

## Article 1: Base Zones

### Division 5: Commercial Base Zones

(“Commercial Base Zones” added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

#### §131.0501 Purpose of Commercial Zones

The purpose of the commercial zones is to provide for the employment, shopping, services, recreation, and lodging needs of the residents of and visitors to the City. The intent of the commercial zones is to provide distinct regulations for size, intensity, and design to reflect the variety of the desired *development* patterns within San Diego’s communities.

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

#### §131.0502 Purpose of the CN (Commercial--Neighborhood) Zones

- (a) The purpose of the CN zones is to provide residential areas with access to a limited number of convenient retail and personal service uses. The CN zones are intended to provide areas for small scale, low intensity *developments* that are consistent with the character of the surrounding residential areas. The zones in this category may include residential *development*. Property within the CN zones will be primarily located along local and selected collector *streets*.
- (b) The CN zones are differentiated based on the permitted *lot* size and pedestrian orientation as follows:
- CN-1-1 allows *development* of a limited size with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 3,000 square feet of *lot* area
  - CN-1-2 allows *development* with an auto orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
  - CN-1-3 allows *development* with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
  - CN-1-4 allows *development* with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,000 square feet of *lot* area

- CN-1-5 allows *development* with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 600 square feet of *lot* area

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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### §131.0503 Purpose of the CR (Commercial--Regional) Zones

- (a) The purpose of the CR zones is to provide areas for a broad mix of business/professional office, commercial service, retail, wholesale, and limited manufacturing uses. The CR zones are intended to accommodate large-scale, high intensity *developments*. Property within these zones will be primarily located along major *streets*, primary arterials, and major public transportation lines.
- (b) The CR zones are designed for auto-oriented *development* and are differentiated based on the uses allowed as follows:
  - CR-1-1 allows a mix of regional serving commercial uses and residential uses with an auto orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
  - CR-2-1 allows regional serving commercial and limited industrial uses with an auto orientation but no residential use

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

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**§131.0504 Purpose of the CO (Commercial--Office) Zones**

- (a) The purpose of the CO zones is to provide areas for employment uses with limited, complementary retail uses and residential use as specified. The CO zones are intended to apply in large-scale activity centers or in specialized areas where a full range of commercial activities is not desirable.
- (b) The CO zones are differentiated based on the uses and development scale allowed as follows:
- (1) The following zones allow residential *development*:
- CO-1-1 is intended to accommodate a mix of office and residential uses with a neighborhood scale and orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,000 square feet of *lot area*
  - CO-1-2 is intended to accommodate a mix of office and residential uses that serve as an employment center and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot area*
- (2) The following zones prohibit residential *development*:
- CO-2-1 is intended to accommodate office uses with a neighborhood scale and orientation
  - CO-2-2 is intended to accommodate office uses that serve as an employment center
- (3) The following zones allow residential *development* in a pedestrian oriented development:
- CO-3-1 is intended to accommodate a mix of office and residential uses and permits a maximum *density* of 1 *dwelling unit* for each 800 square feet of *lot area*
  - CO-3-2 is intended to accommodate a mix of office and residential uses and permits a maximum *density* of 1 *dwelling unit* for each 600 square feet of *lot area*

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

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#### §131.0505 Purpose of the CV (Commercial--Visitor) Zones

- (a) The purpose of the CV zones is to provide areas for establishments catering to the lodging, dining, and recreational needs of both tourists and the local population. The CV zones are intended for areas located near employment centers and areas with recreational resources or other visitor attractions.
- (b) The CV zones are differentiated based on *development* size and orientation as follows:
- CV-1-1 is intended to accommodate a mix of large-scale, visitor-serving uses and residential uses and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
  - CV-1-2 is intended to accommodate a mix of visitor-serving uses and residential uses with a pedestrian orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

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**§131.0506 Purpose of the CP (Commercial--Parking) Zone**

The purpose of the CP zone is to provide off-street parking areas for passenger automobiles. The CP zone is intended to be applied in conjunction with established commercial areas to provide needed or required off-street parking.

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

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

(a) The purpose of the CC zones is to accommodate community-serving commercial services, retail uses, and limited industrial uses of moderate intensity and small to medium scale. The CC zones are intended to provide for a range of *development* patterns from pedestrian-friendly commercial *streets* to shopping centers and auto-oriented strip commercial *streets*. Some of the CC zones may include residential *development*. Property within the CC zones will be primarily located along collector *streets*, major *streets*, and public transportation lines.

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

(1) The following zones allow a mix of community-serving commercial uses and residential uses:

- CC-1-1 is intended to accommodate *development* with strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-1-2 is intended to accommodate *development* with high intensity, strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-1-3 is intended to accommodate *development* with an auto orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area

(2) The following zones allow community-serving uses with no residential uses:

- CC-2-1 is intended to accommodate *development* with strip commercial characteristics
- CC-2-2 is intended to accommodate *development* with high intensity, strip commercial characteristics

- CC-2-3 is intended to accommodate *development* with an auto orientation
  - CC-2-4 is intended to accommodate *development* with a pedestrian orientation
  - CC-2-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
- (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*
- (4) The following zones allow heavy commercial uses and residential uses:
- CC-4-1 is intended to accommodate *development* with strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot area*
  - CC-4-2 is intended to accommodate *development* with high intensity, strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot area*

- CC-4-3 is intended to accommodate *development* with an auto orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-4-4 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-4-5 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-4-6 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

(5) The following zones allow a mix of heavy commercial and limited industrial uses and residential uses:

- CC-5-1 is intended to accommodate *development* with strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-5-2 is intended to accommodate *development* with high intensity, strip commercial characteristics and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-5-3 is intended to accommodate *development* with an auto orientation and permits a maximum *density* of 1 *dwelling unit* for each 1,500 square feet of *lot* area
- CC-5-4 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-5-5 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-5-6 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

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

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#### §131.0515 Where Commercial Zones Apply

On the effective date of Ordinance O-18692, all commercial zones that were established in Municipal Code Chapter 10, Article 1, Division 4 were amended and replaced with the base zones established in this division.

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

*(Amended 11-13-2008 by O-19801 N.S.; effective 12-13-2008.)*

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**§131.0520 Use Regulations of Commercial Zones**

The regulations of Section 131.0522 apply in the commercial zones where indicated in Table 131-05B.

- (a) The uses permitted in any commercial zone may be further limited by the following:
  - (1) Section 131.0540 (Maximum permitted residential *density* and other residential regulations);
  - (2) Use limitations applicable to the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15); -
  - (3) The presence of *environmentally sensitive lands*, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations); or
  - (4) Any other applicable provision of the San Diego Municipal Code.
- (b) Within the commercial zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-05B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0522.
- (c) All uses or activities permitted in the commercial zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (d) *Accessory uses* in the commercial zones may be permitted in accordance with Section 131.0125.
- (e) Temporary uses may be permitted in the commercial zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (f) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

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

(Amended 10-25-2011 by O-20047 N.S.; effective 1-1-2012.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

§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

Symbol in Table 131-05B	Description of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

**Table 131-05B**  
**Use Regulations Table for Commercial Zones**

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Open Space																	
Active Recreation		-					-	-	-	-	-	-	-	-	-	-	
Passive Recreation		-					-	-	-	-	-	-	-	-	-	-	
Natural Resources Preservation		-					-	-	-	-	-	-	-	-	-	-	
Park Maintenance Facilities		-					-	-	-	-	-	-	-	-	-	-	
Agriculture																	
Agricultural Processing		-					-	-	-	-	-	-	-	-	-	-	
Aquaculture Facilities		-					-	-	-	-	-	-	-	-	-	-	
Dairies		-					-	-	-	-	-	-	-	-	-	-	
Horticulture Nurseries & Greenhouses		-					-	-	-	-	-	-	-	-	-	-	
Raising & Harvesting of Crops		-					-	-	-	-	-	-	-	-	-	-	
Raising, Maintaining & Keeping of Animals		-					-	-	-	-	-	-	-	-	-	-	
Separately Regulated Agriculture Uses																	
Agricultural Equipment Repair Shops		-					P	P	-	-	-	-	-	-	-	-	
Commercial Stables		-					-	-	-	-	-	-	-	L	-	-	
Community Gardens		L					L	L	L	L	-	L	L	-	-	-	
Equestrian Show & Exhibition Facilities		-					-	-	-	-	-	-	C	-	-	-	
Open Air Markets for the Sale of Agriculture-related Products & Flowers		-					-	-	-	-	-	-	-	-	-	-	
Residential																	
Mobilehome Parks		-					-	-	-	-	-	-	-	-	-	-	
Multiple Dwelling Units		P <sup>(2)</sup>					P <sup>(2)</sup>	-	P <sup>(2)</sup>	-	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	-	-	-	
Rooming House [See Section 131.0112(a)(3)(A)]		P <sup>(2)</sup>					P	-	P	-	P	P <sup>(2)</sup>	P <sup>(2)</sup>	-	-	-	
Shopkeeper Units		P <sup>(2)</sup>					P <sup>(2)</sup>	-	P <sup>(2)</sup>	-	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	-	-	-	
Single Dwelling Units		-					-	-	-	-	-	-	-	-	-	-	
Separately Regulated Residential Uses																	
Boarder & Lodger Accommodations		L <sup>(2)</sup>					L	-	L	-	-	-	L <sup>(2)</sup>	-	-	-	
Companion Units		-					-	-	-	-	-	-	-	-	-	-	
Employee Housing:																	
6 or Fewer Employees		-					-	-	-	-	-	-	-	-	-	-	

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
12 or Fewer Employees		-					-	-	-	-	-	-	-	-	-	-	
Greater than 12 Employees		-					-	-	-	-	-	-	-	-	-	-	
Fraternities, Sororities and Student Dormitories		C <sup>(2)</sup>					C	-	C	-	-	-	C <sup>(2)</sup>	-			
Garage, Yard, & Estate Sales		-					-	-	-	-	-	-	-	-	-	-	
Guest Quarters		-					-	-	-	-	-	-	-	-	-	-	
Home Occupations		L					L	-	L	-	L	-	L	L	-		
Housing for Senior Citizens		C <sup>(2)</sup>					C	-	C	-	C	-	C <sup>(2)</sup>	-			
Live/Work Quarters		-					L	-	-	-	-	L	-	-			
Residential Care Facilities:																	
6 or Fewer Persons		P <sup>(2)</sup>					P	-	P	-	P	-	P <sup>(2)</sup>	-			
7 or More Persons		C <sup>(2)</sup>					C	-	C	-	C	-	C <sup>(2)</sup>	-			
Transitional Housing:																	
6 or Fewer Persons		P <sup>(2)</sup>					P	-	P	-	P	-	P <sup>(2)</sup>	-			
7 or More Persons		C <sup>(2)</sup>					C	-	C	-	C	-	C <sup>(2)</sup>	-			
Watchkeeper Quarters		-					-	L	-	-	-	-	-	-			
Institutional																	
Separately Regulated Institutional Uses																	
Airports		-					C	C	C	C	-	C <sup>(10)</sup>	-				
Botanical Gardens & Arboretums		-					P	P	C	C	-	P	-				
Cemeteries, Mausoleums, Crematories		-					C	C	C	C	-	C <sup>(10)</sup>	-				
Correctional Placement Centers		-					C	C	C	C	-	C <sup>(10)</sup>	-				
Educational Facilities:																	
Kindergarten through Grade 12		C <sup>(10)</sup>					C	C	C	C	C	C <sup>(10)</sup>	-				
Colleges / Universities		-					C	C	C	C	C	C <sup>(10)</sup>	-				
Vocational / Trade School		-					P	P	P	P	C	-	-				
Energy Generation & Distribution Facilities		C <sup>(10)</sup>					P	C	P	P	P	P <sup>(10)</sup>	-				
Exhibit Halls & Convention Facilities		-					P	P	C	C	-	P	-				
Flood Control Facilities		L					L	L	L	L	L	L	-				
Historical Buildings Used for Purposes Not Otherwise Allowed		C <sup>(10)</sup>					C	C	C	C	C	C <sup>(10)</sup>	-				

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Homeless Facilities:																	
Congregate Meal Facilities		C <sup>(10)</sup>					C	-	C	C	C	C	C <sup>(10)</sup>	-			
Emergency Shelters		C <sup>(10)</sup>					C	-	C	C	C	C	C <sup>(10)</sup>	-			
Homeless Day Centers		C <sup>(10)</sup>					C	-	C	C	C	C	C <sup>(10)</sup>	-			
Hospitals, Intermediate Care Facilities & Nursing Facilities		-					P	P	C	C	C	P <sup>(10)</sup>	-				
Interpretive Centers		-					-	-	-	-	-	-	-	-			
Museums		-					P	P	C	C	C	P	-				
Major Transmission, Relay, or Communications Switching Stations		-					C	C	C	C	C	C <sup>(10)</sup>	-				
Satellite Antennas		L					L	L	L	L	L	L	L				
Social Service Institutions		-					C	C	C	C	C	C <sup>(10)</sup>	-				
Solar Energy Systems		L					L	L	L	L	L	L	L				
Wireless Communication Facility:																	
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use		L					L	L	L	L	L	L	L				
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use		N					N	N	N	N	N	N	N				
Wireless communication facility in the public right-of-way with above ground equipment		C					C	C	C	C	C	C	C				
Wireless communication facility outside the public right-of-way		L					L	L	L	L	L	L	L				
Retail Sales																	
Building Supplies & Equipment		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	-	-	-	-	-				
Food, Beverages and Groceries		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	-				
Consumer Goods, Furniture, Appliances, Equipment		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(3,11)</sup>	P <sup>(3,11)</sup>	P <sup>(3,11)</sup>	P <sup>(13)</sup>	-				
Pets & Pet Supplies		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	-	-	-	-	-				
Sundries, Pharmaceutical, & Convenience Sales		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	P <sup>(11)</sup>	-				
Wearing Apparel & Accessories		P <sup>(11)</sup>					P <sup>(11)</sup>	P <sup>(11)</sup>	-	-	-	P <sup>(11)</sup>	-				
Separately Regulated Retail Sales Uses																	

