

Article 7: Planned Districts

(“*Gaslamp Quarter Planned District*” added 3-27-2007 by O-19588 N.S.)

(Retitled from “*Gaslamp Quarter Planned District*” to
“*Planned Districts*” on 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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Division 1: Gaslamp Quarter Planned District

(“*General Rules*” added 3-27-2007 by O-19588 N.S.)

(Retitled from “*General Rules*” to “*Gaslamp Quarter Planned District*”
on 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0101 Purpose and Intent

The purpose of the Gaslamp Quarter Planned District Ordinance is to establish design and *development* criteria to ensure that the *development* and redevelopment of the Gaslamp Quarter Planned District (District) and Gaslamp Quarter Historical District implement the goals of the Downtown Community Plan.

The distinctive historical character of the District will be retained and enhanced by established procedures and regulations that are deemed necessary to:

- (a) protect improvements which represent elements of the District’s cultural, social, economic, and architectural history;
- (b) safeguard the District’s historic, aesthetic, and cultural heritage as embodied and reflected in such improvements;
- (c) foster civic pride in the beauty and character of the District and in the accomplishments of the District’s past;
- (d) enhance the visual character of the District by encouraging new design and construction that complement the existing *historical resources*; and

- (e) protect and enhance the District's aesthetic and historical attractions to residents, tourists, visitors and others, thereby serving as a stimulus and a support to business and industry.

(*"Purpose and Intent"* added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

(Amended 8-12-2010 by O-19984 N.S.; effective 9-11-2010.)

(Amended 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0102 Boundaries

- (a) General Boundaries

The regulations of this Article shall apply in the Gaslamp Quarter Planned District which is within the boundaries of the Downtown Community Plan area in the City of San Diego, California, as shown in Figure A.

- (b) Asian Pacific Thematic Historic District Overlay

Several blocks in the Gaslamp Quarter Planned District fall within the boundaries of the Asian Pacific Thematic Historic District, established by the City Council on October 13, 1987, by Resolution No. R-269475, and shown in Figure A. The Asian Pacific Thematic Historic District Master Plan, approved on August 15, 1995, by the Redevelopment Agency by Resolution No. 2544, and on file in the Office of the Secretary of the Agency as Document No. 02238, establishes design guidelines for the Asian Pacific Thematic Historic District. All new construction modifications to contributing resources within the boundaries of the Asian Pacific Thematic Historic District shall be reviewed for consistency with the Secretary of the Interior's Standards and the Asian Pacific Thematic Historic District Master Plan in conjunction with the provisions of this Article and the Gaslamp Quarter Planned District Design Guidelines. A copy of the Gaslamp Quarter Planned District Design Guidelines is on file in the office of the City Clerk as Document No. RR-306002. A list of contributing resources to the Asian Pacific Thematic Historic District can be found in Appendix A of the Gaslamp Quarter Planned District Design Guidelines.

(*"Boundaries"* added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

(Amended 8-12-2010 by O-19984 N.S.; effective 9-11-2010.)

§157.0103 Administration

The City Manager is responsible for the planning and zoning functions of the City of San Diego within the Gaslamp Quarter Planned District. The City Manager, or his or her designee, shall administer the Gaslamp Quarter Planned District Ordinance as set forth in this Article and ensure compliance with the regulations and procedures of this Article, the Gaslamp Quarter Planned District Design Guidelines, the Downtown Community Plan, the Centre City Streetscape Manual, and any other policies or guidelines adopted by the City of San Diego to implement the Downtown Community Plan.

(“Administration” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)

(Amended 8-12-2010 by O-19984 N.S.; effective 9-11-2010.)

(Amended 5-15-2014 by O-20366 N.S.; effective 6-14-2014.)

(Amended 6-21-2019 by O-21085 N.S.; effective 7-21-2019.)

(Amended 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0104 Applicable Regulations

Where not otherwise specified in this Article, the following regulations of the Land Development Code, including all Articles and Divisions within each Chapter unless otherwise stated, shall apply.

Chapter 11 Land Development Procedures

Chapter 12 Land Development Reviews

Chapter 13 Zones

Chapter 14 General Regulations

Chapter 15 Planned Districts, Article 1, Division 1

Where there is a conflict between the applicable regulations of the Land Development Code and this Article, the regulations of this Article shall govern.

