



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: MARCH 28, 2019 REPORT NO. PC-19-023

HEARING DATE: APRIL 4, 2019

SUBJECT: MIXED-USE ZONING  
MUNICIPAL CODE AMENDMENT AND LOCAL COASTAL PROGRAM  
AMENDMENT  
PROCESS FIVE DECISION

### SUMMARY

Issues: Should the Planning Commission recommend to the City Council approval of an amendment to the City's Municipal Code and Local Coastal Program for the addition of six new mixed-use base zones.

Staff Recommendation: Recommend approval of the new zones to the City Council.

#### City Strategic Plan Goal and Objectives:

Goal #3: Create and sustain a resilient and economically prosperous City.

Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.

Environmental Review: This ordinance is not a project under CEQA Guidelines section 15378 as this ordinance does not involve the application of the new zones to any land and therefore could not result in any development, and therefore, would not result in any significant environmental impacts. A separate rezoning action would be required to apply the zones to any land before any new development would occur. Pursuant to CEQA Guidelines Section 15004, adoption of the new zones is not the appropriate time to conduct environmental review. This ordinance would not foreclose review of alternatives or mitigation measures by the public as part of the CEQA process when the zones are applied to any land within the City.

Housing Impact Statement: The new zones could be applied Citywide through future rezone actions and could increase the number of housing units due to an increase in allowable density.

Technical Advisory Committee (TAC): On March 13, 2019 the Technical Advisory Committee voted 12-1 to recommend approval of the project.

Code Monitoring Team (CMT): On March 13, 2019 the Code Monitoring Team voted 12-1 to recommend approval of the project.

Community Planners Committee (CPC) Recommendation: CPC is scheduled to hear the proposed regulations on March 26, 2019. The Planning Department will provide the results of that meeting within staff's presentation to the Planning Commission on April 4, 2019.

## BACKGROUND

To implement the *Housing SD* Initiative, the General Plan and Climate Action Plan (CAP), the Planning Department initiated an amendment to the City's base zone regulations with the following goals in mind:

- Implement the CAP & housing goals
- Streamline the development process
- Protect employment sectors and keep up with employment and housing trends
- Allow for additional mixing of uses within transit priority areas
- Zones that permit rather than mandate
- Transition to floor area ratio (FAR) for calculating residential density

Over the past few years, staff noticed an increase in interest to build mixed-use projects in various parts of the city. Many of these projects have needed to go through a discretionary process such as a Planned Development Permit, where flexibility on development requirements was needed to achieve the project goals. This was especially evident in Mission Valley, where wrap buildings and modified Type III buildings have been introduced. These building types had not been contemplated in the existing community plan and planned districts. The intent while updating community plans is to retire the planned districts. It was also identified that the existing base zones used for mixed-use were designed to function within a gridded roadway network, where regulations were rooted in an established primary frontage. Many areas within certain communities occupy superblocks where primary and secondary frontages are not as pronounced, such as Mission Valley. Staff began looking at developing a new set of zones that could be used in these areas to promote high-quality development without the need for discretionary permits or deviations from the existing zones. To prepare the draft zoning language, recently approved development projects that required discretionary review were used as models to develop guidelines for mixed-use projects to be allowed ministerially. The intention of these zones is to create certainty through streamlining the process, allowing a mix of uses and flexibility with design.

The new zones are intended to be applied in transit priority areas, where mixed-use does not currently exist and additional discretionary actions are required to meet the project goals. The zones could also be applied in areas that do not have a strong street grid system with defined primary and secondary frontages, walkable blocks and connections to transit.

## DISCUSSION

### ***Proposed Amendments***

Currently the San Diego Municipal Code (SDMC) has five base zones; open space, agricultural residential, commercial and industrial. The new mixed-use zones (Attachment 1) would be added as an additional base zone within a new division under Chapter 13. The new zones are organized in the same way as the existing base zones, starting with the purpose and intent; the use tables; and development regulations.

Staff is proposing six new zones within two categories, Residential Mixed-Use (RMX) and Employment Mixed-Use (EMX). Each category has three zones: RMX-1, 2 and 3 and EMX-1, 2, and 3. Each category is set up for primary and secondary uses with increasing intensities. The RMX zones allow for residential development as the primary use; however, the secondary use may be either non-residential or residential. If the secondary use is residential, then supplemental regulations would apply. The RMX zones support residential employment through the inclusion of shopkeeper units, small-scale artisan or production spaces, live/work units, or amenities for home employment and small businesses.

The EMX zones allows for non-residential development as the primary use with opportunities for residential development but also the flexibility of allowing for the secondary use to be non-residential. If the secondary use is non-residential, then it must be a different non-residential use than the primary use. This allows for a broader mix of uses, including offices, research and development, industrial and retail.

Below is a summary of the key sections within the proposed zones:

*Uses:* The RMX zones allow approximately 20% more uses and approximately 30% more uses in the EMX zones than the CC-3-9 (which is the zone currently used for many mixed-use developments). A few examples that are currently not permitted in the CC-3-9 zone but would be permitted in all the new zones include research and development, business services and testing labs.

*Development Regulations:* For both categories, RMX and EMX, the minimum lot area is 20,000 square feet, no minimum lot dimensions and zero setbacks. The densities range from 3.0-7.0 and are measured using floor area ratio (FAR). Maximum heights range from 120 feet to unlimited, which are consistent with some of the existing Commercial-Community zones.

*Supplemental Regulations for RMX zones:* If an all residential project is proposed within the RMX zones, the residential types need to be varied and can include shopkeeper, apartment, townhomes, duplexes or live/work. The development also needs to provide 10% of the floor area ratio dedicated to home based employment, which can include home occupation amenity spaces, such as co-work, shared conference rooms or a business center.

*Building frontage activation, articulation and transparency:* The goal with these regulations are to activate the street through design, not through use. This is an important distinction as we didn't want to mandate the uses at the street level but still wanted to maintain the pedestrian activation. Two activation elements are required for buildings located on a public right-of-way and buildings that front a private drive or plaza. These elements are within menu of options as well as standards for those options to allow flexibility for applicants.

