6TH UPDATE ISSUE MATRIX

ISSUE	SECTION(S)	DESCRIPTION
MEASUREMENT		
1.	113.0103 113.0231	Determining Proposed Grade Delete Section 113.0231 due to inconsistency with measurement of gross floor area and structure height for subterranean spaces. Remove reference to deleted section under 113.0103.
2.	113.0103 113.0234 113.0240 113.0261 Diagram 113-02EE	Floor Area Ratio and Gross Floor Area • Clarify the definition of floor area ratio to refer to the method for calculation of gross floor area and clarify in Section 113.0234 that gross floor area is used in the calculation of floor area ratio. • Clarify that the gross floor area measurement for subterranean structures is based on the slope of the lot. Clarify that vehicular access openings (25 foot maximum width) leading to underground parking are not included in the vertical measurement between grade and the finished floor above. Delete the existing definition of underground parking structure and clarify the difference between gross floor area and determination of story for subterranean structures. • Clarify that for residential development, gross floor area includes at-grade space with enclosed space above under specified conditions. • Simplify the phantom floor regulation for residential development to include floors in the gross floor area calculation at 15 foot increments and standardize the gross floor area exemption at 5 feet.
3.	113.0103 113.0246 113.0252	Setbacks and Property Lines for Lots that Abut an Alley Clarify that for lots that abut an alley, a street yard is not created along the alley. A front property line bordering an alley shall apply a setback equivalent to a rear yard in the underlying base zone, and a side yard abutting an alley shall apply an interior side yard setback. Replace current reference to "public-right-of-way" with the term "street" in the definition of street yard.
4.	113.0237	Determining a Legal Lot Clarify the criteria to determine whether a lot is legal for the purposes of development and to clarify when a Certificate of Compliance may be requested to certify that a lot is legal for development.
5.	113.0243	Measuring Lot Width Clarify how lot width is measured for irregularly shaped and consolidated residential lots in the rules for calculation and measurement section.

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6.	113.0249	Established Setbacks Clarify that the LDC base zone setbacks shall apply in cases where a different setback line was shown on the final map, survey, or other planning document solely for informational purposes. Setbacks that were intentionally modified by ordinance in accordance with Section 113.0249(b) would still apply in those circumstances where a different "established setback" was created.
7.	113.0249 131.0431 Table 131-04D 131.0443	Modify Variable Setback Requirement Modify the variable setback requirement for side yard setbacks in order to make setbacks easier to apply and more predictable for lots greater than 50 feet. Adjust the side yard setback requirement to a fixed percentage of the lot width. (Side setbacks a + b = total fixed percentage based on lot width. Side setback "a" or "b" can not be less than 4 feet).
8.	113.0252 113.0276	Measuring Setbacks Clarify that the setback measurement is taken to the edge of frame line- not to the edge of finished siding material. Clarify that setbacks apply to above ground structures, but do not apply to structures completely underground except where the structure would conflict with required landscape and irrigation or with Section 131.0461 (Residential Encroachments). Eliminate conflict with existing Section 113.0276 (Determining Yards).
9.	113.0270	Measuring Structure Height Reorganize section to clarify two part measurement (plumb line and overall height) and address special circumstances (extreme topography, underground structures including subterranean garages, pools, Prop D, multiple structures).
10.	131.0215 Table 131-02A 131.0315 Table 131-03A 131.0415 Table 131-04A 131.0515 Table 131-05A 131.0615 Table 131-06A	Zone Applicability Tables Incorporate language to reference the adoption of the official zoning map by resolution. Transfer the old municipal code conversion tables from the LDC to a separate public reference document available for zone history research.
11.	131.0331 Table 131-03C 131.0343	Setback Requirement in Agricultural Zones Add a reference to Table 131-03C to clarify the existing regulation that allows for a 20-foot side yard setback to be reduced where a lot has less than the minimum lot width. Clarify that encroachments are permitted in Agricultural-Residential Zones (AR) zones in accordance with Section 131.0461 where lots are one acre or less in lot area.

