



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 18, 2010 **REPORT NO. PC-10-003**

ATTENTION: Planning Commission, Agenda of February 25, 2010

SUBJECT: AMATEUR RADIO COMMUNICATION: AMENDMENTS TO LAND DEVELOPMENT CODE AND LOCAL COASTAL PROGRAM – (PROCESS 5)

REFERENCE: Report 05-218

APPLICANT: City of San Diego, Development Services Department

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of proposed Amateur Radio Communication Amendments to the Land Development Code and Local Coastal Program including a process to reasonably accommodate amateur radio communication in accordance with state and federal law?

Staff Recommendation:

1. Recommend that the City Council **Certify** Negative Declaration No. 193688.
2. Recommend that the City Council **Approve** Amateur Radio Communication Amendments to the Land Development Code and Local Coastal Program including a process to reasonably accommodate amateur radio communication in accordance with state and federal law.

Code Monitoring Team (CMT) Recommendation: On November 12, 2008, the Code Monitoring Team reviewed draft Amateur Radio Communication amendments and voted 8-0-1 to recommend approval of a previous draft that would have required antenna height to comply with applicable zoning in order for approval through Process One.

Community Planners Committee (CPC) Recommendation: On February 24, 2009,

staff presented a revised proposal to the Community Planners Committee that addressed concerns voiced by a majority of amateur radio operators during the public review. A motion to support approval of antennas up to 70 feet in height through Process One failed by a vote of 6 in favor to 18 opposed, based on concerns about potential visual impacts of the antenna structures. A second motion to support a lower antenna height limited to the height of the base zone or the Coastal Height Limit Overlay Zone, whichever is lower, passed by a vote of 20 in favor to 5 opposed.

Environmental Review: The City of San Diego as Lead Agency under CEQA has prepared Negative Declaration No. 193688, covering this activity.

Fiscal Impact Statement: The processing of amendments to the Land Development Code is funded as an overhead expense of the Development Services Department (DSD) budget enterprise fund.

Code Enforcement Impact: The City processes a limited number of amateur radio antenna permit requests per year (less than 5 per year). The City currently does not have regulations in place that would allow the flexibility required under both state and federal law to reasonably accommodate amateur radio communications (see City Attorney memorandum). Due to the absence of specific amateur radio antenna regulations, even the few permits issued per year have led to hours of code enforcement and legal issues at expense to both the City's general fund and Development Services Department enterprise fund. The proposed regulations would implement a formal process by which amateur radio operators can be reasonably accommodated in order to achieve effective communications. This will facilitate evaluation of amateur radio antennas for code compliance.

BACKGROUND

Amateur radio, also known as "ham radio", is a form of non-commercial radio communication regulated by the Federal Communications Commission (FCC). Amateur radio operators are valued for significant contributions to the fields of electronics and radio communication technology, and for their communication assistance during times of public disaster. Participants are required to pass proficiency exams and maintain an active amateur radio operator license with the FCC. According to the FCC Wireless Communications Bureau database, there are approximately 3,440 active amateur radio licenses currently within the City of San Diego.

Amateur radio operators trained in emergency response can fill an important role for their community by providing communication assistance during an emergency. As part of the regional disaster preparedness plan, the County's Office of Emergency Services coordinates the Radio Amateur Civil Emergency Service (RACES). The City's Office of Homeland Security (OHS) is currently coordinating with the San Diego-Imperial County Regional Communications System to identify the equipment necessary to install amateur radio capabilities at the City's Emergency Operations Center, and to identify opportunities to integrate amateur radio communication into

the City's disaster preparedness plans.

Amateur radio communication equipment varies greatly in design and cost depending on the type of materials and accessory gadgets. In theory, the higher the antenna extends and the fewer obstructions, the greater the capability for communication signals. Typical designs include a combination of wire antennas, poles, masts, or lattice towers that can be located inside of, attached to, or detached from a primary structure. Wire antennas can generally be assembled for less than \$50, while the cost for a basic tower could exceed \$5000 in material costs alone. A typical tower design includes three 20-foot sections, a 10-foot rotator mast antenna, and a crank that allows for the tower to be lowered during periods of non-operation; however, tower designs generally appear to be less common due to the relative associated cost.