*Pedestrian entrances and connections:* Pedestrian entrances are required for a street frontage exceeding 300 feet. Pedestrian pathways and connections to transit and to adjacent properties help ensure a logical interconnected network for pedestrians across the development.

*Parking design:* The purpose of these regulations is to not have the focal point of the development be off-street, at-grade surface parking. Surface parking is not allowed within the front and street yards. Surface parking is allowed if the spaces are either screened with landscaping or fully screened with a building along all street frontages with exceptions to freeway adjacent parcels.

*Supplemental regulations for premises greater than five acres:* For larger sites, a minimum of one pedestrian and bicycle access way into the development is required for every two acres. In addition, the development is required to choose two pedestrian circulations spaces from a menu of options. Some options include artwork, plazas, sidewalk widening, arcades and food service. These regulations are intended to break down larger sites to enhance a sense of place; facilitate pedestrian circulation; reduce walking distances; improve connections to the public right-of-way or private drives, transit, and adjoining neighborhoods; and promote the livability and vitality of the development. The proposed regulations are designed to be layered and additive, for example if you add a plaza you may also be meeting your building activation and common open space requirements.

*Implementation:* These zones can only be applied through a rezoning ordinance, which could occur as a standalone rezone or a rezone associated with a comprehensive community plan update.

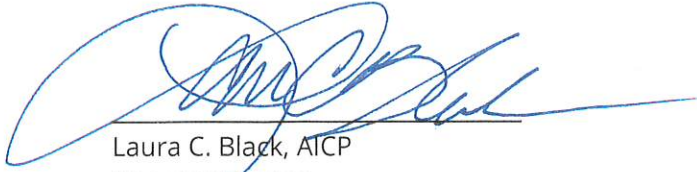
## CONCLUSION

The proposed regulatory amendments are consistent with the *Housing SD* initiative, the General Plan and the Climate Action Plan by creating opportunities to streamline the process, increase the housing supply within transit priority areas and provide a mix of uses and flexible design.

Respectfully submitted,



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LB/RM

Attachments:

1. Draft Code language (Strikeout/Underline)

# PROPOSED AMENDMENT TO THE SAN DIEGO MUNICIPAL CODE, CHAPTER 13: ZONES ADDING DIVISION 7: MIXED-USE BASE ZONES

## Article 1 Division 7: Mixed-Use Base Zones

### 131.0701 Purpose and Intent

The purpose of the mixed-use zones is to provide housing and jobs near commercial centers and corridors to reduce dependency on the automobile, promote access to transit and multi-modal transportation systems, and to provide for a walkable, pedestrian-oriented setting, including infill of existing *development*. The intent of these regulations is to create a mix of uses and provide distinct regulations for *density*, activation, and articulation which encourages pedestrian activity within *transit priority areas*. These zones are intended to accommodate small to large-scale horizontal or vertical mixed-use *development*, while maintaining connectivity to transit and promoting the livability and vitality of such *development*.

### 131.0702 Definition

The following definition is applicable to this Division. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this Division, or in Chapter 11, Article 3, Division 1 of the Land Development Code, appears in the text in italicized letters.

*Secondary use* means allowed uses which are less than 50 percent and more than 10 percent of the total *floor area ratio* of all uses.

### 131.0703 Purpose of the RMX (Residential Mixed-Use) Zones

The purpose of the RMX zones is to provide a mix of uses with a focus on residential uses. The RMX zones support residential employment through the inclusion of *shopkeeper units*, small-scale artisan or production spaces, live/work units, or amenities for home employment and small businesses. Residential *development* shall be the *primary use*; however, the *secondary use* can be non-residential or residential. If the *secondary use* is residential, then it shall comply with Section 131.0713.

The RMX zones are differentiated in Table 131.07B based on the *floor area ratio* and *structure height*.

**131.0704 Purpose of the EMX (Employment Mixed-Use) Zones**

The purpose of the EMX zones is to provide a mix of uses with a focus on non-residential uses with opportunities for residential *development*. The EMX zones allow for a broad mix of uses, including office, research and development, industrial, and retail. Non-residential *development* shall be the primary use; however, if the *secondary use* is non-residential, it must be a different non-residential use than the *primary use*.

The EMX zones are differentiated in Table 131-07B based on *floor area ratio* and *structure height*.

**131.0706 Use Regulations of Mixed-Use Zones**

The purpose and intent are to allow a varied mix of uses that reduce the dependency on automobiles, promote transit accessibility and walkability.

The regulations of Section 131.0707 apply in the mixed-use zones where indicated in Table 131-07A.

- (a) The uses permitted in any mixed-use zone may be further limited by the following:
  - (1) Use limitations applicable to the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15);
  - (2) The presence of *environmentally sensitive lands*, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations); or
  - (3) Any other applicable provision of the San Diego Municipal Code.
- (b) Within the mixed-use 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 131-07A. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section and Section 131.0708.
- (c) All uses, or activities permitted in the mixed-use zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (d) Temporary uses may be permitted in the mixed-use zones in accordance with Temporary Use Permit regulations pursuant to Section 123.0401.
- (e) 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.

**131.0707 Use Regulations Table for Mixed-Use Zones**

The uses allowed in the mixed-use zones are shown in Table 131-07A.

