

ORDINANCE NUMBER O-18814 (NEW SERIES)

ADOPTED ON JUNE 19, 2000

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 11, BY AMENDING ARTICLE 1, DIVISION 2, SECTIONS 111.0207 AND 111.0208; BY AMENDING ARTICLE 2, DIVISION 5, SECTIONS 112.0501 AND 112.0507; BY AMENDING ARTICLE 3, DIVISION 2, SECTIONS 113.0228 AND 113.0234; AMENDING CHAPTER 12, BY AMENDING ARTICLE 1, DIVISION 2, SECTION 121.0203; BY AMENDING ARTICLE 6, DIVISION 4, SECTION 126.0404; BY AMENDING DIVISION 6, SECTION 126.0602; BY AMENDING ARTICLE 7, DIVISION 1, SECTIONS 127.0103 AND 127.0106; BY AMENDING DIVISION 2, SECTION 127.0202; BY AMENDING ARTICLE 8, DIVISION 3, BY ADDING SECTIONS 128.0310, 128.0311, 128.0312, 128.0313, AND 128.0314; AMENDING CHAPTER 13, BY AMENDING ARTICLE 1, DIVISION 1, SECTION 131.0112; BY AMENDING DIVISION 3, SECTION 131.0331; BY AMENDING DIVISION 4, SECTIONS 131.0431 AND 131.0449; BY AMENDING ARTICLE 2, DIVISION 14, SECTIONS 132.1402 AND 132.1403; AMENDING CHAPTER 14, BY AMENDING ARTICLE 1, DIVISION 3, SECTIONS 141.0302, 141.0310, AND 141.0312; BY AMENDING DIVISION 4, SECTION 141.0405; BY AMENDING ARTICLE 2, DIVISION 3, SECTIONS 142.0310 AND 142.0340; BY AMENDING DIVISION 4, SECTION 142.0405; BY AMENDING DIVISION 5, SECTION 142.0530; BY AMENDING DIVISION 12, SECTIONS 142.1215, 142.1250, 142.1290, AND 142.1291; BY AMENDING ARTICLE 3, DIVISION 1, SECTION 143.0142; AND BY AMENDING ARTICLE 4, DIVISION 2, BY RENUMBERING SECTION 114.0241 TO 144.0241 OF THE SAN DIEGO MUNICIPAL CODE, ALL RELATING TO THE LAND DEVELOPMENT CODE.

WHEREAS, the Land Development Code for The City of San Diego was initially adopted by the City Council through Ordinance No. O-18451 on December 9, 1997, and, after amendments for the Coastal Overlay Zone, became effective on January 1, 2000; and

WHEREAS, in adopting the Code initially, the Council directed that the City Manager provide for a two-year implementation process whereby necessary changes to the Code would be brought before the Council for review and consideration; and

WHEREAS, the City Manager has presented the report for the first quarterly update for the Code which includes a number of administrative corrections necessary to clarify code provisions and provide for continued implementation; NOW, THEREFORE,

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

Section 1. That Chapter 11, Article 1, Division 2, of the San Diego Municipal Code is amended by amending Sections 111.0207 and 111.0208; by amending Article 2, Division 5, Sections 112.0501 and 112.0507; and by amending Article 3, Division 2, Sections 113.0228 and 113.0234 to read as follows:

SEC. 111.0207 Board of Building Appeals and Advisors

- (a) [No change.]
- (b) Appointment and Terms
 - (1) and (2) [No change.]
 - (3) The Building Official, the Chief of the Fire Department, and the City Attorney shall be ex officio members of the Board. The City

Planner shall be an ex officio member of the Board in matters pertaining to *Historical Buildings*.

(c) and (d) [No change.]

SEC. 111.0208 Board of Engineering Appeals and Advisors

(a) [No change.]

(b) Appointment and Terms

(1) [No change.]

(2) The Board of Engineering Appeals and Advisors shall be composed of the following:

(A) through (I) [No change.]

(J) The City Engineer, the Building Official, and the City Attorney, or their designated representatives, shall be ex officio members of the Board. The City Planner shall be an ex officio member of the Board in matters pertaining to *historical buildings*.

(c) and (d) [No change.]

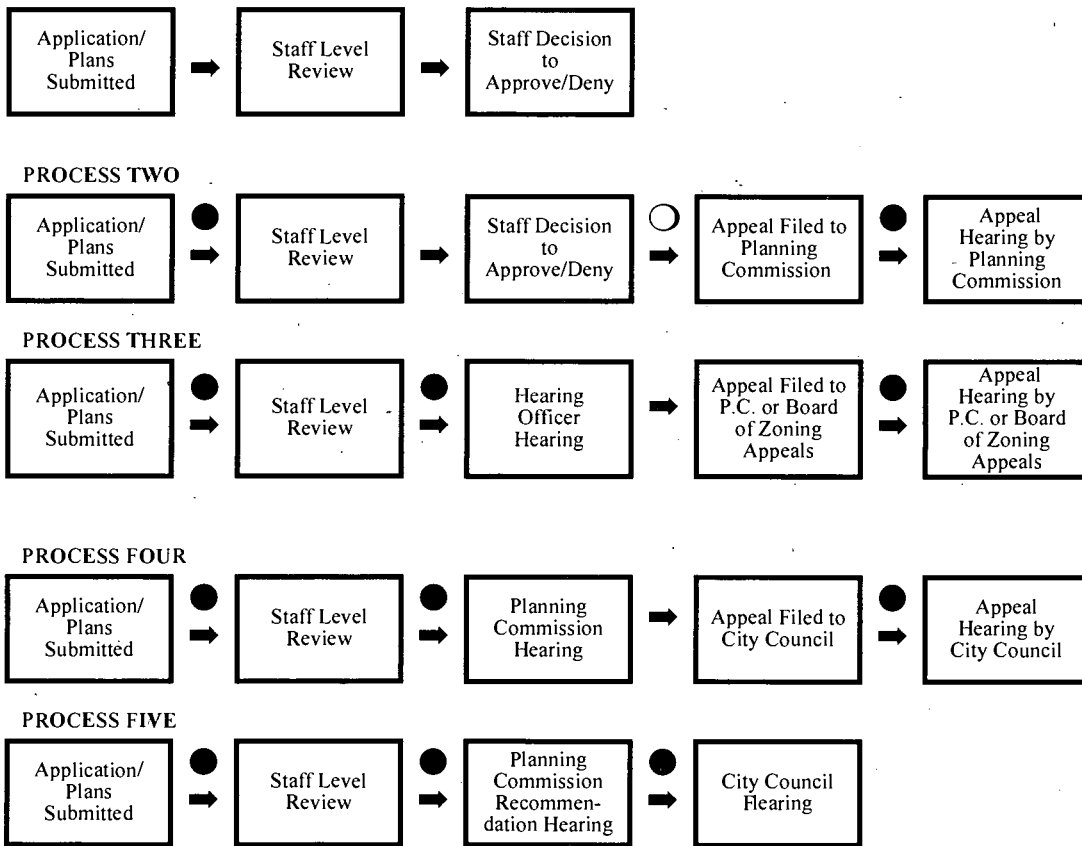
SEC. 112.0501 Overview of Decision Process

No change to first paragraph.

