

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REPEALING CHAPTER 10, ARTICLE 3, DIVISION 15, OF THE SAN DIEGO MUNICIPAL CODE, AND AMENDING CHAPTER 15, BY ADDING ARTICLE 12, DIVISION 1 TITLED “GENERAL RULES,” SECTIONS 1512.0101, 1512.0102, 1512.0103, AND 1512.0110; DIVISION 2 TITLED “PERMITS AND PROCEDURES,” SECTIONS 1512.0201, 1512.0202, 1512.0203, AND 1512.0204; DIVISION 3 TITLED “ZONING,” SECTIONS 1512.0301, 1512.0302, 1512.0303 , 1512.0304, 1512.0305, 1512.0306, 1512.0307, 1512.0308, 1512.0309, 1512.0310, 1512.0311, AND 1512.0312; DIVISION 4 TITLED “GENERAL AND SUPPLEMENTAL REGULATIONS,” SECTIONS 1512.0401, 1512.0402, 1512.0403, 1512.0404, 1512.0405, 1512.0406, 1512.0407, AND 1512.0408, ALL RELATING TO THE MID-CITY PLANNED DISTRICT.

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

Section 1. That Chapter 10, Article 3, Division 15, is repealed, and Chapter 15 of the San Diego Municipal Code is amended by adding Article 12, Division 1, Sections 1512.0101, 1512.0102, 1512.0103 and 1512.0110, to read as follows:

Article 12: Mid-City Communities Planned District

Division 1: General Rules

§1512.0101 Purpose and Intent

The purpose of the Mid-City Communities Planned District is to assist in implementing the goals and objectives of the adopted community plans for older, developed communities generally located east of Interstate 5 and south of Interstate 8 and to assist in implementation of the Progress Guide and General

Plan of The City of San Diego. These adopted community plans include the Greater North Park Community Plan and the Uptown Community Plan.

Additionally, the purpose of the Mid-City Communities Planned District is to accommodate commercial establishments that provide a full range of consumer goods and services and which are of a scale and design that is compatible with surrounding and planned development.

The intent of the alternating scheme of commercial zones is to provide for distinctive nodes of high intensity, pedestrian-oriented development (CN "Commercial Node" zones), interspersed with linear areas of multiple (commercial and residential) uses with either an automobile orientation (CL "Commercial Linear" zones) or pedestrian-orientation (CV "Commercial Village" zones). In addition, businesses and professional offices and allied services are provided for in areas adjacent to commercial or institutional areas (NP "Neighborhood Professional Commercial Office" zones). In order to facilitate the economic development of commercial establishments, a provision is made for commercial expansion off of main corridors (CN-T, CL-T, CV-T and NP-T zones).

It is also the purpose of the Mid-City Communities Planned District to encourage the development of quality multiple residential structures within the Greater North Park and Uptown communities, which relate in scale and design to the surrounding neighborhood, and provide an attractive street environment (MR zones). For the facility-deficient neighborhoods shown on Map Number B-4104,

it is also the purpose of this Division to limit residential development until adequate public facilities are available.

More detailed purpose and intent statements are located within the sections describing each of the zones.

§1512.0102 Boundaries

The regulations which follow shall apply in the following community plan areas in the City of San Diego, California, designated on the following Map Drawings, and described in the appended boundary description filed in the office of the City Clerk under the following Document Numbers:

Table 1512-01A
Mid-City Communities Planned District Boundaries

Community Plan Area	Map Drawing Number	Document Number
Greater North Park	C-738	OO-16972
Uptown	C-868	OO-18115

§1512.0103 Applicable Regulations

The following provisions of the Land Development Code apply to the Mid-City Communities Planned District, except where this division states otherwise.

Where there is a conflict, the provisions of this division apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews) except Article 6, Division 6

(Planned Development Permit Procedures);

Chapter 13 (Zones);

Chapter 14, Article 1 (Separately Regulated Use Regulations);

Chapter 14, Article 2, Division 1 (Grading Regulations);
Chapter 14, Article 2, Division 2 (Drainage Regulations);
Chapter 14, Article 2, Division 3 (Fence Regulations);
Chapter 14, Article 2, Division 4 (Landscape Regulations);
Chapter 14, Article 2, Division 5 (Parking Regulations);
Chapter 14, Article 2, Division 6 (Public Facility Regulations);
Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials
Storage Regulations);
Chapter 14, Article 2, Division 12 (Sign Regulations);
Chapter 14, Article 3 (Supplemental Development Regulations) except
Division 4 (Planned Development Permit Regulations);
Chapter 14, Article 4 (Subdivision Regulations);
Chapter 14, Article 5 (Building Regulations);
Chapter 14, Article 6 (Electrical Regulations); and
Chapter 14, Article 7 (Plumbing and Mechanical Regulations)
Other provisions of the Land Development Code are superseded unless
specifically referenced in this section.

§1512.0110 Definitions

The definitions in Land Development Code Section 113.0103 apply except where a conflict exists with the definitions set forth in **the Mid-City Communities Planned District**. Where such a conflict exists, the definitions in this Planned District apply.

- (a) Enclosed Parking is, for purposes of the Mid-City Communities Planned District, a parking area within a building serving a primary permitted use which is completely walled and roofed, except that one side may be open if that side does not face a street.

- (b) Gross Floor Area

The total horizontal area expressed in square feet, of all floors of a building included within the surrounding walls, including shafts, enclosed exterior stairwells, and aboveground parking structures.

Gross floor area shall include:

- (1) Enclosed exterior stairwells, aboveground parking structures and exterior elevator shafts.
- (2) The floor area of mezzanines and other similar interior balconies.
- (3) Exterior balconies, entrances, porches, canopies, rigid awnings, stoops, openly supported terraces, openly supported stairways, and sun baffles or shades which are constructed and maintained with less than 40 percent of the vertical surface permanently open.
- (4) Half stories (attics) as described in Land Development Code Section 113.0210 when not used for parking, basements as defined in Land Development Code Section 113.0103, and cellars.
- (5) Penthouses shall be included in gross floor area, except when meeting the following criteria:
 - (A) The enclosure must be used exclusively for housing elevator mechanical equipment or stairs;

- (B) The height of enclosures above the roofline is no more than 13 feet for an elevator shaft nor more than 9 feet for a stairwell;
 - (C) The total plan area of an enclosure or enclosures is not more than 10 percent of the roof plan area of the building.
- (c) Improved Park Acreage is, for the purposes of the Mid-City Communities Planned District:
 - (1) City-owned improved parkland, or
 - (2) Improved recreational area owned by a governmental entity for which there is a joint use agreement with the City of San Diego for public recreational use, or
 - (3) Other improved park or recreational use area that is open to the public at no cost. However, construction of the 39th Street Park (4 acres), Park De La Cruz (6.93 acres), or Teralta Park (4 acres) shall not qualify as Improved Park Acreage, except to the extent these parks are expanded beyond the acres specified in this definition.

Section 2. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 12, Division 2, Sections 1512.0201, 1512.0202, 1512.0203 and 1512.0204, to read as follows:

Article 12: Mid-City Communities Planned District

Division 2: Permits and Procedures

§1512.0201 Project Review Regulations

- (a) Administrator

The City Manager shall administer the Mid-City Communities Planned District and ensure compliance with the regulations and procedures of this section.

- (1) Mid-City and State University Community Plan Areas. In evaluating the appropriateness of any development for which a permit is applied under this division, the Mid-City and State University Community Plans and the following design studies shall be used for the review of development proposals in the Mid-City and State University communities:
 - (A) Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate Studies in Landscape Architecture; June, 1983),
 - (B) Design Manual for the Normal heights Demonstration Area, and the City Heights Demonstration Area (HCH Associates and Gary Coad: April, 1984),
 - (C) The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick).
- (2) Greater North Park Community Plan Area. The Greater North Park Community Plan and the following design studies for review of development proposals in the Greater North Park community:

- (A) The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick).
 - (B) The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (the Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.).
- (3) Uptown Community Plan Area. The Uptown Community Plan and the Sears Site Development Program (Gerald Gast, Williams-Kuebelbeck) shall be used for review of development proposals in the Uptown Community.
- (b) City Manager Approval Required

No permit shall be issued for the erection, construction, conversion, establishment, alteration or enlargement of any building or structure, or for the grading of any site, in the Mid-City Communities Planned District until approval of the City Manager has been obtained by the applicant or owner. Each application for a permit shall state the intended purpose of the proposed building, structure or improvement, and shall specify the applicable zone and previously issued permits. Approval of the City Manager is not required for modifications, repairs, or other alterations which do not require a building permit.
- (c) Alternative Compliance for Uses Permitted in Single Family Zones

Projects which meet all requirements of the RS-1-7 Zone (Land Development Code Chapter 13, Article 1, Division 4 [Zones]) are exempt from the requirements of the Mid-City Communities Planned District.

§1512.0202 Administrative Review

- (a) The City Manager may conduct further review and approve or deny an application for an exception from the provisions of the Mid-City Communities Planned District Section 1512.0101 in accordance with Process Two, when the application is for limited relief in the case of:
 - (1) New construction or remodeling which would result in a finished project (all structures on the premises) deviating 20 percent or less from applicable development regulations (including, but not limited to, required yards, offsetting planes, diagonal plan dimension, coverage, and floor area ratio).
 - (2) Walls or fences to exceed heights permitted by the zoning regulations.
 - (3) Facade improvements and similar alterations to previously conforming structures which do not increase the building floor area and do not create above-grade pedestrian areas such as balconies.
 - (4) Sidewalks to vary from Section 1512.0404(b).
- (b) The City Manager shall in no case provide Administrative Review or approve an application for an exception from density, amount of parking, or use.

- (c) The fee for an Administrative Review shall be as set forth in the Schedule of Fees.
- (d) The decision of the City Manager shall be based on substantial conformance with the regulations and the Purpose and Intent of the Mid-City Communities Planned District.
- (e) The City Manager's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0504.
- (f) If the City Manager decides that the application may not be approved under Section 1512.0202, the applicant may apply for a Mid-City Communities Development Permit.

§1512.0203 Mid-City Communities Development Permit

- (a) An application for a Mid-City Communities Development Permit, including fees or deposits, shall be processed in the same manner as an application for a Site Development Permit, in accordance with Land Development Code Chapter 11, Article 2 (Required Steps in Processing) and Chapter 12, Article 6, Division 5 (Site Development Permit Procedures).
- (b) As set forth in this division, a Mid-City Communities Development Permit is required by the following projects:
 - (1) Residential and mixed residential/commercial projects within the facility-deficient neighborhoods shown on Map Number B-4104

that propose the addition of 3 or more dwellings units per lot,
except as follows:

- (A) The proposed development is within a neighborhood or combination of facility-deficient neighborhoods as shown on Map Number B-4104 where at least 3 acres of Improved Park Acreage have been added since August 4, 1998, or
 - (B) The proposed development is within 600 feet of a public park, a public school with a joint use agreement with The City of San Diego for public recreational use, or a school that is open during non-school hours for public recreational use.
- (2) Residential and mixed residential/commercial projects which exceed the number of threshold dwelling units or the gross square footage of floor area (where applicable) listed in Table 1512-02A.
 - (3) Any project which utilizes the shared parking provisions, as specified in Section 142.0545 of the Land Development Code.
 - (4) Any project which deviates from the development regulations of the Mid-City Communities Planned District and is not eligible for the Administrative Review described in Section 1512.0202.
 - (5) Any proposal which would expand a previously conforming auto repair use located along Adams Avenue in the CN-3 or CV-3 zones. In the review of the proposed expansion of previously conforming auto repair uses along Adams Avenue, all existing and

new storage areas shall be required to be screened by appropriate fences, walls, or landscaping.

- (6) Any project which utilizes the zero-foot side yard option as described in Sections 1512.0303(d)(3), 1512.0308(b)(2), 1512.0309(b)(2)(A), 1512.0310(b)(2)(A)(i), and 1512.0311(b)(2)(A).
- (7) Mixed residential/commercial projects in which a portion of the commercial use is located in a residential (MR) zone.