The City can regulate amateur radio antennas to a limited extent as set forth in the memorandum filed by the City Attorney. Under the City's current regulations, development of amateur radio antennas is subject to all applicable zoning regulations. If adopted, these amendments would allow the flexibility required under both state and federal law to reasonably accommodate amateur radio antennas in order to achieve effective amateur radio communications. The amendments constitute the minimum practicable regulations necessary to safeguard the public health, safety and general welfare.

On November 30, 2005, staff presented an informational report (Report 05-218) regarding amateur radio at the request of the City Council Committee on Land Use and Housing. The report included analysis by the City Attorney of the FCC's decision in PRB-1 regarding local regulation of amateur radio communication, and clarification that the City is able to regulate the height and placement of the associated antenna through a process that reasonably accommodates this type of communication. Since that time, staff has been working with the City Attorney's office to develop regulations to minimize antenna impacts and to establish a process for consideration of special requests as necessary to reasonably accommodate amateur radio.

A request for public review of draft regulations was posted to the City's web page and widely distributed (November 18, 2008) by mass email-blast to the City Planning and Community Investment Department list of interested persons as well as various amateur radio stakeholder groups. A majority of the comments were submitted by amateur radio operators and organized stakeholder groups such as the San Diego DX Club, San Diego County Amateur Radio Council, and American Radio Relay League (also known as the National Association for Amateur Radio) who objected to limiting antennas to the zoning height limit, limiting placement of the antenna to the least visible location, and requiring screening. To the contrary, the Community Planners Committee (CPC) recommended on February 24, 2009, that in order to be eligible for Process One approval, amateur radio antennas should be limited to the standards of the applicable zone in consideration of potential negative visual effects associated with additional height or setback encroachments.

Subsequently, technical data was submitted by one amateur radio stakeholder group (San Diego DX Club) in an attempt to identify that greater antenna height than typical zoning would allow is

necessary citywide based on local conditions. The report addressed communication constraints due to San Diego's existing landforms which include broad coastal plains that extend into upland mesas, foothills and mountains, dissected by various canyons and valleys. The City's General Services Department, Communications Division reviewed the submitted technical analysis and generally agreed that the applicable zoning height limit may conflict with communication needs at certain locations, but did not agree with the report's conclusions that the allowable ministerial antenna height should be 82 feet in all cases, or that the height measurement should exclude the antenna's support structure. The desirable antenna height for communication is highly variable and depends on site specific conditions and the purpose for communication as determined by the ham operator.

Staff believes the proposed ordinance reasonably accommodates amateur radio and helps to meet the City's goals for disaster preparedness with the minimum practicable regulation to safeguard the public and minimize potential negative effects of associated antennas. The proposed ordinance allows for antennas without a potential for significant impacts on the environment to be exempt from permit review or developed through a ministerial process. Ham operators with a need for special site specific accommodations would be able to demonstrate their case and obtain approval for an antenna of any height and in any location on the premises as necessary to effectively communicate.

DISCUSSION

Amendments to the Land Development Code and Local Coastal Program are proposed to clarify the regulations and permit processes that will apply to amateur radio antenna structures in consideration of applicable state and federal law. A majority of antennas would either be exempt or approved through a ministerial process. All other antennas would be accommodated through a Process Two Neighborhood Development Permit as necessary to achieve effective amateur radio communications in accordance with state and federal law. (See Attachment 1 for draft code language.)

As proposed, amateur radio antennas would be allowed through Process One where:

- 1) Antennas do not encroach into applicable zone setbacks, environmentally sensitive lands, or designated public access ways or public view corridors (identified in an adopted land use plan or local coastal program).
- 2) Antennas do not create a hazard to air navigation in conflict with Federal Aviation Administration regulations for airspace protection.
- 3) Antennas are located at least 6 feet from an energized overhead electrical conductor.
- 4) Antennas in special character areas (including historical districts and sites containing historical resources, planned districts, the Clairemont Mesa Height Limit Overlay Zone, and the Coastal Height Limit Overlay Zone) comply with the applicable zone height limit. Antennas located outside of special character areas may exceed the applicable zone height limit by 35 percent or up to 70 feet maximum, whichever is less. Attachment 2 identifies the allowable antenna height limits by zone, including zones that allow for unlimited development height (i.e. industrial zones or certain multi dwelling unit zones).

