

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: June 4, 2015 **REPORT NO.** PC-15-084

ATTENTION: Planning Commission, Agenda of June 11, 2015

SUBJECT: FUSION ACADEMY - PROJECT NO. 405053

OWNER/ FPA Governor Park Associates, LLC, Property Owner
Fusion Academy, Business Owner

APPLICANT: Josh Gibbs, TriVista, Applicant

SUMMARY

Issue: Should the Planning Commission make the determination that the Fusion Academy business falls within the “*Business and Professional*” use subcategory of the Land Development Code?

Staff Recommendation: Make a determination that the Fusion Academy business falls within the “*Business and Professional*” use subcategory and operates like a typical business. Fusion Academy shares operational characteristics with other business models such as a tutoring center or a professional business office.

Environmental Review: This activity is not a “project” and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 1560 (c) (3).

Fiscal Impact Statement: The costs associated with this request are funded by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The interpretation of an appropriate use category and subcategory would not affect provision of housing units.

BACKGROUND

The Fusion Academy business is seeking a determination that its operation is functionally and operationally that of a “*Business and Professional*” use. Fusion Academy & Learning Center is an innovative, one-to-one, fully-accredited school and tutoring facility for students in grades 6-

12. Fusion Academy specializes in helping students who need an alternative to the traditional school model by providing a unique approach to learning and life. All instruction occurs one to one. Rather than requiring students to conform to a one-size-fits-all approach to education, Fusion adapts to each student's individual needs and learning styles using a one-to-one mentoring approach.

Fusion Academy & Learning Center has a unique model: one tutor, one student. In addition to offering a one-to-one student teacher ratio, Fusion Academy offers a flexible, year-round academic schedule designed to meet the demands of students whose needs don't conform to a "traditional" semester calendar. Each student's class schedule is developed on an individual basis, so every student's school day is different. A year-round schedule means students can enroll and begin classes at any time. The one-to-one educational model allows for more rapid progression through course work so that typically a student can accomplish a traditional school year in just six or seven months.

DISCUSSION

Project Description:

Fusion Academy & Learning Center is requesting a determination that their business is more akin to a "Business and Professional" use than a traditional "*Institutional*" "*Educational Facility*".

Although Fusion Academy & Learning Center is a fully accredited school, it operates more like a professional services office or like other tutoring agencies such as Sylvan Learning or Kaplan Tutoring. At each of these facilities, students come to learn, and they learn with a tutor. At Fusion Academy & Learning Center, students meet one-to-one with their tutors/teachers in private offices using a one-to-one mentoring approach.

The office opens with students and teachers starting to arrive between 7:30 and 8:00 am. Fusion Academy offers one to one class sessions from 8:00 am until 9:00 pm. The 26-30 teachers and 26 tutoring offices are busy throughout the entire day, thus spreading the vehicle trips over the course of 13 hours. On average, Fusion Academy has 15 student vehicles in the parking lot at any given time. The rest of the students take public transportation or are picked up and dropped off.

Fusion Academy occupies approximately 7,400 square feet. The physical make up of Fusion Academy includes:

- Reception Area
- Director's Office
- Assistant Director's Office
- Billing Office
- An Outreach Office
- Teacher Workroom Room
- Twenty-five (25) Tutoring Offices

- Two Restrooms
- Two Homework Areas
- A Storage Room

Fusion Academy is a tutoring center, thus it does not have a playground or outdoor area used for recreational activities. Students arrive on campus for classes. When they have completed their classes and homework for the day, they leave. The atmosphere, therefore, is professional and businesslike.

STUDENTS (Information provided by Fusion Academy & Learning Center)

Fusion Academy & Learning Center students have historically been unsuccessful in other academic settings. Students who attend Fusion Academy tend to fall into three main categories:

- 1) Students who are actors/athletes and require a flexible school schedule because of their career and lifestyle;
- 2) Students who are ahead or behind in school and would benefit from an accelerated or more moderately paced schedule; and
- 3) Students who suffer from physical illnesses or social issues that make it difficult for them to be successful in a traditional classroom.

Important to note, however, is that most Fusion Academy students have average to above average intelligence. Many of the students are capable of achieving high levels of academic success given the appropriate support and environment.

5060 SHOREHAM PLACE

In accordance with San Diego Municipal Code Section 131.0110 (a), this is a request for a determination of use for the Fusion Academy & Learning Center. The applicant is seeking to demonstrate that the Fusion Academy & Learning Center functions like a traditional office, and therefore should be considered a "Business and Professional Office" Use for the purpose of zoning. Business and professional office is a permitted use in the IP-2-1 zone, which is the applicable zone for the site located at 5060 Shoreham Place. The applicant provided information describing the proposed type of use, intensity of use, operational and development characteristics, which are consistent with those of a Business and Professional Use.

Furthermore, the Fusion Academy & Learning Center believes that regulating their facilities as a Business and Professional Use would be consistent with the City of San Diego's regulatory approach for similar uses as codified on June 12, 2014, when the Coastal Commission certified the 8th Update (a comprehensive update and regular maintenance of the code adopted by the City Council June 4, 2013). As part of that code update, a similar issue associated with educational facilities (vocational/trade schools and colleges/universities) clarified that educational facilities that function like an office are a permitted use that is allowed by right when certain criteria is met. Specifically existing SDMC Section 141.0407 (c) (2) (D) provides for colleges and universities that provide training and education in a traditional office building without the extracurricular facilities of a traditional post-secondary educational facility to be permitted by right in zones where business and professional office is permitted. The main difference in the applicant's case is that the Fusion Academy & Learning Center students are

enrolled in grades 6-12.

The expectation by the Fusion Academy & Learning Center is that the existing regulatory approach in SDMC Section 141.0407 (c) (2) (D) would be expanded to also allow facilities with students enrolled in grade 6 or higher, subject to the same operational parameters, including the exclusion of such facilities on any premises identified as prime industrial lands per existing SDMC Section 141.0407(e). The proposed development site is not identified as prime industrial lands; therefore, the proposed use at 5060 Shoreham Place would be consistent with the existing operational parameters for such facilities.

The proposed development site at 5060 Shoreham Place is located within the Airport Land Use Compatibility Overlay Zone due to its relative proximity to the MCAS Miramar and Montgomery Field airports. As a result, the proposed development must comply with noise and safety regulations that apply to the 60-70 dB noise exposure range and to the MCAS Miramar Transition Zone (Attachment 6). While traditional K-12 schools are not permitted in the 65-70 dB noise exposure range or in the TZ zone, most commercial and office uses, including tutoring facilities, are permitted by right in this exposure range and in the TZ zone. The applicant has indicated that occupants would not be subject to prolonged high levels of airport noise, that the typical number of occupants on-site is equivalent to that of a typical business and professional office, and that the occupants could be easily evacuated in the event of an aviation accident similar to a professional office. Based on the intensity of the use, the operational parameters and the development characteristics of the Fusion Academy & Learning Center, the proposed development is not expected to have any incompatibility issues related to airport noise exposure or safety hazards. Even with all of the 1:1 classes occupied and the homework area occupied, the maximum intensity of students will not exceed 50 at any given point in time in a location where a maximum of 300 people per acre is considered compatible.

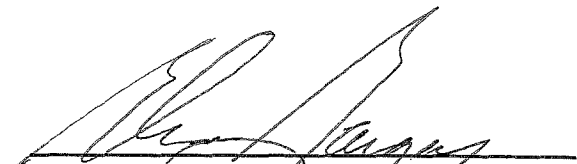
Conclusion:

The Planning Commission should determine whether the Fusion Academy and Learning Center should be classified as a Business and Professional Office use. City staff concurs that operationally and functionally Fusion Academy and Learning Center operates similar to a Business and Professional office use.

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department


Glenn R. Gargas Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Land Development Code (LDC) Chapter 13, Article 1, Division 1, General Rules for

Base Zones

3. LDC Section 141.0407, Educational Facilities
4. LDC Section 131.112 (A)(7)(A), Business and Professional
5. LDC Chapter 13, Article 1, Division 6, Industrial Base Zones
6. MCAS Miramar Airport Land Use Compatibility Plan (ALUCP)
7. Applicant's Analysis – City of San Diego Land Development Code Determination of Use Category
8. 5060 Shoreham Place Floor Plan / Site Plan
9. Ownership Disclosure Statement

Chapter 13: Zones*(Added 12-9-1997 by O-18451 N.S.)***Article 1: Base Zones***(Added 12-9-1997 by O-18451 N.S.)***Division 1: General Rules for Base Zones***(Added 12-9-1997 by O-18451 N.S.)***§131.0101 Purpose of Base Zones**

The purpose of this article is to establish base zones to help ensure that land uses within the City are properly located and that adequate space is provided for each type of *development* identified. Base zones are intended to regulate uses; to minimize the adverse impacts of these uses; to regulate the zone *density* and intensity; to regulate the size of buildings; and to classify, regulate, and address the relationships of uses of land and buildings.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§131.0102 Amendments to Base Zones**

On the effective date of Ordinance O-18691, (January 1, 2000) all zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in Chapter 13, Article 1, Divisions 1 through 6.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§131.0103 Official Zoning Maps**

- (a) Base zones are represented on the Official Zoning Maps to be prepared by the City. The Official Zoning Maps shall be identified as an exhibit accompanying the ordinance that the City Council approves for any zoning or rezoning action. The Official Zoning Maps are the authority for identifying the boundary of any application of a base zone.

- (b) Where uncertainty exists with respect to the boundaries of zones shown on the Official Zoning Maps the following rules shall apply:
- (1) Where a zone boundary follows a *lot* line, the *lot* line shall be the boundary.
 - (2) Where a zone boundary follows a public *street*, the centerline of the *street* shall be the boundary.
 - (3) Where any unzoned *public right-of-way* is officially vacated or abandoned, the zone boundary applied to *abutting property* shall be the centerline of the vacated or abandoned *public right-of-way*.
 - (4) Where a zone boundary divides a *lot* or parcel, the location of the boundary shall be determined by the scale contained on the Official Zoning Map.
 - (5) Where there is an obvious mistake that can be corrected by reference to documents on file or by reference to the legislative record, the City Manager may identify the zone boundary.

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

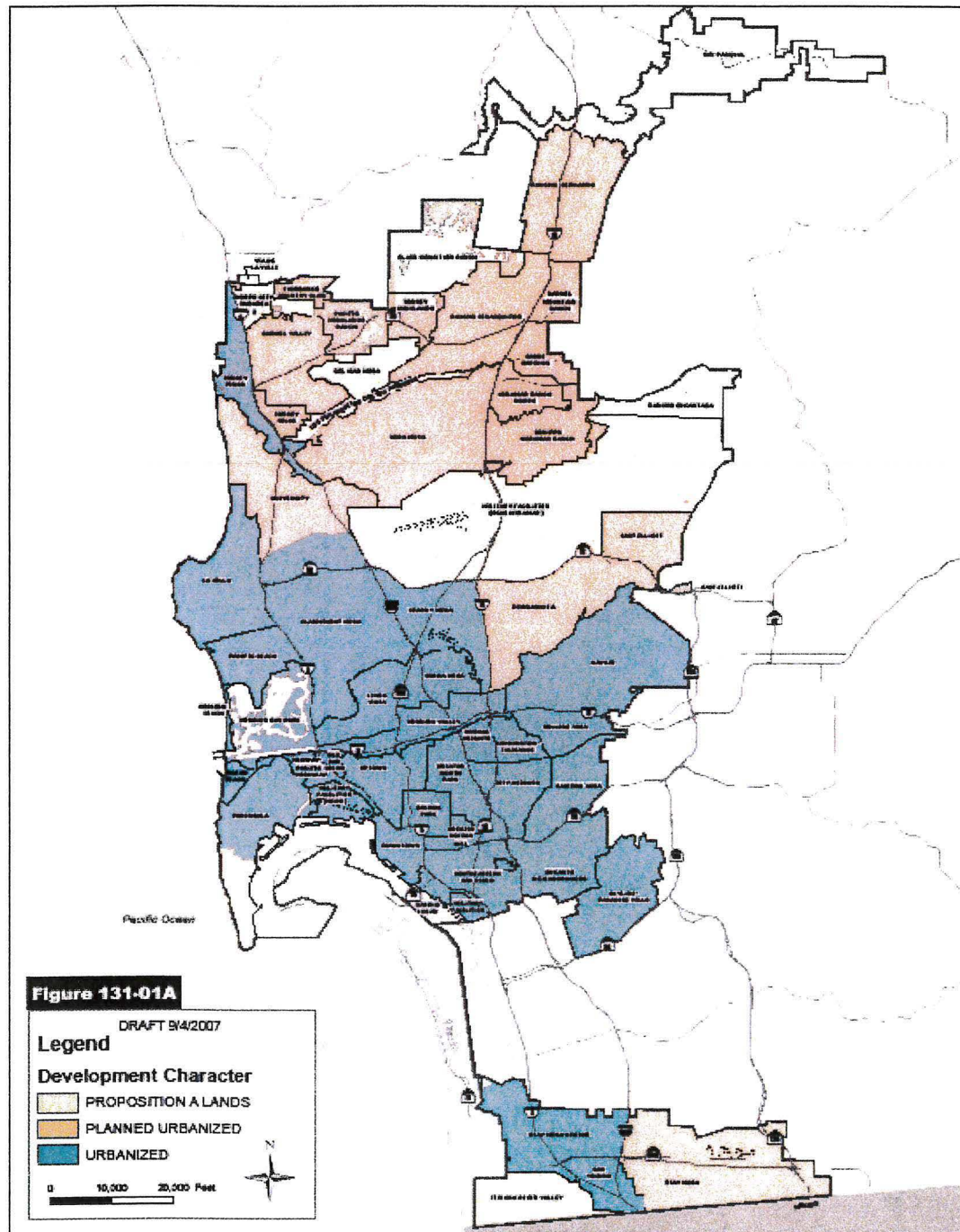
§131.0105 Development Character Areas

Development Character Areas are established to ensure that appropriate *development* regulations are applied to community plan areas based upon their age and geographic location and include *Proposition A Lands*, *Planned Urbanized Communities*, and *Urbanized Communities*. Development Character Area boundaries generally follow community plan area boundaries except in the case of University City, which falls into two Development Character Areas. Development Character Areas are represented on Figure 131-01A.

