

000113 REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NO. (FOR AUDITOR'S)
N/A

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):
DEVELOPMENT SERVICES DEPARTMENT

3. DATE:
6/11/2007

4. SUBJECT:
AMENDMENTS TO ADDRESS "MINI DORMS" AND PRESERVE CHARACTER OF RS ZONES

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
Amanda Lee (619) 446-5367, MS 501

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
Dan Joyce (619) 446-5388, MS 501

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED
 Executive Summary

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND				
DEPT.	1316			
ORGANIZATION	1633			
OBJECT ACCOUNT				
JOB ORDER	55503			
C.I.P. NUMBER				
AMOUNT	\$0			

9. ADDITIONAL INFORMATION / ESTIMATED COST:
Work on this project is funded as an overhead expense in the Development Services (enterprise fund) budget.

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	KELLY BROUGHTON	6/13/07	8	CITY ATTORNEY	MARIANNE GREENE	6/29/07
2	ENVIRONMENTAL	ROBERT MANIS	6-12-07	9			
3	DEPARTMENT DIRECTOR	MARCEL ESCOBAR ECK	6/13/07	10			
4	CFO			11	ORIG. DEPT		
5	AUDITOR	JAMES WARING	6-13-07	DOCKET COORD: _____ COUNCIL LIAISON _____			
6	DEPUTY CHIEF	JAMES WARING	6-14-07	COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION			
7	COO			<input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

- Preparation of ordinance to amend Land Development Code Chapter 13, Articles 1 and 2; and Chapter 14, Article 2 to
1. Amend 131.0431 Table 132-04A to restrict the number of bedrooms on smaller lots in the RS zones,
 2. Amend 131.0447 to restrict the amount of paving and hardscape for vehicular use,
 3. Amend 132.0802 to clarify the applicability of the regulations in campus impact and beach impact areas of the parking impact overlay zone,
 4. Amend 142.0520 to reduce the bedroom-parking space threshold in the campus impact overlay zone and require garage parking spaces,
 5. Create new Section 142.0521 to address minimum parking design standards for single dwelling units, and
 6. Amend 142.0560 to address minimum parking design standards for single dwelling units and reduce the maximum driveway width in the campus impact area for consistency with beach impact area.
 7. Ordinance to become effective outside of coastal zone 30 days from effective date of Council action and to be effective in the coastal zone upon the date of unconditional certification by the coastal commission.

- Preparation of resolution (related to Environmental Addendum):
1. Certifying that the information contained in the Addendum No. 129501 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said Addendum reflects the independent judgment of the City of San Diego as Lead Agency.
 2. Stating for the record that the final Addendum No. 129501 has been reviewed and considered prior to approving the project.
 3. Certifying the final Addendum No. 129501.

11A. STAFF RECOMMENDATIONS:

Introduce and adopt the ordinance. Adopt the resolution to certify the final Addendum No. 129501 to EIR No. 96-0333.

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12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): Citywide

COMMUNITY AREA(S): Citywide

ENVIRONMENTAL IMPACT: The City of San Diego as Lead Agency under CEQA has reviewed and considered Addendum No. 129501 to Environmental Impact Report (Land Development Code EIR No. 96-0333) dated June 5, 2007, covering this activity.

HOUSING IMPACT: The amendments are intended to maintain the character of RS (single dwelling unit) zones through zoning regulations to prevent physical development with negative impacts such as the recent proliferation of 7-9 bedroom single dwelling rental units. The proposed limitation of 6 bedrooms maximum on lots less than 10,000 sq ft in RS zones is expected to prevent development of high occupancy units incompatible with the existing zone, while still meeting the housing needs for all segments of the population including residential care facilities as required by State law. The amendments treat owner and renter occupied units that are similarly situated the same in consideration of previous court decisions.

CITY CLERK INSTRUCTIONS: Mail Notice of Public Hearing to *citywide always* and *local coastal program* lists. Publish Notice of Public Hearing as one-eighth page advertisement in newspaper. Send draft copy of docket entry to Project Manager for review.

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CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

EFFECTIVE DATE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING SAN DIEGO MUNICIPAL CODE, BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4, BY AMENDING TABLE 131.04D AND SECTION 131.0447; BY AMENDING CHAPTER 13, ARTICLE 2, DIVISION 8, BY AMENDING SECTION 132.0802 AND TABLE 132-08A; AND, BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0520, BY ADDING SECTION 142.0521, AND BY AMENDING SECTION 142.0560; ALL RELATED TO THE REGULATION OF THE DEVELOPMENT OF SINGLE DWELLING UNITS IN RESIDENTIAL-SINGLE UNIT ZONES.