The intent is to accommodate amateur radio antennas through a ministerial process where developed in a manner that minimizes potential negative impacts. Process One is a staff level decision that is non-appealable. A building permit would be required for all ground mounted antenna structures, and for roof mounted antennas that would require modifications to the roof structure or its supporting elements. Wire or similar cord-like amateur radio antennas operated without a structural support or permanent mount would be exempt from a City permit or review.

The City's General Plan, Urban Design Element specifies policies to ensure that the scale and character of physical development is consistent with the social, economic, and aesthetic values of the City. The policies specifically encourage wireless facilities to minimize visual impacts and respect the neighborhood context. The Land Development Code implements those policies through various regulations including those applicable to historical districts and sites containing historical resources, planned districts, the Clairemont Mesa Height Limit Overlay Zone, and Coastal Height Limit Overlay Zone (see Attachment 3).

The proposal would require discretionary review for amateur radio antenna structures that would exceed the applicable zoning height in special character areas as described above. Some amateur radio operators expressed concerns that the proposed ministerial antenna height limit is too restrictive in these areas; however, there is a legitimate governmental purpose for the City to require discretionary review for antennas that may potentially conflict with these unique City resources. [The City Attorney advised that properties subject to the voter enacted coastal height limit (effective December 7, 1972) must be required to comply with the 30 foot height limit, unless a deviation is proven necessary based on site specific needs for effective communication. However, it should be noted that the decision maker has some flexibility in how the ordinance would be applied to other special character areas.]

Although the City does not rely on amateur radio for emergency response or City disaster preparedness plans, in consideration of the potential contribution to disaster preparedness and to further accommodate amateur radio, the proposal allows for additional antenna height through a ministerial process under circumstances that would not result in a significant effect on the environment. While some ham operators identified 70 feet as a potentially desirable height allowance (based on the height of a typical amateur radio communication tower); the potential for allowing a 70 foot structure by right in a zone with a height limit as low as 30 feet raised concerns regarding the potential for incompatibility and visual impacts with no associated environmental review, or means for appeal. As a result, the proposal was modified to allow amateur radio antennas outside of identified special character areas to exceed the zoning height by 35 percent, or up to 70 feet, whichever is less, to ensure antennas processed ministerially would be developed within a reasonable scale of surrounding development.

A deviation process is proposed to address site specific communication needs. A Process Two Neighborhood Development Permit (NDP), which involves a staff level decision appealable to the Planning Commission, was determined to be the minimum practicable regulation available to meet the needs of amateur radio operators with special circumstances; instead of a Process Four

Planned Development Permit as is typical for processing of other types of deviation requests in the City. The purpose of an NDP is to establish a review process for development that may be desirable, but may have limited physical impacts on surrounding properties (existing Section 126.0401). For example, the NDP process currently applies to proposed fences or walls that exceed the applicable height limit by 20 percent or less. As proposed, amateur radio deviation requests for special antenna height or placement needs would be considered and approved if the decision maker finds that the deviation is necessary to reasonably accommodate amateur radio communication in accordance with federal and state law. An applicant may request accommodations at any location within the City through this process as necessary for effective amateur radio communication.

Staff also reviewed and considered amateur radio ordinances in comparable jurisdictions. The City's proposal would be less restrictive than some, and more restrictive than others. Regulations vary widely among jurisdictions with maximum amateur radio antenna height limitations that typically range from 10-20 feet above a roofline, or as high as 60-75 feet above grade. For example, the City of Long Beach requires a maximum antenna height of 60 feet above grade, or within 20 feet of the existing building height, whichever is greater. The City of Santa Barbara allows amateur radio antenna towers up to 65 feet in height and requires a discretionary permit for antennas in historic zones. The City of Burlingame requires discretionary review for all antennas above 25 feet and roof mounted antennas higher than 10 feet above the roof. Newport Beach limits antennas to 28 feet in height when not in operation, and allows antennas up to 75 feet when in operation. Most jurisdictions restrict antennas from required setbacks; however, some allow placement of antennas within a required setback such as a side or rear yard.

