

**STRIKEOUT ORDINANCE**

**FOUR COUNCIL MEMBER PROPOSAL**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6, DIVISION 0 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54; AMENDING CHAPTER 9, ARTICLE 8, DIVISION 6 BY AMENDING SECTION 98.0618; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 BY AMENDING SECTION 113.0103; AMENDING CHAPTER 12, ARTICLE 3, BY ADDING NEW DIVISION 7 SECTIONS 123.0701, 123.0702, 123.0703, 123.0704, 123.0705, AND 123.0706; AMENDING CHAPTER 12, ARTICLE 6, DIVISION 2 BY AMENDING SECTION 126.0203; AMENDING CHAPTER 12, ARTICLE 6, DIVISION 3 BY AMENDING SECTION 126.0303; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 2 BY AMENDING SECTION 129.0203; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 7 BY AMENDING SECTION 129.0710; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 131.0222; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 3 BY AMENDING SECTION 131.0322; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0422; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 BY AMENDING SECTION 131.0522; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 BY AMENDING SECTION 131.0622; AMENDING CHAPTER 13, ARTICLE 2, DIVISION 15 BY AMENDING SECTIONS 132.1510 AND 132.1515; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 3 BY REPEALING SECTION 141.0301, BY AMENDING SECTION 141.0302, AND BY ADDING NEW SECTION 141.0309; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 6 BY REPEALING SECTION 141.0603, BY AMENDING SECTION 141.0621, AND BY RENUMBERING SECTION 141.0621 TO 141.0622, SECTION 141.0622 TO 141.0623, SECTION 141.0623 TO 141.0624, SECTION 141.0624 TO 141.0625, SECTION 141.0625 TO 141.0626, AND SECTION 141.0626 TO 141.0627; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTIONS 142.0525 AND

142.0555; AMENDING CHAPTER 15, ARTICLE 1, DIVISION 1 BY AMENDING SECTION 151.0103; AMENDING CHAPTER 15, ARTICLE 4, DIVISION 4 BY AMENDING SECTION 154.0405; AMENDING CHAPTER 15, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 155.0238; AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 BY AMENDING SECTIONS 156.0302 AND 156.0308; AMENDING CHAPTER 15, ARTICLE 7, DIVISION 4 BY AMENDING SECTION 157.0404; AMENDING CHAPTER 15, ARTICLE 9, DIVISION 4 BY AMENDING SECTION 159.0405; AMENDING CHAPTER 15, ARTICLE 10, DIVISION 3 BY AMENDING SECTIONS 1510.0303 AND 1510.0309, ALL RELATING TO SHORT TERM RESIDENTIAL OCCUPANCY.

**§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas**

(a) Definitions. For purposes of sections 56.54, 56.55, and 56.56, the following terms are defined as follows:

*“Alcoholic beverage”* through *“Seawall”* [No change in text.]

*“Sidewalk café”* has the same meaning as set forth in San Diego Municipal Code section 141.06212.

*“Vessel”* [No change in text.]

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

**§98.0618 Exemptions within an Enterprise Zone**

The fee requirements in this Division shall not apply to Nonresidential Development Projects that satisfy all of the following requirements:

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

(c) The primary use of the Nonresidential Development Project is one of the following:

(1) through (4) [No change in text.]

(5) Urgent Care Facilities, as described in San Diego Municipal Code section 141.06245; or

(6) [No change in text.]

**§113.0103 Definitions**

*Abutting property through Bluff edge, coastal* [No change in text.]

~~*Boarder means an individual resident who is furnished sleeping accommodations and meals in a residential structure.*~~

*Breakaway wall through Grubbing* [No change in text.]

*Guest room means any bedroom used for home share or short term residential occupancy, or any rented or leased room that is used or designed to provide sleeping accommodations for one or more guests in *hotels, motels, bed and breakfast facilities, private clubs, lodges, and fraternity or sorority houses.**

*Hardscape through Local Coastal Program* [No change in text.]

~~*Lodger means any person renting a room in a residential structure for living or sleeping purposes without having free access to and use of the rest of the structure.*~~

*Lot through Remaining yard* [No change in text.]

~~*Residential occupancy means the use or possession, or the right to the use or possession, of any structure, accessory structure, room, or portion thereof, constructed, used, or intended for use as a place of human habitation, including any mobilehome, single dwelling unit, or multiple dwelling unit.*~~

*Resolution of lien* [No change in text.]

~~*Responsible person means a record owner, tenant, person with a legal interest in the property, or person in possession of the premises.*~~

*Retaining wall through Yard* [No change in text.]

**Division 7: Home Share Permit and Short Term Residential Occupancy Permit**

**§123.0701 Purpose of Home Share and Short Term Residential Occupancy Permits**

The purpose of these procedures is to provide for annual review of home share and short term *residential occupancy* for conformance with the applicable zoning regulations to ensure that home share and short term *residential occupancy* minimizes impacts to adjacent properties.

**§123.0702 When a Home Share Permit or a Short Term Residential Occupancy Permit is Required**

(a) A Home Share Permit is required for any *dwelling unit* that is used as a home share in accordance with Section 141.0309. The requirement to obtain a Home Share Permit applies to the home share of three to five *guest rooms*.

(b) A Short Term *Residential Occupancy* Permit is required for any *dwelling unit* that is used for short term *residential occupancy* in accordance with Section 141.0621.

**§123.0703 How to Apply for Home Share and Short Term Residential Occupancy Permits**

An *applicant* shall apply for a Home Share or a Short Term *Residential Occupancy* Permit in accordance with Section 112.0102.

**§123.0704 Decision on a Home Share Permit or a Short Term Residential Occupancy Permit**

A decision on an application for a Home Share Permit or Short Term *Residential Occupancy* Permit shall be made in accordance with Process One.

**§123.0705 Issuance of a Home Share Permit or a Short Term Residential Occupancy Permit**

- (a) The City Manager shall issue a Home Share Permit or a Short Term Residential Occupancy Permit when the applicant demonstrates conformance with the Separately Regulated Use requirements in Section 141.0309 and Section 141.0621, respectively, when the required fees have been paid.
- (b) A Home Share Permit or a Short Term Residential Occupancy Permit shall be valid for 12-months from the date of issuance. However, a permit holder shall request that a permit be revised to reflect a new responsible person.
- (c) A Home Share Permit or a Short Term Residential Occupancy Permit shall not be processed for a premises with a pending enforcement action by the City unless the approval is required to resolve the enforcement action.
- (d) A Home Share Permit or a Short Term Residential Occupancy Permit shall not be issued for a premises that has had a Home Share Permit or Short Term Residential Occupancy Permit revoked for the same premises within 12 months prior to the date of application.
- (e) A Short Term Residential Occupancy Permit shall not be issued to a responsible person that has been in possession of the premises for less than one year, unless the responsible person resides on the premises.
- (f) No more than three Short Term Residential Occupancy Permits shall be issued to an applicant.

(g) Fees

(1) Home share or short term residential occupancy shall be subject to the payment of an Affordable Housing Impact Fee as may be set by the City Council. The Affordable Housing Impact Fee shall be remitted to the City Treasurer on or before the last day of the following month for the previous month.

(2) Short Term Residential Occupancy Permit shall be subject to administrative and enforcement fees.

**§123.0706 Revocation of a Home Share Permit or a Short Term Residential Occupancy Permits**

Home Share Permits may be revoked in accordance with Chapter 12, Article 1, Division 3 or upon a determination by an Enforcement Hearing Officer in accordance with this Section. An Enforcement Hearing Officer shall revoke a Home Share Permit upon a determination that a third violation at the premises has occurred within the previous 12 months. When the revocation is by an Enforcement Hearing Officer, notwithstanding the provisions of Chapter 12, Article 1, Division 3, the notice of intent to revoke shall be included in the Notice of Violation provided pursuant to section 12.0103 for the third alleged violation at that premises within the previous 12 months and notice and conduct of the hearing on the Notice of Violation and the permit revocation shall be conducted in accordance with Chapter 1.