Diagram 112-05A

Decision Processes with Notices

PROCESS ONE



Key

- Public Notice to Property Owners and Tenants within 300 Feet and to Community Planning Groups
- "Limited" Notice to Applicant and Anyone Requesting Notice

SEC. 112.0507 Process Four

An application for a permit, map, or other matter acted upon in accordance with Process Four may be approved, conditionally approved, or denied by the Planning Commission in the following manner.

- (a) and (b) [No change.]
- (c) Waiver of Appeal Period. Before the close of the public hearing, an *applicant* may request that the appeal period be waived. The Planning Commission shall grant the request only after determining for the record

that there are no *interested persons* and that the *applicant* has waived all rights to appeal.

SEC. 113.0228 Determining Existing Grade

(a) [No change.]

Diagram 113-02F - [No change.]

(b) [No change.]

(c) When *existing grade* on a previously graded *premises* is not readily apparent, the City Manager may use the *grade* adjacent to the previously graded area or the *grade* on adjacent properties to establish the *existing grade* for the previously graded area. *Existing grade* at the disturbed area shall be an imaginary plane that connects elevations of *existing grade* through the previously graded area, as shown in Diagram 113-02G.

Diagram 113.02G - [No change.]

SEC. 113.0234 Calculating Gross Floor Area

[No change in first paragraph.]

(a) [No change.]

(b) Additional Elements Included in *Gross Floor Area* in Residential Zones and for Residential Development in Other Zones

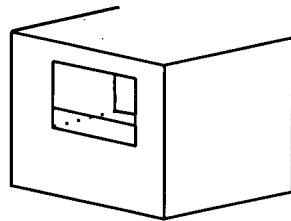
(1) [No change.]

(2) *Gross floor area* includes roofed porches, entrances, exterior balconies, and patios when (1) the element is recessed or partially recessed in the *structure* and surrounded or partially surrounded on

three sides by the enclosed building, except that 100 square feet of the recessed portion of the element is not included in *gross floor area*, or (2) the elevation of the fourth side of the element is less than 40 percent open. This is illustrated in Diagram 113-020.

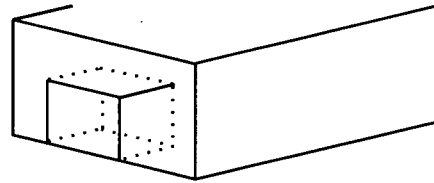
Diagram 113-020

Recessed Porches and Balconies



BALCONY

1 elevation at least 40% open with building area on 3 sides (100 sq. Ft. of recessed position of the element not included in GFA)



PORCH

1 elevation open with building area on 3 sides (not included in GFA if recessed area is less than 100 sq. ft.)

(3), (4) and (5) [No change.]

(c) and (d) [No change.]

Section 2. That Chapter 12, Article 1, Division 2, of the San Diego Municipal Code is amended by amending Section 121.0203; by amending Article 6, Division 4, Section 126.0602; by amending Article 7, Division 1, Sections 127.0103 and 127.0106;

by amending Article 8, Division 3, by adding Sections 128.0310, 128.0311, 128.0312, 128.0313, and 128.0314, to read as follows:

SEC. 121.0203 Authority to Inspect Private Property

(a) Pursuant to the general authority to inspect private property provided in Municipal Code Section 12.0104, the City Manager or designated Code Enforcement Official has the authority to enter a *structure* or *premises* to determine the following:

(1) through (3) [No change.]

(b) [No change.]

SEC. 126.0404 Findings for Neighborhood Development Permit Approval

[No change in first paragraph.]

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

(c) Supplemental Findings--Environmentally Sensitive Lands Deviation

A Neighborhood Development Permit 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 makes the following supplemental *findings* in addition to the *findings* in Section 126.0404(a) and the supplemental *findings* in Section 126.0404(b):

(1) and (2) [No change.]

(d) [No change.]

SEC. 126.0602 When a Planned Development Permit May Be Requested

- (a) The following types of *development* may be requested with a Planned Development Permit decided in accordance with Process Three.
- (1) [No change.]
- (A) [No change.]
- (B) Within the Midway-Pacific Highway Corridor Community Plan area, mixed-use residential and commercial *development*;
- (C) Within the Mira Mesa Community Plan area, residential *development* that includes a rezone or *subdivision*;
- (D) Within the Miramar Ranch North Community Plan area, all proposed residential *development*;
- (E) Within the Rancho Penasquitos Community Plan area, *subdivisions* creating 5,000 square foot *lots* consistent with the low *density* residential land use category;
- (F) Within the Sabre Springs Community Plan area, residential *development* on those parcels identified in Section 4.4 of the community plan;
- (G) Within the Scripps Miramar Ranch Community Plan area, residential *development* in Areas C or E as identified in the community plan; and
- (H) Within the Torrey Pines Community Plan area, all new *multiple-dwelling unit development*.

(2) and (3) [No change.]

(b) and (c) [No change.]

SEC. 127.0103 Review Process for Previously Conforming Premises and

Uses

[No change in first paragraph.]

[No change in Table 127-01A.]

Footnotes to Table 127-01A:

- (1) Applies to reconstruction of *previously conforming structures*, with *previously conforming density* or *previously conforming residential uses* with no limitation on cost. Applies to partial reconstruction of *structures* with *previously conforming nonresidential uses* (less than or equal to 50 percent of *market value* of entire *structure* or improvement).

(2) and (3) [No change.]

SEC. 127.0106 Expansion or Enlargement of Previously Conforming

Structures

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

- (c) Proposed expansion or enlargement of a *previously conforming structural envelope* where the expansion would comply with regulations, but which proposes a reduction less than or equal to 20 percent from a required *setback*, requires a Neighborhood Development Permit.

