

Article 12: Mid-City Communities Planned District
*(“Mid-City Communities Planned District” added 3-27-2007
by O-19598 N.S.; effective 4-26-2007.)*

Division 3: Zoning
(“Zoning” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

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

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

*(“Residential (MR) Zones - MR-3000, MR-2500, MR-1750, MR-1500,
MR-1500B, MR-1250B, MR-1000, MR-1000B, MR-800B, MR-400”
added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)*

§1512.0302 Permitted Uses - Residential (MR) Zones

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

- (a) Residential development in accordance with the regulations of the Mid-City Communities Planned District.
- (b) Boarding and lodging houses
- (c) Schools, limited to primary, elementary, junior high, and senior high in accordance with Section 141.0407, and child care centers in accordance with Section 141.0606.
- (d) Public parks and public playgrounds
- (e) Churches, temples, or buildings of a permanent nature used primarily for religious purposes in accordance with Section 141.0602.

- (f) Temporary real estate sales offices and model homes in new subdivisions, subject to the limitations as set forth in Land Development Code Section 141.0701.
- (g) All uses permitted in any abutting commercial zone under the following conditions:
 - (1) The commercial uses shall be within a mixed commercial/residential structure.
 - (2) The commercial uses within the structure shall be located within both the residential zone and the abutting commercial zone.
 - (3) The commercial uses shall be located no more than 100 feet from abutting commercially zoned property.
 - (4) The applicable community plan shall address the conditions under which commercial uses in a mixed commercial/residential project may be located partially in a residential zone.
 - (5) The project shall obtain a Mid-City Communities Development Permit.
- (h) In addition to the uses listed above, the following uses shall be permitted in the MR-1000 through MR-400 zones:
 - (1) Branch public libraries
 - (2) Institutions or homes for the day or full-time care of not more than 15 children under the age of 16 years, provided there is not more than one additional dwelling unit on the same premises.
 - (3) Offices for psychologists, social workers, religious practitioners, doctors, and dentists, provided that no overnight patients are permitted; and, further provided that not more than 2 such professional persons and not more than 3 employees of each, shall be engaged in such work on the premises. Facilities providing medical and counseling services which meet the criteria in Sections 1512.0302(h)(3)(A) through (C) below, are not permitted on a lot or parcel located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Land Development Code Section 141.0702:

- (A) Facilities where 5 or more persons, as described in Section 1512.0302(h)(3)(B), are medically treated or medically or psychologically counseled, on a group or individual basis;
 - (B) The persons have committed, been charged by criminal indictment or complaint, or convicted of, a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment for remodification or any such sections.
 - (C) The medical and counseling services are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections.
- (i) Hotels, motels and time-share projects shall be permitted in the MR-400 Zone.
 - (j) Accessory uses customarily incidental to any of the foregoing permitted uses, including the following:
 - (1) Not more than 2 lodgers per dwelling unit.
 - (2) Recreational and health facilities which are designed, used, and clearly intended for the sole use of residents of apartment houses, boarding and lodging houses, including tennis courts, putting greens, exercise rooms, and sauna and steam baths.
 - (3) Service establishments in residential complexes containing not less than 80 dwelling units which are designed, used, and clearly intended for the primary convenience of the occupants of the residential complex, including the following:
 - (A) Barber shops
 - (B) Beauty shops
 - (C) Communal dining facilities

- (D) Snack bars
- (E) Dry cleaning and laundry pickup agencies
- (4) Incidental businesses in hotels and motels may include the following:
 - (A) Restaurants and bars
 - (B) News and tobacco stores
 - (C) Barber shops
 - (D) Beauty shops
 - (E) Valet services (agency for laundering, cleaning, and pressing of clothing)
 - (F) Travel, ticket, and car rental agencies
 - (G) Gift shops
 - (H) Florists
- (5) Signs as provided in Section 1512.0302(k)(1).
- (k) Accessory Use Regulations.
 - (1) All accessory uses shall be located in the same building as the permitted uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, hall, patio, or other similar interior area. However, neither of the foregoing regulations shall be applicable to accessory uses exclusively serving outdoor recreational activities. No signs, displays, or advertising relating to accessory uses shall be visible from any street.
 - (2) For properties in the MR-3000 through MR-800B zones, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than 10 percent of the gross floor area occupied by the principal permitted uses.
 - (3) For properties in the MR-400 Zone, the combined gross floor area of all accessory uses, excluding outdoor recreational facilities, on any premises shall occupy not more than twenty percent of the gross floor area occupied by the principal permitted uses.

- (l) For properties in any MR Zone, any other uses, including accessory uses, which the Planning Commission may find, in accordance with "Process Four", to be similar in character to the uses enumerated herein for such zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.