- (a) Gaslamp Quarter Planned District Design Guidelines
- (1) The Gaslamp Quarter Planned District Design Guidelines supplement the regulations set forth in this Article and include review procedures, standards, and guidelines for *development* within the Gaslamp Quarter Planned District. Where there is a conflict between the Gaslamp Quarter Planned District Design Guidelines and this Article, the regulations of this Article shall govern.
- (2) The Gaslamp Quarter Planned District Design Guidelines may be amended in either one of the following ways:
- (A) Minor amendments shall be approved by the City Manager and shall be filed in the office of the City Clerk as errata sheets to Document No. RR-306002. Minor amendments shall include changes that do not qualify as a major amendment; or
- (B) Major amendments shall be reviewed by the Planning Commission and the Historical Resources Board and approved by the City Council. Major amendments shall include any changes that modify general design regulations for new buildings or *designated historical resources*.

(“*Applicable Regulations*” added 3-27-2007 by O-19588 N.S.; effective 4-26-2007.)
(Amended 8-12-2010 by O-19984 N.S.; effective 9-11-2010.)

(Amended 5-15-2014 by O-20366 N.S.; effective 6-14-2014.)

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§157.0105 Gaslamp Quarter Approvals and Permits

(a) Approvals

- (1) In accordance with the process set forth in this Article, the City Manager's or their designee's approval is required prior to the commencement of any of the following activities:
 - (A) New construction of any *structure*;
 - (B) *Grading*;
 - (C) Demolition of any *structure*;
 - (D) Additions to any existing *structures*;
 - (E) Alterations or remodeling of the exterior of any existing *structures*;
 - (F) Installation of any *awning*;
 - (G) Installation of any *sign*;
 - (H) Painting the exterior of any *structures*;
 - (I) Installation of any sidewalk café;
 - (J) Installation of any exterior utilities visible from or within the *public right of-way*; or
 - (K) Installation of any exterior mechanical equipment or ductwork.
- (2) The City Manager's or their designee's approval, in accordance with Process One, is required for minor alterations to a *historical resource* consistent with the Secretary of the Interior's Standards and in accordance with Chapter 14, Article 3, Division 2 of the Land Development Code, this Article, and the Gaslamp Quarter Planned District Design Guidelines. For purposes of this section, "Minor alterations" means activities that:
 - (A) Enhance, restore, maintain, repair or allow adaptive reuse of a *historical resource*;

- (B) Do not adversely affect the special character or special historical, architectural, archeological, or cultural value of the *historical resource*; and
 - (C) Will conform to the standards embodied in the designation of the *historical district*.
- (b) Permits
- (1) Conditional Use Permit
 - (A) A Conditional Use Permit, in accordance with Process Three, is required for the following uses:
 - (i) Establishments providing live music, entertainment or dancing, as provided in Section 157.0111(c)(2) and (4);
 - (ii) Establishments engaged in the sale of alcoholic beverages for consumption off the *premises*; and
 - (iii) Ground floor uses over 10,000 square feet.
 - (B) Conditional Use Permits shall be reviewed and considered pursuant to this Article and consistent with applicable provisions of Chapter 12, Article 6, Division 3 of the Land Development Code and Chapter 14, Article 1 of the Land Development Code.
 - (2) Site Development Permit
 - (A) A Site Development Permit, in accordance with Process Four, is required for substantial alterations, as defined in Section 143.0250 of the Land Development Code, to a *historical resource*.
 - (B) Site Development Permits for substantial alterations shall be reviewed and considered pursuant to this Article and Chapter 14, Article 3, Divisions 2 and 3 of the Land Development Code and consistent with applicable provisions of Chapter 12, Article 6, Division 5 of the Land Development Code.
- (“*Gaslamp Quarter Approvals and Permits*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0106 Removal of Damaged Historical Resources

If any designated or contributing *historical resource* is damaged by earthquake, fire, or act of God and is determined unsafe by the Building Official, the *record owner* may apply for a *development* permit to demolish the *historical resource*. The permit shall be referred to the Historical Resources Board pursuant to Chapters 11, 12, and 14 of the Land Development Code. Alternatively, the *record owner* may apply for a permit to restore or reconstruct the *historical resource* in accordance with the Secretary of the Interior's Standards and the Land Development Code. In the case of an emergency, the City Manager, in consultation with the Building Official and the staff of the Historical Resources Board, may authorize without a public hearing, the minimum amount of work necessary to protect the public health, safety, and welfare, pursuant to Section 143.0214 of the Land Development Code.

