

(O-20[INSERT REMAINDER OF TITLE])

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

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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

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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

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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.]
- (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*

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- 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

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- 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	Zones																	
		[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	1st & 2nd >>	CN <sup>(1)</sup> -						CR-		CO-						CV-	
3rd >>	1-						1-	2-	1-		2-		3-		1-		1-		
4th >>	1		2	3	4	5	6	1	1	1	2	1	2	1	2	3	1	2	1
<b>Open Space through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]																	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																									
		CC-																									
		1-			2-			3-						4-						5-							
		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
<b>Open Space</b>																											
<b>Active Recreation</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Passive Recreation</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Natural Resources Preservation</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Park Maintenance Facilities</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Agriculture</b>																											
<b>Agricultural Processing</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Aquaculture Facilities</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Dairies</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Horticulture Nurseries &amp; Greenhouses</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Raising &amp; Harvesting of Crops</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Raising, Maintaining &amp; Keeping of Animals</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Separately Regulated Agriculture Uses</b>																											
Agricultural Equipment Repair Shops		[No change in text.]						-	-	[No change in text.]																	
Commercial Stables		[No change in text.]						-	-	[No change in text.]																	
Community Gardens		[No change in text.]																									
Equestrian Show & Exhibition Facilities		[No change in text.]						-	-	[No change in text.]																	
Open Air Markets for the Sale of Agriculture- Related Products & Flowers		[No change in text.]						-	-	[No change in text.]																	
<b>Residential</b>																											
<b>Mobilehome Parks</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Multiple Dwelling Units through Shopkeeper Units</b>		[No change in text.]																									
<b>Single Dwelling Units</b>		[No change in text.]						-	-	[No change in text.]																	
<b>Separately Regulated Residential Uses</b>																											
<b>Accessory Dwelling Units</b>		[No change in text.]						L	L	[No change in text.]																	
Continuing Care Retirement Communities		[No change in text.]						L	L	[No change in text.]																	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-						4-						5-					
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	1	2	3	4
Employee Housing:																									
6 or Fewer Employees		[No change in text.]												-	-	[No change in text.]									
12 or Fewer Employees		[No change in text.]												-	-	[No change in text.]									
Greater than 12 Employees		[No change in text.]												-	-	[No change in text.]									
Fraternities and Sororities		[No change in text.]												C	C	[No change in text.]									
Garage, Yard, & Estate Sales		[No change in text.]												-	-	[No change in text.]									
Guest Quarters		[No change in text.]												-	-	[No change in text.]									
Home Occupations		[No change in text.]												L	L	[No change in text.]									
Interim Ground <i>Floor Residential</i>		[No change in text.]												N <sup>(18)</sup>	N <sup>(18)</sup>	[No change in text.]									
<i>Junior Accessory Dwelling Units</i>		[No change in text.]												-	-	[No change in text.]									
Live/Work Quarters		[No change in text.]												L	L	[No change in text.]									
Low Barrier Navigation Center		[No change in text.]												L	L	[No change in text.]									
<i>Movable Tiny Houses</i>		[No change in text.]												-	-	[No change in text.]									
<i>Permanent Supportive Housing</i>		[No change in text.]												L	L	[No change in text.]									
Residential Care Facilities:																									
6 or Fewer Persons		[No change in text.]												P	P	[No change in text.]									
7 or More Persons		[No change in text.]												C	C	[No change in text.]									
Student Housing		[No change in text.]												L	L	[No change in text.]									
Transitional Housing:																									
6 or Fewer Persons		[No change in text.]												P	P	[No change in text.]									
7 or More Persons		[No change in text.]												L	L	[No change in text.]									
Watchkeeper Quarters		[No change in text.]												-	-	[No change in text.]									
<b>Institutional</b>																									
<b>Separately Regulated Institutional Uses</b>																									
Airports		[No change in text.]												C	C	[No change in text.]									
Battery Energy Storage Facilities																									
Small Scale ( $\leq 0.25$ acre)		[No change in text.]												L	L	[No change in text.]									
Medium Scale (0.25 acre < 1 acre)		[No change in text.]												C	C	[No change in text.]									
Large Scale (>1 acre)		[No change in text.]												C	C	[No change in text.]									
Botanical Gardens & Arboretums		[No change in text.]												C	C	[No change in text.]									
Cemeteries, Mausoleums, Crematories		[No change in text.]												C	C	[No change in text.]									
Correctional Placement Centers		[No change in text.]												C	C	[No change in text.]									