**§126.0203 When a Neighborhood Use Permit Is Required**

(a) An application for the following uses in certain zones may require a Neighborhood Use Permit. To determine whether a Neighborhood Use

Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13.

Artisan Food and Beverage Producer through Automobile service stations [No change in text.]

~~Bed and breakfast establishments (under circumstances described in Section 141.0603)~~

Boarding kennels/pet day care facilities through Revolving projecting signs [No change in text.]

Short term residential occupancy

Sidewalk cafes that deviate from the requirements of Section 141.0624~~2~~(a)

Signs with automatic changing copy through *Wireless communication facilities* (under certain circumstances described in Section 141.0420)

[No change in text.]

(b) [No change in text.]

**§126.0303 When a Conditional Use Permit Is Required**

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulations Table in Chapter 13. The decision process is described in Section 126.0304.

(a) Conditional Use Permits Decided by Process Three

Agricultural equipment repair shops through Automobile service Stations [No change in text.]

~~Bed and breakfast establishments (under circumstances described in Section 141.0603)~~

Child ~~C~~care ~~C~~centers through Residential care facilities for 7 to 12 persons [No change in text.]

Swap meets and other large outdoor retail facilities through *Wireless communication facilities* (under circumstances described in Section 141.0420) [No change in text.]

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

**§129.0203 Exemptions from a Building Permit**

(a) A Building Permit is not required for the following *structures* and activities, except when the *development* would involve alterations, repairs, or improvements to a *historical resource* as described in Section 143.0220, or when *development* on a *premises* containing *environmentally sensitive lands* requires a *development permit* in accordance with Section 143.0110:

(1) through (24) [No change in text.]

(25) A sidewalk cafe that is in compliance with Section 141.062~~1~~2, unless any one of the following applies:

(A) through (C) [No change in text.]

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

**§129.0710 How to Apply for a Public Right-of-Way Permit**

An application for a Public Right-of-Way Permit shall be submitted in accordance with Sections 112.0102 and 129.0105. The submittal requirements for Public Right-of-Way Permits are listed in the Land Development Manual. A *development permit* is required prior to issuance of a Public Right-of-Way Permit for the following:



- (a) If the proposed *encroachment* involves construction of a privately-owned *structure* or facility into the *public right-of-way* dedicated for a *street* or an *alley*, and where the *applicant* is the *record owner* of the underlying fee title, a Neighborhood Development Permit is required in accordance with Section 126.0402(j) except for the following, which are subject to approval by the City Engineer in accordance with Process One:
- (1) through (5) [No change in text.]
  - (6) The *encroachment* is permitted under Section 141.06242 (Sidewalk Cafes).
  - (7) through (9) [No change in text.]
- (b) through (d) [No change in text.]

**§131.0222 Use Regulations Table for Open Space Zones**

The uses allowed in the open space zones are shown in Table 131-02B.

**Legend for Table 131-02B**

[No change in text.]

**Table 131-02B**  
**Use Regulations Table for Open Space 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 >>	OP-		OC-	OR <sup>(1)</sup> -	OF <sup>(1)</sup> -
	3rd >>	1-	2-	1-	1-	1-
	4th >>	1	1	1	1   2	1
<b>Open Space through Residential, <i>Single Dwelling Units</i></b> [No change in text.]	[No change in text.]					
<b>Separately Regulated Residential Uses</b>						
<i>Boarder &amp; Lodger Accommodations</i>	-	-	-	£	-	
<b>Residential, Separately Regulated Residential Uses, <i>Companion Units</i></b> through Home Occupations [No change in text.]	[No change in text.]					
<u>Home Share</u>						
<u>1-4 Guest Rooms</u>	≡	≡	≡	<u>P</u>	≡	
<u>5+ Guest Rooms</u>	≡	≡	≡	<u>L</u>	≡	
<b>Residential, Separately Regulated Residential Uses, <i>Junior Units</i></b> through <b>Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]	[No change in text.]					
<del>Bed &amp; Breakfast Establishments:</del>						
<del>1-2 Guest Rooms</del>	-	-	-	<del>Ñ</del>	-	
<del>3-5 Guest Rooms</del>	-	-	-	<del>Ñ</del>	-	
<del>6+ Guest Rooms</del>	-	-	-	<del>€</del>	-	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/ Pet Day Care through Recycling Facilities: Tire Processing Facility</b> [No change in text.]	[No change in text.]					
<u>Short Term Residential Occupancy</u>						
<u>1-4 Guest Rooms</u>	≡	≡	≡	<u>L</u>	≡	
<u>5+ Guest Rooms</u>	≡	≡	≡	<u>N</u>	≡	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i></b> [No change in text.]	[No change in text.]					

**Footnotes for Table 131-02B**<sup>1</sup> through <sup>11</sup> [No change in text.]

## §131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

### Legend for Table 131-03B

[No change in text.]

**Table 131-03B**  
**Use Regulations Table for Agricultural 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 >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
<b>Open Space</b> through <b>Residential, Single Dwelling Units</b> [No change in text.]		[No change in text.]			
<b>Separately Regulated Residential Uses</b>					
<i>Boarder &amp; Lodger Accommodations</i>		-		<u>L</u>	
<b>Residential, Separately Regulated Residential Uses, Companion Units</b> through Home Occupations [No change in text.]		[No change in text.]			
<u>Home Share</u>					
<u>1-4 Guest Rooms</u>		=		<u>P</u>	
<u>5+ Guest Rooms</u>		=		<u>L</u>	
<b>Residential, Separately Regulated Residential Uses, Junior Units</b> through <b>Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]		[No change in text.]			
<del>Bed &amp; Breakfast Establishments:</del>					
<del>1-2 Guest Rooms</del>		-		<del>L(10)</del>	
<del>3-5 Guest Rooms</del>		-		<del>N(10)</del>	
<del>6+ Guest Rooms</del>		-		<del>C(10)</del>	

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 >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/ Pet Day Care through Recycling Facilities: Tire Processing Facility</b> [No change in text.]		[No change in text.]			
<u>Short Term Residential Occupancy</u>					
<u>1-4 Guest Rooms</u>		=		<u>L<sup>(10)</sup></u>	
<u>5+ Guest Rooms</u>		=		<u>N<sup>(10)</sup></u>	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]			

**Footnotes for Table 131-03B**<sup>1</sup> through <sup>12</sup> [No change in text.]**§131.0422 Use Regulations Table for Residential Zones**

The uses allowed in the residential zones are shown in the Table 131-04B.

**Legend for Table 131-04B**

[No change in text.]