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Agriculture Related Supplies & Equipment		-					P	P	-		-		-		-		-
Alcoholic Beverage Outlets		L					L	L	L		L		L		L		-
Farmers' Markets																	
Weekly Farmers' Markets		L					L	L	L		L		L		L		L
Daily Farmers' Market Stands		L					L	L	L		L		L		L		-
Plant Nurseries		P					P	P	-		-		-		-		-
Retail Farms		L					L	L	L		L		L		-		-
Retail Tasting Stores		L					L	L	L		L		L		L		-
Swap Meets & Other Large Outdoor Retail Facilities		-					C	C	-		-		-		C <sup>(10)</sup>		-
Commercial Services																	
Building Services		-					P	P	P <sup>(6)</sup>		P <sup>(6)</sup>		P <sup>(6)</sup>		-		-
Business Support		P					P	P	P <sup>(5)</sup>		P <sup>(7)</sup>		P <sup>(7)</sup>		-		-
Eating & Drinking Establishments		P <sup>(4)(16)</sup>					P <sup>(16)</sup>	P <sup>(16)</sup>	P <sup>(5,16)</sup>		P <sup>(5,16)</sup>		P <sup>(5,16)</sup>		P <sup>(16)</sup>		-
Financial Institutions		P					P	P	P		P		P		-		-
Funeral & Mortuary Services		-					P	P	-		-		-		-		-
Instructional Studios		P					P	P	P		P		P		P <sup>(12)</sup>		-
Maintenance & Repair		P					P	P	P <sup>(6)</sup>		P <sup>(6)</sup>		P <sup>(6)</sup>		-		-
Off-site Services		-					P	P	-		-		-		-		-
Personal Services		P					P	P	-		-		-		P		-
Radio & Television Studios		-					P	P	-		-		-		-		-
Tasting Rooms		-					-	-	-		-		-		-		-
Visitor Accommodations		<u>P</u>					P	P	-		-		-		P		-
Separately Regulated Commercial Services Uses																	
Adult Entertainment Establishments:																	
Adult Book Store		L					L	L	-		-		-		-		-
Adult Cabaret		-					L	L	-		-		-		L		-
Adult Drive-In Theater		-					L	L	-		-		-		L		-
Adult Mini-Motion Picture Theater		-					L	L	-		-		-		L		-
Adult Model Studio		L					L	L	-		-		-		L		-
Adult Motel		-					L	L	-		-		-		L		-
Adult Motion Picture Theater		-					L	L	-		-		-		L		-
Adult Peep Show Theater		-					L	L	-		-		-		L		-
Adult Theater		-					L	L	-		-		-		L		-

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >> 3rd >> 4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-		1-
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Body Painting Studio		L					L	L	-		-		-		L		-
Massage Establishment		L					L	L	-		-		-		-		-
Sexual Encounter Establishment		L					L	L	-		-		-		L		-
Assembly and Entertainment Uses, Including Places of Religious Assembly		L <sup>(10)</sup>					L	L	L		L		L		L <sup>(10)</sup>		-
Bed & Breakfast Establishments:																	
1-2 Guest Rooms		-					P	P	-		-		-		P		-
3-5 Guest Rooms		-					P	P	-		-		-		P		-
6+ Guest Rooms		-					P	P	-		-		-		P		-
Boarding Kennels/Pet Day Care		L					L	L	N		N		-		N <sup>(10)</sup>		-
Camping Parks		-					C	C	C		C		-		C		-
Child Care Facilities:																	
Child Care Centers		L					L	-	L		L		L		L <sup>(10)</sup>		-
Large Family Child Care Homes		L					L	-	L		L		L		L <sup>(10)</sup>		-
Small Family Child Care Homes		L					L	-	L		L		L		L		-
Eating and Drinking Establishments with a Drive-in or Drive-through Component		-	C	-	-	-	P		P		P		-		P	-	-
Fairgrounds		-					C	C	-		-		-		C		-
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-					C	C	C		C		-		C		-
Helicopter Landing Facilities		-					C	C	C		C		C		C <sup>(10)</sup>		-
Massage Establishments, Specialized Practice		L					L	L	-		-		-		L <sup>(14)</sup>		-
Medical Marijuana Consumer Cooperatives		-					-	C	-		-		-		-		-
Mobile Food Trucks		L <sup>(15)</sup>					L <sup>(15)</sup>	L <sup>(15)</sup>	L <sup>(15)</sup>		L <sup>(15)</sup>		L <sup>(15)</sup>		L <sup>(15)</sup>		L <sup>(15)</sup>
Nightclubs & Bars Over 5,000 Square Feet in Size		-					C	C	C		C		C		C		-
Parking Facilities as a <i>Primary Use</i> :																	
Permanent Parking Facilities		-					P	P	C		C		-		C		P
Temporary Parking Facilities		-					N	N	C		C		C		C		N
Private Clubs, Lodges and Fraternal Organizations		P <sup>(10)</sup>					P	P	P		P		P		P <sup>(10)</sup>		-
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size <sup>(9)</sup>		-					P	P	C		C		-		C		-
Pushcarts:																	
Pushcarts on Private Property		L					L	L	L		L		L		L		-
Pushcarts in <i>Public Right-of-Way</i>		N					N	N	N		N		N		N		-

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
Recycling Facilities:																	
Large Collection Facility		N					N	N	N	N	N	N	N <sup>(10)</sup>	-			
Small Collection Facility		L					L	L	L	L	L	L	L <sup>(10)</sup>	-			
Large Construction & Demolition Debris Recycling Facility		-					-	-	-	-	-	-	-	-			
Small Construction & Demolition Debris Recycling Facility		-					-	-	-	-	-	-	-	-			
Drop-off Facility		L					L	L	L	L	L	L	L	-			
Green Materials Composting Facility		-					-	-	-	-	-	-	-	-			
Mixed Organic Composting Facility		-					-	-	-	-	-	-	-	-			
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-					-	-	-	-	-	-	-	-			
Large Processing Facility Accepting All Types of Traffic		-					-	-	-	-	-	-	-	-			
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-					-	-	-	-	-	-	-	-			
Small Processing Facility Accepting All Types of Traffic		-					-	-	-	-	-	-	-	-			
Reverse Vending Machines		L					L	L	L	L	L	L	L	-			
Tire Processing Facility		-					-	-	-	-	-	-	-	-			
Sidewalk Cafes		L					L	L	L	L	L	L	L	-			
Sports Arenas & Stadiums		-					C	C	C	C	C	-	C	-			
Theaters that are Outdoor or Over 5,000 Square Feet in Size		-					C	C	C	C	C	-	C	-			
Urgent Care Facilities		N					N	N	N	N	N	N	N <sup>(10)</sup>	-			
Veterinary Clinics & Animal Hospitals		L					L	L	N	N	N	N	-	-			
Zoological Parks		-					-	-	-	-	-	-	-	-			
Offices																	
Business & Professional		P <sup>(7)</sup>					P	P	P	P	P	P	-	-			
Government		P					P	P	P	P	P	P	-	-			
Medical, Dental & Health Practitioner		P					P	P	P	P	P	P	P <sup>(10)</sup>	-			
Regional & Corporate Headquarters		P					P	P	P	P	P	P	-	-			



Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones															
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-
		1-					1-	2-	1-		2-		3-		1-	1-	
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1
<b>Separately Regulated Office Uses</b>																	
Real Estate Sales Offices & Model Homes		L					L	-	L	L	L	L	L	-			
Sex Offender Treatment & Counseling		L					L	L	L	L	L	L <sup>(10)</sup>	-				
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>																	
Commercial Vehicle Repair & Maintenance		-					P	P	-	-	-	-	-				
Commercial Vehicle Sales & Rentals		-					P	P	-	-	-	-	-				
Personal Vehicle Repair & Maintenance		-					P	P	-	-	-	-	-				
Personal Vehicle Sales & Rentals		-					P	P	-	-	-	-	-				
Vehicle Equipment & Supplies Sales & Rentals		-					P	P	-	-	-	-	-				
<b>Separately Regulated Vehicle &amp; Vehicular Equipment Sales &amp; Service Uses</b>																	
Automobile Service Stations		-					N	N	C	C	C	C	-				
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a Primary Use		-					C	C	-	-	-	-	-				
<b>Distribution and Storage</b>																	
Equipment & Materials Storage Yards		-					-	P	-	-	-	-	-				
Moving & Storage Facilities		-					-	P	-	-	-	-	-				
Distribution Facilities		-					-	P <sup>(8)</sup>	-	-	-	-	-				
<b>Separately Regulated Distribution and Storage Uses</b>																	
Impound Storage Yards		-					-	C	-	-	-	-	-				
Junk Yards		-					-	-	-	-	-	-	-				
Temporary Construction Storage Yards Located Off-site		L					L	L	L	L	L	L	-				
<b>Industrial</b>																	
Heavy Manufacturing		-					-	-	-	-	-	-	-				
Light Manufacturing		-					-	P <sup>(8)</sup>	-	-	-	-	-				
Marine Industry		-					-	-	-	-	-	-	-				
Research & Development		-					P	P	P	P	P	-	-				
Trucking & Transportation Terminals		-					P	P	-	-	-	-	-				
<b>Separately Regulated Industrial Uses</b>																	
Artisan Food and Beverage Producer		N					-	-	-	-	-	-	-				
Hazardous Waste Research Facility		-					-	-	-	-	-	-	-				

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -					CR-		CO-						CV-		CP-	
		1-					1-	2-	1-			2-		3-	1-	1-		
		1	2	3	4	5	1	1	1	2	1	2	1	2	1	2	1	
<i>Hazardous Waste Treatment Facility</i>		-					-	-	-			-		-	-	-		
Marine Related Uses Within the Coastal Overlay Zone		-					C	C	C			L		-	C	-		
Mining and Extractive Industries		-					-	-	-			-		-	-	-		
Newspaper Publishing Plants		-					C	C	C			C		-	C <sup>(10)</sup>	-		
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-					-	-	-			-		-	-	-		
Very Heavy Industrial Uses		-					-	-	-			-		-	-	-		
Wrecking & Dismantling of Motor Vehicles		-					-	-	-			-		-	-	-		
<b>Signs</b>																		
<b>Allowable Signs</b>		P					P	P	P			P		P	P	P		
<b>Separately Regulated Signs Uses</b>																		
Community Entry <i>Signs</i>		L					L	L	L			L		L	L	L		
Neighborhood Identification <i>Signs</i>		-					-	-	-			-		-	-	-		
Comprehensive <i>Sign</i> Program		N					N	N	N			N		N	N	N		
Revolving <i>Projecting Signs</i>		N					N	N	N			N		N	N	N		
<i>Signs</i> with Automatic Changing Copy		N					N	N	N			N		N	N	N		
Theater <i>Marquees</i>		-					N	N	-			-		-	N	-		

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																																
	Designator																																	
	1st & 2nd >>	CC-																																
	3rd >>	1-			2-					3-					4-					5-														
4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6		
Open Space																																		
Active Recreation		-			-					-					-					-														
Passive Recreation		-			-					-					-					-														
Natural Resources Preservation		-			-					-					-					-														
Park Maintenance Facilities		-			-					-					-					-														
Agriculture																																		
Agricultural Processing		-			-					-					-					-														
Aquaculture Facilities		-			-					-					-					-														
Dairies		-			-					-					-					-														
Horticulture Nurseries & Greenhouses		-			-					-					-					-														
Raising & Harvesting of Crops		-			-					-					-					-														
Raising, Maintaining & Keeping of Animals		-			-					-					-					-														
Separately Regulated Agriculture Uses																																		
Agricultural Equipment Repair Shops		P			P					-					P					P														
Commercial Stables		-			-					-					-					-														
Community Gardens		L			L					L					L					L														
Equestrian Show & Exhibition Facilities		-			-					-					-					-														
Open Air Markets for the Sale of Agriculture-Related Products & Flowers		-			-					-					-					-														
Residential																																		
Mobilehome Parks		-			-					-					-					-														
Multiple Dwelling Units		P <sup>(2)</sup>			-					P <sup>(2)</sup>					P <sup>(2)</sup>					P <sup>(2)</sup>														
Rooming House [See Section 131.0112(a)(3)(A)]		P			-					P					P					P														
Shopkeeper Units		P			-					P					P					P														
Single Dwelling Units		-			-					-					-					-														
Separately Regulated Residential Uses																																		
Boarder & Lodger Accommodations		L			-					L					L					L														
Companion Units		-			-					-					-					-														
Employee Housing:																																		
6 or Fewer Employees		-			-					-					-					-														
12 or Fewer Employees		-			-					-					-					-														
Greater than 12 Employees		-			-					-					-					-														
Fraternities, Sororities and Student Dormitories		C			-					C					C					C														
Garage, Yard, & Estate Sales		-			-					-					-					-														