Table 1512.02A
Mid-City Communities Development Permit Thresholds

Zone	Threshold Gross Floor Area (sq.ft)	Threshold Lots Greater than 100 Feet in Depth	Units Lots Less than or Equal to 100 Feet in Depth
CN-1, CN-1A	75,000	38	31
CN-2, CN-2A	50,000	22	16
CN-3	25,000	19	14
CN-4	25,000	19	14
CL-1	50,000	38	31
CL-2	50,000	22	16
CL-3	50,000	19	14
CL-5	25,000	11	8
CL-6	25,000	11	8
CV-1	50,000	38	31
CV-2	25,000	22	16
CV-3	25,000	19	14
CV-4	50,000	11	8
NP-1	25,000	22	16
NP-2	25,000	19	14
NP-3	25,000	11	8
MR-400	-	38	31
MR-800B	-	30	21
MR-1000B	-	22	16
MR-1000	-	19	14
MR-1250B	-	16	11
MR-1500B	-	14	10
MR-1500	-	11	8
MR-1750	-	9	7
MR-2500	-	4	4
MR-3000	-	3	3

- (c) An application for a Mid-City Communities Development Permit may be approved, conditionally approved or denied by a Hearing Officer in

accordance with Process Three. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

- (d) The Hearing Officer may approve or conditionally approve a Mid-City Communities Development Permit, if the Hearing Officer determines that the application is complete and conforms with all City regulations, policies, guidelines, design standards and density, and it is found from the evidence presented that all of the following facts exist:

- (1) Conformance With Community Plan and Design Manuals. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.); Sears Site

Development Program (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Greater North Park Community Plan, the Uptown Community Plan or the Progress Guide and General Plan of the City of San Diego; and

- (2) Compatibility with surrounding development. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable; and
- (3) No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity; and
- (4) Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and

shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities.

- (5) Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site.
- (6) The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

§1512.0204 Previously Conforming Structures

- (a) In addition to the provisions in Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) regarding previously conforming structures, the provisions outlined in Section 1512.0204 apply where uses conform but structures do not conform to the Mid-City Communities Planned District requirements.
- (b) Notwithstanding the provisions of Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses), where an addition of floor area on a property with a previously conforming structure would create greater nonconformity in terms of diagonal plan dimension, coverage, or other developmental requirements, the City Manager may approve or deny, in accordance with Process One, such an addition without requiring Administrative Review (Section 1512.0202) or a Mid-City Communities

Development Permit (Section 1512.0203), subject to the following conditions and restrictions:

- (1) The addition must be to a property where there is no existing improvement benefiting from a previous variance or other property development exception.
 - (2) No improvement on the property may have required an approval since the property was included in the Mid-City Communities Planned District, or its predecessor, the Mid-City Planned District.
 - (3) The addition may not exceed 200 square feet in plan view, nor provide more than 200 square feet of roofed floor area, nor have any vertical or horizontal dimension greater than 24 feet.
 - (4) The addition must observe all currently required setbacks.
 - (5) All existing and new storage areas must be screened by fencing, walls or landscaping to the satisfaction of the City Manager.
 - (6) Any additional parking required by Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations) must be provided.
 - (7) The City Manager may require additional landscaping that may be feasibly placed in the street yard or the adjacent right-of-way (parkway), up to the maximum current street yard point requirements.
- (c) Where a use for a single-room occupancy hotel or historic structure designated by the Historical Resources Board conforms to the Mid-City

Communities Planned District requirements but a structure does not conform, the City Manager may nonetheless permit, in accordance with Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses), such repair and rehabilitation of a previously conforming structure without requiring Administrative Review (Section 1512.0202) or a Mid-City Communities Development Permit (Section 1512.0203), subject to the City Manager's finding that there is no addition of floor area and no expansion of the use or structure.

(d) Exception: Floor Area Additions to One or Two-Unit Projects

If units or other floor area are added to a one- or two-dwelling unit residential project where the existing structures are previously conforming, and if the proposed addition would not cause the project to exceed permitted density, the City Manager shall not require existing structures to meet the requirements of this division.

Section 3. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 12, Division 3, Sections 1512.0301, 1512.0302, 1512.0203, 1512.0304, 1512.0305, 1512.0306, 1512.0307, 1512.0308, 1512.0309, 1512.0310, 1512.0311 and 1512.0312, to read as follows:

Article 12: Mid-City Communities Planned District

Division 3: Zoning

§1512.0301 Residential (MR) Zones - MR-3000, MR-2500, MR-1750, MR-1500, MR-1500B, MR-1250B, MR-1000, MR-1000B, MR-800B, MR-400

The purpose and intent of the Mid-City Residential (MR) zones are multi-family residential zones which are designed to provide for development compatible with the pattern of the existing neighborhoods. Standards are tailored to the density of the individual zones and are intended to provide a variety of attractive, functional and affordable housing types and styles. Development is street friendly by providing active, accessible and surveillable streets and street yards.

§1512.0302 Permitted Uses - Residential (MR) Zones

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth in Section 1512.0302.

- (a) Residential development in accordance with the regulations of the Mid-City Communities Planned District.
- (b) Boarding and lodging houses
- (c) Schools, limited to primary, elementary, junior high, and senior high

- (d) Public parks and public playgrounds
- (e) Churches, temples, or buildings of a permanent nature used primarily for religious purposes.
- (f) Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Land Development Code Section 141.0701.
- (g) All uses permitted in any abutting commercial zone under the following conditions:
 - (1) The commercial uses shall be within a mixed commercial/residential structure.
 - (2) The commercial uses within the structure shall be located within both the residential zone and the abutting commercial zone.
 - (3) The commercial uses shall be located no more than 100 feet from abutting commercially zoned property.
 - (4) The applicable community plan shall address the conditions under which commercial uses in a mixed commercial/residential project may be located partially in a residential zone.
 - (5) The project shall obtain a Mid-City Communities Development Permit.
- (h) In addition to the uses listed above, the following uses shall be permitted in the MR-1000 through MR-400 zones:
 - (1) Branch public libraries

- (2) Institutions or homes for the day or full-time care of not more than 15 children under the age of 16 years, provided there is not more than one additional dwelling unit on the same premises.
- (3) Offices for psychologists, social workers, religious practitioners, doctors, and dentists, provided that no overnight patients are permitted; and, further provided that not more than 2 such professional persons and not more than 3 employees of each, shall be engaged in such work on the premises. Facilities providing medical and counseling services which meet the criteria in Sections 1512.0302(h)(3)(A) through (C) below, are not permitted on a lot or parcel located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Land Development Code Section 141.0702:
 - (A) Facilities where 5 or more persons, as described in Section 1512.0302(h)(3)(B), are medically treated or medically or psychologically counseled, on a group or individual basis;
 - (B) The persons have committed, been charged by criminal indictment or complaint, or convicted of, a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of

Chapter 8, or any amendment for remodification or any such sections.

(C) The medical and counseling services are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections.

(i) Hotels, motels and time-share projects shall be permitted in the MR-400 Zone.

(j) Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:

(1) Not more than 2 lodgers per dwelling unit.

(2) Recreational and health facilities which are designed, used, and clearly intended for the sole use of residents of apartment houses, boarding and lodging houses, including tennis courts, putting greens, exercise rooms, and sauna and steam baths.

(3) Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used, and clearly intended for the primary convenience of the occupants of the residential complex, including the following:

(A) Barber shops

(B) Beauty shops

(C) Communal dining facilities

(D) Snack bars

- (E) Dry cleaning and laundry pickup agencies
- (4) Incidental businesses in hotels and motels may include the following:
 - (A) Restaurants and bars
 - (B) News and tobacco stores
 - (C) Barber shops
 - (D) Beauty shops
 - (E) Valet services (agency for laundering, cleaning, and pressing of clothing)
 - (F) Travel, ticket, and car rental agencies
 - (G) Gift shops
 - (H) Florists
- (5) Signs as provided in Section 1512.0302(k)(1).
- (k) Accessory Use Regulations.
 - (1) All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio, or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays, or advertising relating to accessory uses shall be visible from any street.

- (2) For properties in the MR-3000 through MR-800B zones, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than 10 percent of the gross floor area occupied by the principal permitted uses.
- (3) For properties in the MR-400 Zone, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than twenty percent of the gross floor area occupied by the principal permitted uses.
- (l) For properties in any MR Zone, any other uses, including accessory uses, which the Planning Commission may find, in accordance with "Process Four", to be similar in character to the uses enumerated herein for such zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

§1512.0303 Residential Development Regulations

(a) Maximum Number of Dwelling Units

In no case shall any project exceed the maximum number of dwelling units listed below unless the project is on a single lot which 1) was created or consolidated, or for which an application has been submitted to the City to create a lot or consolidate lots, prior to the effective date of ordinance **O-17307 NS**; or 2) was created from a lot or lots which had a larger average square footage than the lot created.

Table 1512-03A
Maximum Number of Dwelling Units

Zone	Maximum Units	
	Lots Greater Than 100 Feet in Depth	Lots Less than or Equal to 100 Feet in Depth
MR-400	152	125
MR-800B	120	83
MR-1000B	66	50
MR-1000	36	29
MR-1250B	32	26
MR-1500B	28	22
MR-1500	22	18
MR-1750	18	16
MR-2500	5	5
MR-3000	4	4

(b) Minimum Lot Dimensions and Areas

For subdivision purposes, the minimum lot areas and dimensions shall be as indicated in Table 1512-03B.

Table 1512-03B
Minimum Lot Area and Dimensions for all MR Zones

	Dimensions
Minimum Lot Area (sf)	6,000
Street Frontage (ft)	60
Interior (ft)	60
Lot Width Corner (ft)	65
Lot Depth (ft)	100

(c) Residential Density. One dwelling unit is permitted for each "X" square feet of lot area shown in the third column in Table 1512-03C.

Table 1512-03C
Residential Density

Zone	Lot Size	One Unit per "X" Sq. Ft.
MR-3000	any size legal lot	3,000
MR-2500	any size legal lot	2,500
MR-1750	any size legal lot	1,750
MR-1500	any size legal lot	1,500
MR-1500B	less than 10,000 s.f.	1,500 ⁽¹⁾
MR-1500B	10,000 s.f. or more	1,250 ⁽²⁾
MR-1250B	less than 10,000 s.f.	1,250 ⁽²⁾
MR-1250B	10,000 s.f. or more	1,000 ⁽²⁾
MR-1000	any size legal lot	1,000
MR-1000B	less than 10,000 s.f.	1,000
MR-1000B	10,000 s.f. or more	800 ⁽²⁾
MR-800B	less than 15,000 s.f.	800 ⁽³⁾
MR-800B	15,000 s.f. or more	600 ⁽²⁾⁽³⁾
MR-400	-	400

Footnotes **for Table 1512-03C**

- ¹ Remainder Lot Provision: If all properties abutting a MR-1500B or MR-1250B lot are developed at a density greater than one dwelling unit per 1,000 square feet, then the bonus density may be developed regardless of lot size.
- ² The bonus density given for parcel accumulation may be used only if at least 90 percent of all required resident parking is either underground or enclosed within the rear 50 percent of the lot, or provided in some combination of those 2 formats.
- ³ Exception. MR-800B zoned lots with a depth of less than 100 feet are permitted the bonus density of one dwelling unit per 600 square feet of lot area for lots 10,000 square feet or more.

(d) Yard and Setback Requirements

- (1) Minimum Size of Street Yard. A street yard shall be provided at a minimum area calculated by multiplying the lot frontage by "X" feet shown in the second column in Table 1512-03D. See Figure 1 for a graphic example.

Table 1512-03D
Minimum Street Yard

Zone	“X” Ft.
MR-400	10
MR-800B, MR-1000B, MR-1000, MR-1250B	20
MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000	25

- (2) In all residential zones, the required street yard shall not be measured beyond the front 70 feet or 50 percent of the lot depth, whichever is less, as measured from the front property line.
- (3) Minimum Yard Dimensions (Linear Feet) and Setbacks.

Table 1512-03E
Minimum Yard Dimensions (Linear Feet) and Setbacks

Yard Location	MR-400	MR-800B MR-1000B MR-1000 MR-1250B	MR-1500B MR-1500	MR-1750 MR-2500 MR-3000
Front (ft)	5	10	10	10
Interior Side (ft)	6	6	6	6
Street Side(ft)	10	6	8	8
Rear (ft)	1, if alley; 15 if no alley	1, if alley; 15 if no alley	1, if alley; 15 if no alley	4, if alley; 15 if no alley

- (4) Exceptions:
- (A) Zero Yard Option. The following zero- foot size yard option shall be granted by right in the MR-400 Zone, and through approval of a Mid-City Communities Development Permit in all other MR zones:
- (i) In the MR-1000B, MR-1000, MR- 1250B, MR-1500B, and MR-1500 zones, up to 60 linear feet of the interior side wall may be on the interior property line, provided

(O-2007-79)

that no single plane exceeds 30 feet in length with a minimum 6-foot separation between multiple planes, and provided that access to the rear of the property from all units is provided and maintained. (Exception: A building wall in the rear 50 percent of a lot is not restricted to the 30-foot single-plane limit.) Any third story shall be set back at least 6 feet; each story above the third requires an additional 3-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is 15 feet.

- (ii) In the MR-400 and MR-800B zones, no building shall be developed on the interior property line in the front 50 percent of the depth of the lot. Up to 60 linear feet of the interior side wall may be on an interior property line, provided no single plane exceeds 30 feet in length with a minimum 6-foot separation between multiple planes. Any second story shall be set back at least 6 feet in the front 50 percent of the lot; the third story shall be set back 6 feet and each story above the third requires an additional 3-foot setback per story.