**Table 131-04B**  
**Use Regulations Table for Residential 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 >>	RE-	RS-												RX-		RT-								
3rd >>	1-	1-												1-		1-									
4th >>	1 2 3 1 2 3 4 5 6 7 8 9 10 11 12 13 14	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4	5
<b>Open Space through Agriculture, Raising &amp; Harvesting of Crops</b> [No change in text.]		[No change in text.]																							
<b>Raising, Maintaining &amp; Keeping of Animals</b>	P <sup>(3)(9)</sup> (7)	-												-		-									
<b>Agriculture, Separately Regulated Agriculture Uses, Agriculture Equipment Repair Shops through Residential, Shopkeeper Units</b> [No change in text.]		[No change in text.]																							
<b>Single Dwelling Units</b>	P	P <sup>(9)</sup> (8)												P <sup>(9)</sup> (8)		P <sup>(9)</sup> (8)									
<b>Separately Regulated Residential Uses</b>																									
<i>Boarder &amp; Lodger Accommodations</i>	L	L												L		L									
<b>Residential, Separately Regulated Residential Uses, Companion Units</b> through Home Occupations [No change in text.]		[No change in text.]																							
<u>Home Share</u>																									
<u>1-4 Guest Rooms</u>	<u>P</u>	<u>P</u>												<u>P</u>		<u>P</u>									
<u>5+ Guest Rooms</u>	<u>L</u>	<u>L</u>												<u>L</u>		<u>L</u>									
<b>Residential, Separately Regulated Residential Uses, Junior Units through Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]		[No change in text.]																							
<b>Bed &amp; Breakfast Establishments:</b>																									
1-2 Guest Rooms	N	N												N		-									
3-5 Guest Rooms	N	C												C		-									

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>Zone Designator</b>		<b>Zones</b>																					
	1st & 2nd >>	RE-	RS-												RX-		RT-							
	3rd >>	1-	1-												1-		1-							
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
<b>6+ Guest Rooms</b>	€	€												-		-								
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels / Pet Day Care through Recycling Facilities: Tire Processing Facility [No change in text.]</b>	[No change in text.]																							
<u>Short Term Residential Occupancy</u>																								
<u>1-4 Guest Rooms</u>	<u>L</u>	<u>L</u>												<u>L</u>		<u>L</u>								
<u>5+ Guest Rooms</u>	<u>N</u>	<u>N</u>												<u>N</u>		<u>N</u>								
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i> [No change in text.]</b>	[No change in text.]																							

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 >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Open Space through Agriculture, Separately Regulated Agriculture Uses, Open Air Markets for the Sale of Agriculture-Related Products &amp; Flowers</b> [No change in text.]		[No change in text.]												
<b>Residential</b>														
<i>Mobilehome Parks</i>		[No change in text.]												
<i>Multiple Dwelling Units</i>		P <sup>(5)</sup>			P <sup>(5)</sup>			P <sup>(5)</sup>			P <sup>(5)</sup>		P	
<i>Rooming House</i> [See Section 131.0112(a)(3)(A)]		P			P			P					P	
<i>Shopkeeper Units</i>		[No change in text.]												
<i>Single Dwelling Units</i>		P <sup>(42)</sup> (11)			P <sup>(42)</sup> (11)			P <sup>(42)</sup> (11)			P <sup>(42)</sup> (11)		P <sup>(42)</sup> (11)	
<b>Separately Regulated Residential Uses</b>														
<i>Boarder &amp; Lodger Accommodations</i>		L			L			L			L		L	
<b>Residential, Separately Regulated Residential Uses, Companion Units</b> through Garage, Yard, & Estate Sales [No change in text.]		[No change in text.]												
Guest Quarters		L <sup>(40)</sup> (9)			-			-			-		-	
Home Occupations		[No change in text.]												
<u>Home Share</u>														
<u>1-4 Guest Rooms</u>		P			P			P			P		P	
<u>5+ Guest Rooms</u>		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 >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Residential, Separately Regulated Residential Uses, Junior Units through Institutional, Separately Regulated Institutional Uses, Wireless communication facility outside the public right-of-way</b> [No change in text.]		[No change in text.]												
<b>Retail Sales</b>														
<b>Building Supplies &amp; Equipment</b>		[No change in text.]												
<b>Food, Beverages and Groceries</b>		-	-	-	-	-	-	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	
<b>Consumer Goods, Furniture, Appliances, Equipment</b>		[No change in text.]												
<b>Pets &amp; Pet Supplies</b>		[No change in text.]												
<b>Sundries, Pharmaceuticals, &amp; Convenience Sales</b>		-	-	-	-	-	-	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	
<b>Retail Sales, Wearing Apparel &amp; Accessories through Separately Regulated Retail Sales Uses, Swap Meets &amp; Other Large Outdoor Retail Facilities</b> [No change in text.]		[No change in text.]												
<b>Commercial Services</b>														
<b>Building Services</b>		[No change in text.]												
<b>Business Support</b>		-	-	-	-	-	-	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	
<b>Eating &amp; Drinking Establishments through Off-Site Services</b> [No change in text.]		[No change in text.]												
<b>Personal Services</b>		-	-	-	-	-	-	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	p <sup>(7)</sup> (6)	
<b>Radio &amp; Television Studios through Tasting Rooms</b> [No change in text.]		[No change in text.]												



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 >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Visitor Accommodations</b>		-			-			-			p <sup>(6)</sup> (5)		p <sup>(6)</sup> (5)	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Adult Entertainment Establishments through Assembly and Entertainment Uses, Including Places of Religious Assembly [No change in text.]</b>		[No change in text.]												
<del>Bed &amp; Breakfast Establishments:</del>														
1-2 Guest Rooms		L			L			L			P		P	
3-5 Guest Rooms		N			N			L			P		P	
6+ Guest Rooms		E			N			N			P		P	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/ Pet Day Care through Massage Establishments, Specialized Practice [No change in text.]</b>		[No change in text.]												
Mobile Food Trucks		-			N			L <sup>(11)</sup> (10)			L <sup>(11)</sup> (10)		L <sup>(11)</sup> (10)	
Nightclubs & Bars over 5,000 square feet in size through Recycling Facilities: Tire Processing Facility [No change in text.]		[No change in text.]												
<u>Short Term Residential Occupancy</u>														
<u>1-4 Guest Rooms</u>		L			L			L			L		L	
<u>5+ Guest Rooms</u>		N			N			N			N		N	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Zoological Parks [No change in text.]</b>		[No change in text.]												
<b>Offices</b>														
<b>Business &amp; Professional</b>		-			-			p <sup>(7)</sup> (6)			p <sup>(7)</sup> (6)		p <sup>(7)</sup> (6)	

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 >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Government</b>	[No change in text.]													
<b>Medical, Dental, &amp; Health Practitioner</b>	-			-			p <sup>(7)</sup> <u>6</u>			p <sup>(7)</sup> <u>6</u>		p <sup>(7)</sup> <u>6</u>		
<b>Regional &amp; Corporate Headquarters</b>	[No change in text.]													
<b>Offices, Separately Regulated Office Uses Real Estate Sales Offices &amp; Model Homes through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i> [No change in text.]</b>	[No change in text.]													

**Footnotes for Table 131-04B**<sup>1</sup> through <sup>4</sup> [No change in text.]<sup>5</sup> ~~Non-owner occupants must reside on the premises for at least 7 consecutive calendar days.~~<sup>6</sup> ~~Two guest rooms are permitted for visitor accommodations per the specified square footage of lot area required per dwelling unit *dwelling unit* (maximum permitted *density*), as indicated on Table 131-04G.~~<sup>7</sup> ~~See Section 131.0423.~~<sup>8</sup> ~~Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres. Maintaining, raising, feeding, or keeping of swine is not permitted.~~<sup>9</sup> ~~A Residential High Occupancy Permit is required in accordance with Section 123.0502 for a *single dwelling unit* when the occupancy of the *dwelling unit* would consist of six or more persons eighteen years of age and older residing in the *dwelling unit* for a period of 30 or more consecutive days.~~<sup>10</sup> ~~A guest quarters or habitable accessory building is permitted in accordance with Section 141.0307 only as an *accessory use* to a *single dwelling unit*.~~<sup>11</sup> ~~This use is permitted by right on the property of a *school*, university, hospital, religious facility, or construction site. It is permitted as a limited use only in association with a *multiple dwelling unit development* with at least 16 *dwelling units* and only if the commercial service is limited to the residents and their guests, and the use is designed and operated in compliance with Section 141.0612.~~<sup>12</sup> ~~*Development* of a small *lot subdivision* is permitted in accordance with Section 143.0365.~~**§131.0522 Use Regulations Table for Commercial Zones**

The uses allowed in the commercial zones are shown in Table 131-05B.