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																																
	Designator																																	
	1st & 2nd >>	CC-																																
	3rd >>	1-			2-					3-									4-						5-									
4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6		
Guest Quarters		-			-					-						-			-							-								
Home Occupations		L			-					L						L			L							L								
Housing for Senior Citizens		C			-					C						C			C							C								
Live/Work Quarters		L			-					L						L			L							L								
Residential Care Facilities:																																		
6 or Fewer Persons		P			-					P						P			P							P								
7 or More Persons		C			-					C						C			C							C								
Transitional Housing:																																		
6 or Fewer Persons		P			-					P						P			P							P								
7 or More Persons		C			-					C						C			C							C								
Watchkeeper Quarters		-			L					-						-			-							-								
Institutional																																		
Separately Regulated Institutional Uses																																		
Airports		C			C					C						C			C							C								
Botanical Gardens & Arboretums		C			C					C						C			C							C								
Cemeteries, Mausoleums, Crematories		C			C					C						C			C							C								
Correctional Placement Centers		C			C					C						C			C							C								
Educational Facilities:																																		
Kindergarten through Grade 12		C			C					C						C			C							C								
Colleges / Universities		C			C					-						C			C							C								
Vocational / Trade School		P			P					-						P			P							P								
Energy Generation & Distribution Facilities		P			C					C						C			C							C								
Exhibit Halls & Convention Facilities		C			C					C						C			C							C								
Flood Control Facilities		L			L					L						L			L							L								
Historical Buildings Used for Purposes Not Otherwise Allowed		C			C					C						C			C							C								
Homeless Facilities:																																		
Congregate Meal Facilities		C			-					C						C			C							C								
Emergency Shelters		C			-					C						C			C							C								
Homeless Day Centers		C			-					C						C			C							C								
Hospitals, Intermediate Care Facilities & Nursing Facilities		C			C					C						C			C							C								
Interpretive Centers		-			-					-						-			-							-								
Museums		C			C					P						C			C							C								
Major Transmission, Relay, or Communications Switching Stations		C			C					C						C			C							C								
Satellite Antennas		L			L					L						L			L							L								

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																									
	Designator																										
	1st & 2nd >>	CC-																									
	3rd >>	1-			2-					3-					4-						5-						
4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	
Social Service Institutions		C			C					C					C						C						
Solar Energy Systems		L			L					L					L						L						
Wireless Communication Facility:																											
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use		L			L					L					L						L						
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use		N			N					N					N						N						
Wireless communication facility in the public right-of-way with above ground equipment		C			C					C					C						C						
Wireless communication facility outside the public right-of-way		L			L					L					L						L						
Retail Sales																											
Building Supplies & Equipment		P <sup>(11)</sup>			P <sup>(11)</sup>					-					P <sup>(11)</sup>						P <sup>(11)</sup>						
Food, Beverages and Groceries		P <sup>(11)</sup>			P <sup>(11)</sup>					P <sup>(11)</sup>					P <sup>(11)</sup>						P <sup>(11)</sup>						
Consumer Goods, Furniture, Appliances, Equipment		P <sup>(11)</sup>			P <sup>(11)</sup>					P <sup>(11)</sup>					P <sup>(11)</sup>						P <sup>(11)</sup>						
Pets & Pet Supplies		P <sup>(11)</sup>			P <sup>(11)</sup>					P <sup>(11)</sup>					P <sup>(11)</sup>						P <sup>(11)</sup>						
Sundries, Pharmaceutical, & Convenience Sales		P <sup>(11)</sup>			P <sup>(11)</sup>					P <sup>(11)</sup>					P <sup>(11)</sup>						P <sup>(11)</sup>						
Wearing Apparel & Accessories		P <sup>(11)</sup>			P <sup>(11)</sup>					P <sup>(11)</sup>					P <sup>(11)</sup>						P <sup>(11)</sup>						
Separately Regulated Retail Sales Uses																											
Agriculture Related Supplies & Equipment		-			-					-					P						P						
Alcoholic Beverage Outlets		L			L					L					L						L						
Farmers' Markets																											
Weekly Farmers' Markets		L			L					L					L						L						
Daily Farmers' Market Stands		L			L					L					L						L						
Plant Nurseries		P			P					P					P						P						
Retail Farms		L			L					L					L						L						
Retail Tasting Rooms		L			L					L					L						L						
Swap Meets & Other Large Outdoor Retail Facilities		-			-					-					-						-					C	
Commercial Services																											
Building Services		-			-					-					P						P						
Business Support		P			P					P					P						P						

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																																
	Designator																																	
	1st & 2nd >>	CC-																																
	3rd >>	1-			2-					3-					4-						5-													
4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6		
Eating & Drinking Establishments	P <sup>(16)</sup>			P <sup>(16)</sup>					P <sup>(16)</sup>					P <sup>(16)</sup>						P <sup>(16)</sup>														
Financial Institutions	P			P					P					P						P														
Funeral & Mortuary Services	P			P					P					P						P														
Instructional Studios	P			P					P					P						P														
Maintenance & Repair	P			P					P					P						P														
Off-site Services	-			-					-					P						P														
Personal Services	P			P					P					P						P														
Radio & Television Studios	P			P					P					P						P														
Tasting Rooms	_(17)			_(17)					_(17)					_(17)						p(17)														
Visitor Accommodations	P			P					P					P						P														
Separately Regulated Commercial Services Uses																																		
Adult Entertainment Establishments:																																		
Adult Book Store	L			L					L					L					L						L						L			
Adult Cabaret	L			L					L					L					L						L						L			
Adult Drive-In Theater	L			L					L					L					L						L						L			
Adult Mini-Motion Picture Theater	L			L					L					L					L						L						L			
Adult Model Studio	L			L					L					L					L						L						L			
Adult Motel	L			L					L					L					L						L						L			
Adult Motion Picture Theater	L			L					L					L					L						L						L			
Adult Peep Show Theater	L			L					L					L					L						L						L			
Adult Theater	L			L					L					L					L						L						L			
Body Painting Studio	L			L					L					L					L						L						L			
Massage Establishment	L			L					-					-					-						-						L			
Sexual Encounter Establishment	L			L					L					L					L						L						L			
Assembly and Entertainment Uses, Including Places of Religious Assembly	L			L					L					L					L						L						L			
Bed & Breakfast Establishments:																																		
1-2 Guest Rooms	P			P					P					P					P						P						P			
3-5 Guest Rooms	P			P					P					P					P						P						P			
6+ Guest Rooms	P			P					P					P					P						P						P			
Boarding Kennels/Pet Day Care	L			L					L					L					L						L						L			
Camping Parks	C			C					C					C					C						C						C			
Child Care Facilities:																																		
Child Care Centers	L			-					L					L					L						L						L			
Large Family Child Care Homes	L			-					L					L					L						L						L			

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																																
	1st & 2nd >>	CC-																																
	3rd >>	1-			2-					3-									4-						5-									
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	
Small Family Child Care Homes		L			-					L						L																		
Eating and Drinking Establishments with a Drive-in or Drive-through Component		P			P					C						P																		
Fairgrounds		C			C					-						C																		
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C			C					C						C																		
Helicopter Landing Facilities		C			C					C						C																		
Massage Establishments, Specialized Practice		L			L					L						L																		
Medical Marijuana Consumer Cooperatives		-			C					-						-																		
Mobile Food Trucks		L <sup>(15)</sup>			L <sup>(15)</sup>					L <sup>(15)</sup>						L <sup>(15)</sup>																		
Nightclubs & Bars Over 5,000 Square Feet in Size		C			C					C						C																		
Parking Facilities as a <i>Primary Use</i> :																																		
Permanent Parking Facilities		P			C					P						P																		
Temporary Parking Facilities		N			C					N						N																		
Private Clubs, Lodges and Fraternal Organizations		P			P					P						P																		
Privately Operated, Outdoor Recreation Facilities Over 40,000 Square Feet in Size <sup>(9)</sup>		C			C					C						C																		
Pushcarts:																																		
Pushcarts on Private Property		L			L					L						L																		
Pushcarts in <i>Public Right-of-Way</i>		N			N					N						N																		
Recycling Facilities:																																		
Large Collection Facility		N			N					N						N																		
Small Collection Facility		L			L					L						L																		
Large Construction & Demolition Debris Recycling Facility		-			-					-						-																		
Small Construction & Demolition Debris Recycling Facility		-			-					-						-																		
Drop-off Facility		L			L					L						L																		
Green Materials Composting Facility		-			-					-						-																		
Mixed Organic Composting Facility		-			-					-						-																		

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																															
	1st & 2nd >>	CC-																															
	3rd >>	1-			2-					3-					4-						5-												
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-			-					-					-						-												
Large Processing Facility Accepting All Types of Traffic		-			-					-					-						-												
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-			-					-					C						C												
Small Processing Facility Accepting All Types of Traffic		-			-					-					C						C												
Reverse Vending Machines		L			L					L					L						L												
Tire Processing Facility		-			-					-					-						-												
Sidewalk Cafes		L			L					L					L						L												
Sports Arenas & Stadiums		C			C					C					C						C												
Theaters that are Outdoor or Over 5,000 Square Feet in Size		C			C					C					C						C												
Urgent Care Facilities		N			N					N					N						N												
Veterinary Clinics & Animal Hospitals		L			L					L					L						L												
Zoological Parks		-			-					-					-						-												
Offices																																	
Business & Professional		P			P					P					P						P												
Government		P			P					P					P						P												
Medical, Dental & Health Practitioner		P			P					P					P						P												
Regional & Corporate Headquarters		P			P					P					P						P												
Separately Regulated Office Uses																																	
Real Estate Sales Offices & Model Homes		L			-					L					L						L												
Sex Offender Treatment & Counseling		L			L					L					L						L												
Vehicle & Vehicular Equipment Sales & Service																																	
Commercial Vehicle Repair & Maintenance		-			-					-					P						P												
Commercial Vehicle Sales & Rentals		-			-					-					P						P												
Personal Vehicle Repair & Maintenance		P			P					-					P						P												
Personal Vehicle Sales & Rentals		P			P					-					P						P												



Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone	Zones																																					
	Designator																																						
	1st & 2nd >>	CC-																																					
	3rd >>	1-			2-				3-					4-						5-																			
4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6							
Vehicle Equipment & Supplies Sales & Rentals		P			P					-						P																							
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																																							
Automobile Service Stations		N			N					N						N																							
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		C			C					-						C																							
Distribution and Storage																																							
Equipment & Materials Storage Yards		-			-					-						-																							
Moving & Storage Facilities		-			-					-						P																							
Distribution Facilities		-			-					-						-																							
Separately Regulated Distribution and Storage Uses																																							
Impound Storage Yards		-			-					-						C																							
Junk Yards		-			-					-						-																							
Temporary Construction Storage Yards Located Off-site		L			L					L						L																							
Industrial																																							
Heavy Manufacturing		-			-					-						-																							
Light Manufacturing		-			-					-						-																							
Marine Industry		-			-					-						-																							
Research & Development		P			P					-						P																							
Trucking & Transportation Terminals		-			-					-						-																							
Separately Regulated Industrial Uses																																							
Artisan Food and Beverage Producer		<u>L</u>			<u>L</u>					<u>L</u>						<u>L</u>																							
Hazardous Waste Research Facility		-			-					-						-																							
Hazardous Waste Treatment Facility		-			-					-						-																							
Marine Related Uses Within the Coastal Overlay Zone		C			C					C						C																							
Newspaper Publishing Plants		C			C					C						C																							
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-			-					-						-																							
Very Heavy Industrial Uses		-			-					-						-																							
Wrecking & Dismantling of Motor Vehicles		-			-					-						-																							
Signs																																							
Allowable Signs		P			P					P						P																							
Separately Regulated Signs Uses																																							

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																																			
		1st & 2nd >>	CC-																																		
	3rd >>		1-			2-			3-			4-			5-																						
			4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6								
Community Entry <i>Signs</i>		L			L					L						L						L							L								
Neighborhood Identification <i>Signs</i>		-			-					-						-						-							-								
Comprehensive <i>Sign</i> Program		N			N					N						N						N							N								
Revolving <i>Projecting Signs</i>		N			N					N						N						N							N								
<i>Signs</i> with Automatic Changing Copy		N			N					N						N						N							N								
Theater <i>Marquees</i>		N			N					N						N						N							N								

### Footnotes to Table 131-05B

- <sup>1</sup> Uses shall not begin operating before 6:00 a.m. or continue operating later than 12:00 midnight in Commercial-Neighborhood (CN) zones.
- <sup>2</sup> See Section 131.0540.
- <sup>3</sup> Only office furniture, appliances, and equipment establishments are permitted. The *gross floor area* occupied by these uses shall not exceed 2,500 square feet for each *premises*.
- <sup>4</sup> Live entertainment and the sale of intoxicating beverages other than beer and wine are not permitted in the Commercial-Neighborhood (CN) zones, unless approval of a deviation is granted via a Planned Development Permit in accordance with Section 126.0602(b)(1). Within the North Park Community Plan area, full alcohol sales are permitted in the CN zones.
- <sup>5</sup> The sale of alcoholic beverages is not permitted as a *primary use*.
- <sup>6</sup> The *gross floor area* occupied by these uses shall not exceed 2,500 square feet for each *premises*.
- <sup>7</sup> Hiring halls are not permitted.
- <sup>8</sup> These activities shall be located solely within an enclosed building that does not exceed 7,500 square feet of *gross floor area*. Activities that would require a permit from the Hazardous Materials Management Division of the County of San Diego or from the San Diego Air Pollution Control District are not permitted.
- <sup>9</sup> The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- <sup>10</sup> This use is not allowed within the Coastal Overlay Zone, except that assembly and entertainment uses may be incorporated as an *accessory use* to visitor accommodations.
- <sup>11</sup> *Development of a large retail establishment* is subject to Section 143.0302.
- <sup>12</sup> Within the Coastal Overlay Zone, instructional studios are not permitted on the ground *floor* in the CV-1-1 or CV-1-2 zone.
- <sup>13</sup> Permitted in CV zones where the *gross floor area* occupied by an individual retail sales establishment would not exceed 2,500 square feet.
- <sup>14</sup> Specialized practice massage establishments are permitted only as an *accessory use* in the CV-1-1 and CV-1-2 zones.
- <sup>15</sup> This use is permitted as a limited use subject to a mobile food truck permit in accordance with Section 123.0603 and the limited use regulations in Section 141.0612.
- <sup>16</sup> Eating and drinking establishments abutting residential *development* located in a residential zone may operate only between 6:00 a.m. and 12:00 midnight.
- <sup>17</sup> Tasting rooms are only permitted as an *accessory use* to a beverage manufacturing plant.