**Legend for Table 131-07A**

<b>Symbol in Table 131-07A</b>	<b>Description of Symbol</b>
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 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 131-07A**  
**Use Regulations Table for Mixed-Use 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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Open Space</b>							
<b>Active Recreation</b>		P	P	P	P	P	P
<b>Passive Recreation</b>		P	P	P	P	P	P
<b>Natural Resources Preservation</b>		-	-	-	-	-	-
<b>Park Maintenance Facilities</b>		P	P	P	P	P	P
<b>Agriculture</b>							
<b>Agricultural Processing</b>		-	-	-	-	-	-
<b>Aquaculture Facilities</b>		P	P	P	P	P	P
<b>Dairies</b>		-	-	-	-	-	-
<b>Horticulture Nurseries &amp; Greenhouses</b>		-	-	-	-	-	-
<b>Raising &amp; Harvesting of Crops</b>		-	-	-	-	-	-
<b>Raising, Maintaining &amp; Keeping of Animals</b>		-	-	-	-	-	-
<b>Separately Regulated Agriculture Uses</b>							
Agricultural Equipment Repair Shops		-	-	-	-	-	-
Commercial Stables		-	-	-	-	-	-
Community Gardens		L	L	L	L	L	L
Equestrian Show & Exhibition Facilities		-	-	-	-	-	-
Open Air Markets for the Sale of Agriculture-related Products & Flowers		-	-	-	-	-	-
<b>Residential</b>							
<b>Mobilehome Parks</b>		-	-	-	-	-	-
<b>Multiple Dwelling Units</b>		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<b>Rooming House</b> [See Section 131.0112 (a)(3)(A)]		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<b>Shopkeeper Units</b>		L	L	L	L <sup>(1)</sup>	L <sup>(1)</sup>	L <sup>(1)</sup>
<b>Single Dwelling Units</b>		-	-	-	-	-	-
<b>Separately Regulated Residential Uses</b>							
<b>Boarder &amp; Lodger Accommodations</b>		P	P	P	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
<b>Companion Units</b>		-	-	-	-	-	-
Continuing Care Retirement Communities		L	L	L	L	L	L
Employee Housing:							
6 or Fewer Employees		N	N	N	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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
12 or Fewer Employees		-	-	-	L	L	L
Greater than 12 Employees		-	-	-	C	C	C
Fraternities, Sororities and Student Dormitories		C	C	C	C	C	C
Garage, Yard, & Estate Sales		L	L	L	L	L	L
Guest Quarters		-	-	-	-	-	-
Home Occupations		L	L	L	L	L	L
<i>Junior Units</i>		-	-	-	-	-	-
Live/Work Quarters		L	L	L	L	L	L
Residential Care Facilities:							
6 or Fewer Persons		P	P	P	P	P	P
7 or More Persons		C	C	C	C	C	C
Transitional Housing:							
6 or Fewer Persons		P	P	P	P	P	P
7 or More Persons		C	C	C	C	C	C
Watchkeeper Quarters		-	-	-	L	L	L
<b>Institutional</b>							
<b>Separately Regulated Institutional Uses</b>							
Airports		-	-	-	-	-	-
Botanical Gardens & Arboretums		-	-	-	-	-	-
Cemeteries, Mausoleums, Crematories		-	-	-	-	-	-
Correctional Placement Centers		-	-	-	-	-	-
Educational Facilities:							
Kindergarten through Grade 12		L	L	L	L	L	L
Colleges / Universities		C	C	C	C	C	C
Vocational / Trade School		L	L	L	L	L	L
Electric Vehicle Charging Stations		L	L	L	L	L	L
Energy Generation & Distribution Facilities		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C
Exhibit Halls & Convention Facilities		-	-	-	C	C	C
Flood Control Facilities		L	L	L	L	L	L
Historical Buildings Used for Purposes Not Otherwise Allowed		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C