The purpose of this ordinance is to amend the Land Development Code and the Local Coastal Program, to regulate the physical development of single dwelling units in residential-single unit zones, including limits on numbers of bedrooms based on parcel size, and various parking and hardscape regulations. The ordinance is intended to prevent new physical development of single dwelling units in residential-single (RS) unit zones, that is inconsistent with the purpose of residential-single (RS) unit zones.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

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(O-2007-160)

A complete copy of the Ordinance is available for inspection in the Office of the
City Clerk of the City of San Diego, 2nd Floor, City Administration Building,
202 C Street, San Diego, CA 92101.

MG:ca
06/26/07
Or.Dept:DSD
O-2007-160

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING SAN DIEGO MUNICIPAL CODE, BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4, BY AMENDING TABLE 131.04D AND SECTION 131.0447; BY AMENDING CHAPTER 13, ARTICLE 2, DIVISION 8, BY AMENDING SECTION 132.0802 AND TABLE 132-08A; AND, BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0520, BY ADDING SECTION 142.0521, AND BY AMENDING SECTION 142.0560; ALL RELATED TO THE REGULATION OF THE PHYSICAL DEVELOPMENT OF SINGLE DWELLING UNITS IN RESIDENTIAL-SINGLE UNIT ZONES.

WHEREAS, the purpose of residential-single (RS) unit zones is to provide for areas of residential development that promote neighborhood quality, character, and livability, and minimizes adverse impacts to adjacent properties; and

WHEREAS, increasing incompatible development of single dwelling units in residential-single (RS) unit zones, is adversely impacting neighborhood quality, character, and livability incompatible and inconsistent with the purpose of residential-single (RS) unit zones; and

WHEREAS, on September 19, 2006, Council District 7 hosted a public workshop on the said increasing incompatible development of single dwelling units in residential-single (RS) unit zones, attended by over 300 residents and community leaders, which resulted in an October 11, 2006 memorandum to the Mayor and City Attorney, requesting analysis of possible changes that could be made to the Land Development Code; and

WHEREAS, on November 20, 2006, in response to said October 11, 2006 memorandum, the City Attorney issued a report (RC 2006-30) to the Land Use and Housing Committee analyzing issues associated with, and options for ameliorating, the said increasing incompatible

development of single dwelling units in residential-single (RS) unit zones, including amendments to the Land Development Code; and

WHEREAS, on November 29, 2006 and March 7, 2007, the Land Use and Housing Committee of the City Council conducted hearings, on the said increasing incompatible development of single dwelling units in residential-single (RS) unit zones, whereby the Committee unanimously approved action items to amend the Land Development Code to limit lots less than 10,000 square feet in single dwellings in residential-single (RS) unit zones to a maximum of 6 bedrooms, with surface parking for a maximum of four vehicles; require one parking space per bedroom and limit garage conversions for units with 5 bedrooms or more in campus impact areas; reduce the driveway width to 12 feet in campus impact areas; and create minimum single dwelling unit parking design regulations citywide, in an effort to maintain the character of single dwelling unit neighborhoods; and

WHEREAS, on December 11, 2006, Council District 1 wrote a memorandum to the Mayor, on the said increasing incompatible development of single dwelling units in residential-single (RS) unit zones, requesting that actions taken by the City be applied citywide; and

WHEREAS, on May 10, 2007, the City Attorney, along with Council Districts 2 and 7, hosted a public forum, on the said increasing incompatible development of single dwelling units in residential-single (RS) unit zones, led by a panel of numerous City officials, and leaders from the three largest local universities, and attended by over 200 residents and community leaders, public testimony was uniformly in support of an approach that would include regulating incompatible development of single dwelling units as a way to protect the quality of life in residential-single (RS) unit zones; and

WHEREAS, the City wishes to amend the Land Development Code, to ameliorate increasing incompatible development of single dwelling units in residential-single (RS) unit zones, to preserve neighborhood quality, character, and livability, compatible with the purpose of residential-single (RS) unit zones; NOW, THEREFORE,

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

Section 1. That Chapter 13, Article 1, Division 4 of the San Diego Municipal Code [SDMC] is amended by amending Section 131.0431, Table 131.04D to read as follows:

§131.0431 Development Regulations of Residential Zones

**Table 131-04D
Development Regulations of RS Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
	1st & 2nd >>							
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Max permitted density (DU per lot)		1	1	1	1	1	1	1
Min lot area (sf)		40,000	20,000	15,000	10,000	8,000	6,000	5,000
Min lot dimensions								
Lot width (ft)		100	80	75	65	60	60	50
Street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	50
Lot width (corner) (ft)		110	85	80	70	65	65	55
Lot depth (ft)		100	100	100	100	100	95	95
Setback requirements								
Min Front setback (ft) [See Section 131.0443(a)(1)]		25(1)	25(1)	20(1)	20(1)	20(1)	15(1)	15(1)
Min Side setback (ft)		10(2)	10(2)	6(2)	6(2)	6(2)	5(2)	4(2)
Min Street side setback (ft)		10(2)	10(2)	10(2)	10(2)	10(2)	10(2)	10(2)
Min Rear setback (ft)		25(3)	25(3)	20(3)	20(3)	20(3)	15(3)	13(3)
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies						
Max structure height (ft)		24/30(4)	24/30(4)	24/30(4)	24/30(4)	24/30(4)	24/30(4)	24/30(4)