CONCLUSION


Staff recommends that the Planning Commission recommend approval to the City Council of the proposed amendments related to amateur radio communication. The proposed amendments constitute minimum practicable regulations to serve the City's purpose of safeguarding the public health, safety, and welfare (including consideration of visual impacts and protection of the City's unique resources), while also allowing for the requisite flexibility necessary to reasonably accommodate amateur radio operators in accordance with state and federal law.

ALTERNATIVES

1. If the Planning Commission is concerned about the proposed provision for additional antenna height (beyond applicable zoning limits) through a ministerial process, the Planning Commission may recommend that the City Council approve the amendments with modifications to require amateur radio antenna structures citywide to comply with the applicable base zones and overlay zones (subject to the reasonable accommodation requirement). This alternative would be consistent with what was recommended by the Community Planners Committee.

2. Alternatively, the Planning Commission may recommend modifications to further accommodate amateur radio antennas within setbacks, or at heights greater than proposed through a ministerial process. This type of modification would likely require additional environmental review to evaluate and mitigate for potentially significant environmental effects. (Additional antenna height can not be incorporated by ordinance in the Coastal Height Limit Overlay Zone as explained within the discussion section of the report.)

Respectfully submitted,



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- Attachments:
1. Draft Code Language
 2. Amateur Radio Antenna Height Matrix
 3. Reference List for Special Character Areas

§113.0103 Definitions

Abutting property through Alley [No change.]

Amateur radio antenna structure means any *antenna*, including its support structure and other equipment or apparatus, used for purposes of transmitting and receiving radio signals in conjunction with an amateur service station licensed by the Federal Communications Commission.

Amended map through Yard [No change.]

§126.0402 When a Neighborhood Development Permit Is Required

(a) - (k) [No change.]

(l) A Neighborhood Development Permit is required for *amateur radio antenna structures* that deviate from the requirements of Section 141.0421.

§126.0404 Findings for Neighborhood Development Permit Approval

[No change first paragraph.]

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

(e) Supplemental Finding- Amateur Radio Antenna Structures

A Neighborhood Development Permit required in accordance with Section 126.0402(l) for any *amateur radio antenna structure* requesting a deviation to achieve effective amateur radio communication may be approved or conditionally approved only if the decision maker makes the following supplemental *finding*:

The deviation is necessary to reasonably accommodate amateur radio communication services as required by State and Federal law.

§126.0704 Exemptions From a Coastal Development Permit

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

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

(j) Development of an amateur radio antenna structure in accordance with Section 141.0421 that does not otherwise require a development permit.

§129.0203 Exemptions From a Building Permit

(a) A Building Permit is not required for the following *structures* and activities.

(1) through (12) [No change]

(13) Antennas supported on the roof, except where placement of the antenna would require structural modifications to the roof or supporting elements.

(14 through (24) [No change]

(b) through (d) [No change]

§131.0222 Use Regulations Table for Open Space Zones

[No change.]

**Table 131-02B
Use Regulations Table of Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones			
	1st & 2nd >>		OP-	OC-	OR ⁽¹⁾	OF ⁽¹²⁾
	3rd >>		1-	2-	1-	1-
	4th >>		1	1	1	2
Open Space through Residential [No change.]						

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹²⁾ -
	3rd >>	1-	2-	1-	1-	1-	
	4th >>	1	1	1	1	2	1
Institutional							
Separately Regulated Institutional Uses							
Airports [No change.]							
Amateur Radio Communication							
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]							
Retail Sales through Signs [No change.]							

Footnotes for Table 131-02B [No change.]

§131.0322 Use Regulations Table for Agricultural Zones

[No change.]