- (B) Side Yard Setback. Each story (or portion of a story) above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The

maximum total required setback from the property line is 15 feet.

- (C) Interior Side Yards. On lots 50 feet wide or less, each interior side yard shall be calculated as 10 percent of the lot width provided that in no case shall such side yard be reduced to less than 4 feet.
- (D) Corner Lots. No structure may be located within the triangular areas established by: (1) the street intersection corner of the lot and the points on the street right-of-way lines which are 25 feet from the intersection corner; and (2) the street-side rear corner of the lot and points on the rear property line and the street side property line that are 10 feet from the street-side rear corner.
- (E) Rear Yard With Alley. In the residential zones with densities equal to or greater than one dwelling unit per 1,500 square feet, a rear yard of one foot dimension is required. However, each story (or portion of a story) above the second shall be set back from the property line 7 feet (calculated from the minimum requirement for the story below). The maximum required setback is 14 feet.
- (F) Street Side Yard. In the MR-400 Zone the minimum street side yard shall be 15 feet for lot frontages on Upas Street, Quince Street, and Laurel Street.
- (G) Front Yard. In the MR-400 Zone, the maximum setback for 65 percent of the street frontage shall be 15 feet.

(e) Height Limits

**Table 1512-03F
Height Limits**

Zone	Height Limitation (ft.)
MR-400	150
MR-800B	50; 60 where a building is above enclosed parking
MR-1000, MR-1000B, MR-1250	40; 50 where a building is above enclosed parking
MR-1500B, MR-1500, MR-1750, MR-2500, MR-3000	30 ⁽¹⁾

Footnote for Table 1512-03F

- ¹ In the MR-2500 and MR-3000 Zones, the front 30 percent of the lot shall have a 16-foot height limit for all new construction of 2 or more units.

(f) Floor Area Ratio (FAR) and Lot Coverage

- (1) The maximum FAR and coverage shall be as indicated in Table 1512-03G.

**Table 1512-03G
Maximum Floor Area Ratio (FAR) and Lot Coverage**

Zone	Maximum FAR	Maximum Coverage (%)
MR-400	3.75	50
MR-800B	1.25	45
MR-1000B	1.00	40
MR-1000	.75	40
MR-1250B	.75	40
MR-1500B	.60	35
MR-1500	.55	35
MR-1750	.45	35
MR-2500	.40	35
MR-3000	.40	35

- (2) Enclosed parking may be excluded from the calculation of FAR and coverage.

- (3) Except in the MR-2500 and MR- 3000 zones, for any project which does not exceed the dwelling unit threshold in Section 1512.0203(b)(1), and for any project with a density less than or equal to one dwelling unit per 1,000 square feet of lot area, an FAR bonus shall be provided equivalent to the area of enclosed parking and any portion of a building which covers enclosed parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0 FAR.
- (4) For any project with a density greater than one dwelling unit per 1,000 square feet of lot area and which exceeds the dwelling unit threshold for a Mid-City Communities Development Permit (Section 1512.0203(b)(1), an FAR bonus shall be provided equivalent to the area of underground parking and any portion of a building which covers underground parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0. FAR.
- (5) In the MR-800B zone, the FAR in the front 40 percent of a lot shall be limited to 0.75.
- (6) In the MR-400 Zone, the FAR for that portion of the building above a height of 100 feet shall be limited to 1.0.
- (g) Maximum Lot Dimensions and Areas
- In the MR-3000 and MR-2500 zones and for those lots located between Collier Avenue and Adams Avenue within the MR- 1500 zone, lot consolidations created through maps or by means of building across property lines shall be prohibited without a Mid-City Communities Development

Permit and the maximum street frontage along the front property line shall be 60 feet.

- (h) Pedestrian Access. At least one separate pedestrian entry per 50 linear feet of street wall frontage facing the front property line shall be provided from the street into or through the residential use area. Senior citizen projects may be exempted from this requirement through the approval of a Conditional Use Permit.

- (i) Diagonal Plan Dimension

- (1) The Diagonal Plan Dimension regulations shall be used for structures containing dwelling units in all residential projects, except for lots equal to or less than 50 feet in width. The maximum diagonal plan dimension shall be measured between the 2 most extreme points on that floor of the structure containing the most gross floor area (see Figure 2). For lots where the depth is 2 and one-half times or more than the width (see Figure 3), the maximum diagonal plan dimension shall be measured between the first extreme building corner to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations. The modulation shall have a minimum 3-foot differential and shall extend for a minimum of 10 feet in length.
 - (2) Maximum Dimension. The maximum diagonal plan dimension shall not exceed that numerical figure obtained from

(O-2007-79)

the percentage of the lot frontage as established in Table 1512-03H.

Table 1512.03H
Maximum Diagonal Plan Dimension

Street Frontage of Lot (ft.) (along front property line)	Maximum Diagonal Plan Dimension (%)
50 or less	No Maximum
Over 50, but less than or equal to 100	100 % of street frontage
Over 100, but less than or equal to 200	85 % of street frontage
Over 200, but less than or equal to 300	70 % of street frontage
More than 300	Subject to Mid-City Communities Development Permit

(j) Minimum Average Unit Floor Area

Residential developments shall average no less than 600 square feet of habitable floor area per dwelling unit, exclusive of preexisting dwellings.

(k) Addition of Dwelling Units

In the case of adding one or more dwelling units to existing residential projects:

- (1) Structures containing dwelling units shall be separated by a minimum of 12 feet.
- (2) There shall be direct pedestrian access from all added dwelling units to an abutting street.

(l) Defensible Space Requirements

In the MR-1250B, MR-1500B, MR-1500, MR-1750, MR-2500 and MR-3000 zones, each residential building shall include at least 3 of the following architectural features:

- (1) A roofed entry element compatible with the architectural styles listed in Section 1512.0304 that shall constitute part of the street wall line and provide access to the street yard.
- (2) For lots without alley access, street-yard facing garage doors which are set back at least 5 feet from that portion of the street wall where the front entry is located.
- (3) A garden wall, not exceeding a height of 3 feet, equal in length to the lateral length of the street wall and enclosing at least 50 percent of the street yard.
- (4) A minimum of 20 percent street wall transparency (windows) at the first story.
- (5) A ground level, first floor that is at least 18 inches above finished grade.
- (6) A private exterior usable area above the first story (balcony) with a minimum net area of 100 square feet, facing the street yard.

§1512.0304 Architectural Features

- (a) Each residential building shall include the following two features:
 - (1) Windows shall be of the same material and maintain a consistent design character throughout.
 - (2) There shall be no more than 2 wall siding materials on any single building.
- (b) Each residential building shall include at least 5 architectural features all to be chosen from one of the following lists (1)(2) or (3):

- (1) Contemporary
 - (A) Multiple pitched roofs
 - (B) A minimum of one chimney per 3 dwelling units
 - (C) A minimum of one clerestory window per 50 feet of street elevation
 - (D) Wood window frames
 - (E) A minimum of one transom window
 - (F) An entry porch
 - (G) Window awnings on at least all windows facing a street
 - (H) Planted wall mounted lattice
 - (I) Windows recessed at least 2 inches
 - (J) Eaves with a minimum 18 inches over-hang
- (2) Spanish Style
 - (A) Wrought iron railings on a minimum of all street facing elevations
 - (B) Entrance pergola
 - (C) Canvas awnings on a minimum of all windows facing a street
 - (D) Integral ceramic tile wall detail
 - (E) Buttressed street wall
 - (F) Wood window frames
 - (G) Clay or concrete tile roof over at least 80 percent of the coverage
 - (H) A minimum of 2 different mass heights

(O-2007-79)

- (I) Battered window openings with a minimum 6 inches depth on a minimum of all street facing windows
- (J) Molded stucco wall detail
- (3) Bungalow Style
 - (A) Lap siding on a minimum of all street elevations
 - (B) Entry porch
 - (C) Minimum 18 inch eaves with articulated rafter ends
 - (D) A minimum of one attic eyebrow
 - (E) Wood window frames
 - (F) A minimum of one brick masonry chimney per the 3 dwelling units
 - (G) Multi-panel entrance door
 - (H) A minimum of one window planter box
 - (I) Operable window shutters on a minimum of all windows facing a street
 - (J) Trim surrounding all windows

§1512.0305 Commercial Zones (CN, CL, CV, NP) - Permitted Uses

- (a) No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor be used except for one or more of the purposes indicated with an “P” in Table 1512-03I. No use may be conducted outdoors on any premises except as indicated by footnote 4, or by specific reference.

Legend for Table 1512-03I**"P" = Permitted****"-" = Not Permitted****Table 1512-03I
Permitted Uses Table**

Permitted Uses	CN-1,2 CN-1A,2A CL-1⁽⁶⁾ CL-3 CL-6 CV-1,2,4	CL-2⁽⁶⁾	CN-3,4⁽²⁾ CV-3⁽²⁾	CL-5⁽⁶⁾	NP-1,2,3
Advertising, Secretarial & Telephone Answering Services	P	P	-	-	P ⁽⁷⁾
Antique Shops	P	P	P	-	-
Apartments (Subject to Specific Zone Limitations)	P ⁽¹⁰⁾	P	P	P	-
Apparel Shops	P	P	P	P	-
Apparel Shops	P	P	P	P	-
Art Stores and Art Galleries	P	P	P	-	-
Automobile & Truck Sales, Rental Agencies (Usable Vehicles Only)	P ⁽⁴⁾	P ⁽⁴⁾	-	-	-
Automobile Wash Establishments	P	P	-	-	-
Automobile Paint & Repair Shops, Including Body and Fender Work if entirely within enclosed building.	P	P	P ⁽⁸⁾	-	-
Bakeries	P	P	P	P	-
Banks, Including Branch Banks, and Other Similar Financial Institutions	P ⁽⁹⁾	P	P ⁽⁹⁾	P ⁽¹⁾ H	-
Barber and Beauty Shops	P	P	P	P	-
Bicycle Shops	P	P	P	P	-
Boat Sales Agencies	P ⁽⁴⁾	P ⁽⁴⁾	-	-	-
Book Stores (No Adult Book Stores Shall Be Permitted in the CL-5 Zone)	P	P	P	P	-
Building Materials Stores, provided that open storage areas are completely enclosed by walls or buildings or a combination thereof; said walls and buildings shall be not less than 6 feet in height, and provided also there shall be no outdoor storage of merchandise, material, equipment or other goods to a height greater than that of any enclosing wall or building.	P	P	-	-	-

Permitted Uses	CN-1,2 CN-1A,2A CL-1⁽⁶⁾ CL-3 CL-6 CV-1,2,4	CL-2⁽⁶⁾	CN-3,4⁽²⁾ CV-3⁽²⁾	CL-5⁽⁶⁾	NP-1,2,3
Business and Professional Office Uses (not including Hiring Halls in the CL-5 Zone). (Such Uses may include Accountants, Advertising Agencies, Architects, Attorneys, Contractors, Doctors, Engineers, Financial Institutions, Insurance Agencies, Medical Clinics (No Overnight Patients), Photographers, Real Estate Brokers, Securities Brokers, Surveyors and Graphic Artists.	P ⁽¹⁾⁽⁹⁾	P ⁽¹⁾	P ⁽¹⁾⁽⁹⁾	P ⁽¹⁾	P ⁽¹⁾
Business Machine Sales Display and Service	P	P	-	-	P ⁽⁷⁾
Cleaning and Dyeing Works, Including Rugs, Carpets and Upholstery if entirely within an enclosed building with not more than 10 employees.	P ⁽³⁾	P ⁽³⁾	P	-	-
Confectioneries	P	P	P	P	-
Curtain and Drapery and Upholstery Shops	P	P	P	P	-
Custom Shop for Curtains, Draperies, Floor Coverings, Upholstery and Wearing Apparel	P ⁽³⁾	P ⁽³⁾	-	-	-
Dairy Stores, including Drive-In	P	P	-	-	-
Drafting and Blueprint Services	P	P	-	-	-
Drug Stores	P	P	P	P ⁽¹¹⁾	-
Dry Cleaning Establishments (No Truck Delivery of Finished Cleaning)	P	P	-	P	-
Dry Cleaning and Laundry Establishments (also includes self-service)	P	P	P	P	-
Dry Good Stores	P	P	-	-	-
Electronic Data Processing, Tabulating, and Record Keeping Services	P	P	-	-	P ⁽⁷⁾
Employment Agencies	P	P	-	-	-
Equipment and Tool Rental Establishments (No Man-ridden Equipment)	P	P	-	-	-
Feed Stores	P	P	-	-	-
Florists	P	P	P	P	-
Food Stores	P	P	P	P	-
Frozen Food Lockers	P	P	-	-	-
Funeral Parlors	P	P	-	-	-
Furniture Stores	P	P	-	-	-
Gymnasium and Health Studios	P	P	P	-	-
Hardware Stores	P	P	P	-	-
Hardware Stores, excluding the sale of Used Building Materials, Used Appliances and Used Plumbing Supplies	-	-	P	-	-
Hobby Shops	P	P	P	P	-
Hotels, Motels, and Time Share Projects	P	P	-	-	-
Ice Delivery Stations	P	P	-	-	-
Interior Decorators	P	P	P	-	-
Jewelry Stores	P	P	P	P	-