SEC. 127.0202 General Rules for Previously Conforming Signs

The following general rules apply to all *previously conforming signs*.

- (a) Except as specified in Section 127.0202(b), any *sign* that was constructed, erected, or affixed after April 5, 1973 in compliance with the Municipal Code, and which has subsequently become *previously conforming* shall maintain its *previously conforming* status until a proposal is made that requires a Sign Permit for the *previously conforming sign*.
- (b) [No change in text.]
- (c) [No change in text.]
- (d) [No change in text.]
- (e) [No change in text.]
- (f) [No change in text.]

SEC. 128.0310 Final Environmental Document Preparation, Distribution and Public Review

A final environmental document consisting of all information required by CEQA and the State CEQA Guidelines and any other information the Planning and Development Review Director may add shall be prepared and distributed for review.

(a) **Final Environmental Document Distribution**

At least 14 calendar days before the first public hearing or discretionary action on the project, the Planning and Development Review Director shall make all final environmental documents available to the public and decision makers and shall also mail copies of final environmental documents to the officially recognized community planning groups and

members of the public who commented on the draft document. Failure to provide this 14-calendar day review period shall not be treated as a procedural defect and shall not preclude discretionary action on the project when necessary to avoid conflict with time limits imposed by law. The Planning and Development Review Director shall provide a final EIR to any public agency that commented on the draft document consistent with CEQA.

(b) Comment on Final Environmental Document

The intent of the final review period is to provide other public agencies, the public, and the decision makers the opportunity to review the final document before the first public hearing or discretionary action on the project. No comments will be solicited and no written responses to comments on final environmental documents shall be prepared.

SEC. 128.0311 Certification of an Environmental Document

(a) Except as provided in Section 128.0311(b) and (c), before approving a *development permit* or other discretionary action, the decision maker shall certify that:

- (1) The final environmental document has been completed in compliance with CEQA and the State CEQA Guidelines; and
- (2) The information contained in the final environmental document reflects the independent judgment of the City of San Diego as the

Lead Agency and has been reviewed and considered by the decision maker before approving the project.

- (b) If the environmental document has been previously certified because the decision is being heard on appeal; because the City is acting as a Responsible Agency; or because of reuse of a previously certified document, subsequent discretionary approvals on the same project shall not require recertification of any previously certified environmental document prepared in connection with the project. In this case, the decision maker need not certify as required by Section 128.0311(a)(1) but shall state the information contained in Section 128.0311(a)(2) for the record. Nothing in this section shall be deemed to preclude the Planning and Development Review Director from reviewing the previously certified document to determine whether any supplemental information or document may be necessary.
- (c) If the decision maker denies the project, the environmental document need not be certified.

SEC. 128.0312 Adoption of Candidate Findings and Statement of Overriding Considerations by the Decision Maker

Before approving a project for which the final EIR identifies one or more significant effects, the decision maker shall adopt the required *findings* in accordance with the State CEQA Guidelines, Section 15091. When the decision to approve the project allows the occurrence of significant effects that are

identified in the final EIR but are not at least substantially mitigated, the decision maker shall make a statement of overriding considerations stating the specific reasons to support the decision based on the final EIR and other information in the record in accordance with the State CEQA Guidelines, Section 15093.

(a) Review of Further Information

If before making a decision, the decision maker determines that substantive additional information has been presented at the public hearing requiring further review, the decision maker may refer the information to the Planning and Development Review Director for analysis, provided the referral does not adversely affect any time limits imposed by law.

(b) Preparation of Adopted *Findings*

The adopted *findings* and the statement of overriding considerations shall be in writing and shall be based on the entire record of proceedings.

SEC. 128.0313 Notice of Determination

The Planning and Development Review Director shall file a Notice of Determination following each project approval (*date of final action*) for which an environmental document was considered. The contents of the Notice of Determination and procedures for its filing shall be consistent with the State CEQA Guidelines, Section 15075 and 15094.

SEC. 128.0314 Erroneous Information in Environmental Documents

(a) If the City Manager determines that an environmental document was certified based on erroneous information that was both material to, and had

a substantial effect on, the *findings* and conclusions of the document and any related statement of overriding considerations, the City Manager shall determine the need for corrective action. If the City Manager determines that necessary corrective action cannot be taken in accordance with the provisions of CEQA and the State CEQA Guidelines, the permit revocation authority and procedures in Sections 121.0313 through 121.0316 shall be used.

- (b) Section 128.0314(a) shall not apply if the information originally submitted was considered valid at the time of *certification* of the environmental document but later methodology establishes that the information is no longer valid.

Section 3. That Chapter 13, Article 1, Division 1, of the San Diego Municipal Code is amended by amending Section 131.0112; by amending Division 3, Section 131.0331; by amending Division 4, Sections 131.0431 and 131.0449; and by amending Article 2, Division 14, Sections 132.1402 and 132.1403, to read as follows:

SEC. 131.0112 Descriptions of Use Categories and Subcategories

- (a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

(1) through (10) [No change.]

(11) *Signs* Use Category

This category includes all *structures* that provide identification of businesses, products, services, or sites. The *sign* subcategory is:

Allowable Signs -- Structures that are placed on the ground, or on *building facades* or roofs, whose *sign copy* identifies a business, a *premises*, activities on a *premises*, or direction to a *premises*. See Section 142.1205.

(b) [No change.]

SEC. 131.0331 Development Regulations Table for Agricultural Zones

The following development regulations apply in the agricultural zones as shown in Table 131-03C.

**Table 131-03C
Development Regulations of Agricultural Zones**

Development Regulations	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-	1-	1-	1-
	4th »	1	2	1	2
Max Permitted Residential Density (DU Per Lot)		1 ⁽¹⁾	1 ⁽¹⁾	1 ⁽²⁾	1 ⁽³⁾
Min Lot Area (ac)		10	5	10	1
Min Lot Dimensions					
Lot Width (ft)		200	200	200	100 ⁽⁴⁾
Street Frontage (ft)		200	200	200	100 ⁽⁵⁾
Lot Depth (ft)		200	200	200	150
Setback Requirements					
Min Front Setback (ft)		25	25	25	25
Min Side Setback(ft)		20	20	20	20

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Development Regulations	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-	1-	1-	1-
	4th »	1	2	1	2
Min Rear Setback (ft)		25	25	25	25
Max Structure Height (ft) [See Section 131.0344]		30	30	30	30
Max Lot Coverage (%) ⁽⁷⁾		10	20	10	20
Min Floor Area ⁽⁶⁾		applies	applies	applies	applies

Footnotes for Table 131-03C

(1) through (5) [No change.]