**Table 131-03B
Use Regulations Table of Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Open Space through Residential [No change.]					
Institutional					
Separately Regulated Institutional Uses					
Airports [No change.]					
Amateur Radio Communication					
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]					
Retail Sales through Signs [No change.]					

Footnotes for Table 131-03B [No change.]

§131.0422 Use Regulations Table for Residential Zones

[No change.]

**Table 131-04B
Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																					
	1 st & 2nd >>	RE-	RS-												RX-		RT-							
		3rd >>	1-																					
		4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3
Open Space through Residential [No change.]																								
Institutional																								
Separately Regulated Institutional Uses																								
Airports [No change.]																								
<u>Amateur Radio Communication</u>																								
L L L L L																								
Botanical Gardens & Arboretums through Wireless Communication Facility																								
[No change.]																								
Retail Sales through signs [No change.]																								

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones												
	1st & 2nd >>	RM-													
		3rd >>	1-			2-			3-			4-		5-	
		4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
Open Space through Residential [No change.]															
Institutional															
Separately Regulated Institutional Uses															
Airports [No change.]															
<u>Amateur Radio Communication</u>															
L L L L L															
Botanical Gardens & Arboretums through Wireless Communication Facility															
[No change.]															
Retail Sales through Signs [No change.]															

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

§131.0522 Use Regulations Table of Commercial Zones

[No change.]

**Table 131-05B
Use Regulations Table for Commercial Zones**

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones										
	1st & 2nd >>	CN ⁽¹⁾ -			CR-		CO-		CV-		CP-	
	3rd >>	1-			1-	2-	1-		1-		1-	
	4th >>	1	2	3	1	1	1	2	1	2	1	
Open Space through Residential [No change.]												
Institutional												
Separately Regulated Institutional Uses												
Airports [No change.]												
Amateur Radio Communication												
Botanical Gardens & Arboretums through Wireless Communication Facility												
[No change.]												
Retail Sales through Signs [No change.]												

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																
	1st & 2nd >>	CC-																
	3rd >>	1-			2-			3-			4-			5-				
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Open Space through Residential [No change.]																		
Institutional																		
Separately Regulated Institutional Uses																		
Airports [No change.]																		
Amateur Radio Communication																		
Botanical Gardens & Arboretums through Wireless Communication Facility																		
[No change.]																		
Retail Sales through Signs [No change.]																		

Footnotes to Table 131-05B [No change.]

§131.0622 Use Regulations Table for Industrial Zones

[No change.]

**Table 131-06B
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones			
	1st & 2nd >>	IP-	IL-		IH-

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	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-
	4th >>	1	1	1	1	1	1	1	1
Open Space through Residential [No change.]									
Institutional									
Separately Regulated Institutional Uses									
Airports [No change.]									
Amateur Radio Communication		L	L	L	L	L	L	L	L
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]									
Retail Sales through Signs [No change.]									

Footnotes for Table 131-06B [No change.]

§141.0420 Wireless Communication Facilities

[No change]

(a) The following uses are exempt from the provisions of Section 141.0420:

- (1) Amateur (HAM) radio facilities communication services.
- (2) [No change.]

§141.0421 Amateur Radio Communication Services

Amateur radio communication services that transmit and receive radio signals in conjunction with an amateur service station licensed by the Federal Communications Commission are permitted as a limited use in accordance with Process One 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) Development of amateur radio antenna structures is permitted in accordance with Section 141.0421 for use by amateur radio communication service operators that are licensed or duly authorized by the Federal Communications Commission.

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- (b) Amateur radio antenna structures shall comply with the development regulations of the underlying base zone and applicable overlay zones, except that the maximum zone height may be exceeded for locations outside of the Clairemont Mesa Height Limit Overlay Zone, the Coastal Height Limit Overlay Zone, a planned district, or historical district as follows:
- (1) Up to a maximum height of 70 feet above grade, or
 - (2) 35 percent above the maximum height of the applicable zone, whichever is less.
 - (3) Premises containing historical resources shall require antenna height in compliance with the applicable zoning.
- (c) Within a designated airport influence area, amateur radio antenna structures shall not conflict with Federal Aviation Regulations Part 77 surfaces for airspace protection, unless the applicant has obtained a determination from the Federal Aviation Administration that the proposed amateur radio antenna structure would not be a hazard to air navigation.
- (d) Amateur radio antenna structures shall not encroach into:
- (1) Environmentally sensitive lands, or
 - (2) A public access way or public view corridor identified in an adopted land use plan or Local Coastal Program.
- (e) Amateur radio antenna structures shall be located at least 6 feet from an energized overhead electrical conductor.
- (f) In order to reasonably accommodate additional site specific needs for effective amateur radio communication, a deviation from the requirements in Section