*(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)*  
*(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)*  
*(Amended 8-10-2004 by O-19308 N.S.; effective 4-11-2007.)*  
*(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)*  
*(Amended 4-23-2008 by O-19739 N.S.; effective 5-23-2008.)*  
*(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)*  
*(Amended 11-13-08 by O-19803 N.S.; effective 12-13-2008.)*  
*(Amended 11-13-08 by O-19804 N.S.; effective 12-13-2008.)*  
*(Amended 7-6-2011 by O-20065 N.S.; effective 8-5-2011.)*  
*(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)*  
*(Amended 2-22-2012 by O-20141 N.S.; effective 3-23-2012.)*  
*(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)*  
*(Retitled to "Use Regulations Table for Commercial Zones" and amended 3-25-2014 by O-20356 N.S.; effective 4-24-2014.)*  
*(Amended 4-3-2014 by O-20357 N.S.; effective 10-15-2014.)*  
*(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)*  
*(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)*

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language  
[http://docs.sandiego.gov/municode\\_strikeout\\_ord/O-20512-SO.pdf](http://docs.sandiego.gov/municode_strikeout_ord/O-20512-SO.pdf) ]

*(Amended 8-7-2015 by O-20555 N.S.; effective 9-6-2015.)*

**[Editors Note:** Amendments as adopted by O-20555 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language  
[http://docs.sandiego.gov/municode\\_strikeout\\_ord/O-20555-SO.pdf](http://docs.sandiego.gov/municode_strikeout_ord/O-20555-SO.pdf)]

**§131.0530 Development Regulations of Commercial Zones**

- (a) Within the commercial zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all proposed *development* in the commercial base zones whether or not a permit or other approval is required except where specifically identified.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

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**§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) CN Zones

**Table 131-05C**  
**Development Regulations for CN Zones**

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones				
	1st & 2nd >>	CN-				
	3rd >>	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5
<b>Max Permitted Residential Density<sup>(1)</sup></b>		3,000	1,500	1,500	1,000	600
<b>Supplemental Residential Regulations</b> [See Section 131.0540]		applies	applies	applies	applies	applies
<b>Lot Area</b>						
Min Lot Area (sf)		2,500	5,000	5,000	2,500	2,500
Max Lot Area (ac)		0.3	10	10	0.3	0.3
<b>Lot Dimensions</b>						
Min Lot Width (ft)		25	50	50	25	25
Min Street Frontage (ft)		25	50	50	25	25
Min Lot Depth (ft)		100	--	--	--	---
<b>Setback Requirements</b>						
Min Front Setback (ft)		--	--	--	--	--
Max Front Setback (ft) [See Section 131.0543(a)]		10 <sup>(2)</sup>	--	5 <sup>(2)</sup>	5 <sup>(2)</sup>	5 <sup>(2)</sup>
Min Side Setback (ft)		10	10	10	10	10
Optional Side Setback (ft) [See Section 131.0543(b)]		0	0	0	0	0
Side Setback Abutting Residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies
Min Street Side Setback (ft)		--	--	--	--	--
Max Street Side Setback (ft) [See Section 131.0543(a)]		10 <sup>(2)</sup>	--	10 <sup>(2)</sup>	10 <sup>(2)</sup>	10 <sup>(2)</sup>
Min Rear Setback (ft)		10	10	10	10	10
Optional Rear Setback (ft) [See Section 131.0543(b)]		0	0	0	0	0
Rear Setback Abutting Residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies
<b>Max Structure Height (ft)</b>		30	30	30	65	65
<b>Max Floor Area Ratio</b>		1.0 <sup>(3,4)</sup>	1.0 <sup>(3,4)</sup>	1.0 <sup>(3,4)</sup>	1.0 <sup>(3,4)</sup>	1.0 <sup>(3,4)</sup>
Floor Area Ratio Bonus for Residential Mixed Use [See Section 131.0546(a)]		0.5	0.75	0.75	1.2	1.2

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones				
	1st & 2nd >>	CN-				
	3rd >>	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5
<i>Minimum Floor Area Ratio</i> for Residential Use		0.5	0.38	0.38	0.6	0.6
<b>Ground-floor Height</b> [See Section 131.0548]		--	--	--	applies	applies
<b>Pedestrian Paths</b> [See Section 131.0550]		applies	applies	applies	applies	applies
<b>Transparency</b> [See Section 131.0552]		applies	--	applies	applies	applies
<b>Building Articulation</b> [See Section 131.0554]		applies	applies	applies	applies	applies
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]		applies	applies	applies	applies	applies
<b>Loading Dock and Overhead Door Screening Regulations</b> [See Section 142.1030]		applies	applies	applies	applies	applies

**Footnotes for Table 131-05C**

- <sup>1</sup> One dwelling unit per specified minimum square footage of lot area as determined in accordance with Section 113.0222.
- <sup>2</sup> See Section 131.0543(a)(2).
- <sup>3</sup> Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.
- <sup>4</sup> Within the Otay Mesa Community Plan area, the maximum *floor area ratio* is 0.30.

(b) CR, CO, CV, and CP Zones

**Table 131-05D**  
**Development Regulations for CR, CO, CV, CP Zones**

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones										
	1st & 2nd >> 3rd >> 4th >>	CR-		CO-						CV-		CP-
		1-	2-	1-		2-		3-		1-		1-
		1		1	2	1-	2-	1	2	1	2	1
Max Permitted Residential Density <sup>(1)</sup>		1,500	1,000	1,500	-	-	800	600	1,500	1,500	--	
Supplemental Residential Regulations [See Section 131.0540]		applies	applies	applies	applies	applies	applies	applies	applies	applies	--	
Lot Area												
Min Lot Area (sf)		15,000	5,000	5,000	5,000	5,000	5,000	5,000	15,000	5,000	--	
Max Lot Area (ac)		--	--	--	--	--	--	--	--	--	--	
Lot dimensions												
Min Lot Width (ft)		100	50	50	50	50	50	50	100	50	--	
Min Street Frontage (ft)		100	50	50	50	50	50	50	100	50	--	
Min Lot Depth (ft)		100	100	100	100	100	100	100	100	100	--	
Setback Requirements												
Min Front Setback (ft)		10	10	10	10	10	--	--	10	--	10	
Max Front Setback (ft)		--	25 <sup>(2)</sup>	--	25 <sup>(2)</sup>	--	10 <sup>(2)</sup>	10 <sup>(2)</sup>	--	10 <sup>(2)</sup>	--	
[See Section 131.0543(a)]												
Min Side Setback (ft)		10	10	10	10	10	10	10	10	10	10	
Optional Side Setback (ft)		--	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0	0	--	0 <sup>(3)</sup>	--	
Side Setback Abutting Residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies	applies	applies	applies	applies	applies	
Min Street Side Setback (ft)		10	10	10	10	10	--	--	--	--	--	
Max Street Side Setback (ft)		--	25 <sup>(2)</sup>	--	25 <sup>(2)</sup>	--	10 <sup>(2)</sup>	10 <sup>(2)</sup>	--	10 <sup>(2)</sup>	--	
[See Section 131.0543(a)]												
Min Rear Setback (ft)		10	10	10	10	10	10	10	10	10	10	
Optional Rear Setback (ft)		--	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	0 <sup>(3)</sup>	--	0 <sup>(3)</sup>	0 <sup>(3)</sup>	
Rear Setback Abutting Residential [See Section 131.0543(c)]		applies	applies	applies	applies	applies	applies	applies	applies	applies	applies	

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones										
	1st & 2nd >> 3rd >> 4th >>	CR-		CO-						CV-		CP-
		1-	2-	1-		2-		3-		1-		1-
		1	1	2	1-	2-	1	2	1	2	1	
Max Structure Height (ft)		60	45	60	45	65	65	70	60	45	30	
Min Lot Coverage (%)		--	--	--	--	--	--	--	--	35	--	
Max Floor Area Ratio		1.0 <sup>(4,5)</sup>	0.75 <sup>(4,5)</sup>	1.5 <sup>(4,5)</sup>	0.75 <sup>(4,5)</sup>	1.5 <sup>(4,5)</sup>	2.0 <sup>(4,5)</sup>	2.0 <sup>(4,5)</sup>	2.0 <sup>(4,5)</sup>	2.0 <sup>(4,5)</sup>	1.0 <sup>(4,5)</sup>	
Floor Area Ratio Bonus for Residential Mixed Use [See Section 131.0546(a)]		1.0	1.0	1.5	---	---	2.5	2.5	--	--	--	
Minimum Floor Area Ratio for Residential Use		0.5	1.0	0.75	---	---	1.5	1.5	--	--	--	
Floor Area Ratio Bonus for Child Care [See Section 131.0546(b)]		applies	--	applies	--	applies	applies	applies	--	--	--	
Ground-floor Height [See Section 131.0548]		applies	applies	applies	applies	applies	applies	applies	applies	applies	--	
Pedestrian Paths [See Section 131.0550]		applies	applies	applies	applies	applies	applies	applies	applies	applies	--	
Transparency [See Section 131.0552]		--	applies	--	applies	--	applies	applies	--	applies	--	
Building Articulation [See Section 131.0554]		applies	applies	applies	applies	applies	applies	applies	applies	applies	--	
Street Yard Parking Restriction [See Section 131.0555]		--	applies	--	applies	--	applies	applies	--	--	--	
Parking Lot Orientation [See Section 131.0556]		applies	--	applies	--	applies	--	--	applies	applies	--	
Refuse and Recyclable Material Storage [See Section 142.0805]		applies	applies	applies	applies	applies	applies	applies	applies	applies	applies	
Loading Dock and Overhead Door Screening Regulations [See Section 142.1030]		applies	applies	applies	applies	applies	applies	applies	applies	applies	applies	



## Footnotes for Table 131-05D

- <sup>1</sup> One dwelling unit per specified minimum square footage of lot area as determined in accordance with Section 113.0222.
- <sup>2</sup> See section 131.0543(a)(2).
- <sup>3</sup> See section 131.0543(b).
- <sup>4</sup> Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.
- <sup>5</sup> Within the Otay Mesa Community Plan area, the maximum *floor area ratio* is 0.30.