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12.	131.0431 Tables 131-04C, 131-04D, 131-04E 131.0465	Maximum Diagonal Plan Dimension Delete the existing maximum diagonal plan dimension for lots with new development where the lot depth is three times the lot width. New development in the RS-1-7 and RX zones (where this regulation currently applies) would continue to be regulated by the development standards of the underlying base zone such as floor area ratio, setbacks, and height, as well as other zone specific design standards.
13.	131.0444 131.0449 131.0453 131.0455 131.0461	Angled Building Plane/Architectural Projections and Encroachments Simplify and clarify the angled building envelope plane requirements and modify the maximum size of an encroaching dormer. Clarify the regulations for specified architectural projections and encroachments into required setbacks and the angled building envelope plane in residential zones including dormers, mechanical equipment and utility enclosures, and swimming pools and spas.
14.	131.0448 131.0461	Accessory Buildings Clarify that buildings containing separately regulated uses subject to Chapter 14, Article 1 are not subject to the accessory building regulations in Section 131.0448. Transfer the regulations for encroaching accessory buildings to Section 131.0461with other permitted yard encroachments for residential zones. Clarify that accessory buildings may not be used for living or sleeping purposes and that plumbing and electrical is permitted in accessory buildings in all residential zones.
15.	143.0410(b)	Planned Development Permits and Density Calculation Clarify that a Planned Development Permit may not be used to deviate from the maximum density of the underlying base zone unless the residential component is part of a mixed use project that conforms to the density in the associated land use plan as provided for in Section 143.0410(a)(3)(D).

PERMIT PROCESS		
16.	126.0203 131.0522 131.0622 141.0801	Automobile Service Stations Modify the Use Permit requirement in the Community Commercial zones (CC), the Commercial Regional Zones (CR), and the Industrial zones to regulate as a Conditional Use Permit, Neighborhood Use Permit or Limited Use based on the purpose and intent of the underlying zone and compliance with the separately regulated use regulations of Section 141.0801. The use regulations and permit processes of Section 141.0502 for alcoholic beverage outlets would continue to apply to automobile service stations.
17.	126.0303	Transitional Housing Existing Section 126.0303 includes two incorrect references to processing of this use. Clarify that transitional housing requires a process five decision for transitional housing facilities with seven or more persons for consistency with Section 141.0313.

18.	126.0402 129.0710 131.0466	Reasonable Accommodations Eliminate the process two permit requirements that are inconsistent with State law. Allow all requests to be processed through Process One to maintain confidentiality of the disability and eliminate appeal loops to Planning Commission where they would not have any authority to exercise discretion in their action.
19.	126.0502 143.0302 Table 143-03A	Sustainable Building Projects Specify that a Site Development Permit is required for deviation requests in accordance with the existing program identified in Section 143.0920.
20.	126.0502 143.0302 Table 143-03A	Affordable Housing Density Bonus Clarify that a Process 4 Site Development Permit is only required where the requested deviation exceeds the allowable incentives as specified under the density bonus regulations.
21.	131.0222 131.0422 141.0303	Employee Housing Clarify that employee housing applies to housing for farm workers as specified in the state codes. Revise the use tables to limit employee housing to Agricultural base zones only.
22.	131.0222 131.0322 131.0422 131.0448 141.0306	Guest Quarters Guest Quarters do not provide for independent living, but currently require a Neighborhood Use Permit. Instead, the use should be "limited" subject to the requirements listed in the separately regulated use section, similar to the existing process for companion units.
23.	141.0607	Eating & Drinking Establishments Abutting Residentially Zoned Property Clarify in the separately regulated uses section for eating and drinking establishments abutting residentially zoned property that drive-in and drive through restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine are not permitted in the CN Zone for projects approved as a "limited use" through Process One.
LANDSCAPE		
24.	142.0402 Table 142-04A	Landscape Regulations Applicability Table Modify Table 142-04A to clarify landscape regulation applicability is tied to proposed development type as classified by Section 131.0112 instead of based on the underlying base zone. As proposed, single dwelling unit development in a multi dwelling unit zone would be exempt from landscape review, similar to other single dwelling unit development.
25.	142.0403 Table 142-04B	Plant Material Requirements Delete the requirement for a 30-inch box size since it is not a standard size available in plant nurseries. Clarify that structural soil may be used as an alternative to providing the 40 square foot root zone where tree root barriers are required.