("Permitted Uses – Residential (MR) Zones" added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)

[Editors Note: Amendments as adopted by O-20634 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-20634-SO.pdf

§1512.0303 Residential Development Regulations

- (a) Maximum Number of Dwelling Units

In no case shall any project exceed the maximum number of dwelling units listed below unless the project is on a single lot which 1) was created or consolidated, or for which an application has been submitted to the City to create a lot or consolidate lots, prior to the effective date of Ordinance No. O-17307 NS dated May 30, 1989; or 2) was created from a lot or lots which had a larger average square footage than the lot created.

Table1512-03A

Maximum Number of Dwelling Units

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

(b) Minimum Lot Dimensions and Areas

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

Table 1512-03B

Minimum Lot Area and Dimensions for all MR Zones

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

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

Table 1512-03C

Residential Density

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

Footnotes for Table 1512-03C

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

(d) Yard and Setback Requirements

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

Table 1512-03D

Minimum Street Yard

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

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

Table 1512-03E

Minimum Yard Dimensions (Linear Feet) and Setbacks

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

(4) Exceptions:

(A) Zero Yard Option. The following zero-foot size yard option shall be granted by right in the MR-400 Zone, and through approval of a Mid-City Communities Development Permit in all other MR zones:

(i) In the MR-1000B, MR-1000, MR-1250B, MR-1500B, and MR-1500 zones, up to 60 linear feet of the interior side wall may be on the interior property line, provided that no single plane exceeds 30 feet in length with a minimum 6-foot separation between multiple planes, and provided that access to the rear of the property from all units is provided and maintained. (Exception: A building wall in the rear 50 percent of a lot is not restricted to the 30-foot single-plane limit.) Any third story shall be set back at least 6 feet; each story above the third requires an additional 3-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is 15 feet.

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

(B) Side Yard Setback. Each story (or portion of a story) above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The maximum total required setback from the property line is 15 feet.

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

(e) Height Limits

Table 1512-03F

Height Limits

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

Footnote for Table 1512-03F

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

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

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

Table 1512-03G

Maximum Floor Area Ratio (FAR) and Lot Coverage

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

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

- (3) Except in the MR-2500 and MR- 3000 zones, for any project which does not exceed the dwelling unit threshold in Section 1512.0203(b)(1), and for any project with a density less than or equal to one dwelling unit per 1,000 square feet of lot area, an FAR bonus shall be provided equivalent to the area of enclosed parking and any portion of a building which covers enclosed parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0 FAR.
 - (4) For any project with a density greater than one dwelling unit per 1,000 square feet of lot area and which exceeds the dwelling unit threshold for a Mid-City Communities Development Permit (Section 1512.0203(b)(1), an FAR bonus shall be provided equivalent to the area of underground parking and any portion of a building which covers underground parking shall be excluded from the coverage calculation. This FAR bonus shall not exceed 1.0. FAR.
 - (5) In the MR-800B zone, the FAR in the front 40 percent of a lot shall be limited to 0.75.
 - (6) In the MR-400 Zone, the FAR for that portion of the building above a height of 100 feet shall be limited to 1.0.
- (g) Maximum Lot Dimensions and Areas
- In the MR-3000 and MR-2500 zones, lot consolidations created through maps or by means of building across property lines shall be prohibited without a Mid-City Communities Development Permit and the maximum street frontage along the front property line shall be 60 feet.
- (h) Pedestrian Access. At least one separate pedestrian entry per 50 linear feet of street wall frontage facing the front property line shall be provided from the street into or through the residential use area. Senior citizen projects may be exempted from this requirement through the approval of a Conditional Use Permit.
- (i) Diagonal Plan Dimension

- (1) The Diagonal Plan Dimension regulations shall be used for structures containing dwelling units in all residential projects, except for lots equal to or less than 50 feet in width. The maximum diagonal plan dimension shall be measured between the 2 most extreme points on that floor of the structure containing the most gross floor area (see Figure 2). For lots where the depth is 2 and one-half times or more than the width (see Figure 3), the maximum diagonal plan dimension shall be measured between the first extreme building corner to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations.

The modulation shall have a minimum 3-foot differential and shall extend for a minimum of 10 feet in length.

- (2) Maximum Dimension. The maximum diagonal plan dimension shall not exceed that numerical figure obtained from the percentage of the lot frontage as established in Table 1512-03H.

Table 1512.03H

Maximum Diagonal Plan Dimension

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

- (j) Minimum Average Unit Floor Area
Residential developments shall average no less than 600 square feet of habitable floor area per dwelling unit, exclusive of preexisting dwellings.

- (k) Addition of Dwelling Units

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

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

- (l) Defensible Space Requirements

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

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

(“Residential Development Regulations” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

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

(Amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)

§1512.0304 Architectural Features

- (a) Each residential building shall include the following two features:
 - (1) Windows shall be of the same material and maintain a consistent design character throughout.
 - (2) There shall be no more than 2 wall siding materials on any single building.

