3rd >>	1-	2	2-			3-				4-			5-	
	4th >>	123	123	345	4 5	5 6	789	10	11	1 2	234	56	1 2	234	56
	11177		1				, 0 ,	10		-		0			0
Outdoor Storage & Display		[No c	chang	ge in	text.]	-	-		[No	chan	ge i	n text	.]
Unregistered Motor Vehicle	s as a														
Primary Use															
Vehicle Storage Facilities as	s a	[No c	hang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Primary Use															
Distribution and Storage							-	T			D T	1			-
Equipment & Materials St Yards	orage	l	No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Moving & Storage Facilitie	06	1	No	hang	o in	toyt	1	-	_		[No	chan	no i	n text	1
Distribution Facilities	5		-	chang	· · · · · ·		-	-	-				-	n text	
Distribution Facilities		I		mang	e m	ICXI.	1	-	-			Chan	ge i	Πιελι	•]
Separately Regulated Distribution	ition														
and Storage Uses															
Junk Yards		[No c	hang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Temporary Construction S	Storage	[No c	hang	e in	text.]	L	L		[No	chan	ge i	n text	.]
Yards Located Off-site				_									-		
Industrial															
Heavy Manufacturing		[No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Light Manufacturing			No c	hang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Marine Industry			No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Research & Development		[No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Testing Labs		[No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Trucking & Transportation	n	[No c	chang	e in	text.]	-	-		[No	chan	ge i	n text	.]
Terminals															
Separately Regulated Industri								1	1	-					
Artisan Food and Beverag	e	[No c	chang	e in	text.]	L	L		[No	chan	ge i	n text	.]
Producer															_
Cannabis Production Fac		-	-	hang	-			-	-		-		<u> </u>	n text	_
Hazardous Waste Researc	h	[Noc	chang	ge in	text.		-	-		[No	chan	ge i	n text	.]
Facility		-	-> T	1	•		-	<u> </u>			D 1	1			-
Hazardous Waste Treatme	ent	[No c	chang	e in	text.]	-	-		ĮΝο	chan	ge i	n text	.]
Facility	• 1		T	1	•		1	C	C		[NT	1			1
Marine Related Uses With	in the	l	NO C	chang	ge in	text.]	С	C		ͺͺΝο	chan	ge i	n text	.]
Coastal Overlay Zone		r	NI -	1		401	1	C	C		ENT -	a l a - :	~ .	··· • •	1
Newspaper Publishing Pla	ints		INO C	chang	e in	text.]	С	С		[INO	cnan	ge 1	n text	.]

Attachment 02

(O-20[INSERT REMAINDER OF TITLE])

Use Categories/Subcategories								Zo	nes	,								
Use Categories/Subcategories	Zone							20	nec	•								
[See Section 131.0112 for an	Designa																	
explanation and descriptions	tor																	
of the Use Categories,	1st &							C	'C-									
Subcategories, and	2nd >>							C	Č									
Separately Regulated Uses]	3rd >>	1-	2	2-			3-					4	-		5-			
	4th >>	-	<u> </u>		Δ	56		<u> </u>	10	11	1 ′		456	1		456		
	- ui //	1 2 3	1 2.		т	5 0		, /	10	11	1	2 5		, 1	2 3			
Processing & Packaging o	f Plant		[No c	chang	je i	n text	.]		-	-		[No change in text.						
Products & Animal By-pro	oducts																	
Grown Off-premises																		
Very Heavy Industrial Use	es		[No c	chang	je i	n text	.]		-	-		- v -						
Wrecking & Dismantling	of Motor		[No c	chang	e i	n text	.]		-	-		[No change in text.] [No change in text.]						
Vehicles																		
Signs																		
Allowable Signs			[No c	chang	je i	n text	.]		P	Р		[No	o chai	ige	in tex	t.]		
Separately Regulated Signs Us	ses																	
Community Entry Signs			[No c	chang	e i	n text	.]		L	L		[No	o chai	ige	in tex	.t.]		
Neighborhood Identificati	on Signs		[No c	chang	je i	n text	.]		-	-	[No change in text.] [No change in text.]							
Comprehensive Sign Prog	ram		[No c	chang	je i	n text	.]		Ν	Ν		[No change in text.]						
Revolving Projecting Sign	is		[No c	chang	je i	n text	.]		Ν	Ν		[No change in text.]						
Signs with Automatic Cha	nging		[No c	chang	e i	n text	.]		Ν	Ν		[No change in text.]						
Сору												[i to enange in tenti]						
Theater Marquees						•			Ν	Ν								

Footnotes for Table 131-05B

^{1 through 19} [No change in text]

§131.0531 Development Regulations Tables for Commercial Zones

The following development regulations apply in each of the commercial zones as

shown in Tables 131-05C, 131-05D, and 131-05E.