(Added 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

Development Character Areas

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(Added 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

§131.0110 Determination of Use Category and Subcategory

- (a) A use shall be identified as belonging to a use category and use subcategory based upon the descriptions in Section 131.0112 and the facility needs and operational characteristics of the use including type of use, intensity of use, and *development* characteristics of use. The Use Regulations Tables in the base zones shall be used to determine in which base zones the use is permitted. If a particular use could meet the description of more than one use subcategory, the subcategory with the most direct relationship to the specific use shall apply. The City Manager shall identify a particular uses's category and subcategory upon request of an *applicant* or a property owner.
- (b) If the *applicant* or property owner disputes the City Manager's determination, the City Manager may place the question of the appropriate use category and use subcategory for that particular use on the Planning Commission's agenda. The City Manager shall present the factors used in the determination and the position of the *applicant* or property owner. The Planning Commission shall recommend to the City Manager its interpretation of the appropriate use category or use subcategory for the particular use.
- (c) If an appropriate use category and use subcategory cannot be determined for a specific use by referring to the Use Regulations Tables, an amendment to the Use Regulations Table may be initiated in accordance with Chapter 12, Article 3, Division 1 (Zoning and Rezoning Procedures).

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

§131.0111 Grouping of Use Categories

For the purpose of determining applicable development regulations, use categories shall be grouped according to the following:

- (a) Any use within the open space use category is considered an open space use or open space *development*.
- (b) Any use within the agricultural use category is considered an agricultural use or agricultural *development*.
- (c) Any use within the residential use category is considered a residential use or residential *development*.
- (d) Any use within the institutional, retail sales, commercial services, offices, and vehicle and vehicular equipment sales and services categories is considered a commercial use or commercial *development*.
- (e) Any use within the wholesale, distribution, storage, and industrial categories is considered an industrial use or industrial *development*.

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

§131.0112 Descriptions of Use Categories and Subcategories

- (a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

- (1) Open Space Use Category

This category includes uses that may occur on land that has been identified for public recreational uses or to be left in a generally natural state. The open space subcategories are:

- (A) Active Recreation — Public park facilities that require major land *development* for installation, require a high level of maintenance, and can accommodate large assemblages of people.
- (B) Natural Resources Preservation — Undeveloped land left in a natural state for specific use as visual open space or environmental mitigation.

- (C) Park Maintenance Facilities — Major *structures* or facilities used in conjunction with the maintenance of *public parks*.
- (D) Passive Recreation — Recreational facilities associated with pastimes that are incidental to natural open space. These facilities require minor land *development* for installation, require minimum maintenance, do not attract large assemblages of people, and have little impact on natural open space.

(2) Agriculture Use Category

This category includes uses that involve the raising and harvesting of crops, the raising of animals, and the processing of plant and animal by-products. The agriculture subcategories are:

- (A) Agricultural Processing — Uses related to the processing or preparation of crops, animals, or animal by-products grown or raised on the same *premises* for consumption or transportation to markets.
- (B) Aquaculture Facilities — Uses that grow plants and animals in a water medium, either indoors or outdoors.
- (C) Dairies — Uses related to the milking of livestock and processing milk for consumption or transportation to markets.
- (D) Horticulture Nurseries and Greenhouses — Uses that propagate and grow plants in containers or in the ground and the associated sales of those plants.
- (E) Raising and Harvesting of Crops — Uses that involve the planting, maintaining, and harvesting of crops for consumption or for commercial purposes.
- (F) Raising, Maintaining, and Keeping of Animals — Uses that involve the feeding, housing, and maintenance of animals for private or commercial purposes.

(3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

- (A) *Rooming houses.* Dwellings where rooms are rented, individually or separately, resulting in multiple, independent living units where tenants do not share common access or financial responsibility for use of the *dwelling unit* as a whole. Pursuant to Section 127.0102(d), all *previously conforming rooming houses* shall be unlawful three years from the effective date of Ordinance O-2008-61..
- (B) *Mobilehome Parks* — A *premises* with two or more mobilehomes used as dwelling units other than companion units or employee housing.
- (C) *Multiple Dwelling Units* — Dwelling units where more than one dwelling unit is located on a single *lot*.
- (D) *Single Dwelling Units* — Dwelling units where no more than one dwelling unit is located on a *lot*, usually detached, and occupied by a single household unit.

(4) Institutional Use Category

This category includes uses that provide unique services that are of benefit to society as a whole. All of the uses in this use category are separately regulated uses. See Section 131.0112(b).

(5) Retail Sales Use Category

This category includes uses involving the sale, lease or rental of new or used goods to the general public. The retail sales subcategories are:

- (A) *Building Supplies and Equipment* — Uses that provide goods to repair, maintain, or visually enhance a *structure* or *premises*.
- (B) *Consumer Goods, Furniture, Appliances, and Equipment* — Uses that provide goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics.
- (C) *Food, Beverages, and Groceries* — Uses that provide food for consumption off of the *premises*.
- (D) *Pets and Pet Supplies* — Uses that provide household pets and pet supplies for sale; grooming services.

- (E) Sundries, Pharmaceuticals, and Convenience Sales — Uses that provide goods for personal grooming and for the day-to-day maintenance of personal health and well-being.
- (F) Wearing Apparel and Accessories — Uses that provide goods to cover, protect, or visually enhance the human form.
- (6) Commercial Services Use Category

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

 - (A) Building Services — Uses that provide maintenance and repair services for all structural and mechanical elements of *structures*, as well as the exterior spaces of a *premises*.
 - (B) Business Support — Uses that provide personnel services, printing, copying, and photographic services, or communication services.
 - (C) Eating and Drinking Establishments — Uses that prepare or serve food or beverages for consumption on or off the *premises*.
 - (D) Financial Institutions — Uses related to the exchange, lending, borrowing, and safe-keeping of money.
 - (E) Funeral and Mortuary Services — Uses that provide services related to the death of a human.
 - (F) Instructional Studios - Uses that provide a place where skills including dance, art, and martial arts are taught to individuals or groups. Instructional studios do not include educational facilities.
 - (G) Maintenance and Repair - Uses that provide maintenance, cleaning and repair services for consumer goods.
 - (H) Off-Site Services - Uses that provide for deliveries of a wide variety of products and that provide services that are used at a location separate from the business providing the delivery or service.
 - (I) Personal Services - Uses that provide a variety of services associated with personal grooming and the maintenance of health and well-being.

- (J) Assembly and Entertainment - Uses that provide gathering places for large numbers of people for recreation, physical fitness, entertainment, or other assembly.
- (K) Radio and Television Studios - Uses that provide for the production, recording, and broadcasting of radio and television shows and motion pictures.
- (L) Visitor Accommodations - Uses that provide lodging, or a combination of lodging, food, and entertainment, primarily to visitors and tourists. (Outside the Coastal Overlay Zone, includes *single room occupancy hotels*.)

(7) Office Use Category

This category includes uses in an enclosed building that focus on business, government, professional, medical, or financial services. The offices subcategories are:

- (A) Business and Professional — Uses related to earning a livelihood through a commercial or mercantile endeavor or through the practice of a vocation requiring specialized training or education.
- (B) Government — Uses related to the administration of the regulations of local, state, or federal government.
- (C) Medical, Dental, and Health Practitioner — Uses related to diagnosis and treatment of human illness and physical malfunction that can be performed in an office setting. Medical and dental laboratories are included in this subcategory, unless otherwise indicated.
- (D) Regional and Corporate Headquarters — Uses related to the administration of large or geographically widespread businesses that may be located separately from the main activity of those businesses.

(8) Vehicle and Vehicular Equipment Sales and Services Use Category

This category includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment. The Vehicle and vehicular equipment sales and services subcategories are:

- (A) Commercial Vehicle Repair and Maintenance — Uses that repair and maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats.
 - (B) Commercial Vehicle Sales and Rentals — Uses that provide for the sale or rental of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats.
 - (C) Personal Vehicle Repair and Maintenance — Uses that repair the mechanical components or the bodies of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats or that wash, clean, or otherwise protect the exterior and interior surfaces of these vehicles.
 - (D) Personal Vehicle Sales and Rentals — Uses that provide for the sale or rental of new or used autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats.
 - (E) Vehicle Equipment and Supplies Sales and Rentals — Uses related to the sale, lease, or rental of new or used parts, tools, or supplies for the purpose of repairing or maintaining vehicles, including distribution of products from the same *premises* that sells, leases, or rents them.
- (9) Wholesale, Distribution, Storage Use Category
- This category includes uses that provide and distribute goods in large quantities, especially to retail sales establishments. Long-term and short-term storage of commercial goods and personal items is included. The wholesale, distribution, storage subcategories are:
- (A) Equipment and Materials Storage Yards — Uses related to outdoor storage of large equipment or products or large quantities of materials.
 - (B) Moving and Storage Facilities — Uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary storage of those same items.
 - (C) Warehouse — Uses engaged in long-term and short-term storage of goods in bulk as well as storage by individuals in separate storage compartments.

- (D) Wholesale Distribution — Uses engaged in the bulk storage and distribution of goods. Wholesale showrooms are also included.

(10) Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The industrial subcategories are:

- (A) Heavy Manufacturing — Uses that process or treat materials for the fabrication of large base-sector products. Assembly of large equipment and machines is included in this subcategory as well as manufacturing uses that typically produce noise, dust, or other pollutants capable of harming or annoying adjacent uses.
- (B) Light Manufacturing — Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive or petroleum materials. (This subcategory does not include the assembly of large equipment and machinery.)
- (C) Marine Industry — Uses that produce, distribute, and store commercial marine vessels and equipment.
- (D) Research and Development — Uses engaged in scientific research and testing leading to the development of new products and processes.
- (E) Trucking and Transportation Terminals — Uses engaged in the dispatching and long-term or short-term storage of large vehicles. Minor repair and maintenance of vehicles stored on the *premises* is also included.

(11) Signs Use Category

This category includes all *structures* that provide identification of businesses, products, services, or sites. The *sign* subcategory is: Allowable Signs — *Structures* that are placed on the ground, or on *building facades* or roofs, whose *sign copy* identifies a business, a *premises*, activities on a *premises*, or direction to a *premises*. See Section 142.1205.

- (b) Separately regulated uses are uses that may or may not meet the description of a use subcategory but are listed separately from any subcategory because in some or all zones they are regulated differently from other uses. Each use category contains a list of separately regulated uses, some of which may meet the description of a use subcategory within the same or another category. The use regulations identified for the separately regulated use shall supersede the use regulations for the use subcategory that may match the particular use.

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

(Amended 4-23-2008 by O-19739 N.S.; effective 5-23-2008.)

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

§131.0120 Applicable Overlay Zones in Base Zones

In addition to the regulations of the base zones applied to property as described in this article, overlay zone regulations may also apply. Overlay zone regulations are located in Chapter 13, Article 2.

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

§131.0121 Applicable Planned Districts Using Base Zones

In addition to the regulations of the base zones applied to property as described in this article, planned district regulations may also apply. Applicable planned district regulations are located in Chapter 15, Article 2.

(Amended 10-2-2000 by O-18853 N.S.)

§131.0125 Accessory Use Regulations for All Base Zones

- (a) When the Use Regulations Table in any base zone identifies a use as a limited use or requiring a Neighborhood Use Permit or Conditional Use Permit, that use shall be subject to the same use regulations and use permit requirements whether or not the use is deemed a *primary use* or an *accessory use* on the premises.