- (b) Each residential building shall include at least 5 architectural features all to be chosen from one of the following lists (1)(2) or (3):
 - (1) Contemporary
 - (A) Multiple pitched roofs
 - (B) A minimum of one chimney per 3 dwelling units
 - (C) A minimum of one clerestory window per 50 feet of street elevation
 - (D) Wood window frames
 - (E) A minimum of one transom window
 - (F) An entry porch
 - (G) Window awnings on at least all windows facing a street
 - (H) Planted wall mounted lattice
 - (I) Windows recessed at least 2 inches
 - (J) Eaves with a minimum 18 inches over-hang

 - (2) Spanish Style
 - (A) Wrought iron railings on a minimum of all street facing elevations
 - (B) Entrance pergola
 - (C) Canvas awnings on a minimum of all windows facing a street
 - (D) Integral ceramic tile wall detail
 - (E) Buttressed street wall
 - (F) Wood window frames

- (G) Clay or concrete tile roof over at least 80 percent of the coverage
 - (H) A minimum of 2 different mass heights
 - (I) Battered window openings with a minimum 6 inches depth on a minimum of all street facing windows
 - (J) Molded stucco wall detail
- (3) Bungalow Style
- (A) Lap siding on a minimum of all street elevations
 - (B) Entry porch
 - (C) Minimum 18 inch eaves with articulated rafter ends
 - (D) A minimum of one attic eyebrow
 - (E) Wood window frames
 - (F) A minimum of one brick masonry chimney per the 3 dwelling units
 - (G) Multi-panel entrance door
 - (H) A minimum of one window planter box
 - (I) Operable window shutters on a minimum of all windows facing a street
 - (J) Trim surrounding all windows

(“Architectural Features” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

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

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

Legend for Table 1512-03I

"P" = Permitted
"-" = Not Permitted

**Table 1512-03I
Permitted Uses Table**

| Permitted Uses | CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4 | CL-2 ⁽⁶⁾ | CN-3,4 ⁽²⁾ CV-3 ⁽²⁾ | CL-5 ⁽⁶⁾ | NP-1,2,3 |
|---|---|---------------------|--|---------------------|------------------|
| Advertising, Secretarial & Telephone Answering Services | P | P | - | - | P ⁽⁷⁾ |
| Antique Shops | P | P | P | - | - |
| Apartments (Subject to Specific Zone Limitations) | P ⁽¹⁰⁾ | P | P | P | - |
| Apparel Shops | P | P | P | P | - |
| Art Stores and Art Galleries | P | P | P | - | - |
| Automobile & Truck Sales, Rental Agencies (Usable Vehicles Only) | P ⁽⁴⁾ | P ⁽⁴⁾ | - | - | - |
| Automobile Wash Establishments | P | P | - | - | - |
| Automobile Paint & Repair Shops, Including Body and Fender Work if entirely within enclosed building. | P | P | P ⁽⁸⁾ | - | - |
| Bakeries | P | P | P | P | - |
| Banks, Including Branch Banks, and Other Similar Financial Institutions | P ⁽⁹⁾ | P | P ⁽⁹⁾ | P ^{(1)H} | - |
| Barber and Beauty Shops | P | P | P | P | - |
| Bicycle Shops | P | P | P | P | - |
| Boat Sales Agencies | P ⁽⁴⁾ | P ⁽⁴⁾ | - | - | - |
| Book Stores (No Adult Book Stores Shall Be Permitted in the CL-5 Zone) | P | P | P | P | - |

| Permitted Uses | CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4 | CL-2 ⁽⁶⁾ | CN-3,4 ⁽²⁾ CV-3 ⁽²⁾ | CL-5 ⁽⁶⁾ | NP-1,2,3 |
|--|---|---------------------|--|---------------------|------------------|
| Building Materials Stores, provided that open storage areas are completely enclosed by walls or buildings or a combination thereof; said walls and buildings shall be not less than 6 feet in height, and provided also there shall be no outdoor storage of merchandise, material, equipment or other goods to a height greater than that of any enclosing wall or building. | P | P | - | - | - |
| Business and Professional Office Uses (not including Hiring Halls in the C1-5 Zone). (Such Uses may include Accountants, Advertising Agencies, Architects, Attorneys, Contractors, Doctors, Engineers, Financial Institutions, Insurance Agencies, Medical Clinics (No Overnight Patients), Photographers, Real Estate Brokers, Securities Brokers, Surveyors and Graphic Artists. | P ⁽¹⁾⁽⁹⁾ | P ⁽¹⁾ | P ⁽¹⁾⁽⁹⁾ | P ⁽¹⁾ | P ⁽¹⁾ |
| Business Machine Sales Display and Service | P | P | - | - | P ⁽⁷⁾ |
| Cleaning and Dyeing Works, Including Rugs, Carpets and Upholstery if entirely within an enclosed building with not more than 10 employees. | P ⁽³⁾ | P ⁽³⁾ | P | - | - |
| Confectioneries | P | P | P | P | - |
| Curtain and Drapery and Upholstery Shops | P | P | P | P | - |
| Custom Shop for Curtains, Draperies, Floor Coverings, Upholstery and Wearing Apparel | P ⁽³⁾ | P ⁽³⁾ | - | - | - |
| Dairy Stores, including Drive-In | P | P | - | - | - |
| Drafting and Blueprint Services | P | P | - | - | - |
| Drug Stores | P | P | P | P ⁽¹¹⁾ | - |
| Dry Cleaning Establishments (No Truck Delivery of Finished Cleaning) | P | P | - | P | - |
| Dry Cleaning and Laundry Establishments (also includes self-service) | P | P | P | P | - |
| Dry Good Stores | P | P | - | - | - |