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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Homeless Facilities:							
Congregate Meal Facilities		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C
Emergency Shelters		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C
Homeless Day Centers		C <sup>(2)</sup>	C <sup>(2)</sup>	C <sup>(2)</sup>	C	C	C
Hospitals, Intermediate Care Facilities & Nursing Facilities		C	C	C	C	C	C
Interpretive Centers		C	C	C	C	C	C
Museums		C	C	C	C	C	C
Major Transmission, Relay, or Communications Switching Stations		L	L	L	L	L	L
Placemaking on Private Property		C	C	C	C	C	C
Satellite Antennas		L	L	L	L	L	L
Social Service Institutions		C	C	C	C	C	C
Solar Energy Systems		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
Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use		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
Wireless communication facility outside the public right-of-way		L	L	L	L	L	L
Retail Sales							
Building Supplies & Equipment		P	P	P	P	P	P
Food, Beverages and Groceries		P	P	P	P	P	P
Consumer Goods, Furniture, Appliances, Equipment		P	P	P	P	P	P
Pets & Pet Supplies		P	P	P	P	P	P
Sundries, Pharmaceutical, & Convenience Sales		P	P	P	P	P	P
Wearing Apparel & Accessories		P	P	P	P	P	P
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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Agriculture Related Supplies & Equipment		-	-	-	P	P	P
Alcoholic Beverage Outlets		C	C	C	L	L	L
Farmers' Markets							
Weekly Farmers' Markets		L	L	L	L	L	L
Daily Farmers' Market Stands		L	L	L	L	L	L
<i>Marijuana Outlets</i>		-	-	-	-	-	-
Plant Nurseries		P	P	P	P	P	P
Retail Farms		L	L	L	L	L	L
Retail Tasting Stores		L	L	L	L	L	L
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-	-	-
<b>Commercial Services</b>							
<b>Building Services</b>		P	P	P	P	P	P
<b>Business Support</b>		P	P	P	P	P	P
<b>Eating &amp; Drinking Establishments</b>		P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>
<b>Financial Institutions</b>		P	P	P	P	P	P
<b>Funeral &amp; Mortuary Services</b>		-	-	-	P	P	P
<b>Instructional Studios</b>		P	P	P	P	P	P
<b>Maintenance &amp; Repair</b>		-	-	-	P	P	P
<b>Off-site Services</b>		-	-	-	P	P	P
<b>Personal Services</b>		P	P	P	P	P	P
<b>Radio &amp; Television Studios</b>		P	P	P	P	P	P
<b>Tasting Rooms</b>		P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>
<b>Visitor Accommodations</b>		P	P	P	P	P	P
<b>Separately Regulated Commercial Services Uses</b>							
Adult Entertainment Establishments:							
Adult Book Store		L	L	L	L	L	L
Adult Cabaret		L	L	L	L	L	L
Adult Drive-In Theater		L	L	L	L	L	L
Adult Mini-Motion Picture Theater		L	L	L	L	L	L
Adult Model Studio		L	L	L	L	L	L
Adult <i>Motel</i>		L	L	L	L	L	L
Adult Motion Picture Theater		L	L	L	L	L	L
Adult Peep Show Theater		L	L	L	L	L	L
Adult Theater		L	L	L	L	L	L
Body Painting Studio		L	L	L	L	L	L
Massage Establishment		L	L	L	L	L	L
Sexual Encounter Establishment		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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Assembly and Entertainment Uses, Including Places of Religious Assembly <sup>(2)</sup>		L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>	L <sup>(2)</sup>
Bed & Breakfast Establishments:							
1-2 Guest Rooms		P	P	P	P	P	P
3-5 Guest Rooms		P	P	P	P	P	P
6+ Guest Rooms		P	P	P	P	P	P
Boarding Kennels/Pet Day Care		L	L	L	L	L	L
Camping Parks		-	-	-	-	-	-
Child Care Facilities:							
Child Care Centers		L	L	L	L	L	L
Large Family Child Care Homes		L	L	L	L	L	L
Small Family Child Care Homes		L	L	L	L	L	L
Eating and Drinking Establishments with a Drive-in or Drive-through Component		-	-	-	-	-	-
Fairgrounds		-	-	-	-	-	-
Golf Courses, Driving Ranges, and Pitch & Putt Courses		-	-	-	-	-	-
Helicopter Landing Facilities		-	-	-	C	C	C
Massage Establishments, Specialized Practice		P	P	P	P	P	P
Mobile Food Trucks		L	L	L	L	L	L
Nightclubs & Bars Over 5,000 Square Feet in Size		C	C	C	L	L	L
Parking Facilities as a <i>Primary Use</i> :							
Permanent Parking Facilities		-	-	-	-	-	-
Temporary Parking Facilities		-	-	-	-	-	-
Private Clubs, Lodges and Fraternal Organizations		p <sup>(2)</sup>	p <sup>(2)</sup>	p <sup>(2)</sup>	P	P	P
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size		C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>	C <sup>(6)</sup>
Pushcarts:							
Pushcarts on Private Property		L	L	L	L	L	L
Pushcarts in <i>Public Right-of-Way</i>		N	N	N	N	N	N
Recycling Facilities:							
Large Collection Facility		-	-	-	-	-	-
Small Collection Facility		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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Large Construction & Demolition Debris <i>Recycling Facility</i>		-	-	-	-	-	-
Small Construction & Demolition Debris <i>Recycling Facility</i>		-	-	-	-	-	-
Drop-off Facility		-	-	-	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
Tire Processing Facility		-	-	-	-	-	-
Sidewalk Cafes		L	L	L	L	L	L
Sports Arenas & Stadiums		-	-	-	-	-	-
Theaters that are Outdoor or Over 5,000 Square Feet in Size		C	C	C	C	C	C
Urgent Care Facilities		P	P	P	P	P	P
Veterinary Clinics & Animal Hospitals		L	L	L	L	L	L
Zoological Parks		-	-	-	-	-	-
<b>Offices</b>							
<b>Business &amp; Professional</b>		P	P	P	P	P	P
<b>Government</b>		P	P	P	P	P	P
<b>Medical, Dental &amp; Health Practitioner</b>		P	P	P	P	P	P
<b>Regional &amp; Corporate Headquarters</b>		P	P	P	P	P	P
<b>Separately Regulated Office Uses</b>							
Real Estate Sales Offices & Model Homes		L	L	L	L	L	L
<i>Sex Offender Treatment &amp; Counseling</i>		L	L	L	L	L	L
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>		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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Commercial Vehicle Repair &amp; Maintenance</b>		-	-	-	P	P	P
<b>Commercial Vehicle Sales &amp; Rentals</b>		-	-	-	P	P	P
<b>Personal Vehicle Repair &amp; Maintenance</b>		-	-	-	P	P	P
<b>Personal Vehicle Sales &amp; Rentals</b>		-	-	-	P	P	P
<b>Vehicle Equipment &amp; Supplies Sales &amp; Rentals</b>		P	P	P	P	P	P
<b>Separately Regulated Vehicle &amp; Vehicular Equipment Sales &amp; Service Uses</b>							
Automobile Service Stations		-	-	N	N	N	N
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		-	-	C	C	C	C
<b>Distribution and Storage</b>							
<b>Equipment &amp; Materials Storage Yards</b>		-	-	-	-	-	-
<b>Moving &amp; Storage Facilities</b>		P	P	P	P	P	P
<b>Distribution Facilities</b>		-	-	-	P	P	P
<b>Separately Regulated Distribution and Storage Uses</b>							
Impound Storage Yards		-	-	-	-	-	-
Junk Yards		-	-	-	-	-	-
Temporary Construction Storage Yards Located Off-site		-	-	-	L	L	L
<b>Industrial</b>							
<b>Heavy Manufacturing</b>		-	-	-	-	-	-
<b>Light Manufacturing</b>		-	-	-	P <sup>(3)</sup>	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Marine Industry</b>		-	-	-	-	-	-
<b>Research &amp; Development</b>		P	P	P	P	P	P
Testing Labs		P	P	P	P	P	P
<b>Trucking &amp; Transportation Terminals</b>		-	-	-	-	-	-
<b>Separately Regulated Industrial Uses</b>							
Artisan Food and Beverage Producer		L	L	L	L	L	L
<i>Hazardous Waste</i> Research Facility		-	-	-	-	-	-
<i>Hazardous Waste</i> Treatment Facility		-	-	-	-	-	-
Marijuana Production Facilities		-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone		-	-	-	C	C	C
Mining and Extractive Industries		-	-	-	-	-	-
Newspaper Publishing Plants		-	-	-	C	C	C

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 >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-	-	-	P	P	P
Very Heavy Industrial Uses		-	-	-	-	-	-
Wrecking & Dismantling of Motor Vehicles		-	-	-	-	-	-
<b>Signs</b>							
<b>Allowable Signs</b>		P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>	P <sup>(7)</sup>
<b>Separately Regulated Signs Uses</b>							
Community Entry Signs		L	L	L	L	L	L
Neighborhood Identification Signs		N	N	N	N	N	N
Comprehensive Sign Program		N	N	N	N	N	N
Revolving Projecting Signs		N	N	N	N	N	N
Signs with Automatic Changing Copy		N	N	N	N	N	N
Theater Marquees		N	N	N	N	N	N

#### Footnotes for Table 131-07A

- <sup>1</sup> Not allowed on sites designated as Prime Industrial Land in the General Plan and/or the Community Plan.
- <sup>2</sup> Not allowed within the Coastal Overlay Zone, except that assembly and entertainment uses may be incorporated as an *accessory use* to visitor accommodations.
- <sup>3</sup> Permitted in an enclosed space with up to 7,500 square feet of *gross floor area*; to use more space requires approval of a Conditional Use Permit. 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 require a Conditional Use Permit.
- <sup>4</sup> Eating and drinking establishments abutting an existing residential base zone shall operate only between 6:00 a.m. and 12:00 a.m.
- <sup>5</sup> Tasting rooms are only permitted as an *accessory use* to a beverage manufacturing plant or an artisan beverage producer.
- <sup>6</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>7</sup> For the purposes of allowable signs, all mixed-use zones shall use Category A within Section 142.1220.