(a) through (b) [No change in text.]

(c) CC Zones

Table 131-05E

Development Regulations for CC Zones

Development Regulation	Zone Designator		Z	ones		
[See Section 131.0530 for	1st & 2nd >>		(CC-		
Development Regulations of	3rd >>	1- 2- 4- 5-	1-2-4-5-	1-2-4-5-	2- 3- 4-	5-
Commercial Zones]	4th >>	1	2	3	4	
Max Permitted Residential Density ⁽¹⁾			[No char	nge in text.]		
Unit Protection Regulations [See Cha	pter 14, Article 3,					
Division 12] [No change in text.]						

Development	Zone			Z	ones			
Regulation	Designator							
[See Section	1st & 2nd >>				CC			
131.0530 for	3rd >>	2-3-4-5-	3-4-5-	3-	3-	3-	3-	3-
Development	4th >>	5	6	7	8	9	10	11
Regulations of								
Commercial								
Zones]								
Max permitted Resi			[No chan	ge in te	xt.]		200	150
<i>Density</i> ⁽¹⁾ [No change								
Supplemental Resid			[No chan	ge in te	xt.]		applies	applies
Regulations [See Se	ction							
131.0540] Lot Area								
	(ag. ft)		No ahan	an in th			2 500	2 500
Min Lot Area ([No chan	0			2,500	2,500
Max Lot Area	(ac)		[No chan	ge in te	xt.]			
Lot Dimensions	(0)		DT 1	•				25
Min Lot Width			[No chan	-			25	25
Min Street Fro	0		[No chan	0			25	25
Min Lot Depth			[No chan	ge in te	xt.]			
Max Lot Depth								
Setback Requirement								
Min Front Seth			[No chan	ige in te	xt.]			
Max Front Set	· · /						10(2)	10(2)
[See Section 13	() =		DT 1	•			10	10
Min Side Setbo	· /		[No chan	ge in te	xt.]		10	10
Optional Side	• •						0	0
[See Section 13			[No ahar	as in to	v+ 1		opplics	opplies
Side Setback A Residential [Set	U		[No chan	ge in te	xi.]		applies	applies
131.0543(c)]								
131.0343(0)]								

Development	Zone	e Zones						
Regulation	Designator							
[See Section	1st & 2nd >>	CC						
131.0530 for	3rd >>	2-3-4-5-	3-4-5-	3-	3-	3-	3-	3-
Development	4th >>	5	6	7	8	9	10	11
Regulations of	111 > >	5	0	,	0		10	11
Commercial								
Zones]			[No chan					
Min Street Side								
Max Street Sid		10(2)	10(2)					
[See Section 13								
	Min Rear Setback (ft)			ge in tex	xt.]		10	10
Optional Rear							0	0
[See Section 13								
Rear Setback A	0		[No chan	ge in tex	xt.]		applies	applies
Residential [Se	ee Section							
<u>131.0543(c)]</u>	1 ((()							
Max Structure Heigh		- 35	- 35					
Min Lot Coverage (9		[No change in text.] [No change in text.]						
Max Floor Area Rat		2.0(4)	2.0(4)					
Floor Area Rat		5.5	6.0					
Residential Mixed Use [See								
Section 131.05		2.0	2.0					
Minimum Floc		2.0	2.0					
for Residential Use			1.	11				
Ground-floor Heigh		applies	applies					
131.0548]								
Pedestrian Paths [See Section			applies	applies				
131.0550]			opplied	opplied				
Transparency [See Section 131.0552]			applies	applies				
Building Articulation [See Section]			applies	applies				
131.0554]			applies	applies				
Parking Lot Orientation [See			-	-				
Section 131.0556]				-				
Refuse and Recycla	[No change in text.]						applies	
Storage [See Section						applies		
change in text.]								
Loading Dock and ([No change in text.]						applies	
Screening Regulations [See								
Section 142.1030] [N	No change in							
text.]			[No chan		_			
Visibility Area [See		applies	applies					
113.0273] [No chang								