(6) Each dwelling unit shall have a *gross floor area* of at least 650 square feet, not including the garage.

(7) *Structures* that are used to provide shade areas for growing plants, such as green houses and agricultural shade *structures*, are not included for determining *lot coverage*.

SEC. 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	Zone designator	Zones		
	1st & 2nd »	RE-		
	3rd »	1-	1-	1-
	4th »	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
street frontage (ft) [See Section 131.0442(a)]		200	200	100
Lot width (corner) (ft)		200	200	100
Lot depth (ft)		200	200	150
Setback requirements				
Min Front setback (ft) [See Section 131.0443(a)(1) and (2)]		25	25	25
Min Side setback (ft) [See Section 131.0443(a)(3)]		20	20	20
Min Street side setback (ft) [See Section 131.0443(a)(3)]		20	20	20
Min Rear setback (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 [No change.]

Table 131-04E

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Development Regulations of RX Zones

Development Regulations	Zone designator	Zones	
	1st & 2nd »	RX-	
	3rd »	1-	1-
	4th »	1	2
Maximum permitted <i>density</i> (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
<i>Setback requirements</i>			
Min Front <i>setback</i> (ft) [See Section 131.0443(b)(1)]		15	15
Min Side <i>setback</i> (ft) [See Section 131.0443(b)(2)]			
Detached		3/0	3/0
Attached		0	0
Min Street Side <i>Setback</i> (ft) [See Section 131.0443(b)(2)]		3	3
Min Rear <i>setback</i> (ft) [See Section 131.0443(b)(3)]		10	10
Max <i>structure height</i> (ft) [See Section 131.0444(c)]		30	30
Max <i>floor area ratio</i> [See Section 131.0446(c)]		0.70	0.80
<i>Accessory uses and structures</i> [See Section 131.0448(a),(b)]		applies	applies
<i>Garage regulations</i> [See Section 131.0449(a)]		applies	applies
<i>Building spacing</i> [See Section 131.0450]		applies	applies
<i>Architectural projections and encroachments</i> [See Section 131.0461(a)]		applies	applies
<i>Requirements for attached units</i> [See Section 131.0462]		applies	applies
<i>Roof design variation</i> [See Section 131.0463]		applies	applies
<i>Supplemental regulations</i> [See Section 131.0464(b)]		applies	applies
<i>Diagonal plan dimension</i> [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

Tables 131-04F [No change.]

(e) RM Zones

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

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
	1st & 2nd »	RM-					
	3rd »	1-	1-	1-	2-	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 131.0442(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(l)]		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					
	1st & 2nd »	RM-					
	3rd »	1-	1-	1-	2-	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⁾

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
	1st & 2nd »	RM					
	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 131.0442(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) Std Front Setback (ft)		10 ⁽¹¹⁾ 20 ⁽¹¹⁾	10 ⁽¹¹⁾ 20 ⁽¹¹⁾	10 ⁽¹¹⁾ 20 ⁽¹¹⁾	varies ⁽¹⁴⁾	varies ⁽¹⁴⁾	15 ⁽³⁰⁾
Min Side setback (ft) Std Side Setback (ft)		5 ⁽¹²⁾ -	5 ⁽¹²⁾ -	5 ⁽¹²⁾ -	varies ⁽¹⁴⁾ -	varies ⁽¹⁴⁾ -	4 ⁽³¹⁾ -
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⁾

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Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones					
	1st & 2nd »	RM					
	3rd »	3-	3-	3-	4-	4-	5
	4th »	7	8	9	10	11	12
<i>Setback requirements for resubdivided corner lots</i> [See Section 131.0443(l)]		applies	applies	applies	applies	applies	-
<i>Max structure height</i> (ft)		40	50	60	-	-	-
<i>Max lot coverage</i>		-	-	-	applies ⁽²¹⁾	applies ⁽²¹⁾	applies ⁽³⁴⁾
<i>Max floor area ratio</i>		1.80 ⁽²⁰⁾	2.25 ⁽²⁰⁾	2.70 ⁽²⁰⁾	3.60 ⁽²⁰⁾	7.20 ⁽²⁰⁾	1.80 ^{(20),(35)}
<i>Accessory uses and structures</i> [See Section 131.0448(a)]		applies	applies	applies	applies	applies	applies
<i>Lot consolidation regulations</i>		-	-	-	-	-	-
<i>Storage requirements</i> [See Section 131.0454]		applies	applies	applies	applies	applies	applies
<i>Private exterior open space</i>		applies ⁽²⁴⁾	applies ⁽²⁴⁾	applies ⁽²⁴⁾	applies ⁽²⁵⁾	applies ⁽²⁵⁾	applies ⁽²⁵⁾
<i>Common open space</i> [See Section 131.0456]		applies	applies	applies	applies	applies	applies
<i>Architectural Projections and encroachments</i>		Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾	Permitted ⁽¹⁶⁾
<i>Supplemental requirements</i>		applies ⁽²⁸⁾	applies ⁽²⁸⁾	applies ⁽²⁸⁾	-	-	-

Footnotes for Table 131-04G [No change.]

SEC. 131.0449 Garage Regulations in Residential Zones

(a) Garages within an Existing Embankment in the RE, RS, and RX Zones

Attached or detached garages, not exceeding 12 feet in height, including parapets and handrails, may encroach into the front and street side yards, as shown in Diagram 131-04P, subject to the following conditions:

(1) through (8) [No change.]

Remainder of section. [No change.]

SEC. 132.1402 Where the Community Plan Implementation Overlay Zone

Applies

(a) [No change.]

Table 132-14A

Community Plans with Property in the Community Plan Implementation Overlay

Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Clairemont Mesa (See Diagram 132-14A)	C-771.1, B-3951
College Area (See Diagram 132-14B)	C-761.1
Linda Vista (See Diagram 132-14C)	C-750
Midway/Pacific Highway Corridor (See Diagram 132-14D)	C-782
Navajo (See Diagram 132-14E)	C-779
Pacific Beach (See Diagram 132-14F)	B-3737.1, B-3857
Peninsula (See Diagram 132-14G)	C-744, C-781
Rancho Bernardo (See Diagram 132-14H)	C-773.1
Rancho Penasquitos (See Diagram 132-14I)	B-4025
University (See Diagram 132-14J)	C-725, C-751.2
Uptown (See Diagram 132-14K)	C-780.2

(b) [No change.]