**Legend for Table 131-05B**

[No change in text.]

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

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones												
	1st & 2nd >>	>>	CN <sup>(1)</sup> -					CR-		CO-			CV-		CP-
			1-					1-	2-	1-	2-	3-	1-	1-	
			1	2	3	4	5	1	1	1	2	1	2	1	2
<b>Open Space through Residential, Single Dwelling Units</b> [No change in text.]	[No change in text.]														
<b>Separately Regulated Residential Uses</b>	[No change in text.]														
<i>Boarder &amp; Lodger Accommodations</i>	<u>L</u> <sup>(2)</sup>					<u>L</u>	-	<u>L</u>	-	-	<u>L</u> <sup>(2)</sup>	-			
<b>Residential, Separately Regulated Residential Uses, Companion Units through Home Occupations</b> [No change in text.]	[No change in text.]														
<u>Home Share</u>	[No change in text.]														
<u>1-4 Guest Rooms</u>	<u>P</u>					<u>P</u>	=	<u>P</u>	=	<u>P</u>	<u>P</u>	=			
<u>5+ Guest Rooms</u>	<u>L</u>					<u>L</u>	=	<u>L</u>	=	<u>L</u>	<u>L</u>	=			
<b>Residential, Separately Regulated Residential Uses, Junior Units through Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]	[No change in text.]														
<u>Bed &amp; Breakfast Establishments:</u>	[No change in text.]														
<u>1-2 Guest Rooms</u>	-					<u>P</u>	<u>P</u>	-	-	-	<u>P</u>	-			
<u>3-5 Guest Rooms</u>	-					<u>P</u>	<u>P</u>	-	-	-	<u>P</u>	-			
<u>6+ Guest Rooms</u>	-					<u>P</u>	<u>P</u>	-	-	-	<u>P</u>	-			
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/Pet Day Care through Recycling Facilities: Tire Processing Facility</b> [No change in text.]	[No change in text.]														
<u>Short Term Residential Occupancy</u>	[No change in text.]														
<u>1-4 Guest Rooms</u>	<u>L</u>					<u>L</u>	=	<u>L</u>	=	<u>L</u>	<u>L</u>	=			
<u>5 Guest Rooms</u>	<u>N</u>					<u>N</u>	=	<u>N</u>	=	<u>N</u>	<u>N</u>	=			
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]														

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	CC-																								
	3rd >>	1-			2-			3-			4-			5-												
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5
<b>Open Space through Residential, Single Dwelling Units</b> [No change in text.]		[No change in text.]																								
<b>Separately Regulated Residential Uses</b>																										
<i>Boarder &amp; Lodger Accommodations</i>		<u>L</u>		-		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>
<b>Residential, Separately Regulated Residential Uses, Companion Units through Home Occupations</b> [No change in text.]		[No change in text.]																								
<u>Home Share</u>																										
<u>1-4 Guest Rooms</u>		<u>P</u>		=		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>
<u>5+ Guest Rooms</u>		<u>L</u>		=		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>		<u>L</u>
<b>Residential, Separately Regulated Residential Uses, Junior Units through Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]		[No change in text.]																								
<b>Bed &amp; Breakfast Establishments:</b>																										
<u>1-2 Guest Rooms</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>
<u>3-5 Guest Rooms</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>
<u>6+ Guest Rooms</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/Pet Day Care through Recycling Facilities: Tire Processing Facility</b> [No change in text.]		[No change in text.]																								
<u>Short Term Residential Occupancy</u>																										
<u>1-4 Guest Rooms</u>		<u>P</u>		=		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>
<u>5+ Guest Rooms</u>		<u>N</u>		=		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>		<u>N</u>
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]		[No change in text.]																								

**Footnotes for Table 131-05B**<sup>1</sup> through <sup>17</sup> [No change in text.]**§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**

[No change in text.]

**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
<b>Open Space through Residential, Single Dwelling Units</b> [No change in text.]	[No change in text.]											
<b>Separately Regulated Residential Uses</b>												
<i>Boarder &amp; Lodger Accommodations</i>	-	-	-	-	-	-	-	-	-	-	-	
<b>Residential, Separately Regulated Residential Uses, Companion Units through Home Occupations</b> [No change in text.]	[No change in text.]											
<u>Home Share</u>												
<u>1-4 Guest Rooms</u>	=	=	<u>P</u>	=	=	=	=	=	=	=	=	
<u>5+ Guest Rooms</u>	=	=	<u>L</u>	=	=	=	=	=	=	=	=	
<b>Residential, Separately Regulated Residential Uses, Junior Units through Commercial Services, Separately Regulated Commercial Services Uses, Assembly and Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]	[No change in text.]											
<del>Bed &amp; Breakfast Establishments:</del>												
<u>1-2 Guest Rooms</u>	-	-	-	-	-	-	-	-	-	-	-	
<u>3-5 Guest Rooms</u>	-	-	-	-	-	-	-	-	-	-	-	
<u>6+ Guest Rooms</u>	-	-	-	-	-	-	-	-	-	-	-	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/Pet Day Care through Recycling Facilities: Tire Processing Facility</b> [No change in text.]	[No change in text.]											
<u>Short Term Residential Occupancy</u>												
<u>1-4 Guest Rooms</u>	=	=	<u>P</u>	=	=	=	=	=	=	=	=	
<u>5+ Guest Rooms</u>	=	=	<u>N</u>	=	=	=	=	=	=	=	=	
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Signs, Separately Regulated Signs Uses, Theater Marquees</b> [No change in text.]	[No change in text.]											

**Footnotes for Table 131-06B**

<sup>1</sup> through <sup>20</sup> [No change in text.]

**§132.1510 Noise Compatibility**

Noise compatibility between airport operations and proposed *development* within Review Area 1 of this overlay zone shall be evaluated as follows:

(a) [No change in text.]

**Table 132-15C**

**Adopted Noise Contour Maps**

[No change in text.]

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

**Legend for Table 132-15D**

[No change in text.]

**Table 132-15D**

**Noise Compatibility Criteria**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Aircraft Noise Exposure (dB CNEL)			
	60-65	65-70	70-75	75-80
<b>Open Space through Residential, Single Dwelling Units</b> [No change in text.]	[No change in text.]			
<b>Separately Regulated Residential Uses</b>				
<i>Boarder &amp; Lodger Accommodations</i>	Classify with <del>primary use</del>			
<b>Residential, Separately Regulated Residential Uses, Companion Units</b> through Fraternities, Sororities and Student Dormitories [No change in text.]	[No change in text.]			
Garage, Yard, & Estate Sales	Classify with <del>primary use</del> <u>primary use</u>			
Guest Quarters	[No change in text.]			
Home Occupations	Classify with <del>primary use</del> <u>primary use</u>			