(“*Removal of Damaged Historical Resources*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0107 Character of the Area

The Gaslamp Quarter is unique in that it marks the earliest development in downtown San Diego. The area retains much of the original architecture of its early history as a collection of late 19th and early 20th century *structures*. The District is valued for its historical significance not only at the local level by the City of San Diego and also on a national level by the United States Department of the Interior.

The architecture of the area is characterized by *structures* erected during a 57 year period from 1873 to 1930. The *structures* are typically 2 to 4 *stories* high and are constructed of common brick with continuous facades at the *property line*. Ground-floors are frequently 20 feet high with cornices separating them from the upper floors. Corbeling is very often found at the terminal cornice, particularly in the case of brick buildings. The front sides of the *structures* are often designed with closely set bays framed with segmental, stilted, or flat arches that are 10 to 12 feet apart. The openings are deep-set and the entrances are typically inset. Heavy ornate cornices and spandrels, carefully detailed parapets, and bay windows are also typical design elements of the *structures*.

(“*Character of the Area*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0108 General Design Regulations for New Buildings

The City Council has adopted the Gaslamp Quarter Planned District Design Guidelines which contain architectural and design guidelines to be used in evaluating the appropriateness of any *development* for which a permit is applied under this Article. Nothing in this Article shall preclude the use of any affordable housing *density* bonus programs identified in Chapter 14, Article 3, Division 7 of the Land Development Code so long as the *development* maintains consistency with the Secretary of Interior’s Standards for *historical resources*.

(a) Building Height Regulations

Building heights in the Gaslamp Quarter Planned District are measured from the average *grade* of the adjoining public sidewalk grades, to the top of the parapet of the highest habitable floor.

Uninhabited roof *structures* that conceal mechanical equipment or elevator or stair overruns are exempt from this requirement when they are set back from the front *property line* by at least 15 feet, are not visible from the *public right-of-way*, and do not project above a 45-degree plane inclined inward from the top of the parapet(s) of any street wall adjoining a *public right-of-way*; up to a maximum height of 30 feet.

- (1) All *structures* must maintain a minimum height of 30 feet at the *property line*.
 - (2) Building heights shall be a maximum of 75 feet.
 - (3) Building height may be increased to a maximum of 101 feet on parcels 20,000 square feet or more subject to the following:
 - (A) The site contains no contributing *historical resource*.
 - (B) The *development* shall not exceed an *FAR* of 6.0.
 - (C) Building elements greater than 75 feet in height shall be set back a minimum of 50 feet from Fifth Avenue *public right-of-way*.
 - (D) Additional stories comply with all applicable massing, architectural style, material use, articulation, setbacks, and fencing standards set forth in the Gaslamp Quarter Planned District Design Guidelines.
 - (4) Building height may be increased to a maximum of 125 feet on parcels 30,000 square feet or more subject to the following:
 - (A) The maximum *FAR* shall not exceed 6.0;
 - (B) Building elements greater than 75 feet in height shall be set back a minimum of 50 feet from the Fifth Avenue *public right-of-way*.
 - (C) The site contains no contributing *historic resource*.
 - (D) On sites containing any contributing *historic resource*, the *development* shall be approved in accordance with Process 5, provided that the City Council finds the *development* offers significant architectural, aesthetic, and community benefits to the Gaslamp Quarter Planned District.
- (b) *Street Wall Requirements*

Buildings shall provide a continuous *street wall* plane and strong *street edge* definition at the *property line*.

