

**Draft
5th Update**

Issue	Section(s)	Description
		MEASUREMENT
1.	113.0273(c)	<u>Measurement of Visibility Area</u> Clarify how visibility areas are measured at the intersection of a street and a driveway.
2.	142.0310(c)(2)(C)	<u>Open Fence in Coastal Zone</u> Within the Coastal Overlay Zone, open fence is defined differently than citywide open fences in Ch 11. Explain difference in the Fence Section of Ch 14.
3.	142.0740	<u>Outdoor Lighting Regulations</u> Update the Outdoor Lighting Regulations to be consistent with the new energy code in effect October 2005 and address conflicts between code requirements and current industry practice regarding lighting for security purposes.
4.	131.0448	<u>Accessory Structures</u> The cumulative area of all encroaching accessory structures shall not exceed 525 sq ft. Clarify that when calculating the area, the entire area of the accessory building is calculated and not just the portion that encroaches into the setback.
5.	113.0103	<u>Building Façade</u> Change the definition of building façade to exclude alleys.
6.	113.0234(a)(3) Diagram 113-02K	<u>Underground Parking FAR</u> Modify the underground parking exemption threshold for FAR from 2’-6” above grade to 3’-6” above grade for consistency with basements.
7.	144.0504	<u>Vacancy Rate Determination</u> Modify the vacancy rate language to specify that the Planning Department report shall be based on one survey conducted between the months of March and May and a second survey that is conducted between the months of September and November. The existing language specifies January and July.
		PERMIT PROCESS
8.	129.0211 129.0218 129.0219	<u>Permit application and expiration requirements in the building, electrical and plumbing/mechanical regulations</u> Proposed modifications to Chapter 12 Article 9 Construction Permits related to Building Permit application and expiration

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Issue	Section(s)	Description
	129.0312 129.0413	Permits related to Building Permit application and expiration requirements, expiration of a Building Permit, extension of time of a Building Permit, and expiration of Electrical, Plumbing, or Mechanical Permits.
9.	143.0410(a)(3)(B)	<u>Deviation of FAR for Total Premises with PDP</u> Amend code to permit a deviation in Kearny Mesa from the floor area ratio for the total premises for consistency with the Kearny Mesa land use plan.
10.	143.0110 Table 143-01A	<u>Alternative Compliance for Steep Hillides</u> Table 143-01A states that alternative compliance projects shall be processed as Process Three. Section 143.0151 states that alternative compliance projects shall be processed as Process Four. Clarify that Process Four is the correct process.
11.	126.0110(b)	<u>Rescinding Development Permits</u> The LDC has a section for cancellation of development permits, but it applies only to permits that have not been utilized. There is no specific reference for applicants looking to rescind a permit that has been utilized. Clarify that the process for rescinding a permit is the same as the process for amending a development permit.
12.	126.0504(m) 143.0910 143.0915 143.0920	<u>Sustainable Buildings Expedite Program</u> The proposed code change would add the sustainable buildings expedite program references where appropriate to allow sustainable building projects to deviate with a Site Development Permit through the same process as affordable/infill projects.
		USES
13.	131.0522 Table 131-05B 131.0540 141.0612	<u>Ground Floor Residential Development in Commercial Zones</u> Consolidate all references to residential on ground floor in Section 131.0540. Transfer restriction on instructional studios on ground floor in commercial visitor zones of Coastal Overlay Zone to separately regulated use section 141.0612.
14.	141.0606	<u>Child Care Facilities</u> The State changed their terminology from “acutely hazardous” to “regulated substances”. Section 141.0606 still refers to acutely hazardous. Correct the terminology for consistency with CA Health and Safety Code.
15.	131.0222 Table 131-02B	<u>Outpatient Medical Clinic</u> Clarify that the separately regulated use “outpatient medical clinic” is intended to regulate medical clinics that operate after

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	131.0322 Table 131-03B 131.0422 Table 131-04B 131.0522 Table 131-05B 131.0622 Table 131-06B 141.0615 141.0624 141.0625 141.0626	standard business hours in an urgent care type of setting and is not meant to be applied to general medical offices with outpatient services. Change use type to “Urgent Care Facilities”.
16.	131.0322 Table 131-03B 141.0414	<u>Agricultural Zone Use Table</u> Modify the use regulations table for the Agricultural-General (AG) zones to take into consideration preservation of the rural character of the San Pasqual Valley. Transfer applicable restrictions on Interpretive Centers from the separately regulated use section to the Agricultural Zone Use Table.
17.	141.0620(i)(8)	<u>Traffic Study for Recycling Facilities</u> Remove the requirement for a traffic study in the recycling facilities code section and continue existing process where the Transportation Development Section determines when a traffic study is required based on a project’s expected daily trip generation.
CEQA		
18.	Ch 6/Art 9/Div 1-3	<u>Repeal Chapter 6 Article 9 Division 1-3 CEQA Regulations</u> Chapter 6 should have been repealed in 1997 with the implementation of the LDC. All CEQA regulations are currently covered in Chapter 12 Article 8.
19.	128.0313	<u>Date of Final Action for Notice of Determination</u> Modify the language for consistency with the CEQA statutes to clarify who files the Notice of Determination and to specify that it is to be filed within 5 days of the date of final action for each project approval.
PARKING		
20.	142.0560 (j)(8)	<u>Street Frontage Calculation for Driveways on Corner Lots</u>