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Aircraft Noise Exposure (dB CNEL)			
	60-65	65-70	70-75	75-80
<u>Home Share</u>				
<u>1-4 Guest Rooms</u>	<u>Classify with <i>primary use</i></u>			
<u>5+ Guest Rooms</u>				
<b>Residential, Separately Regulated Residential Uses, Housing for Senior Citizens through Transitional Housing: 7 or More Persons</b> [No change in text.]	[No change in text.]			
Watchkeeper Quarters	Classify with <del>primary use</del> <u><i>primary use</i></u>			
<b>Institutional, Separately Regulated Institutional Uses, Airports through Flood Control Facilities</b> [No change in text.]	[No change in text.]			
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed	Classify with <del>primary use</del> <u><i>primary use</i></u>			
<b>Institutional, Separately Regulated Institutional Uses, Homeless Facilities through Commercial Services, Separately Regulated Commercial Services Uses, Sexual Encounter Establishment</b> [No change in text.]	[No change in text.]			
<del>Bed &amp; Breakfast Establishments:</del>				
1-2 Guest Rooms	P <sup>2</sup>	P <sup>2</sup>	-	-
3-5 Guest Rooms	P <sup>2</sup>	P <sup>2</sup>	-	-
6+ Guest Rooms	P <sup>2</sup>	P <sup>2</sup>	-	-
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels through Recycling Facilities: Tire Processing Facility</b> [No change in text.]	[No change in text.]			
<u>Short Term Residential Occupancy</u>				
<u>1-4 Guest Rooms</u>	<u>Classify with <i>primary use</i></u>			
<u>5+ Guest Rooms</u>				
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Industrial, Separately Regulated Industrial Uses, Wrecking &amp; Dismantling of Motor Vehicles</b> [No change in text.]	[No change in text.]			

Footnotes to Table 132-15D

<sup>1</sup> through <sup>4</sup> [No change in text.]

**§132.1515 Safety Compatibility**

Safety compatibility between airport operations and proposed *development* within Review Area 1 of this overlay zone shall be evaluated in accordance with this Section.

(a) [No change in text.]

**Table 132-15E**

**Adopted Safety Zone Maps**

[No change in text.]

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

**Legend for Table 132-15F**

[No change in text.]

**Table 132-15F**

**Safety Compatibility Criteria for MCAS Miramar**

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>APZ I</b>	<b>APZ II</b>	<b>TZ</b>
Maximum People Per Acre	25	50	300
<b>Open Space</b> through <b>Residential, Single Dwelling Units</b> [No change in text.]	[No change in text.]		
<b>Separately Regulated Residential Uses</b>			
<i>Boarder &amp; Lodger Accommodations</i>	Classify with <del>primary use</del>		
<b>Residential, Separately Regulated Residential Uses, Companion Units <u>Companion Units</u></b> through Fraternities, Sororities and Student Dormitories [No change in text.]	[No change in text.]		
Garage, Yard, & Estate Sales	Classify with <del>primary use</del> <u>primary use</u>		



<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]  Maximum People Per Acre	<b>APZ I</b>	<b>APZ II</b>	<b>TZ</b>
	25	50	300
Guest Quarters	Classify with <del>primary use</del> <u>primary use</u>		
Home Occupations	Classify with <del>primary use</del> <u>primary use</u>		
<u>Home Share</u>			
<u>1-4 Guest Rooms</u>	<u>Classify with primary use</u>		
<u>5+ Guest Rooms</u>			
<b>Residential, Separately Regulated Residential Uses,</b> Housing for Senior Citizens through Transitional Housing: 7 or More Persons [No change in text.]	[No change in text.]		
Watchkeeper Quarters	Classify with <del>primary use</del> <u>primary use</u>		
<b>Institutional, Separately Regulated Institutional Uses,</b> Airports through <i>Flood Control Facilities</i> [No change in text.]	[No change in text.]		
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed	Classify with <del>primary use</del> <u>primary use</u>		
<b>Institutional, Separately Regulated Institutional Uses,</b> Homeless Facilities through <b>Commercial Services, Separately Regulated Commercial Services Uses,</b> Sexual Encounter Establishment [200 sq ft per person] [No change in text.]	[No change in text.]		
Bed & Breakfast Establishments:			
1-2 Guest Rooms	-	-	P
3-5 Guest Rooms	-	-	P
6+ Guest Rooms	-	-	P
<b>Commercial Services, Separately Regulated Commercial Services Uses,</b> Boarding Kennels [200 sq ft per person] through Recycling Facilities: Tire Processing Facility [No change in text.]	[No change in text.]		

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]  Maximum People Per Acre	<b>APZ I</b>	<b>APZ II</b>	<b>TZ</b>
	25	50	300
<u>Short Term Residential Occupancy</u>			
<u>1-4 Guest Rooms</u>	<u>Classify with primary use</u>		
<u>5+ Guest Rooms</u>			
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through Industrial, Separately Regulated Industrial Uses, Wrecking &amp; Dismantling of Motor Vehicles</b> [No change in text.]			

Footnotes to Table 132-15F

<sup>1</sup> through <sup>14</sup> [No change in text.]

(g) [No change in text.]

**Legend for Table 132-15G**

[No change in text.]

**Table 132-15G****Safety Compatibility Criteria for Brown Field and Montgomery Field**

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>Zone 1</b>	<b>Zone 2</b>	<b>Zone3</b>	<b>Zone 4</b>	<b>Zone 5</b>	<b>Zone 6</b>
Maximum People Per Acre	N/A	70	130	130	200	No limit
Maximum <i>Lot Coverage</i> <sup>11</sup>	N/A	50%	60%	70%	70%	N/A
<b>Open Space through Residential, Single Dwelling Units</b> [No change in text.]	[No change in text.]					
<b>Separately Regulated Residential Uses</b>						
<i>Boarder &amp; Lodger Accommodations</i>	<u>Classify with primary use</u>					

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>Zone 1</b>	<b>Zone 2</b>	<b>Zone3</b>	<b>Zone 4</b>	<b>Zone 5</b>	<b>Zone 6</b>
Maximum People Per Acre	N/A	70	130	130	200	No limit
Maximum <i>Lot Coverage</i> <sup>11</sup>	N/A	50%	60%	70%	70%	N/A
<b>Residential, Separately Regulated Residential Uses, Companion Units</b> <i>Companion Units</i> through Fraternities, Sororities and Student Dormitories [No change in text.]	[No change in text.]					
Garage, Yard, & Estate Sales	Classify with <del>primary use</del> <u>primary use</u>					
Guest Quarters	Classify with <del>primary use</del> <u>primary use</u>					
Home Occupations	Classify with <del>primary use</del> <u>primary use</u>					
<u>Home Share</u>						
<u>1-4 Guest Rooms</u>	Classify with <u>primary use</u>					
<u>5+ Guest Rooms</u>						
<b>Residential, Separately Regulated Residential Uses, Housing for Senior Citizens</b> through Transitional Housing: 7 or More Persons [No change in text.]	[No change in text.]					
Watchkeeper Quarters	Classify with <del>primary use</del> <u>primary use</u>					
<b>Institutional, Separately Regulated Institutional Uses, Airports through Flood Control Facilities</b> [No change in text.]	[No change in text.]					
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed	Classify with <del>primary use</del> <u>primary use</u>					

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>Zone 1</b>	<b>Zone 2</b>	<b>Zone3</b>	<b>Zone 4</b>	<b>Zone 5</b>	<b>Zone 6</b>
Maximum People Per Acre	N/A	70	130	130	200	No limit
Maximum <i>Lot Coverage</i> <sup>11</sup>	N/A	50%	60%	70%	70%	N/A
<b>Institutional, Separately Regulated Institutional Uses, Homeless Facilities through Commercial Services, Separately Regulated Commercial Services Uses, Sexual Encounter Establishment [200 sq ft per person] [No change in text.]</b>	[No change in text.]					
<b>Bed &amp; Breakfast Establishments:</b>						
1-2 Guest Rooms	-	P	P	P	P	P
3-5 Guest Rooms	-	P	P	P	P	P
6+ Guest Rooms [200 sq ft per person]	-	-	L/.60	L/.60	L/.92	P
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels [200 sq ft per person] through Recycling Facilities: Tire Processing Facility [No change in text.]</b>	[No change in text.]					
<u>Short Term Residential Occupancy</u>						
<u>1-4 Guest Rooms</u>	<u>Classify with primary use</u>					
<u>5+ Guest Rooms</u>						
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes [60 sq ft per person] through Industrial, Separately Regulated Industrial Uses, Wrecking &amp; Dismantling of Motor Vehicles [No change in text.]</b>	[No change in text.]					