Development	Zone	Zones									
Regulation	Designator										
[See Section	1st & 2nd >>	CC									
131.0530 for	3rd >>	2-3	3- 4-	5-	3- 4-	5-	3-	3-	3-	3-	3-
Development	4th >>		5		6		7	8	9	10	11
Regulations of			e		0		-	Ũ	-	10	
Commercial											
Zones]											
Dwelling Unit Protection		[No change in text.] applies applie							applies		
Regulations [See Chapter 14,											
Article 3, Division 12] [No change											
in text.]											

Footnotes for Table 131-05E

¹ through ⁵ [No change in text.]

§131.0540 Maximum Permitted Residential Density and Other Residential Regulations

The following regulations apply to residential *development* within commercial zones where indicated in Table 131-05B:

(a) through (b) [No change in text.]

(c) Ground *Floor* Restrictions.

(1) Residential use and residential parking are prohibited on the ground *floor* in the front half of the *lot*, except in the CC-3-4, CC-3-5, CC-3-6, CC-3-7, CC-3-8, CC-3-9, CC-3-10, CC-3-11, CC-4-4, CC-4-5, CC-4-6, CC-5-4, CC-5-5, CC-5-6, CN-1-6, CO-3-1, and CV-1-2 zones, where these uses are prohibited on the ground *floor* in the front 30 feet of the lot as shown in Diagram 131-05A. In the CN-1-6 and CO-3-1 zones, residential use and residential parking are limited to 70 percent of the *street frontage* along the front *property line*. Interim ground *floor residential* uses may be

permitted with a Neighborhood Use Permit in accordance with

Section 141.0309.

Diagram 131-05A

Ground Floor Restriction

[No change on text.]

(2) [No change in text.]

(d) Residential *Development*. Where residential *development* is permitted, the development regulations of the RM-1-1, RM-2-5, RM-3-7, RM-3-8, RM-3-9, and RM-4-10, and RM-4-11 zones apply as appropriate according to the maximum permitted residential *density*, except that the *lot* area, *lot* dimensions, *setback*, *floor area ratio*, and *structure height* requirements of the applicable commercial zone apply.

§131.0543 Setback Requirements for Commercial Zones

Setback requirements are specified in Tables 131-05C, 131-05D, and 131-05E and are subject to the following exceptions and additional regulations:

- (a) Front and *Street* Side *Setback* Requirements
 - Off-street parking in all commercial zones, with the exception of CC-3-10, and CC-3-11 may be located within the required front *yard* and required street side yard adjoining the required landscaped strip abutting *public rights-of-way*.
 - (2) [No change in text.]

Diagram 131-05B

Maximum Setback Requirement

[No change in text.]

(3) [No change in text.]

(b) through (c) [No change in text.]

Section 2. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is

amended by amending Sections 132.1402 and Table 132-14A, and Section 132.1403, Diagram

132-14K to read as follows:

Article 2: Overlay Zones

Division 14: Community Plan Implementation Overlay Zone

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

(a) [No change in text.]

Table 132-14A

Community Plans with Property in the Community Plan Implementation Overlay Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Barrio Logan (See Diagram 132-14T) through University (See Diagram 132-14J) [No change in text.]	[No change in text.]
Uptown (See Diagram 132-14K) [No change in text.]	C-1032

(b) [No change in text.]