Permitted Uses	CN-1,2 CN-1A,2A CL-1⁽⁶⁾ CL-3 CL-6 CV-1,2,4	CL-2⁽⁶⁾	CN-3,4⁽²⁾ CV-3⁽²⁾	CL-5⁽⁶⁾	NP-1,2,3
Labor Unions (No Hiring Halls) and Trade Associations	P	P	P	-	-
Laundries, if entirely within an enclosed building with not more than 10 employees.	P ⁽³⁾	P ⁽³⁾	-	-	-
Leather Goods and Luggage Shops	P	P	-	-	-
Lithography Shops	P ⁽³⁾	P ⁽³⁾	-	-	-
Liquor Stores	P	P	P	-	-
Live/Work Quarters	P(12)	P(12)	P(12)	-	-
Locksmith Shops	P	P	-	-	-
Medical Appliance Sales	P	P	-	-	-
Medical, Dental, Biological and X-ray Laboratories	P	P	P	-	-
Moving and Household Storage Facilities	P	P	-	-	-
Music Stores	P	P	P	-	-
Newspaper Plants	P	P	-	-	-
Nurseries-plants	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	-
Office Furniture and Equipment Sales	P	P	-	-	-
Paint and Wallpaper	P	P	P	P	-
Parking Lots-commercial	P	P	-	-	-
Parking Lots and Facilities, if accessory to a permitted primary use, on the same premises, except that facilities completely below grade need not be accessory.	-	-	P	-	-
Pawn Shops	P	P	-	-	-
Pet Shops	P	P	-	-	-
Pharmacies	P	P	-	-	P ⁽⁷⁾
Photographic Studios and Retail Outlets	-	-	P	-	-
Photographic Studios	P	P	-	P	-
Photographic Equipment, Supplies and Film Processing Stores	P	P	-	-	-
Plumbing Shops, provided that any open storage areas are completely enclosed by walls, or buildings, or a combination thereof, not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods, to a height greater than that of any enclosing wall or building.	P ⁽³⁾	P ⁽³⁾	-	-	-
Post Offices	P	P	-	-	-
Private Clubs, Fraternal Organizations and Lodges	P	P	P	P	P
Public Utility Electric Substations, Gas Regulators and Communications Equipment Buildings developed in accordance with building and landscaping plans approved by the City Manager.	P	P	-	-	-
Radio and Television Broadcasting Studios	P	P	P	P	-

Permitted Uses	CN-1,2 CN-1A,2A CL-1⁽⁶⁾ CL-3 CL-6 CV-1,2,4	CL-2⁽⁶⁾	CN-3,4⁽²⁾ CV-3⁽²⁾	CL-5⁽⁶⁾	NP-1,2,3
Radio, Television and Home Appliance Repair Shops	P	P	P	P	-
Recreational Facilities, including Bowling Lanes, Miniature Golf Courses, Skating Rinks, Gymnasiums and Health Centers	P	P	-	-	-
Restaurants (In the CL-5 Zone, excluding Drive-in and Drive-thru Restaurants and further excluding Live Entertainment and sale of all Intoxicating Beverages except Beer and Wine)	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾
Rug and Carpet Stores	P	P	P	-	-
Shoe Stores	P	P	P	P	-
Shoe Repair Shops	P	P	P	P	-
Sporting Goods Stores	P	P	P	-	-
Stationers	P	P	P	P	-
Storage Garages	P	P	-	-	-
Studios for Teaching of Art, Dancing and Music	P	P	P	P	-
Theaters, Nightclubs and Bars, with or without Live Entertainment, or any combination thereof (not permitted except by Conditional Use Permit if the size of the establishment exceeds 5,000 square feet in Gross Floor Area)	P	P	P	-	-
Tire Sales, Repair and Recapping Establishments, if entirely Within an Enclosed Building	P	P	-	-	-
Trade and Business Schools	-	-	-	-	-
Trailer Sales Agencies	P	P	-	-	-
Transportation Terminals	P	P	-	-	-
Travel Bureaus	P	P	-	-	-
Variety Stores	P	P	P	P	-
Wedding Chapels	P	P	-	-	-
Wholesaling or Warehousing of Goods and Merchandise, provided that the floor area occupied for such use per establishment does not exceed 5,000 square feet.	P	P	-	-	-
Construction of Cabinets and Shelves, and Musical Instruments, or other Wood Working	-	P ⁽³⁾	-	P ⁽³⁾	-
Construction of Windows, Doors and Screens	-	P ⁽³⁾	-	P ⁽³⁾	-
Manufacturing of Mattresses, Chair Upholstery and Awnings	-	P ⁽³⁾	-	P ⁽³⁾	-
Repair of Tools, Machinery and Electronic Equipment	-	P ⁽³⁾	-	-	-
Public Parks and Playgrounds	P	P	P	P	-

Permitted Uses	CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4	CL-2 ⁽⁶⁾	CN-3,4 ⁽²⁾ CV-3 ⁽²⁾	CL-5 ⁽⁶⁾	NP-1,2,3
Residential Development, in accordance with the regulations of the Mid-City Communities Planned District, according to the permitted densities of equivalent Multi-Family Zones as specified in the RM-3-9 Zone (Land Development Code Chapter 13, Article 1, Division 4 (Residential Base Zones) (e.g., One Dwelling Unit per 600 Square Feet)	P	P	P	P	P
Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, numerated in this section and consistent with the purpose and intent of the particular zone in which it would be located. The adopted resolution embodying such finding shall be filed in the office of the City Clerk	P	P	P	P	P
Accessory Uses as Follows:					
Signs constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated, and abated in accordance with the regulations as set forth in Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations) subject to Section 1512.0408.	-	-	-	P	-
Accessory Uses determined by the Development Review Director to be appropriate in character and placement in relationship to a primary use.	P	P	P	P	P

Footnotes for Table 1512-03I

1

- a. Facilities providing medical and counseling services which meet the criteria in Section 1512.0302(h)(3)(A) through (C) are not permitted on a lot or parcel located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Land Development Code Section 141.0702(b).
- b. Facilities where 5 or more persons as described in Section 1512.0302(h)(3)(B) are medically treated or medically or psychologically counseled, on a group or individual basis;
- c. The persons have committed, been charged by criminal indictment or complaint, or convicted of, a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment for remodification or any such sections.
- d. The medical and counseling services are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections.

2

- a. No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the table above; provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area; and, further provided, that no premises shall contain drive-in facilities except through a Mid-City Communities Development Permit.
 - b. All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed below shall be operated entirely within enclosed buildings. The following listed merchandise sold or rented on the premises may be displayed outdoors without screening walls or fences except along common property lines of abutting residentially-zoned lots:
 - 1) Flowers and plants.
 - 2) Food products
 - 3) Handcrafted products and goods
 - 4) Artwork and pottery
 - c. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
 - d. No mechanical equipment, tank duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to main building.
- ³ The floor area of any establishment may not exceed 5,000 square feet.
- ⁴ Indicated use may be conducted outside a fully enclosed building.
- ⁵ Commercial uses in the CL-1 Zone are restricted along University Avenue between 28th Street and Georgia Street in accordance with Section 1512.0309(b)(1).
- ⁶ Special Regulations: CI-5 & CI-2 (At Texas and University)
- a. No permitted use shall commence operating prior to 6:00 a.m. nor continue later than 12:00 midnight of any day.
 - b. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
- ⁷ At least 75 percent of the gross floor area of the structure or structures on the lot or premises shall be devoted to business and professional office uses.
- ⁸ In the CV-3 Zone, auto repair permitted only as an expansion of an existing previously conforming use with the approval of a Mid-City Communities Development Permit.
- ⁹ In the CN-1A Zone and in the CN-2A Zone for lots exceeding 100 feet of street frontage, banks and business and professional office use together shall not exceed 50 percent of the ground floor area.
- ¹⁰ Residential use is not permitted for lots in the CN-1 Zone west of I-805 which do not have access to a street or alley other than to University Avenue.
- ¹¹ No more than 10 percent of the gross floor area shall be utilized for display of alcoholic beverages.
- ¹² Live/Work Quarters are permitted subject to the regulations in Section 141.0311.

(b) Additional Permitted Uses in the Commercial Node (CN), Commercial Linear (CL) Zones, Commercial Village (CV), and Neighborhood Professional (NP) Zones

No building or improvement or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth in Sections 1512.0302 and 1512.0305(a).

- (1) Residential development is permitted in accordance with the regulations of the Mid-City Communities Planned District. This includes all permitted uses of the equivalent multi-family zones as established by the residential density provisions of Section 1512.0305(b)(3).
- (2) In the CN-3 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the Sections 1512.0302 and 1512.0305(a) provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.
- (3) In the Commercial Transition Zones (CN-1T, CN-2T and CN-3T), commercial uses are permitted only if the lot fronts on Adams Avenue, El Cajon Boulevard, University Avenue, Lincoln Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, Collwood Boulevard, College Avenue or 70th Street. This provision includes lots which are legally consolidated in accordance with Land Development Code Chapter 14, Article 4 (Subdivision Regulations).

§1512.0306 Commercial Zones - General Regulations**(a) Maximum Number of Dwelling Units**

In no case shall any project exceed the maximum number of dwelling units listed below unless the project is on a single lot which 1) was created or consolidated, or for which an application has been submitted to the City to create a lot or consolidate lots, prior to the effective date of this ordinance; or 2) was created from a lot or lots which had a larger average square footage than the lot created.

Table 1512-03J
Maximum Number of Dwelling Units

Zone	Maximum Units	
	Lots Greater Than 100 Feet in Depth	Lots Less than or Equal to 100 Feet in Depth
CN-1,CN-1A	152	125
CN-2, CN-2A	66	50
CN-3	36	29
CN-4	36	29
CL-1	152	125
CL-2	66	50
CL-3	36	29
CL-5	22	18
CL-6	22	18
CV-1	152	125
CV-2	66	50
CV-3	36	29
CV-4	22	18
NP-1	66	50
NP-2	36	29
NP-3	22	18

(b) Minimum Lot Dimensions And Areas

(O-2007-79)

For subdivision purposes, the minimum lot areas and dimensions shall be as indicated in Table 1512-03K.

Table 1512-03K
Minimum Lot Dimensions and Area

Zones	Dimensions				
	Lot Area (sf)	Street Frontage (ft)	Interior (ft)	Width Corner (ft)	Depth (ft)
CN-1, CN-1A, CN-2, CN-2A	10,000	100	100	100	100
CL-1, CL-2, CL-3, CN-3, CL-5, CL-6, CV-1, CV-2, CV-3, CV-4, NP-1, NP-2, NP-3	5,000	50	50	50	100

§1512.0307 Transition Zones--Indicated by the Suffix “T” to any Commercial Zone Designation (e.g., CN-IT)

(a) Purpose and Intent

Transition zones are commercial zones which are intended to provide a transition area between commercial use areas and residential use areas. They are designed to provide for the expansion of an existing or new commercial use which is located in both a transition zone and the adjoining commercial zone. As an alternative, transition zoned lots may provide for residential use at the designated transition density.

(b) Property Development Regulations

(1) Lots with Frontage on Designated Streets

For all transition zones, regulations shall be equivalent to the commercial zone (i.e. CN-1T equivalent to CN-1) if the lot fronts on Adams Avenue, El Cajon Boulevard, University Avenue, Lincoln Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, Collwood Boulevard, College Avenue, 70th Street or Seminole Drive between

(O-2007-79)

Stanley Avenue and Art Street. This provision includes lots which are legally consolidated in accordance with **Land Development Code Chapter 14, Article 4 (Subdivision Regulations)**.

(2) Lots with No Frontage on Designated Streets

For all transition zones where the lot does not front on those streets listed in Section **1512.0307(b)(1)** above, the regulations of the zone in the second column **in Table 1512-03L** shall apply.