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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																									
		CC-																									
		1-			2-			3-						4-						5-							
		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
<b>Educational Facilities:</b>																											
Kindergarten thru Grade 12		[No change in text.]											L	L	[No change in text.]												
Colleges / Universities		[No change in text.]											-	-	[No change in text.]												
Vocational / Trade School		[No change in text.]											-	-	[No change in text.]												
Electric Vehicle Charging Stations		[No change in text.]											L	L	[No change in text.]												
Energy Generation & Distribution Facilities		[No change in text.]											C	C	[No change in text.]												
Exhibit Halls & Convention Facilities		[No change in text.]											C	C	[No change in text.]												
<i>Flood Control Facilities</i>		[No change in text.]											L	L	[No change in text.]												
<i>Historical Buildings Used for Purposes Not Otherwise Allowed</i>		[No change in text.]											C	C	[No change in text.]												
<b>Homeless Facilities:</b>																											
Congregate Meal Facilities		[No change in text.]											C	C	[No change in text.]												
Emergency Shelters		[No change in text.]											L	L	[No change in text.]												
Homeless Day Centers		[No change in text.]											C	C	[No change in text.]												
Hospitals, Intermediate Care Facilities & Nursing Facilities		[No change in text.]											C	C	[No change in text.]												
Interpretive Centers		[No change in text.]											-	-	[No change in text.]												
Museums		[No change in text.]											P	P	[No change in text.]												
Major Transmission, Relay, or Communications Switching Stations		[No change in text.]											C	C	[No change in text.]												
<i>Placemaking on Private Property</i>		[No change in text.]											L	L	[No change in text.]												
Outdoor Dining on Private Property		[No change in text.]											L	L	[No change in text.]												
<i>Satellite Antennas</i>		[No change in text.]											L	L	[No change in text.]												
<i>Social Service Institutions</i>		[No change in text.]											C	C	[No change in text.]												
Solar Energy Systems		[No change in text.]											L	L	[No change in text.]												
<i>Wireless Communication Facilities</i>		[No change in text.]																									
<b>Retail Sales</b>																											
<b>Building Supplies &amp; Equipment</b>		[No change in text.]											-	-	[No change in text.]												
<b>Food, Beverages and Groceries</b>		[No change in text.]											P <sup>(1)</sup>	P <sup>(1)</sup>	[No change in text.]												
<b>Consumer Goods, Furniture, Appliances, Equipment</b>		[No change in text.]											P <sup>(1)</sup>	P <sup>(1)</sup>	[No change in text.]												
<b>Pets &amp; Pet Supplies</b>		[No change in text.]											P <sup>(1)</sup>	P <sup>(1)</sup>	[No change in text.]												
<b>Sundries, Pharmaceutical, &amp; Convenience Sales</b>		[No change in text.]											P <sup>(1)</sup>	P <sup>(1)</sup>	[No change in text.]												