SEC. 132.1403 Exception to the Community Plan Implementation Overlay

Zone

The City Manager may grant an exception to the requirements of this division for proposed *development* that is minor, temporary, or incidental and is consistent with the intent of this division. Exceptions made by the City Manger shall be filed with the office of the City Clerk.

Diagrams 132-14A through 132-141 [No change.]

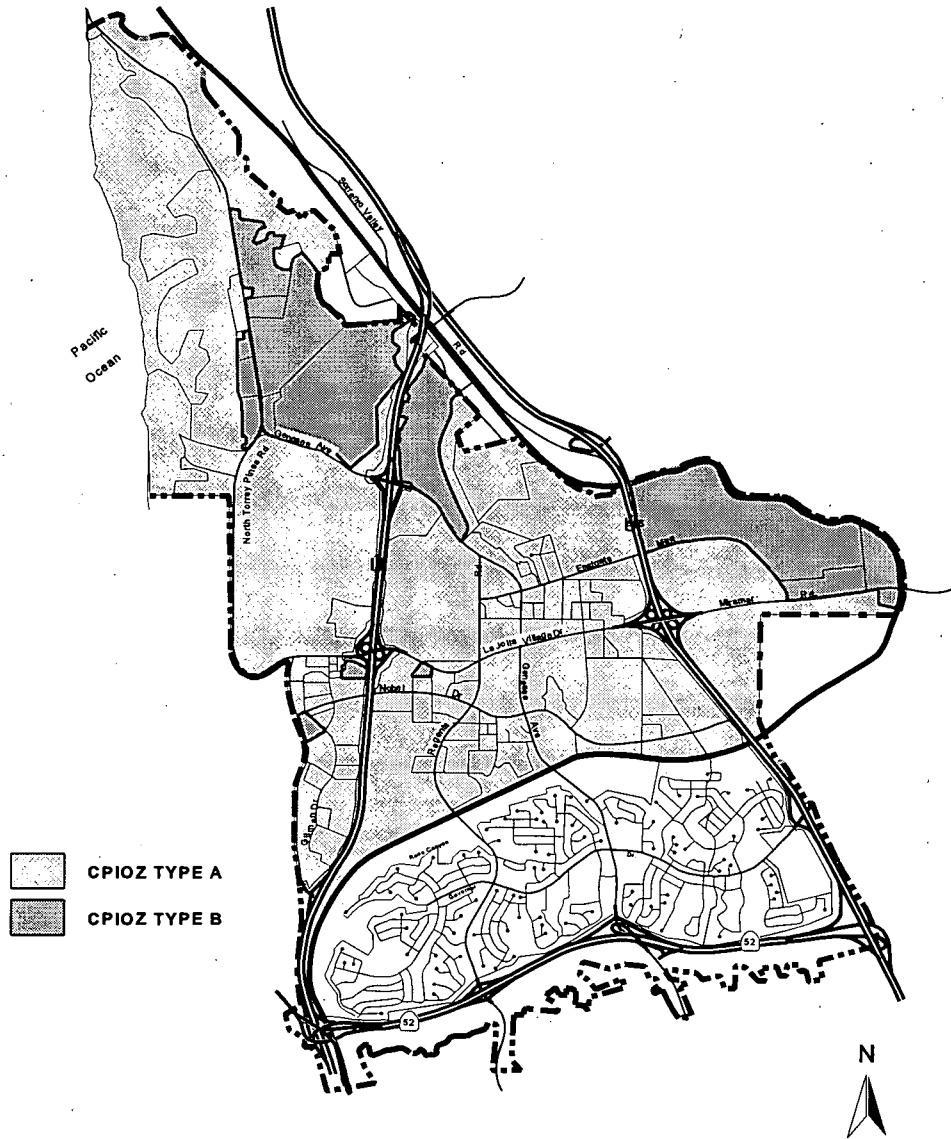


DIAGRAM 132-14J

University Community Plan Implementation Overlay Zone

this is a reproduction of Map Nos. C-725 & C-751.2G-751.4 for illustration purposes only.

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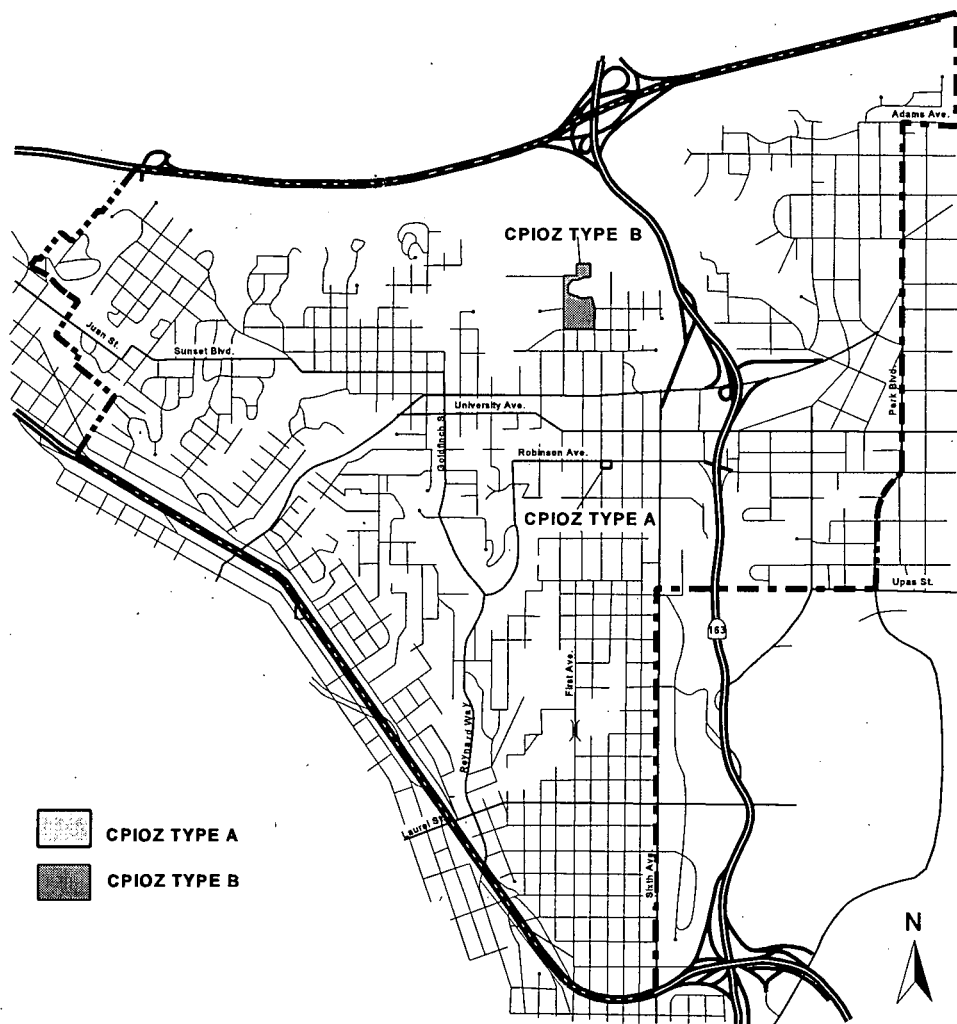