Table 103-03L
Transition Zone - Applicable Regulations

Transition Zone	Regulations Which Apply
CN-1T, CL-1T, CV-1T	MR-400
CL-2T, CV-2T, NP-1T	MR-800B
CN-2T	MR-1000B
CN-3T, CL-3T, CL-4T, CV-3T, NP-2T,	MR-1000
CL-5T, CL-6T, CV-4T, NP-3T	MR-1500

§1512.0308 Commercial Nodes - CN-1, CN-1A, CN-2, CN-2A, CN-3, and CN-4 Zones

(a) Purpose And Intent

The Commercial Node (CN) zones are intended to provide for pedestrian oriented commercial and mixed-use districts in selected higher activity areas such as major intersections. The standards are designed to create street frontage conditions conducive to a rich, diverse and pleasurable walking experience. Parking and vehicle access are located so as to minimize disruption of pedestrian continuity. Residential use above street level commercial use is encouraged to intensify development on major

transportation corridors where transit and other services are generally available and to foster pedestrian activity.

(b) Property Development Regulations

(1) Residential Density

One dwelling unit is permitted for each "X" square feet of lot area shown in the third column in **Table 1512-03M.**

Table 1512.03M
Residential Density

Zone	Lot Size (sq. ft.)	One Unit per "X" (sq. ft.)
CN-1, CN-1A	30,000 or more	400
CN-2, CN-1A	less than 30,000	600
CN-2, CN-2A	10,000 or more	800
CN-2, CN-2A	less than 10,000	1,000
CN-3	any size legal lot	1,000
CN-4	any size legal lot	1,000

(2) Yard and Setback Requirements

(A) Commercial, Residential and Mixed Commercial/Residential Development. No minimum front, side street side or rear yards are required unless:

- (i) The property abuts residentially zoned property or commercial transition zoned property, in which case a 6-foot interior side or rear yard shall be provided adjacent to that property. The third story shall be set back 9 feet and additional stories shall be set back a minimum 15 feet from the property line. Also, a

10-foot front or street side yard shall be provided when that yard is abutting any residentially zoned property.

Zero Yard Option. The following zero foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

A building wall not exceeding 2 stories may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000, or commercial transition zoned property.

Any third story shall be set back at least 6 feet; each story above the third requires a 15-foot setback from the property line.

- (ii) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a 20-foot setback for said parking spaces.

- (B) That portion of structures exceeding 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas shall be set back at least 15 feet from all property lines which are shared with another parcel.

(3) Height Limits.

- (A) For the CN-1A zone, the height limit shall be 200 feet except as follows:

- (i) For CN-1A zoned properties within the area bounded by Kalmia Street, Laurel Street, and Third and Sixth Avenues, the height limit shall be 100 feet.

(O-2007-79)

- (ii) For CN-1A zoned properties within the area bounded by Laurel Street, Maple Street, and Third and Sixth Avenues, the height limit shall be 150 feet.
- (B) In the CN-2A Zone, the height limit shall be 150 feet.
- (C) For the CN-4 Zone, the height limit shall be 30 feet.
- (4) Floor Area Ratio (FAR) and Coverage.
 - (A) There shall be a minimum coverage of 35 percent.
 - (B) The permitted FAR for a commercial development in any CN zone is listed in the first column below. In all CN zones each square foot of the residential floor area in a mixed-use project earns an additional square foot of commercial floor area up to the maximum commercial FAR listed in the second column in **Table 1512-03N**.

Table 1512-.03N
Floor Area Ratio (FAR) and Lot Coverage

Zone	Permitted FAR for Commercial Development	Maximum Commercial FAR for Mixed Commercial/Residential Development
CN-1	1.00	1.25
CN-1A	2.00	4.00
CN-2	0.75	1.25
CN-2A	2.00	3.00
CN-3, CN-4	0.75	1.25

- (C) There is no maximum FAR for residential development in a mixed commercial/residential project.

- (D) For each floor that an atrium penetrates through a structure, 25 percent of the square footage per floor shall be included in the calculation of the FAR.
- (5) Minimum Commercial Area. Except as provided in Section 1512.0307(b)(2) above, for mixed commercial/ residential projects, a minimum square footage of the ground floor shall be reserved for commercial use (other than parking facilities), said square footage to be calculated by multiplying the linear footage of all street frontage by 20.
- (6) Maximum Premised Area. In the CN-3 zone no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.
- (7) Pedestrian Access. At least one separate pedestrian entry per 100 linear feet of street wall frontage or part thereof shall be provided from the street into or through the commercial use. Separate entries provided to satisfy this requirement may be spaced no closer than 25 feet apart.
- (8) Street Wall.
- (A) Except as provided in Section 1512.0308(b)(2)(A)(i), there shall be a building wall of at least 13 feet in height located within 6 feet of any street frontage property line, along not less than 65 percent of both the front and if applicable street side street property lines, except as required for driveway access where no alternative access is available. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. Structures not requiring a building permit are exempt from this requirement.

(O-2007-79)

- (B) The street wall shall not exceed 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas, with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side of the building for fire or safety access, in which case no setback is required.

§1512.0309 Commercial Linear Zones - CL-1, CL-2, CL-3, CL-5, CL-6, (CL-4 is Renamed CV-3, See Section 1512.0310)

- (a) Purpose And Intent

The Commercial Linear (CL) zones provide for automobile oriented commercial districts in which residential or mixed-use development is also encouraged. It is normally applied to linear areas between commercial nodes. Automobile use is accommodated by permitting parking in the street yard with certain access limitations to provide for traffic operations and to accommodate pedestrians as well. Incentives are provided for residential development for the purpose of concentrating multi-family residential use on major transportation corridors and to provide a desirable mixture of uses. The CL-5 Zone is intended for neighborhood-oriented commercial areas. The expansion of such uses, which may not have been previously zoned and/or are not now designated in the community plan for neighborhood commercial use, may be considered with the application of the CL-5 Zone and, if appropriate, the approval of a Mid-City Communities Development Permit to address hours of operation, uses, relaxation of parking requirements as well as other issues.

(b) Property Development Regulations

(1) Residential Density

- (A) One dwelling unit is permitted for each "X" square feet of lot area shown in the third column of Table 1512-03O.
- (B) Exception: In the CL-1 zone on University Avenue between 28th Street and Georgia Street, one dwelling unit is permitted for each "X" square feet of lot area shown, based on the lot size and the land use constraints shown in Table 1512-03P.

Table 1512-03O
Residential Density

Zone	Lot Size (sq. ft.)	One Unit per “X” (sq. ft.)
CL-1	30,000 or more	400
CL-1	less than 30,000	600
CL-2	15,000 or more	600
CL-2	less than 15,000 but at least 10,000	800
CL-2	less than 10,000	1,000
CL-3	any size legal lot	1,000
CL-5	any size legal lot	1,500
CL-6	any size legal lot	1,500

Table 1512-03P
Residential Density Exception

Zone	Lot Size (sq. ft.)	One Unit per “X” (sq. ft.)
CL-1	30,000 or more, commercial use prohibited ⁽¹⁾	400
CL-1	15,000 or more, commercial use permitted ⁽¹⁾	600
CL-1	less than 15,000 commercial use permitted	800

Footnote for Table 1512-03P

¹ Vehicular access for residential units must be provided via alleys and side streets and not from University Avenue.

(2) Yard and Setback Requirements

(A) Commercial Projects With No Residential Use. No front, side, or rear yards are required, except as follows:

- (i) In the CL-1, and CL-3 and zones, a 20-foot yard is required on the property line abutting El Cajon Boulevard. Off-street parking may be located within this yard with the provision of landscaping as required

by Land Development Code Chapter 14, Article 2,

Division 4.

- (ii) In the CL-1 zone on University Avenue west of Idaho and 28th Streets, a 20-foot yard is required on the property line abutting University Avenue. Every story (or portion of a story) above the second shall be set back an additional 6 feet (calculated from the minimum requirement for the story below). The maximum required setback is 38 feet.
- (iii) In the CL-5 zone, a 10-foot front yard and 10-foot street side yard are required.
- (iv) Where the property abuts residentially zoned property, or commercial transition zoned property, a minimum 6-foot yard shall be provided adjacent to that property. The third story requires a 9 foot setback and additional stories shall be set back a minimum of 15 feet from the property line.

Zero Yard Option. The following zero-foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR- 800B, MR-1000B, MR-1000, or commercial transition zoned property.

Any third story shall be set back at least 6 feet; each

(O-2007-79)

story above the third requires a minimum 15-foot setback from the property line.

- (v) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a minimum 20-foot setback for said parking spaces.

(B) Residential or Mixed Residential/ Commercial Developments.

Minimum Yard Dimensions (Linear Feet) and Setbacks as shown in Table 1512-03Q apply.

Table 1512-03Q
Minimum Yard Dimensions

Zone	Yard Location			
	Front	Interior Side	Street Side	Rear
CL-1 Zone (ft)	6 ⁽⁴⁾⁽⁵⁾⁽⁶⁾	0 ⁽²⁾⁽³⁾	4 ⁽⁴⁾⁽⁶⁾	4 ⁽²⁾
CL-2 Zone (ft)	6 ⁽⁴⁾⁽⁵⁾⁽⁶⁾	6 ⁽¹⁾⁽²⁾	6 ⁽⁶⁾	4 ⁽²⁾
CL-3 Zone (ft)	6 ⁽⁴⁾⁽⁵⁾⁽⁶⁾	6 ⁽¹⁾⁽²⁾	4 ⁽⁴⁾⁽⁶⁾	4 ⁽²⁾
CL-5, CL-6 Zones (ft)	10 ⁽⁵⁾⁽⁶⁾	6	10 ⁽⁶⁾	4 ⁽²⁾

Footnotes for Table 1512-03Q

- ¹ Zero Yard Option. The zero yard option specified for commercial projects is also available for residential and mixed commercial/residential projects.
- ² Setbacks. Every story (or portion of a story) above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The maximum required setback is 15 feet.
- ³ If the property line abuts residentially zoned property, a 6-foot yard shall be provided adjacent to that property.
- ⁴ On property lines abutting El Cajon Boulevard, and on University Avenue west of Idaho and 28th Streets, a 20-foot yard is required, subject to the provisions specified in Section 1512.0309(b)(2)(A)(i) & (ii), above.
- ⁵ With the exception of front setbacks abutting El Cajon Boulevard, every story (or portion of a story) above the second shall be set back an additional 6 feet (calculated from the minimum requirement for the story below). The maximum total required setback is 24 feet.
- ⁶ Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a minimum 20-foot setback for said parking spaces.

(3) Height Limits

- (A) In the CL-1 zone, there is no height limit.
- (B) In the CL-2, and CL-3, zones, the height limit is 40 feet, or 50 feet for portions of a building above enclosed parking.
- (C) For the CL-5 and CL-6 zones, the height limit is 30 feet.
- (D) The street wall shall not exceed 48 feet in height on Washington Street and El Cajon Boulevard or 36 feet in height in all other areas, with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side of the building for fire or safety access, in which case on setback is required.

(4) Floor Area Ratio (FAR) and Coverage.

- (A) There shall be a minimum coverage of 20 percent.
- (B) There is no maximum FAR for residential development.
- (C) The permitted FAR for commercial development is specified in **Table 1512-03R**.
- (D) On any lot within the CL-1, CL- 2, CL-3 and CL-5 zones, each square foot of residential floor area in a mixed-use project earns an additional square footage of commercial floor area, up to a maximum commercial FAR of 1.00.

Table 1512-03R
Floor Area Ratio (FAR)

Zone	FAR
CL-1, CL-3	.25 and .50 ⁽¹⁾
CL-2, CL-2T	.25 and .50 ⁽²⁾
CL-5	.50
CL-6	2.00

Footnotes **for Table 1512-03R**

- ¹ To qualify for the higher allowance, a project must be:
- (a) On a lot of at least 30,000 square feet, or
 - (b) On a lot within 300 feet of a designated FAR Bonus Intersection.*
- ² To qualify for the higher allowance, a project must be:
- (a) On a lot of at least 30,000 square feet, or
 - (b) On a lot within 150 feet of a designated FAR Bonus Intersection.*
- * FAR Bonus Intersections are located at the intersections of El Cajon Boulevard and 37th Street, 42nd Street, Highland Avenue, Chamoune Avenue, 52nd Street, 59th Street, 62nd Street, 63rd Street, Art Street, Montezuma Road, and 67th Street; and the intersections of University Avenue and Swift Avenue and 35th Street, shown on maps referenced in Section **1512.0102**; measurement is taken in a straight line from any portion of a subject lot to the closest corner at a Bonus Intersection.

§§1512.0310 Commercial Village Zones - CV-1, CV-2, CV-3, CV-4

(a) Purpose And Intent

The intent of the Commercial Village (CV) zones is to provide for pedestrian oriented districts for either commercial, residential, or mixed-use development. It is normally applied in linear areas between commercial nodes. The standards encourage pedestrian activity through the design and location of building frontages and of parking and vehicle access. Incentives are provided for mixed-use development in these areas where transit and services are generally available.