- (1) The *street wall* of all *structures* shall be continuous at the *property line* except for storefront entry. Doors shall not project into the *public right-of-way* by more than 12 inches.
 - (2) *Street wall* glazing shall be deeply recessed with detailed window frames permitted to protrude beyond the front face of the building. Cornices, bay windows, and ornamentation may project into the *public right-of-way* at upper levels to a distance no greater than 4 feet.
 - (3) Ground floor treatment shall have a traditional storefront character and pedestrian scale in the details.
 - (4) Façades located along Fourth, Fifth and Sixth Avenues shall incorporate at least one primary entrance from the *public right-of-way* within that façade. A minimum of 60 percent of the street facing building façades along Fourth, Fifth and Sixth Avenues shall contain storefronts allowing views of indoor space and direct access from the street.
- (c) Floor-to-Floor Heights
- (1) The ground-*floor* height shall be no less than 12 feet and no greater than 20 feet, measured from finish floor to finish floor.
 - (2) The exterior façades must respect the floor-to-floor heights typical of adjoining *structures*. A lesser floor height may be permitted to allow for mezzanines and design expression for other contemporary uses.
- (d) Building Façade Design Criteria
- (1) All buildings in the Gaslamp Quarter Planned District shall observe the dominant *historical building* pattern which is characterized by a delineation of a building base, middle, and top.
 - (2) The building base shall be defined by a projecting band and/or articulated recess in a continuous horizontal direction across the *building façade*.
 - (3) A kickplate or bulkhead shall be included, which shall be a minimum of 12 inches and a maximum of 30 inches.
 - (4) Storefronts shall consist of large glass panels with bulkheads below.

- (5) Storefront frames shall be set back from the building surface by 3 inches. Glass panels shall be set back from the storefront frame a minimum of 1 inch.
- (6) Above the ground-*floor*, the building shall contain the window openings which coincide with the horizontal floor bands and may be capped with a cornice.
- (7) All windows above the ground-*floor* shall have a longer vertical dimension than horizontal dimension and shall be punched into the wall plane, with the window glass set back a minimum of 4 inches from the outside plane.

(e) Architectural Fabric and Materials

- (1) The use of plaster shall be limited to 20 percent of the base and 60 percent of the overall *building facade*.
- (2) Reflective silver aluminum storefront window systems are not permitted.
- (3) Frameless storefront systems are not permitted.
- (4) Permanent, temporary or retractable grates, grills or bars are not permitted on windows, doors or alcoves.

(f) Additional *Stories* Requirements

Additional *stories* are not permitted for *development* on sites that contain a contributing *historical resource*. Additional *stories* shall comply with the following criteria:

- (1) The additional *stories* are limited to a flat roofed volume containing a maximum height of 26 feet. The height of the additional *stories* will be measured from the top of the adjacent building roof to the top of the highest additional *stories* parapet.
- (2) The minimum setback for additional *stories* is 15 feet from any *building façade* adjoining a *public right-of-way*.
- (3) At the maximum additional *stories* height of 26 feet, the volume shall be set back 30 feet from any *building façade* adjoining a *public right-of-way*.

- (4) The volume shall be set back a minimum of 50 feet from any *building façade* adjoining Fifth Avenue *public right-of-way*.
- (5) The parapet of all street facing *building facades* shall be solid and a minimum of 24 inches tall.
- (6) Open grill fences and/or solid *screen* walls are allowed in the setback zone provided the following conditions are met:
 - (A) Open grill fences (minimum 60 percent open) shall not exceed a height of 5 feet.
 - (B) Solid *screen* walls shall not exceed a height of 4 feet.
 - (C) No *fences* or *screen* walls are permitted within 8 feet of any *building façade* adjoining a *public right-of-way*.
- (7) Any stair enclosures, mechanical equipment, or other equipment located on the roof of the additional *stories* volume shall be set back a minimum of 25 feet from any street-facing additional *stories* parapet, which is parallel to a *public right-of-way* rather than an interior property line.
- (8) Mechanical equipment and enclosures must not occupy more than 30 percent of the additional *stories* roof area. The maximum height for any mechanical equipment or enclosures atop the additional *stories* is 15 feet.
- (9) All mechanical equipment shall be fully screened from all views including from above, with solid walls or screens with a maximum of 50 percent transparency.

Refer to the Gaslamp Quarter Design Guidelines for specific guidelines and figures.

(“General Design Regulations for New Buildings” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0109 General Guidelines for Designated Historical Resources

(a) General Considerations

Contributing buildings in the Gaslamp Quarter Planned District are those that have been individually designated or designated by the Historical Resources Board as part of the Gaslamp Quarter Planned District nomination to the National Park Service. Typical alterations of contributing buildings range from the repainting of façades or building elements to the construction of additions to the buildings. The appendix of the Gaslamp Quarter Planned District Design Guidelines provides a comprehensive list of the contributing buildings in the Gaslamp Quarter Planned District. Refer to the San Diego Register of Historical Resources and the National Register of Historic Places for newly listed *historical buildings* and resources in the Gaslamp Quarter Planned District. Any proposed alterations to contributing resources shall follow the appropriate Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historical Buildings.