- (b) A use that belongs in a subcategory where the subcategory is identified as not permitted in a particular base zone may be permitted as an *accessory use* in that zone, subject to all of the following requirements:
 - (1) The use must meet the definition of an *accessory use*, as specified in Section 113.0103;
 - (2) The use must be consistent with any use and development regulations applicable to that use in any other base zone in the same type of zone (open space, agricultural, residential, commercial, or industrial);
 - (3) The *floor area* of a single *accessory use* shall not exceed 25 percent of the *gross floor area* of the *structures* on the *premises*;
 - (4) At least 51 percent of the *gross floor area* on the *premises* shall be occupied by a *primary use* or combination of multiple allowed uses;
 - (5) When a *premises* contains multiple tenants, the determination of *accessory use* shall be based on the *gross floor area* of the individual tenant.
- (c) A separately regulated use that is identified as not permitted in a particular zone is not permitted as an *accessory use* in that zone.

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

§131.0140 Use of Yards and Landscaped Areas in All Base Zones

The following regulations are related to other development regulations that are addressed in the Development Regulations Tables in each of the base zones and are applicable to all base zones. Except as specified by the applicable zone, *yards* and *landscaped areas* may be used only for the following items and purposes:

- (a) Living Landscape Material.
- (b) Incidental passage and use by occupants.
- (c) Landscape elements, constructed and installed to complement living landscape material, and not exceeding a height of 3 feet within front and street side yards.
- (d) *Fences* and walls as permitted in Chapter 14, Article 2, Division 3 (Fence Regulations).

- (e) Directional and other notification *signs* as permitted in Chapter 14, Article 2, Division 12 (Sign Regulations).
- (f) Walkways and paved driveways consistent with zone standards and applicable parking and landscape regulations.
- (g) Items that the City Manager may determine to be necessary to accommodate a temporary period of construction, site modification, or equipment change, when there is evidence of frequent and diligent physical effort to complete work.
- (h) Parking in accordance with Section 142.0510.
- (i) Storage of items when *screened* in accordance with Chapter 14, Article 2, Division 11 (Outdoor Storage and Display Regulations).

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

§131.0145 Applicability of Chapter 14 Regulations

The following regulations in Chapter 14 apply to *development* in all base zones:

General Development Regulations (Chapter 14, Article 2)

Supplemental Development Regulations (Chapter 14, Article 3)

Subdivision Regulations (Chapter 14, Article 4)

Building Regulations (Chapter 14, Article 5)

Electrical Regulations (Chapter 14, Article 6)

Plumbing Regulations (Chapter 14, Article 7)

Mechanical Regulations (Chapter 14, Article 8)

(“Applicability of Chapter 14 Regulations” added 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

§141.0407 Educational Facilities--Schools for Kindergarten to Grade 12, Colleges/Universities, and Vocational/Trade Schools

Educational facilities are facilities that are designed or used to provide specialized training or education. This section distinguishes between kindergarten to grade 12 schools, colleges and universities, and vocational schools and trade schools.

Educational facilities are permitted by right in zones indicated with a "P", as a limited use in the zones indicated with an "L", and may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Permanent *development* associated with educational facilities is not permitted in agricultural zones in *Proposition A Lands* or within *floodplains* located in the Coastal Overlay Zone.
- (b) Schools for Kindergarten to Grade 12
 - (1) This use category applies to schools that provide instruction to children enrolled in any grade kindergarten to grade 12.
 - (2) Schools for kindergarten to grade 12 are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*.
 - (3) Conditional use regulations. Schools for kindergarten to grade 12 are permitted as conditional uses in zones indicated by a "C" subject to the following:
 - (A) The *applicant* shall provide a master development plan that includes the following:
 - (i) The student capacity of the campus;
 - (ii) The size, number, and location of all proposed facilities;
 - (iii) The pedestrian and traffic circulation systems proposed for the site;
 - (iv) A transportation and parking development program; and
 - (v) A *development* phasing schedule.
 - (B) The design of the *structures* shall incorporate architectural elements that help to diminish building bulk.

- (C) Larger *structures*, areas with high levels of activity, and parking areas shall be located on the site away from surrounding *development* that is smaller in scale or less intense.
- (D) Off-street parking shall be provided in accordance with Table 142-05G.

(c) Colleges/Universities

- (1) Colleges and universities are facilities that provide post secondary education or higher in a campus setting where the campus typically has at least one of the following accessory activities or facilities: intercollegiate athletics, fraternities and sororities, student clubs, student unions, student dormitories, a campus library, or other campus facilities to accommodate a large assembly of people.
- (2) Conditional use regulations. Colleges and universities are permitted as conditional uses in zones indicated by a "C" subject to the following:
 - (A) Colleges and universities are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*, except as otherwise allowed in accordance with Section 141.0407(e).
 - (B) Colleges and universities are subject to the conditional use criteria applicable to schools for kindergarten to grade 12 in Section 141.0407(b)(3).
 - (C) Access to colleges and universities shall be as direct as possible from *freeways* and primary arterials and shall avoid residential *streets*.
 - (D) Colleges and universities that provide education in a traditional office building without any extracurricular facilities of a traditional post secondary educational facility are permitted by right where business and professional offices are permitted uses in zones indicated with a "P". However, this type of educational facility is not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*, except as otherwise allowed in accordance with Section 141.0407(e).

(d) Vocational and Trade Schools

- (1) Vocational schools are facilities that offer instruction and practical introductory experience in skilled trades such as mechanics, carpentry, plumbing, or construction with training that emphasizes the skills and knowledge needed for a particular job. Trade schools are facilities organized by an industry or a large corporation to provide training, apprentice education, and similar courses.

- (2) Limited use regulations. Vocational schools and trade schools are permitted as limited uses in zones indicated by an "L" subject to the following:
 - (A) Vocational schools and trade schools are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*, except as otherwise allowed in accordance with Section 141.0407(e).
 - (B) Off-street parking shall be provided in accordance with Table 142-05G.
- (e) Educational Facilities on Prime Industrial Land
 - (1) Schools for kindergarten to grade 12 are not permitted on a *premises* identified as Prime Industrial Land in a *land use plan*.
 - (2) Educational facilities that are limited to the instruction of adults may be permitted on a *premises* identified as Prime Industrial Land in a *land use plan* if:
 - (A) The primary emphasis of the educational facility is instruction in subjects incidental to manufacturing and industrial uses; or
 - (B) A Process Two Neighborhood Development Permit is granted in accordance with Section 126.0402 for a proposed educational facility that would be located in an existing office building that is not suitable for manufacturing or research and development due to the lack of loading docks/roll up doors and insufficient height clearance on the first floor (floor to ceiling height less than 14 feet).

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

(Amended 4-8-2008 by O-19734 N.S.; effective 5-8-2008.)

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

(Amended 11-16-2012 by O-20216 N.S.; effective 12-16-2012.)

(Retitled to "Educational Facilities--Schools for Kindergarten to Grade 12, Colleges/Universities, and Vocational/Trade Schools" and amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

- (J) Assembly and Entertainment - Uses that provide gathering places for large numbers of people for recreation, physical fitness, entertainment, or other assembly.
 - (K) Radio and Television Studios - Uses that provide for the production, recording, and broadcasting of radio and television shows and motion pictures.
 - (L) Visitor Accommodations - Uses that provide lodging, or a combination of lodging, food, and entertainment, primarily to visitors and tourists. (Outside the Coastal Overlay Zone, includes *single room occupancy hotels*.)
- (7) Office Use Category

This category includes uses in an enclosed building that focus on business, government, professional, medical, or financial services. The offices subcategories are:

- (A) ~~Business and Professional~~ — Uses related to earning a livelihood through a commercial or mercantile endeavor or through the practice of a vocation requiring specialized training or education.
 - (B) Government — Uses related to the administration of the regulations of local, state, or federal government.
 - (C) Medical, Dental, and Health Practitioner — Uses related to diagnosis and treatment of human illness and physical malfunction that can be performed in an office setting. Medical and dental laboratories are included in this subcategory, unless otherwise indicated.
 - (D) Regional and Corporate Headquarters — Uses related to the administration of large or geographically widespread businesses that may be located separately from the main activity of those businesses.
- (8) Vehicle and Vehicular Equipment Sales and Services Use Category

This category includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment. The Vehicle and vehicular equipment sales and services subcategories are:

Article 1: Base Zones**Division 6: Industrial Base Zones***(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§131.0601 Purpose of Industrial Zones**

The purpose of the industrial zones is to accommodate a range of industrial and manufacturing activities in designated areas to promote a balanced land use and ide flexibility in the design of new and redeveloped industrial projects while assuring high quality *development* and to protect land for industrial uses and limit nonindustrial uses.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§131.0602 Purpose of the IP (Industrial--Park) Zones**

- (a) The purpose of the IP zones is to provide for high quality science and business park *development*. The property *development* standards of this zone are intended to create a campus-like environment characterized by comprehensive site design and substantial landscaping. Restrictions on permitted uses and *signs* are provided to minimize commercial influence.
- (b) The IP zones are differentiated based on the uses allowed as follows:
- IP-1-1 allows research and development uses with some limited manufacturing
 - IP-2-1 allows a mix of light industrial and office uses
 - IP-3-1 allows for research and development, office, and residential uses.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)**(Amended 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)*

§131.0603 Purpose of the IL (Industrial--Light) Zones

- (a) The purpose of the IL zones is to provide for a wide range of manufacturing and distribution activities. The *development* standards of this zone are intended to encourage sound industrial *development* by providing an attractive environment free from adverse impacts associated with some heavy industrial uses. The IL zones are intended to permit a range of uses, including nonindustrial uses in some instances.
- (b) The IL zones are differentiated based on the uses allowed as follows:
- IL-1-1 allows primarily light industrial uses
 - IL-2-1 allows a mix of light industrial and office uses with limited commercial
 - IL-3-1 allows a mix of light industrial, office, and commercial uses

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

§131.0604 Purpose of the IH (Industrial--Heavy) Zones

- (a) The purpose of the IH zones is to provide space for land-intensive industrial activities emphasizing base-sector manufacturing. The IH zones are intended to promote efficient industrial land use with minimal *development* standards, while providing proper safeguards for adjoining properties and the community in general. It is the intent of these zones to limit the presence of nonindustrial uses in order to preserve land that is appropriate for large-scale industrial users.
- (b) The IH zones are differentiated based on the uses allowed as follows:
- IH-1-1 allows primarily manufacturing uses
 - IH-2-1 allows manufacturing uses with some office

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

§131.0605 Purpose of the IS (Industrial--Small Lot) Zone

The purpose of the IS zone is to provide for small-scale industrial activities within urbanized areas. It is intended that the IS zones permit a wide range of industrial and nonindustrial land uses to promote economic vitality and a neighborhood scale in *development*. The property development regulations of the IS zone are intended to accommodate the *development* of small and medium sized industrial and commercial activities by providing reduced lot area, landscaping, and parking requirements.

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

§131.0606 Purpose of the IBT (International--Business and Trade) Zone

The purpose of the IBT zone is to provide for a wide variety of base sector industrial and office uses. It is intended to apply in portions of communities adjacent to the international border, other ports of entry, and areas in transition to higher intensity industries.

("Purpose of the IBT (International--Business and Trade) Zone" added 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)

§131.0615 Where Industrial Zones Apply

On the effective date of Ordinance O-18691, all industrial zones that were established in Municipal Code Chapter 10, Article 1, Division 4 were amended and replaced with the base zones established in this division.

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

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

§131.0620 Use Regulations of Industrial Zones

The regulations of Section 131.0622 apply in the industrial zones where indicated in Table 131-06B.

- (a) The uses permitted in any industrial zone may be further limited by the following:
- (1) Section 131.0623 (Additional Use Regulations of Industrial Zones);
 - (2) Use limitations applicable to the Airport Land Use Compatibility Overlay Zone (Chapter 13, Article 2, Division 15);
 - (3) Use limitations applicable to Prime Industrial Land identified in an adopted *land use plan*;
 - (4) The presence of *environmentally sensitive lands*, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations); or
 - (5) Any other applicable provision of the San Diego Municipal Code..

- (b) Within the industrial zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-06B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section and Section 131.0622.
- (c) All uses or activities permitted in the industrial zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (d) *Accessory uses* in the industrial zones may be permitted in accordance with Section 131.0125.
- (e) Temporary uses may be permitted in the industrial zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (f) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

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

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

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

§131.0622 Use Regulations Table for Industrial Zones

The uses allowed in the industrial zones are shown in Table 131-06B.