**131.0708 Development Regulations of Mixed-Use Zones**

The purpose and intent of the development regulations is to allow increased density and flexibility, while maintaining ground floor pedestrian orientation, connectivity and activation through design rather than use.

- (a) Within the mixed-use 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 Section 143.0302, Table 143-03A.
- (c) The regulations in this division apply to all proposed *development* in the mixed-use base zones whether a permit or other approval is required, except where specifically identified.

**131.0709 Development Regulations Table for Mixed-Use Zones**

The following development regulations apply in the mixed-use zones as shown in Table 131-07B.

**Table 131-07B**  
**Development Regulations for RMX and EMX Zones**

Development Regulations	Zones					
	RMX-			EMX-		
	1	2	3	1	2	3
<b>Minimum Lot Area (sf)</b>	20,000					
<b>Minimum Lot Dimensions</b>	-					
<b>Setback Requirements</b>						
Min Front <i>Setback</i> (ft)	-	-	-	-	-	-
Max Front <i>Setback</i> (ft) <sup>1</sup>	20	20	20	20	20	20
Min Side & Rear <i>Setback</i> (ft)	-	-	-	-	-	-
Max Side & Rear <i>Setback</i> (ft)	-	-	-	-	-	-
Min <i>Street</i> side <i>Setback</i> (ft)	-	-	-	-	-	-
Max <i>Street</i> side <i>Setback</i> (ft) <sup>1</sup>	20	20	20	20	20	20
<b>Maximum Floor Area Ratio</b>	3.0	5.0	7.0	3.0	5.0	7.0
<b>Maximum Structure Height</b> (ft) <sup>(2)</sup>	120	240	-	120	240	-
<b>Minimum Ground-floor Height for Non-Residential Uses</b> (ft)	13	13	13	13	13	13
<b>Supplemental Regulations for RMX Zones</b> [See Section 131.0712]	Applies			-	-	-
<b>Building Frontage Activation, Articulation and Transparency</b> [See Section 131.0713]	Applies					
<b>Pedestrian Entrances and Connections</b> [See Section 131.0714]	Applies					
<b>Open Space Standards for Residential Only</b> [See Section 131.0715]	Applies					
<b>Parking Design</b> [See Section 131.0716]	Applies					
<b>Supplemental Regulations for Premises Greater than Five Acres</b> [See Section 131.0718]	Applies					
<b>Loading Area Regulations</b> [See Section 142.1001]	Applies					
<b>Visibility Area</b> [See Section 113.0273]	Applies					
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]	Applies					
<b>Storage Requirements for Residential only</b> [See Section 131.0454]	Applies					

**Footnotes for Table 131-07B**

- <sup>1</sup> The maximum front and *street* side *setback* applies to only 60 percent of one *street* or *front* side frontage for each building along the *street* or front side. The remaining 40 percent is not required to observe the maximum *setback* and may be located farther from the *property line*. Exceptions to the maximum front and *street* side *setbacks* can be made for *development* that includes a public plaza or outdoor eating establishment; where the *existing grade* slopes 20 percent or more; where the premise is located adjacent to a freeway; or for phased projects where a future phase is demonstrated to implement the required maximum *setback*.
- <sup>2</sup> See Section 131.0717 for buildings over 90 feet in height.

**137.0710 Deviations**

*Development* that proposes deviations to this Division may be permitted with a Neighborhood Development Permit decided in accordance with Process Two, for the following:

- (a) *Development* that proposes deviations from applicable Land Development Code regulations, provided that the *findings* in Section 126.0404(a) are made.
- (b) *Development* located within *environmentally sensitive lands* in accordance with Section 143.0110, including *development* which may potentially impact *steep hillsides* where alternative compliance is requested in accordance with Section 143.0515, provided that the *findings* in Sections 126.0404(a) and (b), are made. In the event an *environmentally sensitive lands* deviation is requested, the supplemental *findings* in Section 126.0404(c) shall also be made.

A deviation may not be requested for the following:

- (a) Within the Coastal Overlay Zone, a deviation from the requirements of the Environmentally Sensitive Lands Regulations (Chapter 14, Article 3, Division 1).
- (b) A deviation from the requirements of the Coastal Height Limit Overlay Zone (Chapter 13, Article 2, Division 5).
- (c) Within the Coastal Overlay Zone, a deviation from the requirements of the Parking Impact Overlay Zone (Chapter 13, Article 2, Division 8).
- (d) A deviation from the requirements of the Historical Resources Regulations (Chapter 14, Article 3, Division 2).

**131.0711 Phasing**

For any *development* within the mixed-use zones that is proposed to be constructed in phases, the *applicant* shall submit a *development* phasing plan that specifies the chronology of *development* including required land use components, *structures*, public facilities, and infrastructure. *Development* shall be phased so that supporting public facilities and infrastructure will be provided concurrent with their need and completed before occupancy of the *structures*.

**131.0712 Supplemental Regulations for RMX Zones**

These regulations are intended to enable joint living and working opportunities and contribute to the vitality of mixed-use zones. The following regulations apply to *development* within RMX zones, where indicated in Table 131-07B when the *primary* and *secondary uses* are both residential uses.