DIAGRAM 132-14K

Uptown Community Plan Implementation Overlay Zone
this is a reproduction of Map No. C-780.2(pp. 12, 13 & 18 of 32) for
illustration
purposes only.

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Section 4. That Chapter 14, Article 1, Division 3, of the San Diego Municipal Code is amended by amending Sections 141.0302, 141.0310, and 141.0312; by amending Division 4, Section 141.0405; by amending Article 2, Division 3, Sections 142.0310 and 142.0340; by amending Division 4, Section 142.0405; by amending Division 5, Section 142.0530; by amending Division 12, Sections 142.1250, 142.1290, and 142.1291; by amending Article 3, Division 1, Section 143.0142; and by amending Article 4, Division 2, by renumbering Section 114.0241 to 144.0241, to read as follows:

SEC. 141.0302 Companion Units

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) through (m) [No change.]

(n) *Roof decks*, including railings, shall not exceed the *structure height* limits in Section 141.0302(k) and (l).

(o) and (p) [No change.]

(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) through (7) [No change.]

(r) [No change.]

SEC. 141.0310 Housing for Senior Citizens

Housing for senior citizens 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) Housing for senior citizens shall meet the requirements of one of the following:

(1) "Housing for older persons" as defined in 42 United States Code, Section 3607(b) of the Fair Housing Act Amendments of 1988 and 24 Code of Federal Regulations, section 100.304; or

(2) [No change.]

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

SEC. 141.0312 Residential Care Facilities

[No change to first two paragraphs.]

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

- (j) Conversion of an existing garage or reduction in the amount of off-street parking to provide a residential care facility is not permitted.

SEC. 141.0405 Communication Antennas

- (a) This section regulates the following communication antennas.
 - (1) Minor telecommunication facilities: Antenna facilities used in wireless telephone services, paging systems, or similar services that meet the criteria in Section 141.0405(d)(1) or (2).
 - (2) Major telecommunication facilities: Antenna facilities that do not meet the criteria for minor telecommunication facilities in Section 141.0405(d)(1) or (2).
 - (3) Satellite antennas: Antennas capable of transmitting or receiving signals to or from a transmitter or a transmitter relay located in a planetary orbit. Satellite antennas include satellite earth stations, television-reception-only satellite antennas, and satellite microwave antennas.
- (b) [No change.]
- (c) All telecommunication facilities that are required to obtain encroachment authorization to locate on city-owned dedicated or designated parkland or open space areas shall comply with the following:
 - (1) The City Manager shall determine that the proposed facility would not be detrimental to the City's property interest; would not

preclude other appropriate uses; would not change or interfere with the use or purpose of the parkland or open space; and would not violate any deed restrictions related to City property, map requirements or other land use regulations.

(2) The proposed facility shall be integrated with existing park facilities or open space; shall not disturb the environmental integrity of the parkland or open space; and shall be disguised such that it does not detract from the recreational or natural character of the parkland or open space.

(3) The proposed facility shall be consistent with The City of San Diego Progress Guide and General Plan.

(d) Minor Telecommunication Facilities

[No change in first paragraph.]

(1) through (5) [No change.]

(e) Major Telecommunication Facilities

Major telecommunication facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three, except that major telecommunication facilities in dedicated or designated parkland and open space may be permitted with a Conditional Use Permit decided in accordance with Process Five, in the zones indicated with a "C" in the Use

Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(1) through (3) [No change.]

(f) Satellite Antennas

Satellite antennas are permitted as a limited use subject to Section 141.0405(d)(2), and may be permitted with a Neighborhood Use Permit subject to Section 141.0405(d)(3), or with a Conditional Use Permit decided in accordance with Process Three subject to Section 141.0405(d)(4).

- (1) Exemption. Satellite antennas that are 5 feet in diameter or smaller are permitted in all zones and are exempt from this section.
- (2) Limited Use Regulations. Satellite antennas that exceed 5 feet in diameter are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.
 - (A) Satellite antennas are not permitted within the *MHPA*.
 - (B) Satellite antennas are not permitted on properties that have been designated as *historical resources*.
 - (C) Satellite antennas shall not exceed 10 feet in diameter.
 - (D) Ground-mounted satellite antennas shall not exceed 15 feet in *structure height*.

- (E) Ground-mounted satellite antennas shall not be located in the *street yard*, *front yard*, or *street side yard* of a *premises*.
 - (F) Satellite antennas shall not be light-reflective.
 - (G) Satellite antennas shall not have any *sign copy* on them nor shall they be illuminated.
 - (H) Ground-, roof-, and pole-mounted satellite antennas shall be *screened* by fencing, buildings, or parapets that appear to be an integral part of the building, or by landscaping so that not more than 25 percent of the antenna height is visible from the *grade* level of adjacent property and adjacent *public rights-of-way*.
- (3) Neighborhood Use Permit Regulations. Proposed satellite antennas that do not comply with Section 141.0405(c)(2) may be permitted with a Neighborhood Use Permit subject to the following regulations.
- (A) Satellite antennas are not permitted within the *MHPA*.
 - (B) Satellite antennas are not permitted on properties that have been designated as *historical resources*.
 - (C) Satellite antennas shall not exceed 10 feet in diameter.
 - (D) Satellite antennas shall not be light-reflective.

(E) Satellite antennas shall not have any *sign copy* on them nor shall they be illuminated.

(F) [No change.]

(4) Conditional Use Permit Regulations. Proposed satellite antennas that exceed 10 feet in diameter may be permitted with a Conditional Use Permit decided in accordance with Process Three subject to the following regulations.

(A) Satellite antennas are not permitted within the *MHPA*.

(B) Satellite antennas are not permitted on properties that have been designated as *historical resources*.

(C) [No change.]

SEC. 142.0310 General Fence Regulations for All Zones

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

(c) *Fence Height in Required Front Yards and Required Street Side Yards*

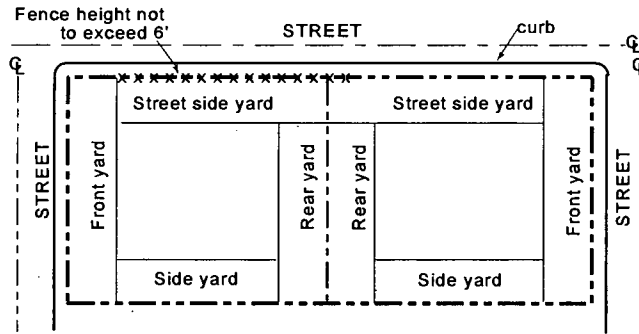
(1) through (3) [No change.]

(4) *Fence Height Exception in Required Street Side Yards*

Solid fences located in the required *street side yard* of a *lot* with a rear *yard* that abuts the rear *yard* of another *lot*, as shown in Diagram 142-03F, are permitted up to 6 feet in height.

Diagram 142-03F

Fence in Street Side Yard



(d) and (e) [No change.]

SEC. 142.0340 Retaining Wall Regulations in All Zones

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

(c) *Retaining Wall Height in Required Front Yards and Required Street Side Yards*

- (1) Two *retaining walls* with a maximum height of 3 feet each are permitted in the required front and *street side yard* if the two *retaining walls* are separated by a minimum horizontal distance equal to the height of the upper wall. See Diagram 142-03G.

(2) and (3) [No change.]

(d) *Retaining Wall Height in Required Side Yards and Required Rear Yards*

- (1) Two *retaining walls* with a maximum height of 6 feet each are permitted in the required side and rear *yard* if the two *retaining*

walls are separated by a minimum horizontal distance equal to the height of the upper wall. See Diagram 142-03G.

(2) [No change.]

(e) and (f) [No change.]

SEC. 142.0405 Additional Yard Planting Area and Point Requirements

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

(d) Additional industrial *yard* requirements:

(1) [No change.]

(2) **Facade Planting Area.** Within the *street yard*, a facade planting area, as shown in Diagram 142-04B, shall be provided that abuts the *street wall* and is at least equal to 50 percent of the length as determined by adding the lines connecting the outermost points of the structure along the street wall as shown in Diagram 142-0C, and that has a width of at least 9 feet measured perpendicularly to the building.

Diagram 142.04B and 142.04C [No change.]

The facade planting area shall be planted with a combination of trees and shrubs that achieves 0.5 points per square foot. Trees within this area must have a typical growth rate that can achieve a height of at least 20 feet within 8 years of being planted.

Shrubs at maturity shall achieve a minimum height of 4 feet. In

lieu of meeting the facade planting area and point requirements, the *applicant* may do one of the following:

- (A) [No change.]
- (B) **Place a minimum 6-foot-high solid wall between the *setback line* and the front of the *structure* that shall extend along the full width of the property, except at access points. The applicant shall provide tree plantings equal to one half of the required facade area planting points between the wall and the building street wall.**

(3) and (4) [No change.]

SEC. 142.1215 Types of Signs

- (a) and (b) [No change.]
- (c) *Signs Permitted by Higher Process*

The following are the types of *signs* that may be permitted with a Neighborhood Use Permit in accordance with Chapter 12, Article 6, Division 2.

(1) through (5) [No change.]

SEC. 142.0530 Nonresidential Uses -- Parking Ratios

- (a) [No change in first paragraph.]

**Table 142-05D
Parking Ratios for Retail Sales, Commercial Services, and Mixed-Use Development**

Zone	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
Commercial Zones				
CC-1-1 CC-2-1 CC-4-1 CC-5-1	2.5	2.1	6.5	0.1
CC-1-2 CC-2-2 CC-4-2 CC-5-2	2.5	2.1	6.5	0.1
CC-1-3 CC-2-3 CC-4-3 CC-5-3	5.0 ⁽³⁾	4.3	6.5	0.1
CC-3-4 CC-4-4 CC-5-4	2.5	2.1	6.5	0.1
CC-3-5	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	0.1
CC-3-5/Beach impact area ⁽⁵⁾	2.5	2.1	6.5	
CC-4-5	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	
CC-5-5	1.25	1.25	5.5	0.1
CN-1-1	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	0.1
CN-1-2	5.0	4.3	6.5	0.1
CN-1-3	2.5	2.1	6.5	0.1
CR-1-1 CR-1-2	5.0 ⁽³⁾	4.3	6.5	0.1
CO-1-1 CO-1-2	5.0	4.3	6.5	0.1
CV-1-1	5.0	4.3	6.5	0.1
CV-1-2	2.5	2.1	6.5	0.1
Industrial Zones				
IH-1-1 IH-2-1	5.0	4.3	6.5	0.1

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Zone	Parking Spaces Required per 1,000 Square Feet of Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a <i>Transit Area</i>	Minimum Required Within a <i>Transit Area</i> ⁽¹⁾	Maximum Permitted	Minimum Required
IL-1-1 IL-2-1 IL-3-1	5.0	4.3	6.5	0.1
IP-1-1 IP-2-1	5.0	4.3	6.5	0.1
IS-1-1	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	0.1
Planned Districts				
Barrio Logan: Subdistrict B	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	0.1
Barrio Logan: Except Subdistrict B	2.5	2.1	6.5	0.1
Carmel Valley	5.0	4.3	6.5	0.1
Cass Street	2.0	2.0	6.5	0.1
Golden Hill	1.25	1.25	5.5	0.1
La Jolla	1.7	1.7	5.5	0.1
La Jolla Shores	1.0	1.0 ⁽⁶⁾	5.5	0.1
Mid-City: CN-3 and CV-3	1.25	1.25	5.5	0.1
Mid-City: Except CN-3, CV-3	2.5	2.1	6.5	0.1
Mount Hope	3.3	2.8	6.5	0.1
Mission Valley: CV	2.5	2.1	6.5	0.1
Mission Valley: Except CV	5.0	4.3	6.5	0.1
Otay Mesa	5.0	4.3	6.5	0.1
Old Town	4.0	3.4	6.5	0.1
Southeast San Diego	2.5	2.1	6.5	0.1
San Ysidro	2.5	2.1	6.5	0.1
West Lewis Street	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	5.5	0.1

Footnotes For Table 142-05D

(1) through (6) [No change.]

b) [No change.]

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**Table 142-05E
Parking Ratios for Eating and Drinking Establishments**

Zone	Parking Spaces Required per 1,000 Square Feet of Eating and Drinking Establishment ⁽³⁾ Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
Commercial Zones				
CC-1-1 CC-2-1 CC-4-1 CC-5-1	2.5	2.1	25.0	0.1
CC-1-2 CC-2-2 CC-4-2	2.5	2.1	25.0	0.1
CC-5-2	2.5	2.1	25.0	0.1
CC-4-2/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-1-3 CC-2-3 CC-4-3 CC-5-3	15.0	12.8	25.0	0.1
CC-3-4 CC-4-4	2.5	2.1	25.0	0.1
CC-4-4/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-5-4	2.5	2.1	25.0	0.1
CC-3-5	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	0.1
CC-3-5/Coastal Overlay Zone ⁽⁴⁾	5.0	4.3	25.0	0.1
CC-4-5	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	
CC-5-5	1.25	1.25	20.0	0.1
CN-1-1	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	0.1
CN-1-2	15.0	12.8	25.0	0.1
CN-1-3	2.5	2.1	25.0	0.1
CR-1-1 CR-1-2	15.0	12.8	25.0	0.1
CO-1-1 CO-1-2	15.0	12.8	25.0	0.1
CV-1-1	15.0	2.1	25.0	0.1

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Zone	Parking Spaces Required per 1,000 Square Feet of Eating and Drinking Establishment ⁽³⁾ Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area ⁽¹⁾	Maximum Permitted	Minimum Required
CV-1-2	5.0	4.3	25.0	0.1
Industrial Zones				
IH-1-1 IH-2-1	15.0	12.8	25.0	0.1
IL-1-1 IL-2-1 IL-3-1	15.0	12.8	25.0	0.1
IP-1-1 IP-2-1	15.0	12.8	25.0	0.1
IS-1-1	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	0.1
Planned Districts				
Barrio Logan: Subdistrict B	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	0.1
Barrio Logan: Except Subdistrict B	2.5	2.1	20.0	0.1
Carmel Valley	15.0	12.8	25.0	0.1
Cass Street	5.0	4.3	25.0	0.1
Golden Hill	1.25	1.25	20.0	0.1
La Jolla	5.0	4.3	20.0	0.1
La Jolla Shores	1.0	1.0 ⁽⁶⁾	20.0	0.1
Mid-City: CN-3 and CV-3	1.25	1.25	20.0	0.1
Mid-City: Except CN-3, CV-3	2.5	2.1	25.0	0.1
Mount Hope	3.3	2.8	25.0	0.1
Mission Valley: CV	5.0	4.3	25.0	0.1
Mission Valley: Except CV	15.0	12.8	25.0	0.1
Otay Mesa	15.0	12.8	25.0	0.1
Old Town	4.0	3.4	25.0	0.1
Southeast San Diego	5.0	4.3	25.0	0.1
San Ysidro	5.0	4.3	25.0	0.1

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Zone	Parking Spaces Required per 1,000 Square Feet of Eating and Drinking Establishment ⁽³⁾ Floor Area Unless Otherwise Noted (Floor Area Includes Gross Floor Area plus below Grade Floor Area and Excludes Floor Area Devoted to Parking)			
	Required Automobile Parking Spaces			Required Bicycle Parking Spaces ⁽²⁾
	Minimum Required Outside a <i>Transit Area</i>	Minimum Required Within a <i>Transit Area</i> ⁽¹⁾	Maximum Permitted	Minimum Required
West Lewis Street	1.0 ⁽⁶⁾	1.0 ⁽⁶⁾	20.0	0.1

Footnotes For Table 142-05E

(1) through (6) [No change.]

(c) [No change.]

Table 142-05F [No change.]

(d) [No change.]

SEC. 142.1250 Permanent Secondary Signs in Commercial and Industrial Zones

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

(h) Theater lobby *signs* located on the walls of lobbies that are roofed and open on one side only shall not be calculated as permitted *wall sign* area, if any of the following circumstances exists:

(1) [No change.]

(2) The open *side* of the lobby does not front a *public right-of-way*;

or

(3) [No change.]

(i) through ((k) [No change.]

SEC. 142.1290 La Jolla Commercial and Industrial Sign Control District

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

(e) **On-Premises Sign Regulations for Subdistrict B**

(1) through (6) [No change.]

SEC. 142.1291 Ocean Beach Sign Enhancement District

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

(e) **Abatement**

All *signs* are subject to the abatement procedures as set forth in Chapter 12, Article 1, Division 5 (Sign Violations and Enforcement Procedures), except that those *signs* specifically prohibited in this district and typically allowed in the *Sign Regulations*, which are not in compliance with this section shall not be subject to abatement.

SEC. 143.0142 Development Regulations for Steep Hillides

[No change in first paragraph.]

(a) **Allowable Development Area**

(1) through (3) [No change.]

(4) [No change in first paragraph.]

(A) [No change.]

(B) For the purpose of Section 143.0142(a)(4), the development area shall include Zone 1 brush management pursuant to

the Landscape Regulations in Chapter 14, Article 2,
Division 4.

(C) through (D) [No change.]

(E) In the approval of any Coastal Development Permit for a *subdivision*, and any other division of land, including lot splits, no encroachment into *steep hillsides* containing *sensitive biological resources*, or mapped as Viewshed or Geologic Hazard on Map C-720 shall be permitted, and the decision maker shall require a minimum 30 foot setback for Zone 1 brush management for *coastal development* from such *steep hillsides*.

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

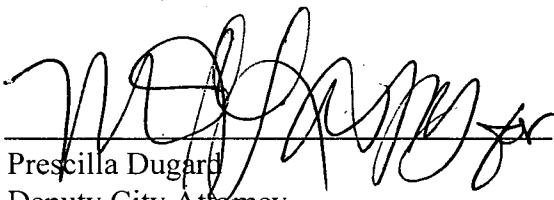
SEC. 144.0241 Fees for Sewer or Drainage Facilities

[No change.]

Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

PD:MJL:cdk
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