26.	142.0404 Table 142-04C	Remaining Yard Requirement for Multi Dwelling Unit Development Modify the existing remaining yard landscape requirement for multi dwelling unit residential development to provide flexibility for project design on narrow lots. Instead of specifying that one tree shall be planted on each side and in the rear area of each structure, the proposal would require a minimum of 60 plant points per structure (at least half of which must be trees). A two-unit development would be required to provide a minimum of 60 plant points in the remaining yard regardless of the number of buildings on the lot, in addition to required street yard landscape.
27.	142.0409	Street Tree Requirements Restrict the use of palms as a required street tree in the public right-of-way citywide, except in communities where permitted by an adopted land use plan. Increase the minimum distance between sewer lines and street trees to 10 feet instead of 5 feet.

PARKING		
28.	142.0525 Table 142-05C Footnote 1	Basic Parking Requirement Clarify that the basic parking requirement applies to development that does not qualify for a reduced parking requirement (i.e. transit parking, or very low income parking ratio) or require an increased parking requirement (i.e. parking impact area ratio). The basic parking requirement also applies in cases where development qualifies for the transit/very low income ratio (reduced) and the parking impact ratio (increased), since the two cancel each other out.
29.	142.0525(a) Table 142.05C Footnote 8	Parking for Condominium Conversions Clarify in footnote #8 that if the number of parking spaces required of the project when it was built exceeds the required number of spaces in the table, then the number of spaces originally required must be retained.
30.	New 142.0556	Mechanical Automobile Lifts Add new parking requirement to allow mechanical lifts for vertical storage of automobiles in areas where tandem parking is already permitted and where lift design can order a specific car on demand. Require lifts to be completely enclosed.
31.	142.0560 Table 142-05M	Driveway Width for Nonresidential Uses on Narrow Lots Reduce the driveway width on smaller lots to allow a narrower driveway for the smaller non residential lots similar to what was previously approved for residential lots.
SIGNS		
32.	Chapter 9, Article 5, Division 1	Repeal of Chapter 9, Article 5, Division 1 Sign Regulations This division of the Municipal Code was to have been repealed with adoption of the LDC. The new regulations were transferred into the LDC and the old regulations were unintentionally left in Chapter 9. A conversion table was prepared to indicate how each Ch 9, Art 5, Div 1 regulation is already addressed in other sections of the Land Development Code.

33.	141.1101 141.1102 141.1103 141.1104 141.1105 141.1106 142.1210 142.1260	Community Entry Signs and Neighborhood Identification Signs Clarify the difference between community entry signs and neighborhood identification signs. Clarify the applicable permit process and regulations for each in Chapter 14 of the Land Development Code, including applicable requirements from the 1974 "community identification signs guidelines" and Council Policy 200-10. Repeal the outdated "community identification signs guidelines" and Council Policy 200-10.

Compliance with State Law		
34.	68.0205	Helicopter Landing Facilities Delete Municipal Code Section 68.0205 since the City does not have issuing authority for heliport licenses. Helicopter landing facilities are a separately regulated use subject to Section 141.0610 that would continue to require a City issued Conditional Use Permit.
35.	131.0222 131.0322 131.0422 131.0522 131.0622 141.0606	Family Child Care Homes Amendment will address change in State law regarding the definition of family child care homes, including a change in terminology from "day care" to "child care". Under the LDC, family day care homes may provide care for up to 6 children in a small child care home and for 7-12 children in a large day care home. State law allows small child care homes to care for up to 8 children without an additional adult attendant, and for large family child care homes to care for up to 14 children, under specified conditions.
36.	131.0231 Table 131-02C 131.0331 Table 131-03C 131.0431 Tables 131-04D-G 131.0531 Tables 131-05C-E 131.0631 Table 131-06C 142.0805 Table 142-08A 142.0810 142.0820 142.0830	Refuse/Recycling Materials Storage Clarify that the refuse/recycling materials storage regulations apply to new residential development of two or more dwelling units, to all new non-residential development, and to additions to existing multi dwelling unit or non-residential development where the gross floor area would be increased 30 percent or more. Add a reference to the refuse and recyclable materials storage requirement in the development regulations table for each base zone.