| Permitted Uses | CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4 | CL-2 ⁽⁶⁾ | CN-3,4 ⁽²⁾ CV-3 ⁽²⁾ | CL-5 ⁽⁶⁾ | NP-1,2,3 |
|--|---|---------------------|--|---------------------|------------------|
| Electronic Data Processing, Tabulating, and Record Keeping Services | P | P | - | - | P ⁽⁷⁾ |
| Employment Agencies | P | P | - | - | - |
| Equipment and Tool Rental Establishments (No Man-ridden Equipment) | P | P | - | - | - |
| Feed Stores | P | P | - | - | - |
| Florists | P | P | P | P | - |
| Food Stores | P | P | P | P | - |
| Frozen Food Lockers | P | P | - | - | - |
| Funeral Parlors | P | P | - | - | - |
| Furniture Stores | P | P | - | - | - |
| Gymnasium and Health Studios | P | P | P | - | - |
| Hardware Stores | P | P | P | - | - |
| Hardware Stores, excluding the sale of Used Building Materials, Used Appliances and Used Plumbing Supplies | - | - | P | - | - |
| Hobby Shops | P | P | P | P | - |
| Hotels, Motels, and Time Share Projects | P | P | - | - | - |
| Ice Delivery Stations | P | P | - | - | - |
| Interior Decorators | P | P | P | - | - |
| Jewelry Stores | P | P | P | P | - |
| Labor Unions (No Hiring Halls) and Trade Associations | P | P | P | - | - |
| Laundries, if entirely within an enclosed building with not more than 10 employees. | P ⁽³⁾ | P ⁽³⁾ | - | - | - |
| Leather Goods and Luggage Shops | P | P | - | - | - |
| Lithography Shops | P ⁽³⁾ | P ⁽³⁾ | - | - | - |
| Liquor Stores | P | P | P | - | - |
| Live/Work Quarters | P(12) | P(12) | P(12) | - | - |
| Locksmith Shops | P | P | - | - | - |
| Medical Appliance Sales | P | P | - | - | - |
| Medical, Dental, Biological and X-ray Laboratories | P | P | P | - | - |
| Moving and Household Storage Facilities | P | P | - | - | - |
| Music Stores | P | P | P | - | - |
| Newspaper Plants | P | P | - | - | - |
| Nurseries-plants | P ⁽⁴⁾ | P ⁽⁴⁾ | P ⁽⁴⁾ | P ⁽⁴⁾ | - |
| Office Furniture and Equipment Sales | P | P | - | - | - |

| Permitted Uses | CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4 | CL-2 ⁽⁶⁾ | CN-3,4 ⁽²⁾ CV-3 ⁽²⁾ | CL-5 ⁽⁶⁾ | NP-1,2,3 |
|--|---|---------------------|--|---------------------|------------------|
| Paint and Wallpaper | P | P | P | P | - |
| Parking Lots-commercial | P | P | - | - | - |
| Parking Lots and Facilities, if accessory to a permitted primary use, on the same premises, except that facilities completely below grade need not be accessory. | - | - | P | - | - |
| Pawn Shops | P | P | - | - | - |
| Pet Shops | P | P | - | - | - |
| Pharmacies | P | P | - | - | P ⁽⁷⁾ |
| Photographic Studios and Retail Outlets | - | - | P | - | - |
| Photographic Studios | P | P | - | P | - |
| Photographic Equipment, Supplies and Film Processing Stores | P | P | - | - | - |
| Plumbing Shops, provided that any open storage areas are completely enclosed by walls, or buildings, or a combination thereof, not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods, to a height greater than that of any enclosing wall or building. | P ⁽³⁾ | P ⁽³⁾ | - | - | - |
| Post Offices | P | P | - | - | - |
| Private Clubs, Fraternal Organizations and Lodges | P | P | P | P | P |
| Public Utility Electric Substations, Gas Regulators and Communications Equipment Buildings developed in accordance with building and landscaping plans approved by the City Manager. | P | P | - | - | - |
| Radio and Television Broadcasting Studios | P | P | P | P | - |
| Radio, Television and Home Appliance Repair Shops | P | P | P | P | - |
| Recreational Facilities, including Bowling Lanes, Miniature Golf Courses, Skating Rinks, Gymnasiums and Health Centers | P | P | - | - | - |

