

Draft Strikeout/Underline Language for Consistency Corrections

Issue 2a. - § 113.0228 Determining Existing Grade

- (a) *Existing grade* is the ground elevation of the surface of a *premises* that has never been *graded* or, for a *premises* that has been *graded*, ~~outside the Coastal Overlay Zone~~, the ground elevation that existed on March 4, 1972. ~~Within the Coastal Overlay Zone, existing grade on premises that has been graded shall be determined pursuant to Section 113.0228 (b) and (c).~~ This is illustrated in Diagram 113-02F.

Issue 2b - § 131.0112 Descriptions of Use Categories and Subcategories

- (B) Light Manufacturing -- Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive, or petroleum ~~or radioactive~~ materials. (This subcategory does not include the assembly of large equipment and machinery.)

Issue 2c - § 131.0448 Accessory Uses and Structures in Residential Zones

- (a) There is no limit to the number of accessory structures on a premises. However Accessory uses within enclosed buildings the square footage of all accessory structures cannot exceed ~~are restricted to 25 percent of the permitted allowable gross floor area of the premises.~~

- (be) *Accessory Structures* in RE, RS, and RX Zones

~~The accessory building~~ Any accessory structure may have electrical, gas, and water/sewer connections to provide the following activities:

- (A) (1) Lighting, washing machines, dryers, laundry tubs, and hot water heater;
- (B) (2) A one-half bathroom, limited to a water closet and a lavatory sink; and
- (C) (3) A shower, provided the property owner signs an agreement recorded with the County Recorder and processed through the City Manager stating that the ~~building~~ structure will not be used for living or sleeping purposes.
- (bc) Accessory Structures in RE, RS, and RX Zones may encroach into required *yards* subject to the following conditions:
- (1) ~~For Encroachment into required yards can only occur on lots-premises~~ with less than 10,000 square feet of area.
- (2) ~~One story accessory buildings~~ Accessory structures, not including attached or detached patio structures, shall be limited to 1 story. ~~may encroach into the required side and rear setbacks, subject to the following conditions:~~

- (43) The maximum permitted *structure height* of an ~~accessory building~~ *accessory structure* is 10 feet for a flat roof and 15 feet for a pitched roof. If the *structure* contains a shed roof, the maximum *structure height* is 12 feet measured at the ridge. A ~~building structure~~ *accessory structure* with a flat roof may have a *roof deck*, provided that all handrails and other appurtenances are limited to 42 inches in height and comply with all *setback* requirements.
- (24) All required *visibility areas*, as set forth in Section 113.0273, shall be observed.
- (35) No ~~accessory building~~ *accessory structure* shall be used for living or sleeping purposes.
- (46) In the RE and RS zones, ~~the accessory building~~ the cumulative area of all *accessory structures* shall not exceed 525 square feet in *gross floor area*.
- (57) In the RX zones, ~~the accessory building~~ the cumulative area of all *accessory structures* shall not exceed 400 square feet in *gross floor area*.
- (68) The length of any ~~accessory building~~ *accessory structure* ~~dimension within the required yards~~ shall not exceed 30 feet in any given setback.
- (79) The ~~accessory building~~ *accessory structure* must be placed entirely within the rear 30 percent of the ~~lot premises~~ *lot premises* or behind the front 70 feet of the ~~lot premises~~ *lot premises*, whichever results in the ~~accessory building~~ *accessory structure* being located farther from the *street*.
- (810) If the ~~accessory building~~ *accessory structure* is used for parking and access to the ~~building structure~~ *accessory structure* is taken from the *alley*, a minimum distance of 21 feet shall be provided between the edge of the *alley* opposite the ~~lot premises~~ *lot premises* and the exterior wall of the ~~accessory building~~ *accessory structure*.
- (911) Within the Coastal Overlay Zone, *accessory structures* are subject to the supplemental regulations in Section 132.0403.

Issue 2d - § 131.0631 Development Regulations Table for Industrial Zones

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

**Table 131-06C
Development Regulations of Industrial Zones**

Development Regulations [See Section 131.0630 for Development Regulations of Industrial Zones]	Zone Designator	Zones							
	1st & 2nd »	IP-		IL-			IH-		IS-
	3rd »	1-	2-	1-	2-	3-	1-	2-	1
	4th »	1		1			1		1
Max Floor Area Ratio		2.01-0 ⁽⁷⁾		2.01-0 ⁽⁷⁾			2.01-0		2.0

Footnotes for Table 131-06C

7 Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50.

Issue 2e - § 141.0306 Guest Quarters

- (l) Off-street parking and access for a *premises* containing a guest quarters shall be provided as follows:
 - (1) Parking for the entire *premises* shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations).
 - (2) Off-street parking shall be provided at a rate of 1 space for each bedroom in the guest quarters.
 - (2~~3~~) Off-street parking required for guest quarters shall not be located in the area between the *street wall* and the front *property line*.
 - (3~~4~~) Access to the off-street parking from an unimproved *alley* is not permitted.

Issue 2f - § 141.0405 Communication Antennas

(~~fg~~) *Satellite Antennas*

- (2) Limited Use Regulations. *Satellite antennas* that exceed 5 feet in diameter 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) No change
 - (B) *Satellite antennas* are not permitted on ~~properties~~ *premises* that have been designated as *historical resources*.
 - (C) through (G) No change
 - (H) Ground-, roof-, and pole-mounted *satellite antennas* shall be *screened* by fencing, buildings, or parapets that appear to be an integral part of the building, or by landscaping so that not more than 25 percent of the antenna height is visible from the *grade* level of adjacent ~~property~~ *premises* and adjacent *public rights-of-way*.
- (3) Neighborhood Use Permit Regulations. Proposed *satellite antennas* that do not comply with Section 141.0405(b)(2) may be permitted with a Neighborhood Use Permit subject to the following regulations.
 - (A) No change
 - (B) *Satellite antennas* are not permitted on ~~properties~~ *premises* that have been designated as *historical resources*.
 - (C) through (E) No change

- (F) The visual impacts of the antenna to adjacent ~~properties~~ premises and adjacent *public rights-of-way* shall be minimized by the positioning of the antenna on the site and the use of landscape or other *screening*.
- (4) Conditional Use Permit Regulations. Proposed *satellite antennas* that exceed 10 feet in diameter may be permitted with a Conditional Use Permit decided in accordance with Process Three subject to the following regulations, except if the proposed satellite antenna is accessory to the primary use in an industrial zone, it is permitted by right.
 - (A) *Satellite antennas* are not permitted within the *MHPA*.
 - (B) *Satellite antennas* are not permitted on ~~properties~~ premises that have been designated as *historical resources*.
 - (C) The visual impacts of the antenna to adjacent ~~properties~~ premises and adjacent *public rights-of-way* shall be minimized by the positioning of the antenna on the site and the use of landscaping or other *screening*.

Issue 2g - § 142.1210 General Sign Regulations

- (~~D~~C) Public interest messages for public or private non-profit or charitable organizations may also identify sponsors and supporters of the *signs* and notices as described in Section 142.1210(a)(1)(B). ~~above described signs and notices, and public or private non-profit or charitable organizations or agencies.~~ A maximum of 15 percent of the total area of a *sign* containing a public interest message shall include the name of the sponsors or supporters, description of the products, services or activities provided or engaged in by the sponsors or supporters, and recognized trademarks, logotypes or symbols customarily associated with the sponsors or supporters.
- (~~E~~D) The following *signs* are also public interest message *signs* but are regulated as secondary *signs*:
 - (i) *Public utility signs* that are required by law;
 - (ii) *Directional signs*; and
 - (iii) *Holiday decorations*.

Issue 2h - § 143.0410 General Development Regulations for Planned Development Permits

The following regulations are applicable to *developments* for which a Planned Development Permit is requested when identified in Table 143-04A.

- (a) Deviations
 - (3) A Planned Development Permit may not be used to request deviations from any of the following regulations:

(D) Residential *density* unless the residential component is part of a mixed-use (commercial/residential) project and the applicable *land use plan* establishes a higher density than the base zone;

~~(E)~~ Applicable supplemental regulations identified in Table 143-04A;

~~(F)~~ The regulations in Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations); and

~~(G)~~ The regulations in Chapter 14, Article 3, Division 2 (Historical Resources Regulations).

Issue 2i - Slope Gradient

- (a) All constructed slopes shall be designed for proper stability considering both geological and soil properties.
- (b) Cut and *fill* slopes less than 10 feet in height shall not exceed a gradient of 66 percent (1-½ horizontal feet to 1 vertical foot).
- (c) Cut and *fill* slopes greater than 10 feet in height shall not exceed a gradient of 50 percent (2 horizontal feet to 1 vertical foot).
- ~~(d)~~ Cut slopes greater than 10 feet in height that exceed a gradient of 50 percent (2 horizontal feet to 1 vertical foot) but do not exceed a gradient of 66 percent (1 ½ horizontal feet to 1 vertical foot) may be approved by the City Engineer if the slopes comply with one of the following:
- ~~(1)~~ The underlying bedrock and soil supporting the slope, and the materials to be exposed on cut slopes, shall have strength characteristics sufficient to provide a stable slope with a factor of safety of not less than 1 1/2 for static loads and will not pose a danger to persons or property. This determination shall be based on a *geotechnical report* containing the results of surface and subsurface *exploration* and analysis by a geotechnical engineer, or a qualified civil engineer and an engineering geologist; or
- ~~(2)~~ The slope shall be revegetated in accordance with a plan prepared by a landscape architect or other professional authorized to prepare landscape plans by the State Business and Professions Code. The plan shall incorporate the recommendations of the *geotechnical report* and the agronomic soils test report.
- ~~(e)~~(d) Where extraordinary conditions exist to the extent that compliance with the standards of this section would be infeasible, the City Engineer may authorize slopes steeper than those specified in Section 142.0133(b), and (c), and (d). A determination that such steeper slopes are warranted shall be based upon the required soils and geologic investigations *geotechnical report* that clearly demonstrates that the steeper slope will be stable and not endanger the public health, safety, and welfare. Such slopes shall be revegetated in accordance with a plan prepared by a landscape architect authorized to prepare landscape plans by the State Business and Profession Code. Extraordinary conditions include the *excavation* of solid rock or *street* construction within a confined *public right of way* width.