## (c) CC Zones

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

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones															
	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			
Max Permitted Residential Density <sup>(1)</sup>		1,500				1,500				1,500				1,500			
Supplemental Residential Regulations [See Section 131.0540]		applies				applies				applies				applies			
Lot Area																	
Min Lot Area (sq. ft.)		5,000				5,000				5,000				2,500			
Max Lot Area (ac)		--				--				--				--			
Lot Dimensions																	
Min Lot Width (ft)		50				50				100				25			
Min Street Frontage (ft)		50				50				100				25			
Min Lot Depth (ft)		100				100				--				--			
Max Lot Depth (ft)		150				150				--				--			
Setback Requirements																	
Min Front Setback (ft)		--				--				--				--			
Max Front Setback (ft) [See Section 131.0543(a)]		100 <sup>(2,3)</sup>				100 <sup>(2,3)</sup>				--				5 <sup>(2)</sup>			
Min Side Setback (ft)		10				10				10				10			
Optional Side Setback (ft) [See Section 131.0543(b)]		0				0				0				0			
Side Setback Abutting Residential [See Section 131.0543(c)]		applies				applies				applies				applies			

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones															
	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			
Min <i>Street Side Setback</i> (ft)		--				--				--				--			
Max <i>Street Side Setback</i> (ft)		--				--				--				10 <sup>(2)</sup>			
[See Section 131.0543(a)]																	
Min <i>Rear Setback</i> (ft)		10				10				10				10			
Optional <i>Rear Setback</i> (ft)		0				0				0				0			
[See Section 131.0543(b)]																	
Rear <i>Setback</i> Abutting Residential [See Section 131.0543(c)]		applies				applies				applies				applies			
Max <i>Structure Height</i> (ft)		30				60				45				30			
Min <i>Lot Coverage</i> (%)		--				--				--				35			
Max <i>Floor Area Ratio</i>		0.75 <sup>(4,5)</sup>				2.0 <sup>(4,5)</sup>				0.75 <sup>(4,5)</sup>				1.0 <sup>(4,5)</sup>			
<i>Floor Area Ratio</i> Bonus for Residential Mixed Use [See Section 131.0546(a)]		0.75				--				0.75				0.5			
Minimum <i>Floor Area Ratio</i> for Residential Use		0.56				--				0.56				0.25			
Ground-floor Height [See Section 131.0548]		--				applies				applies				--			
Pedestrian Paths [See Section 131.0550]		applies				applies				applies				applies			
Transparency [See Section 131.0552]		---				---				---				applies			

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones															
	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>Building Articulation</b> [See Section 131.0554]		applies				applies				applies				applies			
<b>Parking Lot Orientation</b> [See Section 131.0556]		applies				applies				applies				-			
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]		applies				applies				applies				applies			
<b>Loading Dock and Overhead Door Screening Regulations</b> [See Section 142.1030]		applies				applies				applies				applies			

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-		
	4th >>	5			6			7		8		9	
Max permitted Residential <i>Density</i> <sup>(1)</sup>		1,500			1,000			800		600		400	
Supplemental Residential Regulations [See Section 131.0540]		applies			applies			applies		applies		applies	
Lot Area													
Min <i>Lot</i> Area (sq. ft.)		2,500			2,500			2,500		2,500		2,500	
Max <i>Lot</i> Area (ac)		--			--			--		--		--	
Lot Dimensions													
Min <i>Lot</i> Width (ft)		25			25			25		25		25	
Min <i>Street Frontage</i> (ft)		25			25			25		25		25	
Min <i>Lot</i> Depth (ft)		--			--			--		--		--	
Max <i>Lot</i> Depth (ft)		--			--			--		--		--	
Setback Requirements													
Min Front <i>Setback</i> (ft)		--			--			--		--		--	
Max Front <i>Setback</i> (ft)		10 <sup>(2)</sup>			5 <sup>(2)</sup>			5 <sup>(2)</sup>		5 <sup>(2)</sup>		5 <sup>(2)</sup>	
[See Section 131.0543(a)]													
Min Side <i>Setback</i> (ft)		10			10			10		10		10	
Optional Side <i>Setback</i> (ft)		0			0			0		0		0	
[See Section 131.0543(b)]													
Side <i>Setback</i> Abutting Residential [See Section 131.0543(c)]		applies			applies			applies		applies		applies	
Min <i>Street</i> Side <i>Setback</i> (ft)		--			--			--		--		--	
Max <i>Street</i> Side- <i>Setback</i> (ft)		10 <sup>(2)</sup>			10 <sup>(2)</sup>			10 <sup>(2)</sup>		10 <sup>(2)</sup>		10 <sup>(2)</sup>	
[See Section 131.0543(a)]													
Min Rear <i>Setback</i> (ft)		10			10			10		10		10	

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-
	4th >>	5			6			7		8	9
Optional Rear <i>Setback</i> (ft) [See Section 131.0543(b)]		0			0			0		0	0
Rear <i>Setback</i> Abutting Residential [See Section 131.0543(c)]		applies			applies			applies		applies	applies
Max <i>Structure Height</i> (ft)		100			65			65		100	--
Min <i>Lot Coverage</i> (%)		35			35			35		35	35
Max <i>Floor Area Ratio</i>		2.0 <sup>(4,5)</sup>			2.0 <sup>(4,5)</sup>			2.0 <sup>(4,5)</sup>		2.0 <sup>(4,5)</sup>	2.0 <sup>(4,5)</sup>
<i>Floor Area Ratio</i> Bonus for Residential Mixed Use [See Section 131.0546(a)]		2.0			2.0			2.5		2.5	3.0
Minimum <i>Floor Area Ratio</i> for Residential Use		1.0			1.0			1.5		1.5	2.0
Ground-floor Height [See Section 131.0548]		applies			applies			applies		applies	applies
Pedestrian Paths [See Section 131.0550]		applies			applies			applies		applies	applies
Transparency [See Section 131.0552]		applies			applies			applies		applies	applies
Building Articulation [See Section 131.0554]		applies			applies			applies		applies	applies
Parking Lot Orientation [See Section 131.0556]		-			-			-		-	-
Refuse and Recyclable Material Storage [See Section 142.0805]		applies			applies			applies		applies	applies
Loading Dock and Overhead Door Screening Regulations [See Section 142.1030]		applies			applies			applies		applies	applies

**Footnotes for Table 131-05E**

- <sup>1</sup> One dwelling unit per specified minimum square feet of lot area as determined in accordance with Section 113.0222.
- <sup>2</sup> See Section 131.0543(a)(2).
- <sup>3</sup> See Section 131.0543(a)(3).
- <sup>4</sup> Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.
- <sup>5</sup> Within the Otay Mesa Community Plan area, the maximum *floor area ratio* is 0.30.

(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

(Amended 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

*(Retitled from “Development Regulations Tables of Commercial Zones” to “Development Regulations Tables for Commercial Zones” and amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)*

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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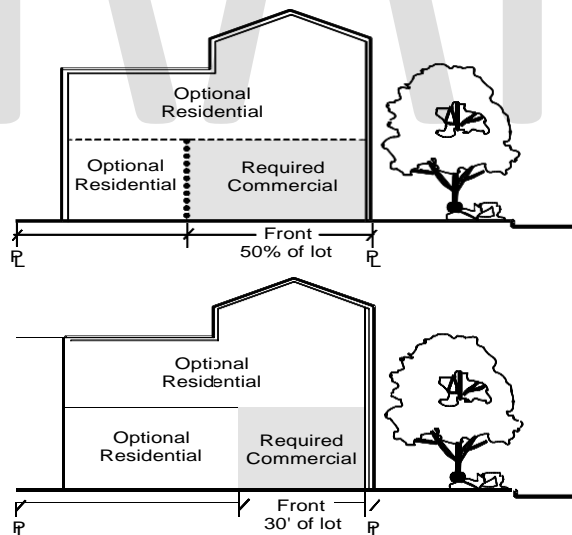
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**§131.0540 Maximum Permitted Residential Density and Other Residential Regulations**

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

- (a) Residential *Development* as a Permitted Use. Residential *development* is permitted in commercial zones only where it is identified in Table 131-05B.
- (b) Mixed-Use or Multi-Use Requirement. Residential *development* is permitted only when a commercial *structure* exists on the *premises* or is a part of the proposed *development*.
- (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-4-4, CC-4-5, CC-4-6, CC-5-4, CC-5-5, CC-5-6, 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.

**Diagram 131-05A Ground Floor Restriction**



- (2) Within the Coastal Overlay Zone
- (A) Required parking cannot occupy more than 50 percent of the ground *floor* in the CV-1-1 or CV-1-2 zones.
- (B) Residential uses are not permitted on the ground *floor*.
- (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-3-10 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. The *floor area ratio* bonus for providing underground parking as set forth in Sections 131.0446(e) and 131.0446(f) shall apply.
- (e) Non owner occupants must reside on the premises for a minimum of 7 consecutive calendar days.

(Added 12-9-1997 by O-18451 N.S.)

(Amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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**§131.0543 Setback Requirements for Commercial Zones**

*Setback* requirements are specified in Tables 131-05C, 131-05D, and 131-05E. Refer to Section 131.0556(b) 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 may be located within the required front *yard* and required street side yard adjoining the required landscaped strip abutting *public rights-of-way*.
- (2) In the CO, CV, and CC zones (except the CC-3 zones) with a maximum front or street side setback as shown in Tables 131-05C, 131-05D, and 131-05E, the maximum setback shall apply to only 70 percent of the street frontage. The remaining 30 percent is not required to observe the maximum setback and may be located farther from the property line. See Diagram 131-05B.
- (3) In the CN and CC-3 zones with a maximum front or street side setback as shown in Tables 131-05C, 131-05D, and 131-05E, the maximum setback shall apply to only 90 percent of the street frontage. The remaining 10 percent is not required to observe the maximum setback and may be located farther from the property line. See Diagram 131-05C.

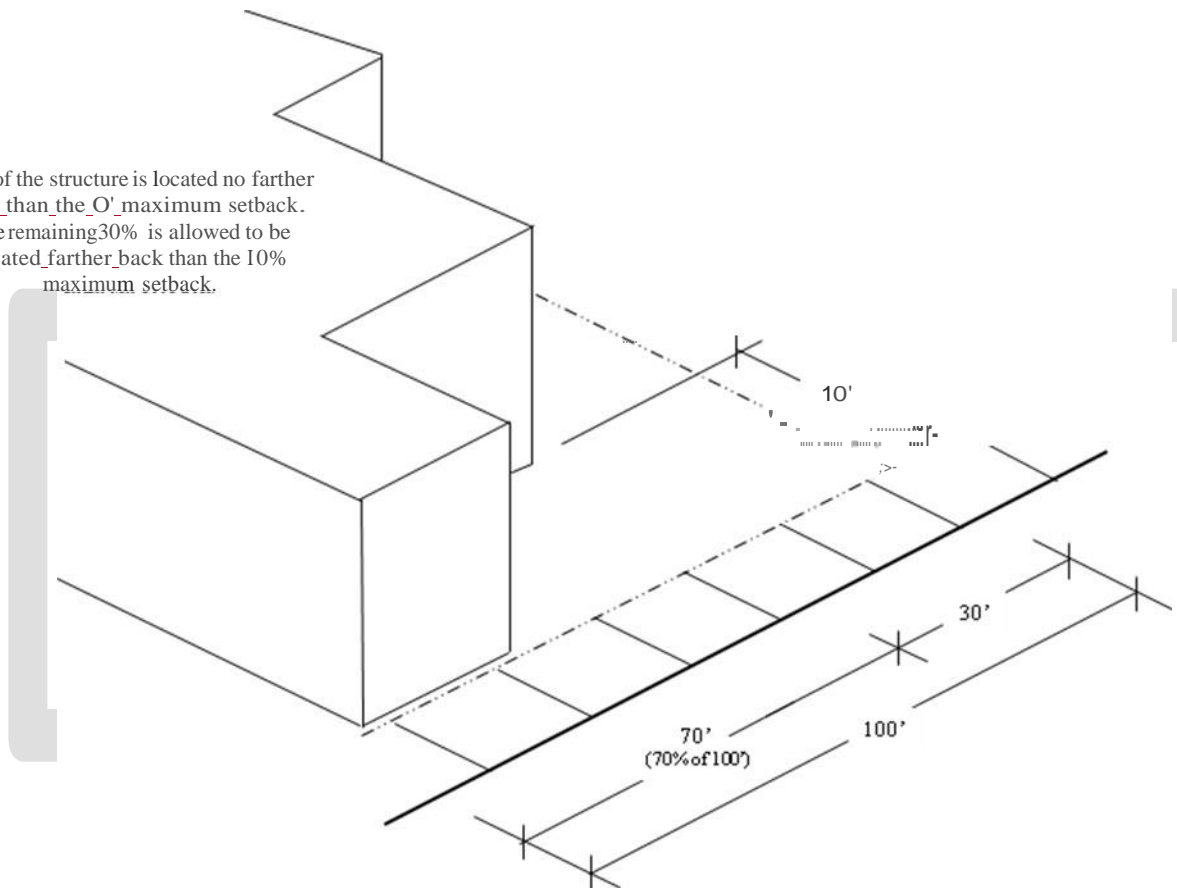


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Diagram 131-05B

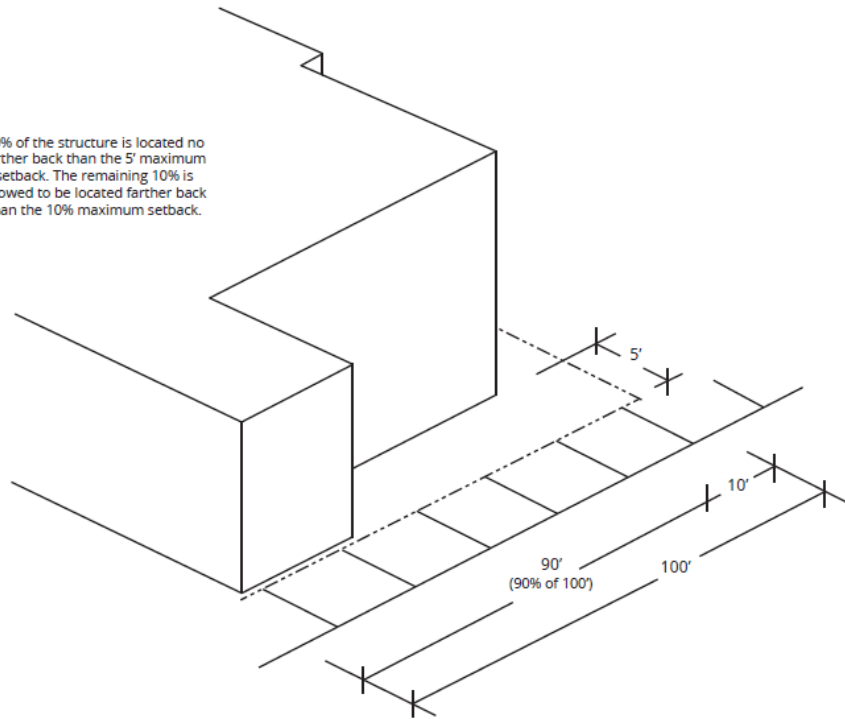
Maximum Setback Requirement

70% of the structure is located no farther back than the 10' maximum setback.  
The remaining 30% is allowed to be located farther back than the 10% maximum setback.