(b) Code and Zoning Considerations

The California Historical Building Code (Chapter 8, Title 24, California Code of Regulations) applies to reviews of qualified *historical structures*.

(“*General Guidelines for Designated Historical Resources*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0110 Permitted Uses

No building or improvement or portion thereof shall be used except as permitted by this Division. Permitted ground-*floor* uses in the Gaslamp Quarter Planned District are limited to active commercial uses such as restaurants and retail of consumer goods and services. No single user or business shall occupy more than 10,000 square feet on the ground-*floor* of a building except as provided in Section 157.0111(d).

The uses allowed in the Gaslamp Quarter Planned District are shown in Table 157-0110-A, below. The “Additional Regulations” column references additional regulations applicable to certain uses, which are found in this Article or in the Land Development Code.

Table 157-0110-A: GASLAMP QUARTER PLANNED DISTRICT USE REGULATIONS

LEGEND: 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

Use Categories/ Subcategories	Any Floor of a Building	Only Above or Below the First Floor of a Building	Specialized Uses on Any Floor	Additional Regulations
Antique shops	P	--	--	
Art galleries	P	--	--	
Bakeries including combination retail/wholesale establishments	P	--	--	
Barber shops	P	--	--	
Beauty shops	P	--	--	
Bicycle shops	P	--	--	
Bookstores	P	--	--	
Boutiques	P	--	--	
Camera shops/photographic equipment, supplies and film processing	P	--	--	
Clothing stores	P	--	--	
Computer and copy services stores (including sales, display and copy reproduction) for uses involving printing presses or other large commercial equipment	P	--	--	
Confectionaries (candy stores)	P	--	--	
Condominium sales offices and apartment leasing offices which are utilized primarily for those residential units on the same premises	P	--	--	
Decorator and home accessory shops	P	--	--	

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Use Categories/ Subcategories	Any Floor of a Building	Only Above or Below the First Floor of a Building	Specialized Uses on Any Floor	Additional Regulations
Delicatessens	P	--	--	
Drafting and blueprint services	P	--	--	
Drug stores	P	--	--	
Entertainment centers, either freestanding or operating in conjunction with any other permitted use	P	--	--	
Entertainment establishments, as defined in §33.1502 of the San Diego Municipal Code	P	--	--	§157.0111
Financial institutions	P	--	--	
Florists	P	--	--	
Food stores	P	--	--	
Furniture stores	P	--	--	
Hardware stores	P	--	--	
Hobby shops	P	--	--	
Hotel lobbies	P	--	--	
Ice cream parlors	P	--	--	
Import and art objects stores	P	--	--	
Jewelry stores	P	--	--	
Locksmith shops	P	--	--	
Leather goods stores	P	--	--	

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Use Categories/ Subcategories	Any Floor of a Building	Only Above or Below the First Floor of a Building	Specialized Uses on Any Floor	Additional Regulations
Luggage shops	P	--	--	
Medical appliance sales	P	--	--	
Music stores	P	--	--	
Office furniture and equipment sales	P	--	--	
Pawn shops	P	--	--	
Personal services	P	--	--	
Pet shops	P	--	--	
Photographic studios	P	--	--	
Post offices	P	--	--	
Radio and television studios	P	--	--	
Restaurants (excluding drive-in and drive-thru restaurants)	P	--	--	§157.0111
Retail produce markets for the sale of fresh fruit, produce, flowers, plants, meat, poultry and groceries	P	--	--	
Shoe stores	P	--	--	
Shoe repair shops	P	--	--	
Shoe shine parlors	P	--	--	
Sporting goods stores	P	--	--	
Stationers and card shops	P	--	--	
Theaters	P	--	--	