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
	1st & 2nd >>							
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Lot coverage for sloping lots [See Section 131.0445(a)]		applies						

Max floor area ratio	0.45	varies ⁽⁵⁾					
Max paving/ hardscape [See Section 131.0447]	applies						
Accessory uses and structures [See Section 131.0448 (a),(b)]	applies						
Garage regulations [See Section 131.0449(a)]	applies						
Building spacing [See Section 131.0450]	applies						
Max third story dimensions [See Section 131.0460]	--	applies	applies	applies	applies	applies	applies
Architectural projections and encroachments [See Section 131.0461(a)]	applies						
Supplemental requirements [See Section 131.0464(a)]	applies						
Diagonal plan dimension [See Section 131.0465]	--	--	--	--	--	--	applies
Bedroom regulation	applies ⁽⁷⁾						

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
		1st & 2nd >>	1-	1-	1-	1-	1-	1-
		3rd >>	8	9	10	11	12	13
4th >>	14							
Max permitted density (DU per lot)		1	1	1	1	1	1	
Min lot area (sf)		40,000	20,000	15,000	10,000	8,000	6,000	
Min lot dimensions								
Lot width (ft)		100	80	75	65	60	60	
street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	
Lot width (corner) (ft)		110	85	80	70	65	65	
Lot depth (ft)		100	100	100	100	100	95	
Setback requirements								
Min Front setback (ft) [See Section 131.0443(a)(1)]		25	25	25	20	15	15	
Min Side setback (ft)		10	8	7	6	5	5	
Min Street side setback (ft)		20	15	15	10	10	10	
Min Rear setback (ft)		10 ⁽⁶⁾						
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies	applies	applies	applies	applies	applies	
Max structure height (ft)		35	35	35	35	35	35	
Lot coverage for sloping lots [See Section 131.0445(a)]		-	-	-	-	-	-	
Max floor area ratio [See Section 131.0446(b)]		0.45	0.60	0.60	0.60	0.60	0.60	
Max paving/ hardscape [See Section 131.0447]		applies	applies	applies	applies	applies	applies	
Accessory uses and structures [See Section 131.0448 (a),(b)]		applies	applies	applies	applies	applies	applies	
Garage regulations [See Section 131.0449(a)]		applies	applies	applies	applies	applies	applies	
Building spacing [See Section 131.0450]		applies	applies	applies	applies	applies	applies	
Max third story dimensions		-	-	-	-	-	-	
Architectural projections and encroachments [See Section 131.0461(a)]		applies	applies	applies	applies	applies	applies	
Supplemental requirements [See Section 131.0464(a)]		applies	applies	applies	applies	applies	applies	
Diagonal plan dimension		-	-	-	-	-	-	
Bedroom regulation		applies ⁽⁷⁾						

Footnotes for Table 131-04D

- 1 See Section 131.0443(a)(2).
- 2 See Section 131.0443(a)(3).

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- 3 See Section 131.0443(a)(4).
- 4 See Section 131.0444(b).
- 5 See Section 131.0446(a).
- 6 See Section 131.0443(a)(5).
- 7 On *lots* less than 10,000 square feet, a *single dwelling unit* shall be limited to 6 *bedrooms* maximum.

Section 2. That Chapter 13, Article 1, Division 4 of the SDMC is amended by amending Section 131.0447 to read as follows:

§131.0447 Maximum Paving and Hardscape in Residential Zones

Paving and *hardscape* on *single dwelling unit* lots located in the RS zones shall be minimized as follows:

- (a) The required front *yard* shall be limited to a maximum of 60 percent paving and *hardscape*.
- (b) Within the required *street yard* paving and *hardscape* shall be limited to:
 - (1) A driveway with direct vehicular access to required *off-street parking spaces* located outside of the required *setback* in accordance with section 142.0521,
 - (2) A walkway to facilitate pedestrian access to the *dwelling unit*, and
 - (3) Any decorative paving or *hardscape* that is not designed for vehicular access.
- (c) In order to maintain the character of the RS zone, paving and *hardscape* for vehicular use on *lots* less than 10,000 square feet, shall be further limited to off-street, surface parking for a maximum of 4 vehicles. Additional paving and *hardscape* shall be permitted for non-vehicular use or where necessary to provide vehicular access to garage parking.