(b) Property Development Regulations

- (1) Residential Density. One dwelling unit is permitted for each "X" square feet of lot area shown in the third column in **Table 1512-03S**.

Table 1512-03S
Residential Density

Zone	Lot Size (sq. ft.)	One Unit per "X" (sq. ft.)
CV-1	30,000 or more	400
CV-1	less than 30,000	600
CV-2	15,000 or less	600
CV-2	less than 15,000 but at least 10,000	800
CV-3	any size legal lot	1,000
CV-4	any size legal lot	1,500
CV-6	any size legal lot	1,500

(2) Yard and Setback Requirements

(A) Commercial, Residential and Mixed

Commercial/Residential Development. No front, side, or rear yards are required, except as follows:

- (i) Where the property abuts residentially or transition zoned property, or minimum 6- foot yard shall be provided adjacent to that property. The third story requires a 9 foot setback and additional stories shall be set back 15 feet.
- (ii) Zero Yard Option. The following zero-foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR-800B,

MR-1000B, MR-1000 or transition zoned property.

Any third story shall be set back at least 6-feet; each story above the third requires a 15-foot setback.

- (iii) **Where** parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a 20-foot setback for said parking spaces.

- (B) That portion of structures exceeding 36 feet in height stories shall be set back at least 15 feet from all property lines which are shared with another parcel.

(3) Height Limits

Table 1512-03T
Height Limitations

Zone	Height Limitation (ft)
CV-1	150
CV-2	50; 60 for portions of a building above enclosed parking
CV-3	40; 50 for portions of a building above enclosed parking
CV-4	40; 50 for portions of a building above enclosed parking

(4) Floor Area Ratio (FAR) and Coverage.

- (A) There shall be a minimum coverage of 20 percent.
- (B) The permitted FAR for commercial development shall be as indicated in **Table 1512-03U**.

- (i) On any lot within the CV-1 Zone, each .01 of residential FAR in a commercial/residential project earns an additional .01 of commercial FAR up to a maximum commercial FAR of 3.00.
- (ii) On any lot within the CV-2 or CV-3 Zones, each square-foot of residential floor area in a commercial/residential project earns an additional square-foot of commercial floor area up to a maximum commercial FAR of 1.00.
- (C) There is no maximum FAR for residential development.

Table 1512-03U
Floor Area Ratios

Zone	Permitted Commercial FAR
CV-1	1.50
CV-2	0.50
CV-3	0.50
CV-4	2.00

- (5) **Maximum Premises Area.** In the CV-3 Zone, no premises shall contain an establishment exceeding as total of 5,000 square feet in gross floor area.
- (6) **Pedestrian Access.** At least one separate pedestrian entry per 100 linear feet of street wall frontage shall be provided from the street into or through the structure. Separate entries meeting this requirement must be spaced no closer than 25 feet apart.
- (7) **Street Wall**

- (A) Projects must meet one of 2 options:
- (i) No parking in the 50 percent of the parcel abutting the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements; or
 - (ii) Except as provided in Section 1512.0310(b)(2)(A), there shall be a building wall of at least 13 feet in height located within 5 feet of any street frontage property line for commercial or mixed-use projects, or within 10 feet of any street frontage property line for residential projects, along not less than 65 percent of the total of both the front and if applicable street side property lines, except as required for driveway access where no alternative access is available. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. Structures not requiring a building permit are exempt from this requirement.
- (B) The street wall shall not exceed 36 feet in height with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side for fire or safety access.

§1512.0311 Neighborhood Professional Zones - NP-1, NP-2, NP-3

(a) Purpose And Intent

The Neighborhood Professional (NP) zones are intended to provide for business and professional offices, certain allied services normally associated with such offices, and residential user. They will generally be located near hospitals or adjacent to major concentrations of commercial activities. The standards are designed to ensure compatibility between office development and existing or new residential development by providing for appropriate setbacks and limitations on floor area and signage.

The NP-1 Zone encourages a mixture of office and residential use at a high density, while the NP-3 Zone is intended to encourage more of an office orientation and less residential use. The intent of the NP-2 Zone is to preserve the existing higher quality and historic residential structures by permitting their reuse as apartments or offices.

(b) Property Development Regulations

- (1) Residential Density. One dwelling unit is permitted for each "X" square feet of lot area shown in the third column in **Table 1512-03V**.

Table 1512-03V
Residential Density

Zone	Lot Size (sq. ft.)	One Unit Per “X” (sq. ft.)
NP-1	15,000 or more	600
NP-1	less than 15,000	800
NP-2	any size legal lot	1,000
NP-3	any size legal lot	1,500

(2) Yard and Setback Requirements

(A) Minimum Size of Street Yard. A street yard shall be provided at a minimum area calculated by multiplying the lot frontage by 20 feet. In all NP zones, the required street yard shall not be measured beyond the front 70 feet or 50 percent of the lot depth, whichever is less, as measured from the front property line.

(B) Minimum Yard Dimensions (Linear Feet) and Setbacks

Table 1512-03W
Minimum Yard Dimensions and Setbacks

Yard Location	Setback (Ft.)
Front (ft)	10
Interior Side (ft)	6 ⁽¹⁾⁽²⁾⁽³⁾
Street Side (ft)	6
Rear (ft)	1 ⁽⁴⁾ , if alley; 15, if not alley

Footnotes **for Table 1512-03W**

¹ Zero Yard Option. The following zero foot size yard option shall only be granted through approval of a Mid-City Communities Development Permit: Up to 60 linear feet of a 2-story interior side wall may be on the interior property line, provided that no single plane exceeds 30 feet and provided that access to the rear of the property from all units is provided and maintained. (Exception: A building wall in the rear 50 percent of a lot is not restricted to the 30-foot single-plane limit.) Any third story shall be set back at least 6 feet; each story

above the third requires an additional 3-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is 15 feet.

- ² Setback. Each story (or portion of a story above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The maximum total required setback is 15 feet.
- ³ Exception. Interior Side Yards. On lots less than 50 feet wide, each interior side yard shall be calculated as 12 percent of the lot width.
- ⁴ Rear Yard. A rear yard of one foot dimension is required. However, each story (or portion of a story) above the second shall be set back 7 feet (calculated from the minimum requirement for the story below). The maximum required setback is 14 feet.

(3) Height Limits

Table-1512-03X
Height Limitations

Zone	Height Limitations (ft.)
NP-1	50; 60 where a building is above enclosed parking
NP-2	40; 50 where a building is above enclosed parking
NP-3	50; 60 where a building is above enclosed parking

(4) Floor Area Ratio (FAR) and Coverage

- (A) There shall be a minimum coverage of 20 percent.
- (B) The permitted FAR and coverage for commercial and/or residential development are specified in Table 1512-03Y.
- (C) A FAR bonus shall be provided equivalent to the area of enclosed parking. Any portion of the building which covers enclosed parking shall be excluded from the coverage calculation. For projects which exceed the dwelling unit or floor area threshold for a Mid-City Communities Development Permit (Section 1512.0203(b)(1)), the FAR bonus and coverage exclusion shall only apply to

underground parking. This FAR bonus shall not exceed 1.0 FAR.

Table 1512-03Y
Floor Area Ratios and Lot Coverage

Zone	Permitted FAR	Maximum Lot Coverage (%)
NP-1	1.50	50
NP-2	0.75	45
NP-3	1.50	50

§1512.0312 Additional Development Regulations - All Mid-City Zones

(a) Offsetting Planes Requirement.

- (1) For each entire building elevation facing a street, there shall be at least the number of separate building planes as shown in Table 1512-03Z. A separate building plane is distinguished by an average horizontal difference between planes of 3 feet, measured perpendicular to the subject plane (see Figure 4). Building elements such as roofs with a minimum slope of 30 percent shall qualify as offsetting planes only when they constitute the highest element of the structure. For sloped roofs, the average horizontal difference of 4 feet is measured to the midpoint of the slope.

Table 1512-03Z
Offsetting Planes Requirement

Length of Building Elevation (ft.)	Minimum Number of Building Planes
50 or less	3
Over 50, but less than or equal to 100	5
Over 100, but less than or equal to 200	6
More than 200	An additional one plane for each 50 ft., or increment thereof, over 200 ft.

- (2) For residential development on lots 50 feet or greater in width, there shall be at least 3 separate building planes on each interior side elevation.
- (3) The proportions of the 3 building planes along each elevation shall meet the criteria as shown in Table 1512-03AA.

Table 1512-03AA
Building Plane Proportions

Percentage of 50 Foot Increment Building Elevation Area		
Zones	Minimum Area (%)	Maximum Area (%)
MR-400, MR-800B, MR-1000B, CN-1, CN-1A, CN-2, CN-2A, CL-1, CL-2, CV-1, CV-2, NP-1	20	60
MR-1000, MR-1250B, MR--1500B, MV-1500, MV-1750, MR-2500, MR-3000, CN-3, CL-3, CL-5, CL-6, CV-3, CV-4, NP-2, NP-3	10	50

(b) **Transparency Requirement**

- (1) For all commercial or mixed-use projects in the CN and CV zones and for any such projects in the CL zones that have building walls 15 feet or less from a street property line, a minimum of 50 percent of street wall area between 3 feet and 10 feet above the sidewalk shall be transparent with visibility into a commercial or residential use area. This may include all types of non-reflective windows and openings, with a light transmittance factor no less than 75 percent.

Exception. The minimum transparency requirement shall not apply to parking structures or auto repair facilities with service bays facing a street for that portion of the street wall occupied by the service bays.

- (2) For that portion of all facades above the ground floor, no more than a combined total of 50 percent of each of the facades shall be vision glass or reflective spandrel construction.

All vision glass and reflective spandrel construction shall be of material which is no more than 30 percent in reflectivity.

- (3) Except as provided in Section 1512.0312(b)(1) above, in all projects, a minimum of 15 percent of each story's street wall shall be transparent (such as windows).
- (4) No window or other transparency into a garage or similar area shall qualify toward the minimum transparency requirement in any zone.

(c) Private Exterior Usable Area

- (1) Private exterior usable areas shall be provided for residential and mixed residential/commercial projects. Such areas shall be adjacent to and accessible from selected dwelling units and shall be bounded by a minimum 36 inch high barrier. These areas shall be exclusive of public rights-of-way, shall have a minimum dimension of 5 feet and, in their entirety, shall have a natural or man-made gradient of 10 percent or less.

- (2) Private exterior usable areas shall have a minimum size of 25 square feet, with a project average of 50 square feet per dwelling unit. At least 50 percent of all units in a development shall have private exterior usable area.
- (3) In the MR-1500 zones that permit equal or higher residential densities, up to 50 percent of the requirement for private exterior usable area may be provided instead as common exterior usable area. However, for each 2-square-foot reduction in private area, 3 square feet of common area must be provided. Common exterior usable areas must be open to the sky, no less than 1,500 square feet in area and must have a minimum dimension of 30 feet and a gradient of 10 percent or less. Trees and trellises are permitted in such areas.

(d) Storage Facilities

A minimum of 100 cubic feet of secured storage spaces accessible from a common circulation area or garage and not part of a habitable area shall be provided per dwelling unit.

(e) Variety of Street Walls

The street wall of any project, defined by but not limited to the configuration of offsetting planes, transparencies and architectural features, shall not be substantially identical to the street wall of any other project within a 600 foot radius.

Section 4. That Chapter 15 of the San Diego Municipal Code is amended by adding Article 12, Division 4, Sections 1512.0401, 1512.0402, 1512.0403, 1512.0404, 1512.0405, 1512.0406, 1512.0407 and 1512.0408, to read as follows:

Article 12: Mid-City Communities Planned District

Division 4: General and Supplemental Regulations

§1512.0401 Fences and Walls

- (a) It is unlawful for any solid fence or structure exceeding 3 feet in height to be placed in any required street yard area, except as specifically permitted in the Mid-City Communities Planned District pursuant to Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).
- (b) **Commercially Zoned Developments**
Prior to the use or occupancy of any premises, a wall not less than 6 feet in height shall be constructed along all portions of the perimeter of said premises that abut residentially zoned property except on public alleys; provided, however, that within any required front yard such wall shall not be required.

§1512.0402 Parking Regulations

Parking shall conform to Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

- (a) For lots in the CN-1 zone which do not have access to a street or alley other than to University Avenue west of I-805, parking shall not be required and curb cuts shall not be permitted.