Legend for Table 131-06B

| Symbol in Table 131-06B | Description of Symbol |
|------------------------------------|--|
| P | Use or use category is permitted. Regulations pertaining to a specific use may be referenced. |
| L | Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| N | Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| C | Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| - | Use or use category is not permitted. |

Table 131-06B
Use Regulations Table for Industrial Zones

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|-------|----|-------------------|-----|----|----|-----|----|-----|------|
| | 1st & 2nd >> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Open Space | | | | | | | | | | | |
| Active Recreation | | P | P | P | - | P | P | - | P | P | - |
| Passive Recreation | | P | P | P | - | - | - | - | - | - | - |
| Natural Resources Preservation | | - | - | - | - | - | - | - | - | - | - |
| Park Maintenance Facilities | | - | - | - | - | - | - | - | - | - | - |
| Agriculture | | | | | | | | | | | |
| Agricultural Processing | | - | - | - | - | - | - | - | - | - | - |
| Aquaculture Facilities | | - | - | - | P | P | P | P | P | P | - |
| Dairies | | - | - | - | - | - | - | - | - | - | - |
| Horticulture Nurseries & Greenhouses | | - | - | - | P | - | P | P | P | - | - |
| Raising & Harvesting of Crops | | - | - | - | P | - | P | P | P | - | - |
| Raising, Maintaining & Keeping of Animals | | - | - | - | - | - | - | - | - | - | - |
| Separately Regulated Agriculture Uses | | | | | | | | | | | |
| Agricultural Equipment Repair Shops | | - | - | - | P | P | P | P | P | P | - |
| Commercial Stables | | - | - | - | - | - | - | - | - | - | - |
| Community Gardens | | - | - | - | N | N | N | N | N | N | - |
| Equestrian Show & Exhibition Facilities | | - | - | - | - | - | - | - | - | - | - |
| Open Air Markets for the Sale of Agriculture-related Products & Flowers | | - | - | - | - | - | - | - | - | - | - |
| Residential | | | | | | | | | | | |
| Mobilehome Parks | | - | - | - | - | - | - | - | - | - | - |
| Multiple Dwelling Units | | - | - | P ⁽¹⁷⁾ | - | - | - | - | - | - | - |
| Rooming House [See Section 131.0112(a)(3)(A)] | | - | - | - | - | - | - | - | - | - | - |
| Single Dwelling Units | | - | - | - | - | - | - | - | - | - | - |
| Separately Regulated Residential Uses | | | | | | | | | | | |
| Boarder & Lodger Accommodations | | - | - | - | - | - | - | - | - | - | - |
| Companion Units | | - | - | - | - | - | - | - | - | - | - |
| Employee Housing: | | | | | | | | | | | |
| 6 or Fewer Employees | | - | - | - | - | - | - | - | - | - | - |
| 12 or Fewer Employees | | - | - | - | - | - | - | - | - | - | - |
| Greater than 12 Employees | | - | - | - | - | - | - | - | - | - | - |
| Fraternities, Sororities and Student Dormitories | | - | - | - | - | - | - | - | - | - | - |
| Garage, Yard, & Estate Sales | | - | - | - | - | - | - | - | - | - | - |
| Guest Quarters | | - | - | - | - | - | - | - | - | - | - |
| Home Occupations | | - | - | L | - | - | - | - | - | - | - |
| Housing for Senior Citizens | | - | - | L | - | - | - | - | - | - | - |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|-------|----|----|-----|----------------------|-------------------|-----|----|----------------------|------|
| | 1st & 2nd >> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Live/Work Quarters | | - | - | - | - | - | - | - | - | L | - |
| Residential Care Facilities: | | | | | | | | | | | |
| 6 or Fewer Persons | | - | - | L | - | - | - | - | - | - | - |
| 7 or More Persons | | - | - | L | - | - | - | - | - | - | - |
| Transitional Housing: | | | | | | | | | | | |
| 6 or Fewer Persons | | - | - | L | - | - | - | - | - | - | - |
| 7 or More Persons | | - | - | C | - | - | - | - | - | - | - |
| Watchkeeper Quarters | | L | L | L | L | L | L | L | L | L | L |
| Institutional | | | | | | | | | | | |
| Churches & Places of Religious Assembly | | - | - | - | - | P ^(11,16) | P ⁽¹⁶⁾ | - | - | P ^(12,16) | - |
| Separately Regulated Institutional Uses | | | | | | | | | | | |
| Airports | | C | C | C | C | C | C | C | C | C | C |
| Botanical Gardens & Arboretums | | - | - | - | - | - | - | - | - | - | - |
| Cemeteries, Mausoleums, Crematories | | C | C | C | C | C | C | C | C | C | - |
| Correctional Placement Centers | | C | C | C | C | C | C | C | C | C | - |
| Educational Facilities: | | | | | | | | | | | |
| Kindergarten through Grade 12 | | - | C | - | - | C | C | - | - | C | - |
| Colleges / Universities | | C | C | C | - | C | C | - | C | C | C |
| Vocational / Trade School | | - | - | - | - | L | L | - | L | L | L |
| Energy Generation & Distribution Facilities | | C | C | C | P | C | P | P | P | C | - |
| Exhibit Halls & Convention Facilities | | - | C | - | C | C | C | C | C | C | C |
| Flood Control Facilities | | L | L | L | L | L | L | L | L | L | L |
| Historical Buildings Used for Purposes Not Otherwise Allowed | | C | C | C | C | C | C | C | C | C | C |
| Homeless Facilities: | | | | | | | | | | | |
| Congregate Meal Facilities | | - | C | - | - | C | C | - | C | C | - |
| Emergency Shelters | | - | C | - | - | C | C | - | C | C | - |
| Homeless Day Centers | | - | C | - | - | C | C | - | C | C | - |
| Hospitals, Intermediate Care Facilities & Nursing Facilities | | C | C | C | - | C | C | - | C | C | - |
| Interpretive Centers | | - | - | - | - | - | - | - | - | - | - |
| Museums | | - | - | - | - | - | - | - | - | - | - |
| Major Transmission, Relay, or Communications Switching Stations | | C | C | C | C | C | C | P | C | C | C |
| Satellite Antennas | | L | L | L | L | L | L | L | L | L | L |
| Social Service Institutions | | C | C | C | C | C | C | - | - | C | - |
| Wireless communication facility: | | | | | | | | | | | |
| Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a non-residential use | | L | L | L | L | L | L | L | L | L | L |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|-------|---------------------|---------------------|---------------------|----------------------|---------------------|---------------------|---------------------|----------------------|------------------|
| | 1st & 2nd >> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| <i>Wireless communication facility in the public right-of-way with subterranean equipment adjacent to a residential use</i> | | N | N | N | N | N | N | N | N | N | N |
| <i>Wireless communication facility in the public right-of-way with above ground equipment</i> | | C | C | C | C | C | C | C | C | C | C |
| <i>Wireless communication facility outside the public right-of-way</i> | | L | L | L | L | L | L | L | L | L | L |
| Retail Sales | | | | | | | | | | | |
| Building Supplies & Equipment | | - | - | - | P ^(6,15) | P ⁽¹⁵⁾ | P ⁽¹⁵⁾ | - | P ^(6,15) | P ⁽¹⁵⁾ | - |
| Food, Beverages and Groceries | | - | - | - | - | - | P ⁽¹⁵⁾ | - | - | - | - |
| Consumer Goods, Furniture, Appliances, Equipment | | - | - | - | - | P ^(2,15) | P ⁽¹⁵⁾ | - | - | P ^(3,15) | - |
| Pets & Pet Supplies | | - | - | - | - | - | P ⁽¹⁵⁾ | - | - | - | - |
| Sundries, Pharmaceuticals, & Convenience Sales | | - | P ^(5,15) | P ^(5,15) | P ^(5,15) | P ^(5,15) | P ⁽¹⁵⁾ | P ^(5,15) | P ^(5,15) | P ^(4,15) | - |
| Wearing Apparel & Accessories | | - | - | - | - | P ^(3,15) | P ^(3,15) | - | - | P ^(3,15) | - |
| Separately Regulated Retail Sales Uses | | | | | | | | | | | |
| Agriculture Related Supplies & Equipment | | - | - | - | - | P | P | P | P | P | - |
| Alcoholic Beverage Outlets | | - | - | - | - | - | L | - | - | - | - |
| Farmers' Markets | | | | | | | | | | | |
| Weekly Farmers' Market | | - | - | - | - | - | L | - | - | - | - |
| Daily Farmers' Market Stands | | - | - | - | - | - | L | - | - | - | - |
| Plant Nurseries | | - | - | - | - | - | P | - | P | P | - |
| Retail Farms | | - | - | - | - | - | L | - | - | - | - |
| Swap Meets & Other Large Outdoor Retail Facilities | | - | - | - | C | C | C | C | C | C | - |
| Commercial Services | | | | | | | | | | | |
| Building Services | | - | - | - | P | P | P | - | P | P | P |
| Business Support | | - | P ⁽⁸⁾ | P ⁽⁸⁾ | P ⁽⁸⁾ | P | P | - | P ⁽⁸⁾ | P | P ⁽⁸⁾ |
| Eating & Drinking Establishments | | - | P ⁽⁷⁾ | P ⁽⁷⁾ | P ⁽⁷⁾ | P ⁽⁷⁾ | P | - | P ⁽⁷⁾ | P ⁽⁴⁾ | P ⁽⁷⁾ |
| Financial Institutions | | - | P | - | - | P | P | - | - | P | P |
| Funeral & Mortuary Services | | - | - | - | - | P | P | - | P | - | - |
| Instructional Studios | | - | - | - | - | - | P ⁽¹⁶⁾ | - | - | - | - |
| Maintenance & Repair | | - | - | - | P | P | P | - | - | P | P |
| Off-site Services | | - | P | - | P | P | P | - | P | P | P |
| Personal Services | | - | - | - | - | P ⁽⁹⁾ | P ⁽⁹⁾ | - | - | - | - |
| Assembly & Entertainment | | - | - | - | - | P ^(11,16) | P ⁽¹⁶⁾ | - | - | P ^(12,16) | - |
| Radio & Television Studios | | - | P | - | P | P | P | - | P | P | P |
| Visitor Accommodations | | - | - | - | - | - | - | - | - | - | - |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|--------------|----|----|-----|----|----|-----|----|-----|------|
| | | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | | 1st & 2nd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- |
| | | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Separately Regulated Commercial Services Uses | | | | | | | | | | | |
| Adult Entertainment Establishments: | | | | | | | | | | | |
| Adult Book Store | | - | - | - | - | L | L | - | L | L | - |
| Adult Cabaret | | - | - | - | - | - | L | - | - | - | - |
| Adult Drive-in Theater | | - | - | - | - | L | L | - | - | - | - |
| Adult Mini-Motion Picture Theater | | - | - | - | - | L | L | - | - | L | - |
| Adult Model Studio | | - | - | - | - | L | L | - | - | - | - |
| Adult Motel | | - | - | - | - | - | - | - | - | - | - |
| Adult Motion Picture Theater | | - | - | - | - | L | L | - | - | L | - |
| Adult Peep Show Theater | | - | - | - | - | L | L | - | - | L | - |
| Adult Theater | | - | - | - | - | L | L | - | - | L | - |
| Body Painting Studio | | - | - | - | - | L | L | - | - | - | - |
| Massage Establishment | | - | - | - | - | - | L | - | - | - | - |
| Sexual Encounter Establishment | | - | - | - | - | - | - | - | - | - | - |
| Bed & Breakfast Establishments: | | | | | | | | | | | |
| 1-2 Guest Rooms | | - | - | - | - | - | - | - | - | - | - |
| 3-5 Guest Rooms | | - | - | - | - | - | - | - | - | - | - |
| 6+ Guest Rooms | | - | - | - | - | - | - | - | - | - | - |
| Boarding Kennels/Pet Day Care Facilities | | - | N | - | N | L | L | N | N | N | N |
| Camping Parks | | - | - | - | - | - | - | - | - | - | - |
| Child Care Facilities: | | | | | | | | | | | |
| Child Care Centers | | L | L | L | - | L | L | - | L | L | L |
| Large Family Child Care Homes | | - | - | L | - | - | - | - | - | - | - |
| Small Family Child Care Homes | | - | - | L | - | - | - | - | - | - | - |
| Eating and Drinking Establishments Abutting Residentially Zoned Property | | - | - | - | - | - | L | - | - | - | - |
| Fairgrounds | | - | C | - | C | C | C | C | C | C | - |
| Golf Courses, Driving Ranges, and Pitch & Putt Courses | | - | C | - | C | C | C | C | C | C | - |
| Helicopter Landing Facilities | | C | C | C | C | C | C | C | C | C | C |
| Massage Establishments, Specialized Practice | | - | - | - | - | - | L | - | - | - | - |
| Medical Marijuana Consumer Cooperatives | | - | - | - | - | - | C | - | - | C | C |
| Mobile Food Trucks | | P | P | P | P | P | P | P | P | P | P |
| Nightclubs & Bars over 5,000 square feet in size | | - | - | - | - | - | - | - | - | - | - |
| Parking Facilities as a <i>Primary Use</i> : | | | | | | | | | | | |
| Permanent Parking Facilities | | C | C | C | P | C | P | P | P | C | C |
| Temporary Parking Facilities | | C | C | C | N | C | N | N | N | C | N |
| Private Clubs, Lodges and Fraternal Organizations | | - | C | - | C | C | C | C | C | C | C |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|------------------|----|------------------|------------------|----|----|-----|-------------------|-----|------------------|
| | 1st & 2nd >> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽¹³⁾ | | C | C | C | C | C | C | C | C | C | - |
| Pushcarts: | | | | | | | | | | | |
| Pushcarts on Private Property | | L | L | L | L | L | L | L | L | L | L |
| Pushcarts in Public Right-of-Way | | N | N | N | N | N | N | N | N | N | N |
| Recycling Facilities: | | | | | | | | | | | |
| Large Collection Facility | | L | N | L | N | N | N | L | L | N | N |
| Small Collection Facility | | L | L | L | L | L | L | L | L | L | L |
| Large Construction & Demolition Debris <i>Recycling Facility</i> | | - | - | - | N | - | C | C | N | - | C |
| Small Construction & Demolition Debris <i>Recycling Facility</i> | | - | - | - | N | - | C | N | N | - | C |
| Drop-off Facility | | L | L | L | L | L | L | L | L | L | L |
| Green Materials Composting Facility | | - | - | - | N | - | N | N | N | - | N |
| Mixed Organic Composting Facility | | - | - | - | C | - | C | N | N | - | C |
| Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic | | - | C | - | L | L | L | L | L | C | L |
| Large Processing Facility Accepting All Types of Traffic | | - | C | - | N | N | N | N | N | C | L |
| Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic | | - | N | - | L | L | L | L | L | N | L |
| Small Processing Facility Accepting All Types of Traffic | | - | N | - | N | N | N | N | N | N | N |
| Reverse Vending Machines | | L | L | L | L | L | L | L | L | L | L |
| Tire Processing Facility | | - | - | - | C | - | C | C | C | - | - |
| Sidewalk Cafes | | - | L | - | L | L | L | - | L | L | L |
| Theaters that are outdoor or over 5,000 square feet in size | | - | C | - | - | C | C | - | C | - | - |
| Sports Arenas & Stadiums | | - | C | - | - | C | C | - | C | - | - |
| Urgent Care Facilities | | - | L | - | - | L | P | - | L | L | - |
| Veterinary Clinics & Animal Hospitals | | - | N | - | N | L | L | N | N | N | N |
| Zoological Parks | | - | - | - | - | - | - | - | - | - | - |
| Offices | | | | | | | | | | | |
| Business & Professional | | - | P | P | - | P | P | - | - | P | P |
| Government | | - | P | P | - | P | P | - | P | P | P |
| Medical, Dental, & Health Practitioner | | - | - | - | - | P | P | - | - | P | P |
| Regional & Corporate Headquarters | | P ⁽¹⁾ | P | P ⁽¹⁾ | P ⁽¹⁾ | P | P | - | P ⁽¹⁴⁾ | P | P ⁽¹⁾ |
| Separately Regulated Office Uses | | | | | | | | | | | |
| Real Estate Sales Offices & Model Homes | | - | - | - | - | - | - | - | - | - | - |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|-------------------|----|-------------------|-----|----|----|-----|----|-----|------|
| | 1st & 2nd >> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| <i>Sex Offender Treatment and Counseling Facilities</i> | | - | L | - | - | L | L | - | - | L | - |
| Vehicle & Vehicular Equipment Sales & Service | | | | | | | | | | | |
| Commercial Vehicle Repair & Maintenance | | - | - | - | P | P | P | P | P | P | P |
| Commercial Vehicle Sales & Rentals | | - | - | - | P | P | P | P | P | P | - |
| Personal Vehicle Repair & Maintenance | | - | - | - | P | P | P | - | - | P | - |
| Personal Vehicle Sales & Rentals | | - | - | - | P | P | P | - | P | P | - |
| Vehicle Equipment & Supplies Sales & Rentals | | - | - | - | P | - | P | P | P | P | - |
| Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses | | | | | | | | | | | |
| Automobile Service Stations | | L | L | L | L | L | L | L | L | L | C |
| Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>primary use</i> | | - | - | - | P | P | P | P | P | P | P |
| Wholesale, Distribution, Storage | | | | | | | | | | | |
| Equipment & Materials Storage Yards | | - | - | - | P | P | P | P | P | P | P |
| Moving & Storage Facilities | | - | - | - | P | P | P | P | P | P | - |
| Warehouses | | - | - | - | P | P | P | P | P | P | P |
| Wholesale Distribution | | - | P | - | P | P | P | P | P | P | P |
| Separately Regulated Wholesale, Distribution, and Storage Uses | | | | | | | | | | | |
| Impound Storage Yards | | - | - | - | P | P | P | P | P | P | - |
| Junk Yards | | - | - | - | C | C | C | C | C | C | - |
| Temporary Construction Storage Yards Located off-site | | L | L | L | L | L | L | L | L | L | L |
| Industrial | | | | | | | | | | | |
| Heavy Manufacturing | | - | - | - | - | - | - | P | P | - | - |
| Light Manufacturing | | P ⁽¹⁰⁾ | P | P ⁽¹⁰⁾ | P | P | P | P | P | P | P |
| Marine Industry | | - | - | - | P | P | P | P | P | P | P |
| Research & Development | | P | P | P | P | P | P | P | P | P | P |
| Trucking & Transportation Terminals | | - | - | - | P | - | P | P | P | P | P |
| Separately Regulated Industrial Uses | | | | | | | | | | | |
| <i>Hazardous Waste</i> Research Facility | | C | C | C | C | C | C | C | C | C | C |
| <i>Hazardous Waste</i> Treatment Facility | | C | C | C | C | C | C | C | C | C | - |
| Marine Related Uses Within the Coastal Overlay Zone | | - | - | - | P | P | P | P | P | P | P |
| Mining and Extractive Industries | | - | C | - | C | C | C | C | C | C | - |
| Newspaper Publishing Plants | | C | P | C | P | P | P | P | P | P | P |
| Processing & Packaging of Plant Products & Animal By-products Grown Off-premises | | - | - | - | P | P | P | P | P | P | P |
| Very Heavy Industrial Uses | | - | - | - | - | - | - | C | C | - | - |

| Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones | | | | | | | | | |
|--|--------------------|-------|----|----|-----|----|----|-----|----|-----|------|
| | 1st & 2nd>> | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | 3rd >> | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | 4th >> | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Wrecking & Dismantling of Motor Vehicles | | - | - | - | C | C | C | P | C | C | - |
| Signs | | | | | | | | | | | |
| Allowable Signs | | P | P | P | P | P | P | P | P | P | P |
| Separately Regulated Signs Uses | | | | | | | | | | | |
| Community Entry Signs | | L | L | L | L | L | L | L | L | L | L |
| Neighborhood Identification Signs | | - | - | - | - | - | - | - | - | - | - |
| Comprehensive Sign Program | | N | N | N | N | N | N | N | N | N | N |
| Revolving Projecting Signs | | N | N | N | N | N | N | N | N | N | N |
| Signs with Automatic Changing Copy | | N | N | N | N | N | N | N | N | N | N |
| Theater Marquees | | - | - | - | - | N | N | - | - | - | - |

Footnotes for Table 131-06B

- ¹ A regional and corporate headquarters establishment shall have a *gross floor area* of at least 40,000 square feet.
- ² Household and office furniture, appliances, and equipment sales establishments shall occupy an area of at least 5,000 square feet in *gross floor area* unless the sales are of items that are manufactured on the same *premises*.
- ³ See Section 131.0623(g).
- ⁴ See Section 131.0623(h).
- ⁵ See Section 131.0623(a).
- ⁶ See Section 131.0623(f).
- ⁷ See Section 131.0623(b).
- ⁸ See Section 131.0623(c).
- ⁹ See Section 131.0623(d).
- ¹⁰ See Section 131.0623(e).
- ¹¹ Assembly uses shall occupy at least 5,000 square feet of the *gross floor area*.
- ¹² Recreational facilities shall not exceed 2,500 square feet of *gross floor area* and 2,500 square feet of outdoor recreational use area.
- ¹³ The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- ¹⁴ Only one regional and corporate headquarters establishment is permitted on an individual parcel of land.
- ¹⁵ *Development of a large retail establishment* is subject to Section 143.0302.
- ¹⁶ Instructional Studios, Assembly and Entertainment facilities, and *Churches* and Places of Religious Assembly are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*.
- ¹⁷ See Section 131.0623(i).

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

(Amended 3-1-2006 by O-19467 N.S.; effective 8-10-2006.)
(Amended 8-10-2004 by O-19308 N.S.; effective 4-11-2007.)
(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)
(Amended 4-23-2008 by O-19739 N.S.; effective 5-23-2008.)
(Amended 11-13-08 by O-19799 N.S.; effective 12-13-2008.)
(Amended 11-13-08 by O-19803 N.S.; effective 12-13-2008.)
(Amended 11-13-08 by O-19804 N.S.; effective 12-13-2008.)
(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)
(Amended 2-22-2012 by O-20140 N.S.; effective 3-23-2012.)
(Amended 2-22-2012 by O-20141 N.S.; effective 3-23-2012.)
(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)
(Amended 3-25-2014 by O-20356 N.S.; effective 4-24-2014.)
(Amended 4-11-2014 by O-20361 N.S.; effective 5-18-2014.)
(Amended 4-3-2014 by O-20357 N.S.; effective 10-15-2014.)

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| | | | |
|----|---|---|----|
| 13 | 1 | 6 | 13 |
|----|---|---|----|

§131.0623 Additional Use Regulations of Industrial Zones

The additional use regulations identified in this section are applicable to uses where indicated in Table 131-06B.

- (a) Sundries, pharmaceuticals, and convenience sales are permitted subject to the following:
 - (1) An establishment offering these items for sale shall be limited to 1,000 square feet of *gross floor area*; and
 - (2) The total area occupied by these uses shall not exceed 10 percent of the *gross floor area* of the building in which they are located.
- (b) Eating and drinking establishments are permitted subject to the following:
 - (1) Individual establishments are limited to 3,000 square feet of *gross floor area*, except where provided in accordance with Section 131.0623(i);
 - (2) No live entertainment is permitted on the *premises*; and
 - (3) No drive-through services are permitted.
- (c) Business support services are permitted subject to the following:
 - (1) Individual establishments are limited to 3,500 square feet of *gross floor area*; and
 - (2) The total area occupied by these uses shall not exceed 25 percent of the *gross floor area* of the building in which they are located.
- (d) Personal appearance and health services are permitted subject to the following:
 - (1) Individual establishments are limited to 3,500 square feet of *gross floor area*; and
 - (2) The total area occupied by these uses shall not exceed 10 percent of the *gross floor area* of the building in which they are located.
- (e) Light manufacturing and assembly uses in the IP-1-1 and the IP-3-1 zones are limited to the following:
 - (1) Prototype fabrication;

- (2) Production requiring advanced technology and skills and directly related to research and development activities on the *premises*;
 - (3) Manufacturing of biochemical research and diagnostic compounds to be used primarily by universities, laboratories, hospitals, and clinics for scientific research and developmental testing purposes;
 - (4) Production of experimental products;
 - (5) Development of production or operating systems to be installed and operated at another location, including manufacturing of products necessary for such development;
 - (6) Manufacturing of biological, biomedical, and pharmaceutical products; and
 - (7) Manufacturing of scientific, engineering, and medical instruments.
- (f) Building supplies and equipment sales are permitted subject to the following:
- (1) Items for sale shall be limited to equipment, parts, and products used in the installation or repair of permanent improvements to *structures* or *premises*; and
 - (2) Building supplies and equipment sales establishments shall occupy an area of at least 10,000 square feet of *gross floor area*.
- (g) Retail sales uses subject to this section are permitted subject to the following:
- (1) The items offered for sale must be manufactured on the *premises*; and
 - (2) A maximum of 25 percent of the *gross floor area* on the *premises* may be used for retail sales. At least 75 percent of the *gross floor area* shall be used for manufacturing, warehousing, or wholesale distribution of the products that are offered for sale.
- (h) Convenience stores and eating and drinking establishments are permitted subject to the following:
- (1) An individual establishment shall not exceed 1,000 square feet of *gross floor area*; except where provided in accordance with Section 131.0623(i); and
 - (2) Drive-in and drive-through facilities are not permitted.