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141.0421 may be requested with a Neighborhood Development Permit in accordance with Section 126.0402.

(g) Prior to *development* of an *amateur radio antenna structure*, a Building Permit shall be obtained for the following:

(1) Ground-mounted *amateur radio antenna structures*, or

(2) Roof-mounted *amateur radio antenna structures* that would require modifications to the roof structure or supporting elements.

(h) Purely wire *antennas*, and other similar cord-like *amateur radio antennas* operated without structural support or a permanent mount shall be exempt from permit review.

(i) *Amateur radio antenna structures* approved in accordance with Section 141.0421 shall not require additional permit review for any *antenna* replacement or modification that conforms to the maximum dimensions stated in the original approval and maintains the safety and structural integrity of the permitted *amateur radio antenna structure*.

§151.0401 Uses Permitted in the Planned Districts

(a) [No change.]

(b) Limited Uses

(1) The following uses, when permitted by the applicable planned district, are subject to the regulations for limited uses in the Land Development Code section specified for each use.

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

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(C) Amateur radio communication services, subject to Land Development Code Section 141.0421.

~~(C)~~(D) Pushcarts on private property, subject to Land Development Code Section 141.0619.

(2) [No change.]

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

§155.0238 Use Regulations Table of CU Zones

[No change.]

**Table 155-02C
Use Regulations Table for CU Zones**

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones							
	1st & 2nd >>		CU-							
	3rd >>		1 ⁻⁽¹⁾		2-			3-		
	4th >>		1	2	3	4	5	3 ⁽²⁾⁽¹²⁾	6	7
Open Space through Residential [No change.]										
Institutional										
Separately Regulated Institutional Uses										
Airports [No change.]										
<u>Amateur Radio Communication</u>										
L L L										
Botanical Gardens & Arboretums through Wireless Communication Facility										
[No change.]										
Retail Sales through Signs [No change.]										

Amateur Radio Antenna Height Analysis

Location	Existing	Proposal	
	Maximum Zoning Height Limit	Maximum Antenna Height via Ministerial Process	Additional Height via Discretionary Process
Historical Districts/ Sites containing Historical Resources	Per applicable zone height limit	Per applicable zone height limit	Applicant may demonstrate through Neighborhood Development Permit (Process Two) that additional antenna height is necessary to effectively communicate. The staff level decision to grant or deny additional antenna height would be appealable to the Planning Commission.
Planned Districts	PDO base zones vary from 24 feet to unlimited height	Per applicable PDO zone height limit	
Clairemont Mesa Height Limit Overlay Zone Coastal Height Limit Overlay Zone	30 feet	30 feet	
Agricultural (AR and AG) Open Space-Residential (OR) Residential Estate (RE) Residential-Single Unit (RS-1-1 through 7) Residential-Small Lot (RX) Residential-Multiple Unit (RM-1) Commercial-Neighborhood (CN) Commercial-Community (CC-1-1, CC-2-1, CC-4-1, CC-5-1, CC-3-4, CC-4-4, CC-5-4) Commercial-Parking (CP)	30 feet	41 feet	
Residential-Single Unit (RS-1-8 through 14) Residential-Townhouse (RT)	35 feet	47 feet	
Residential-Multiple Unit (RM-2 and RM-3-7)	40 feet	54 feet	
Commercial-Community (CC-1-3, CC-2-3, CC-4-3, CC-5-3) Commercial-Office (CO-1-1) Commercial-Visitor (CV-1-2)	45 feet	61 feet	
Residential-Multiple Unit (RM-3-8)	50 feet	68 feet	
Residential-Multiple Unit (RM-3-9) Commercial-Community (CC-1-2, CC-2-2, CC-4-2, CC-5-2) Commercial-Office (CO-1-2) Commercial-Visitor (CV-1-1) Commercial-Regional (CR)	60 feet	70 feet maximum (35 percent of building at maximum zoning height would be 81 feet)	
Commercial-Community (CC-3-5, 4-5, 5-5)	100 feet	100 feet	
Residential-Multiple Unit (RM-4 and RM-5-12) Industrial-Park (IP) Industrial-Light (IL) Industrial-Heavy (IH) Industrial-Small Lot (IS)	No zone height limit	Up to 200 feet maximum height per federal airspace protection standards, or higher with FAA determination of no hazard	