MINOR CORRECTIONS		
Incorrect Terms		
37.	125.0220	Certificate of Compliance Add word "in" in the sentence "An applicant shall apply for a Certificate of Compliance in accordance with Section 112.0102."
38.	143.0210 Table 143-02A	Table: Applicability of Historic Resource Regulations Under row #3 (multiple dwelling units), column 3 (important archaeological sites) change reference from "NDP/Process Four" to "SDP/Process Four".
39.	143.0915	Applicability of Affordable Expedite Regulations Strike residential in the sentence "These regulations apply to the following types of ~~residential~~ development." The section applies to new residential, commercial, or industrial development as stated in 143.0915(f).

Formatting Error		
40.	142.1010 Table 142-10B	Table: Required Off-Street Loading Spaces Reformat Table so that the boxes are correctly divided in column 1. The existing Table has incorrectly merged several of the boxes, which makes the table difficult to read.
Typographical Errors		
41.	126.0404	Reference to Neighborhood Development Permit Supplemental Findings The Neighborhood Development Permit findings reference supplemental findings in Sections 126.0404(b) through (f), but the findings only go through (d). Strike (f) and replace with (d).
42.	131.0231 Table 131-02C Footnote 1	Reference to Supplemental Regulations for Special Flood Hazard Areas The Open Space-Floodplain Zone Table 131-02C includes an error in footnote 1. The reference to supplemental regulations related to special flood hazard areas should state Section 143.0146 instead of 143.0145.
43.	131.0431(e) Table 131-04G Footnotes 17 and 18	Residential Zones Section References Revise references in footnotes 17 and 18 to reflect the correct subsection where reference information is located.
44.	142.1270(b)(1)(E), (b)(2)(E) & (d)	Signs in Multi Family Zones Erroneous references in Section 142.1270 to the RM-4-12 zone should read RM-5-12. (There is no such zone as RM-4-12.)
45.	143.0145(f)(2)	Reference to Special Flood Hazard Areas The reference to 143.0145(a)(5) within Section 143.0145(f)(2) of the development regulations for special flood hazard areas should instead refer to 143.0145(e)(5) where the reference information is located.

Minor PDO Corrections		
46.	155.0238 Table 155-02C	Central Urbanized PDO Table 155-02C Replace "outpatient medical clinics" with "urgent care facilities" in the CUPDO Use Table for consistency with the LDC as amended by the 5th Update.
47.	155.0242	Central Urbanized PDO Table 155-02D Correct typographical error in reference to Section 131.0555~~3~~2.
48.	1512.0308 Table 1512-03M	Mid City PDO Table 1512-03M The Table reference to CN-2, CN-1A in row 2 should instead read CN-1, CN-1A to match row above it. Row 1 applies to lots 30,000 sq ft or more and row 2 applies to lots less than 30,000 sq ft. Correct language can be verified by ordinance O-17307 dated 5/30/1989. The Table reference 1512.03M should also be fixed to replace the period with a hyphen to match the LDC code format for Tables.
49.	1512.0310 Table 1512-03S	Mid City PDO Table 1512-03S The Table reference in row 3 should apply to lots 15,000 sq ft or more (instead of less) since the row that follows already applies to lots less than 15,000 but at least 10,000). The row that applies to lots less than 10,000 sq ft was accidentally omitted. The row should be added to apply to CV-2 zone, lots less than 10,000 sq ft and the applicable density is 1 unit per 1,000 sq ft. The last row for CV-6 should be deleted since there is no CV-6 zone. Correct language can be verified by ordinance O-17307 dated 5/30/1989.
50.	1519.0303	Southeastern PDO Special Character Multi-Family Neighborhood Criteria Clarify that the development regulations for properties located in designated special character multi family neighborhoods are applied in accordance with the SF-5000 standards per ordinance (O-16921) and with the special regulations in 1519.0303(i).
51.	1519.0403	Southeastern PDO Multi Dwelling Unit Parking Requirement Clarify that the PDO parking design requirements related to uncovered parking and carport parking apply to lots containing four or more dwelling units.