- (i) Industrial *development* greater than 12,000 square feet of *gross floor area* that is primarily engaged in the manufacturing of malt beverages or distilled spirits in sealed cans, bottles, or kegs, may include an eating and drinking establishment as an *accessory use*, subject to applicable state and local regulations, if the eating and drinking establishment does not exceed 25 percent of the *gross floor area* of the *structures* on the *premises*.
- (j) Residential uses in the IP-3-1 zone are permitted subject to the following:
 - (A) Residential *development* is permitted in accordance with the Business Park - Residential Permitted CPIOZ of the applicable community plan;
 - (B) Residential *development* comprises no more than 49 percent of the total *lot* area within the Business Park - Residential Permitted CPIOZ; and
 - (C) Residential *development* complies with the *development* regulations of the residential zone identified in the Business Park - Residential Permitted CPIOZ of the applicable community plan, except that the *lot* area, *lot* dimensions, *floor area ratio*, and *setback* requirements of the IP-3-1 zone shall apply.

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

(Amended 6-5-2013 by O-20262 N.S.; effective 7-6-2013.)

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

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

§131.0630 Development Regulations of Industrial Zones

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

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

§131.0631 Development Regulations Table for Industrial Zones

The following development regulations apply in the industrial zones as shown in Table 131-06C.

Table 131-06C
Development Regulations for Industrial Zones

| Development Regulations [See Section 131.0630 for Development Regulations of Industrial Zones] | Zone Designator 1st & 2nd >> 3rd >> 4th >> | Zones | | | | | | | | | |
|---|---|------------------------|----|----|------------------------|----|----|-----------------------|----|---------------------|------------------------|
| | | IP- | | | IL- | | | IH- | | IS- | IBT- |
| | | 1- | 2- | 3- | 1- | 2- | 3- | 1- | 2- | 1- | 1- |
| | | 1 | | | 1 | | | 1 | | 1 | 1 |
| Max permitted residential density ⁽¹⁰⁾ | | 1,000 | | | - | | | - | | - | - |
| Supplemental residential regulations [see Section 131.0623(i)] | | applies | | | - | | | - | | - | - |
| Lot Area | | | | | | | | | | | |
| Min Lot Area (sf) | | 40,000 | | | 15,000 ⁽¹⁾ | | | 30,000 | | 10,000 | 40,000 |
| Max Lot Area (sf) | | - | | | - | | | - | | 15,000 | - |
| Min Lot Dimensions | | | | | | | | | | | |
| Lot Width (ft) | | 100 | | | 75 | | | 100 | | 50 | 100 |
| Street Frontage (ft) | | 100 ⁽²⁾ | | | 75 | | | 100 | | 50 | 100 ⁽²⁾ |
| Lot Depth (ft) | | 200 | | | 100 | | | 150 | | 100 | 200 |
| Setback Requirements | | | | | | | | | | | |
| Min Front Setback (ft) | | 20 ⁽³⁾ | | | 15 ⁽³⁾ | | | 20 ⁽³⁾ | | 10 | 20 ⁽³⁾ |
| Std Front Setback (ft) | | 25 ⁽³⁾ | | | 20 ⁽³⁾ | | | 25 ⁽³⁾ | | | 25 ⁽³⁾ |
| [See Section 131.0643(b)] | | | | | | | | | | | |
| Min Side Setback (ft) | | 15 | | | 10 | | | 15 | | 5/0 ⁽⁸⁾ | 15 |
| Min Street Side Setback (ft) | | 20 ⁽⁴⁾ | | | 15 ^{(4),(5)} | | | 20 ^{(4),(5)} | | 10 ⁽⁹⁾ | 20 ⁽⁴⁾ |
| Std Street Side Setback (ft) | | | | | 20 ^{(4),(5)} | | | 25 ^{(4),(5)} | | | |
| Min Side Setback Abutting Residential (ft) | | 30 | | | 25 | | | 30 | | 10 | 30 |
| Min Rear Setback (ft) | | 25 | | | 0 ⁽⁶⁾ | | | 20 | | 10 | 25 |
| Std Rear Setback (ft) | | | | | 15 ⁽⁶⁾ | | | | | | |
| Min Rear Setback Abutting Residential (ft) | | 50 | | | 25 | | | 30 | | 15 | 50 |
| Max Structure Height [See Section 131.0644] | | - | | | - | | | - | | - | - |
| Max Floor Area Ratio | | 2.0 ⁽⁷⁾⁽¹¹⁾ | | | 2.0 ⁽⁷⁾⁽¹¹⁾ | | | 2.0 ⁽¹¹⁾ | | 2.0 ⁽¹¹⁾ | 2.0 ⁽⁷⁾⁽¹¹⁾ |
| Street Wall Requirements [See Section 142.1030] | | - | | | applies | | | applies | | - | - |
| Outdoor Amenities [See Section 131.0665] | | applies | | | applies | | | applies | | - | applies |
| Refuse and Recyclable Material Storage [See Section 142.0805] | | applies | | | applies | | | applies | | applies | applies |
| Loading Dock and Overhead Door Screening Regulations [See Section 142.1030] | | applies | | | applies | | | applies | | applies | applies |

Footnotes for Table 131-06C

- ¹ Within the Kearny Mesa Community Plan area, the minimum *lot* size is 40,000 square feet.
- ² See Section 131.0642.
- ³ See Section 131.0643(a).
- ⁴ See Section 131.0643(c).
- ⁵ See Section 131.0643(e).
- ⁶ See Section 131.0643(d).
- ⁷ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50.
- ⁸ See Section 131.0643(f).
- ⁹ See Section 131.0643(g).
- ¹⁰ One *dwelling unit* per specified minimum square feet of *lot* area as determined in accordance with Section 113.0222.
- ¹¹ Within the Otay Mesa Community Plan area, the maximum *floor area ratio* is 0.50 unless a *final map* has been recorded prior to May 18, 2014. This restriction does not apply to residential development in accordance with Section 131.0623(i).

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

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

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

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

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

§131.0642 Lot Dimensions in Industrial Zones

The minimum *street frontage* is 60 feet for any *lot* in the IP zones that fronts principally on a turnaround or on a curving *street* with a centerline radius of less than 100 feet.

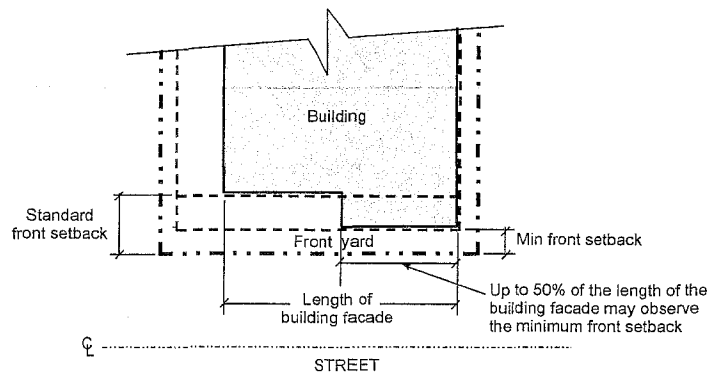
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

131.0643 Setback Requirements in Industrial Zones

- (a) Front *Setback* in the IP, IL, IH, and IBT Zones. Up to 50 percent of the length of the *building facade* may observe the minimum front *setback* provided the remaining percentage observes the standard front *setback*. This may occur on a floor-by-floor basis. See Diagram 131-06A.

Diagram 131-06A

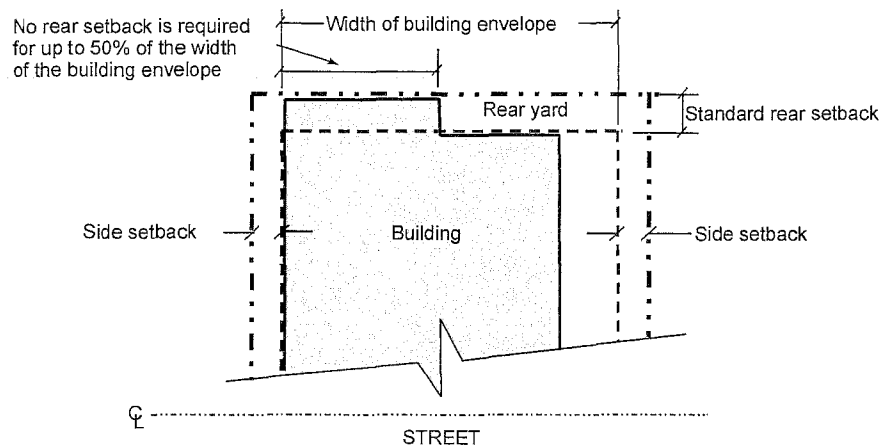
Front Setback in the IP, IL, and IH Zones



- (b) Parking *Encroachment* in Front *Yard* of All Industrial Zones. Parking may encroach up to 5 feet into the required standard front *yard* in all industrial zones, but may not be covered or enclosed.
- (c) Parking *Encroachment* in Street Side Yard of IP, IL, IH, and IBT Zones. Parking may encroach up to 5 feet into the required standard street side yard of the IP, IL, and IH zones, but may not be covered or enclosed.
- (d) Rear *Setback* in IL Zones. In the IL zones, no rear *setback* is required for up to 50 percent of the width of the *building envelope* provided the remainder of the *building envelope* observes at least the standard rear *setback* as shown in Diagram 131-06B.

Diagram 131-06B

Zero Rear Setback in the IL Zone



- (e) Standard/Minimum *Street Side Setback* in the IL, IH, and IBT Zones. Up to 50 percent of the length of the *street side building facade* may observe the minimum *street side setback* provided the remaining percentage observes the standard *street side setback*. This may occur on a floor-by-floor basis.
- (f) *Side Setbacks* in the IS Zone. In the IS zone, no *side setback* is required on one side of the *lot*. A minimum 5-foot *setback* is required for the opposite side.
- (g) *Street Side Setbacks* in the IS Zone. In the IS zone, the minimum *street side setback* is 10 feet for a *premises* that is 100 feet wide or greater. For a *premises* that is less than 100 feet, the minimum is 10 percent of the *premises* width but not less than 5 feet.

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

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

§131.0644 Maximum Structure Height in Industrial Zones

There are no height limits for *structures* in the industrial zones except as limited by the regulations in Chapter 13, Article 2 (Overlay Zones).

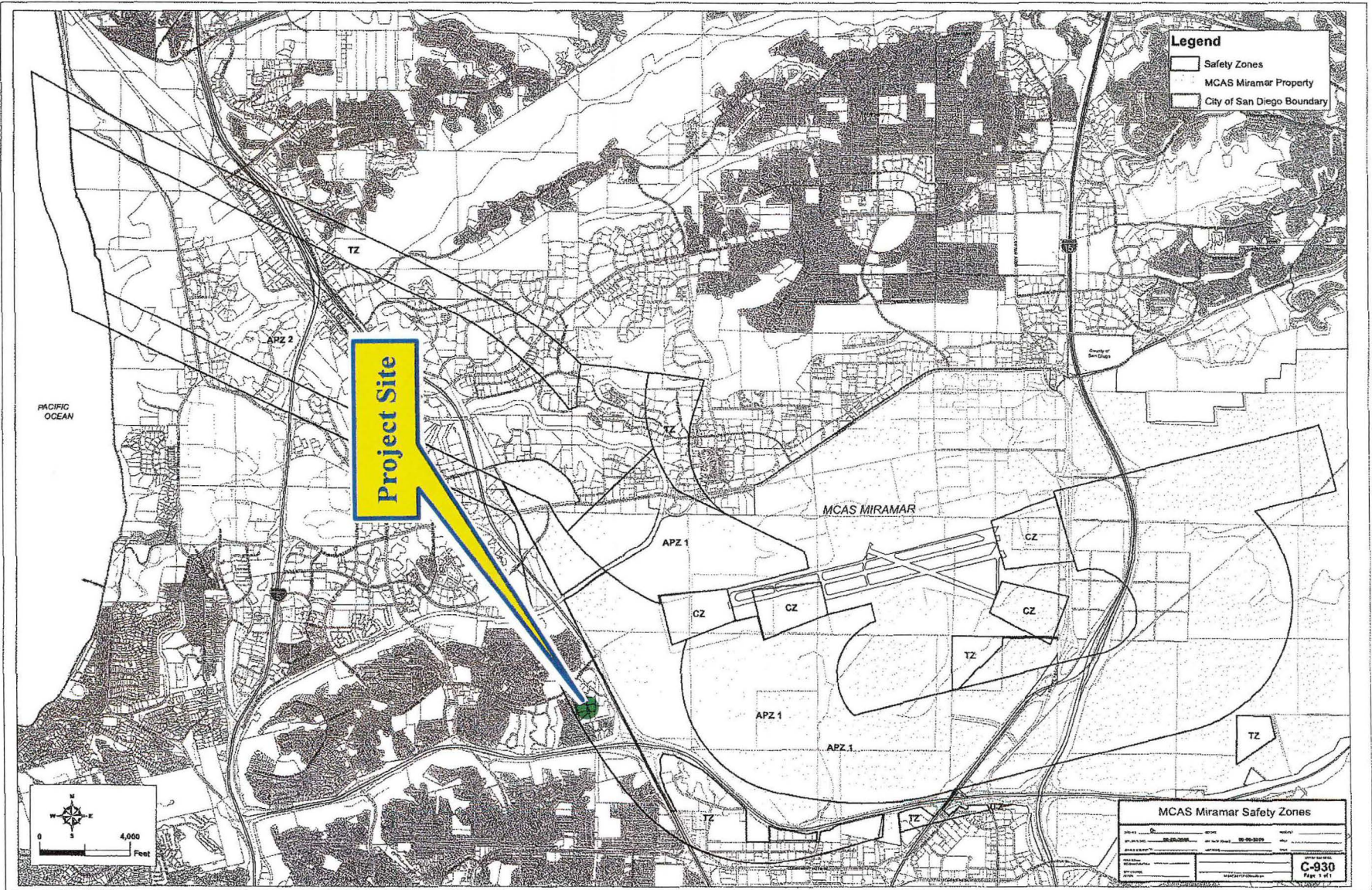
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0665 Outdoor Amenities in Industrial Zones

In the IP, IL, IH, and IBT zones, *development* on a *premises* that exceeds 10 acres in area shall include an outdoor eating and/or recreational facility. The outdoor amenity shall be at least 2,000 square feet in total area and shall be developed as usable space.