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		For properties with access to an alley and at least 150 feet of total street frontage, a maximum of one driveway opening for each 150 feet of total street frontage is permitted.
21.	142.0560(j) Table 142-05L New Table 142-05M	<u>Driveway Size and Design on Narrow Lots</u> Create a new table to regulate driveway design on narrow lots. Allow a 12 foot minimum for access of up to 2 units on a narrow lot.
22.	142.0560(b) Table 142-05J	<u>Tandem Parking Space Length</u> The Table specifies tandem space length is 35 feet. This includes one compact space as permitted under the old code. Increase the tandem space length dimension from 35 feet to 36 feet total to accommodate two 18 foot spaces for consistency with current LDC regulations.
23.	142.0530 Table 142-05F	<u>Self Storage Parking Requirement</u> The existing requirement for all wholesale, distribution and storage uses is 1 space per 1,000 sq ft of floor area, which is unreasonable for self storage facilities. The proposed requirement for self storage facilities is 1 space per 10,000 sq ft plus 3.3 spaces per 1,000 square feet of accessory office space.
24.	142.0545 Table 142-05H	<u>Shared Parking Requirement for Cinemas in Transit Areas</u> The Table shows the parking requirement for cinemas is the same during peak parking demand and in a transit area. The proposed transit area requirement is .85 spaces per 3 seats for 1-3 screens and .85 spaces per 3.3 spaces for 4 or more screens.
25.	142.0560(c)	<u>Parking Aisle Dimensions on Narrow Lots</u> Decrease the minimum dimension for parking aisles on narrow lots to 22 feet to accommodate a perpendicular parking layout.
MINOR CORRECTIONS		
Incorrect Terms/Spelling Errors		
26.	113.0267 Diagram 113-02HH	Spelling Error. Should read “extension” not “extention.”
27.	126.0303	Incorrect Terminology. Modify term “child care facilities” to read “child care centers” in Conditional Use Permit Section.

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28.	131.0443(a)(3)(e)	Grammatical Error. ...the setbacks is are based on...
29.	131.0322 Table 131-03B Footnote 10	Spelling Error. Correct the spelling of Tijuana. The section says “Tia Juana”.
Incorrect Numerical References		
30.	131.0443(b)(1)(B)	Incorrect Numerical Reference. Setbacks should be 10 feet, 15 feet, 20 feet instead of 10 feet, 13 feet, 16 feet. Also, correct the section reference to 131.0443(b)(1)(A) instead of (e)(2)(A).
31.	142.0820(a)	Incorrect Numerical Reference. Change reference from 2 ½ to 2.5 cubic feet.
32.	142.1270(a)(1)	Incorrect Numerical Reference. Change reference from ½ square foot to .5 square feet.
Italicization Errors		
33.	132.0306(b)(1)	Italicization Error. Development is the defined term that should be italicized. “For residential” should not be italicized.
34.	142.1250(h)(2)	Italicization Error. “Side” is not a defined term in the LDC and should not be italicized.
35.	121.0505(b) 142.1291	Italicization Error. Sign should not be italicized in this context.
Capitalization Errors		
36.	124.0106	Capitalization Error. Capitalize Development Agreement.
37.	129.0102	Capitalization Error. Capitalize Public Right-of-Way Permit.
38.	141.1004(j)(4)(D)	Capitalization Error. Capitalize California Surface Mining and Reclamation Action.
39.	142.0505 Table 142-05A	Capitalization Error. Capitalize Planned Development Permit.
40.	143.0101	Capitalization Error. Capitalize Multi-Habitat Planning Area.
Incorrect Section or Table References		
41.	131.0322 Table 131-03B	Incorrect Table Reference. Modify the Agricultural Zones Use Regulations Table for Companion Units to indicate the use is limited with an “L” instead of conditional with a “C”. Conditional use permits are no longer required for Companion Units.

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42.	131.0422 Table 131-04B	Incorrect Table Reference. Modify the Residential Zones Use Regulations Table. For Companion Units in the RM zones, the use should be limited “L” not unpermitted “-“ in the RM zones as specified in Section 141.0302 Companion Units.
43.	142.0530 Table 142-05D Table 142-05E	Missing Table Reference. Copy Central Urbanized Parking Requirement from Table 151-02E to the Parking Section with the other listed Planned Districts.
44.	142.0530 Table 142-05D Table 142-05E	Incorrect Table Reference. Footnote 6 in Tables 142-05D and 142-05E should be Footnote 5.
45.	142.0545(b)(2)	Incorrect Table Reference. Table 142-05G should be 142-05H
46.	142.0545(b)(3)	Incorrect Table Reference. Table 142.05H should be 142-05I
47.	143.0140(a)	Incorrect Section Reference. Change reference to covenant of easement section from 143.0151 to 143.0152.
48.	145.0410(d)	Incorrect Section Reference. Revise the reference to Section A110(a) to reflect the updated Building Code.
49.	145.0425	Incorrect Section Reference. Update references to the 1998 California Building Code to the 2001 Building Code.