| Permitted Uses | CN-1,2 CN-1A,2A CL-1 ⁽⁶⁾ CL-3 CL-6 CV-1,2,4 | CL-2 ⁽⁶⁾ | CN-3,4 ⁽²⁾ CV-3 ⁽²⁾ | CL-5 ⁽⁶⁾ | NP-1,2,3 |
|---|---|---------------------|--|---------------------|------------------|
| Restaurants (In the CL-5 Zone, excluding Drive-in and Drive-thru Restaurants and further excluding Live Entertainment and sale of all Intoxicating Beverages except Beer and Wine) | P ⁽⁴⁾ | P ⁽⁴⁾ | P ⁽⁴⁾ | P ⁽⁴⁾ | P ⁽⁴⁾ |
| Rug and Carpet Stores | P | P | P | - | - |
| Shoe Stores | P | P | P | P | - |
| Shoe Repair Shops | P | P | P | P | - |
| Shopkeeper Units (See Section 113.0103) (Subject to Specific Zone Limitations) | P ⁽¹⁰⁾ | P | P | P | P |
| Sporting Goods Stores | P | P | P | - | - |
| Stationers | P | P | P | P | - |
| Storage Garages | P | P | - | - | - |
| Studios for Teaching of Art, Dancing and Music | P | P | P | P | - |
| Theaters, Nightclubs and Bars, with or without Live Entertainment, or any combination thereof (not permitted except by Conditional Use Permit if the size of the establishment exceeds 5,000 square feet in Gross Floor Area) | P | P | P | - | - |
| Tire Sales, Repair and Recapping Establishments, if entirely Within an Enclosed Building | P | P | - | - | - |
| Trade and Business Schools | - | - | - | - | - |
| Trailer Sales Agencies | P | P | - | - | - |
| Transportation Terminals | P | P | - | - | - |
| Travel Bureaus | P | P | - | - | - |
| Variety Stores | P | P | P | P | - |
| Wedding Chapels | P | P | - | - | - |
| Wholesaling or Warehousing of Goods and Merchandise, provided that the floor area occupied for such use per establishment does not exceed 5,000 square feet. | P | P | - | - | - |
| Construction of Cabinets and Shelves, and Musical Instruments, or other Wood Working | - | P ⁽³⁾ | - | P ⁽³⁾ | - |
| Construction of Windows, Doors and Screens | - | P ⁽³⁾ | - | P ⁽³⁾ | - |

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

Footnotes for Table 1512-03I

- ¹ a. Facilities providing medical and counseling services which meet the criteria in Section 1512.0302(h)(3)(A) through (C) are not permitted on a lot or parcel located within 1,000 feet of any premises occupied by an elementary, junior, or senior high school, except that such use is permitted by organizations described in Land Development Code Section 141.0702(b).
- b. Facilities where 5 or more persons as described in Section 1512.0302(h)(3)(B) are medically treated or medically or psychologically counseled, on a group or individual basis;
- c. The persons have committed, been charged by criminal indictment or complaint, or convicted of, a sex-related offense outside the family unit as defined in the California Penal Code, Part 1, Title 9, Chapter 1, or in Sections 286, 286.5, 288, 288a, 289 of Chapter 5, or in Section 314 of Chapter 8, or any amendment for remodification or any such sections.
- d. The medical and counseling services are directly related to physical or psychological treatment for the sex-related offenses committed and described in the above California Penal Code sections.
- ² a. No building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the table above; provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area; and, further provided, that no premises shall contain drive-in facilities except through a Mid-City Communities Development Permit.
- b. All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed below shall be operated entirely within enclosed buildings. The following listed merchandise sold or rented on the premises may be displayed outdoors without screening walls or fences except along common property lines of abutting residentially-zoned lots:
 - 1) Flowers and plants.
 - 2) Food products
 - 3) Handcrafted products and goods
 - 4) Artwork and pottery
- c. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
- d. No mechanical equipment, tank duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to main building.
- ³ The floor area of any establishment may not exceed 5,000 square feet.
- ⁴ Indicated use may be conducted outside a fully enclosed building.
- ⁵ Commercial uses in the CL-1 Zone are restricted along University Avenue between 28th Street and Georgia Street in accordance with Section 1512.0309(b)(1).

- 6 Special Regulations: CI-5 & CI-2 (At Texas and University)
 - a. No permitted use shall commence operating prior to 6:00 a.m. nor continue later than 12:00 midnight of any day.
 - b. Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
- 7 At least 75 percent of the gross floor area of the structure or structures on the lot or premises shall be devoted to business and professional office uses.
- 8 In the CV-3 Zone, auto repair permitted only as an expansion of an existing previously conforming use with the approval of a Mid-City Communities Development Permit.
- 9 In the CN-1A Zone and in the CN-2A Zone for lots exceeding 100 feet of street frontage, banks and business and professional office use together shall not exceed 50 percent of the ground floor area.
- 10 Residential use is not permitted for lots in the CN-1 Zone west of I-805 which do not have access to a street or alley other than to University Avenue.
- 11 No more than 10 percent of the gross floor area shall be utilized for display of alcoholic beverages.
- 12 Live/Work Quarters are permitted subject to the regulations in Section 141.0311.