Footnotes to Table 132-15G

<sup>1</sup> through <sup>14</sup> [No change in text.]**§141.0301 Boarder and Lodger Accommodations**

*Boarder and lodger accommodations are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.*

- (a) ~~Boarder and lodger accommodations are permitted only as an accessory use to a primary dwelling unit.~~
- (b) ~~No more than two boarders or lodgers are permitted per primary dwelling unit.~~
- (c) ~~In the RM zones and all commercial zones, boarders and lodgers must occupy the premises for a minimum of 7 consecutive calendar days. In all other zones, boarders and lodgers must occupy the premises for a minimum of 30 consecutive calendar days.~~
- (d) ~~Off-street parking shall be provided at a rate of 1 space for each 2 boarders or lodgers. Within the beach impact area of the Parking Impact Overlay Zone, off-street parking shall be provided at a rate of 1 space for each boarder or lodger.~~

**§141.0302 Companion Units and Junior Units**

*Companion units* and *junior units* are each permitted as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) and Chapter 15, Article 1, Division 4 (General and Supplemental Regulations), subject to the following regulations.

- (a) through (c) [No change in text.]
- (d) ~~A companion unit or junior unit shall not be used for a rental term of less than 30 consecutive days, except for home share in accordance with Section 141.0309.~~

**§141.0309 Home Share**

A home share is a guest accommodation that provides *guest rooms* within a *dwelling unit* for less than 30 consecutive days, when a *responsible person* also resides on the *premises* during the *residential occupancy*. A home share is permitted in the zones indicated with a “P” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones). A home share is permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

Limited Use Regulations:

- (a) The *responsible person* shall reside on the *premises* and shall remain available to respond in person during the home share and shall address, actively discourage, and prevent any nuisance activity, including excessive noise, disorderly conduct, overcrowding, and accumulation of waste in violation of Municipal Code section 54.0208.
- (b) Prior to using any *dwelling unit* as a home share, the *responsible person* shall obtain a Home Share Permit in accordance with Section 123.0705.
- (c) Within the beach impact area of the Parking Impact Overlay Zone, *off-street parking spaces* for the primary *dwelling unit* shall be provided in conformance with Chapter 14, Article 2, Division 5, plus one *off-street parking space* for each additional *guest room* greater than two.
- (d) The *responsible person* shall ensure that a *residential occupancy notice*, on a form acceptable to the City Manager, is provided to guests that advises of the following:

- (1) The home share is located in a permitted zone and guests and responsible persons are expected to maintain the character of the neighborhood;
- (2) That the guest shall not create a public nuisance;
- (3) The maximum number of guest rooms available for residential occupancy;
- (4) The rules for trash and recycling containment and disposal;
- (5) Information related to the location of fire extinguishers, smoke detectors, carbon monoxide detectors and emergency exit routes;
- (6) The City noise limits pursuant to Municipal Code Section 59.5.0401 and remedies available to the City to address and enforce noise violations, including the issuance of administrative citations;
- (7) The procedure for contacting the responsible person for the premises, including direct contact information and telephone number;
- (8) The maximum number of guest rooms available for residential occupancy; ~~The maximum number of occupants permitted for the rental, shall comply with the maximum California Building Code occupancy requirements and shall generally not exceed two people per bedroom, or a total of two people per bedroom plus an additional two people for the dwelling unit as a whole, as applicable;~~

- (9) Violations of any of the provisions of a Home Share Permit may be subject to fines and penalties in accordance with Chapter 12, Article 1, Division 3.
- (e) A copy of the residential occupancy notice required by Section 141.0309(d) shall be provided to guests prior to residential occupancy, posted inside the dwelling unit in a visible location, and provided to the City upon request by a City official.
- (f) The responsible person shall respond in person or by telephone to the City within one hour of being notified by the City of complaints of nuisance activity associated with the home share.
- (g) The responsible person shall post a notice on the premises in a location visible to the public from the public right-of-way that includes the name of the permit, "Home Share," the permit number and the contact information for the responsible person. The notice shall be maintained in good condition while the dwelling unit is operated as a home share. For previously conforming Bed and Breakfast Establishment uses, an existing sign is not the posted notice required in Section 141.0309(g).
- (1) The notice shall be 8.5 inches by 11 inches.
- (2) The notice shall use all capital letters in black, bold font.
- (h) A companion unit or junior unit may not be used as a home share unless the responsible person resides on the premises.

**§141.0603 Bed and Breakfast Establishments**

~~Bed and breakfast establishments are visitor accommodations within a residential structure where breakfast is typically provided for guests.~~



~~Bed and breakfast establishments are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. Bed and breakfast establishments may be permitted with a Neighborhood Use Permit in the zones indicated with an “N” or 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) ~~In the RM zones, bed and breakfast establishments are subject to the following regulations.~~
- ~~(1) No more than one bed and breakfast establishment is permitted on a premises.~~
  - ~~(2) Only one kitchen is permitted in a newly constructed bed and breakfast establishment except that one additional kitchen may be permitted for the owner or operator that is separate from the kitchen for the bed and breakfast establishment.~~
  - ~~(3) A bed and breakfast establishment that is a conversion of existing multiple dwelling units may contain the number of kitchens permitted by the applicable zone provided the existing off street parking on the premises is not decreased.~~
  - ~~(4) Off street parking shall be provided as follows:~~
    - ~~(A) One space for the operator of the establishment;~~
    - ~~(B) One space per guest room for up to two guest rooms or, if located in a transit area identified in Chapter 13, Article 2,~~

~~Division 10 (Transit Area Overlay Zone), one space for up to two *guest rooms*; and~~

- ~~(C) One half space for each additional *guest room*.~~
- ~~(5) Eating and drinking facilities shall be available only to the overnight guests.~~
- ~~(6) For newly constructed bed and breakfast establishments, the number of exterior accesses shall not exceed the maximum number of dwelling units permitted on the *premises*.~~
- ~~(7) One *sign* is permitted on the *premises* with a maximum *sign copy area* of 12 square feet and a maximum horizontal or vertical dimension of 6 feet.~~
- (b) In the RE, RS, RX, OR, and AR zones, bed and breakfast establishments are subject to the following regulations:
  - ~~(1) Bed and breakfast establishments in RS and RX zones shall be limited to the conversion of existing *structures*.~~
  - ~~(2) In the RS zones, bed and breakfast establishments with six or more *guest rooms* may be permitted only in *historical buildings*.~~
  - ~~(3) The maximum number of *guest rooms* in the RE, OR, and AR zones is nine.~~
  - ~~(4) No more than one *kitchen* is permitted in a bed and breakfast establishment.~~
  - ~~(5) Off-street parking shall be provided as follows:
    - ~~(A) Two spaces for the *single dwelling unit*;~~~~