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

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



Fusion Academy & Learning Center
Analysis -- City of San Diego Land Development Code Determination of Use Category

The Land Based Classification Standards model extends the notion of classifying land uses by refining traditional categories into multiple dimensions, such as activities, functions, building types, site development character, and ownership constraints. Each dimension has its own set of categories and subcategories. These multiple dimensions allow users to have precise control over land-use classifications. This model is generally the basis for the development and implementation of the Land Development Code for the City of San Diego.

Fusion Academy & Learning Center operates like a professional Business Office environment rather a traditional 7 hour 25-35 student per classroom school model. An Analogy to a Business Professional office for a child psychologist group would be more akin to the practical activity level and functionality of the Fusion Academy learning model.

City of San Diego Land Development Code – Base Zone Building Blocks

Excerpts From the Land Development Code Emphasis Added:

“§131.0101 Purpose of Base Zones

The purpose of this article is to establish base zones to help ensure that land uses within the City are properly located and that adequate space is provided for each type of *development* identified. Base zones are intended to regulate uses; to minimize the adverse impacts of these uses; to regulate the zone density and intensity; to regulate the size of buildings; and to classify, regulate, and address the relationships of uses of land and buildings.”

“§131.0110 Determination of Use Category and Subcategory

(a) A use shall be identified as belonging to a use category and use subcategory based upon the descriptions in Section 131.0112 and the facility needs and operational characteristics of the use including type of use, intensity of use, and development characteristics of use. The Use Regulations Tables in the base zones shall be used to determine in which base zones the use is permitted. If a particular use could meet the description of more than one use subcategory, the subcategory with the most direct relationship to the specific use shall apply. The City Manager shall identify a particular uses’s category and subcategory upon request of an *applicant* or a property owner.”

“§131.0111 Grouping of Use Categories

For the purpose of determining applicable development regulations, use categories shall be grouped according to the following:

(d) Any use within the institutional, retail sales, commercial services, offices, and vehicle and vehicular equipment sales and services categories is considered a commercial use or commercial *development*.”

✓ Fusion Academy & Learning Center is in the same commercial “Grouping of Use Category”.

“§131.0112 Descriptions of Use Categories and Subcategories

(a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).”

(4) Institutional Use Category

This category includes uses that provide unique services that are of benefit to society as a whole. All of the uses in this use category are separately regulated uses. See Section 131.0112(b).

(7) Office Use Category

This category includes uses in an enclosed building that focus on business, government, professional, medical, or financial services.

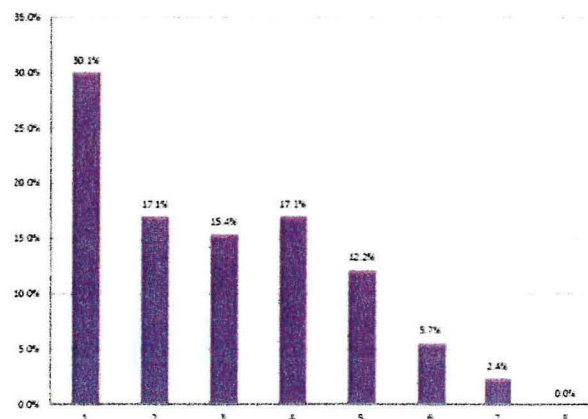
The offices subcategories are:

(A) Business and Professional — Uses related to earning a livelihood through a commercial or mercantile endeavor or through the practice of a vocation requiring specialized training or education.”

- ✓ Fusion Academy & Learning Center functions as a *Business and Professional* use when you look at the operational parameters and the *Development* characteristics.
 - All of the learning is done on a one:one ratio.
 - All of the interactions are appointment based.
 - On average almost **50% of the enrolled students are scheduled for 2 (one hour) training and education appointments per day** (Attachment 1) and less than 3% of the training and education appointments are for up to 7 hours.
 - The “Homework Café” operates with similar *Development* characteristics to an assessment center or group session that you could find in the office of a child psychologist. It is a transitional area between appointments that is used to prepare or complete assignments.

fusion

Solana Beach –Hours per day Spent on Campus January–March 2015



- Credit Recovery
- Home Schooling Assistance
- Tutoring
- Full-time

| |
|-------------------|
| Activities |
|-------------------|

- ✓ Fusion Academy & Learning Center does not offer outdoor Physical Education programs.
- ✓ Any required outdoor physical education activities are offered off-site.

Noise

- ✓ The use of the facility by the students will not generate, nor will the students be exposed to noise beyond that which would be experienced by a traditional Business Office.

Ambulatory Capabilities

Ambulatory: relating to or adapted for walking

- ✓ Fusion Academy & Learning Center only offers appointments for **grades 6-12**.
- ✓ On average, **over 80% of the appointments** are for students in **grades 9-12**.

Airport:

This proposed project lies within the Transition Zone. The Transition Zone, and the Municipal Code also includes that prohibition/limitation of use for schools: §132.1515, Table 132-15F.

The main rational for the limitation on schools in the transition zone is related to noise exposure and a buffer zone for individuals with limited ambulatory abilities. The ALUCP contains restrictions within noise exposure contours greater than 65 dB CNEL which defines schools and child care facilities as incompatible at that building noise exposure level primarily due to prolonged and attenuated exposure to noise.

The Municipal Code incorporates this same prohibition of schools (Institutional, Educational Facilities in Table 132-15D) by noise contours in §132.1510. The ALUCP created a Transition Zone as a buffer to restrict assembly uses with vulnerable occupants (such as schools, elder care facilities, and prisons) whose occupants couldn't be easily evacuated in the event of aviation accidents (emphasis added).

Limited expansion of existing facilities of these types is permitted in the Transition Zone, with no new facilities considered compatible based on the operational parameters and assumptions associated with potential noise exposure and limited ambulatory capabilities.

- ✓ Based on the intensity of the use, the operational parameters and the development characteristics – Fusion Academy & Learning Center will not have issues related to noise exposure. Additionally, the age level of the students augmented by the 1:1 learning environment addresses issues related to limited ambulatory abilities. Therefore Fusion Academy & Learning Center is akin to a Business Office use category.

Determination of Use Category

In accordance with San Diego Municipal Code Section 131.0110 (a), we respectfully request a determination of use for Fusion Academy & Learning Center. Specifically, it is our opinion that **Fusion Academy & Learning Center should be properly considered a Business and Professional Use**. In this case it would be a permitted use in the IP-2-1 zone (for the site located at 5060 Shoreham Place). We feel we have demonstrated that the type of use, intensity of use, operational and development characteristics mirror those of a Business and Professional Use. Additionally, we feel we have demonstrated how the use would not be “incompatible” with the applicable airport overlay restrictions.

“§131.0110 Determination of Use Category and Subcategory

(a) A use shall be identified as belonging to a use category and use subcategory based upon the descriptions in Section 131.0112 and the facility needs and operational characteristics of the use including type of use, intensity of use, and *development* characteristics of use. The Use Regulations Tables in the base zones shall be used to determine in which base zones the use is permitted. If a particular use could meet the description of more than one use subcategory, the subcategory with the most direct relationship to the specific use shall apply. The City Manager shall identify a particular uses’ category and subcategory upon request of an *applicant* or a property owner.”

¹ “Homework Café” does not serve food and beverage. It is used as a term of art for Fusion Academy & Learning Centers.



Curriculum Overview

Classes meet Monday through Thursday. Fusion Academy is open on Friday for students who need extra support. Additionally, the school may be open during limited hours on Saturdays for both tutoring and class credit. Each class period is 50 minutes. A typical maximum load is four classes in any given day, for a typical total of 4 hours of instruction and 1 hour of homework.

| Monday and Wednesday | | Tuesday and Thursday | |
|----------------------|------------------|----------------------|------------------|
| Algebra | Start times vary | French I | Start times vary |
| US History | Start times vary | Drama | Start times vary |
| Biology | Start times vary | Government | Start times vary |
| English 9 | Start times vary | Computer Graphics | Start times vary |
| Homework Café | Start times vary | Homework Café | Start times vary |

Existing Site and Building Conditions

Five Governor Park is a Class "A" three story courtyard style office building consisting of approximately 53,048 rentable square feet. Located in the IP-2-1 zoning district, the building is part of a well-maintained office park with existing office tenants. The site is serviced by two driveways with ingress/egress along Shoreham Place. All exterior areas are improved with driveways, parking, landscape and pedestrian pathways. No changes are proposed to the parcel or street frontage. The suite being considered is on the ground floor, faces Shoreham Place and an interior courtyard, and represents slightly less than half the total first floor building area.

Program and Occupancy

The prototype program and occupant requirements of a Fusion Academy include the following:

- Four administrative offices with one adult per office
- Twenty-five one to one tutoring offices with one adult and one student per office
- One reception area with one adult
- Two homework study areas
- One breakroom
- Two restrooms



- There are no classroom spaces.
- There are no physical education or cafeteria (assembly) spaces.

Proposed Vehicle Trips and Parking

The school opens between 7:30 and 8:00 am. Fusion Academy offers one to one class sessions from 8:00 am until 5:30 pm. The twenty five tutoring offices are busy throughout the entire day, thus spreading the vehicle trips over the course of 13 hours.

Drop off and Pick up.

Fusion does not offer or provide buses that arrive and depart at predetermined times. Fusion students are either driven to and from school or drive themselves. Below is actual data from an existing school.

| Fusion Trip Generation* | | | | | |
|-------------------------|----------------|-------|------|----------------|------|
| 24 Hour | AM Peak Values | | | PM Peak Values | |
| | Total | Enter | Exit | Total | Exit |
| Enter | 27 | 27 | 0 | 27 | 27 |
| Exit | 0 | 0 | 27 | 0 | 0 |
| Total | 27 | 27 | 27 | 27 | 27 |

*Fusion traffic study data based on actual trips at Fusion's Los Angeles, CA Campus