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

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

- (1) Residential development is permitted in accordance with the regulations of the Mid-City Community Planned District.
- (2) In the CN-3 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premise be used except for one or more of the purposes indicated in the Sections 1512.0302 and 1512.0305(a) provided, however, that no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.

(“Commercial Zones (CN, CL, CV, NP) - Permitted Uses” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

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

(Amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)

§1512.0306 Commercial Zones - General Regulations

- (a) Maximum Number of Dwelling Units

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

**Table 1512-03J
Maximum Number of Dwelling Units**

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

(b) Minimum Lot Dimensions And Areas

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

**Table 1512-03K
Minimum Lot Dimensions and Area**

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

(“Commercial Zones - General Regulations” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

§1512.0307 Commercial Nodes - CN-1, CN-1A, CN-2, CN-2A, CN-3, and CN-4 Zones

(a) Purpose And Intent

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

(b) Property Development Regulations

(1) Residential Density

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

**Table 1512-03M
Residential Density**

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

(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)

(2) Yard and Setback Requirements

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

(i) The property abuts residentially zoned property or commercial transition zoned property, in which case a 6-foot interior side or rear yard shall be provided adjacent to that property. The third story shall be set back 9 feet and additional stories shall be set back a minimum 15 feet from the property line. Also, a 10-foot front or street side yard shall be provided when that yard is abutting any residentially zoned property. Zero Yard Option. The following zero foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

A building wall not exceeding 2 stories may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000, or commercial transition zoned property. Any third story shall be set back at least 6 feet; each story above the third requires a 15-foot setback from the property line.

- (ii) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a 20-foot setback for said parking spaces.
- (B) That portion of structures exceeding 48 feet in height on Washington Street or 36 feet in height in all other areas shall be set back at least 15 feet from all property lines which are shared with another parcel.
- (3) Height Limits.
 - (A) For the CN-1A zone, the height limit shall be 200 feet except as follows:
 - (i) For CN-1A zoned properties within the area bounded by Kalmia Street, Laurel Street, and Third and Sixth Avenues, the height limit shall be 100 feet.
 - (ii) For CN-1A zoned properties within the area bounded by Laurel Street, Maple Street, and Third and Sixth Avenues, the height limit shall be 150 feet.
 - (B) In the CN-2A Zone, the height limit shall be 150 feet.
 - (C) For the CN-4 Zone, the height limit shall be 30 feet.
- (4) Floor Area Ratio (FAR) and Coverage.
 - (A) There shall be a minimum coverage of 35 percent.
 - (B) The permitted FAR for a commercial development in any CN zone is listed in the first column below. In all CN zones each square foot of the residential floor area in a mixed-use project earns an additional square foot of commercial floor area up to the maximum commercial FAR listed in the second column in Table 1512-03N.

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

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

- (C) There is no maximum FAR for residential development in a mixed commercial/residential project.
 - (D) For each floor that an atrium penetrates through a structure, 25 percent of the square footage per floor shall be included in the calculation of the FAR.
- (5) **Minimum Commercial Area.** For mixed commercial/ residential projects, a minimum square footage of the ground floor shall be reserved for commercial use (other than parking facilities), said square footage to be calculated by multiplying the linear footage of all street frontage by 20.
- (6) **Maximum Premised Area.** In the CN-3 zone no premises shall contain an establishment exceeding a total of 5,000 square feet in gross floor area.
- (7) **Pedestrian Access.** At least one separate pedestrian entry per 100 linear feet of street wall frontage or part thereof shall be provided from the street into or through the commercial use. Separate entries provided to satisfy this requirement may be spaced no closer than 25 feet apart.
- (8) **Street Wall.**

- (A) Expect as provided in Section 1512.0307(b)(2)(A)(i), there shall be a building wall of at least 13 feet in height located within 6 feet of any street frontage property line, along not less than 65 percent of both the front and if applicable street side street property lines, except as required for driveway access where no alternative access is available. The setback may be increased to 15 feet if a sidewalk café, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. Structures not requiring a building permit are exempt from this requirement.
- (B) The street wall shall not exceed 48 feet in height on Washington Street or 36 feet in height in all other areas, with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side of the building for fire or safety access, in which case no setback is required.

(“Commercial Nodes - CN-1, CN-1A, CN-2, CN-2A, CN-3, and CN-4 Zones” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)

(Renumbered from Section 1512.0308 to Section 1512.0307 and amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016. Former Section 1512.0307 “Transition Zones--Indicated by the Suffix “T” to any Commercial Zone Designation (e.g., CN-IT)” repealed.)