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Use Categories/ Subcategories	Any Floor of a Building	Only Above or Below the First Floor of a Building	Specialized Uses on Any Floor	Additional Regulations
Tobacco shops	P	--	--	
Travel agencies	P	--	--	
Variety stores	P	--	--	
Wedding shops	P	--	--	
Addressing, secretarial and telephone answering services	--	P	--	
Business and professional office uses (such as accountants, advertising agencies, architects, attorneys, contractors, doctors, real estate agencies, engineers, insurance brokers, securities brokers, surveyors, and graphic artists)	--	P	--	
<i>Dwelling units</i>	--	P	--	
Electronic data processing, tabulating, and record keeping	--	P	--	
Funeral parlors	--	P	--	
Hotel guest rooms	--	P	--	
Labor unions and trade associations	--	P	--	
Lithography shops	--	P	--	
Medical, dental, biological, and x ray laboratories	--	P	--	
Newspaper plants	--	P	--	

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Use Categories/ Subcategories	Any Floor of a Building	Only Above or Below the First Floor of a Building	Specialized Uses on Any Floor	Additional Regulations
Photographic equipment, supplies, and film processing in connection with wholesale uses only	--	P	--	
Private clubs, fraternal organizations, and lodges	--	P	--	
Wholesaling and warehousing	--	P	--	
Charitable organizations (nonprofit or otherwise) and <i>accessory uses</i>	--	--	P	
<i>Churches</i> as an <i>accessory use</i> only	--	--	P	
Museums	--	--	P	
Tourists and historical information centers which are facilities where visitors or residents are given assistance and information about the historical nature of the Gaslamp Quarter Planned District and downtown area of the City of San Diego	--	--	P	
Transitional housing facilities	--	--	L	§141.0313
<i>Permanent supportive housing</i>	--	--	L	§141.0313

(a) Prohibited Uses

The following uses shall be prohibited in the entire District as both *primary* and *accessory uses*:

- (1) Card rooms, defined as any establishment open to the public wherein games of any kind are played with cards for any consideration;

- (2) Correctional placement facilities as described in Section 141.0406;
 - (3) Drive-through businesses; and
 - (4) Mobile food trucks as described in Section 141.0612.
- (b) Special Regulations for Ground-*Floor* Uses

Uses may not occupy more than 10,000 square feet on the ground-*floor* of any building unless a Conditional Use Permit has been approved for such a use pursuant to Section 157.0111(d).

Previously conforming ground-*floor* uses occupying more than 10,000 square feet may continue to exist on the ground-*floor* as a *previously conforming* use subject to Chapter 12, Article 7, Division 1 of the Land Development Code. The ground-*floor* use may expand into a basement or upper floor only if permitted in accordance with this Division.

- (c) Specialized Uses in the *Public Right-of-Way*

Specialized uses in the *public right-of-way* which are consistent with the 1873-1930 era may be considered on all *streets* with the exception of Broadway. Specialized uses to be considered include sidewalk cafes and moveable encroachments such as flower stalls, newsstands, and shoe shine stands. Prior to the use of the *public right-of-way* for a specialized use, an encroachment permit shall be obtained in accordance with Chapter 12, Article 9, Division 7 of the San Diego Municipal Code. A clear separation of the encroachment area and the remainder of the sidewalk shall be provided. Encroachments shall not be allowed to extend out into the *public right-of-way* for more than half the width of the sidewalk from *property line* to curb.

(“Permitted Uses” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0111 Separately Regulated Uses

- (a) Alcoholic Beverage Sales for On-Site Consumption
 - (1) Restaurants which offer made-to-order food products during all business hours shall not be required to obtain a Conditional Use Permit for the sale of alcoholic beverages for on-site consumption.
 - (2) A Neighborhood Use Permit shall be required for the restaurants, including brew pubs or micro-breweries, engaged in the sale of alcoholic beverages for on-site consumption during business hours when made-to-order food products are not available.
- (b) Alcoholic Beverage Sales for Off-Site Consumption
 - (1) Stores greater than 10,000 square feet in floor area where the shelving allocated to alcoholic beverages does not exceed 10 percent of the total shelving within the store, shall not be required to obtain a Conditional Use Permit.
 - (2) Establishments engaged in the sale of alcoholic beverages for off-site consumption shall be required to obtain a Conditional Use Permit and shall be an *accessory use* to the following *primary uses*:
 - (A) Delicatessens;
 - (B) Drug stores/convenience stores;
 - (C) Food and retail stores;
 - (D) Restaurants; or
 - (E) Micro breweries or brew pub.
 - (3) No wine or distilled spirits shall be sold in containers of less than seven-hundred-fifty (750) milliliters.
 - (4) No malt beverage products shall be sold in less than six-pack quantities per sale.
 - (5) Quarterly gross sales of alcoholic beverages shall not exceed 25 percent of the quarterly gross sales of the *primary use*.
 - (6) No alcoholic beverages shall be sold except between the hours of 10:00 a.m. and 10:00 p.m. of each day of the week.

- (7) After considering the facts presented in the application, a Hearing Officer may grant a Conditional Use Permit at the hearing if it is concluded that all of the applicable criteria set forth in this Division have been met. The Hearing Officer may grant exceptions to sections 157.0111(b)(5) and (6) above if notice of the proposed exception is included in the public notice of the hearing and if the Hearing Officer finds that the proposed use and operations are compatible with existing and planned surrounding land uses. In granting the Conditional Use Permit, the Hearing Officer may impose additional conditions as deemed necessary and desirable to protect the public health, safety, and welfare which address the following issues to ensure compliance with the provisions of this Division:
- (A) Entertainment uses or activities or amusement devices on the *premises*;
 - (B) Hours of operation for sales of alcoholic beverages;
 - (C) Security measures;
 - (D) Potential noise impacts to residential occupants; and
 - (E) Lighting, litter and nuisance abatement or any other special requirements for the *premises*.
- (c) Live entertainment

Live entertainment means live performances by musicians, singers, dancers, disc jockeys, or similar entertainers, and may include dancing by customers of an establishment. The provision of live entertainment shall comply with Chapter 3, Article 3, Division 15 of this Code, as applicable, and shall be subject to the following additional regulations and permits:

- (1) Acoustic live entertainment
 - (A) Restaurants which offer made-to-order food products during all business hours may offer performances by live acoustic musicians, dancers, or similar performers as an *accessory use* up to 11:00 p.m., if the entertainment is not audible outside of the establishment.

- (B) Any other establishment offering performances by live acoustic musicians, dancers, or similar performers shall obtain a Neighborhood Use Permit in accordance with Process Two. The performances shall not be audible outside the establishment.
- (2) Non-acoustic live entertainment
- (A) Any establishment offering performances within an enclosed building by live non-acoustic musicians, disc jockeys, or patron dancing, shall obtain a Conditional Use Permit in accordance with Process Three.
- (B) If located upon or adjacent to a *premises* containing residential land uses the establishment shall provide a noise impact analysis for consideration before approval of the Conditional Use Permit. The noise impact analysis shall be prepared by a qualified acoustical engineer and shall evaluate potential noise and vibration impacts to the surrounding neighborhood.
- (3) *Hotels* and *motels* offering live entertainment in an area completely enclosed within the building and accessed solely through the lobby area are not subject to Section 157.0111(c)(1) or (2), if the live entertainment is not audible outside of the building.
- (4) Live entertainment located outside of an enclosed building
- Establishments offering live entertainment outside of an enclosed building shall obtain a Conditional Use Permit in accordance with Process Three. The establishment shall provide a noise impact analysis for consideration before approval of the Conditional Use Permit. The noise impact analysis shall be prepared by a qualified acoustical engineer and shall evaluate noise and vibration impacts to the surrounding neighborhood.
- (5) Sound and amplification equipment associated with live entertainment shall conform to the noise abatement and control regulations of Chapter 5, Article 9.5 of this Code.
- (d) *Ground-Floor* Uses Over 10,000 Square Feet
- The following findings must be made for approval of a Conditional Use Permit for uses occupying more than 10,000 square feet on the ground floor:

- (1) Uses shall not occupy more than 150 feet of continual lineal *street frontage* including around block corners;
- (2) Additional pedestrian entrances shall be provided for *street frontages* greater than 100 feet; and
- (3) The proposed use and the design will create a lively pedestrian experience consistent with the goals and policies adopted for the Gaslamp Quarter Planned District.