- (a) A minimum of 10 percent of the *building's gross floor area ratio* shall be dedicated to facilitating home-based employment. This requirement can be met by including one or more of the following :
  - (1) Live/work quarters in accordance with Section 141.0311;
  - (2) *Shopkeeper* units; or
  - (3) Home-occupation amenities with a minimum of 500 square feet for amenities such as conference rooms, work areas with shared amenities and/or co-work/shared spaces. This does not include leasing offices, gyms, or community rooms.
- (b) Each *dwelling unit* on the ground *floor* fronting a *public right-of-way* or a private drive shall have a separate ground *floor* entrance, taken directly from the *public right-of-way* or a path that leads directly to the *public right-of-way*.

**131.0713 Building Frontage Activation, Articulation and Transparency**

The purpose and intent of these regulations is to create visual interest which enhances the pedestrian experience, assists in diminishing the overall mass of buildings, and creates variation from a pedestrian's perspective.

- (a) All buildings shall be oriented so that primary pedestrian entrances for each ground *floor* use are accessible from an abutting public sidewalk or pedestrian connection to a sidewalk. Where an internal pedestrian pathway or a plaza is provided, the primary pedestrian entrance may be oriented internally.
- (b) All buildings located on a *public right-of-way* and *building facades* that front a private drive, plaza or other open space area in the *development* shall provide a minimum of two frontage activation elements from Table 131- 07C below.

**Table 131-07C**  
**Building Frontage Activation Elements**

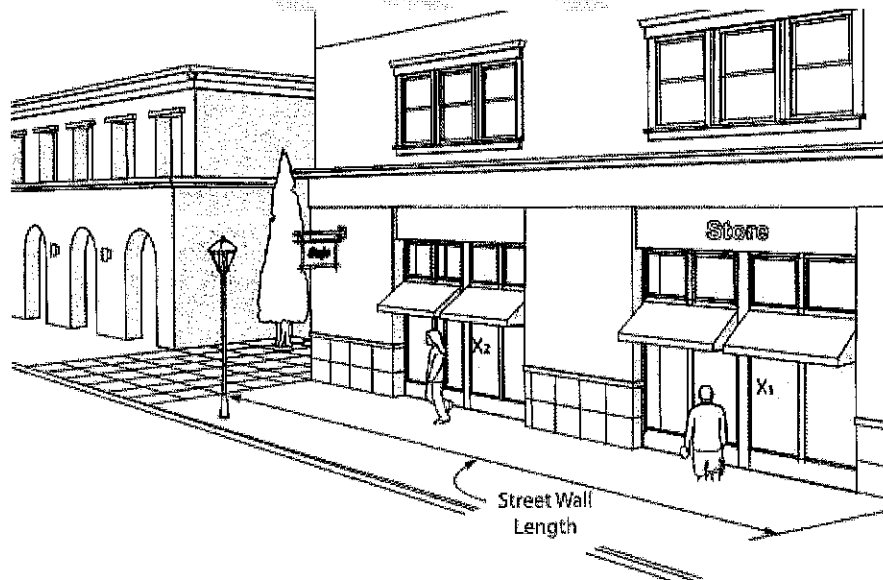
Activation Element	Amount- Minimums	Min Width	Min Depth
<b>Commercial Storefront</b>	None	None	None
<b>Porches, Patios, Yards and/or Stoops</b>	50% of <i>building facade</i> at ground level or one for every thirty feet of frontage.  At least 30 square feet in total area.	None	None
<b>Vertical and/or Horizontal Off-Setting Planes</b>	None	1-foot	1-foot
<b>Balconies</b>	30% of <i>building facade</i> or one for every thirty feet of frontage	4 ft	6 ft
<b>Arcades, Colonnades or Galleries</b>	30% of the length of <i>building facade</i>	20 ft	6 ft
<b>Awning, Canopy, Marquee, Sunshade or Trellis</b>	50% of the <i>building facade at ground level</i>  15% for upper floor <i>building facades</i>	2 ft	2 ft
<b>Roll up or Large Opening Doors</b>	None, but still subject to transparency requirements	Greater than 5 feet	N/A
<b>Plazas</b>	See Section 131.0719(d)(7)	20 ft	N/A

- (c) The maximum building length for the portion of a building located within 20 feet of a *street property line* is 100 feet, unless there is a recess or separation to break up the building mass.
- (d) A total of 50 percent of the *building facade* shall be offset by at least two feet in depth from the rest of the *building facade*.
- (e) For buildings exceeding eight *dwelling units*, at least 30 percent of the *roof area* shall have designs that vary and provide either vertical or horizontal relief from the remainder of the *roof area*.
- (f) Buildings at intersections with traffic signals shall include one of the following gateway or architectural features at the corner. These features

may not exceed the height limit within the Coastal Overlay Zone or other height overlay zones.

- (1) Rounded corner with vertical or horizontal projecting or exaggerated roof element;
  - (2) Corner plaza;
  - (3) Recessed entries;
  - (4) Distinct architecture that includes variations in materials or color;
  - (5) Roll up or large opening doors (greater than 5 feet in width) to create interaction between the exterior and interior.
- (e) For non-residential uses, a minimum of 60 percent of the *street wall* area on the ground *floor* shall be transparent.
- (f) For residential uses, a minimum of 40 percent of *street wall* area on the ground *floor* shall be transparent.

**Diagram 131-07A**  
**Transparency Requirement for Non-residential Uses**



Area of  $X_1 + X_2 = \text{Min. } 60\% \text{ of Total Street Wall Area}$

**131.0714 Pedestrian Entrances and Connections**

The purpose and intent is to provide a logical interconnected network for pedestrians to facilitate access to the *premises* and internal circulation within the *premise* and must comply with all state and federal regulations regarding accessibility compliance.

- (a) Pedestrian Entrances: A minimum of one direct at-grade pedestrian entrance shall be required from the *public right-of-way* for every 300 feet of *street frontage* exceeding 300 feet.
- (b) Pedestrian Paths: For all *developments*, pedestrian paths shall be provided in accordance with Section 131.0550(a) - (c).
- (c) Pedestrian Connections:
  - (1) Internal connections. The system shall connect all main entrances on the site and provide connections to other areas of the site used by building occupants, including parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities. Pedestrian connections to public sidewalks may be substituted for internal connections for main entrances that are within 10 feet of a public sidewalk.
  - (2) To adjacent properties. Direct and convenient access shall be provided to adjacent *development*. If access is to adjacent *development* is not possible due to existing *development*, connections shall be identified to allow future access at the time of redevelopment of the adjacent property.
  - (3) To transit. Safe and convenient pedestrian connections shall be provided to transit stops abutting the site from the building entrances.