§1512.0308 Commercial Linear Zones - CL-1, CL-2, CL-3, CL-5, CL-6, (CL-4 is Renamed CV-3, See Section 1512.0309)

(a) Purpose And Intent

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

(b) Property Development Regulations

(1) Residential Density

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

**Table 1512-03O
Residential Density**

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

**Table 1512-03P
Residential Density Exception**

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

Footnote for Table 1512-03P

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

- (2) Yard and Setback Requirements
- (A) Commercial Projects With No Residential Use. No front, side, or rear yards are required, except as follows:
- (i) In the CL-5 zone, a 10-foot front yard and 10-foot street side yard are required.
 - (ii) Where the property abuts residentially zoned property, or commercial transition zoned property, a minimum 6-foot yard shall be provided adjacent to that property. The third story requires a 9 foot setback and additional stories shall be set back a minimum of 15 feet from the property line.

Zero Yard Option. The following zero-foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit: Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR- 800B, MR-1000B, MR-1000, or commercial transition zoned property. Any third story shall be set back at least 6 feet; each story above the third requires a minimum 15-foot setback from the property line.
 - (iii) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a minimum 20-foot setback for said parking spaces.
- (B) Residential or Mixed Residential/ Commercial Developments.
- Minimum Yard Dimensions (Linear Feet) and Setbacks as shown in Table 1512-03Q apply.

**Table 1512-03Q
Minimum Yard Dimensions**

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

Footnotes for Table 1512-03Q

- ¹ Zero Yard Option. The zero yard option specified for commercial projects is also available for residential and mixed commercial/residential projects.
- ² Setbacks. Every story (or portion of a story) above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The maximum required setback is 15 feet.
- ³ If the property line abuts residentially zoned property, a 6-foot yard shall be provided adjacent to that property.
- ⁴ Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a minimum 20-foot setback for said parking spaces.

(3) Height Limits

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

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

**Table 1512-03R
Floor Area Ratio (FAR)**

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

Footnotes for Table 1512-03R

- ¹ To qualify for the higher allowance, a project must be:
 - (a) On a lot of at least 30,000 square feet, or
 - (b) On a lot within 300 feet of a designated FAR Bonus Intersection.
- ² To qualify for the higher allowance, a project must be:
 - (a) On a lot of at least 30,000 square feet, or
 - (b) On a lot within 150 feet of a designated FAR Bonus Intersection.

(“Commercial Linear Zones - CL-1, CL-2, CL-3, CL-5, CL-6, (CL-4 is Renamed CV-3, See Section 1512.0310)” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

(Renumbered from Section 1512.0309 to Section 1512.0308, retitled to “Commercial Linear Zones - CL-1, CL-2, CL-3, CL-5, CL-6, (CL-4 is Renamed CV-3, See Section 1512.0309), and amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)

§1512.0309 Commercial Village Zones - CV-1, CV-2, CV-3, CV-4

(a) Purpose And Intent

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

(b) Property Development Regulations

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

**Table 1512-03S
Residential Density**

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

(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)

- (2) Yard and Setback Requirements
- (A) Commercial, Residential and Mixed Commercial/Residential Development. No front, side, or rear yards are required, except as follows:
- (i) Where the property abuts residentially or transition zoned property, or minimum 6- foot yard shall be provided adjacent to that property. The third story requires a 9 foot setback and additional stories shall be set back 15 feet.
 - (ii) Zero Yard Option. The following zero-foot side yard option shall only be granted through approval of a Mid-City Communities Development Permit:

Up to 100 linear feet of a building wall may be on a property line abutting MR-400, MR-800B, MR-1000B, MR-1000 or transition zoned property. Any third story shall be set back at least 6-feet; each story above the third requires a 15-foot setback.
 - (iii) Where parking spaces are accessed directly from the street right-of-way with no turnaround area, there shall be a 20-foot setback for said parking spaces.
- (B) That portion of structures exceeding 36 feet in height stories shall be set back at least 15 feet from all property lines which are shared with another parcel.

(3) Height Limits

**Table 1512-03T
Height Limitations**

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

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

- (A) There shall be a minimum coverage of 20 percent.
- (B) The permitted FAR for commercial development shall be as indicated in Table 1512-03U.
 - (i) On any lot within the CV-1 Zone, each .01 of residential FAR in a commercial/residential project earns an additional .01 of commercial FAR up to a maximum commercial FAR of 3.00.
 - (ii) On any lot within the CV-2 or CV-3 Zones, each square-foot of residential floor area in a commercial/residential project earns an additional square-foot of commercial floor area up to a maximum commercial FAR of 1.00.

- (C) There is no maximum FAR for residential development.