Section 3. That Chapter 13, Article 2, Division 8 of the San Diego Municipal Code is amended by amending Section 132.0802, Table 132-08A to read as follows:

§132.0802 Where the Parking Impact Overlay Zone Applies

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

**Table 132-08A
Parking Impact Overlay Zone Applicability**

Type of Development Proposal	Supplemental Development Regulations	Required Permit Type/ Decision Process
(1) Any <i>single dwelling unit development</i> located within the campus impact area	See the parking regulations in Sections 131.0447, 142.0520, 142.0521, and 142.0560	No permit required by this division
(2) Any development located within the beach impact area and any <i>multiple dwelling unit development</i> located within the campus impact area	See the parking regulations in Sections 131.0447, 142.0520, 142.0521, 142.0525, 142.0530, 142.0535, 142.0540 and 142.0560	No permit required by this division
(3) Any eating and drinking establishment that is located in the beach impact area and in the CC-5-2, CC-5-4, or CC-3-5 zones	See the parking regulations in Section 142.0530(b)	No permit required by this division

Section 4. That Chapter 14, Article 2, Division 5, of the SDMC is amended by amending Section 142.0520, Table 142-05 B to read as follows:

§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

**Table 142-05B
Minimum Required Parking Spaces for
Single Dwelling Units and Related Uses**

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit ⁽¹⁾
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> (previously conforming parking regulations in Section 142.0510(d) do not apply ⁽²⁾)
Housing for senior citizens (maximum 1 bedroom)	1 space per dwelling unit

Footnote for Table 142-05B

¹ *Single dwelling units* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as

illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to section 142.0525(c)(4).

² In campus impact areas, new *single dwelling unit development* with 5 or more *bedrooms* shall provide a minimum of 2 parking spaces in a garage. Where an existing garage is proposed for conversion to habitable area, garage parking shall be replaced with an equivalent number of garage parking spaces on the *premises*.

Section 5. That Chapter 14, Article 2 Division 5 of the SDMC is amended by amending, Section 142.0521 to read as follows:

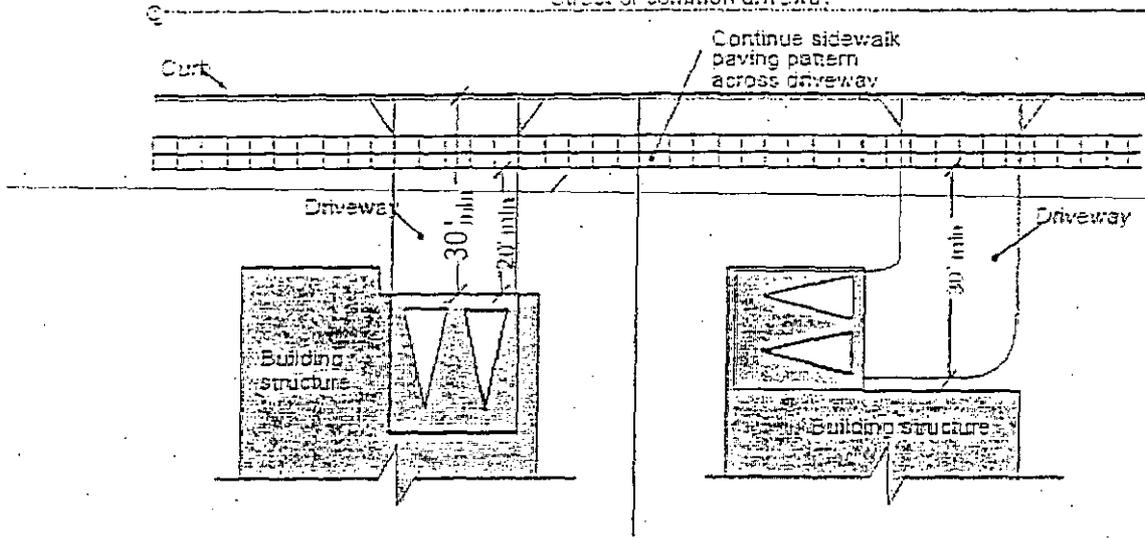
§142.0521 Parking Site Design for Single Dwelling Unit Residential Uses

Parking facilities for *single dwelling unit residential* uses shall be designed in accordance with the following:

- (a) *Single dwelling unit developments* shall meet the minimum parking requirement established by section 142.0520.
- (b) Paving and *hardscape* for vehicular use shall be minimized in accordance with section 131.0447.
- (c) *Development* and design of parking areas shall comply with section 142.0560.
- (d) Driveway width (exclusive of driveway apron) shall comply with section 142.0560. The driveway curb cut shall be located a minimum of 3 feet from the side *property line* to accommodate a standard driveway apron.
- (e) Beyond the driveway curb cut opening, the drive aisle width shall be a minimum of 10 feet and a maximum of 25 feet.
- (f) The minimum distance between a parking space and a sidewalk or curb opening shall comply with Diagram 142-05A.