- (B) ~~One space per guest room for up to two *guest rooms* or, if located in a *transit area* identified in Chapter 13, Article 2, Division 10 (Transit Area Overlay Zone), one space for up to two *guest rooms*; and~~
- (C) ~~One half space for each additional *guest room*.~~
- (6) ~~One *sign* is permitted on the *premises* with a maximum *sign copy area* of 8 square feet and a maximum dimension of 4 feet in any horizontal or vertical direction.~~
- (7) ~~Eating and drinking facilities shall be available only to the overnight guests.~~
- (8) ~~The property owner or operator shall reside on the *premises*.~~
- (e) ~~In commercial zones, the development regulations of the zone that are applicable to visitor accommodations shall apply.~~
- (d) ~~Bed and breakfast establishments of six *guest rooms* or less in any residential zone for which the required Rental Unit Business Tax and the Transient Occupancy Tax were current as of May 2, 1996, and have remained current since that date, may continue to exist and operate subject to Chapter 12, Article 7 (Previously Conforming Premises and Uses) provided that the owner or operator of the bed and breakfast establishment provides evidence of payment of the required Rental Unit Business Tax and Transient Occupancy Tax to the City Manager upon request and the City Manager confirms this evidence in writing to the owner or operator.~~

~~Bed and breakfast establishments continuing to exist and operate under this provision are not subject to Section 127.0102(a).~~

**§141.0621 ~~Sidewalk Cafes~~ Short Term Residential Occupancy**

A short term residential occupancy is an entire dwelling unit used by guests for less than 30 consecutive days. Short term residential occupancy is permitted in the zones indicated with a “P” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones). In the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), short term residential occupancy is permitted as a limited use, subject to Section 141.0621. In zones indicated with a “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), short term residential occupancy is permitted with a Neighborhood Use Permit.

Limited Use Regulations:

- (a) Outdoor activities on the premises shall be limited to 7:00 am to 10:00 pm during the short term residential occupancy.
- (b) A short term residential occupancy shall not be operated in such a manner as to create a public nuisance.
- (c) Prior to using any dwelling unit for short term residential occupancy, the responsible person shall obtain a Short Term Residential Occupancy Permit in accordance with Section 123.0705.
- (d) The responsible person shall ensure that a residential occupancy notice, on a form acceptable to the City Manager, has been provided to guests that advises of the following:

- (1) The short term *residential occupancy* is located in a permitted zone and guests are expected to maintain the character of the neighborhood;
- (2) That the guest shall not create a *public nuisance*;
- (3) The maximum number of *guest rooms* available for *residential occupancy*;
- (4) The rules for trash and recycling containment and disposal;
- (5) Information related to the location of fire extinguishers, smoke detectors, carbon monoxide detectors and emergency exit routes;
- (6) The City noise limits pursuant to Municipal Code Section 59.5.0401 and remedies available to the City to address and enforce noise violations, including the issuance of administrative citations;
- (7) The procedure for contacting the *responsible person* or the designated contact for the *premises*, including direct contact information and telephone number;
- (8) The minimum period for residential occupancy shall be a minimum stay of three nights in the Coastal Overlay Zone;
- (9) The maximum number of *guest rooms* available for *residential occupancy*; ~~The maximum number of occupants permitted for the rental, shall comply with the maximum California Building Code occupancy requirements and shall generally not exceed two people per bedroom, or a total of two people per bedroom plus an~~

additional two people for the dwelling unit as a whole, as applicable;

(10) Violations of any of the provisions of a Home Share Permit may be subject to fines and penalties in accordance with Chapter 12, Article 1, Division 3.

- (e) A copy of the *residential occupancy* notice required by Section 141.0621(d) shall be provided to guests prior to *residential occupancy*, posted inside the *dwelling unit* in a visible location, and provided to the City upon request by a City official.
- (f) The *responsible person* shall designate a contact that shall remain available to respond in person during guest stays and shall address and actively discourage and prevent any nuisance activity at the short term *residential occupancy*, including excessive noise, disorderly conduct, overcrowding, and accumulation of waste in violation of Municipal Code section 54.0208.
- (g) The designated contact shall respond in person or by telephone to the City within one hour of being notified by the City of complaints of nuisance activity associated with the short term *residential occupancy*.
- (h) The *responsible person* shall post a notice on the *premises* in a location visible to the public from the *public right-of-way* that includes the name of the permit, “Short Term Residential Occupancy,” the permit number, and the contact information and telephone number for the *responsible person* or the designated contact. The notice shall be maintained in good

condition while the *dwelling unit* is operated as a short term *residential occupancy*.

(1) The notice shall be 8.5 inches by 11 inches.

(2) The notice shall use all capital letters in black, bold font.

**§141.06212 Sidewalk Cafes**

[No change in text.]

**§141.06223 Sports Arenas and Stadiums**

[No change in text.]

**§141.06234 Theaters That Are Outdoor or over 5,000 Square Feet in Size**

[No change in text.]

**§141.06245 Urgent Care Facilities**

Urgent care facilities are facilities that are designed or used to provide medical services on a walk-in or emergency care basis that operate outside of standard business hours. Urgent care facilities are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to Section 141.06245(a). Urgent care facilities may be permitted with a Neighborhood Use Permit in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to Section 141.06245(b).

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

**§141.06256 Veterinary Clinics and Animal Hospitals**

Veterinary clinics and animal hospitals are permitted as a limited use in the zones indicated with an “L” and may be permitted with a Neighborhood Use Permit decided in accordance with Process Two in the zones indicated with an “N” in the

Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) [No change in text.]
- (b) Limited Use Regulations
  - (1) through (3) [No change in text.]
  - (4) Deviations from Section 141.06256(a) may be permitted with a Neighborhood Use Permit decided in accordance with Process Two.
- (c) [No change in text.]

**§141.06267 Zoological Parks**

[No change in text.]

**§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**

- (a) Minimum Required Parking Spaces. The required automobile parking spaces, motorcycle parking spaces, and bicycle parking spaces for *development of multiple dwelling units*, whether attached or detached, and related and *accessory uses* are shown in Table 142-05C. Other allowances and requirements, including the requirement for additional common area parking for some projects, are provided in Section 142.0525(b) through (d).



**Table 142-05C**  
**Minimum Required Parking Spaces for**  
**Multiple Dwelling Units and Related Accessory Uses**

<i>Multiple Dwelling Unit Type and Related and Accessory Uses</i>	<b>Automobile Spaces Required Per Dwelling Unit</b> (Unless Otherwise Indicated)			<b>Motorcycle Spaces Required Per Dwelling Unit</b>	<b>Bicycle<sup>(5)</sup> Spaces Required Per Dwelling Unit</b>
	<b>Basic <sup>(1)</sup></b>	<b>Transit Area<sup>(2)</sup></b>	<b>Parking Impact<sup>(4)</sup></b>		
<b>Studio up to 400 square feet through Rooming house</b> [No change in text.]	[No change in text.]				
<b>Boarder &amp; Lodger Accommodations</b>	1.0 per two boarders or lodgers	1.0 per two boarders or lodgers	1.0 per two boarders or lodgers, except 1.0 per boarder or lodger in beach impact area	N/A	N/A
<b>Residential care facility (6 or fewer persons) through Accessory uses (Spaces per square feet<sup>(7)</sup></b> [No change in text.]	[No change in text.]				

**Footnotes for Table 142-05C** [No change in text.]

**§142.0555 Tandem Parking Regulations**

- (a) [No change in text.]
- (b) Tandem Parking for Commercial Uses. Tandem parking for commercial uses may be approved through a Neighborhood Development Permit provided the tandem parking is limited to the following purposes:
- (1) Assigned employee parking spaces; and
  - (2) Valet parking associated with restaurant use; ~~and.~~

~~(3) Bed and breakfast establishments.~~

**§151.0103 Applicable Regulations**

(a) [No change in text.]

(b) The following regulations apply in all planned districts:

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

(11) Home share regulations contained in Land Development Code Section 141.0309.