- (b) In the CL-1 zone on University Avenue between 28th Street and Georgia Street, vehicular access for residential units must be provided via alleys and side streets and not from University Avenue for all projects which equal or exceed one dwelling unit per 600 square feet of lot area.
- (c) Commercial projects in the CV-3 zone, must meet one of 2 options: (a) parking is not permitted in the 50 percent of the area of the parcel closest to the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements of the CV-3 zone; or (b) there shall be a building wall of at least 13 feet in height located within 5 feet of any street frontage property line, along not less than 65 percent of both the front and side street property lines. The setback may be increased to 15 feet if a sidewalk cafe, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. In either option (a) or (b), at least one pedestrian entry per street wall frontage shall be provided from the street into or through the commercial use.
- (d) Vehicles may be parked within that portion of a required street yard that is not within a required front or street side yard, provided that vehicular use areas within the street yard are constructed of an upgraded hardscape element as defined in Land Development Code Section 113.0103.

§1512.0403 Public Facilities, Structures and Area

All public facilities, open spaces, streets, sidewalks, street furniture, street signs, lighting installations, and any incidental structures or monuments, shall conform

to the purpose and intent of the Mid-City Communities Planned District, and shall be subject to the same regulations, conditions and standards established herein.

§1512.0404 Streetscape Development Regulations

(a) Curb Cuts And Driveways

Curb Cuts and driveways shall conform to Land Development Code Section 142.0560, in addition to the following regulations:

- (1) No driveway shall be located on Adams Avenue, El Cajon Boulevard, Park Boulevard, University Avenue or on Fourth, Fifth or Sixth Avenues south of Washington Street, when the lot or premises is served by a standard alley with a 20-foot-wide right-of-way or alternate street, except as follows:
 - (A) In all CL zones, lots which have alternate access only from a rear alley are permitted one driveway on the above-referenced streets.
 - (B) Any lot which has 150 feet or more in frontage on the above-referenced streets is permitted one driveway for each 150 feet of frontage.
 - (C) Automobile service stations may be permitted one driveway with the approval of a conditional use permit.
 - (D) Lots which front on either Laurel Street, Robinson Avenue or University Avenue and also on either Fourth, Fifth or Sixth Avenues shall be permitted access from Fourth, Fifth or Sixth Avenues.

- (2) For lots in the CN-1 Zone which do not have access to a street or alley other than to University Avenue west of I-805, parking shall not be required and curb cuts shall not be permitted.
- (3) For lots in the central business district of North Park, curb cuts are not permitted on the north side of University Avenue between Utah Street and Iowa Street, nor between Granada Avenue and 31st Street on the south side of University.
- (4) In all MR-3000 and MR-2500 zones, any lot served by an alley must use that alley as its sole means of parking access, except where one existing driveway may be used to provide access to an additional unit.

(b) Sidewalks

- (1) There shall be a distance of at least 10 feet between the curb and the adjacent property line, unless the property is constrained by topography exceeding 25 percent slope or is within designated open space of the adopted community plan. For those property frontages on El Cajon Boulevard or Washington Street, there shall be a distance of at least 14 feet between the curb and the adjacent property line.

Additional right-of-way shall be obtained when redevelopment occurs in those cases where the curb-to-property line distance does not meet the

requirements of this paragraph, but in no case shall the curb-to-property line distance be reduced.

- (2) Notwithstanding the provisions of this section, the design of sidewalks shall be in substantial conformance to the design of sidewalks on adjacent properties, including location, width, elevation, scoring pattern, color and material, to the extent that said design is approved by the City Engineer, unless an alternative is approved through the Administrative Review procedure (Section 1512.0202) or Mid-City Communities Development Permit (Section 1512.0203).

(c) Street Lights

All existing fluted-pole light standards shall be maintained. Minor variations in construction, dimensions and location are permissible if replaced. Specifications described as Type "C" Standard in the Centre City Streetscape Design Manual Technical Supplement (Centre City Development Corporation) shall be consulted for more detail.

§1512.0405 Lighting

- (a) Artificial light used to illuminate the premises shall be directed away from adjacent properties.
- (b) For lots fronting on an alley, artificial lighting shall be provided to illuminate areas adjacent to the alley.

§1512.0406 Screening of Equipment

No utility equipment mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearance similar to the main building.

§1512.0407 Off-street Loading Facilities

- (a) Off-street loading facilities shall be provided for projects in the CN-1A, CN-2A, CV-1 and CV-4 zones.
- (b) Each required off-street loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a vertical clearance of 14 feet, including entrances and exits. All off-street loading areas shall be screened from public view and shall not be used for parking.
- (c) Requirements for 2 or more uses on the same site shall be the sum of the requirements for each use computed separately.

Table 1512-04A
Off-street Loading Spaces Required

Use Classification	Gross Floor Area of Structure or Use (sq. ft.)	Spaces Required
Offices; Banks, and Savings and Loans	0-50,000	0
	over 50,000	0 .1 space per 10,000 sq.ft. or gross floor area
Retail Sales; Eating and Drinking Establishments	0-10,000	0
	10,001-30,000	1

Use Classification	Gross Floor Area of Structure or Use (sq. ft.)	Spaces Required
	30,000-50,000	2
	over 50,000	1 space per 25,000 sq.ft. or gross floor area
Wholesaling, Distribution and Storage; Industry	0-10,000	0
	10,001-50,000	1
	Over 50,000	0 .21 space per 100,000 sq.ft. or gross floor area
Hotels; Multifamily Residential and all other uses not included above	0-100,000	0
	100,001-200,000	1
	200,001-500,000	2
	Over 500,000	3-Plus 1 space for each additional 400,000 sq.ft.

§1512.0408 Signs

(a) All MR Zones

- (1) For each dwelling-unit one nameplate having a maximum area of one square foot shall be permitted.
- (2) One single-faced or double-faced, directional ground sign may be located at each driveway of parking lots. Said directional sign shall not exceed 2 square feet in total face area and 4 feet in height measured vertically from the base at ground level to the apex of the sign.
- (3) One single-faced or double-faced ground sign with a maximum area of 4 square feet offering the premises for sale, rent, or lease may be utilized. Said sign shall not exceed a height of 4 feet measured vertically from the base at ground level to the apex of the sign. Such sign may be located anywhere on the premises.

- (4) Signs permitted herein may be lighted; however, none shall contain visibly moving parts nor be illuminated by flashing lights.
- (5) One single-faced or double-faced ground sign identifying the principal uses of the premises facing or adjacent to each street abutting the property shall be permitted, provided that at least 20 square feet shall be permitted and no such sign shall exceed a height of 8 feet measured vertically from the base at ground level to the apex of the sign.
- (6) The combined total face area of all wall and ground signs designating the permitted uses of the premises, shall not exceed the following:
 - (A) MR-3000 through MR- 800B zones --20 square feet.
 - (B) MR-400 Zone--40 square feet or one-tenth of a square foot for each linear foot of street frontage of the premises, whichever is the smaller area, provided that the sign on any one street frontage need not be less than 8 square feet in area.
- (7) Wall signs as defined in Land Development Code Section 113.0103 may be utilized provided no wall sign projects above the parapet or eaves of the building to which affixed or exceed a height of 12 feet, whichever is lower.

Permanent or changeable copy of each wall or ground sign
may include only on- premises or public interest messages.

- (b) CL-1 and CL-3 Zones. Ground signs constructed along El Cajon Boulevard in accordance with Land Development Code Section 142.1240(a) shall be placed consistent with all setbacks established by map or zone except as specified in this paragraph. Ground signs are not permitted within rear yards or interior side yards. Ground signs placed in whole or in part within a front yard or street side yard are subject to the requirements of the table below. Ground signs placed within a front yard or street side yard are in lieu of, not in addition to, signs permitted by Land Development Code Section 142.1240(a) through (d). For those premises where multiple ground signs are permitted by Land Development Code Section 142.1240(a), ground signs within the required front or street side yard are subject to both the percentage limitation in the table below and the fifty percent limitation of Land Development Code Section 142.1240(d)(3)(A) cumulatively. If a sole occupant elects to combine sign areas as provided in Land Development Code Section 142.1240(d)(3)(B), the combined area of signs within the front or side street yard, is subject to the percentage limitation as shown in Table 1512-04B.

Table 1512-04B
Ground Signs within Front Yard and Street Side Yards

Proximity Right-of-Way (ft)	Max. Area Each Face (%)	Maximum Height (ft)
0' - 10'	33 % of value indicated for Sign Category 'A' In LDC Table 142-12H	5'-0"
10' - 20'	66 % of value indicated for Sign Category 'A' In LDC Table 142-12H	20'-0"

(c) CL-5 Zone

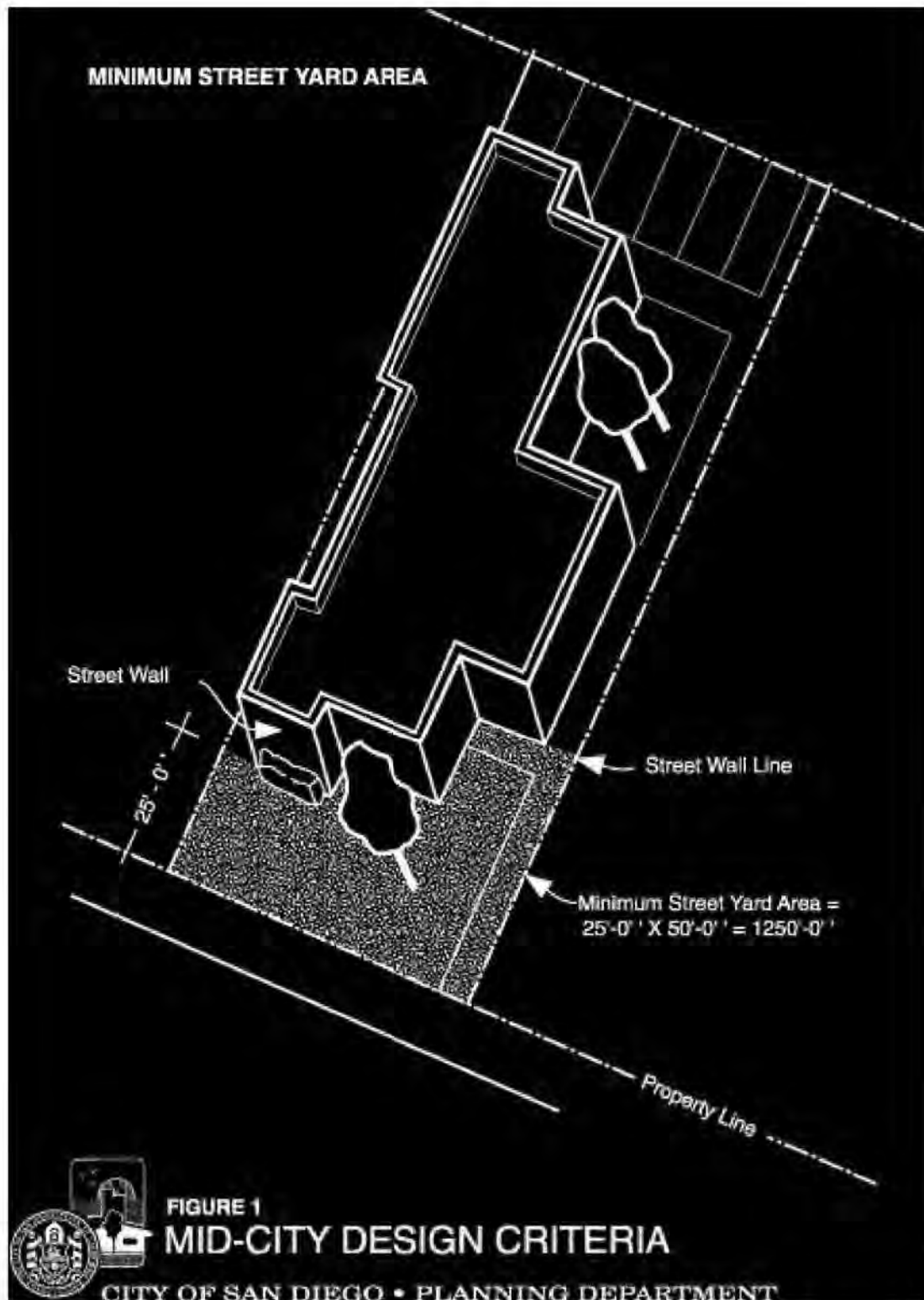
- (1) Wall signs as defined in Land Development Code Section 113.0103 are permitted, provided that no sign projects above the nearest parapet or eave of the building to which affixed.
- (2) Wall signs may be utilized to identify the uses of the premises, to advertise products, services or events related to or provided by businesses, persons or organizations located on the premises, or to display public interest messages.
- (3) The aggregate area of all signs permitted on the premises (excluding signs designating the premises for sale, rent or lease) shall not exceed one-half of a square foot for each linear foot of the street frontage of the premises, provided that the aggregate area of all signs used by a single place of business need not be less than 15 square feet.
- (4) No sign shall exceed 5 feet by 25 feet in maximum dimensions.