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Diagram 142-65A
Minimum Distance Between an Off-Street Parking Space
and a Sidewalk or Curb Opening
Street or common driveway



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Section 6. That Chapter 14, Article 2, Division 5 of the SDMC is amended by amending Section 142.0560 to read as follows:

§142.0560. **Development and Design Regulations for Parking Facilities**

- (a) through (i) [No change in text.]
- (j) Driveway and Access Regulations
- (1) Driveway width shall be determined based on the size of the lot, type of use proposed, and location inside or outside of the Parking Impact Overlay Zone. Refer to Tables 142-05L and 142-05M for the applicable minimum and maximum driveway widths.

Table 142-05L
Driveway Width (Lots greater than 50 feet in width)

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	
Detached Single Dwelling Unit	12 feet		25 feet		12 feet
Dwelling Unit in the RX Zone	12 feet		20 feet		12 feet
Multiple Dwelling Unit	14 feet	20 feet	20 feet	25 feet	20 feet
Nonresidential	14 feet	24 feet	20 feet	30 feet	25 feet

Table 142-05M
Driveway Width (Lots 50 feet or less in width)

Use	Minimum Width		Maximum Width (Outside of Parking Impact Overlay Zone)		Maximum Width Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	
Detached Single Dwelling Unit	12 feet		20 feet		12 feet
Dwelling Unit in the RX Zone	12 feet		20 feet		12 feet
Multiple Dwelling Unit					
2 units	12 feet		20 feet		12 feet

3-5 units	14 feet		20 feet		14 feet
6 or more units	14 feet	20 feet	20 feet	25 feet	20 feet
Nonresidential	14 feet	24 feet	20 feet	30 feet	25 feet

Section 7. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 8. This ordinance takes effect outside the Coastal Overlay Zone 30 days after final passage; inside the Coastal Overlay Zone it takes effect upon unconditional certification by the California Coastal Commission.

Section 9. Pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et. seq.) an adequate and final Addendum to Environmental Impact Report No. 96-0333, Project No. 129501 entitled "Amendments to Address 'Mini Dorms' and Preserve the Character of the RS Zones," has been reviewed and completed for this ordinance that reflects the independent judgment of the City of San Diego as Lead Agency. (Cross reference Resolution - certifying the Addendum to Environmental Impact Report No. 96-0333.)

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene
Marianne Greene
Deputy City Attorney

MG:ca
06/28/2007
Or.Dept:DSD
O-2007-160

000127

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

000129

STRIKEOUT ORDINANCE

OLD LANGUAGE: STRIKEOUT
 NEW LANGUAGE: UNDERLINE

(O-2007-160)

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING SAN DIEGO MUNICIPAL CODE, BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4, BY AMENDING TABLE 131.04D AND SECTION 131.0447; BY AMENDING CHAPTER 13, ARTICLE 2, DIVISION 8, BY AMENDING SECTION 132.0802 AND TABLE 132-08A; AND, BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0520, BY ADDING SECTION 142.0521, AND BY AMENDING SECTION 142.0560; ALL RELATED TO THE REGULATION OF THE DEVELOPMENT OF SINGLE DWELLING UNITS IN RESIDENTIAL-SINGLE UNIT ZONES.

§131.0431 Development Regulations of Residential Zones

Table 131-04D
 Development Regulations of RS Zones

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
	1st & 2nd >>							
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Max permitted density (DU per lot)		1	1	1	1	1	1	1
Min lot area (sf)		40,000	20,000	15,000	10,000	8,000	6,000	5,000
Min lot dimensions								
Lot width (ft)		100	80	75	65	60	60	50
Street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	50
Lot width (corner) (ft)		110	85	80	70	65	65	55
Lot depth (ft)		100	100	100	100	100	95	95
Setback requirements								
Min Front setback (ft) [See Section 131.0443(a)(1)]		25 ⁽¹⁾	25 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	20 ⁽¹⁾	15 ⁽¹⁾	15 ⁽¹⁾
Min Side setback (ft)		10 ⁽²⁾	10 ⁽²⁾	6 ⁽²⁾	6 ⁽²⁾	6 ⁽²⁾	5 ⁽²⁾	4 ⁽²⁾
Min Street side setback (ft)		10 ⁽²⁾						

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Min Rear setback (ft)	25 ⁽³⁾	25 ⁽³⁾	20 ⁽³⁾	20 ⁽³⁾	20 ⁽³⁾	15 ⁽³⁾	13 ⁽³⁾
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]	applies						
Max structure height (ft)	24/30 ⁽⁴⁾						

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
		1-	1-	1-	1-	1-	1-	1-
		1	2	3	4	5	6	7
	1st & 2nd >>							
	3rd >>							
	4th >>							
Lot coverage for sloping lots [See Section 131.0445(a)]		applies						
Max floor area ratio		0.45	varies ⁽⁵⁾					
Max paving/ hardscape [See Section 131.0447]		applies						
Accessory uses and structures [See Section 131.0448 (a),(b)]		applies						
Garage regulations [See Section 131.0449(a)]		applies						
Building spacing [See Section 131.0450]		applies						
Max third story dimensions [See Section 131.0460]		--	applies	applies	applies	applies	applies	applies
Architectural projections and encroachments [See Section 131.0461(a)]		applies						
Supplemental requirements [See Section 131.0464(a)]		applies						
Diagonal plan dimension [See Section 131.0465]		--	--	--	--	--	--	applies
Bedroom regulation		applies ⁽⁷⁾						

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
		RS-						
		1-	1-	1-	1-	1-	1-	1-
		8	9	10	11	12	13	14
	1st & 2nd >>							
	3rd >>							
	4th >>							
Max permitted density (DU per lot)		1	1	1	1	1	1	1
Min lot area (sf)		40,000	20,000	15,000	10,000	8,000	6,000	5,000
Min lot dimensions								
Lot width (ft)		100	80	75	65	60	60	50
street frontage (ft) [See Section 131.0442(a)]		100	80	75	65	60	60	50
Lot width (corner) (ft)		110	85	80	70	65	65	55
Lot depth (ft)		100	100	100	100	100	95	95
Setback requirements								
Min Front setback (ft) [See Section 131.0443(a)(1)]		25	25	25	20	15	15	15
Min Side setback (ft)		10	8	7	6	5	5	4
Min Street side setback (ft)		20	15	15	10	10	10	10
Min Rear setback (ft)		⁽⁶⁾ 10						
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies						
Max structure height (ft)		35	35	35	35	35	35	35
Lot coverage for sloping lots [See Section 131.0445(a)]		-	-	-	-	-	-	-
Max floor area ratio [See Section 131.0446(b)]		0.45	0.60	0.60	0.60	0.60	0.60	0.60
Max paving/ hardscape [See Section 131.0447]		applies						
Accessory uses and structures [See Section 131.0448 (a),(b)]		applies						
Garage regulations [See Section 131.0449(a)]		applies						
Building spacing [See Section 131.0450]		applies						
Max third story dimensions		-	-	-	-	-	-	-

Architectural projections and encroachments [See Section 131.0461(a)]	applies						
Supplemental requirements [See Section 131.0464(a)]	applies						
Diagonal plan dimension	-	-	-	-	-	-	-
Bedroom regulation	applies ⁽¹⁾						

Footnotes for Table 131-04D (1) through (6) [No change.]

7 On lots less than 10,000 square feet a single dwelling unit shall be limited to 6 bedrooms maximum

§131.0447 Maximum Paving and Hardscape in Residential Zones

Within the required front yard of Paving and hardscape on single dwelling unit lots located in the RE and RS zones, shall be minimized as follows:

- (a) ~~the amount of paving and hardscape, including architectural projections,~~
is The required front yard shall be limited to a maximum of 70 60 percent of the total required yard: paving and hardscape.

- b) Within the required street yard paving and hardscape shall be limited to:
 - (1) A driveway with direct vehicular access to required off-street parking spaces located outside of the required setback in accordance with Section 142.0521,
 - (2) A walkway to facilitate pedestrian access to the dwelling unit, and
 - (3) Any decorative paving or hardscape that is not designed for vehicular access.

- (c) In order to maintain the character of the RS zone, paving and hardscape for vehicular use on lots less than 10,000 square feet, shall be further limited to off-street, surface parking for a maximum of 4 vehicles. Additional paving and hardscape shall be permitted for non-vehicular use or where necessary to provide vehicular access to garage parking.

§132.0802 Where the Parking Impact Overlay Zone Applies

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

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Table 132-08A
 Parking Impact Overlay Zone Applicability

Type of <i>Development</i> Proposal	Supplemental Development Regulations	Required Permit Type/ Decision Process
(1) Any <i>single dwelling unit development</i> located within the campus impact area	See the parking regulations in Sections <u>131.0447</u> , 142.0520, <u>142.0521</u> , and <u>142.0560</u>	No permit required by this division
(2) Any development located within the beach impact area and any <i>multiple dwelling unit development</i> located within the campus impact area	See the parking regulations in Sections <u>131.0447</u> , 142.0520, <u>142.0521</u> , 142.0525, 142.0530, 142.0535, 142.0540 and 142.0560	No permit required by this division
(3) Any eating and drinking establishment that is located in the beach impact area and in the CC-5-2, CC-5-4, or CC-3-5 zones	See the parking regulations in Section 142.0530 ^(b)	No permit required by this division

§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

Table 142-05B
 Minimum Required Parking Spaces for
 Single Dwelling Units and Related Uses

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit ⁽¹⁾
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> or, for additions or modifications to existing structures, 1 space per added <i>bedroom</i>, whichever is less (<u>previously conforming parking regulations in Section 142.0510(d) do not apply</u>) (2)
Housing for senior citizens (maximum 1 bedroom)	1 space per dwelling unit

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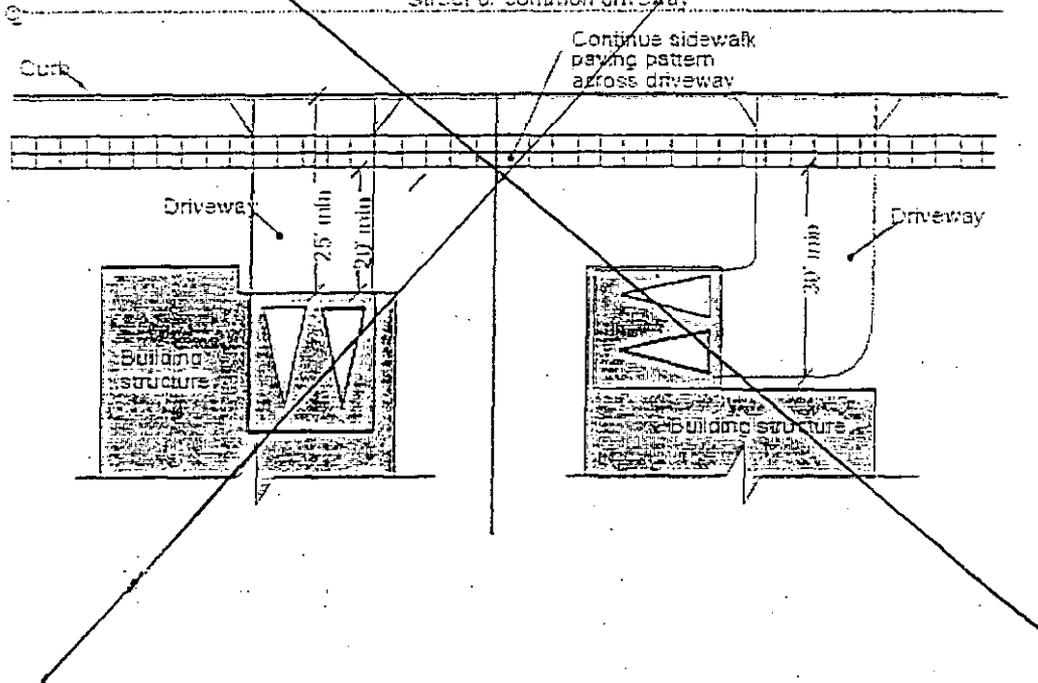
Footnote for Table 142-05B

¹ *Single dwelling units* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to Section 142.0525(c)(4).

² In campus impact areas, new *single dwelling unit* development with 5 or more *bedrooms* shall provide a minimum of 2 parking spaces in a garage. Where an existing garage is proposed for conversion to habitable area, garage parking shall be replaced with an equivalent number of garage parking spaces on the *premises*.

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Diagram 142-05A
Minimum Distance Between an Off-Street Parking Space
and a Sidewalk or Curb Opening
Street or common driveway



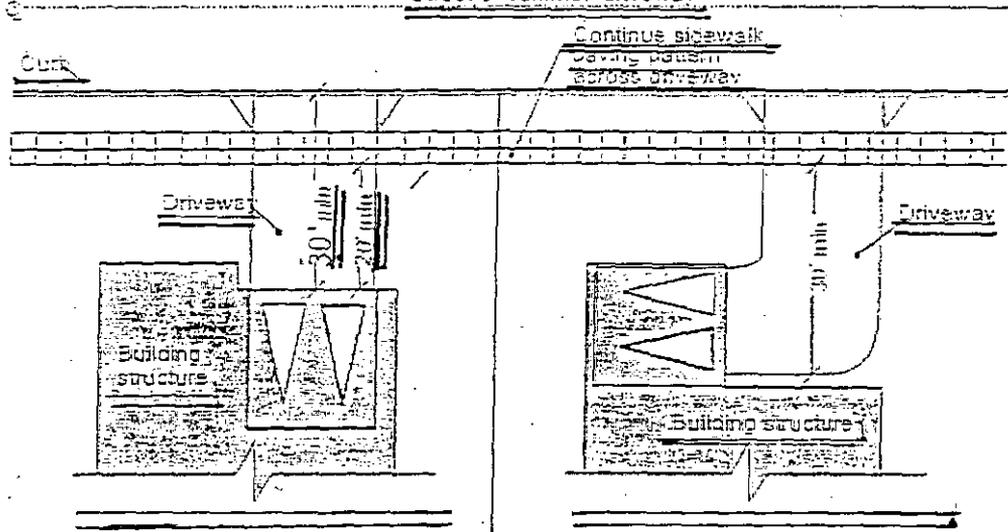
§142.0521 Parking Site Design for Single Dwelling Unit Residential Uses

Parking facilities for *single dwelling unit residential* uses shall be designed in accordance with the following:

- (a) *Single dwelling unit* developments shall meet the minimum parking requirement established by Section 142.0520.
- (b) Paving and *hardscape* for vehicular use shall be minimized in accordance with Section 131.0447.
- (c) Development and design of parking areas shall comply with Section 142.0560.
- (d) Driveway width (exclusive of driveway apron) shall comply with Section 142.0560. The driveway curb cut shall be located a minimum of 3 feet from the side property line to accommodate a standard driveway apron.
- (e) Beyond the driveway curb cut opening, the drive aisle width shall be a minimum of 10 feet and a maximum of 25 feet.
- (f) The minimum distance between a parking space and a sidewalk or curb opening shall comply with Diagram 142-05A.

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Diagram 142-05A
Minimum Distance between an On-Street Parking Space
and a Sidewalk or Curb Opening
Street or Common Driveway



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§142.0560 Development and Design Regulations for Parking Facilities

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

(j) Driveway and Access Regulations

- (1) Driveway width shall be determined based on the size of the lot, type of use proposed, and location inside or outside of the ~~Beach Impact Area of the~~ Parking Impact Overlay Zone. Refer to Tables 142-05L and 142-05M for the applicable minimum and maximum driveway widths.

Table 142-05L
Driveway Width (Lots greater than 50 feet in Width)

Use	Minimum Width		Maximum Width (Outside of Beach Parking Impact Area of the Parking Impact Overlay Zone)		Maximum Width Beach Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
<i>Detached Single Dwelling Unit</i>	12 feet		25 feet		12 feet
<i>Dwelling Unit in the RX Zone</i>	12 feet		20 feet		12 feet
<i>Multiple Dwelling Unit</i>	14 feet	20 feet	20 feet	25 feet	20 feet
Nonresidential	14 feet	24 feet	20 feet	30 feet	25 feet

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Table 142-05M
 Driveway Width (Lots 50 feet or less in width)

Use	Minimum Width		Maximum Width (Outside of Beach Parking Impact Area of the Parking Impact Overlay Zone)		Maximum Width Beach Parking Impact Area
	One-Way	Two-Way	One-Way	Two-Way	Two Way
<i>Detached Single Dwelling Unit</i>	12 feet		20 feet		12 feet
<i>Dwelling Unit in the RX Zone</i>	12 feet		20 feet		12 feet
<i>Multiple Dwelling Unit</i>					
2 units	12 feet		20 feet		12 feet
3-5 units	14 feet		20 feet		14 feet
6 or more units	14 feet	20 feet	20 feet	25 feet	20 feet
Nonresidential	14 feet	24 feet	20 feet	30 feet	25 feet

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 06/27/2007
 Or.Dept:DSD
 O-2007-160

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RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION CERTIFYING ADDENDUM NO. 129501 TO LAND DEVELOPMENT CODE ENVIRONMENTAL IMPACT REPORT NO. 96-0333, FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE CHAPTER 13, ARTICLES 1 AND 2; AND CHAPTER 14, ARTICLE 2, RELATING TO AN ORDINANCE TO REGULATE THE PHYSICAL DEVELOPMENT OF SINGLE DWELLING UNITS IN RESIDENTIAL-SINGLE UNIT ZONES.

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

1. That the information contained in the final Addendum No. 129501 to Land Development Code Environmental Impact Report No. 96-0333, Project No. 129501 entitled "Amendments to Address 'Mini Dorms' and Preserve the Character of the RS Zones," has been reviewed and considered prior to approving the amendments to the Land Development Code Chapter 13, articles 1 and 2; and Chapter 14, article 2, relating to an ordinance to regulate the physical development of single dwelling units in residential-single unit zones; and

2. That the information contained in said final Addendum No. 129501 has been completed in compliance with the California Environmental Quality Act (Public Resources Code § 21000 et. seq.) and State CEQA Guidelines (14 CCR § 15000 et. seq.), and that said final Addendum No. 129501 reflects the independent judgment of the City of San Diego as Lead Agency; and

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(R-2007-1260)
CORR. COPY

3. That said final Addendum No. 129501 is hereby certified.

4. That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene
Marianne Greene
Deputy City Attorney

MG:ca
06/27/2007
07/02/2007 CORR. COPY
Or.Dept: DSD
R-2007-1260

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor