

Article 3: Supplemental Development Regulations

**Division 3: Supplemental Neighborhood Development Permit
and Site Development Permit Regulations**

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

**§143.0301 Purpose of Supplemental Neighborhood Development Permit and Site
Development Permit Regulations**

The purpose of these regulations is to provide standards for the evaluation of projects which, because of their size, location, community significance, or other identified characteristic, are required to obtain a Neighborhood Development Permit or Site Development Permit. It is intended that these supplemental regulations, in combination with the development regulations of the applicable zone, create the type of *development* envisioned by the applicable *land use plan*.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

**§143.0302 When Supplemental Neighborhood Development Permit and Site Development
Permit Regulations Apply**

This Division applies to any *development* proposal for which a Neighborhood Development Permit or Site Development Permit is required as described in Sections 126.0402 and 126.0502, in accordance with Table 143-03A.

Legend for Table 143-03A

NDP	Neighborhood Development Permit
SDP	Site Development Permit

**Table 143-03A
Supplemental Neighborhood Development Permit or Site Development Permit
Regulations Applicability**

Type of <i>Development Proposal</i>	Applicable Sections	Required <i>Development Permit/Decision Process</i>
Affordable housing, in-fill projects, and sustainable buildings projects as described in Section 143.0915 where a Site Development Permit or Planned Development Permit would otherwise be required.	126.0503, 126.0603, 143.0303, 143.0305, 143.0910, 143.0915, 143.0920	NDP/Process Two
<i>Development of a large retail establishment of 50,000 or more square feet gross floor area in all commercial, industrial, and mixed-use zones, and in all planned districts, except the Centre City Planned District</i>	143.0303, 143.0305, 143.0355, 143.0375	NDP/Process Two
<i>Development of a large retail establishment of 100,000 or more square feet gross floor area in all commercial, industrial, and mixed-use zones, and in all planned districts</i>	143.0303, 143.0305, 143.0355, 143.0375	SDP/Process Four
Site Containing <i>Environmentally Sensitive Lands</i>	143.0101-143.0160, 143.0303, 143.0305, 143.0350, 143.0375, 143.0380	NDP/Process Two or SDP/Process Three or Four
<i>Any capital improvement program project on a Site Containing Environmentally Sensitive Lands</i>	143.0101-143.0160, 143.0303, 143.0305, 143.0350, 143.0375, 143.0380	SDP/Process CIP-Two or SDP/Process CIP-Five

Type of Development Proposal	Applicable Sections	Required Development Permit/Decision Process
<i>Any capital improvement program project on a Site Containing Historical Resources</i>	143.0201, 143.0260, 143.0303, 143.0305, 143.0360, 143.0375, 143.0380	SDP/Process CIP-Two or SDP/Process CIP-Five
<i>Site Containing Historical Resources</i>	143.0201, 143.0240, 143.0260, 143.0303, 143.0305, 143.0360, 143.0375, 143.0380	NDP/Process Two or SDP/Process Four
<i>Fences or Retaining Walls Exceeding the Permitted Height</i>	143.0303, 143.0305, 142.0350, 143.0375	NDP/Process Two
<i>Relocated Building Onto a Site With an Existing Building</i>	143.0303, 143.0305, 143.0345, 143.0375	NDP/Process Two
<i>Site with Previously Conforming Conditions</i>	127.0102-127.0106, 143.0303, 143.0305, 143.0375	NDP/Process Two
<i>Nonresidential Development Exceeding the Maximum Permitted Parking</i>	142.0540(b), 143.0303, 143.0305, 143.0375	NDP/Process Two
<i>Shared Parking for Uses Not Listed in Section 142.0545(c)</i>	142.0545(b)(7), 143.0303, 143.0305, 143.0375	NDP/Process Two
<i>Previously Conforming Parking for a discontinued use</i>	142.0510(d)(4), 143.0303, 143.0305, 143.0375	NDP/Process Two
<i>Mobilehome Parks in RM Zones</i>	143.0303, 143.0305, 143.0340, 143.0375	NDP/Process Two
<i>Mobilehome Parks in RS, RX Zones</i>	143.0303, 143.0305, 143.0340, 143.0375	SDP/Process Three
<i>Discontinuance of Mobilehome Park</i>	143.0610-143.0640, 132.0701-132.0705, 143.0303, 143.0305, 143.0375	SDP/Process Three
<i>Multiple Dwelling Unit Development that Varies from Minimum Parking Requirements</i>	142.0525(b), 143.0303, 143.0305, 143.0375, 143.0380	SDP/Process Three

Type of Development Proposal	Applicable Sections	Required Development Permit/Decision Process
Nonresidential <i>Development</i> (With TDM Plan) that Varies from Minimum Parking Requirements	142.0525(b), 143.0303, 143.0305, 143.0375, 143.0380	SDP/Process Three
Community Plan Implementation Overlay Zone	132.1401-132.1405, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process Three
Mission Trails Design District	132.1201-132.1205, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process Three
<i>Development</i> of a small lot subdivision in accordance with Section 143.0365	143.0303, 143.0305, 143.0310, 143.0365, 143.0375	SDP/Process Three
<i>Development</i> Within the Urban Village Overlay Zone	132.1101-132.1110, 143.0303, 143.0305, 143.0375, 143.0380	SDP/Process Three
<i>Public improvements</i> on More Than 3,000 Feet of Frontage or Where City Standards Do Not Apply	142.0601-142.0670, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process Three
<i>Any capital improvement program project</i> on More Than 3,000 Feet of Frontage or Where City Standards Do Not Apply	142.0601-142.0670, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process CIP-Two
Manufactured Slopes in Excess of 25% Gradient and 25 Feet in Height	142.0101-142.0149, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process Three
<i>Condominium Conversions</i> with Deviations from Development Regulations	143.0303, 143.0305, 143.0360, 143.0375	SDP/Process Four
Clairemont Mesa Height Limit Overlay Zone	132.1301-132.1306, 143.0303, 143.0305, 143.0375,143.0380	SDP/Process Five

Type of <i>Development</i> Proposal	Applicable Sections	Required <i>Development</i> Permit/Decision Process
<i>Development</i> requesting a deviation from the Climate Action Plan Consistency Regulations in Chapter 14, Article 3, Division 14.	143.0303, 143.0305, 143.0375	NDP/Process Two

(Amended 6-3-2003 by O-19186 N.S.)
(Amended 2-9-2006 by O-19461 N.S.; effective 3-9-2006.)
(Amended 7-5-2006 by O-19505 N.S.; effective 8-5-2006.)
(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)
(Amended 11-13-08 by O-19803 N.S.; effective 12-13-2008.)
(Amended 10-22-2013 by O-20309 N.S.; effective 12-12-2013.)
(Amended 5-5-2015 by O-20483 N.S.; effective 6-4-2015)
(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)
(Amended 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)
(Amended 3-22-2018 by O-20920 N.S.; effective 4-21-2018.)
(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)
(Amended 9-12-2019 by O-21118 N.S.; effective 10-12-2019.)
(Amended 1-8-2020 by O-21164 N.S.; effective 2-9-2020.)
(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)
(Amended 9-21-2022 by O-21528 N.S; effective 10-23-2022.)

§143.0303 Permitted Uses with Neighborhood Development Permits and Site Development Permits

The following regulations apply to all Neighborhood Development Permits or Site Development Permits.

- (a) The uses permitted with a Neighborhood Development Permit or Site Development Permit are those uses permitted by the applicable zone, unless otherwise specified in these supplemental regulations. Limited uses and uses requiring a Neighborhood Use Permit or Conditional Use Permit are permitted subject to the requirements of the applicable zone. A Neighborhood Development Permit or Site Development Permit may not be used to permit any deviations from the use regulations of the applicable zone.
- (b) Changes of use on a *premises* do not require an amendment of the approved Neighborhood Development Permit or Site Development Permit if the proposed use is permitted in the applicable zone and complies with Sections 126.0112 or 126.0113.
- (c) After construction of a *development* in accordance with a Neighborhood Development Permit or Site Development Permit, proposed uses that require a Neighborhood Use Permit or Conditional Use Permit may be permitted without an amendment to the Neighborhood Development Permit or Site Development Permit, unless the amendment involves exterior modifications to the *premises* that are not in *substantial conformance* with the approved Neighborhood Development Permit or Site Development Permit.

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

(Amended 1-8-2020 by O-21161 N.S.; effective 2-9-2020.)

§143.0305 Applicable Development Regulations for All Neighborhood Development Permits and Site Development Permits

All projects for which a Neighborhood Development Permit or Site Development Permit is required are subject to the development regulations of the applicable zone, including applicable regulations in Chapter 14, Article 2 (General Development Regulations) and the applicable supplemental regulations as identified in Table 143-03A. Where there is a conflict between the requirements of the applicable zone and the supplemental regulations, the supplemental regulations apply.

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

§143.0310 Supplemental Site Development Permit Regulations for Residential Development

Development subject to this section, as indicated on Table 143-03A, is subject to the following supplemental regulations in addition to any other regulations of the applicable zone and this division.

- (a) *Development* is subject to the land use and *density* regulations of the applicable *land use plan* in effect for the premises.
- (b) *Density* and Intensity
 - (1) The number of dwelling units or *gross floor area* proposed on the *premises* shall not exceed that set forth by the applicable zone and the applicable *land use plan* and shall be based on the area of the entire *premises*. The dwelling units and *gross floor area* may be distributed without regard to the proposed *lot* boundaries.
 - (2) If the *premises* is located in two or more zones, the maximum number of dwelling units or the *gross floor area* permitted on the *premises* shall be the sum of the dwelling units or the *gross floor area* permitted in each of the zones and may be distributed without regard to the zone.
 - (3) If the proposed *development* includes property that is shown as part of an open space system on the applicable *land use plan* and is accepted by the City as dedicated open space, that portion of the property may be included in the calculation of the overall project *density* using the *density* of the base zone.
 - (4) The areas of the *premises* that are designated for *streets* or private streets may not be used in the calculation of maximum *density*.
 - (5) The areas of the *premises* that are designated for private drives may be used in the calculation of maximum *density*.

(c) Parking and Access

- (1) Identified pedestrian access shall be provided from all building entrances to the *public right-of-way*.
- (2) Parking areas and vehicular access drives shall be located to minimize impacts to pedestrian circulation, public *street* systems, and adjacent properties.

(d) Public Transportation

Access to or improvements for public transportation shall be provided as required by the Metropolitan Transit Development Board.

(e) *Fences* and Walls

- (1) All perimeter *fences* and walls shall be designed to be an integral part of the overall project design.
- (2) *Fences* and walls that are generally parallel to the *public right-of-way* and that exceed 100 feet in length shall be articulated with vertical elements spaced at no more than 25 feet on center. The vertical elements shall be a minimum of 12 inches wide.

(f) *Accessory Structures*

Accessory structures within the *development* shall be architecturally consistent with the primary buildings on the *premises*.

(g) Open Space

- (1) If the *premises* is located in two or more residential zones, the amount of open space required is the sum of the open space required in each of the residential zones and may be distributed with out regard to the zone boundaries.
- (2) All common open space intended for active use must be moderately level land with an overall gradient not exceeding 10 percent and located so that it is readily accessible to the occupants, employees, and guests of the *development*.

- (3) For *multiple dwelling unit* projects, at least 300 square feet of the total common open space required by the applicable zone shall be located in a single common area with no dimension less than 15 feet in any direction. Additionally, proposed *developments* exceeding 10 dwelling units shall contain, within the common area, at least one of the following recreational amenities: a tot lot, a barbecue area with picnic table and shade *structure*, a sport court or field, a swimming pool, or a golf course.
- (4) Recreational facilities shall be designed to serve only the occupants and guests of the *development*.

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

§143.0340 Supplemental Neighborhood Development Permit and Site Development Permit Regulations for Mobilehome Parks

The following supplemental regulations apply to Neighborhood Development Permits and Site Development Permits for *mobilehome parks*.

- (a) *Maximum Density*
 - (1) Within the RM zones, the maximum *density* is one dwelling unit per 3,000 square feet of lot area.
 - (2) Within the RS and RX zones, the maximum number of dwelling units is that permitted by the applicable zone. The dwelling units are not required to be located on individual *lots* within the *mobilehome park*.
 - (3) The maximum permitted *density* may be exceeded in accordance with Chapter 14, Article 3, Division 7 (Affordable Housing Regulations).
- (b) *Minimum Size of Mobilehome Park*

The minimum size of a *mobilehome park* is 3 acres.
- (c) *Minimum Space Area for each Mobilehome*
 - (1) For each single-section unit, the minimum space area is 1,600 square feet.
 - (2) For each multi-section unit, the minimum space area is 2,000 square feet.

(d) Minimum Dimensions of a *Mobilehome Park*

- (1) The minimum lot width of the *mobilehome park* is 100 feet.
- (2) The minimum lot depth of the *mobilehome park* is 100 feet.

(e) Minimum Width of Individual *Mobilehome Space*

The minimum width dimension for individual *mobilehome spaces* is 26 feet.

(f) Perimeter Buffer Requirement

A 20-foot-wide buffer shall be provided on the perimeter of the *mobilehome park*, except for vehicular and pedestrian access points, and shall consist of a combination of landscaping, berms, and low decorative walls, sufficient to *screen the mobilehome park* from adjacent properties.

(g) Pedestrian Access

Where applicable, pedestrian access shall be provided between the *mobilehome park* and adjacent land uses, consistent with the Transit Oriented Development Guidelines of the Land Development Manual.

(h) Minimum *Setback* Requirements for Individual *Mobilehome Spaces*

Individual *mobilehome spaces* shall observe the *setbacks* as set forth in Table 143-03B.

**Table 143-03B
Mobilehome Space Setback Requirements**

Description	Setback
Front <i>Mobilehome Space Setback</i>	8 feet, measured from a private drive within the <i>mobilehome park</i>
Side <i>Mobilehome Space Setback</i>	4 feet 0-foot is permitted provided the opposite side <i>mobilehome space setback</i> is at least 8 feet
Private Street Side <i>Mobilehome Space Setback</i>	8 feet, measured from a private drive within the <i>mobilehome park</i>
Rear <i>Mobilehome Space Setback</i>	3 feet 8 feet if abutting a private drive

(i) Maximum Coverage

The maximum permitted coverage for individual *mobilehome* spaces is 75 percent, including the *mobilehome* and any other enclosed *structures*.

(j) Common Area Open Space and Recreational Amenities

(1) At least 250 square feet of usable common open space is required for each *mobilehome*, not including driveways, walks, *streets*, parking and service areas. The common usable open space shall have no dimension less than 25 feet or at least 10 percent of the gross project area shall be devoted to usable common open space and active-use recreational facilities.

(2) Common area open space requirements shall be separate from the perimeter buffer requirement.

(k) Required Resident Parking

Two parking spaces are required per *mobilehome* space, subject to the following:

(1) At least one required parking space must be located on the *mobilehome* space;

(2) Required parking located off of a *mobilehome* space must be sited within 200 feet from the home it is intended to serve; and

(3) If both parking spaces are provided on the *mobilehome* space, the parking may be provided in tandem.

(l) Required Guest Parking

There shall be 0.20 guest parking spaces provided for each *mobilehome* space in addition to the required resident parking spaces. The required guest spaces shall be evenly distributed throughout the *mobilehome park*.

(m) Carport Requirement

Each *mobilehome* space shall contain at least one single-car carport or fully enclosed garage. All carports shall include at least 50 square feet of built-in storage area.

(n) Landscaping Requirement

Landscaping is required as part of the perimeter buffer requirement and common open space requirements. Additionally, at least 25 percent of the total area of the required front, side, and rear *yards* on individual *mobilehome* spaces shall be landscaped with a combination of grass, shrubs, and trees.

(o) Required Refuse Collection Area

A refuse storage space that is *screened* from public view shall be provided for each individual *mobilehome* space and each common open space area that contains recreation facilities.

(p) Minimum Street-Width and Sidewalk Requirement

- (1) Private drives internal to the *mobilehome park* shall be at least 32 feet wide if car parking is permitted on only one side of the *street*.
- (2) Private drives internal to the *mobilehome park* shall be at least 40 feet wide if car parking is permitted on both sides of the *street*.
- (3) Private drives internal to the *mobilehome park* shall be at least 20 feet wide if car parking is not permitted on either side of the *street*.
- (4) Paved sidewalks that are at least 4 feet wide shall be provided on at least one side of every *street* in the *mobilehome park*.

(q) *Mobilehome* Separation Requirements

Mobilehomes shall be separated from other *mobilehomes* by at least the following dimensions, measured from *structure* to *structure*:

- (1) 8 feet from side to side;
- (2) 8 feet from side to front or rear; and
- (3) 6 feet from rear to rear, or front to front, or front to rear.

(r) Projections and Overhangs

- (1) Projections, including roof overhangs, may encroach into the required *mobilehome* space *setback* areas that are not adjacent to private drives, provided they are no closer than 3 feet to the boundary line of the *mobilehome* space.

- (2) Projections, including roof overhangs, may encroach into the required *mobilehome space setback* area or *mobilehome* separation area, provided that a minimum 6-foot separation is maintained between the edge of the projection and an adjacent mobilehome, building, *accessory structure*, or its projection. A minimum distance of 3 feet must be maintained from the *mobilehome* projection and the adjacent *mobilehome* space boundary.
- (s) Additional Regulations
 - (1) Siding shall be of nonreflective material.
 - (2) Roofing shall be of nonreflective material consisting of concrete tiles; fiberglass shingles; or composition shingles, shakes, or tiles.
 - (3) Eaves shall be between 12 and 16 inches in length, measured from the vertical side of the exterior wall.
 - (4) All site-added *structures* including steps, stoops, porches, and parking *structures* shall conform to the applicable provisions of the Uniform Building Code.
 - (5) The exterior of the perimeter of all foundations shall conform to the applicable provisions of the Uniform Building Code and shall consist of poured concrete, masonry, or approved all-weather material. If the perimeter material is not masonry or concrete, it shall match the siding material of the *mobilehome*.

(t) Discontinuance Policy

Discontinuance of a *mobilehome park* requires compliance with all regulations of Chapter 14, Article 3, Division 6 (Mobilehome Park Discontinuance and Tenant Relocation Regulations).

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

(Amended 3-22-2018 by O-20916 N.S.; effective 4-21-2018.)

§143.0345 Supplemental Neighborhood Development Permit Regulations for Relocated Buildings

- (a) The following regulations apply to a Neighborhood Development Permit for any *premises* to which a building is proposed to be relocated and at least one existing building on the *premises* will remain. The proposed *development* including the relocated building is subject to all development and use regulations of the applicable zone.
- (b) The placement and design of the relocated building shall be compatible with other buildings on the *premises* in terms of building orientation, *floor area ratio*, height and number of *stories*, roof design and composition of roofing materials, and siding and surface materials type.
- (c) The foundation along the exterior perimeter of the relocated building shall conform to the Building Regulations and shall consist of poured concrete, masonry, or approved all-weather material. If the foundation material is not masonry or concrete, it shall match the siding material of the building.

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

§143.0350 Supplemental Neighborhood Development Permit and Site Development Permit Regulations for Environmentally Sensitive Lands

The following regulations apply to Neighborhood Development Permits and Site Development Permits required because of potential impacts to *environmentally sensitive lands* in addition to other indicated supplemental regulations.

- (a) Lot Dimensions. Deviations may be permitted from the minimum lot dimensions required by the applicable zone if necessary to comply with Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).
- (b) Lot Area. Within the *MHPA* only, a deviation may be permitted from the minimum *lot size* requirement of the OR-1-2 zone if necessary to accommodate *development* within the *development* area and facilitate *dedication* of the remainder of the *premises*. This does not permit a deviation from the maximum permitted residential *density* for the OR-1-2 zone for the entire *premises*.

- (c) *Setback* Requirements. A deviation of up to 20 percent may be permitted from any required *setback* if necessary to comply with Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations), except that a deviation from the front *setback* in the RS or RE zones shall not be permitted in addition to what is permitted by Section 131.0443(a)(1), when applicable.

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

§143.0355 Supplemental Neighborhood Development Permit and Site Development Permit Regulations for Large Retail Establishments

The following supplemental regulations apply to *development of large retail establishments*. The purpose of these regulations is to provide standards for the evaluation of *large retail establishments*. The intent of these regulations is to minimize *development* footprint, preserve community character, create a pedestrian scale environment, and promote a diversity of uses in accordance with the General Plan.

- (a) Minimum Setbacks

A large retail establishment shall have a minimum front and street side setback of 8 feet. Architectural features as defined in Section 143.0355(b) are permitted to encroach a maximum of 4 feet into the required front and street side yards.

- (b) Building Articulation

A large retail establishment shall incorporate architectural features from at least four of the following eight categories:

- (1) Pilasters
- (2) Trellises
- (3) Awnings or extended covered entries
- (4) Arcades
- (5) Varied roof lines or roof cornices
- (6) A minimum of three material changes, such as glazing, tile, stone, or varied pattern/texture shall be provided in street (facing) wall surfaces, where no one material shall cover less than 10 percent of the wall area or more than 60 percent of the wall area.

- (7) A minimum of 25 percent of street wall area transparent with clear glass visible into a commercial use, or a minimum of 25 percent of street wall area covered with display windows.
- (8) Clerestory windows
- (c) Pedestrian Paths

Pedestrian access and pathways shall be designed to provide an interconnected network for pedestrian travel between buildings within the same *development* in accordance with Section 131.0550.

- (d) Landscaping Requirements

Landscape for *large retail establishments* shall comply with Sections 142.0404, 142.0405 and 142.0406.

- (e) Expansion or Enlargement or Change in Use of Existing Structures
Proposed expansion or enlargement or a change in use of a *previously conforming large retail establishment* is subject to Section 127.0106(e) and the supplemental regulations in Section 143.0355(a) and (c), and Section 142.0410.

(Added 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)

§143.0360 Supplemental Neighborhood Development Permit and Site Development Permit Regulations for Historical Resources

The following regulations apply to Neighborhood Development Permits and Site Development Permits required because of potential impacts to *historical resources* in addition to other indicated supplemental regulations.

- (a) For *development* on sites containing *traditional cultural properties* or *important archaeological sites*, a deviation from one or more of the development regulations of the base zone may be approved to reduce impacts to the resource, subject to the regulations in Section 126.0404.
- (b) For sites that receive a relocated *designated historical resource* through a Site Development Permit in accordance with Sections 126.0505(h), 143.0210, and 143.0250, a deviation from one or more of the development regulations of the base zone may be approved in order to accommodate the *designated historical resource* on the new site in a manner consistent with the U.S. Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties, subject to the regulations in Section 126.0504.

- (c) For *development* proposing substantial alteration (other than relocation) or demolition of a *designated historical resource*, deviations from the development regulations of the base zone may not be approved under Section 143.0240.

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

(Amended 3-22-2018 by O-20920 N.S.; effective 4-21-2018.)

§143.0365 Supplemental Site Development Permit Regulations for Small Lot Subdivisions

The purpose of these regulations is to provide supplemental regulations for *development of single dwelling units* in a *small lot subdivision*.

A *small lot subdivision* is the subdivision of multi-family zoned land, consistent with the *density* of the zone, for the construction of *single dwelling units*.

The intent is to encourage *development of single dwelling units* on *small lots* in order to provide a space-efficient and economical alternative to traditional *single dwelling unit development*. It is also the intent of these regulations to provide pedestrian-friendly *developments* that are consistent with the neighborhood character.

The following supplemental regulations apply to a Site Development Permit for a *small lot subdivision*.

- (a) A *small lot subdivision development* is permitted in the RM-1-1 through RM-3-8 (Residential Multiple Unit) Zones, and zones with comparable *density* in the Planned Districts regulated in Chapter 15.
- (b) A *dwelling unit* may have a maximum of three bedrooms.
- (c) A *small lot subdivision development* shall comply with the regulations in Table 143-03C and the supplemental regulations in this section.

**Table 143-03C
Development Regulations for Small Lot Subdivisions**

Max permitted <i>density</i> pre-subdivided <i>lot</i> dwelling units (DU) per <i>lot</i>	
Pre-subdivided <i>lot</i>	per the base zone
Subdivided <i>lot</i>	1
Min <i>lot</i> area square feet (sf)	--
Min <i>lot</i> dimensions	
Pre-subdivided <i>lot</i>	
<i>Lot</i> width (ft)	25
<i>Lot</i> depth (ft)	50
<i>Street Frontage</i> (ft) [See Section 131.0442(a)]	25
Subdivided <i>lot</i>	
<i>Lot</i> width (ft)	--
<i>Lot</i> depth (ft)	--
<i>Street Frontage</i> (ft) [See Section 131.0442(a)]	--
Setback requirements	per the base zone ⁽¹⁾
Maximum <i>lot</i> coverage	--
Setback requirements for resubdivided corner <i>lots</i> [See Section 113.0246(f)]	applies
Max <i>structure</i> height (ft)	
RM-1-1, RM-1-2, and RM-1-3	36 ^(2, 5)
RM-2-4, RM-2-5, and RM-2-6	40 ^(3, 5)
RM-3-7, RM-3-8, and RM-3-9	40 ⁽⁵⁾
<i>Lot</i> coverage for sloping <i>lots</i> [See Section 131.0445(a)]	applies
Max <i>floor</i> area ratio	per the base zone ⁽⁴⁾
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]	--
Max third story dimensions [See Section 131.0460]	--
Architectural projections and encroachments [See Section 131.0461(a)]	applies
Supplemental requirements	
RM-1-1, RM-1-2, and RM-1-3 [See Section 131.0464(d)]	applies
RM-2-4, RM-2-5, and RM-2-6 [See Section 131.0464(e)]	applies
RM-3-7 and RM-3-8 [See Section 131.0464(e)]	applies
Refuse and Recyclable Material Storage [See Section 142.0805]	applies

Footnotes for Table 143-03C

- ¹ Only the setbacks that apply to the pre-subdivided *lot* apply, except that if the pre-subdivided small *lot subdivision development* covers more than one lot, the setback shall not be required for internal *lot* lines of the pre-subdivided *lot*.
- ² Section 131.0444(e) only applies to the *building envelope* at the front and side *setback lines* of the pre-subdivided *lot*. When adjacent to a RS (Residential--Single Unit Zone), the maximum height is 30 feet.
- ³ Section 131.0444(f) only applies to the *building envelope* at the front and side *setback lines* of the pre-subdivided *lot*.
- ⁴ Per the base zone, except that reservation of *floor area ratio* for parking shall not be required.
- ⁵ Within the Coastal Height Limit Overlay Zone in the Peninsula Community Plan area, the base zone maximum *structure height* shall be 30 feet, which shall be determined in accordance with Section 113.0270(a)(4)(D).

(d) Required exterior open space.

- (1) Each *dwelling unit* shall provide a minimum of 200 square feet of exterior open space within the small *lot subdivision*.
- (2) Each *dwelling unit* shall provide a minimum of one private exterior useable open space area measuring 60 square feet, with a minimum dimension of no less than 6 feet.
- (3) The area of a driveway shall not be counted toward required exterior open space.

(e) *Dwelling units* that abut the *front yard* of the pre-subdivided *lot* shall locate the primary pedestrian entrance facing that *front yard*.

(f) A Mutual Maintenance and Access Agreement for all facilities used in common shall be entered into to the satisfaction of the City Manager and shall be recorded against the applicable property or properties in the office of the San Diego County Recorder prior to issuance of a certificate of occupancy.

The Mutual Maintenance and Access Agreement shall, at a minimum, include and provide for the following:

- (1) Easements for:
 - (A) Shared driveway(s)
 - (B) Utilities
 - (C) Drainage and runoff
 - (D) Encroachments
 - (E) Maintenance, repair, and reconstruction
- (2) Maintenance for:
 - (A) Shared driveway(s)
 - (B) Sewer lines
 - (C) Cable and electrical lines
 - (D) Exterior lighting
 - (E) Perimeter fences
- (g) When an *alley* abuts the *premises*, access to required *off-street parking spaces* shall only be from the *alley*.
- (h) Parking requirements and parking site design shall comply with the following regulations and Chapter 14, Article 2, Division 5 (Parking Regulations) for *single dwelling units*. Where there is a conflict with Chapter 14, Article 2, Division 5, the requirements of this section shall apply.
 - (1) The number of *off-street parking spaces* shall be consistent with the ratios for small *lot subdivision* in Table 142-05C.
 - (2) Required parking shall be provided on each lot, or within a common parking area, or in a combination of the two.
 - (3) Tandem parking is permitted, provided that the tandem spaces are assigned to the same *dwelling unit*.
 - (4) A maximum of one driveway curb cut shall be permitted for each 50 feet of pre-subdivided *street frontage*.

- (5) Driveway width shall be determined based on the size of the *lot*, the number of parking spaces and location inside or outside of the Parking Impact Overlay Zone. The applicable minimum and maximum driveway widths are shown in Table 143-03D.
- (6) Required *off-street parking spaces* may be provided within a garage, a carport, or an unenclosed parking space.

**Table 143-03D
Driveway Width for Small Lot Subdivisions**

Pre-subdivided <i>lots</i> greater than 50 feet in width		
<i>Off-street Parking Spaces in Small Lot Subdivision</i>	Required Width	
	One-Way	Two-Way
10 or fewer	12 feet	
More than 10	14 feet	20 feet
Pre-subdivided <i>lots</i> 50 feet or less in width		
<i>Off-street Parking Spaces in Small Lot Subdivision</i>	Required Width	
	One-Way	Two-Way
10 or fewer	12 feet	
More than 10	14 feet	20 feet

- (i) The landscape requirements shall be in accordance with the requirements for small *lot subdivisions* shown in Section 142.0402, Table 142-04A.
- (j) An existing *development* that proposes to be subdivided into a small *lot subdivision* that deviates from the supplemental regulations set forth in this section or the parking ratios shown in Table 142-05C may be permitted only with a Site Development Permit decided in accordance with Process Three subject to the following regulations:

(1) the *development* must be consistent with permitted *density*; and

(2) the *development* must comply with the requirement for a Mutual Maintenance and Access Agreement in Section 143.0365(f).

(“Supplemental Site Development Permit Regulations for Small Lot Subdivisions” added 5-5-2015 by O-20483 N.S.; effective 6-4-2015)

(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)

(Amended 3-22-2018 by O-20917 N.S.; effective 4-21-2018.)

§143.0375 Maintenance Requirements for Neighborhood Development Permits and Site Development Permits

All *development* approved with a Neighborhood Development Permit or Site Development Permit is subject to the following regulations.

(a) All *developments* shall be constructed and maintained in accordance with the approved plans and conditions contained in the Neighborhood Development Permit or Site Development Permit, except as provided in Sections 126.0112 or 126.0113.

(b) If a *development* includes open areas or recreational facilities to be used by the residents or employees of the *development*, the permit shall include a plan for the preservation of the common elements of the property that is acceptable to the City Manager.

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

(Amended 1-8-2020 by O-21161 N.S.; effective 2-9-2020.)

§143.0380 Phased Site Development Permits

Construction of *development* requiring a Site Development Permit may be phased subject to the following regulations pertaining to each phase of *development*. *Development* pursuant to a Neighborhood Development Permit may not be phased.

- (a) Where construction is to be phased over a period of time, the *applicant* shall provide plans corresponding to each phase at the time of Site Development Permit submittal and shall include a proposed construction schedule and an illustration of the various phases of *development*.
- (b) The plans corresponding to each phase shall clearly delineate all fundamental project elements integral to implementation of that particular phase, including landscaping, open space, parking, and recreational facilities. Each phase must assure that the provision of fundamental project elements will correspond with the demand to provide the associated site facilities and improvements necessary to support the density or intensity of each phase of *development*.
- (c) The phasing program shall address the interim use of all areas where *development* will occur at a later date, including identification of the interim landscape and irrigation measures to be used to assure that portions of the site that may be graded or disturbed in the initial phase of project implementation but not be developed until a later phase, will be adequately mitigated.
- (d) Where construction is to be phased over a predetermined period, the phasing program shall be based on the projected population growth and availability of public facilities of the designated economic support area.

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