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-						4-						5-					
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	1	2	3	4
<b>Wearing Apparel &amp; Accessories</b>		[No change in text.]											P <sup>(11)</sup>	P <sup>(11)</sup>	[No change in text.]										
<b>Separately Regulated Retail Sales Uses</b>																									
Agriculture Related Supplies & Equipment		[No change in text.]											-	-	[No change in text.]										
Alcoholic Beverage Outlets		[No change in text.]											L	L	[No change in text.]										
<i>Cannabis Outlets</i>		[No change in text.]											-	-	[No change in text.]										
Farmers' Markets																									
Weekly Farmers' Markets		[No change in text.]											L	L	[No change in text.]										
Daily Farmers' Market Stands		[No change in text.]											L	L	[No change in text.]										
Plant Nurseries		[No change in text.]											P	P	[No change in text.]										
Retail Farms		[No change in text.]											L	L	[No change in text.]										
Retail Tasting Stores		[No change in text.]											L	L	[No change in text.]										
Swap Meets & Other Large Outdoor Retail Facilities		[No change in text.]											-	-	[No change in text.]										
<b>Commercial Services</b>																									
<b>Building Services</b>		[No change in text.]											-	-	[No change in text.]										
<b>Business Support</b>		[No change in text.]											P	P	[No change in text.]										
<b>Eating &amp; Drinking Establishments</b>		[No change in text.]											P <sup>(16)</sup>	P <sup>(16)</sup>	[No change in text.]										
<b>Financial Institutions</b>		[No change in text.]											P	P	[No change in text.]										
<b>Funeral &amp; Mortuary Services</b>		[No change in text.]											P	P	[No change in text.]										
<b>Instructional Studios</b>		[No change in text.]											P	P	[No change in text.]										
<b>Maintenance &amp; Repair</b>		[No change in text.]											P	P	[No change in text.]										
<b>Off-site Services</b>		[No change in text.]											-	-	[No change in text.]										
<b>Personal Services</b>		[No change in text.]											P	P	[No change in text.]										
<b>Radio &amp; Television Studios</b>		[No change in text.]											P	P	[No change in text.]										
<b>Tasting Rooms</b>		[No change in text.]											- (17)	- (17)	[No change in text.]										
<b>Should there be a num Visitor Accommodations</b>		[No change in text.]											P	P	[No change in text.]										
<b>Separately Regulated Commercial Services Uses</b>																									
<i>Adult Day Care Facility</i>		[No change in text.]											L	L	[No change in text.]										
Adult Entertainment Establishments:																									
Adult Book Store		[No change in text.]											L	L	[No change in text.]										





(O-20[INSERT REMAINDER OF TITLE])

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-						4-						5-					
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	1	2	3	4
Sidewalk Cafes, Streetaries, and Active Sidewalks		[No change in text.]											L	L	[No change in text.]										
Sports Arenas & Stadiums		[No change in text.]											C	C	[No change in text.]										
Theaters that are Outdoor or Over 5,000 Square Feet in Size		[No change in text.]											C	C	[No change in text.]										
Urgent Care Facilities		[No change in text.]											N	N	[No change in text.]										
Veterinary Clinics & Animal Hospitals		[No change in text.]											L	L	[No change in text.]										
Zoological Parks		[No change in text.]											-	-	[No change in text.]										
<b>Offices</b>																									
<b>Business &amp; Professional</b>		[No change in text.]											P	P	[No change in text.]										
<b>Government</b>		[No change in text.]											P	P	[No change in text.]										
<b>Medical, Dental &amp; Health Practitioner</b>		[No change in text.]											P	P	[No change in text.]										
<b>Regional &amp; Corporate Headquarters</b>		[No change in text.]											P	P	[No change in text.]										
<b>Separately Regulated Office Uses</b>																									
Real Estate Sales Offices & Model Homes		[No change in text.]											L	L	[No change in text.]										
<i>Sex Offender</i> Treatment & Counseling		[No change in text.]											L	L	[No change in text.]										
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>																									
<b>Commercial Vehicle Repair &amp; Maintenance</b>		[No change in text.]											-	-	[No change in text.]										
<b>Commercial Vehicle Sales &amp; Rentals</b>		[No change in text.]											-	-	[No change in text.]										
<b>Personal Vehicle Repair &amp; Maintenance</b>		[No change in text.]											-	-	[No change in text.]										
<b>Personal Vehicle Sales &amp; Rentals</b>		[No change in text.]											-	-	[No change in text.]										
<b>Vehicle Equipment &amp; Supplies Sales &amp; Rentals</b>		[No change in text.]											-	-	[No change in text.]										
<b>Separately Regulated Vehicle &amp; Vehicular Equipment Sales &amp; Service Uses</b>																									
Automobile Service Stations		[No change in text.]											N	N	[No change in text.]										