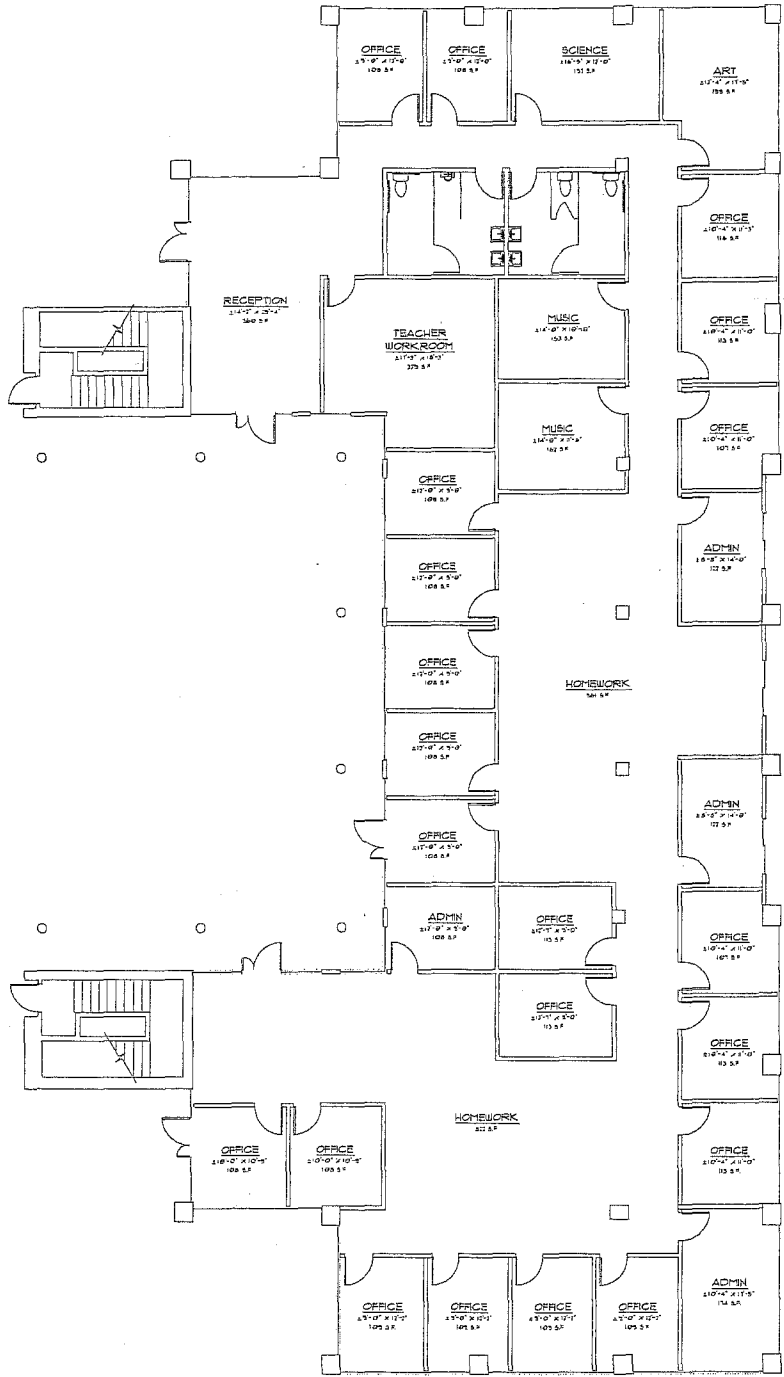
When comparing Fusion's trip generation to previously submitted traffic studies, the Fusion trip generation typically falls within the capabilities of the existing site and infrastructure.

Parking

Fusion academy's enrollment consists of students in grades 6-12. The number of parking spaces has been calculated per Table 142-05G from the Zoning Ordinance and shown below using the current enrollment at our school in Solana Beach. This location is not within a transit area.

| Grade | Number of full time students | Hours per day | Parking spaces |
|-------|------------------------------|---------------|----------------|
| 12 | 21 | 5 | 5 |
| 11 | 21 | 5 | 4 |
| 10 | 12 | 4 | 2 |
| 9 | 9 | 3 | 5 |
| 8 | 6 | 3 | 4 |
| 7 | 6 | 2 | 4 |
| 6 | 0 | 0 | 0 |
| Total | 85 | 25 | 75 |

Thirty (30) non-exclusive parking spaces will be leased at this location.



PROPOSED SPACE PLAN



COMMERCIAL CONTRACTORS
TriVista Inc.
LICENSE
680561
116 MARKET PLACE
ESCONDIDO, CA 92029
PH: 760.294.0277 FAX: 760.294.0218
www.trivista.com

fusion
academy & learning center
5060 Shoreham Place, Suite 130
San Diego, CA 92122

CONTRACTOR'S SEAL
DESIGNER OF RECORD
TRIVISTA, INC.
JOSHUA P. GIBBS

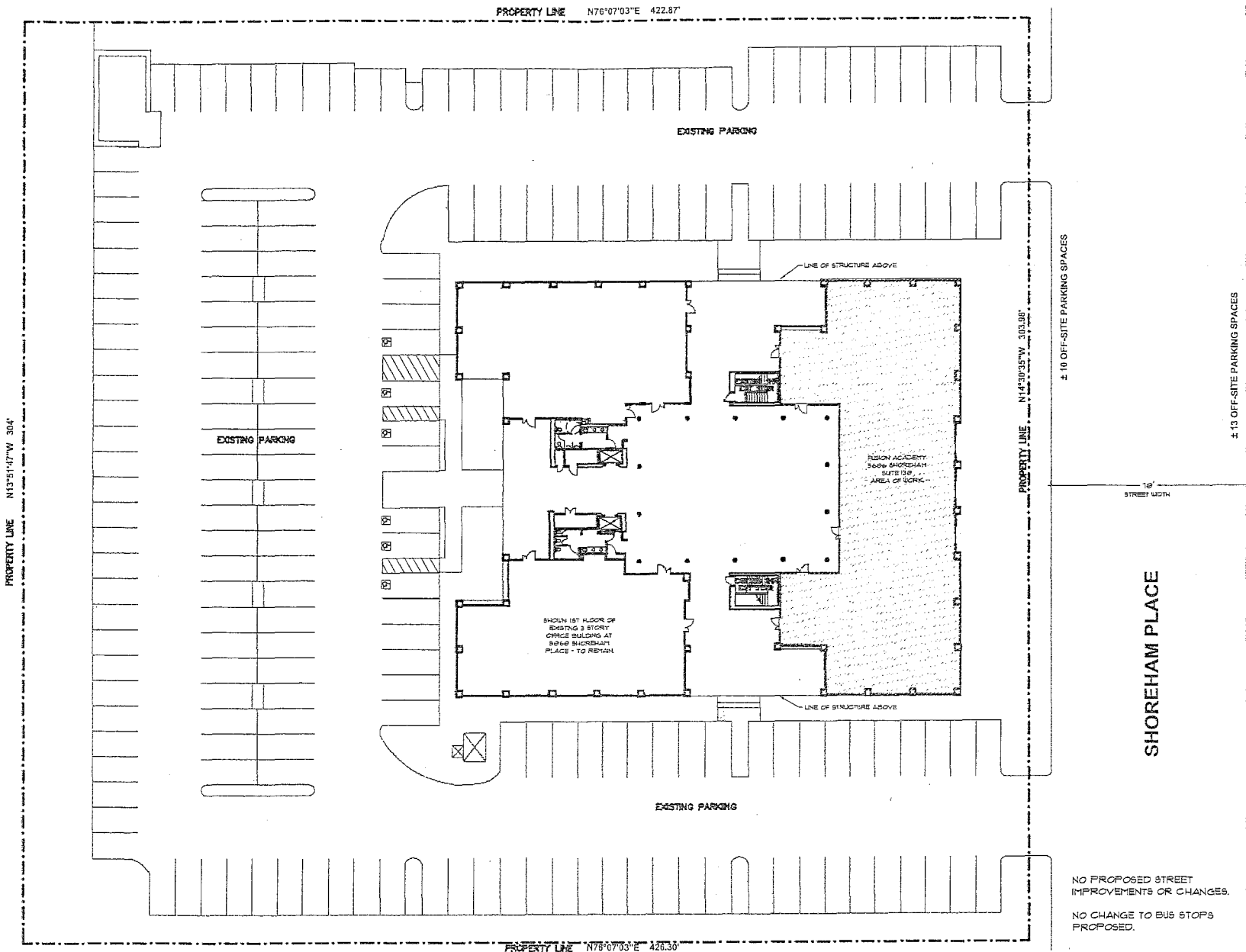
CONTRACTOR
TRIVISTA INC.
116 MARKET PLACE
ESCONDIDO, CA 92029
PH: 760.294.0211
FAX: 760.294.0218
TERRY MATSON
LIC # 680561

REVISIONS

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| 2 | |
| 3 | |
| 4 | |

CONDITIONAL
USE PERMIT

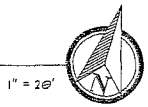
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| DATE: | 1/9/15 |
| DRAWN BY: | JPG |
| SCALE: | 1/8" = 1'-0" |
| PROJECT #: | 14-170 |
| SPACE PLAN | A1.2 |
| 3 OF 3 | |



5060 SHOREHAM PL - FUSION ACADEMY - CUP PARKING ANALYSIS

| Suite # | Sq. Ft. | Tenant Name | Occupancy | Parking Ratio | Parking Req'd |
|-------------------------------|---------|--------------------------------|------------------|---------------|---------------|
| 100 | 2,871 | American Diabetes Assoc. | Business Office | 1:300 | 9.5 |
| 105 | 3,481 | Siltdorf & Levine | Business Office | 1:300 | 11.5 |
| 130 | 7,404 | Fusion Academy | 6-12 Educational | 1:200 | 37 |
| 135 | 628 | Burns Financial | Business Office | 1:300 | 2 |
| 200 | 8,684 | VACANT | Business Office | 1:300 | 30 |
| 240 | 4,309 | UCSD - Admin Offices | Business Office | 1:300 | 14.5 |
| 260 | 3,399 | Ignite Visibility | Business Office | 1:300 | 11.5 |
| 300 | 5,521 | Blue Earth Solar | Business Office | 1:300 | 18.5 |
| 320 | 2,571 | VACANT | Business Office | 1:300 | 9 |
| 330 | 3,051 | UCSD Center for Mindfulness | Business Office | 1:300 | 10.5 |
| 350 | 5,752 | Alliance Healthcare Foundation | Business Office | 1:300 | 19 |
| Total On-Site Parking Spaces | | | | | 193 |
| Total Parking Spaces Required | | | | | 173 |

SITE PLAN



PROPERTY INFO.
BUILDING OWNER INFO:
FPA GOVERNOR PARK ASSOCIATES, LLC
A DELAWARE CORPORATION
4685 MACARTHUR COURT, SUITE 400
NEWPORT BEACH, CA 92660
PROPERTY INFO & LEGAL DESCRIPTION:
LOT 5 ON MAP NO. 10134
APN: 348-031-10-00
PROJECT INFO:
5060 SHOREHAM PLACE, SUITE 130
SAN DIEGO, CA 92122
ZONING: IP-2-1
OCCUPANCY CLASS: B
BLDG. CONST. TYPE: I-B
SPRINKLERED BLDG.: YES
BLDG. NO. OF STORIES: THREE
BLDG. HEIGHT: 136'
EXISTING USE: B, VACANT OFFICE
PROPOSED USE: E, EDUCATIONAL
VICINITY MAP:

SCOPE OF WORK:
SEEKING CONDITIONAL USE PERMIT TO ALLOW A FUTURE TENANT IMPROVEMENT PLAN TO CREATE A 6-12 GRADE PRIVATE EDUCATIONAL FACILITY WITHIN AN EXISTING VACANT OFFICE SPACE IN AN EXISTING OFFICE BUILDING COMPLEX.
PROPOSED IMPROVEMENTS TO INCLUDE:
- DEMOLITION OF INTERIOR PARTITION WALLS WITHIN VACANT OFFICE SPACE
- CONSTRUCTION OF NEW INTERIOR PARTITION WALLS WITHIN SAME SPACE
- NEW M.E.P. IN EXISTING SPACE PER TITLE 24
- CHANGE OF OCCUPANCY FROM B TO E
NO EXTERIOR OR STRUCTURAL WORK PROPOSED UNDER THIS PROJECT. ALL EXISTING AND PROPOSED FACILITIES SHALL MEET 2013 CBC STANDARDS. NO CHANGE TO PARKING OR PROPERTY GROUNDS PROPOSED UNDER THIS PROJECT.

COMMERCIAL CONTRACTORS
TriVista Inc.
LICENSE # 680561
116 MARKET PLACE
ESCONDIDO, CA 92029
PH: 760.234.0277 V FAX: 760.234.0278
www.trivistacorp.com
fusion
academy & learning center
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CONTRACTOR SEAL:
DESIGNER OF RECORD
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116 MARKET PLACE
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PH: 760.234.0277
FAX: 760.234.0278
TERRY MATSON
LIC # 680561
REVISIONS:

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| 1 | |
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| 3 | |
| 4 | |
| 5 | |

CONDITIONAL USE PERMIT
DATE: 1/9/15
DRAWN BY: JPC
SCALE: 1" = 20'
PROJECT #: 14-170
SITE PLAN
1 OF 3
SP.1



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☒ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title

Fusion Academy

Project No. For City Use Only

405 053

Project Address:

5060 Shoreham Place, Suite 130, San Diego, CA 92122

Part I To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

| | |
|----------------------------------|---------------------------------|
| Project Title: Fusion Academy | Project No. (For City Use Only) |
|----------------------------------|---------------------------------|

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General) What State? DE Corporate Identification No. _____
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached ☐ Yes ☒ No

Corporate/Partnership Name (type or print):
FPA Governor Park Associates, LLC

☒ Owner ☐ Tenant/Lessee

Street Address:
4685 MacArthur Court, Suite 400

City/State/Zip:
Newport Beach, CA 92660

Phone No: _____ Fax No: _____
(949) 399-2500

Name of Corporate Officer/Partner (type or print):
Gregory A Fowler

Title (type or print):
Managing Partner

Signature : _____ Date: 1/9/15

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____