§132.1403 Exception to the Community Plan Implementation Overlay Zone

The City Manager may grant an exception to the requirements of this division for

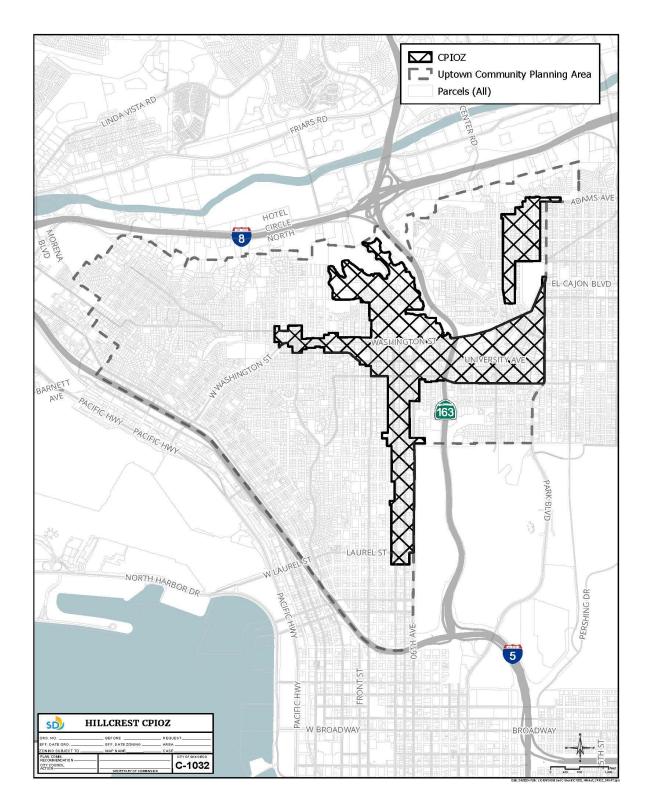
proposed *development* that is minor, temporary, or incidental and is consistent

with the intent of this division. Exceptions made by the City Manager shall be

filed with the office of the City Clerk.

DIAGRAM 132-14A through DIAGRAM 132-14J

-PAGE 20 OF 26-



[No change in text.]

DIAGRAM 132-14K

Uptown Community Plan Implementation Overlay Zone

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

DIAGRAM 132-14L through DIAGRAM 132-14U

[No change in text.]

Section 3. That a full reading of this Ordinance is dispensed with prior to passage, a written or printed copy having been available to the Council and the public prior to the day of its passage.

Section 4. That San Diego Ordinances O-XXXX-X, O-XXXX-X, and O-XXXX-X have been recently considered by the Council; and that Ordinances O-XXXX-X and O-XXXX-X will be considered by the Council in the near future which amend San Diego Municipal Code sections also amended by this Ordinance; therefore, the City Clerk, with the written approval and concurrence of the City Attorney, is authorized to reconcile the numbering of sections and placement of text within these sections upon the final passage of the Ordinances, without further action by the Council, pursuant to San Diego Charter section 275.

Section 5. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) acting as the Airport Land Use Commission (ALUC) for a consistency determination with the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA).

Section 6. That if the ALUC finds this Ordinance consistent with the ALUCP for SDIA, this Ordinance shall take effect and be in force on the date of the finding of consistency, provided that and not until at least thirty days have passed from the date of final passage, or the date that San Diego Resolution R-<u>YYYYYY</u> adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, except that all provisions of this ordinance that are inside the Coastal Overlay Zone, and that are subject to California Coastal Commission

-PAGE 23 OF 26-

jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 7. That if the ALUC determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for SDIA, the Ordinance shall be submitted to the City Council for reconsideration.

Section 8. That if the ALUC determines that this Ordinance is conditionally consistent with the ALUCP for SDIA, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, or the date that San Diego Resolution R-<u>YYYYYY</u> adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, whichever date occurs later, except that all provisions of this ordinance that are inside the Coastal Overlay Zone, and that are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 9. That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote. The proposed decision and findings shall be forwarded to the ALUC, the California Department of Transportation, Division of Aeronautics, and the SDCRAA as the operator for SDIA. The City Council shall hold a second hearing not less than forty-five days

-PAGE 24 OF 26-

from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 10. That if the City Council makes a final decision to overrule a determination of inconsistency, this Ordinance shall take effect and be in force on the thirtieth day from and after that final decision, or the date that San Diego Resolution R-<u>YYYYYY</u> adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, whichever date occurs later, except that all provisions of this ordinance that are inside the Coastal Overlay Zone, and that are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 11. No building permits for development inconsistent with the provisions of this Ordinance shall be issued unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this ordinance become effective, which date is determined in accordance with the sections above.

APPROVED: MARA W. ELLIOTT, City Attorney

By

Deputy City Attorney

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

DIANA J.S. FUENTES City Clerk

By_

Deputy City Clerk

Approved:	
(date)	TODD GLORIA, Mayor
Vetoed:	
(date)	TODD GLORIA, Mayor