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-						4-						5-					
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	1	2	3	4
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		[No change in text.]									-	-	[No change in text.]												
Vehicle Storage Facilities as a <i>Primary Use</i>		[No change in text.]									-	-	[No change in text.]												
<b>Distribution and Storage</b>																									
<b>Equipment &amp; Materials Storage Yards</b>		[No change in text.]									-	-	[No change in text.]												
<b>Moving &amp; Storage Facilities</b>		[No change in text.]									-	-	[No change in text.]												
<b>Distribution Facilities</b>		[No change in text.]									-	-	[No change in text.]												
<b>Separately Regulated Distribution and Storage Uses</b>																									
Junk Yards		[No change in text.]									-	-	[No change in text.]												
Temporary Construction Storage Yards Located Off-site		[No change in text.]									L	L	[No change in text.]												
<b>Industrial</b>																									
<b>Heavy Manufacturing</b>		[No change in text.]									-	-	[No change in text.]												
<b>Light Manufacturing</b>		[No change in text.]									-	-	[No change in text.]												
<b>Marine Industry</b>		[No change in text.]									-	-	[No change in text.]												
<b>Research &amp; Development</b>		[No change in text.]									-	-	[No change in text.]												
Testing Labs		[No change in text.]									-	-	[No change in text.]												
<b>Trucking &amp; Transportation Terminals</b>		[No change in text.]									-	-	[No change in text.]												
<b>Separately Regulated Industrial Uses</b>																									
Artisan Food and Beverage Producer		[No change in text.]									L	L	[No change in text.]												
<i>Cannabis Production Facilities</i>		[No change in text.]									-	-	[No change in text.]												
<i>Hazardous Waste Research Facility</i>		[No change in text.]									-	-	[No change in text.]												
<i>Hazardous Waste Treatment Facility</i>		[No change in text.]									-	-	[No change in text.]												
Marine Related Uses Within the Coastal Overlay Zone		[No change in text.]									C	C	[No change in text.]												
Newspaper Publishing Plants		[No change in text.]									C	C	[No change in text.]												

(O-20[INSERT REMAINDER OF TITLE])

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator 1st & 2nd >> 3rd >> 4th >>	Zones																							
		CC-																							
		1-			2-			3-						4-						5-					
		1	2	3	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5	6	1	2	3	4
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		[No change in text.]									-	-	[No change in text.]												
Very Heavy Industrial Uses		[No change in text.]									-	-	[No change in text.]												
Wrecking & Dismantling of Motor Vehicles		[No change in text.]									-	-	[No change in text.]												
<b>Signs</b>																									
<b>Allowable Signs</b>		[No change in text.]									P	P	[No change in text.]												
<b>Separately Regulated Signs Uses</b>																									
Community Entry Signs		[No change in text.]									L	L	[No change in text.]												
Neighborhood Identification Signs		[No change in text.]									-	-	[No change in text.]												
Comprehensive Sign Program		[No change in text.]									N	N	[No change in text.]												
Revolving Projecting Signs		[No change in text.]									N	N	[No change in text.]												
Signs with Automatic Changing Copy		[No change in text.]									N	N	[No change in text.]												
Theater Marquees											N	N													

**Footnotes for Table 131-05B**

<sup>1 through 19</sup> [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

(O-20[INSERT REMAINDER OF TITLE])

**Table 131-05E****Development Regulations for CC Zones**

<b>Development Regulation</b> [See Section 131.0530 for Development Regulations of Commercial Zones]	<b>Zone Designator</b>	<b>Zones</b>															
	1st & 2nd >>	CC-															
	3rd >>	1-	2-	4-	5-	1-	2-	4-	5-	1-	2-	4-	5-	2-	3-	4-	5-
	4th >>	1				2				3				4			
<b>Max Permitted Residential Density<sup>(1)</sup> through Dwelling Unit Protection Regulations</b> [See Chapter 14, Article 3, Division 12] [No change in text.]	[No change in text.]																