References/Maps for Special Character Areas

<u>Planned Districts</u>	<u>Map Numbers</u>
Barrio Logan (Ch 15, Art 2)	C-840
Carmel Valley (Ch 15, Art 3)	C-670.5, C-671.2, C-676.5, C-679.3, C-683.2, C-694, C-698.3, B-4028, B-4060, B-4074, B-4062, B-4083, B-4102, B-4106, B-4105, B-4089, and B-4180
Cass Street (Ch 15, Art 4)	B-3741
Central Urbanized (Ch 15, Art 5)	C-896
Centre City (Ch 15, Art 6)	Figure A in CCPDO
Gaslamp PDO (Ch 15, Art 7)	C-446.1
Golden Hill (Ch 15, Art 8)	C-864
La Jolla (Ch 15, Art, 9)	C-690.2 and B-3934
La Jolla Shores (Ch 15, Art 10)	C-403.4
Marina (Ch 15, Art 11)	C-741
Mid City (Ch 15, Art 12)	(Greater North Park) C-738 (Uptown) C-868
Mission Beach (Ch 15, Art 13)	C-637.1
Mission Valley (Ch 15, Art 14)	C-873 and C-897
Mount Hope (Ch 15, Art 15)	C-684
Old Town (Ch 15, Art 16)	C-289.4 and C-289.5
Otay Mesa (Ch 15, Art 17)	C-855
San Ysidro (Ch 15, Art 18)	C-801.2
Southeastern San Diego (Ch 15, Art 19)	C-732-A through C-732-Q, and B-4272
West Lewis (Ch 15, Art 20)	B-3682

Overlay Zones	Map Numbers
Clairemont Mesa Height Limit (Ch 13, Art 2, Div 13)	C-380
Coastal Height Limit (Ch 13, Art 2, Div 5)	C-791

Historical Districts (Ch 14, Art 3, Div 2)	
El Prado in Balboa Park (HRB Site 1)	<p>To determine whether a location is located inside or outside of a historical district or whether a site contains historical resources, please refer to the Register of Historical Resources at www.sandiego.gov/historic or email Historic Resources staff at historicalresources@sandiego.gov</p>
Old Town State Park (HRB Site 14)	
Theosophical Institute (HRB Site 112)	
El Pueblo Ribera in La Jolla (HRB Site 117)	
Gaslamp Historical District (HRB Site 127)	
Greater Golden Hill District (HRB Site 130)	
Chinese-Asian Thematic District (HRB Site 207)	
Sherman Heights District (HRB Site 208)	
Grant Hill Park District (HRB Site 217)	
Bishop's School (HRB Site 357)	
Auxillary Naval Air Station Brown Field Historic District (HRB Sites 405-411)	
Talmadge Gates District (HRB Site 422)	
Shirley Ann Place District (HRB Site 424)	
Naval Training Station (HRB Site 425)	
Ocean Beach Cottage Emerging Historical District (HRB Site 442)	
Burlingame Voluntary/Traditional Historical District in North Park (HRB Site 526)	

The Documents listed above can be obtained from the Office of the City Clerk for public review. The public can also contact Development Permit Information staff at (619) 446-5000 to determine whether a site is located within a Planned District, Overlay Zone, or Historical District.