(“*Separately Regulated Uses*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0112 Off-Street Parking Requirements

- (a) There shall be no required minimum parking for any uses in the Gaslamp Quarter Planned District. The maximum parking requirements as outlined in Table 157-0112-A shall apply.
- (b) Bicycle Storage. Secured bicycle storage shall be provided at a ratio of one area reasonably sized to accommodate one bicycle for every five *dwelling units*. Bicycle storage areas shall be enclosed with access restricted to authorized persons. Any common storage area to serve more than one *dwelling unit* shall provide racks or fixtures on which to lock individual bicycles.
- (c) Provided Parking. If one or more *off-street parking spaces* are provided in a *development*, then the following requirements apply:
 - (1) The *off-street parking spaces* shall consist only of *unbundled parking*.
 - (2) The number of accessible *off-street parking spaces* shall be provided in accordance with Title 24 of the California Code of Regulations (California Building Standards Code).
 - (3) The number of off-street electric vehicle charging spaces shall be provided in accordance with the California Green Building Standards Code.

- (4) One motorcycle parking space shall be provided for every ten parking spaces.
- (5) *Reasonable accommodations* to the parking requirements shall be granted if necessary, to afford *disabled persons* equal housing opportunities under state and federal law, in accordance with Section 131.0466.
- (d) Maximum Parking. *Off-street parking spaces* in tandem or within a mechanical automobile lift are not counted as additional *off-street parking space*. A *development* may exceed the maximum *off-street parking spaces* identified in Table 157-0112-A if all of the following apply:
- (1) At least 20 percent of the total *off-street parking spaces* provided include electric vehicle supply equipment for the ready installation of charging stations;
 - (2) The *development* provides transportation amenities in accordance with Section 142.0528(c) worth at least four points; and
 - (3) Any *off-street parking spaces* shall be within an underground parking garage.

TABLE 157-0112-A: OFF-STREET PARKING REQUIREMENTS

Use Category	Maximum
Office	1.5 spaces per 1,000 sf
Commercial/Retail	1.0 spaces per 1,000 sf
<i>Hotel</i>	0.3 spaces per room
<i>Dwelling Units</i> including <i>Permanent Supportive Housing</i>	1.0 spaces per <i>dwelling unit</i>

(“*Off-Street Parking Requirements*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0113 Signs

The Gaslamp Quarter Design Guidelines set forth design standards for structure, content, lettering, location, size, number, illumination, color, projection and other characteristics for all *signs* in the Gaslamp Quarter. All signage shall be designed in compliance with the Gaslamp Quarter Design Guidelines.

(“*Signs*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0114 Awnings and Canopies

Awnings and canopies were used historically in the Gaslamp Quarter Planned District. All new *awnings* and canopies shall be designed in compliance with the Gaslamp Quarter Design Planned District Guidelines.

(“*Awnings and Canopies*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0115 Sidewalk Cafes

Sidewalk cafes shall comply with Sections 141.0621 and 157.0111(c) of the Land Development Code and the Gaslamp Quarter Planned District Design Guidelines.

(“*Sidewalk Cafes*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0116 Digital Services

Although automated digital devices, such as automatic teller machines (ATM's), electronic ticketing, or video displays, are not considered to be compatible with the historical district, they are convenient and therefore allowed so long as they are located to minimize their visual impact. Such devices may be installed only adjacent to or on the exterior of a non-contributing building.

(“*Digital Services*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0117 Public Facilities, Structures and Area

All open spaces, *streets*, sidewalks, street furniture, street *signs*, lighting installations, and any incidental *structures* or monuments, shall conform with the intent of this Article, which is to complement the history and character of the Gaslamp Quarter Planned District in general accord with the period between 1873 to 1930 and shall be subject to the same regulations, conditions and standards established herein.

(“*Public Facilities, Structures and Area*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0118 Rooftop Antennae and Satellite Dishes

Cellular telephone *antennas* or satellite dishes are permitted on *historical buildings* or contributing *structures*, to the extent required by federal or state law. Cellular telephone *antenna*, satellite dishes, and associated screening enclosures on newly constructed buildings shall not be visible from the *public right-of-way*, unless required by federal or state law.

(“*Rooftop Antennae and Satellite Dishes*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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§157.0119 *Previously Conforming Structures*

All *signs, awnings, canopies, sidewalk cafés, ATM's, rooftop antennae and satellite dishes, or similar elements which are previously conforming structures* which do not conform to the provisions of this Article or the Gaslamp Quarter Planned District Design Guidelines shall be required to be revised, altered, or removed in order to comply with this Article or the Gaslamp Quarter Planned District Design Guidelines no later than five years from September 11, 2010.

(“*Previously Conforming Structures*” added 7-22-2024 by O-21837 N.S.; effective 10-5-2024.)

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Figure A



Figure A

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