<b>Development Regulation</b> [See Section 131.0530 for Development Regulations of Commercial Zones]	<b>Zone Designator</b>	<b>Zones</b>											
	1st & 2nd >>	CC											
	3rd >>	2-	3-	4-	5-	3-	4-	5-	3-	3-	3-	3-	3-
	4th >>	5			6			7	8	9	10	11	
<b>Max permitted Residential Density<sup>(1)</sup></b> [No change in text.]	[No change in text.]										200	150	
<b>Supplemental Residential Regulations</b> [See Section 131.0540]	[No change in text.]										applies	applies	
<b>Lot Area</b>													
Min Lot Area (sq. ft.)	[No change in text.]										2,500	2,500	
Max Lot Area (ac)	[No change in text.]										--	--	
<b>Lot Dimensions</b>													
Min Lot Width (ft)	[No change in text.]										25	25	
Min Street Frontage (ft)	[No change in text.]										25	25	
Min Lot Depth (ft)	[No change in text.]										--	--	
Max Lot Depth (ft)	[No change in text.]										--	--	
<b>Setback Requirements<sup>(5)</sup></b>													
Min Front Setback (ft)	[No change in text.]										--	--	
Max Front Setback (ft) [See Section 131.0543(a)]	[No change in text.]										10 <sup>(2)</sup>	10 <sup>(2)</sup>	
Min Side Setback (ft) Optional Side Setback (ft) [See Section 131.0543(b)]	[No change in text.]										10 0	10 0	
Side Setback Abutting Residential [See Section 131.0543(c)]	[No change in text.]										applies	applies	



(O-20[INSERT REMAINDER OF TITLE])

<b>Development Regulation</b> [See Section 131.0530 for Development Regulations of Commercial Zones]	<b>Zone Designator</b>	<b>Zones</b>											
	1st & 2nd >>	<b>CC</b>											
	3rd >>	2-	3-	4-	5-	3-	4-	5-	3-	3-	3-	3-	3-
	4th >>	5			6			7	8	9	10	11	
Min <i>Street Side Setback</i> (ft)	[No change in text.]											--	--
Max <i>Street Side Setback</i> (ft) [See Section 131.0543(a)]	[No change in text.]											10 <sup>(2)</sup>	10 <sup>(2)</sup>
Min <i>Rear Setback</i> (ft)	[No change in text.]											10	10
Optional <i>Rear Setback</i> (ft) [See Section 131.0543(b)]	[No change in text.]											0	0
<i>Rear Setback</i> Abutting Residential [See Section 131.0543(c)]	[No change in text.]											applies	applies
<b>Max Structure Height</b> (ft)	[No change in text.]											-	-
<b>Min Lot Coverage</b> (%) <sup>(4,5)</sup>	[No change in text.]											35	35
<b>Max Floor Area Ratio</b>	[No change in text.]											2.0 <sup>(4)</sup>	2.0 <sup>(4)</sup>
<i>Floor Area Ratio</i> Bonus for Residential Mixed Use [See Section 131.0546(a)]	[No change in text.]											5.5	6.0
Minimum <i>Floor Area Ratio</i> for Residential Use	[No change in text.]											2.0	2.0
<b>Ground-floor Height</b> [See Section 131.0548]	[No change in text.]											applies	applies
<b>Pedestrian Paths</b> [See Section 131.0550]	[No change in text.]											applies	applies
<b>Transparency</b> [See Section 131.0552]	[No change in text.]											applies	applies
<b>Building Articulation</b> [See Section 131.0554]	[No change in text.]											applies	applies
<b>Parking Lot Orientation</b> [See Section 131.0556]	[No change in text.]											-	-
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805] [No change in text.]	[No change in text.]											applies	applies
<b>Loading Dock and Overhead Door Screening Regulations</b> [See Section 142.1030] [No change in text.]	[No change in text.]											applies	applies
<b>Visibility Area</b> [See Section 113.0273] [No change in text.]	[No change in text.]											applies	applies

(O-20[INSERT REMAINDER OF TITLE])

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

**Footnotes for Table 131-05E**<sup>1</sup> through <sup>5</sup> [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

(O-20[INSERT REMAINDER OF TITLE])

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
- (1) 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**

(O-20[INSERT REMAINDER OF TITLE])

[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**

<b>Community Plan</b>	<b>Map Number Showing Boundaries of CPIOZ Area</b>
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**

(O-20[INSERT REMAINDER OF TITLE])

[No change in text.]