**Diagram 131-05C**  
**Maximum Setback Requirement**

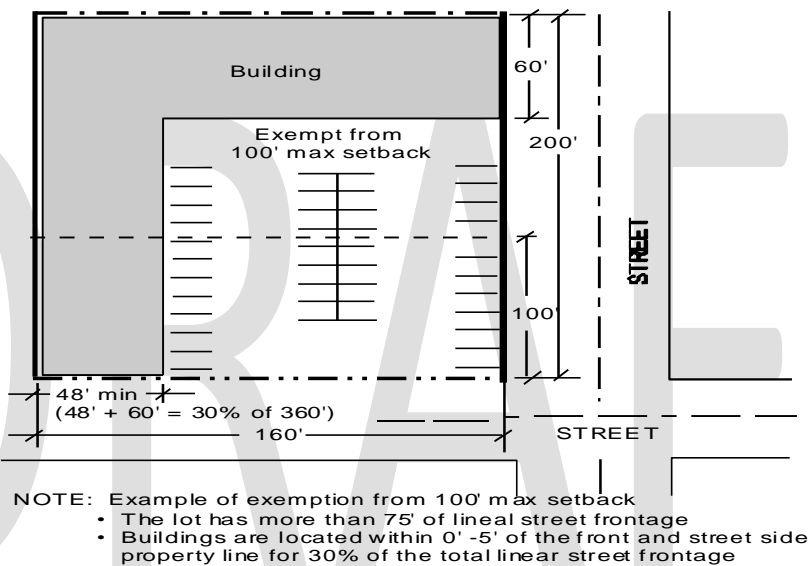
90% of the structure is located no farther back than the 5' maximum setback. The remaining 10% is allowed to be located farther back than the 10% maximum setback.



- (3) In the CC-1-1, CC-1-2, CC-2-1, CC-2-2, CC-4-1, CC-4-2, CC-5-1, and CC-5-2 zones, the 100-foot maximum front *setback* does not apply to *lots* with more than 75 feet of *street frontage* if the proposed *development* is within 10 feet of the front or *street side property line* for at least 30 percent of the *street frontage*. See Diagram 131-05C.

**Diagram 131-05C**

**Exception to Maximum Setback**



(b) **Minimum Side and Rear *Setback***

- (1) In zones that require a 10-foot minimum side or rear *setback* and provide the option for no side or rear *setbacks* as shown in Tables 131-05C, 131-05D, and 131-05E, the *structure* shall either be placed at the *property line* or shall be set back at least 10 feet.
- (2) The optional side or rear *setback* is not applicable to commercial *development* abutting low *density* residentially zoned properties as further described in Section 131.0543(c).

(c) **Commercial *Development* Abutting Residentially Zoned Properties**

- (1) Commercial *development* abutting low *density* residentially zoned properties with a permitted *density* of less than 15 *dwelling units* per acre shall provide a 10-foot minimum *setback* for any side or rear *yard* that abuts low *density* residential zoned property. The *structure* shall comply with additional step back requirements in accordance with Section 131.0543(c)(3).
- (2) Commercial *development* abutting medium to high *density* residentially zoned properties with a permitted *density* of 15 dwelling units or more per acre that provide no side or rear *setback* and locate the structure at the *property line* as provided for by Section 131.0543(b) shall comply with the following:
  - (A) Minimum step back for *structures* placed at the side *property line*.-
    - (i) Any portion of the *structure* exceeding 15 feet in height shall be stepped back from the side *property line* 10 feet, or 10 percent of the *lot* width but not less than 5 feet, whichever is less.
    - (ii) Each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.
  - (B) Minimum step back for *structures* placed at the rear *property line*.
    - (i) Any portion of the *structure* exceeding 15 feet in height shall be stepped back from the rear *property line* 10 feet, or 10 percent of the *lot* depth but not less than 5 feet, whichever is less.
    - (ii) Each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.
- (3) For side and rear *yards*, if the *structure* is set back 10 feet or more from the *property line*, each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.

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

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)  
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

#### §131.0546 Maximum Floor Area Ratio

Maximum *floor area ratio* is specified in Tables 131-05C, 131-05D, 131-05E and is subject to the following additional regulations:

- (a) *Floor Area Ratio Bonus for Mixed Use*
- (1) A *floor area ratio* bonus is provided in some commercial zones, as indicated in Tables 131-05C, 131-05D, and 131-05E, for residential uses that are developed as a part of a mixed-use *development*. A minimum required residential *floor area ratio* is shown in the tables, and must be applied toward the residential portion of the project. The remainder of the bonus may be used for either commercial or residential uses.
  - (2) If an underground parking *structure* is provided as part of a mixed-use *development*, a *floor area ratio* bonus shall be provided equal to the *gross floor area ratio* of the underground parking *structure* on the *premises*, but not to exceed a *floor area ratio* of 1.0. The additional *floor area ratio* must be applied toward the residential portion of the *development*.

(b) *Floor Area Ratio Bonus for Child Care Facilities*

In the CR-1-1, CR-2-1, CO-1-2, CO-2-2, CO-3-1, and CO-3-2 zones, a *floor area ratio* bonus over the otherwise maximum allowable *gross floor area* is permitted at the rate of 4 square feet of additional *gross floor area* for each 1 square foot of *gross floor area* devoted to the *child care facility* to be added to the total area of the *premises* when determining the *floor area ratio* for a *development*. The area designated for the *child care facility* must be used for child care for a minimum of 10 years and must be in compliance with the requirements of Section 141.0606 (Child Care Facilities).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)  
(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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#### §131.0548 Ground-floor Height

Ground-*floor* height requirements apply to *structures* with commercial uses on the ground *floor*. The minimum ground-*floor* height for *structures* shall be the average of 15 feet, but shall not be less than 13 feet, measured from the average *grade* of the adjoining sidewalk, in increments of no more than 100 feet along a *development* frontage, to the finished elevation of the second *floor*.

(Added 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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#### §131.0550 Pedestrian Paths

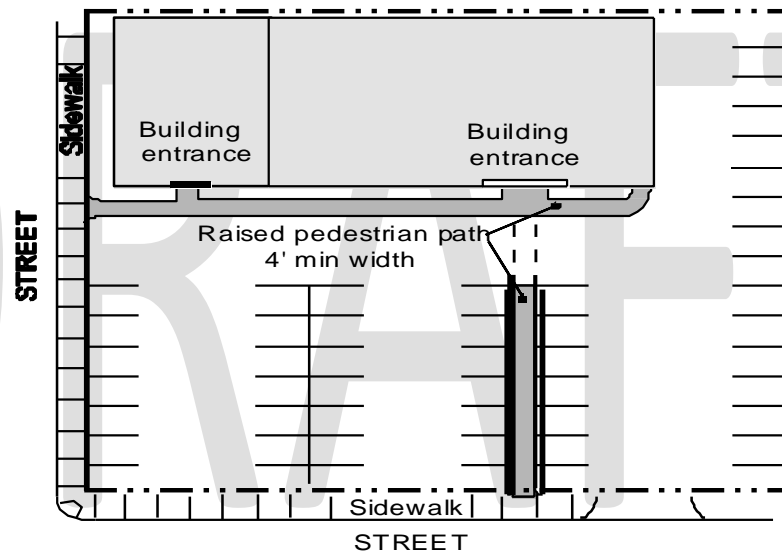
Where pedestrian paths are required in Tables 131-05C, 131-05D, or 131-05E, the number, location, and design of the paths shall be in accordance with the following.

- (a) Each commercial tenant space shall be accessible from an abutting public *street* by a pedestrian path that is at least 4 feet wide as shown on Diagram 131-05D. The path shall be continuous, clear of obstructions, easily identifiable as a pedestrian path, and visually distinguishable from other hardscaping. Pedestrian paths shall be separated from vehicular access areas by wheelstops, curbs, landscaping, or other physical barriers, except when crossing driveways or aisles.

- (b) At least one pedestrian path shall be provided for each property frontage on an improved public *street* when at some point along the frontage the difference in elevation between the sidewalk in the *public right-of-way* and the building or vehicle use area closest to the abutting *street frontage* is less than 4 feet, as shown in Diagram 131-05D. For a *premises* with more than three frontages, only three pedestrian paths are required.

**Diagram 131-05D**

**Pedestrian Paths**



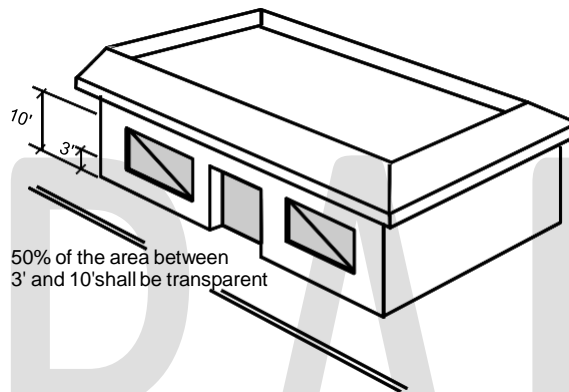
- (c) Building entrances located at the front or *street side property line*, where the building *setback* is zero, qualify as a required pedestrian path.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)



## §131.0552 Transparency

Where transparency is required by Tables 131-05C, 131-05D, or 131-05E, a minimum of 50 percent of *street wall* area between 3 and 10 feet above the sidewalk shall be transparent, with clear glass visible into a commercial or residential use. Windows or other transparent materials that provide visibility into a garage or similar area do not count toward the required transparency. See Diagram 131-05E.

**Diagram 131-05E**  
**Transparency**



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

## §131.0554 Building Articulation

Where building articulation is required by Tables 131-05C, 131-05D, or 131-05E, the following regulations apply.

- (a) All building elevations fronting a *public right-of-way* shall be composed of offsetting planes that provide relief in the *building facade* by inseting or projecting surfaces (planes) of the building. The minimum number of offsetting planes and the minimum horizontal separation between planes is based on the length of the new *building facade*, as shown in Table 131-05F.

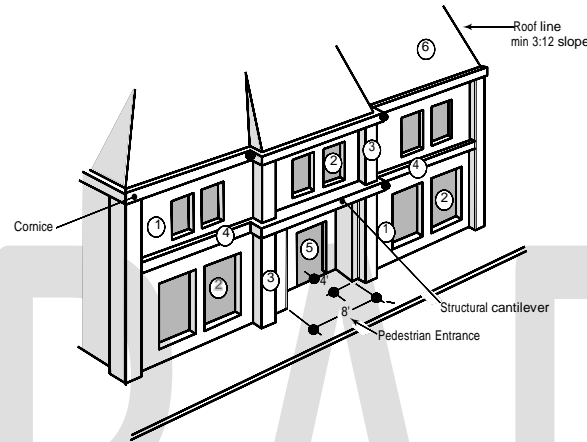
**Table 131-05F  
Offsetting Plane Requirements**

<b>Length of New <i>Building Façade</i></b>	<b>Number of Offsetting Planes Required</b>
25 ft or less	2 with a minimum separation of 3 inches
More than 25 ft. but less than or equal to 50 ft	4 planes consisting of : 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches
More than 50 ft. but less than or equal to 100 ft	6 planes consisting of: 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches, and 2 with a minimum separation of 3 feet
More than 100 ft	6 planes consisting of: 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches, and 2 with a minimum separation of 3 feet, and plus 1 additional plane for each 50 feet of <i>building facade</i> length over 100 feet (maximum of 3 additional planes required with a minimum separation of 5 feet).

- (1) For purposes of this section, the area of a plane may include separate surfaces that are non-contiguous but which all lie in the same plane. Each numbered surface of the building shown in Diagram 131-05F represents a different plane of the building facade. The sum of the area of each plane labeled with the same number in Diagram 131-05F is the total area of that plane.

### Diagram 131-05F

#### Building Articulation



- (2) For purposes of this section, an offset is the distance between two different planes of a *building facade* measured perpendicularly to the plane surface (for example, the dimension between plane 1 and 2 in Diagram 131-05F).
- (b) Where a 3-inch or 8-inch offset between planes is required, the total area of any single offsetting plane shall be more than 5 percent and less than 50 percent of the total *building facade* area on that frontage.
- (c) Where a 3-foot or 5-foot offset between planes is required, the total area of any single offsetting plane shall be more than 10 percent and less than 50 percent of the total *building facade* area on that frontage.
- (d) The following elements of a *building facade* may be used to satisfy any one required building plane:
- (1) Roofs with a minimum pitch from eave to peak of 3:12 (3 vertical feet to 12 horizontal feet) and a minimum area of 10 percent of the building elevation fronting on a *public right-of-way*;
  - (2) Pedestrian entrances with a minimum offset dimension of 4 feet from the primary plane of the *building facade* and a minimum width of 8 feet;

- (3) A cornice equal to at least 70 percent of the length of the *building facade* that has a minimum offset of 1 foot, located along the *street wall*; and
- (4) Structural cantilevers with combined lengths totaling at least 30 percent of the length of the *building facade*, with an average offset of at least 2 feet, located along the *street wall*. *Roof eaves* do not count as offsetting planes.