**131.0715 Open Space Requirement for Residential Uses**

The purpose and intent of these regulations is to provide a minimum amount of private and common outdoor area for residents.

- (a) Private Exterior Open Space. Where private exterior open space is not provided at the quantity required below, an equal amount of common exterior space in addition to the requirements of Section 131.0715(b) shall be allowed.
  - (1) Private open space shall be provided on a balcony, patio, or roof terrace for at least 50 percent of all *dwelling units*.

- (2) Balconies should be proportionately distributed throughout the *development* in relationship to floor levels and sizes of the *dwelling units*.
- (3) A minimum area of 36 square feet and a minimum dimension of six feet in any direction of open space per *dwelling unit*.
- (b) Common Space. Each project shall provide the following common space, either indoor or outdoor, at *grade*, podium level, or roof level.
  - (1) A minimum dimension of 30 square feet for each *dwelling unit*, or 40 square feet when bordered by three building walls exceeding a height of 15 feet.
  - (2) The common space may contain active or passive areas and a combination of hardscape and landscape features.
  - (3) A minimum of 10 percent of the common outdoor open space shall be landscaped.
  - (4) All common open space on the *premise*, including recreational facilities, shall be readily accessible to all occupants and should, wherever possible, be physically connected to other common open space areas on the *premises*.
  - (5) Amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, pet areas, spas, or pools, play areas, plazas, roof-top patios, picnic areas, and open recreational facilities may be counted as common space.
- (c) Required private exterior open space or common space shall be surfaced with lawn, pavers, decking, or sport court paving to allow the area to be used for active or passive recreational use.

#### 131.0716 **Parking Design**

The purpose and intent of these regulations are to screen and conceal the *off-street parking spaces* from the *public right-of-way*.

- (a) Surface parking:
  - (1) At *grade off-street parking spaces* are not allowed within the front and *street yard*.
  - (2) Up to 30 percent of the total amount of required parking for each use can be at *grade off-street parking space* and shall be screened with landscaping, wrapped buildings, or an architectural screen. Chain-link fencing is prohibited.



- (3) The required parking for the *development* may be increased over the 30 percent if at *grade off-street parking* is screened with a building along all *street frontages*. Existing or required driveways, curb cuts, and access lanes provided for vehicular access, fire access, or pedestrian access to the parking area may be exempted from the screening requirement.
- (4) If an existing *off-street parking space* area is adjacent to a freeway and demonstrates freeway noise over 70 DBA CNEL, than Section 131.0716(a)(1-3) do not apply. The longest frontage of the existing *off-street parking space* area must be immediately adjacent to a freeway. The freeway can be separated from the *off-street parking space* area frontage by a *public right-of-way* and/or landscaped area.
- (b) Underground or structured parking shall not be counted as part of the building *floor area ratio*.

#### 131.0717 Bulk Standards for Buildings Over 90 feet in Height

For purposes of this section, bulk and scale are divided into the two main areas of the building base and the tower, and buildings over 90 feet in height shall adhere to the following requirements:

- (a) Building base, which for the purposes of this section means the *structural envelope* located immediately above *existing grade, proposed grade, or a basement*.
  - (1) The maximum *lot coverage* for the building base shall be 100 percent.
  - (2) The minimum height of the *street wall* shall be 45 feet, except for residential *development* with roof-top open space area at least 30 feet above the sidewalk *grade* and no more than 50 feet along the *street wall*. The *street wall* may include arcades, colonnades, recessed entrances, or private or common open space.
  - (3) A *street wall* shall be provided for 70 percent of the building frontage along the public *rights-of-way*, with the following exceptions, which may be subtracted from the length of the frontage:
    - (A) Publicly or privately-owned plazas;
    - (B) Courtyard entrances up to 30 feet wide for residential uses;
    - (C) Recessed entrances up to a maximum of 25 feet in width

and a maximum of 15 feet in depth; and

- (D) Internalized entry courts, auto courts, or auto drop-offs may be allowed behind the required *street wall*.
  - (E) Areas where the *existing grade* of the public *right-of-way* differs from the building pad by more than 2 feet.
- (b) Tower, which for the purposes of this section means the *structural envelope* located immediately above the building base to the top of the building.
- (1) The maximum *lot coverage* of the tower portion of the building shall be 75 percent of the *lot* area.
  - (2) Within a single *development*, towers shall be separated by a minimum of 50 feet.

#### 131.0718 Supplemental Regulations for *Premises Greater than Five Acres*

The purpose and intent of these regulations is to break down larger sites into approximately two-acre segments to enhance a sense of place; facilitate pedestrian circulation; reduce walking distances; improve connections to the *public right-of-way* or private drives, transit, and adjoining neighborhoods; and promote the livability and vitality of such *development*. These regulations are in addition to all other applicable regulations within this division.

- (a) Connectivity. Provide a minimum of one pedestrian and bicycle access way into the *development* for approximately every two acres of developable area. Two accessways are required on corner sites.
- (b) Pedestrian Paths shall be provided in accordance with Section 131.0550(a) - (c).
- (c) Private Drives. A private drive is a nonpublic thoroughfare. Private drives may connect *public rights-of-way* to multiple locations within a *development*. Where private drives are provided, they must comply with the following:
  - (1) Private drives shall be designed to reduce conflicts between vehicles and pedestrian and bicycle circulation.
  - (2) Non-contiguous sidewalks are required along both sides of private drives.