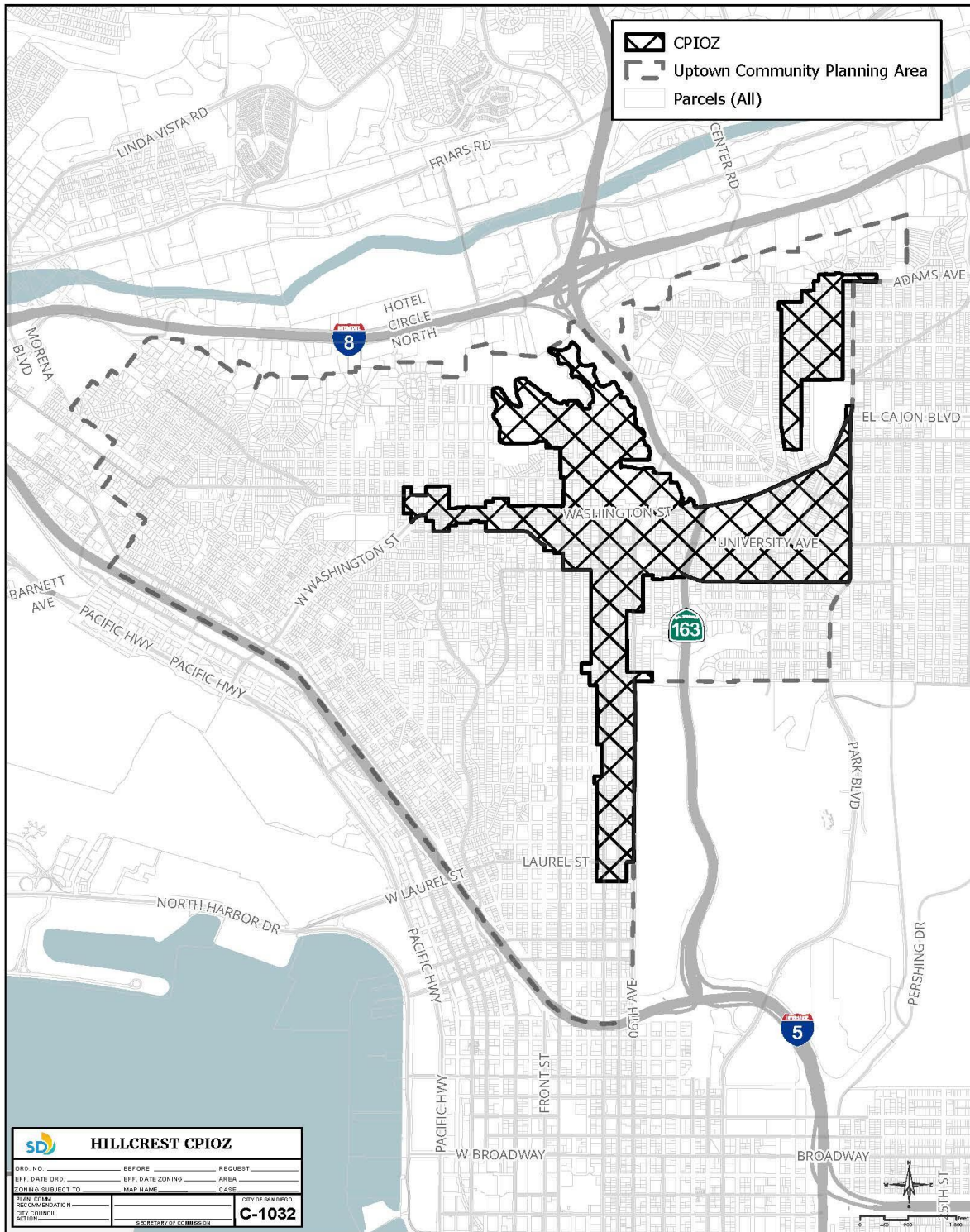


DIAGRAM 132-14K

(O-20[INSERT REMAINDER OF TITLE])

**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-YYYYYYYY 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

(O-20[INSERT REMAINDER OF TITLE])

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(O-20[INSERT REMAINDER OF TITLE])

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-YYYYYYYY 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



(O-20[INSERT REMAINDER OF TITLE])

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-YYYYYYYY 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

(O-20[INSERT REMAINDER OF TITLE])

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

DRAFT