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

#### §131.0555 Parking Restriction

In the CO-1-1, CO-3-1, and CO-3-2 zones, parking is not permitted in the required front and *street side yard*.

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

(Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

**[Editors Note:** Amendments as adopted by O-20512 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language [http://docs.sandiego.gov/municode\\_strikeout\\_ord/O-20512-SO.pdf](http://docs.sandiego.gov/municode_strikeout_ord/O-20512-SO.pdf) ]

**§131.0556 Parking Lot Orientation**

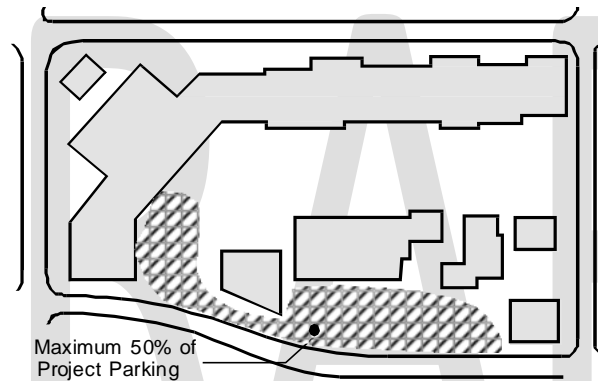
Section 131.0556 applies in all zones where the parking lot orientation regulation applies, as indicated in Table 131-05D or 131-05E.

(a) Proposed development with over 100,000 square feet of gross floor area and more than one street frontage shall locate no more than 50 percent of the vehicular use area between the longest street frontage providing public access to the premises and a building or buildings..

**Diagram 131-05G**

**Parking Lot Orientation Restriction**

Parking Lot Orientation Restriction



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

(b) In all zones where the parking lot orientation regulation applies, as indicated in Table 131-05D or 131-05E, proposed development with under 100,000 square feet of gross floor area and more than one street frontage shall locate surface parking for non-residential uses so that at least 75 percent of the parking spaces are screened from public view along the adjacent public right-of-way.

## Article 1: Separately Regulated Use Regulations

### Division 10: Industrial Use Category--Separately Regulated Uses

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

#### **§141.1001     Artisan Food and Beverage Producer**

Artisan Food and Beverage Producer applies to establishments that engage in commercial on-site production of food and/or beverage products. Typical products may include, but are not limited to micro-breweries, coffee roasting, ice cream, baked goods, confectioneries, alcoholic and non-alcoholic beverages, and other foodstuffs and may be permitted as a Limited Use or subject to a Neighborhood Use Permit indicated with either an “L” or “N” in the Use Regulation Table 131-05B in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) These uses shall be limited to 10,000 square feet of ground floor area.
- (b) All storage shall be within an enclosed building or screened from the public right-of-way by fences or walls and landscaping. Stored items shall not be stacked to a height that exceeds the height of the screening.
- (c) Hours of operation shall be limited to 6:00 a.m. until 10:00 p.m. so that neighboring residential development is not disturbed by noise and lights.
- (d) Distribution facilities are not permitted adjacent to residentially zoned property.

#### **§141.1002     Hazardous Waste Research Facilities**

This section regulates *structures*, improvements on the land, and all contiguous land used for research related to the treatment, transfer, storage, resource recovery, disposal, or recycling of *hazardous waste*.

*Hazardous waste* research facilities may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) At the time of application for a Conditional Use Permit, the *applicant* shall provide proof of approval of a Research, Development and Demonstration Permit for *Hazardous Waste* Treatment from the Environmental Protection Agency, or any other agency of the United States Government, pursuant to the Federal Resources Conservation and Recovery Act.
- (b) The *applicant* shall provide the City with documentation of the activities that will take place on the site and a plan describing the safeguards the *applicant* will employ to assure that no harm comes to the surrounding area as a result of the activities on the site.

**§141.100~~32~~ Hazardous Waste Treatment Facilities**

This section regulates *structures*, improvements on the land, and all contiguous land used for the treatment, transfer, storage, resource recovery, disposal, or recycling of *hazardous waste*.

*Hazardous waste* treatment facilities may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) At least 90 calendar days before applying for a Conditional Use Permit, the *applicant* shall file a notice of intent to apply for the permit with the City Manager and with the Office of Permit Assistance in the State Office of Planning and Research. The notice of intent shall contain a complete description of the nature, function, and scope of the *development*.

- (b) Within 90 calendar days of the date on which a notice of intent to apply for a Conditional Use Permit is filed, the Office of Permit Assistance will, in cooperation with the City Manager, convene a public meeting in the City of San Diego to inform the public about the nature, function, and scope of the proposed project and the procedures that are required for approving applications for the *development*.
- (c) Within 90 calendar days of the date on which a notice of intent to apply for a Conditional Use Permit is filed, the City Council shall appoint a seven-member local assessment committee. The membership of the local assessment committee shall be broadly constituted to reflect the makeup of the City and shall include three representatives of the City at large, two representatives of environmental or public interest groups, and two representatives of affected businesses and industries. Members of the committee shall have no direct financial interest, as defined in the California Government Code, Section 87103, in the proposed *development*. The City Council shall provide staff resources to assist the local assessment committee in performing its duties. The local assessment committee shall cease to exist after final administrative action by state and local agencies has been taken on the permit applications. The local assessment committee shall, within the time period prescribed by the City Council, do all of the following:
- (1) Adopt rules and procedures that are necessary to perform its duties;
  - (2) Represent generally the interest of the residents of the City and the interests of adjacent communities in negotiations with the *applicant*;
  - (3) Negotiate with the *applicant* on the detailed terms, provisions, and conditions for project approval that would protect the public health, safety, and general welfare and the environment of the City and adjacent communities, and would promote the fiscal welfare of the City through special benefits and compensation;
  - (4) Receive and expend, subject to the approval of the City Manager and authorization of the City Council, the technical assistance grants made available by the Office of Permit Assistance in the State Office of Planning and Research to enable the local assessment committee to hire an independent consultant to assist the committee in reviewing the *development* and negotiating terms, provisions, and conditions with the *applicant*; and
  - (5) Advise the City Manager, Planning Commission, and City Council of the terms, provisions, and conditions for approval that have been agreed upon by the committee and the *applicant* and of any additional information that the committee deems appropriate. The City Manager, Planning Commission, and City Council may use this advice for their independent consideration of the *development*.



- (d) The City Manager will notify the Office of Permit Assistance in the State Office of Planning and Research within 10 *business days* of the date on which an application for a Conditional Use Permit is *deemed complete* by the City.
- (e) Within 60 calendar days of receipt of this notice, the Office of Permit Assistance in the State Office of Planning and Research will convene a meeting of the lead agency and responsible agencies for the *development*, the *applicant*, the local assessment committee, and the interested public, to be held in the City of San Diego, to determine the issues that concern the agencies that are required to approve the project and the issues that concern the public. The City Manager shall provide notice to the public of the date, time, and place of the meeting.
- (f) Following the meeting required by Section 141.100~~32~~(e), the local assessment committee and the *applicant* shall meet and confer on the proposal for the purpose of establishing the terms, provisions, and conditions under which the *development* would be acceptable to the community. If the local assessment committee and the *applicant* cannot resolve any differences through the meetings, the Office of Permit Assistance in the State Office of Planning and Research may recommend the use of a mediator.
- (g) Pursuant to the California Health and Safety Code, Section 25199.7(g), the *applicant* shall pay a fee, established by the Office of Permit Assistance in the State Office of Planning and Research, equal to the cost of hiring independent consultants to review the *development*. The Office of Permit Assistance in the State Office of Planning and Research may use this money to make technical assistance grants to the local assessment committee to enable the committee to hire an independent consultant to assist the committee in reviewing the *development* and negotiating terms, provisions, and conditions with the *applicant*.
- (h) Pursuant to California Health and Safety Code Section 25199.7(h), the *applicant* shall pay one-half of the costs of any mediation process that may be recommended by the Office of Permit Assistance in the State Office of Planning and Research. The remaining costs will be paid, upon appropriation by the legislature, from the State General Fund.
- (i) Within 60 calendar days of the date on which the application is *deemed complete*, and after a noticed public hearing, the City Council shall, at the request of the *applicant*, issue an initial written determination on whether the proposed *development* is consistent with the following documents:
  - (1) The *land use plan* and zoning ordinances in effect at the time the application was received; and

- (2) The County *Hazardous Waste* Management Plan authorized by California Health and Safety Code Article 3.5 (commencing with Section 25135), if such plan is in effect at the time of the application.
- (j) The City Manager shall send a copy of the written determination, made pursuant to Section 141.100~~32~~(i), to the *applicant*.
- (k) The determination required by Section 141.100~~32~~(i) does not prohibit the City Council from making a different determination when the final decision to approve or deny the Conditional Use Permit is made, if the final determination is based on information that was not considered at the time the initial determination was made.
- (l) The decision of the City Council regarding the approval, conditions of approval, or denial of a Conditional Use Permit is final unless appealed by the *applicant* or an *interested person* to the Governor of the State of California, or the Governor's designee, pursuant to California Health and Safety Code Article 8.7 (commencing with Section 25199) to Chapter 6.5 of Division 20, within 30 calendar days after the date on which the City Council approves or denies the Conditional Use Permit.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

#### **§141.100~~43~~ Marine-Related Uses in the Coastal Zone**

Marine-related uses in the Coastal Overlay Zone are permitted in zones indicated with a "P" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones). Marine-related uses in the Coastal Overlay Zone may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) All storage, service, and repair areas shall be located on the site so that they are not visible, or shall be *screened* so that they are not visible, from adjacent *development* and *public rights-of-way*.
- (b) Off-street parking shall be provided at a level sufficient to serve the facility without impacting adjacent or nearby property.
- (c) A litter control program is required before approval of the permit.

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

(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)

**§141.100<sup>54</sup> Mining and Extractive Industries**

Mining and extractive industries may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Exemptions. The following activities and persons are exempt from the provisions of this section:
- (1) Prospecting for or *exploration* of minerals for commercial purposes where less than 1,000 cubic yards of *overburden* are removed in any single location of 1 acre or less;
  - (2) Any *surface mining* operation that does not involve the removal of more than 1,000 cubic yards of minerals, ores, and *overburden* or involve more than 1 acre in any single location;
  - (3) *Surface mining* operations that are required by federal law in order to protect a mining claim, if the operations are conducted solely for that purpose; and
  - (4) *Excavations* or *grading* conducted for farming, onsite construction, or for the purpose of restoring land following a flood or natural disaster.
  - (5) The solar evaporation of sea water or bay water for the production of salt and related minerals.
  - (6) Onsite *excavation* and onsite earthmoving activities that are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site, subject to all of the following conditions:

- (A) All required permits for the construction, landscaping, or related land improvements have been approved by a public agency in accordance with applicable provisions of state law and locally adopted plans and ordinances, including, but not limited to Public Resources Code, Division 13 (commencing with Section 21000).
- (B) The lead agency's approval of the construction project included consideration of the onsite *excavation* and onsite earthmoving activities pursuant to Public Resources Code, Division 12 (commencing with Section 21000)
- (C) The approved construction project is consistent with the general plan or zoning of the *premises*.
- (D) Surplus materials shall not be exported from the *premises* unless and until actual construction work has commenced and shall cease if it is determined that construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.
- (7) Operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials, subject to all of the following conditions:
- (A) The plant site is located on lands designated for industrial or commercial uses in the applicable county or city general plan.
- (B) The plant site is located on lands zoned industrial or commercial, or are contained within a zoning category intended exclusively for industrial activities by the applicable city or county.
- (C) None of the minerals being processed are being extracted onsite.
- (D) All *reclamation* work has been completed pursuant to the approved reclamation plan for any mineral extraction activities that occurred onsite after January 1, 1976.
- (8) Emergency *excavations* or *grading* conducted by the California Department of Water Resources or the Reclamation Board for the purpose of averting, alleviating, repairing, or restoring damage to property due to imminent or recent floods, disasters, or other emergencies.

- (9) *Surface mining* operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the California Department of Water Resources for the purpose of the State Water Resources Development System or flood control, and *surface mining* operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Reclamation Board for the purpose of flood control, if the California Department of Water Resources adopts, after submission to and consultation with, the California Department of Conservation, a *reclamation* plan for lands affected by these activities, and those lands are reclaimed in conformance with the standards specified in regulation of the board adopted pursuant to the California Surface Mining and Reclamation Act of 1975. The California Department of Water Resources shall provide an annual report to the California Department of Conservation by the date specified by the California Department of Conservation on these mining activities.
- (10) *Excavations* or *grading* for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operations or forest management on land owned by the same person or entity. This exemption is limited to *excavation* and *grading* that is conducted adjacent to timber operation or forest management roads and shall not apply to onsite *excavation* or *grading* that occurs within 100 feet of a Class One watercourse or 75 feet of a Class Two watercourse, or to *excavation* for materials that are, or have been sold for commercial purposes.
- (A) The exemption set forth in Section 141.100~~54~~(a)(10) applies only if slope stability and erosion are controlled in accordance with Section 3704(f) and Section 3706(d) of Title 14 of the California Code of Regulations and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and postclosure uses in consultation with the California Department of Forestry and Fire Protection.
- (11) Excavations, grading, or other earthmoving activities in an oil or gas field that are integral to, and necessary for, ongoing operations for the extraction of oil or gas that comply with all of the following conditions:
- (A) The operations are being conducted in accordance with Public Resources Code, Division 3 (commencing with Section 3000).