- (3) The alignment of private drives shall be coordinated and connected to the *public right-of-way*, emphasizing interconnected *streets* and the ability to reach local destinations through multiple routes.
  - (4) The number of trees required for each private drive frontage shall be calculated at the average rate of one 24-inch box canopy tree for every 40 feet of private drive frontage. Tree spacing may be varied to accommodate site conditions or design considerations.
  - (5) Trees shall be planted between the curb and the internal *street wall*. Where there is no *street wall*, trees shall be located within 12 feet of the curb-line along the private drive frontage.
- (d) Pedestrian Circulation Space. The pedestrian circulation system shall be ungated and publicly accessible. The pedestrian circulation shall include three or more of the following features listed below.
- (1) Artwork that is integrated with the design of the pedestrian circulation space. Qualifying artwork may not incorporate addresses, text or logos related to the adjacent building or tenants of such buildings. Artwork may also be used to satisfy the Civic Enhancement Allocation regulations if applicable and complies with Chapter 2, Article 6, Division 7.
  - (2) Food service, including service in a retail space directly accessible from the major portion of the public plaza or an open-air café.
  - (3) Arcades. An arcade is a space located along a *street frontage* or an interior pathway or plaza that is free of obstructions. Driveways, parking spaces, passenger drop-offs, loading berths, or trash storage facilities are not permitted within an arcade.
    - (A) Minimum depth (ft.): 10
    - (B) Maximum depth (ft.): 15
    - (C) Minimum height (ft.): 12
    - (D) Maximum height (ft.): 30
  - (4) Building entrance recess area. A building entrance recess area is a space adjoining a sidewalk for the entire length of the building entrance area that provides unobstructed access to a building lobby or ground *floor* use. It may overlap with an arcade.
    - (A) Minimum Width (ft.): 10
    - (B) Maximum width (ft.): 50

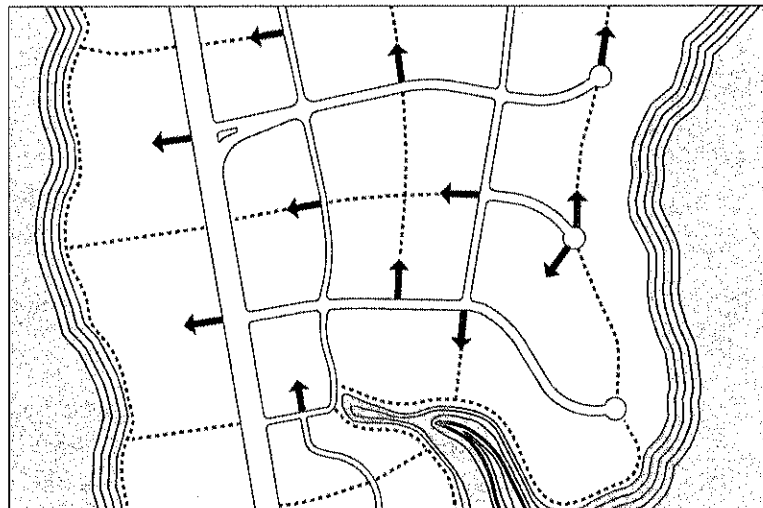
- (C) Maximum height (ft.): 30
- (5) Sidewalk Widening. A sidewalk widening enlarges a pre-existing or required sidewalk by at least five additional feet, but no more than 10 additional feet, measured perpendicular to the *street*.
- (6) Pedestrian Through-block Connections. A pedestrian through-block connection is a paved, open or enclosed space providing unobstructed pedestrian access to a building entrance or lobby. Driveways, parking spaces, passenger drop-offs, loading berths, and trash storage facilities are not permitted within a pedestrian through-block connection.
  - (A) Location: at least 150 feet from the intersection of two *streets*.
  - (B) Minimum width (ft.): 10, which can include landscaping.
  - (C) Maximum width (ft.): 20
- (7) Plazas. A plaza is an open space that adjoins or is visible from a *public right-of-way* or private drive. A plaza can include play areas, pedestrian pathways, seating area, game tables, performance areas, water features, useable lawn areas, paving, shrub beds, and plants in containers. Garage entrances, driveways, parking spaces, passenger drop-offs, loading berths, trash storage facilities, as well as the access or service for these facilities are not permitted within a plaza.

The following are standards for all plazas:




- (A) Minimum width (ft.): 40
- (B) Circulation paths within a plaza shall connect to all *streets* and building entrances which front the plaza.
- (C) A minimum of 50 percent of a public plaza shall be free of obstructions.
- (F) Provide seating. This may be satisfied by movable seating, fixed individual seats, benches with or without backs, and design feature seating, such as seat walls, ledges and seating steps.
- (G) Trees and Planting
  - (i) Four, 24-inch box canopy form trees are required.

- (ii) An additional tree is required for plazas greater than 6,000 square feet, for each additional 1,000 square feet of plaza area.
  - (iii) Fifteen percent of the plaza area shall be comprised of planting. This can include hanging plants, planting beds or living walls.
- (H) Multi-Modal Parking
- (i) A combination of six parking spaces for bicycle or micro-mobility equipment shall be provided.
  - (ii) If the plaza is greater than 10,000 square feet, a combination of ten parking spaces for bicycle or micro-mobility equipment shall be provided.
- (I) If food services are provided, including service in a retail space, they shall be directly accessible from the major portion of the plaza.
- (J) Abutting Frontages. For residential uses fronting a plaza, at least 40 percent of the exterior walls facing the plaza shall be transparent or glazed to provide views into habitable spaces, such as work areas, sales areas, lobbies, or similar active spaces.

**Example of connectivity for *premises* greater than five acres**



**LEGEND**

-  (a) Reduce block size through pedestrian and vehicular accessways.
-  (b) Provide a minimum of one pedestrian and bicycle access way or paseo into the project site for every two acres of developable area.
-  (c) A minimum of three pedestrian circulation space types per 131.0719(d).

**EXISTING CODE SECTIONS TO BE AMENDED**

**126.0402 When a Neighborhood Development Permit Is Required**

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

(k) A Neighborhood Development Permit is required for development of a large retail establishment of 50,000 or more square feet gross floor area in all commercial, ~~and~~ industrial, and mixed-use zones, and in all planned districts, except the Centre City Planned District.

**143.0720 Density Bonus in Exchange for Affordable Housing Units**

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

(i) A *development* proposal requesting an affordable housing *density* bonus is subject to the following:

(1) through (10) [No change in text.]

(11) For development in mixed-use zones, the maximum *density* identified within the adopted community plan land use map shall be utilized to calculate the *density* bonus per Table 143-07A or Table 143.07B. The allowed *density* bonus *dwelling units* are not counted towards the maximum allowed *floor area ratio* of the mixed-use zone.