**Table 1512-03U
Floor Area Ratios**

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

- (5) Maximum Premises Area. In the CV-3 Zone, no premises shall contain an establishment exceeding as total of 5,000 square feet in gross floor area.
- (6) Pedestrian Access. At least one separate pedestrian entry per 100 linear feet of street wall frontage shall be provided from the street into or through the structure. Separate entries meeting this requirement must be spaced no closer than 25 feet apart.
- (7) Street Wall
 - (A) Projects must meet one of 2 options:
 - (i) No parking in the 50 percent of the parcel abutting the street, except that enclosed and covered parking may be permitted in accordance with the yard and setback requirements; or

(ii) Except as provided in Section 1512.0309(b)(2)(A), there shall be a building wall of at least 13 feet in height located within 5 feet of any street frontage property line for commercial or mixed-use projects, or within 10 feet of any street frontage property line for residential projects, along not less than 65 percent of the total of both the front and if applicable street side property lines, except as required for driveway access where no alternative access is available. The setback may be increased to 15 feet if a sidewalk café, public plaza, retail courtyard or arcade is provided for exclusive use of pedestrians. Structures not requiring a building permit are exempt from this requirement.

(B) The street wall shall not exceed 36 feet in height with additional height of the structure set back at least 15 feet from the base of the street wall, except as may be required on one side for fire or safety access.

(“Commercial Village Zones - CV-1, CV-2, CV-3, CV-4” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)

(Renumbered from Section 1512.0310 to Section 1512.0309 and amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)

§1512.0310 Neighborhood Professional Zones - NP-1, NP-2, NP-3

(a) Purpose And Intent

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

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

(b) Property Development Regulations

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

**Table 1512-03V
Residential Density**

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

(2) Yard and Setback Requirements

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

**Table 1512-03W
Minimum Yard Dimensions and Setbacks**

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

Footnotes for Table 1512-03W

- 1 Zero Yard Option. The following zero foot size yard option shall only be granted through approval of a Mid- City Communities Development Permit: Up to 60 linear feet of a 2-story interior side wall may be on the interior property line, provided that no single plane exceeds 30 feet and provided that access to the rear of the property from all units is provided and maintained. (Exception: A building wall in the rear 50 percent of a lot is not restricted to the 30-foot single-plane limit.) Any third story shall be set back at least 6 feet; each story above the third requires an additional 3-foot setback per story (calculated from the minimum requirement for the story below). The maximum required setback with this option is 15 feet.
- 2 Setback. Each story (or portion of a story above the second shall be set back an additional 3 feet (calculated from the minimum requirement for the story below). The maximum total required setback is 15 feet.
- 3 Exception. Interior Side Yards. On lots less than 50 feet wide, each interior side yard shall be calculated as 12 percent of the lot width.
- 4 Rear Yard. A rear yard of one foot dimension is required. However, each story (or portion of a story) above the second shall be set back 7 feet (calculated from the minimum requirement for the story below). The maximum required setback is 14 feet.

(3) Height Limits

**Table-1512-03X
Height Limitations**

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

(4) Floor Area Ratio (FAR) and Coverage

- (A) There shall be a minimum coverage of 20 percent.
- (B) The permitted FAR and coverage for commercial and/or residential development are specified in Table 1512-03Y.

- (C) A FAR bonus shall be provided equivalent to the area of enclosed parking. Any portion of the building which covers enclosed parking shall be excluded from the coverage calculation.

Table 1512-03Y
Floor Area Ratios and Lot Coverage

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

(“Neighborhood Professional Zones - NP-1, NP-2, NP-3” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)
(Renumbered from Section 1512.0311 to Section 1512.0310 and amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)

§1512.0311 Additional Development Regulations - All Mid-City Zones

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

**Table 1512-03Z
Offsetting Planes Requirement**

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

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

**Table 1512-03AA
Building Plane Proportions**

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

(b) Transparency Requirement

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

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

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

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

- (3) Except as provided in Section 1512.0311(b)(1) above, in all projects, a minimum of 15 percent of each story’s street wall shall be transparent (such as windows).
- (4) No window or other transparency into a garage or similar area shall qualify toward the minimum transparency requirement in any zone.

(c) Private Exterior Usable Area

- (1) Private exterior usable areas shall be provided for residential and mixed residential/commercial projects. Such areas shall be adjacent to and accessible from selected dwelling units and shall be bounded by a minimum 36 inch high barrier. These areas shall be exclusive of public rights-of-way, shall have a minimum dimension of 5 feet and, in their entirety, shall have a natural or man-made gradient of 10 percent or less.
- (2) Private exterior usable areas shall have a minimum size of 25 square feet, with a project average of 50 square feet per dwelling unit. At least 50 percent of all units in a development shall have private exterior usable area.
- (3) In the MR-1500 zones that permit equal or higher residential densities, up to 50 percent of the requirement for private exterior usable area may be provided instead as common exterior usable area. However, for each 2-square-foot reduction in private area, 3 square feet of common area must be provided. Common exterior usable areas must be open to the sky, no less than 1,500 square feet in area and must have a minimum dimension of 30 feet and a gradient of 10 percent or less. Trees and trellises are permitted in such areas.

(d) Storage Facilities

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

(e) Variety of Street Walls

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

(“Additional Development Regulations - All Mid-City Zones” added 3-27-2007 by O-19598 N.S.; effective 4-26-2007.)

(Renumbered from Section 1512.0312 to Section 1512.0311 and amended 12-1-2016 by O-20751 N.S.; effective 12-31-2016.)