- (B) The operations are consistent with any general plan or zoning applicable to the site.
- (C) The earthmoving activities are within oil or gas field properties under a common owner or operator.
- (D) No excavated materials are sold for commercial purposes.

(b) Vested Rights

- (1) Any person who obtained a vested right to conduct a *surface mining* operation before January 1, 1976, shall not be required to secure a Conditional Use Permit pursuant to the provisions of Section 141.100~~5~~4, as long as the vested right continues and no substantial change is made in the operation except in accordance with the provisions of Section 141.100~~5~~4. Any substantial change in the *surface mining* operation subsequent to January 1, 1976, may be permitted only with a Conditional Use Permit in accordance with Section 141.1004.
  - (A) A person is deemed to have a vested right if, before January 1, 1976, that person has in good faith and in reliance upon a permit or other authorization, if a permit or other authorization was required, diligently commenced *surface mining* operations and incurred substantial liabilities for work and necessary materials. Expenses incurred in obtaining the enactment of a resolution in relation to a particular operation or the issuance of a permit shall not be deemed liabilities for work or materials that would create a vested right.
- (2) A person with vested rights who has continued *surface mining* in the same disturbed area after January 1, 1976, and who did not receive approval for his or her reclamation plan prior to July 1, 1990, shall cease continuation of the surface mining operation until a reclamation plan has been submitted to the City Manager and approved in accordance with Process One. All *reclamation* plans submitted to the City Manager for vested operations that are conducted after January 1, 1976, shall be accompanied by the applicable deposit.
- (3) Any person who has obtained a vested right to conduct *surface mining* operations shall obtain a grading permit and be subject to the same frequency of inspection as those mining operators required to obtain a Conditional Use Permit pursuant to Section 141.100~~5~~4.

- (4) Nothing in Section 141.100~~5~~4 shall be construed as requiring the filing of a *reclamation* plan for, or the *reclamation* of, mined lands on which *surface mining* operations were conducted prior to, but not after, January 1, 1976.
- (c) The applicant shall submit a *reclamation* plan, financial assurances and grading plans, in accordance with the provisions set forth in Section 141.1004; the California Surface Mining and Reclamation Act of 1975, Article 5 including Section 2772, 2773 and 2773.1; applicable provisions of Chapter 8, Division 2, Title 14 of the California Code of Regulations including Sections 3500-3505 and 3700-3713; and procedures established by the City Manager. The Conditional Use Permit, *reclamation* plan, financial assurance, and *grading* plan shall be processed as a consolidated action.
- (d) The Director of the California Department of Conservation shall be notified by the City Manager of the filing of a Conditional Use Permit application pursuant to Section 141.100~~5~~4.
- (e) In accordance with Public Resources Code section 2772, any person who owns, leases, or otherwise controls or operates on all or any portion any mined lands, or who plans to conduct *surface mining* operations on the lands, shall submit a *reclamation* plan for approval by the City Manager. The *reclamation* plan shall be submitted in a format specified by the City Manager. The *reclamation* plan shall include all information and documentation set forth in Public Resources Code sections 2772 (c) and 2773(a).
- (f) The mining operator shall file an annual *surface mining* report on forms provided by the State Mining and Geology Board with the California Department of Conservation and the City Manager no later than the anniversary date established by the Director of the California Department of Conservation, or as otherwise required by the Conditional Use Permit.
- (g) *Reclamation* plans, reports, applications, and other documents submitted in accordance with Section 141.100~~5~~4 are public records unless it can be demonstrated to the satisfaction of the City Attorney that the release of this information would reveal production, reserves, or rate of depletion that is entitled to protection as proprietary information. The City Attorney shall identify the proprietary information as a separate part of each application. A copy of all permits, *reclamation* plans, reports, applications, and other documents submitted in accordance with Section 141.100~~5~~4, including proprietary information, shall be furnished to the Director of the California Department of Conservation by the City Manager. Proprietary information shall be made available to persons other than the Director of Department of Conservation only when authorized by the *surface mining* owner in accordance with Public Resources Code section 2778.



- (h) As a condition of approval for the Conditional Use Permit or the *reclamation* plan, or both, the *applicant* shall agree to allow the City, upon notice of inspection, to enter the site to inspect and evaluate continuing compliance with the Conditional Use Permit and the *reclamation* plan. The inspections shall occur no less frequently than once in any calendar year, in accordance with Public Resources Code section 2774(b). The inspection shall be conducted by a state-registered geologist, state registered civil engineer, state licensed landscape architect or state registered forester, who is experienced in land *reclamation* and who has not been employed by the *surface mining* operation in any capacity during the twelve month prior to the inspection. The inspection shall be conducted using a form provided by the California Department of Conservation and subject to review and approval by the City Manager. The completed inspection form and an inspection report shall be submitted to the City Manager within fifteen days of the inspection. All costs related to the inspections and report shall be borne solely by the operator. The City Manager shall notify the California Department of Conservation within thirty days of completion of the inspection that the inspection has been conducted; the City Manager shall also forward a copy of the notice, the completed inspection form and any necessary supporting documentation, to the applicant.
- (i) As a result of the annual inspection, if the City Manager finds that the *surface mining* operator is not following the provisions of the *reclamation* plan, the *surface mining* operator shall be given notice to comply within a given time not to exceed ninety calendar days. A copy of the notice shall be given to the owner of the land upon which the *surface mining* operations are located. If at the end of the stated time the operator is not in compliance, the City Manager may revoke or suspend the Conditional Use Permit or the *reclamation* plan or both until the *surface mining* operator complies or obtains approval of a revised *reclamation* plan.
- (j) In accordance with the provisions of Section 141.100~~54~~, Public Resources Code section 2773.1 and as a condition of approval of the Condition Use Permit or the *reclamation* plan or both, the *surface mining* operator shall submit financial assurances to ensure compliance with the *surface mining* operation's *reclamation* plan, including revegetation and landscaping requirements, restoration of aquatic or wildlife habitat, restoration of water bodies and water quality, slope stability and erosion and drainage control, disposal of hazardous materials, annual adjustments for disturbance to new lands and those anticipated for the upcoming calendar year, inflation and other measures, as necessary.



- (1) Cost estimates shall be prepared in accordance with the procedures outlined in the most recent edition of the State Mining and Geology Board's "Financial Assurance Guidelines" and shall be submitted to the City Manager for review and approval prior to the *surface mining* operator securing financial assurances.
- (2) A copy of the cost estimates will be forwarded to the State California Department of Conservation for review.
- (3) Revisions to financial assurances shall be submitted to the City Manager each year prior to the anniversary date for approval of the financial assurances. The annual adjustments shall take into account new lands disturbed by *surface mining* operations, changes with respect to environmental conditions affected by mining operations, new information concerning mining *reclamation* or the *reclamation* of subject mined lands, modifications of the *reclamation* plan, changes in the laws and regulations affecting *surface mining*, inflation and *reclamation* of lands accomplished in accordance with the *reclamation* plan.
- (4) The financial assurances shall be made payable to the City of San Diego and the California Department of Conservation and may be any of those listed below. The financial assurances shall be released, upon written notification from the City Manager to the *surface mining* operator and the California Department of Conservation, that the *surface mining* operator is in compliance with the provisions of the Conditional Use Permit and has completed the work in accordance with the approved *reclamation* plan. Financial assurances may be any of the following:
  - (A) A bond or bonds by one or more duly authorized corporate securities;
  - (B) A deposit of money or negotiable bonds of the kind approved for securing deposits of public moneys;
  - (C) An instrument of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the plan are on deposit and guaranteed for payment; or
  - (D) Other security which the State Mining and Geology Board determines are reasonably available and adequate to ensure *reclamation* in accordance with the California Surface Mining and Reclamation Action of 1975.

- (5) Default of financial assurances shall comply with the procedures established by the City Manager, as amended from time to time.
- (k) Whenever any *surface mining* operation or portion of a *surface mining* operation that is subject to Section 141.100~~54~~ is sold, assigned, conveyed, exchanged, or otherwise transferred, the successor in interest shall be bound by the provisions of the Conditional Use Permit, *reclamation* plan, the provisions of Section 141.100~~54~~ and the California Surface Mining and Reclamation Act of 1975.
- (l) In accordance with Public Resources Code section 2770, and as further provided in Section 141.100~~54~~, whenever any *surface mining* operation becomes *idle*, the *surface mining* operator shall submit a proposed interim management plan (*IMP*) to the City Manager for review and approval. The *IMP* shall be submitted within ninety days of the operation becoming *idle* on forms provided by the City Manager. Review and approval of the *IMP* shall be carried out in accordance with Public Resources Code section 2770(h). Upon receipt of a complete proposed *IMP*, the City Manager shall forward it to the California Department of Conservation for review.
- (m) Deviations from the approved *reclamation* plan, including an *IMP*, are not permitted unless amendments to the *reclamation* plan, financial assurances and the Conditional Use Permit have been approved by the decision maker in accordance with Process Four, or the Substantial Conformance Review process where applicable.
- (n) In the OR-1-2 zone, the following regulations apply.
- (1) Processing and other related mining activities (such as asphaltic processing) are permitted only within the allowable 25 percent development area.
- (2) All mining and other related mining activities must be consistent with the objectives, guidelines, and recommendations in the Multiple Species Conservation Program Plan, the California Surface Mining and Reclamation Act of 1975, the regulations in Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations) and other applicable state and local laws and regulations.
- (3) Any sand removal activities should be monitored for noise impacts to surrounding sensitive habitats, and all new sediment removal or *surface mining* operations proposed in proximity to the *MHPA* or changes in existing operations, must include noise reduction methods that take into consideration the breeding and nesting seasons of sensitive bird species.

- (4) All existing and future mined lands adjacent to or within the *MHPA* shall be reclaimed in accordance with the California Surface Mining and Reclamation Act of 1975 and should be designed to contribute biologically to the *MHPA*. Native habitats should be restored as much as possible. No invasive non-native plant species shall be introduced into areas adjacent to the *MHPA*.
- (5) Any permitted *surface mining* activity, including *reclamation* of sand, must consider changes and impacts to surface water and groundwater quality, water table level, fluvial hydrology, flooding, and habitats upstream and downstream and must provide adequate mitigation.
- (o) The City Manager may suspend or revoke a Conditional Use Permit or *grading* permit for violation of the terms and conditions of the permit, inadequate financial assurances, or Municipal Code violations.  
(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)  
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)  
(Amended 3-1-2005 by O-19468 N.S.; effective 4-1-2006.)

**§141.100~~65~~ Newspaper Publishing Plants**

Newspaper publishing plants may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) The design of the *structures* shall incorporate a variety of architectural elements that help to diminish building bulk.
- (b) Larger *structures*, areas of high activity, and parking areas shall be located to minimize impacts to surrounding *development* that is smaller in scale and less intense.
- (c) Access to the facility shall be as direct as possible from *freeways* and primary arterials and shall avoid residential *streets*.
- (d) Off-street parking shall be provided at a level sufficient to serve the facility without impacting adjacent or nearby property.
- (e) All storage, service, and repair areas shall be located on the site so that they are not visible, or shall be *screened* so that they are not visible, from adjacent *development* and *public rights-of-way*.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

**§141.100~~76~~<sup>7</sup> Processing and Packaging of Plant Products and Animal By-Products Grown Off-Premises**

This use may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Processing and packaging facilities are not permitted adjacent to residentially zoned property.
- (b) The location, number, and intensity of other nonagricultural uses located in the vicinity of the proposed establishment will be evaluated to determine the appropriate size and intensity of the proposed establishment.
- (c) The amount of noise and odor that might be generated by these facilities will be evaluated to determine where they may be located.
- (d) The proximity of *freeways*, primary arterials, and major *streets* serving the site will be evaluated to determine the appropriate size and intensity of the proposed establishment.
- (e) Off-street parking shall be sufficient to serve the facility without impacting adjacent or nearby property.

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

**§141.100~~87~~<sup>8</sup> Very Heavy Industrial Uses**

This section regulates the following uses: distillation of bones; fat rendering; garbage offal or dead animal reduction; gas manufacture; glue manufacture; petroleum refining; and stock yards or slaughter of animals.

Very heavy industrial uses may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) The operation of these uses shall occur within an enclosed building to the extent possible.
- (b) Any outdoor activities or operations shall be located on the site so that noise, odors, dust, and fumes generated on the site have minimal impact on surrounding *development*.
- (c) Access to these facilities shall be as direct as possible from *freeways* and primary arterials and shall avoid residential *streets*.

- (d) The facility shall be designed to protect nearby streams and bodies of water from runoff related to the operation of the facility.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

**§141.100~~98~~ Wrecking and Dismantling of Motor Vehicles**

Wrecking and dismantling of motor vehicles may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) All storage shall be within an enclosed building or *screened* from the *public right-of-way* by *fences* or walls and landscaping. Stored items shall not be stacked to a height that exceeds the height of the *screening*.
- (b) A litter control program is required before approval of the permit.
- (c) A pest control program is required before approval of the permit.
- (d) Hours of operation shall be limited so that neighboring residential *development* is not disturbed by noise and lights.
- (e) Measures shall be taken to ensure that the ground water table is not adversely affected by the increase of impermeable surfaces due to the *development* of the facility.
- (f) Measures shall be taken to ensure that the water quality is not adversely affected by runoff of fuel, lubricants, or other pollutants.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)