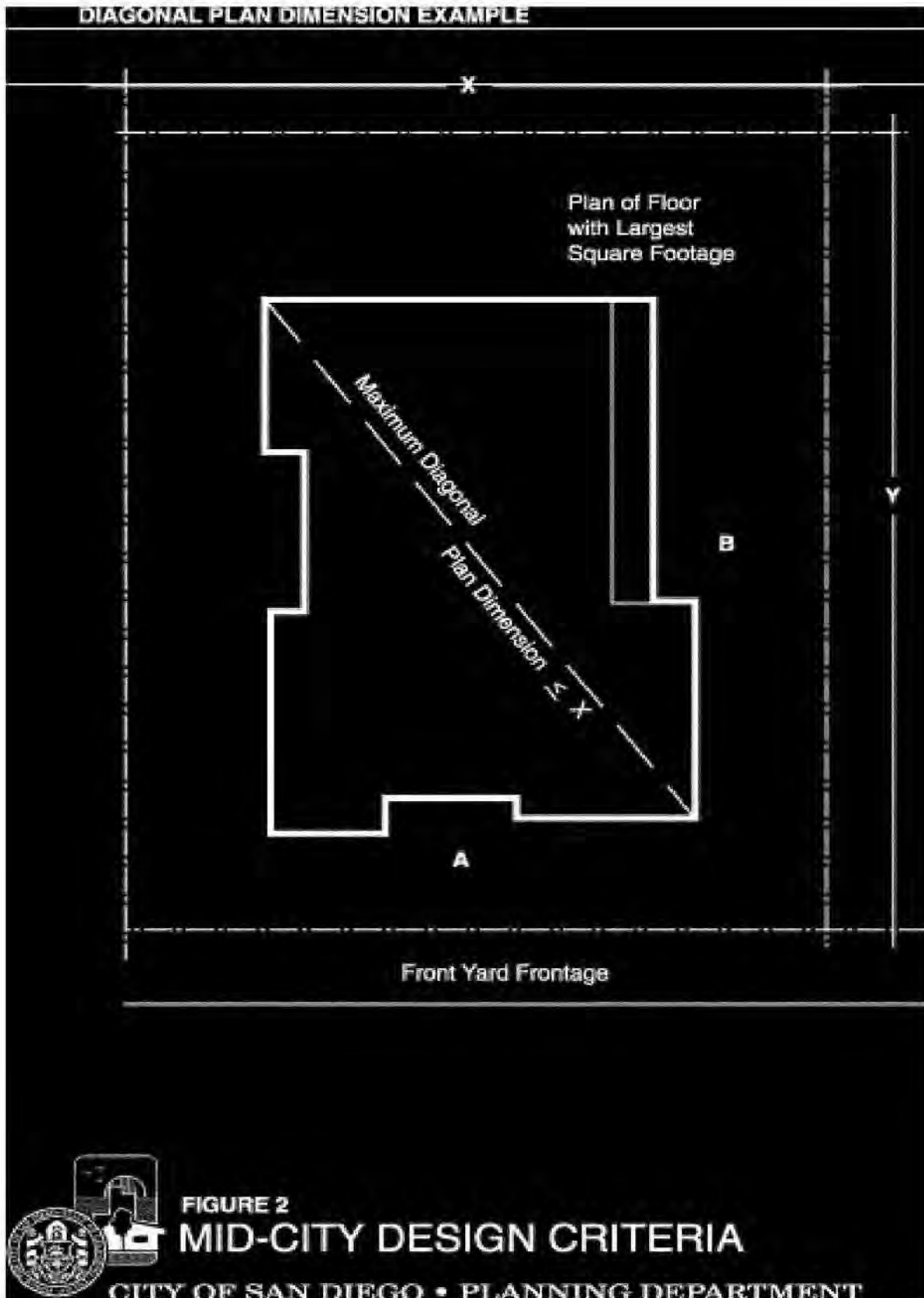
- (5) One wall or ground sign for each street frontage, having a maximum area of 8 square feet, and designating the premises for sale, rent or lease shall be permitted.
 - (6) Signs permitted herein may be lighted; however, none shall contain visibly moving parts to be illuminated by flashing lights. No sign shall be lighted prior to 6:00 a.m. or after 12:00 midnight of any day.
- (d) All NP Zones
 - (1) One sign visible from the exterior of the building shall be permitted fronting each street. The sign for each street frontage shall not exceed 4 feet by 20 feet maximum dimension, nor exceed three tenths of a square foot for each lineal foot of street frontage of the premises, whichever is the lesser area, provided that the sign on any one premises need not be less than 8 square feet in area.
 - (2) Signs shall be attached to but not project more than 16 inches beyond the faces of the building, nor project above the parapet or eaves of the building. Face of signs shall be parallel to the face of the building.
 - (3) Signs may be utilized to identify the uses of the premises, to offer the premises for sale, rent, or lease, to advertise products, services or events related to or provided by

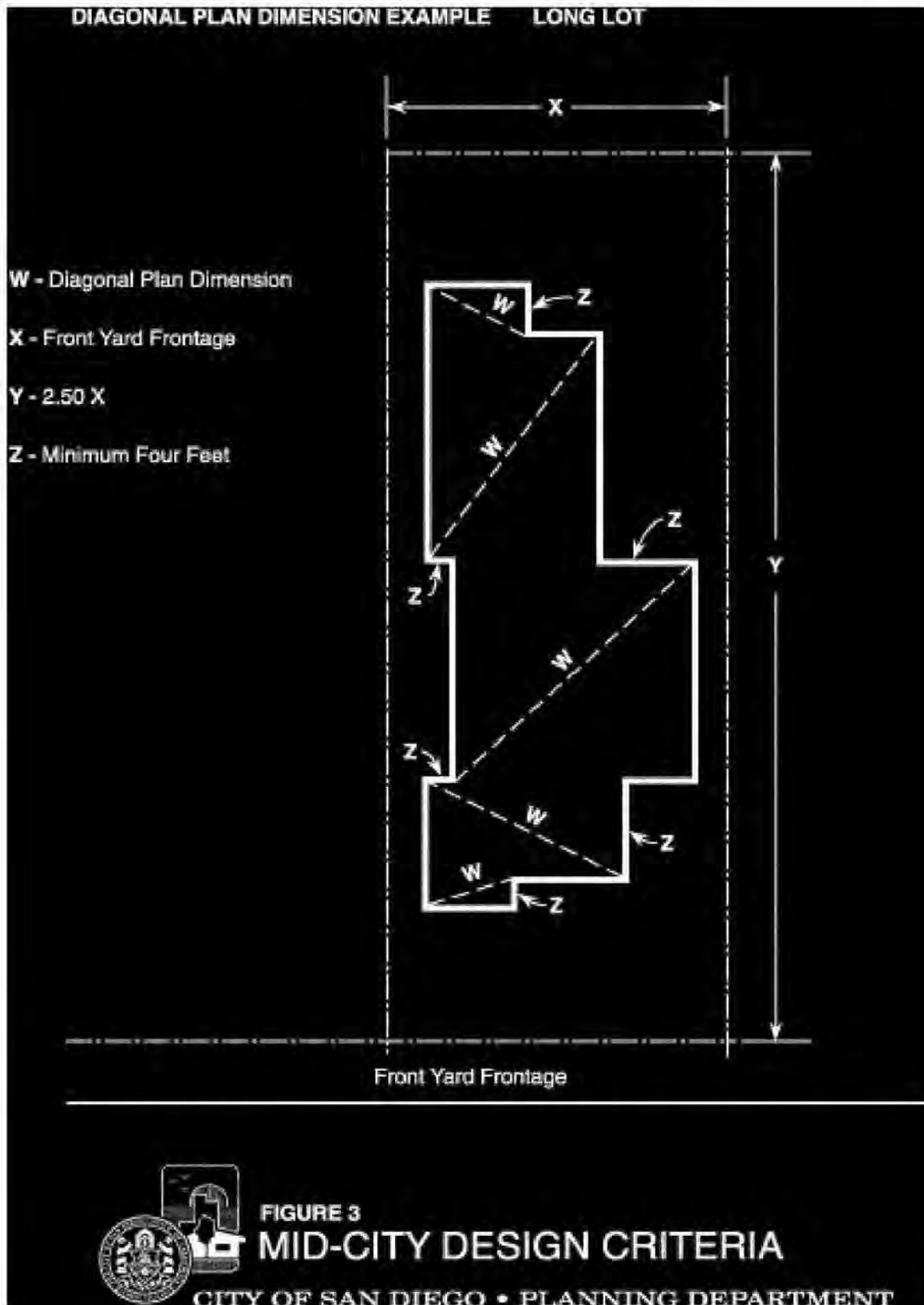
businesses, persons, or organizations located on the premises, or to display public interest messages.

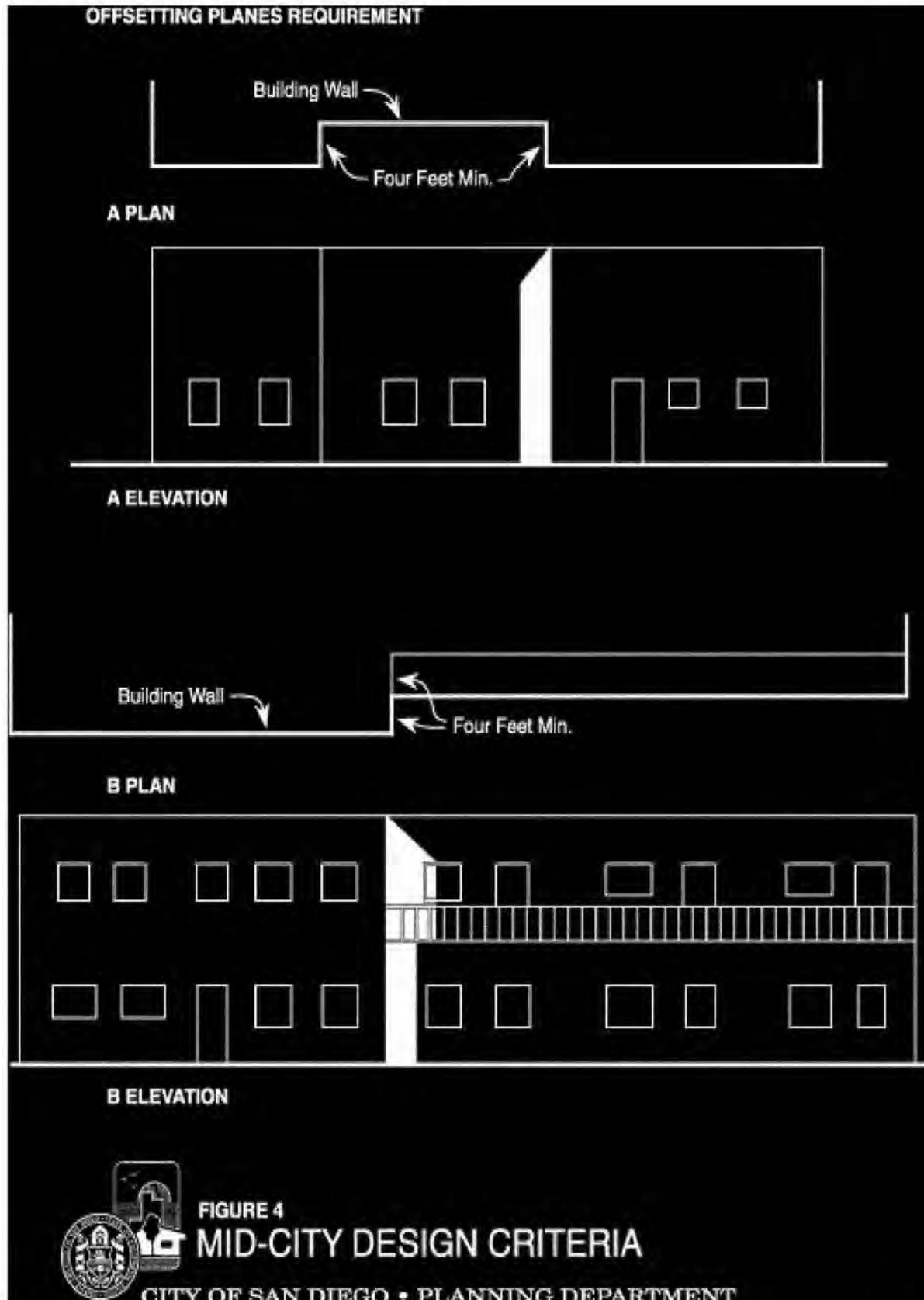
(e) Wall and Roof Signs on Previously Conforming Structures

A previously conforming structure serving permitted uses may have only the same wall and roof signage as would be allowed if the building conformed to all current yard requirements and other development standards.









Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

Section 7. That this activity is not a project and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Shannon M. Thomas
Deputy City Attorney

SMT:als
01/16/07
Or.Dept:DSD
O-2007-79
MMS#3582

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor