

'141.0302 Companion Units

~~141.0302~~ A companion unit is a *dwelling unit* that is an *accessory use* to a *single dwelling unit* on a residential *lot* that provides complete living facilities, including a *kitchen*, independent of the primary dwelling unit. Companion Units units are permitted as a limited use in accordance with Process One in the zones indicated with an AL@ in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) and Chapter 10, Article 3, Division 1 (General Provisions for Planned Districts), subject to the regulations in Sections 141.0302(a). Within the Coastal Overlay Zone, companion units are subject to 126.0704(a).

~~A companion unit is a *single dwelling unit* that is an *accessory use* for a *single dwelling unit* on a residential *lot* that provides complete living facilities independent of the primary dwelling unit. Companion units may be permitted 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) Limited Use Regulations. Companion units are permitted as a limited use subject to the following regulations:~~

~~(1a) Before a Building Permit is issued for a companion unit, the applicant shall submit a signed agreement to the City that specifies that if the applicant does not occupy either the primary dwelling unit or the companion unit, only one of the units may be rented. The agreement shall include a stipulation that neither the primary dwelling unit nor the companion unit shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation. This agreement shall run with the land and be coterminous with the life of the companion unit.~~

~~(a) Companion units are not permitted if the citywide annual average rental vacancy rate is determined to exceed 5 percent. This determination will be made annually by City Council following a recommendation by the Planning Commission on or before April 1 of each year regarding the City's vacancy rate in rented *multiple dwelling units* and rented *single dwelling units* for the previous calendar year. The recommendation shall be based on data from sources available to the City Manager that are up-to-date and regularly published by reputable sources.~~

~~(2b) For *premises* within multi-family residential zones, one companion unit is permitted on properties that would normally only allow one *single dwelling unit* based on the *premises* size and density permitted on the *premises*. For this purpose, the companion unit shall not count toward the density of the *premises*. If the *premises* are modified by area or zone to permit additional dwelling units, the companion unit shall then be considered an additional dwelling unit and shall not be restricted by the applicable companion unit regulations.~~

~~(b) Companion units are permitted only if it is determined that the public facilities and~~

services in the Community Plan area in which the proposed companion unit is located are adequate and able to accommodate additional intensity of development.

- ~~(3c)~~ A primary dwelling unit must exist on the premises. Concurrent construction of the primary dwelling unit and the companion unit is permitted.
- ~~(e)~~ Companion units are permitted only if the total number of companion units in the community plan area in which the proposed companion unit is located does not exceed 5% of the detached primary dwelling units within that community plan area.
- ~~(4d)~~ No more than one companion unit may be permitted on a premises.
- ~~(d)~~ Companion units are not permitted in agricultural zones in the future urbanizing area or in the Coastal Overlay Zone.
- ~~(5e)~~ A companion unit may be attached to or detached from the primary dwelling unit on the premises.
- ~~(e)~~ A primary dwelling unit must exist on the premises. Concurrent construction of the primary dwelling unit and the companion unit is permitted.
- ~~(6f)~~ If access from an improved abutting alley exists, vehicular access to parking spaces for the companion unit shall be from the alley unless the premises has a garage that accommodates all off-street parking required per this section, provided that the premises is not located in the Beach Impact Area or any other area in which vehicular access from the alley is required.
- ~~(7g)~~ Parking for the entire premises shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations) and with this section.
- ~~(f)~~ No more than one companion unit may be permitted on a premises.
- ~~(8h)~~ One standard off-street parking space is required for each bedroom in the companion unit, with a minimum requirement of one parking space per companion unit.
- ~~(g)~~ A companion unit may be attached to or detached from the primary dwelling unit on the premises.
- ~~(9i)~~ Off-street parking required by this section shall not be located in the area between the street wall and the front property line.
- ~~(10j)~~ Access to the off-street parking from an unimproved alley is not permitted.
- ~~(h)~~ The gross floor area of a companion unit shall not exceed 700 square feet.
- ~~(11k)~~ Companion units are not permitted on premises smaller than 5,000 square feet.
- ~~(12l)~~ The gross floor area of the companion unit shall be included in the floor area ratio calculation for the premises.

- (j) ~~A13m) The gross floor area of the companion unit may contain a kitchen.~~ shall not exceed 700 square feet.
- (k) For companion units located above a garage or other accessory building, the maximum *structure height* for flat-roofed *structures* is 21 feet. For sloped-roofed *structures* with a roof pitch of at least 3:12 (3 vertical feet to 12 horizontal feet), the maximum *structure height* is 30 feet.
- ~~(14n)~~ One 24-inch box tree shall be planted in the required front yard of the premises or in the abutting parkway. Existing trees that are at least 15 feet high and 15 feet in width may be used to satisfy this requirement.
- ~~(l)~~ (15o) For detached companion units located above a garage or other accessory building, the maximum structure height for flat-roofed structures is 1521 feet without a chimney or flue, or 17 feet with a chimney or flue.; for sloped-roofed structures with a roof pitch of at least 3:12 (3 vertical feet to 12 horizontal feet), the maximum structure height is 30 feet.
- (m) Decks and staircases of not more than 3 feet in height may encroach into required yards.
- (n) ~~Roof decks, including railings, shall not exceed the structure height limits in Section 141.0302(k) and (l).~~
- (o) ~~Modifications to the premises shall not create a second front entrance or other street-side modifications which would indicate the presence of a second unit or otherwise alter the single dwelling unit appearance of the premises.~~
- (p) ~~One 24-inch box tree shall be planted in the required front yard of the premises or in the abutting parkway. Existing trees may be used to satisfy this requirement.~~
- (q) ~~Off-street parking and access for a premises containing a companion unit shall be provided as follows:~~
- (1) ~~One standard off-street parking space is required for each bedroom in the companion unit, with a minimum requirement of one parking space, except as provided in Section 141.0302(q)(2).~~
- (2) ~~No off-street parking space is required if the premises is within the Transit Area Overlay Zone.~~
- (3) ~~Parking for the entire premises shall be brought into compliance with Chapter 14, Article 2, Division 5 (Parking Regulations).~~
- (4) ~~Off-street parking required by this section shall not be located in the area between the~~

street wall and the front *property line*.

- ~~(5) If an existing garage is converted to a companion unit, another garage shall be provided on the *premises* to replace the converted parking spaces.~~
- ~~(6) If abutting *alley* access exists, vehicular access to parking spaces for the companion unit shall be from the *alley* unless the *premises* has a garage that accommodates at least three vehicles.~~
- ~~(7) Access to the off-street parking from an unimproved *alley* is not permitted.~~
- ~~(f) Occupancy of a *premises* containing a companion unit is subject to the following:~~
 - ~~(1) Companion units may be rented or leased separately from the primary dwelling unit on the *premises* but may not be sold separately.~~
 - ~~(2) Either the companion unit or the primary dwelling unit must be occupied by the property owner at all times.~~
 - ~~(3) The companion unit may be occupied by a maximum of two persons at least one of whom shall be related to the owner, or a senior citizen, or a person with a disability.~~
 - ~~(4) Before a Building Permit is issued for a companion unit, the property owner shall submit a signed agreement with the City that specifies that the property owner shall at all times occupy either the primary dwelling unit or the companion unit. The agreement shall include a stipulation that neither the primary unit nor companion unit shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.~~
- (16p) For detached companion units, the maximum *structure height* is 15 feet without a chimney or flue, or 17 feet with a chimney or flue.
- (17q) Companion unit entrances shall not be located on the *building street wall* or within the front fifty percent of the *structure*.

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**Chapter 10
Planning and Zoning**

Article 3: Planned Districts

Division 1: General Provisions for Planned Districts
*("General Provisions for Planned Districts"
added 1-19-1971 by O-10484 N.S.)*

§103.0101 Purpose and Intent

The purpose of this division is to provide the means to adopt plans for certain areas of the City which provide land use, capital improvements and public facilities controls in lieu of conventional zoning to accomplish the following goals:

- (a) To preserve and enhance the cultural, aesthetic or economic value of neighborhoods having special importance due to their historical significance or because of their being part of older, established communities and neighborhoods.
- (b) To Systematically implement a comprehensive plan for the phased growth of developing and undeveloped areas of the City.

("Definitions and Procedures" repealed and "Purpose and Intent" added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0102 Planned District Defined

Planned District means any legally described geographic area: (1) which has historical significance or serves as an established neighborhood or community; or (2) which is at the time of adoption developing or substantially undeveloped and for which a program of phased growth is desirable; and (3) which has been designated a Planned District by the City Council. The District shall be wholly within the boundaries of a precise plan or coterminous with the boundaries of a Community Plan adopted by the City Council and on file in the office of the City Clerk. The plan must be detailed enough to permit the evaluation of proposed development controls for the District.

(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

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§103.0103 Permitted Development Controls

In a Planned District, no building or structure may be erected, constructed, altered, moved or enlarged on any premises nor may any premises be used unless the buildings, structures, and premises comply with the development controls in force in the Planned District.

(a) The following development controls may be made applicable to all Planned Districts:

- (1) Architectural design.
- (2) Color and texture of improvements.
- (3) Construction materials.
- (4) Development density.
- (5) Grading and site development.
- (6) Height and bulk of buildings
- (7) Landscaping.
- (8) Land use, including accessory uses.
- (9) Lot area and dimensions.
 - (10) Lot coverage.
 - (11) Off-street parking.
 - (12) On-street parking.
 - (13) Orientation of buildings.
 - (14) Public areas.
- (15) Signs, provided that public interest signs shall be permitted in all Planned District.
 - (16) Street furniture.
 - (17) Yards.
 - (18) Site design.
 - (19) Density bonuses and/or incentives.
 - (20) Performance standards.

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(21) Timing and operational controls.

- (22) Any other regulations necessary to implement the adopted plan covering the area of which the Planned District is a part.
- (b) In addition to the development controls listed in paragraph (a) above, the following planning element and development controls for developing or undeveloped geographic areas in which a program of phased growth is desirable may be made applicable:
 - (1) The location of housing, business, industry, open space, agriculture, recreation facilities, educational facilities, churches and related religious facilities, public buildings and grounds, and solid and liquid waste disposal facilities, together with regulations establishing height, bulk and set-back limits for such land uses and facilities, including the location of areas, such as flood plains or excessively steep or unstable terrain.
 - (2) The locations and extent of existing or proposed streets and roads, the tentative proposed widths with reference to prospective standards for their construction and maintenance, and the location and standards of construction, maintenance and use of all other transportation facilities whether public or private.
 - (3) Standards for population density and building density, including lot size, permissible types of construction, and provisions for water supply, sewage disposal, storm water drainage and the disposal of solid waste.
 - (4) Standards for the conservation, development and utilization of natural resources, including underground and surface waters, forests, vegetation and soils, rivers, creeks and streams, and fish and wildlife resources. Such standards must include, where applicable, procedures for flood control, for prevention and control of pollution of rivers, streams, creeks and other waters, regulation of land use and stream channels and other areas which may have a significant effect on fish, wildlife and other natural resources of the area, the prevention, control and correction of soil erosion caused by subdivision roads or any other sources, and the protection of watershed areas.
 - (5) A capital improvements program indicating the sources and means of financing all required capital improvements within the Planned District.

(6) Standards for solar systems:

- (A) Shadow Plans. When, in the opinion of the City Manager, structures and major landscaping at maturity for a development project may have an impact on the solar access of adjacent property, the applicant shall submit a satisfactory shadow plan prior to the approval of a Planned District development permit.
- (B) Design Criteria. Wherever possible, maximum feasible energy conservation measures, including both active and passive solar systems, shall be utilized.

(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0104 Processing of Planned District Permits

Planned District permits will be processed in accordance with the Land Development Code as follows:

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- (a) Where a Planned District requires a ministerial Planned District permit, the permit will be processed in accordance with Process One.
- (b) Where a Planned District requires a discretionary Planned District permit that is identified as a Process Two decision, an applicant shall apply for a Neighborhood Development Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 4 (Neighborhood Development Permit Procedures). The findings required for approval will be the general findings for Neighborhood Development Permits in Land Development Code Section 126.0404(a), any applicable supplemental findings in Section 126.0404, and any additional findings provided in the Planned District.
- (c) Where a Planned District requires a discretionary Planned District permit that is identified as a Process Three, Process Four, or Process Five decision, an applicant shall apply for a Site Development Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 5 (Site Development Permit Procedures). The findings required for approval will be the general findings for Site Development Permits in Land Development Code Section 126.0504(a), any applicable supplemental findings in Section 126.0504, and any additional findings provided in the Planned District.
- (d) Where Section 103.0105 requires a Neighborhood Use Permit, an applicant shall apply for a Neighborhood Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 2 (Neighborhood Use Permit Procedures). The findings required for approval will be the general findings for Neighborhood Use Permits in Land Development Code Section 126.0205 and any additional findings provided in the Planned District.
- (e) Where Section 103.0105 or the Planned District requires a Conditional Use Permit, an applicant shall apply for a Conditional Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 3 (Conditional Use Permit Procedures). The findings required for approval will be the general findings for Conditional Use Permits in Land Development Code Section 126.0305 and any additional findings provided in the Planned District.
(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0105 Uses Permitted in the Planned Districts

- (a) Where not otherwise specified in the Planned District, the uses in Section 103.0105 may be permitted as limited uses or in accordance with the rules and procedures for Neighborhood Use Permits and Conditional Use Permits in Land Development Code Chapters 11 and 12. In addition to the uses listed in this section, other uses may be approved with a Conditional Use Permit as provided in each Planned District.
 - (b) Limited Uses
 - (1) The following uses, when permitted by the applicable Planned District, are subject to the regulations for limited uses in the Land Development Code section specified for each use.
 - (A) Adult entertainment establishments, subject to Land Development Code Section 141.0601.
 - (B) Alcoholic beverage outlets, subject to Land Development Code Section 141.0502.

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- (C) Pushcarts on private property, subject to Land Development Code Section 141.0619.
- (2) The following uses are permitted in the Planned Districts subject to the regulations for limited uses in the Land Development Code section specified for each use and the location restrictions specified for each use.
 - (A) Companion units in single dwelling unit and multiple dwelling unit residential zones, subject to Land Development Code Section 141.0302.
 - (B) Garage and yard sales in residential zones, subject to Land Development Code Section 141.0305.
 - (CB) Home occupations in residential zones, subject to Land Development Code Section 141.0308.
 - (DE) Large family day care homes in zones where residential use is permitted, except in agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0606.
 - (EĐ) Recycling facilities as follows:
 - (i) Drop-off facilities in all commercial and industrial zones, subject to Land Development Code Section 141.0620;
 - (ii) Reverse vending machines in all industrial zones, subject to Land Development Code Section 141.0620;
 - (iii) Small collection facilities in all industrial zones, subject to Land Development Code Section 141.0620;
 - (iv) Small processing facilities accepting at least 98% of total annual weight of recyclables from commercial and industrial traffic in general industrial zones, subject to Land Development Code Section 141.0620; and
 - (v) Large processing facilities accepting at least 98% of total annual weight of recyclables from commercial and industrial traffic in general industrial zones, subject to Land Development Code Section 141.0620.

(c) Neighborhood Use Permits

Except as otherwise provided in the Planned District, the following uses may be permitted with a Neighborhood Use Permit decided in accordance with Process Two, subject to the location restrictions and the Land Development Code section specified for each use.

- (1) Pushcarts in the public right-of-way, subject to Land Development Code Section 141.0619.
- (2) Recycling facilities as follows:
 - (A) Large collection facilities in all commercial and industrial zones, subject to Land Development Code Section 141.0620;

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- (B) Small processing facilities in general industrial zones, subject to Land Development Code Section 141.0620;
 - (C) Large processing facilities in general industrial zones, subject to Land Development Code Section 141.0620; and
 - (D) Green materials composting facilities in general industrial zones, subject to Land Development Code Section 141.0620.
- (3) Sidewalk cafes, subject to Land Development Code Section 141.0621.
- (d) Conditional Use Permits/Process Three

Except as otherwise provided in the Planned District, the following uses may be permitted with a Conditional Use Permit decided in accordance with Process Three, subject to the location restrictions and the Land Development Code section specified for each use.

- (1) Alcoholic beverage outlets, subject to Land Development Code Section 141.0502.
- (2) Automobile service stations, except in single dwelling unit residential zones or in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0801.
- (3) Bed and breakfast facilities in residential zones, subject to Land Development Code Section 141.0603.
- (4) Boarding kennels in any agricultural, commercial, or industrial zone, subject to Land Development Code Section 141.0604.
- (5) Child care facilities in residential zones, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0606.
- (6) Churches and places of religious ceremony, except in agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0404.
- (7) Communication antennas, subject to Land Development Code Section 141.0405.
- (8) Community identification signs, subject to Land Development Code Section subject to Land Development Code Section 141.1104.
- ~~(9) Companion units in single dwelling unit residential zones, except in the Coastal Overlay Zone, subject to Land Development Code Section 141.0302.~~
- (+20) Educational facilities--schools for kindergarten to grade 12 and colleges/universities, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0407.
- (10+) Energy generation and distribution stations and communications switching stations, subject to Land

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Development Code Section 141.0408.

- (11~~2~~) Fraternity houses, sorority houses, and student dormitories, subject to Land Development Code Section 141.0304.
- (12~~3~~) Guest quarters in a single dwelling unit residential zone, subject to Land Development Code Section 141.0306.
- (13~~4~~) Historical buildings occupied by uses not otherwise allowed, subject to Land Development Code Section 141.0411.
- (14~~5~~) Housing for senior citizens in any residential or commercial zone, subject to Land Development Code Section 141.0310.
- (15~~6~~) Impound storage yards except in zones that permit residential development, subject to Land Development Code Section 141.0901.
- (16~~7~~) Instructional studios, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0612.
- (17~~8~~) Newspaper publishing plants, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.1006.
- (18~~9~~) Outdoor storage and display of new, unregistered motor vehicles as a primary use, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0803.
- (19~~20~~) Parking facilities as a primary use, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0616.
- (20~~+~~) Private clubs, lodges, and fraternal organizations, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0617.
- (21~~2~~) Radio and television broadcasting, microwave relay or similar systems facilities, subject to Land Development Code Section 141.0416.
- (22~~3~~) Recycling facilities as follows:
 - (A) Mixed organics composting facilities in general industrial zones, subject to Land Development Code Section 141.0620;
 - (B) Tire processing facilities in general industrial zones, subject to Land Development Code Section 141.0620.
- (23~~4~~) Residential care facilities for 12 or fewer persons in any zone that permits residential use, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0312.
- (24~~5~~) Revolving projecting signs subject to Land Development Code Section 141.1101.

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- (256) Swap meets and other large outdoor retail facilities, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0504.
- (267) Theater marquees subject to Land Development Code Section 141.1103.
- (278) Transitional housing facilities for 12 or fewer persons in any zone that permits residential use, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0313.
- (289) Veterinary clinics and hospitals in any agricultural, commercial, or industrial zone, except in the agricultural zoned areas of the Coastal Overlay Zone that contain the 100-year floodplain, subject to Land Development Code Section 141.0624.
- (2930) Watchkeeper's quarters, subject to Land Development Code Section 141.0314.

(e) Conditional Use Permits/Process Four

Except as otherwise provided in the Planned District, the following uses may be permitted with a Conditional Use Permit decided in accordance with Process Four, subject to the location restrictions and the Land Development Code section specified for each use.

- (1) Camping parks in commercial zones, industrial zones except IP-1-1, and agricultural zones, subject to Land Development Code Section 141.0605.
- (2) Cemeteries, mausoleums, and crematories, except in the agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0403.
- (3) Correctional placement centers in any zone except residential zones, neighborhood commercial zones, agricultural zoned areas of the Coastal Overlay Zone, or in the beach impact area of the Parking Impact Overlay Zone subject to -Land Development Code Section 141.0406.
- (4) Exhibit halls and convention facilities, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0409.
- (5) Golf courses, driving ranges, and pitch and putt courses, subject to Land Development Code Section 141.0609.
- (6) Hazardous waste research facilities in any agricultural or industrial zone, subject to Land Development Code Section 141.1003.
- (7) Homeless facilities in any zone that permits residential use subject to Land Development Code Section 141.0412.
- (8) Hospitals, intermediate care facilities, and nursing facilities, except in the agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0413.

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- (9) Junk yards in any agricultural or industrial zone, except in the Coastal Overlay Zone, subject to Land Development Code Section 141.0902.
- (10) Marine-related uses in the Coastal Overlay Zone in any commercial zone except the CO and CN zones, subject to Land Development Code Section 141.1005.
- (11) Mining and extractive industries, subject to Land Development Code Section 141.1001.
- (12) Museums, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0415.
- (13) Nightclubs and bars over 5,000 square feet, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0614.
- (14) Privately operated recreational facilities over 10,000 square feet in size in zones that permit similar uses under 10,000 square feet in size, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0618.
- (15) Residential care facilities for 12 or more persons in any zone that permits residential use, subject to Land Development Code Section 141.0312.
- (16) Social service institutions, except in the agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0417.
- (17) Theaters that are outdoor or over 5,000 square feet, except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0623.
- (18) Transitional housing facilities for 12 or more persons in any zone that permits residential use, subject to Land Development Code Section 141.0313.
- (19) Wrecking and dismantling of motor vehicles in any agricultural or industrial zone, except in the Coastal Overlay Zone, subject to Land Development Code Section 141.1008.

(f) Conditional Use Permits/Process Five

Except as otherwise provided in the Planned District, the following uses may be permitted with a Conditional Use Permit decided in accordance with Process Five, subject to the location restrictions and the Land Development Code section specified for each use.

- (1) Airports, except in agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0401.
- (2) Amusement parks, except in the agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0602.
- (3) Fairgrounds subject to Land Development Code Section 141.0608.

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- (4) Hazardous waste treatment facilities in any agricultural or industrial zone, subject to Land Development Code Section 141.1002.
- (5) Helicopter landing facilities, except in agricultural zoned areas of the Coastal Overlay Zone that are in the 100-year floodplain, subject to Land Development Code Section 141.0610.
- (6) Sports arenas and stadiums except in the agricultural zoned areas of the Coastal Overlay Zone, subject to Land Development Code Section 141.0622.
- (7) Very heavy industrial uses, subject to Land Development Code Section 141.1007.
(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0106 Initiation of Planned District Amendments

The establishment, repeal, change in boundaries or change in development controls of a planned district may be initiated as follows:

- (a) The City Council or the Planning Commission may initiate the matters listed above by resolution.
- (b) Property owners that may be affected by the planned district regulations may file a petition with the City Manager. The petition must contain the signatures of the owners of at least 50 percent of the land located within the proposed or existing planned district.
(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0107 Additional Notice

In addition to the persons entitled to be mailed notice as set forth in Section 111.0302(b), the City shall mail a Notice of Public Hearing to the owner of each parcel of land within the boundaries of the proposed Planned District in accordance with Section 111.0302, no later than ten (10) working days before the date of the public hearing.
(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0108 Decision Process

- (a) The establishment, repeal, change in boundaries or change in development controls of a Planned District may be approved or denied by the City Council in accordance with "Process Five".
 - (b) Planning Commission Recommendation.
 - (1) After the conclusion of a public hearing, the Planning Commission may recommend to the Council by affirmative vote of not less than a majority of its total voting members, the adoption of a Planned District Ordinance which will accomplish one or more of the following:

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- (A) Incorporate all or a portion of the property requested to be placed in the Planned District and impose development controls.
- (B) Change the boundaries, as set forth in said notice, of an established Planned District and, when appropriate, impose development controls.
- (C) Change the development controls of an established Planned District.
- (D) Repeal the Planned District.
- (2) In lieu of recommending adoption of an ordinance to accomplish one or more of the actions as set forth in Section 103.0108, the Planning Commission may recommend denial of the petition or proposal.
- (3) The Planning Commission may recommend that the City Council adopt, change or repeal, any or all of the development controls listed in Section 103.0103.
- (4) All recommended development controls shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the adopted plans referred to in Section 103.0102.

(c) City Council Decision.

- (1) At the conclusion of the public hearing, the City Council may take such action as it deems to be in the public interest as to the inclusion of property in a Planned District or the exclusion of property from a District or the adoption or modification of development controls to a District.
- (2) All development controls adopted by ordinance shall recognize and reflect the special goals, objectives, requirements, criteria and standards of the plan covering the area of which the Planned District is a part.
- (3) The City Council may establish a Planned District Review Board to evaluate the appropriateness of any use, construction, alteration or demolition of buildings, structures or premises in relation to development controls established in a Planned District. Any ordinance establishing a Planned District Review Board shall describe the precise powers and duties of the Board, method of appointing members, tenure of office and other rules and regulations the City Council deems necessary.
(Added 4-7-1998 by O-18484 N.S.; effective 1-1-2000.)

§103.0109 Applicable Regulations

- (a) The applicable zoning regulations in a Planned District are those included in the Planned District and any Land Development Code zoning regulations expressly incorporated into that Planned District. Planned District regulations shall supersede any zoning regulations in the Land Development Code that are inconsistent or not expressly incorporated into the Planned District regulations. Within the Coastal Overlay Zone, exceptions to the standards in a Planned District shall not be granted except as specifically provided for in the Planned District. Subdivision, building, plumbing and mechanical, and electrical regulations are not zoning regulations for purposes of this section and are not superseded by adoption of a Planned District.

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(b) The following regulations apply in all Planned Districts:

(1) Land Development Code, Chapter 11 (Land Development Procedures).

(2) Land Development Code, Chapter 12 (Land Development Reviews).

(3) Child care facilities regulations contained in Land Development Code Section 141.0606.
(Added 4-7-1998 by O-18484; amended 10-18-1999 by O-18692 N.S.; effective 1-1-2000.)

Article 6: Development Permits

Division 3: Conditional Use Permit Procedures
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0301 Purpose of the Conditional Use Permit Procedures

The purpose of these procedures is to establish a review process for the *development* of uses that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone. The intent of these procedures is to review these uses on a case-by-case basis to determine whether and under what conditions the use may be approved at a given site. Further, the intent is that each use be developed so as to fully protect the public health, safety, and welfare of the community. To provide this protection, conditions may be applied to address potential adverse effects associated with the proposed use.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0302 General Rules for a Conditional Use Permit Regarding Conditions, Adjustments to Regulations, and Combination of Uses

- (a) In granting a Conditional Use Permit, the decision maker may impose reasonable conditions as deemed necessary and desirable to protect the public health, safety, and welfare including making any applicable use regulations or regulations of the zone more restrictive, unless otherwise provided.
- (b) All existing and proposed uses on the site shall be identified in the permit, including existing or new uses permitted by right in the applicable zone, any uses subject to a use permit, and those proposed uses that require the Conditional Use Permit.
- (c) The privileges and conditions of a Conditional Use Permit are a covenant that runs with the land and, in addition to binding the permittee, bind each successor in interest.
- (d) The decision maker may assign an expiration date to the permit.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§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 Regulation 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
- Agriculture-related supplies and equipment sales
- Alcoholic beverage outlets (under circumstances described in Section 141.0502)
- Automobile service stations
- Bed and breakfast establishments (under circumstances described in Section 141.0603)
- Boarding kennels
- Child care facilities*
- Churches* and places of religious assembly
- Commercial stables
- Communication antennas (under circumstances described in Section 141.0405)
- ~~Companion units~~
- Educational facilities
- Employee housing
- Energy generation and distribution stations
- Equestrian show and exhibition facilities
- Fraternities, sororities, and student dormitories
- Historical buildings* used for purposes not otherwise allowed in the zone
- Housing for senior citizens
- Impound storage yards
- Instructional studios
- Major transmission, relay, or communication switching station
- Museums
- Newspaper publishing plants
- Outdoor storage and display of new, unregistered motor vehicles as a *primary use*
- Parking facilities as a *primary use*
- Plant nurseries
- Private clubs, lodges, and fraternal organizations
- Processing and packaging of plant products and animal by-products grown off-premises
- Recycling facilities (under circumstances described in Section 141.0620)
- Residential care facilities for 7 to 12 persons
- Swap meets and other large outdoor retail facilities
- Transitional housing for 7 to 12 persons
- Veterinary clinics and hospitals

(b) Conditional Use Permits Decided by Process Four

- Botanical gardens and arboretums
- Camping parks

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- Cemeteries, mausoleums, and crematories
- Correctional placement centers
- Exhibit halls and convention centers
- Golf courses, driving ranges, and pitch and putt courses
- Hazardous waste* research facilities
- Homeless facilities
- Hospitals, intermediate care facilities, and nursing facilities
- Interpretive centers
- Junk yards
- Marine-related uses in the Coastal Overlay Zone
- Mining and extractive industries
- Nightclubs and bars over 5,000 square feet in size
- Privately operated recreational facilities over 10,000 square feet in size
- Residential care facilities for 13 or more persons
- Social service institutions*
- Theaters that are outdoor or over 5,000 square feet in size
- Transitional housing for 13 or more persons
- Wrecking and dismantling of motor vehicles

(c) Conditional Use Permits Decided by Process Five

- Airports
 - Amusements parks
 - Fairgrounds
 - Hazardous waste* treatment facilities
 - Helicopter landing facilities
 - Sports arenas and stadiums
 - Very heavy industrial uses
 - Zoological parks
- (Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)*

§126.0304 Decision Processes for a Conditional Use Permit

(a) Process Three

A decision on an application for a Conditional Use Permit for the uses listed in Section 126.0303(a) shall be made in accordance with Process Three. The decision may be appealed to the Planning Commission in accordance with Section 112.0506.

(b) Process Four

A decision on an application for a Conditional Use Permit for the uses listed in Section 126.0303(b) shall be made in accordance with Process Four.

(c) Process Five

12	6	3	19

A decision on an application for a Conditional Use Permit for the uses listed in Section 126.0303(c) shall be made in accordance with Process Five.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0305 Findings for Conditional Use Permit Approval

An application for a Conditional Use Permit may be approved or conditionally approved only if the decision maker makes the following findings:

- (a) The proposed *development* will not adversely affect the applicable *land use plan*;
- (b) The proposed *development* will not be detrimental to the public health, safety, and welfare;
- (c) The proposed *development* will comply to the maximum extent feasible with the regulations of the Land Development Code; and
- (d) The proposed use is appropriate at the proposed location.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0306 Violations of a Conditional Use Permit

It is unlawful for any person to maintain, use, or develop any *premises* without a Conditional Use Permit if such a permit is required for that use or *development* or to maintain, use, or develop any *premises* contrary to the requirements or conditions of an existing Conditional Use Permit. Violation of any provision of this division shall be subject to the enforcement provisions contained in Chapter 12, Article 1. Violations of this division shall be treated as strict liability offenses regardless of intent.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Article 6: Development Permits

Division 7: Coastal Development Permit Procedures
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0701 Purpose of the Coastal Development Permit Procedures

The purpose of these procedures is to establish a City review process for *coastal development* that is consistent with the *Local Coastal Program*, the California Coastal Act of 1976 (Public Resources Code section 30000, et seq.) and the California Code of Regulations, Title 14, Division 5.5., Chapter 8, Subchapter 2, Article 17.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§ 126.0702 When a Coastal Development Permit Is Required

- (a) Permits Issued by the City. A Coastal Development Permit issued by the City is required for all *coastal development* of a *premises* within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4, unless exempted by Section 126.0704, or if the proposed project site lies completely within the Coastal Commission Permit Jurisdiction or the Deferred Certification Area as described in Section 126.0702(b).
- (b) Permits Issued by the Coastal Commission. A Coastal Development Permit or exemption for all *coastal development* on a project site located completely within the Coastal Commission Permit Jurisdiction or in the Deferred Certification Area must be obtained from the Coastal Commission. The Coastal Commission Permit Jurisdiction and the Deferred Certification Area are shown on Map No. C-730.1 on file in the Planning and Development Review Department, the San Diego office of the Coastal Commission, and in the office of the City Clerk as Document No. 00-17067-1.
- (c) Permits Issued by the City and the Coastal Commission. A Coastal Development Permit or exemption issued by the City and the Coastal Commission are required for all *coastal development* on a *premises* located partially within the Coastal Commission permit jurisdiction. A Coastal Development Permit from each agency is required for the portion of the project within the agency's jurisdiction.
(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0704 Exemptions from a Coastal Development Permit

The following *coastal development* is exempt from the requirement to obtain a Coastal Development Permit.

- (a) Improvements to existing *structures* are exempt, except if the improvements involve any of the following:
 - (1) Improvements to any *structure* located on a beach, *wetland*, stream, or seaward of the mean high tide line, where the *structure* or proposed improvements would encroach within 50 feet of a *coastal bluff edge*.
 - (2) Improvements to any *structure* that would result in an increase of 10 percent or more of interior *floor* area or an additional improvement of 10 percent or less where an improvement to the structure had previously been exempted or an increase in building height by more than 10 percent where the *structure* is located between the sea and first public roadway paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater distance. The first public roadway is shown on Map No. C-731 filed in the office of the City Clerk as Document No. 00-17069.

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- (3) Improvements that result in an intensification of use. For purposes of Section 126.0704, intensification of use means a change in the use of a *lot* or *premises* which, based upon the provisions of the applicable zone, requires more off-street parking than the most recent legal use on the property.
- (4) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a *coastal bluff*.
- (5) The demolition or removal of 50% or more of the exterior walls of the existing structure.
- (6) The expansion or construction of water wells or septic systems.
- (7) Any significant non-attached structures such as garages, *fences*, shoreline protective works or docks on property located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance.
- (8) Any improvement to a structure where the Coastal Development Permit issued for the original structure indicated that any future improvements would require a *development permit*.

(9) A companion unit as defined in Section 141.0302.

- (b) Repair or maintenance activities are exempt except if the repairs or maintenance involve any of the following:
 - (1) Repair or maintenance of a seawall, revetment, bluff *retaining wall*, breakwater, groin, culvert, outfall, or similar shoreline work that involves substantial alteration to the foundation of the protective work including pilings and other surface or subsurface structures; the placement, whether temporary or permanent, of riprap, artificial berms of sand or other beach materials, or any other forms of solid materials on a beach or in coastal waters, streams, *wetlands*, estuaries or on a shoreline protective work, unless destroyed by a natural disaster; the replacement of 20 percent or more of the materials of an existing *structure* with materials of a different kind; the placement, whether temporary or permanent, of mechanized construction equipment on any sand area, *coastal bluff*, or within 20 feet of coastal waters or streams, except that the use of such equipment solely for routine beach and park maintenance shall not require a Coastal Development Permit.
 - (2) Any repair or maintenance to facilities or *structures* or any work located within a *wetland*, any sandy beach area, within 50 feet of a *coastal bluff edge* or *wetland*, or within 20 feet of any coastal waters or streams that include; the placement or removal, whether temporary or permanent, of riprap, rocks, sand or other beach materials or any other forms of solid materials or the presence, whether temporary or permanent, of mechanized equipment or construction materials.
- (c) Any *coastal development* that has been categorically excluded pursuant to Categorical Exclusion Order No. (Editor's note: a number will be inserted if and when a Categorical Exclusion Order is issued by the California Coastal Commission.)
- (d) A *temporary event* which does not meet all of the following criteria:
 - (1) The event is held between Memorial Day weekend and Labor Day; and,
 - (2) The event will occupy all or a portion of a sandy beach or public parking area; and

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- (3) The event involves a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).

However, a *temporary event* which does not meet all of the criteria in Sections 126.0704(d)(1)-(3) may require a Coastal Development Permit if the City Manager determines the event has the potential to adversely affect public access to the shoreline and/or *environmentally sensitive lands*, and the event involves any of the following circumstances:

- (4) The event and its associated activities or access requirements will either directly or indirectly impact *environmentally sensitive lands*;
- (5) The event is scheduled between Memorial Day weekend and Labor Day and would restrict or close to the public use of roadways or parking areas or otherwise significantly impact public use or access to coastal waters;
- (6) The event has historically required a Coastal Development Permit to address and monitor associated impacts to coastal resources.
- (e) *Public utility* installation of new or increased service to *development* approved or exempted in the Municipal Code, and *public utility* repair or maintenance as exempted under the Coastal Commission's Interpretive Guidelines on Exclusions from Permit Requirements filed with the City Clerk as Document No. OO-17067-2.
- (f) Any action necessary to abate a *public nuisance* as provided under California Public Resources Code Section 30005(b).
- (g) Agricultural *grading* on land that has been cultivated within the previous 10 years.

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- (h) The replacement of any *structure* destroyed by a disaster, except a public works facility. The replacement *structure* shall comply with the applicable zone, shall be for the same use as the destroyed *structure*, shall not exceed the *floor area ratio*, height, or bulk of the destroyed *structure* by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed *structure*.
- (i) Any improvement to a *single dwelling unit* that constitutes part of a "single-family residential building" as defined in California Administrative Code, Title 14, section 13250(a) and that does not require a coastal development permit pursuant to California Administrative Code, Title 24, section 13250(b).

(Amended 6-12-2001 by O-18950 N.S.; effective 12-12-2001.)

§126.0705 How to Apply for a Coastal Development Permit

An *applicant* shall file an application for a City-issued Coastal Development Permit in accordance with Section 112.0102. The application shall include the required submittal materials and any other information that in the opinion of the City Manager is necessary to adequately review the proposed *coastal development*. If the site is located within the watershed of Los Penasquitos Lagoon and would involve *grading* or construction of impervious surfaces, a computation of the required Los Penasquitos Lagoon Restoration and Enhancement Fee as set forth in Section 126.0720 shall be included with the application.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0706 Determination of Appellate Jurisdiction

The City Manager shall determine whether the proposed *coastal development* lies within the *appealable area* at the time the application for the Coastal Development Permit is submitted to the City. The City Manager's determination may be reviewed by the Executive Director of the Coastal Commission in accordance with Coastal Commission regulations.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0707 Decision Process for a Coastal Development Permit

- (a) A decision on an application for a City-issued Coastal Development Permit in the *non-appealable area* of the Coastal Overlay Zone shall be made in accordance with Process Two. The decision may be appealed to the Planning Commission in accordance with Section 112.0504.
- (b) A decision on an application for a City-issued Coastal Development Permit in the *appealable area* of the Coastal Overlay Zone shall be made in accordance with Process Three. The decision may be appealed to the Planning Commission in accordance with Section 112.0506.
- (c) Conditions may be imposed by the decision maker when approving a Coastal Development Permit to carry out the purpose and the requirements of this division. The conditions may include a provision for public access, open space, or conservation easements or the relocation or redesign of proposed site improvements. In any *subdivision* or other land division, such conditions shall be imposed at the time of the *subdivision* or other land division, rather than through subsequent development permits. When conditions pertaining to public access, open space, or conservation easements are imposed, the City Manager shall notify the Executive Director of the Coastal Commission as set forth in Section 126.0719.

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- (d) When more than one permit, map or other approval is required for a single *development*, the applications shall be consolidated and the action of the decision maker shall be considered one consolidated action. In the Coastal Overlay Zone, the *findings* for each approval shall be consolidated and shall constitute the *findings* of the Coastal Development Permit. For decisions involving *coastal development* within the *appealable area*, the entire consolidated decision is appealable to the Coastal Commission.
- (e) Any *coastal development* involving a *subdivision* pursuant to the Subdivision Map Act and any other division of land requires a Coastal Development Permit. The land division shall be processed as part of the Coastal Development Permit in accordance with the Subdivision Regulations (Chapter 14, Article 4) and Subdivision Procedures (Chapter 12, Article 5). Any tentative map, lot line adjustment, merger, public right-of-way vacation or public easement abandonment may be approved or conditionally approved only if the decision maker makes the *findings* pursuant to Section 126.0708.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0708 Findings for Coastal Development Permit Approval

An application for a Coastal Development Permit may be approved or conditionally approved only if the decision maker makes all of the *findings* in Section 126.0708(a) and the supplemental *findings* in Section 126.0708(b) that are applicable to the proposed *development*.

(b) Finding for all Coastal Development Permits

- (1) The proposed *coastal development* will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a *Local Coastal Program land use plan*; and the proposed *coastal development* will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the *Local Coastal Program land use plan*;
- (2) The proposed *coastal development* will not adversely affect *environmentally sensitive lands*; and
- (3) The proposed *coastal development* is in conformity with the certified *Local Coastal Program land use plan* and complies with all regulations of the certified Implementation Program.
- (4) For every Coastal Development Permit issued for any *coastal development* between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the *coastal development* is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

(b) Supplemental *Findings* - Environmentally Sensitive Lands Within the Coastal Overlay Zone

When a deviation is requested from the Environmentally Sensitive Lands Regulations because the applicant contends that application of the regulations would result in denial of all economically viable use, the Coastal Development Permit shall include a determination of economically viable use.

A Coastal Development Permit, or a Site Development Permit in the Coastal Overlay Zone, required in accordance with Section 143.0110 because of potential impacts to *environmentally sensitive lands* where a deviation is requested in accordance with Section 143.0150 may be approved or conditionally approved only if the decision maker

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makes the following supplemental *findings* in addition to the *findings* in Section 126.0708(a), (b), (c) and (d) and the supplemental *findings* in Section 126.0504 (b):

The decision maker shall hold a public hearing on any application on a Coastal Development Permit that includes a deviation from the Environmentally Sensitive Lands Regulations in the Coastal Overlay Zone. Such hearing shall address the economically viable use determination. Prior to approving a Coastal Development Permit for development within the Coastal Overlay Zone that requires a deviation from the Environmentally Sensitive Lands Regulations, the decision maker shall make all of the following *findings*:

- (1) Based on the economic information provided by the applicant, as well as any other relevant evidence, each use provided for in the Environmentally Sensitive Lands Regulations would not provide any economically viable use of the applicant's property; and
- (2) Application of the Environmentally Sensitive Lands Regulations would interfere with the applicant's reasonable investment-backed expectations; and
- (3) The use proposed by the applicant is consistent with the applicable zoning; and
- (4) The use and project design, siting, and size are the minimum necessary to provide the applicant with an economically viable use of the premises; and
- (5) The project is the least environmentally damaging alternative and is consistent with all provisions of the certified *Local Coastal Program* with the exception of the provision for which the deviation is requested.

The *findings* adopted by the decision making authority shall identify the evidence supporting the *findings*.
(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

§126.0709 Notice of Final City Action on a Coastal Development Permit

- (a) Notice of Final City Action by Mail. No later than 5 *business days* after the date on which all rights of appeal have expired for a Coastal Development Permit or any amendment or extension of a Coastal Development Permit, the City Manager shall mail a Notice of Final City Action to the Coastal Commission and to any other person who has requested this notice.
- (b) Contents of Notice of Final City Action. The Notice of Final City Action shall include the following:
 - (1) The conditions of approval for the Coastal Development Permit;
 - (2) The written *findings* required to approve the Coastal Development Permit; and
 - (3) The procedure for appealing the City's action to the Coastal Commission for decisions which are appealable to the Coastal Commission.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

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§126.0710 Appeals to the Coastal Commission

- (a) A Coastal Development Permit that has been approved by the City may be appealed to the Coastal Commission if the *coastal development* that is authorized by the permit is located within the *appealable area* of the Coastal Overlay Zone.
- (b) A Coastal Development Permit that has been approved or denied for a major public works project or a major energy facility as these are defined by California Public Resources Code Sections 30114 and 30107, respectively, and Section 13012, California Code of Regulations, Title 14, Division 5.5, may be appealed to the Coastal Commission if the *development* authorized by the permit is located anywhere within the Coastal Overlay Zone.
- (c) Exhaustion of City Appeal. A decision on a Coastal Development Permit may be appealed to the Coastal Commission only after all appeal remedies of the City have been exhausted, except that exhaustion of all local appeals shall not be required if any of the following occur: an appellant is required to appeal to more local appellate bodies than have been certified as appellate bodies for Coastal Development Permits; an appellant was denied the right of the initial local appeal by a local ordinance which restricts the class of persons who may appeal a local decision; an appellant was denied the right of local appeal because local notice and hearing procedures for the development were inadequate or an appeal fee is required for the filing or processing of appeals.
- (d) Coastal Commission Responsibility
 - (1) If the Coastal Commission determines that a substantial issue exists in an appeal of a City Coastal Development Permit, the Coastal Development Permit becomes the responsibility of the Coastal Commission. All future responsibility pertaining to the Coastal Development Permit lies with the Coastal Commission, including any future amendment to, extension to, or enforcement of the conditions of approval of the permit.
 - (2) If an appeal is filed with the Coastal Commission and the Coastal Commission does not determine that a substantial issue exists, the City's action is upheld and the City's decision on the permit is final.
(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0711 Recordation of a Coastal Development Permit

A Coastal Development Permit that will be issued by the City shall be recorded in accordance with Section 126.0106. The recordation of easement documents shall comply with Section 126.0719.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0712 Issuance of a Coastal Development Permit

- (a) The City shall issue the Coastal Development Permit in accordance with Section 126.0107 only after receiving notification that:
 - (1) The appeal period to the Coastal Commission has ended and no appeal was filed; or

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- (2) An appeal was filed and the Coastal Commission made a determination of no substantial issue with the City's decision.
- (b) If a decision on a Coastal Development Permit is appealed to the Coastal Commission and the Coastal Commission determines that a substantial issue exists, the issuance of the permit will be regulated by the Coastal Commission.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0713 Initial Utilization of a Coastal Development Permit

A Coastal Development Permit issued by the City shall be initially utilized in accordance with Section 126.0108.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0714 Maintaining Utilization of a Coastal Development Permit

Continued utilization of a Coastal Development Permit issued by the City shall be in accordance with Section 126.0109.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0715 Time Extension for a Coastal Development Permit

A Coastal Development Permit issued by the City may be extended in accordance with Section 126.0111.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0716 Modifications and Amendments to a Coastal Development Permit

Minor modifications and amendments to a previously approved Coastal Development Permit issued by the City shall be decided in accordance with Sections 126.0112 and 126.0113.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0717 Permits Issued by the Coastal Commission

Any person who has a valid Coastal Development Permit issued by the Coastal Commission is not required to obtain a Coastal Development Permit for that same *coastal development* from the City. The Coastal Commission is exclusively responsible for the issuance of an amendment to a Coastal Development Permit that has been approved by the Coastal Commission, regardless of the jurisdictional boundaries governing applications for Coastal Development Permits. The City may not grant a Coastal Development Permit for the same *coastal development* on a site that has a previously approved Coastal Development Permit issued by the Coastal Commission unless the previously approved permit has expired or been forfeited to the Coastal Commission. Following a decision on a Coastal Development Permit, no applicant or the applicant's successor in interest may reapply for a Coastal Development Permit for substantially the same *development* for a period of six months from the date of the prior final decision.

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(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0718 Procedures for Emergency Coastal Development Permits

- (a) Coastal Emergency. A coastal emergency is a sudden, unexpected occurrence within the Coastal Overlay Zone that demands immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services.
- (b) Application. When a coastal emergency exists, an *applicant* may use the procedures of this section instead of the standard application and decision procedures for a Coastal Development Permit. However, all emergency Coastal Development Permits shall authorize only the minimum necessary to stabilize the emergency. In addition, emergency development requires the subsequent processing of a standard Coastal Development Permit application for any work authorized on an emergency basis by these procedures. The *applicant* may apply for an emergency Coastal Development Permit in person, by letter to the City Manager, or by telephone.
- (c) Contents of Application. The application shall include the following information:
 - (1) The nature of the coastal emergency;
 - (2) The cause of the coastal emergency;
 - (3) The location of the coastal emergency;
 - (4) The remedial, protective, or preventive work required to deal with the coastal emergency;
 - (5) The circumstances during the coastal emergency that justify the course of action taken or to be taken, including the probable consequences of failing to take emergency action; and
 - (6) Identification of options for addressing the coastal emergency, including the least environmentally damaging alternative.
- (d) Verification. The City Manager shall verify the facts, including the existence and nature of the coastal emergency, to the extent that time allows.
- (e) Decision on Permit. A decision to approve, conditionally approve, or deny the emergency Coastal Development Permit shall be made by the City Manager.
- (f) *Findings*. An emergency Coastal Development Permit may be approved or conditionally approved only if the City Manager makes the following *findings*:
 - (1) A coastal emergency exists that requires action more quickly than would be permitted by the normal procedures for acquiring a Coastal Development Permit and the *development* can and will be completed within 30 days unless otherwise specified in the permit;
 - (2) Public comment on the proposed coastal emergency action has been solicited and reviewed to the extent feasible; and
 - (3) The proposed emergency work is consistent with the *Local Coastal Program*.

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- (g) Conditions. The City Manager may approve an emergency Coastal Development Permit with conditions, including an expiration date. All emergency Coastal Development Permits shall include a condition requiring the processing of a regular Coastal Development Permit application for any work authorized by the City Manager.
- (h) Notice. The City Manager shall provide public notice of the emergency work, with the extent and type of notice determined by the nature and time constraints of the coastal emergency. Notice of the issuance of an emergency Coastal Development Permit shall always be provided to the Coastal Commission.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0719 Public Access, Open Space, or Conservation Easements Associated with a Coastal Development Permit

- (a) Documents to be Approved. The City Manager shall forward any legal documents used in complying with required conditions of a Coastal Development Permit that pertains to public access, open space, or conservation easements to the Executive Director of the Coastal Commission for approval before the issuance of the Coastal Development Permit.
- (b) Revisions to Documents. If the Executive Director of the Coastal Commission recommends revisions to the format of the legal documents, the Coastal Development Permit shall not be issued until all deficiencies have been resolved to the satisfaction of the Executive Director of the Coastal Commission.
- (c) Permit Issued. A Coastal Development Permit shall not be issued until the legal documents have been recorded with the County Recorder and verification of the recordation has been sent to, and receipt has been acknowledged by, the Executive Director of the Coastal Commission.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0720 Payment of Los Penasquitos Watershed Restoration and Enhancement Fee for Grading and Creation of Impervious Surfaces

- (a) An *applicant* for a Coastal Development Permit, as identified in Document No. 00-17068 on file in the City Clerk's office, for a *coastal development* proposal located in the watershed of Los Penasquitos Lagoon that involves *grading* or would construct any impervious surfaces shall, as a condition of *development* approval, be required to pay a fee to the Los Penasquitos Lagoon Enhancement Fund and escrow account for restoration of the lagoon and watershed. The fee shall not be required for *coastal developments* that are exempt under Section 126.0704.
- (b) The fee shall be based on the site surface affected by *grading* for urban *development*, agriculture, transportation, and other public service facility improvements, exclusive of habitat restoration or enhancement areas. The fee shall be computed at a rate of \$0.005 per square foot for all areas to be graded, with an additional rate of \$0.03 per square foot for any impervious surfaces to be created by the finished *development*. The amount of the fee shall be based on the *grading* and impervious surfaces proposed under the initial Coastal Development Permit and for any additional *development* increments (*grading* or impervious surfaces) for which permits are required. Fees for the maintenance and administration of the escrow account shall also be required.

12	6	7	30

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- (c) The required fee shall be computed by the *applicant* and the information shall be included with the permit application. The calculations shall be verified by the City Manager. The *applicant* shall deposit the required fee in an escrow account established by the City of San Diego, the California Coastal Commission, and the State Coastal Conservancy. Administration of the funds shall be the responsibility of the State Coastal Conservancy in accordance with the terms of the escrow account. The *applicant* shall provide evidence satisfactory to the City Manager that the deposit has been made before the Coastal Development Permit is issued.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0721 Los Penasquitos Watershed Maintenance and Conservation Fund

An *applicant* for a Coastal Development Permit for a *coastal development* located in the watershed of Los Penasquitos Lagoon shall, as a condition of the permit, agree to participate in any benefit assessment district or other financing mechanism created to fund the permanent maintenance and conservation of the stream channels and related habitats located in the watershed and within the boundaries of the City of San Diego.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0722 Beach Sand Mitigation Fee

- (a) An applicant for a Coastal Development Permit for a *coastal development* proposal involving a bluff or shoreline protective device may be required, as a condition of development approval, to pay a fee to the City of San Diego Beach Sand Mitigation Fund held at the San Diego Association of Governments to be used for beach replenishment and/or public access improvements within the City of San Diego.
- (b) The fee shall be to mitigate impacts to local shoreline sand supply and/or to compensate for direct encroachment by the protective device onto State tidelands or public beach. The amount of the fee shall be roughly proportional to the value of the beach area and sand supply lost as a result of the approved protective device. The information necessary to quantify potential impacts and to calculate a mitigation fee, as discussed within the Beach and Bluff Guidelines in the Land Development Manual, shall be included with the permit application.

(Added 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0723 Violations of a Coastal Development Permit

It is unlawful for any person to maintain, use, or undertake *coastal development* on any lot or *premises* without a Coastal Development Permit if such a permit is required for the use or *development* or to maintain, use, or develop any *premises* contrary to the requirements or conditions of an existing Coastal Development Permit. Violation of any provision of this division shall be subject to the enforcement provisions contained in Chapter 12, Article 1. Violations of this division shall be treated as strict liability offenses regardless of intent.

(Renumbered from Sec. 126.0722 and amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§126.0724 Revocation of Coastal Development Permits

The provisions of this section shall govern proceedings for revocation of a Coastal Development Permit. The revocation of a Coastal Development Permit issued by the City shall be considered and acted upon in accordance with Sections 121.0313, 121.0314, 121.0315 and 121.0316 of this code. However, the Coastal Development Permit may be revoked if the Hearing Officer makes any of the *findings* stated in Section 121.0314 or the following:

12	6	7	24

- (a) Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a Coastal Development Permit application, where the decision maker finds that accurate and complete information would have caused the decision maker to require additional or different conditions on a Coastal Development Permit or deny an application; or
- (b) Failure to comply with the notice provisions of Section 112.0306 where the views of the person(s) not notified were not otherwise made known to the decision maker and could have caused the decision maker to require additional or different conditions on the Coastal Development Permit or to deny the application.

(Added 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

12	6	7	32

Article 1: Base Zones

Division 4: Residential Base Zones

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0401 Purpose of Residential Zones

The purpose of the residential zones is to provide for areas of residential *development* at various specified densities throughout the City. The residential zones are intended to accommodate a variety of housing types and to encourage the provision of housing for all citizens of San Diego. It is also intended that the residential zones reflect desired *development* patterns in existing neighborhoods while accommodating the need for future growth.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0402 Purpose of the RE (Residential--Estate) Zones

(a) The purpose of the RE zones is to provide for *single dwelling units* on large *lots* with some accessory agricultural uses. It is intended that this zone be applied to areas that are rural in character, where the retention of low *density* residential *development* is desired.

(b) The RE zones are differentiated based upon applicable development regulations as follows:

CRE-1-1 requires *development* on minimum 10-acre *lots*

CRE-1-2 requires *development* on minimum 5-acre *lots*

CRE-1-3 requires *development* on minimum 1-acre *lots*

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0403 Purpose of the RS (Residential--Single Unit) Zones

(a) The purpose of the RS zones is to provide appropriate regulations for the *development* of *single dwelling units* that accommodate a variety of *lot* sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties.

(b) The RS zones are differentiated based on the minimum *lot* size and whether the *premises* is located in an urbanized community or a planned or future urbanizing community, as follows:

(1) Urbanized Communities

C RS-1-1 requires minimum 40,000-square-foot *lots*

C RS-1-2 requires minimum 20,000-square-foot *lots*

C RS-1-3 requires minimum 15,000-square-foot *lots*

C RS-1-4 requires minimum 10,000-square-foot *lots*

C RS-1-5 requires minimum 8,000-square-foot *lots*

C RS-1-6 requires minimum 6,000-square-foot *lots*

C RS-1-7 requires minimum 5,000-square-foot *lots*

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(2) Planned or Future Urbanizing Communities

- C RS-1-8 requires minimum 40,000-square-foot *lots*
- C RS-1-9 requires minimum 20,000-square-foot *lots*
- C RS-1-10 requires minimum 15,000-square-foot *lots*
- C RS-1-11 requires minimum 10,000-square-foot *lots*
- C RS-1-12 requires minimum 8,000-square-foot *lots*
- C RS-1-13 requires minimum 6,000-square-foot *lots*
- C RS-1-14 requires minimum 5,000-square-foot *lots*

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0404 Purpose of the RX (Residential--Small Lot) Zones

(a) The purpose of the RX zones is to provide for both attached and detached *single dwelling units* on smaller *lots* than are required in the RS zones. It is intended that these zones provide an alternative to *multiple dwelling unit developments* where *single dwelling unit developments* could be developed at similar densities. The RX zone provides for a wide variety of residential *development* patterns.

(b) The RX zones are differentiated based on the minimum *lot* size as follows:

- C RX-1-1 requires minimum 4,000-square-foot *lots*
- C RX-1-2 requires minimum 3,000-square-foot *lots*

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0405 Purpose of the RT (Residential--Townhouse) Zones

(a) The purpose of the RT zones is to provide for attached, single-dwelling unit residential *development* on small *lots* with *alley* access. It is intended that these zones provide for more urbanized, single-unit living at densities that are historically more typical of multiple-unit zones. The RT zones provide transition opportunities between single-unit neighborhoods and higher *density* multiple-unit neighborhoods and in some instances may replace multiple-unit zones at similar densities. The RT zones are intended to be applied on subdivided blocks with *alleys* that are within or close to highly urbanized areas, *transit areas*, and redevelopment areas.

(b) The RT zones are differentiated based on the minimum *lot* size as follows:

- C RT-1-1 requires minimum 3,500-square-foot *lots*
- C RT-1-2 requires minimum 3,000-square-foot *lots*
- C RT-1-3 requires minimum 2,500-square-foot *lots*
- C RT-1-4 requires minimum 2,200-square-foot *lots*

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

13	1	4	34

§131.0406 Purpose of the RM (Residential--Multiple Unit) Zones

- (a) The purpose of the RM zones is to provide for *multiple dwelling unit development* at varying densities. The RM zones individually accommodate *developments* with similar densities and characteristics. Each of the RM zones is intended to establish *development* criteria that consolidates common development regulations, accommodates specific dwelling types, and responds to locational issues regarding adjacent land uses.
- (b) The RM zones are differentiated based on the uses allowed and the permitted *density* as follows:
 - (1) The following zones permit lower *density multiple dwelling units* with some characteristics of *single dwelling units*:
 - C RM-1-1 permits a maximum *density* of 1 dwelling unit for each 3,000 square feet of *lot* area
 - C RM-1-2 permits a maximum *density* of 1 dwelling unit for each 2,500 square feet of *lot* area
 - C RM-1-3 permits a maximum *density* of 1 dwelling unit for each 2,000 square feet of lot area
 - (2) The following zones permit medium *density multiple dwelling units*:
 - C RM-2-4 permits a maximum *density* of 1 dwelling unit for each 1,750 square feet of *lot* area
 - C RM-2-5 permits a maximum *density* of 1 dwelling unit for each 1,500 square feet of *lot* area
 - C RM-2-6 permits a maximum *density* of 1 dwelling unit for each 1,250 square feet of lot area
 - (3) The following zones permit medium *density multiple dwelling units* with limited commercial uses:
 - C RM-3-7 permits a maximum *density* of 1 dwelling unit for each 1,000 square feet of *lot* area
 - C RM-3-8 permits a maximum *density* of 1 dwelling unit for each 800 square feet of *lot* area
 - C RM-3-9 permits a maximum *density* of 1 dwelling unit for each 600 square feet of lot area
 - (4) The following zones permit urbanized, high *density multiple dwelling units* with limited commercial uses:
 - C RM-4-10 permits a maximum *density* of 1 dwelling unit for each 400 square feet of *lot* area
 - C RM-4-11 permits a maximum *density* of 1 dwelling unit for each 200 square feet of lot area
 - (5) RM-5-12 permits visitor accommodations or medium *density multiple dwelling units* at a maximum *density* of 1 dwelling unit for each 1,000 square feet of lot area.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0415 Where Residential Zones Apply

On the effective date of Ordinance O-18691, all residential zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-04A.

13	1	4	35

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**Table 131-04A
Residential Zone Applicability**

Previous Chapter 10 Residential Zone Replaced With New Residential Zone Established by This Division	
Residential Zone That Existed on December 31 1999.	Applicable Zone of This Division
No Existing Zone	RE-1-1
No Existing Zone	RE-1-2
No Existing Zone	RE-1-3
R1-40,000 in Urbanized Communities as of December 31 1999.	RS-1-1
R1-20,000 in Urbanized Communities as of December 31 1999.	RS-1-2
R1-15,000 in Urbanized Communities as of December 31 1999.	RS-1-3
R1-10,000 in Urbanized Communities as of December 31 1999.	RS-1-4
R1-8,000 in Urbanized Communities as of December 31 1999.	RS-1-5
R1-6,000 in Urbanized Communities as of December 31 1999.	RS-1-6
R1-5,000 in Urbanized Communities as of December 31 1999.	RS-1-7
R1-40,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-8
R1-20,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-9
R1-15,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-10
R1-10,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-11
R1-8,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-12
R1-6,000 in Planned Urbanizing Communities and Future	RS-1-13

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Previous Chapter 10 Residential Zone Replaced With New Residential Zone Established by This Division	
Residential Zone That Existed on December 31 1999.	Applicable Zone of This Division
Urbanizing Area as of December 31 1999.	
R1-5,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.	RS-1-14
No Existing Zone	RX-1-1
R1-5,000/SLO	RX-1-2
No Existing Zone	RT-1-1
No Existing Zone	RT-1-2
No Existing Zone	RT-1-3
No Existing Zone	RT-1-4
R-3000	RM-1-1
R-2500	RM-1-2
R-2000	RM-1-3
R-1750	RM-2-4
R-1500	RM-2-5
R-1250	RM-2-6
R-1000	RM-3-7
R-800	RM-3-8
R-600	RM-3-9
R-400	RM-4-10
R-200	RM-4-11
RV	RM-5-12

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(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0420 Use Regulations of Residential Zones

The regulations of Section 131.0422 apply in the residential zones unless otherwise specifically provided by footnotes indicated in Table 131-04B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the residential zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-04B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0422.
- (b) All uses or activities permitted in the residential zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the residential zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the residential zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§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

Symbol In Table 131-04B	Description Of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

**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	1	2	3
Open Space																							
Active Recreation		P	P												P	P							
Passive Recreation		P	P												P	P							
Natural Resources Preservation		P	P												P	P							
Park Maintenance Facilities		-	-												-	-							
Agriculture																							
Agricultural Processing		-	-												-	-							
Aquaculture Facilities		-	-												-	-							
Dairies		-	-												-	-							
Horticulture Nurseries & Greenhouses		-	-												-	-							
Raising & Harvesting of Crops		p ⁽³⁾	-												-	-							
Raising, Maintaining & Keeping of Animals		p ⁽³⁾⁽¹⁰⁾	-												-	-							
Separately Regulated Agriculture Uses																							
Agricultural Equipment Repair Shops		-	-												-	-							
Commercial Stables		-	-												-	-							
Community Gardens		N	N												N	N							
Equestrian Show & Exhibition Facilities		-	-												-	-							
Open Air Markets for the Sale of Agriculture-Related Products & Flowers		-	-												-	-							
Residential																							
Group Living Accommodations		-	-												-	-							
Mobilehome Parks		-	p ⁽¹⁾												p ⁽¹⁾	-							
Multiple Dwelling Units		-	-												-	-							
Single Dwelling Units		P	P												P	P							

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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	1	2
Separately Regulated Residential Uses																							
<i>Boarder & Lodger Accommodations</i>		L	L										L	L									
Companion Units		€L	€L										€L	-L									
Employee Housing:																							
6 or Fewer Employees		L	L										L	L									
12 or Fewer Employees		-	-										-	-									
Greater than 12 Employees		-	-										-	-									
Fraternities, Sororities and Student Dormitories		-	-										-	-									
Garage, Yard, & Estate Sales		L	L										L	L									
Guest Quarters		N	N										N	-									
Home Occupations		L	L										L	L									
Housing for Senior Citizens		C	C										C	C									
Live/Work Quarters		-	-										-	-									
Residential Care Facilities:																							
6 or Fewer Persons		P	P										P	P									
7 or More Persons		C	C										C	C									
Transitional Housing:																							
6 or Fewer Persons		P	P										P	P									
7 or More Persons		C	C										C	C									
Watchkeeper Quarters		-	-										-	-									
Institutional																							
Separately Regulated Institutional Uses																							
Airports		-	-										-	-									
Botanical Gardens & Arboretums		C	C										C	C									
Cemeteries, Mausoleums, Crematories		-	-										-	-									
Churches & Places of Religious Assembly		C	C										C	C									
Communication Antennas:																							

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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	1	2	3
Minor Telecommunication Facility		N	N												N	N								
Major Telecommunication Facility		C	C												C	C								
<i>Satellite Antennas</i>		L	L												L	L								
Correctional Placement Centers		-	-												-	-								
Educational Facilities:																								
Kindergarten through Grade 12		C	C												C	C								
Colleges / Universities		C	C												C	C								
Vocational / Trade School		-	-												-	-								
Energy Generation & Distribution Facilities		-	-												-	-								
Exhibit Halls & Convention Facilities		-	-												-	-								
<i>Flood Control Facilities</i>		L	L												L	L								
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed		C	C												C	C								
Homeless Facilities:																								
Congregate Meal Facilities		-	-												-	-								
Emergency Shelters		-	-												-	-								
Homeless Day Centers		-	-												-	-								
Hospitals, Intermediate Care Facilities & Nursing Facilities		-	-												-	-								
Interpretive Centers		-	-												-	-								
Museums		C	C												C	C								
Major Transmission, Relay, or Communications Switching Stations		-	-												-	-								
<i>Social Service Institutions</i>		-	-												-	-								
Sales																								
Building Supplies & Equipment		-	-												-	-								
Food, Beverages and Groceries		-	-												-	-								
Consumer Goods, Furniture, Appliances, Equipment		-	-												-	-								
Pets & Pet Supplies		-	-												-	-								
Sundries, Pharmaceuticals, & Convenience Sales		-	-												-	-								

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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	1	2
Wearing Apparel & Accessories		-	-												-	-							
Separately Regulated Sales Uses																							
Agriculture Related Supplies & Equipment		-	-												-	-							
Alcoholic Beverage Outlets		-	-												-	-							
Plant Nurseries		-	-												-	-							
Swap Meets & Other Large Outdoor Retail Facilities		-	-												-	-							
Commercial Services																							
Building Services		-	-												-	-							
Business Support		-	-												-	-							
Eating & Drinking Establishments		-	-												-	-							
Financial Institutions		-	-												-	-							
Funeral & Mortuary Services		-	-												-	-							
Maintenance & Repair		-	-												-	-							
Off-Site Services		-	-												-	-							
Personal Services		-	-												-	-							
Radio & Television Studios		-	-												-	-							
Assembly & Entertainment		-	-												-	-							
Visitor Accommodations		-	-												-	-							
Separately Regulated Commercial Services Uses																							
Adult Entertainment Establishments:																							
Adult Book Store		-	-												-	-							
Adult Cabaret		-	-												-	-							
Adult Drive-In Theater		-	-												-	-							
Adult Mini-Motion Picture Theater		-	-												-	-							
Adult Model Studio		-	-												-	-							
Adult Motel		-	-												-	-							
Adult Motion Picture Theater		-	-												-	-							

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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	1	2	3
Adult Peep Show Theater		-																						
Adult Theater		-																						
Body Painting Studio		-		-																				
Massage Establishment		-																						
Sexual Encounter Establishment		-																						
Bed & Breakfast Establishments:																								
1-2 Guest Rooms		N																		N				-
3-5 Guest Rooms		N																		C				-
6+ Guest Rooms		C																		C				-
Boarding Kennels		-																		-				-
Camping Parks		-																		-				-
<i>Child Care Facilities:</i>																								
Child Care Centers		C																		C				C
Large Family Day Care Homes		L																		L				L
Small Family Day Care Homes		P																		P				P
Eating and Drinking Establishments Abutting Residentially Zoned Property		-																		-				-
Fairgrounds		-																		-				-
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C																		C				C
Helicopter Landing Facilities		-																		-				-
Instructional Studios		-																		-				-
Massage Establishments, Specialized Practice		-																		-				-
Nightclubs & Bars over 5,000 square feet in size		-																		-				-
Outpatient Medical Clinics		-																		-				-
<i>Parking Facilities as a Primary Use:</i>																								
Permanent Parking Facilities		-																		-				-
Temporary Parking Facilities		-																		-				-
Private Clubs, Lodges and Fraternal Organizations		-																		-				-

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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-							
		4th »			1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁴⁾	-	-																							
Pushcarts:																									
Pushcarts on Private Property	-	-																							
Pushcarts in <i>public right-of-way</i>	-	-																							
recycling Facilities:																									
Large Collection Facility	-	-																							
Small Collection Facility	-	-																							
Large Construction & Demolition Debris <i>Recycling Facility</i>	-	-																							
Small Construction & Demolition Debris <i>Recycling Facility</i>	-	-																							
Drop-off Facility	-	-																							
Green Materials Composting Facility	-	-																							
Mixed Organic Composting Facility	-	-																							
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic	-	-																							
Large Processing Facility Accepting All Types of Traffic	-	-																							
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic	-	-																							
Small Processing Facility Accepting All Types of Traffic	-	-																							
Reverse Vending Machines	-	-																							
Tire Processing Facility	-	-																							
Sidewalk Cafes	-	-																							
Sports Arenas & Stadiums	-	-																							
Theaters that are outdoor or over 5,000 square feet in size	-	-																							
Veterinary Clinics & Animal Hospitals	-	-																							
Zoological Parks	-	-																							
Offices																									
Business & Professional	-	-																							

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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	1	2
Government		-																					
Medical, Dental, & Health Practitioner		-																					
Regional & Corporate Headquarters		-																					
Separately Regulated Office Uses																							
Real Estate Sales Offices & Model Homes		L																		L			L
<i>Sex Offender</i> Treatment & Counseling		-																		-			-
Vehicle & Vehicular Equipment Sales & Service																							
Commercial Vehicle Repair & Maintenance		-																		-			-
Commercial Vehicle Sales & Rentals		-																		-			-
Personal Vehicle Repair & Maintenance		-																		-			-
Personal Vehicle Sales & Rentals		-																		-			-
Vehicle Equipment & Supplies Sales & Rentals		-																		-			-
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																							
Automobile Service Stations		-																		-			-
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		-																		-			-
Wholesale, Distribution, Storage																							
Equipment & Materials Storage Yards		-																		-			-
Moving & Storage Facilities		-																		-			-
Warehouses		-																		-			-
Wholesale Distribution		-																		-			-
Separately Regulated Wholesale, Distribution, and Storage Uses																							
Impound Storage Yards		-																		-			-
Junk Yards		-																		-			-
Temporary Construction Storage Yards Located off-site		N																		N			N
Industrial																							
Heavy Manufacturing		-																		-			-

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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	1	2
Light Manufacturing		-	-												-	-							
Marine Industry		-	-												-	-							
Research & Development		-	-												-	-							
Trucking & Transportation Terminals		-	-												-	-							
Separately Regulated Industrial Uses																							
<i>Hazardous Waste</i> Research Facility		-	-												-	-							
<i>Hazardous Waste</i> Treatment Facility		-	-												-	-							
Marine Related Uses Within the Coastal Overlay Zone		-	-												-	-							
Mining and Extractive Industries		-	-												-	-							
Newspaper Publishing Plants		-	-												-	-							
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-	-												-	-							
Very Heavy Industrial Uses		-	-												-	-							
Wrecking & Dismantling of Motor Vehicles		-	-												-	-							
Signs																							
Allowable Signs		P	P												P	P							
Separately Regulated Signs Uses																							
Community Identification Signs		N	N												N	N							
Reallocation of Sign Area Allowance		-	-												-	-							
Revolving Projecting Signs		-	-												-	-							
Signs with Automatic Changing Copy		-	-												-	-							
Theater Marquees		-	-												-	-							

(12-2001)

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	
Open Space														
Active Recreation		P	P	P	P	P								
Passive Recreation		P	P	P	P	P								
Natural Resources Preservation		P	P	P	P	P								
Park Maintenance Facilities		-	-	-	-	-								
Agriculture														
Agricultural Processing		-	-	-	-	-								
Aquaculture Facilities		-	-	-	-	-								
Dairies		-	-	-	-	-								
Horticulture Nurseries & Greenhouses		-	-	-	-	-								
Raising & Harvesting of Crops		-	-	-	-	-								
Raising, Maintaining & Keeping of Animals		-	-	-	-	-								
Separately Regulated Agriculture Uses														
Agricultural Equipment Repair Shops		-	-	-	-	-								
Commercial Stables		-	-	-	-	-								
Community Gardens		N	N	N	N	-								
Equestrian Show & Exhibition Facilities		-	-	-	-	-								
Open Air Markets for the Sale of Agriculture-Related Products & Flowers		-	-	-	-	-								
Residential														
Group Living Accommodations		p ⁽⁷⁾												
Mobilehome Parks		p ⁽²⁾	p ⁽²⁾	p ⁽²⁾	p ⁽²⁾	-								
Multiple Dwelling Units		p ⁽⁵⁾	p ⁽⁵⁾	p ⁽⁵⁾	p ⁽⁵⁾	P								
Single Dwelling Units		P	P	P	P	-								
Separately Regulated Residential Uses														

(12-2001)

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	
<i>Boarder & Lodger Accommodations</i>	L		L			L			L		L		L		
Companion Units	<u>-L</u>		<u>-L</u>			<u>-L</u>			<u>-L</u>		<u>-L</u>		<u>-L</u>		
Employee Housing:															
6 or Fewer Employees	L		L			L			L		L		-		
12 or Fewer Employees	-		-			-			-		-		-		
Greater than 12 Employees	-		-			-			-		-		-		
Fraternities, Sororities and Student Dormitories	C		C			C			C		C		-		
Garage, Yard, & Estate Sales	L		L			L			L		L		-		
Guest Quarters	-		-			-			-		-		-		
Home Occupations	L		L			L			L		L		-		
Housing for Senior Citizens	C		C			C			C		C		-		
Live/Work Quarters	-		-			-			-		-		-		
Residential Care Facilities:															
6 or fewer persons	P		P			P			P		P		-		
7 or more persons	C		C			C			C		C		-		
Transitional Housing:															
6 or fewer persons	P		P			P			P		P		-		
7 or more persons	C		C			C			C		C		-		
Watchkeeper Quarters	-		-			-			-		-		-		
Institutional															
Separately Regulated Institutional Uses															
Airports	-		-			-			-		-		-		
Botanical Gardens & Arboretums	C		C			C			C		C		-		
Cemeteries, Mausoleums, Crematories	-		-			-			-		-		-		
<i>Churches & Places of Religious Assembly</i>	P		P			P			P		P		-		
Communication Antennas:															
Minor Telecommunication Facility	L		L			L			L		L		L		

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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	
Major Telecommunication Facility	C		C			C			C		C				
<i>Satellite Antennas</i>	L		L			L			L		L				
Correctional Placement Centers	-		-			-			-		-				
Educational Facilities:															
Kindergarten through Grade 12	P		P			P			P		-				
Colleges / Universities	C		C			C			C		-				
Vocational / Trade School	-		-			-			-		-				
Energy Generation & Distribution Facilities	-		-			-			C		C				
Exhibit Halls & Convention Facilities	-		-			-			-		-				
<i>Flood Control Facilities</i>	L		L			L			L		-				
<i>Historical Buildings Used for Purposes Not Otherwise Allowed</i>	C		C			C			C		C				
Homeless Facilities:															
Congregate Meal Facilities	-		-			C			C		-				
Emergency Shelters	-		-			C			C		-				
Homeless Day Centers	-		-			C			C		-				
Hospitals, Intermediate Care Facilities & Nursing Facilities	C		C			C			C		-				
Interpretive Centers	-		-			-			-		-				
Museums	-		-			-			-		-				
Major Transmission, Relay, or Communications Switching Stations	-		-			-			-		-				
<i>Social Service Institutions</i>	-		-			-			-		-				
Sales															
Building Supplies & Equipment	-		-			-			-		-				
Food, Beverages and Groceries	-		-			p ⁽⁹⁾			p ⁽⁹⁾		p ⁽⁹⁾				
Consumer Goods, Furniture, Appliances, Equipment	-		-			-			-		-				
Pets & Pet Supplies	-		-			-			-		-				
Sundries, Pharmaceuticals, & Convenience Sales	-		-			p ⁽⁹⁾			p ⁽⁹⁾		p ⁽⁹⁾				

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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
Wearing Apparel & Accessories		-	-	-	-	-	-	-	-	-	-	-	-			
Separately Regulated Sales Uses																
Agriculture Related Supplies & Equipment		-	-	-	-	-	-	-	-	-	-	-	-			
Alcoholic Beverage Outlets		-	-	-	-	-	-	-	-	-	-	-	-			
Plant Nurseries		-	-	-	-	-	-	-	-	-	-	-	-			
Swap Meets & Other Large Outdoor Retail Facilities		-	-	-	-	-	-	-	-	-	-	-	-			
Commercial Services																
Building Services		-	-	-	-	-	-	-	-	-	-	-	-			
Business Support		-	-	-	-	-	-	-	-	-	-	-	-			
Eating & Drinking Establishments		-	-	-	-	-	-	-	-	-	-	-	-			
Financial Institutions		-	-	-	-	-	-	-	-	-	-	-	-			
Funeral & Mortuary Services		-	-	-	-	-	-	-	-	-	-	-	-			
Maintenance & Repair		-	-	-	-	-	-	-	-	-	-	-	-			
Off-Site Services		-	-	-	-	-	-	-	-	-	-	-	-			
Personal Services		-	-	-	-	-	-	p ⁽⁹⁾	p ⁽⁹⁾	p ⁽⁹⁾						
Assembly & Entertainment		-	-	-	-	-	-	-	-	-	-	-	-			
Radio & Television Studios		-	-	-	-	-	-	-	-	-	-	-	-			
Visitor Accommodations		-	-	-	-	-	-	-	p ⁽⁶⁾	p ⁽⁶⁾						
Separately Regulated Commercial Services Uses																
Adult Entertainment Establishments:																
Adult Book Store		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Cabaret		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Drive-In Theater		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Mini-Motion Picture Theater		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Model Studio		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Motel		-	-	-	-	-	-	-	-	-	-	-	-			
Adult Motion Picture Theater		-	-	-	-	-	-	-	-	-	-	-	-			

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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	
Adult Peep Show Theater			-	-	-	-	-	-	-	-	-	-	-		
Adult Theater			-	-	-	-	-	-	-	-	-	-	-		
Body Painting Studio			-	-	-	-	-	-	-	-	-	-	-		
Massage Establishment			-	-	-	-	-	-	-	-	-	-	-		
Sexual Encounter Establishment			-	-	-	-	-	-	-	-	-	-	-		
Bed & Breakfast Establishments:															
1-2 Guest Rooms			L	L	L	L	L	L	L	L	L	L	L		
3-5 Guest Rooms			N	N	N	N	N	N	N	N	N	N	N		
6+ Guest Rooms			C	N	N	N	N	N	N	N	N	N	N		
Boarding Kennels			-	-	-	-	-	-	-	-	-	-	-		
Camping Parks			-	-	-	-	-	-	-	-	-	-	-		
<i>Child Care Facilities:</i>															
Child Care Centers			C	C	C	C	C	C	C	C	C	C	C		
Large Family Day Care Homes			L	L	L	L	L	L	L	L	L	L	L		
Small Family Day Care Homes			P	P	P	P	P	P	P	P	P	P	P		
Eating and Drinking Establishments Abutting Residentially Zoned Property			-	-	-	-	-	-	-	-	-	-	-		
Fairgrounds			-	-	-	-	-	-	-	-	-	-	-		
Golf Courses, Driving Ranges, and Pitch & Putt Courses			C	C	C	C	C	C	C	C	C	C	C		
Helicopter Landing Facilities			-	-	-	-	-	-	-	-	-	-	-		
Instructional Studios			-	-	-	-	-	-	-	-	-	-	-		
Massage Establishments, Specialized Practice			-	-	-	-	-	-	-	-	-	-	-		
Nightclubs & Bars over 5,000 square feet in size			-	-	-	-	-	-	-	-	-	-	-		
Outpatient Medical Clinics			-	-	-	-	-	-	-	-	-	-	-		
Parking Facilities as a <i>Primary Use</i>															
Permanent Parking Facilities			-	-	-	-	-	-	-	-	-	-	-		
Temporary Parking Facilities			-	-	-	-	-	-	-	-	-	-	-		

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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
Private Clubs, Lodges and Fraternal Organizations			-	-	-	-	-	-	-	-	-	-	-	P
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁴⁾			-	-	-	-	-	-	-	-	-	-	-	-
Pushcarts:														
Pushcarts on Private Property			-	-	-	-	-	-	-	-	-	-	-	-
Pushcarts in Public Right of Way			-	-	-	-	-	-	-	-	-	-	-	-
Recycling Facilities:														
Large Collection Facility			-	-	-	-	-	-	-	-	-	-	-	-
Small Collection Facility			-	-	-	-	-	-	-	-	-	-	-	-
Large Construction & Demolition Debris Recycling Facility			-	-	-	-	-	-	-	-	-	-	-	-
Small Construction & Demolition Debris Recycling Facility			-	-	-	-	-	-	-	-	-	-	-	-
Drop-off Facility			-	-	-	-	-	-	-	-	-	-	-	-
Green Materials Composting Facility			-	-	-	-	-	-	-	-	-	-	-	-
Mixed Organic Composting Facility			-	-	-	-	-	-	-	-	-	-	-	-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic			-	-	-	-	-	-	-	-	-	-	-	-
Large Processing Facility Accepting All Types of Traffic			-	-	-	-	-	-	-	-	-	-	-	-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic			-	-	-	-	-	-	-	-	-	-	-	-
Small Processing Facility Accepting All Types of Traffic			-	-	-	-	-	-	-	-	-	-	-	-
Reverse Vending Machines			-	-	-	-	-	-	-	-	-	-	-	-
Tire Processing Facility			-	-	-	-	-	-	-	-	-	-	-	-
Sidewalk Cafes			-	-	-	-	-	-	-	-	-	-	-	-
Sports Arenas & Stadiums			-	-	-	-	-	-	-	-	-	-	-	-
Theaters That Are Outdoor or over 5,000 Square Feet in Size			-	-	-	-	-	-	-	-	-	-	-	-
Veterinary Clinics & Animal Hospitals			-	-	-	-	-	-	-	-	-	-	-	-

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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			
Zoological Parks		-	-	-	-	-	-	-	-	-	-	-	-	-					
Offices																			
Business & Professional		-	-	-	-	-	-	-	-	-	-	-	-	-					
Government		-	-	-	-	-	-	-	-	-	-	-	-	-					
Medical, Dental, & Health Practitioner		-	-	-	-	-	-	p ⁽⁸⁾	-										
Regional & Corporate Headquarters		-	-	-	-	-	-	-	-	-	-	-	-	-					
Separately Regulated Office Uses																			
Real Estate Sales Offices & Model Homes		L	L	L	L	L	L	L	L	L	L	L	L	-					
<i>Sex Offender</i> Treatment & Counseling		-	-	-	-	-	-	L	L	L	L	L	L	-					
Vehicle & Vehicular Equipment Sales & Service																			
Commercial Vehicle Repair & Maintenance		-	-	-	-	-	-	-	-	-	-	-	-	-					
Commercial Vehicle Sales & Rentals		-	-	-	-	-	-	-	-	-	-	-	-	-					
Personal Vehicle Repair & Maintenance		-	-	-	-	-	-	-	-	-	-	-	-	-					
Personal Vehicle Sales & Rentals		-	-	-	-	-	-	-	-	-	-	-	-	-					
Vehicle Equipment & Supplies Sales & Rentals		-	-	-	-	-	-	-	-	-	-	-	-	-					
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																			
Automobile Service Stations		-	-	-	-	-	-	-	-	-	-	-	-	-					
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		-	-	-	-	-	-	-	-	-	-	-	-	-					
Wholesale, Distribution, Storage																			
Equipment & Materials Storage Yards		-	-	-	-	-	-	-	-	-	-	-	-	-					
Moving & Storage Facilities		-	-	-	-	-	-	-	-	-	-	-	-	-					
Warehouses		-	-	-	-	-	-	-	-	-	-	-	-	-					
Wholesale Distribution		-	-	-	-	-	-	-	-	-	-	-	-	-					
Separately Regulated Wholesale, Distribution, and Storage Uses																			
Impound Storage Yards		-	-	-	-	-	-	-	-	-	-	-	-	-					

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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			
Junk Yards		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Temporary Construction Storage Yards Located off-site		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
Industrial																			
Heavy Manufacturing		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Light Manufacturing		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Marine Industry		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Research & Development		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Trucking & Transportation Terminals		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Separately Regulated Industrial Uses																			
Hazardous Waste Research Facility		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Hazardous Waste Treatment Facility		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Marine Related Uses Within the Coastal Overlay Zone		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Mining and Extractive Industries		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Newspaper Publishing Plants		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Very Heavy Industrial Uses		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Wrecking & Dismantling of Motor Vehicles		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Signs																			
Allowable Signs		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Separately Regulated Signs Uses																			
Community Identification Signs		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
Reallocation of Sign Area Allowance		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Revolving Projecting Signs		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Signs with Automatic Changing Copy		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Theater Marquees		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			

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Footnotes for Table 131-04B

- 1 *Development of a mobilehome park* in any RS or RX zone is subject to Section 143.0302.
- 2 *Development of a mobilehome park* in the RM zones is subject to Section 143.0302.
- 3 This use is permitted only if as an *accessory use*, but shall not be subject to the *accessory use* regulations in Section 131.0125.
- 4 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 5 Non-owner occupants must reside on the *premises* for at least 7 consecutive calendar days.
- 6 Two *guest rooms* are permitted for visitor accommodations per the specified square footage of lot area required per dwelling unit (maximum permitted *density*), as indicated on Table 131-04G.
- 7 See Section 131.0423(c).
- 8 See Section 131.0423(a).
- 9 See Section 131.0423(b).
- 10 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.
(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

§131.0423 Additional Use Regulations of Residential Zones

The following uses are permitted in the residential zones indicated in Table 131-04B, subject to the additional use regulations in this section.

- (a) Medical, dental, and health practitioner offices are permitted subject to the following:
 - (1) No overnight patients are permitted; and
 - (2) Not more than two practitioners, and not more than three employees of each practitioner, shall work on the *premises*.
- (b) Sales and commercial service uses, where identified in the RM zones, are permitted subject to the following:
 - (1) Identified retail and commercial services uses are permitted only as a mixed-use in *developments* with 25 or more residential dwelling units;
 - (2) Retail and commercial uses must be located on the ground *floor*; and
 - (3) Retail and commercial uses shall not occupy more than a total of 25 percent of the *gross floor area* of the ground *floor*.
- (c) Group living accommodations are permitted subject to the following:

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- (1) Group living accommodations shall not contain more than 5 *guest rooms*.
- (2) No more than 2 renters per *guest room* are permitted.
- (3) Meals may be provided for renters only.
- (4) Renters of *guest rooms* must reside on the *premises* for at least 7 consecutive calendar days.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0430 Development Regulations of Residential Zones

- (a) Within the residential zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all *development* in the residential base zones whether or not a permit or other approval is required except where specifically identified.
(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0431 Development Regulations Table of Residential Zones

The following development regulations apply in the residential zones as shown in the Table 131-04C, 131-04D, 131-04E, and 131-04F.

- (a) RE Zones

**Table 131-04C
Development Regulations of RE Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones		
		1st & 2nd »	3rd »	4th »
		RE-		
		1-	1-	1-
		1	2	3
Max permitted density (DU per lot)		1	1	1
Min lot area (ac)		10	5	1
Min lot dimensions				
Lot width (ft)		200	200	100
<i>street frontage</i> (ft) [See Section 131.0442(a)]		200	200	100

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones			
		1st & 2nd »	RE-		
		3rd »	1-	1-	1-
		4th »	1	2	3
Lot width (corner) (ft)		200	200	100	
Lot depth (ft)		200	200	150	
Setback requirements					
Min Front <i>setback</i> (ft) [See Section 131.0443(a)(1) and (2)]		25	25	25	
Min Side <i>setback</i> (ft) [See Section 131.0443(a)(3)]		20	20	20	
Min <i>Street</i> side <i>setback</i> (ft) [See Section 131.0443(a)(3)]		20	20	20	
Min Rear <i>setback</i> (ft) [See Section 131.0443(a)(4)]		25	25	25	
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies	applies	applies	
Max structure height (ft) [See Section 131.0444(a)]		30	30	30	
Lot coverage for sloping lots [See Section 131.0445(a)]		applies	applies	applies	
Max floor area ratio		0.10	0.20	0.35	
Max paving/ hardscape [See Section 131.0447]		applies	applies	applies	
Accessory uses and structures [See Section 131.0448 (a),(b)]		applies	applies	applies	
Garage regulations [See Section 131.0449(a)]		applies	applies	applies	
Building spacing [See Section 131.0450]		applies	applies	applies	
Max third story dimensions		--	--	--	
Architectural projections and encroachments		--	--	--	
Supplemental requirements [See Section 131.0464(a)]		applies	applies	applies	
Diagonal plan dimension		--	--	--	

(b) RS Zones

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

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones		

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	1st & 2nd »	RS-						
	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	applies	applies	applies	applies	Applies	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⁾
Lot coverage for sloping lots [See Section 131.0445(a)]		applies	applies	applies	applies	applies	Applies	applies
Max floor area ratio		0.45	varies ⁽⁵⁾					
Max paving/ hardscape [See Section 131.0447]		applies	applies	applies	applies	applies	Applies	applies
Accessory uses and structures [See Section 131.0448 (a),(b)]		applies	applies	applies	applies	applies	applies	applies
Garage regulations [See Section 131.0449(a)]		applies	applies	applies	applies	applies	Applies	applies
Building spacing [See Section 131.0450]		applies	applies	applies	applies	applies	Applies	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	applies	applies	applies	applies	Applies	applies
Supplemental requirements [See Section 131.0464(a)]		applies	applies	applies	applies	applies	Applies	applies
Diagonal plan dimension [See Section 131.0465]		--	--	--	--	--	--	applies

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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 »	8	9	10	11	12	13	14
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)		10 ⁽⁶⁾						
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		-	-	-	-	-	-	-

13	1	4	60

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Footnotes for Table 131-04D

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

(c) RX Zones

**Table 131-04E
Development Regulations of RX Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones	
	1st & 2nd »	RX-	
	3rd »	1-	1-
	4th »	1	2
Maximum permitted density (DU per lot)		1	1
Min lot area (sf) [See Section 131.0441]		4,000	3,000
Min lot dimensions			
Lot width (ft)		35	35 ⁽¹⁾
<i>street frontage</i> (ft) [See Section 131.0442(b)]		35	35 ⁽¹⁾
Lot width (corner) (ft)		35	35 ⁽¹⁾
Lot depth (ft)		50	50
Setback requirements			
Min Front setback (ft) [See Section 131.0443(b)(1)]		15	15
Min Side setback (ft) [See Section 131.0443(b)(2)]			
Detached		3/0	3/0
Attached		0	0
Min Street Side Setback (ft) [See Section 131.0443(b)(2)]		3	3
Min Rear setback (ft) [See Section 131.0443(b)(3)]		10	10
Max structure height (ft) [See Section 131.0444(c)]		30	30
Max floor area ratio [See Section 131.0446(c)]		0.70	0.80
Accessory uses and structures [See Section 131.0448(a),(b)]		applies	applies

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone designator	Zones	
	1st & 2nd »	RX-	
	3rd »	1-	1-
	4th »	1	2
Garage regulations [See Section 131.0449(a)]		applies	applies
Building spacing [See Section 131.0450]		applies	applies
Architectural projections and encroachments [See Section 131.0461(a)]		applies	applies
Requirements for attached units [See Section 131.0462]		applies	applies
Roof design variation [See Section 131.0463]		applies	applies
Supplemental regulations [See Section 131.0464(b)]		applies	applies
Diagonal plan dimension [See Section 131.0465]		applies	applies

Footnote for Table 131-04E

1 If a lot abuts an alley, see Section 131.0442(c).

(d) RT Zones

**Table 131-04F
Development Regulations of RT Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones			
	1st & 2nd »	RT-			
	3rd »	1-	1-	1-	1-
	4th »	1	2	3	4
Maximum permitted density (DU per lot)		1	1	1	1
Min lot area (sf) [See Section 131.0441]		3,500	3,000	2,500	2,200
Min lot dimensions					
Lot width (ft)		25	25	25	25
street frontage (ft)		25	25	25	25
Lot width (corner) (ft)		25	25	25	25
Lot depth (ft)		100	100	90	80
Setback requirements					
Min Front setback (ft) [See Section 131.0443(c)(1)]		5	5	5	5
Max Front Setback (ft) [See Section 131.0443(c)(1)]		15	15	15	15

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones			
		1st & 2nd »	3rd »	4th »	RT-
		1-	1-	1-	1-
		1	2	3	4
Side setback (ft) [See Section 131.0443(c)(2)]		0	0	0	0
Min Street side setback (ft)		5	5	5	5
Min Rear setback (ft)		3	3	3	3
Max structure height [See 131.0444(d)]					
1 and 2 story buildings (ft)					
slab floor		21	21	21	21
raised floor		25	25	25	25
3 story buildings (ft)					
slab floor		31	31	31	31
raised floor		35	35	35	35
Max lot coverage (%) [See Section 131.0445(b)]		60	65	70	75
Max floor area ratio [See 131.0446(d)]					
1 and 2 story buildings		0.85	0.95	1.00	1.10
3 story buildings		1.20	1.30	1.40	1.50
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies
Garage regulations [See Section 131.0449(b)]		applies	applies	applies	applies
Min development [See Section 131.0451]		applies	applies	applies	applies
Parkway requirement [See Section 131.0452]		applies	applies	applies	applies
Architectural projections and encroachments [See Section 131.0461(b)]		applies	applies	applies	applies
Supplemental requirements [See Section 131.0464(c)]		applies	applies	applies	applies

(e) RM Zones

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**Table 131-04G
Development Regulations of RM Zones**

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
		RM-					
		1st & 2nd »					
		3rd »	1-	1-	1-	2-	2-
	4th »	1	2	3	4	5	6
Maximum permitted density ^{(1),(2)} (sf per DU)		3,000	2,500	2,000	1,750	1,500	1,250
Min lot area (sf)		6,000	6,000	6,000	6,000	6,000	6,000
Min lot dimensions							
Lot width (ft)		50	50	50	50	50	50
Street frontage (ft) [See Section 31.0442(a)]		50	50	50	50	50	50
Lot width (corner) (ft)		55	55	55	55	55	55
Lot depth (ft)		90	90	90	90	90	90
Setback requirements							
Min Front setback (ft)		15 ⁽³⁾	15 ⁽³⁾	15 ⁽³⁾	15 ⁽⁷⁾	15 ⁽⁷⁾	15 ⁽⁷⁾
Std Front Setback (ft)		20 ⁽³⁾	20 ⁽³⁾	20 ⁽³⁾	20 ⁽⁷⁾	20 ⁽⁷⁾	20 ⁽⁷⁾
Min Side setback (ft)		5 ⁽⁴⁾	5 ⁽⁴⁾	5 ⁽⁴⁾	5 ⁽⁸⁾	5 ⁽⁸⁾	5 ⁽⁸⁾
Std Side Setback (ft)		8 ⁽⁴⁾	8 ⁽⁴⁾	8 ⁽⁴⁾	-	-	-
Min Street side setback(ft)		10 ⁽⁵⁾	10 ⁽⁵⁾	10 ⁽⁵⁾	10 ⁽⁹⁾	10 ⁽⁹⁾	10 ⁽⁹⁾
Min Rear setback (ft)		15 ⁽⁶⁾	15 ⁽⁶⁾	15 ⁽⁶⁾	15 ⁽¹⁰⁾	15 ⁽¹⁰⁾	15 ⁽¹⁰⁾
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies	applies	applies	applies	applies	applies
Max structure height (ft)		30 ⁽¹⁷⁾	30 ⁽¹⁷⁾	30 ⁽¹⁷⁾	40 ⁽¹⁸⁾	40 ⁽¹⁸⁾	40 ⁽¹⁸⁾
Max lot coverage		-	-	-	-	-	-
Max floor area ratio		0.75	0.90 ⁽¹⁹⁾	1.05 ⁽¹⁹⁾	1.20 ^(19,29)	1.35 ⁽¹⁹⁾	1.50 ⁽¹⁹⁾
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies	applies	applies

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
		RM-					
		1st & 2nd »					
		3rd »	1-	1-	1-	2-	2-
4th »	1	2	3	4	5	6	
Lot consolidation regulations [See Section 131.0453(a)]		applies	applies	-	-	-	-
Storage requirements [See Section 131.0454]		applies	applies	applies	applies	applies	applies
Private exterior open space		applies ⁽²²⁾	applies ⁽²²⁾	applies ⁽²²⁾	applies ⁽²³⁾	applies ⁽²³⁾	applies ⁽²³⁾
Common open space [See Section 131.0456]		applies	applies	applies	applies	applies	applies
Architectural projections and encroachments		Permitted ⁽¹⁵⁾	Permitted ⁽¹⁵⁾	Permitted ⁽¹⁵⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾
Supplemental requirements		applies ⁽²⁶⁾	applies ⁽²⁶⁾	applies ⁽²⁶⁾	applies ⁽²⁷⁾	applies ⁽²⁷⁾	applies ⁽²⁷⁾

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
		RM					
	1st & 2nd »						
	3rd »	3-	3-	3-	4-	4-	5
	4th »	7	8	9	10	11	12
Maximum permitted density ^{(1),(2)} (sf per DU)		1,000	800	600	400	200	1,000 ⁽³⁶⁾
Min lot area (sf)		7,000	7,000	7,000	7,000	7,000	10,000
Min lot dimensions							
Lot width (ft)		70	70	70	100	100	100
Street frontage (ft) [See Section 31.0442(a)]		70	70	70	100	100	100
Lot width (corner) (ft)		75	75	75	100	100	100
Lot depth (ft)		100	100	100	100	100	100
Setback requirements							
Min Front setback (ft)		10 ⁽¹¹⁾	10 ⁽¹¹⁾	10 ⁽¹¹⁾	varies ⁽¹⁴⁾	varies ⁽¹⁴⁾	15 ⁽³⁰⁾
Std Front Setback (ft)		20 ⁽¹¹⁾	20 ⁽¹¹⁾	20 ⁽¹¹⁾			
Min Side setback (ft)		5 ⁽¹²⁾	5 ⁽¹²⁾	5 ⁽¹²⁾	varies ⁽¹⁴⁾	varies ⁽¹⁴⁾	4 ⁽³¹⁾
Std Side Setback (ft)		-	-	-	-	-	-
Min Street side setback(ft)		10 ⁽¹³⁾	10 ⁽¹³⁾	10 ⁽¹³⁾	varies ⁽¹⁴⁾	varies ⁽¹⁴⁾	10 ⁽³²⁾
Min Rear setback (ft)		5	5	5	varies ⁽¹⁴⁾	varies ⁽¹⁴⁾	15 ⁽³³⁾
Setback requirements for resubdivided corner lots [See Section 131.0443(i)]		applies	applies	applies	applies	applies	-
Max structure height (ft)		40	50	60	-	-	-
Max lot coverage		-	-	-	applies ⁽²¹⁾	applies ⁽²¹⁾	applies ⁽³⁴⁾

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
		RM					
	1st & 2nd »						
	3rd »	3-	3-	3-	4-	4-	5
	4th »	7	8	9	10	11	12
Max floor area ratio		1.80 ⁽²⁰⁾	2.25 ⁽²⁰⁾	2.70 ⁽²⁰⁾	3.60 ⁽²⁰⁾	7.20 ⁽²⁰⁾	1.80 ^{(20),(35)}
Accessory uses and structures [See Section 131.0448(a)]		applies	applies	applies	applies	applies	applies
Lot consolidation regulations		-	-	-	-	-	-
Storage requirements [See Section 131.0454]		applies	applies	applies	applies	applies	applies
Private exterior open space		applies ⁽²⁴⁾	applies ⁽²⁴⁾	applies ⁽²⁴⁾	applies ⁽²⁵⁾	applies ⁽²⁵⁾	applies ⁽²⁵⁾
Common open space [See Section 131.0456]		applies	applies	applies	applies	applies	applies
Architectural Projections and encroachments		Permitted ⁽¹⁶⁾					
Supplemental requirements		applies ⁽²⁸⁾	applies ⁽²⁸⁾	applies ⁽²⁸⁾	-	-	-

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Footnotes for Table 131-04G

- 1 One dwelling unit per specified square foot of lot area as determined in accordance with Section 113.0222.
- 2 An exception to the maximum permitted *density* may be permitted in accordance with Chapter 14, Article 3, Division 7 (Affordable Housing Density Bonus).
- 3 See Section 131.0443(d)(1).
- 4 See Section 131.0443(d)(2).
- 5 See Section 131.0443(d)(3).
- 6 See Section 131.0443(d)(4).
- 7 See Section 131.0443(e)(1).
- 8 See Section 131.0443(e)(2).
- 9 See Section 131.0443(e)(3).
- 10 See Section 131.0443(e)(4).
- 11 See Section 131.0443(f)(1).
- 12 See Section 131.0443(f)(2).
- 13 See Section 131.0443(f)(3).
- 14 See Section 131.0443(g).
- 15 See Section 131.0461(a).
- 16 See Section 131.0461(c).
- 17 See Section 131.0444(e).
- 18 See Section 131.0444(f).
- 19 See Section 131.0446(e).
- 20 See Section 131.0446(f).
- 21 See Section 131.0445(c).
- 22 See Section 131.0455(a).

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- 23 See Section 131.0455(b).
- 24 See Section 131.0455(c).
- 25 See Section 131.0455(d).
- 26 See Section 131.0464(d).
- 27 See Section 131.0464(e).
- 28 See Section 131.0464(f).
- 29 With the Peninsula and Ocean Beach community plan areas, the maximum *floor area ratio* is 0.70.
- 30 See Section 131.0443(h)(1).
- 31 See Section 131.0443(h)(2).
- 32 See Section 131.0443(h)(3).
- 33 See Section 131.0443(h)(4).
- 34 See Section 131.0445(d).
- 35 See Section 131.0446(g).
- 36 Within the La Jolla, Pacific Beach, and Torrey Pines community plan areas, the maximum permitted *density* is one dwelling unit or two *guest rooms* for each 1,500 square feet of lot area.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.)

§131.0441 Minimum Lot Area in Residential Zones

In the RX and RT zones, *lots* served by *alley* access may use a portion of the *alley* to meet the minimum lot area requirement. Up to one-half the width of the abutting *alley*, not to exceed 10 feet, may be applied toward the total lot area provided the *alley* area does not exceed 10 percent of the minimum lot area requirement.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0442 Minimum Lot Dimensions in Residential Zones

(a) Exception to Minimum *Street Frontage* in the RE, RS, and RM Zones

The minimum *street frontage* for any *lot* in the RE, RS, and RM zones that fronts principally on a turnaround or curving *street* with a centerline radius of less than 100 feet, is 60 percent of the *street frontage* specified for

13	1	4	69

the zone in which the *lot* is located as shown in Diagram 131-04A.

Diagram 131-04A
Lot Frontage on Curving Street