(12) Short term residential occupancy regulations contained in Land Development Code Section 141.0621.

**§154.0405 Streetscape Development Regulations/Encroachment Permits**

Within the Cass Street Commercial District, no alteration, construction, development or use of the abutting public right-of-way shall be permitted unless the streetscape and encroachment permit standards are met.

The following Streetscape and Encroachment Permit Standards shall be the basis for project review by the City Manager.

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

(h) Sidewalk Cafes

Sidewalk cafes shall be permitted throughout the planned district as regulated by Land Development Code Section 141.06212.

(i) [No change in text.]

**§155.0238 Use Regulations Table of CU Zones**

The uses allowed in the CU zones are shown in Table 155-02C:

**Legend for Table 155-02C**

[No change in text.]

**Table 155-02C**  
**Use Regulations Table for CU Zones**

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 <sup>(1)</sup>		2-			3-				
	4th >>	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
<b>Open Space through Residential, <i>Single Dwelling Units</i></b> [No change in text.]		[No change in text.]									
<b>Separately Regulated Residential Uses</b>											
<i>Boarder &amp; Lodger Accommodations</i>		L		L				L			
<b>Residential, Separately Regulated Residential Uses, Companion Units <i>Companion Units</i></b> through Home Occupations [No change in text.]		[No change in text.]									
<u>Home Share</u>											
<u>1-4 Guest Rooms</u>		P		P				P			
<u>5+ Guest Rooms</u>		L		L				L			
<b>Residential, Separately Regulated Residential Uses, Live/Work Quarters <i>Junior Units</i></b> through <b>Commercial Services, Separately Regulated Commercial Services Uses, Assembly &amp; Entertainment Uses, Including Places of Religious Assembly</b> [No change in text.]		[No change in text.]									
<b>Bed &amp; Breakfast Establishments:</b>											
1-2 Guest Rooms		N		P				P			
3-5 Guest Rooms		N		P				P			
6+ Guest Rooms		N		P				P			
<b>Commercial Services, Separately Regulated Commercial Services Uses, Boarding Kennels/ Pet Day Care Facilities through Recycling Facilities: Tire Processing Facility</b> [No change in text.]		[No change in text.]									

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 <sup>(1)</sup>		2-			3-				
	4th >>	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
<b><u>Short Term Residential Occupancy</u></b>											
<b><u>1-4 Guest Rooms</u></b>											
<b><u>5+ Guest Rooms</u></b>											
<b>Commercial Services, Separately Regulated Commercial Services Uses, Sidewalk Cafes through <i>Signs</i>, Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i> [No change in text.]</b>											

**Footnotes for Table 155-02C**<sup>1</sup> through <sup>13</sup> [No change in text.]<sup>14</sup> Deviations require a Process Two Neighborhood Use Permit.**§156.0302 Definitions**

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

*Active commercial uses* through *Base floor area ratio (Base FAR)* [No change in text.]

~~*Bed and breakfast* means a visitor serving establishment with up to twenty rooms for overnight stays that serves breakfast every morning.~~

*Blank wall* through *Urban open space* [No change in text.]

**§156.0308 Base District Use Regulations**

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

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>															
<b>LEGEND:</b> P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required; MS = Main Street; CS= Commercial Street; E= Employment Overlay															
<b>Use Categories/ Subcategories</b>	C	NC	ER	BP	WM <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	<i>MS/CS &amp; E Overlay s</i>
<b>Public Park/ Plaza/Open Space</b> through <b>Residential, Separately Regulated Residential Uses, Home Occupations</b> [No change in text.]	[No change in text.]														
<u>Home Share</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	==	<u>P</u>	<u>P</u>	==	==	<u>P</u>	<u>L</u>	==	==	<u>§141.0309</u>	<u>CS</u>
<b>Residential, Separately Regulated Residential Uses, Senior Housings</b> through <b>Commercial Services, Hotels and Motels</b> [No change in text.]	[No change in text.]														
<b>Separately Regulated Commercial Service Uses</b>	[No change in text.]														
Animal Hospitals & Kennels	N	--	N	N	--	N	N	--	--	--	--	--	--	§141.0604(b)(1) §141.0625 <del>6</del>	CS
<del>Bed &amp; Breakfast Establishments</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>—</del>	<del>P</del>	<del>P</del>	<del>—</del>	<del>—</del>	<del>P</del>	<del>L</del>	<del>—</del>	<del>—</del>		<del>CS</del>
<b>Commercial, Separately Regulated Commercial Service Uses, Child Care Facilities through Small and Large Processing Facilities</b> [No change in text.]	[No change in text.]														

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>															
<b>LEGEND:</b> P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required; MS = Main Street; CS= Commercial Street; E= Employment Overlay															
<b>Use Categories/ Subcategories</b>	C	NC	ER	BP	WM <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	PF <sup>10</sup>	OS	CC <sup>7</sup>	Additional Regulations	<i>MS/CS &amp; E Overlay s</i>
<u>Short Term Residential Occupancy</u>	<u>P<sup>(13)</sup></u>	<u>P<sup>(13)</sup></u>	<u>P<sup>(13)</sup></u>	<u>P<sup>(13)</sup></u>	<u>==</u>	<u>P<sup>(13)</sup></u>	<u>P<sup>(13)</sup></u>	<u>==</u>	<u>==</u>	<u>P<sup>(13)</sup></u>	<u>C<sup>(13)</sup></u>	<u>==</u>	<u>P<sup>(13)</sup></u>	<u>§141.0621</u>	<u>CS</u>
Sidewalk Cafes <sup>11</sup>	L/N	L/N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	L/N	L/N	§141.0624 <sup>2</sup>	
<b>Commercial, Separately Regulated Commercial Service Uses, SRO Hotels through Other Use Requirements, Temporary Uses and Structures</b> [No change in text.]	[No change in text.]														

**Footnotes for Table 156-0308-A**

<sup>1</sup> through <sup>12</sup> [No change in text.]

<sup>13</sup> Deviations require a Process Two Neighborhood Use Permit.

**§157.0404 Sidewalk Cafés**

Sidewalk cafes shall comply with Sections 141.0624<sup>2</sup> and 157.0305(c) of the Land Development Code and the Gaslamp Quarter Planned District Design Guidelines.

**§159.0405 Streetscape Development Regulations/Encroachment Permits**

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

(j) Sidewalk Cafes

Sidewalk cafes may be permitted throughout the La Jolla Planned District except in Zone 5, as regulated by Section 151.0401(c) and Land Development Code Section 141.06212.

(k) through (l) [No change in text.]

**§1510.0303 Single-Family Zone - Permitted Uses**

In the Single-Family (SF) Zone, designated on that certain map referenced in Section 1510.0102, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any premises be used except for one or more of the following uses:

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

(c) ~~Boarder and lodger accommodations~~; Companion units; Family day care homes; Garage, yard and estate sales; Guest quarters and habitable accessory buildings; Home occupations; Community gardens; and Temporary real estate sales offices and model homes as a limited use in accordance with the applicable regulations in Chapter 14, Article 1 (Separately Regulated Use Regulations).

(d) through (f) [No change in text.]

**§1510.0309 Commercial Center Zone-Permitted Uses**

In the Commercial Center (CC), designated on that certain map referenced in Section 1510.0102, no building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes provided that

the ground floor area of any establishment does not exceed 6,000 square feet. The minimum floor area for each dwelling unit or apartment is 400 square feet.

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

(e) Sidewalk cafes as a conditional use subject to a Process Two Neighborhood Use Permit in accordance with Land Development Code Section 141.06242 (Separately Regulated Use Regulations).

(f) through (g) [No change in text.]

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