

Following is a summary of the 57 amendments organized into Permit Process, Use, Measurement, Parking, and Sign Regulations, and Minor Corrections categories. Within each category the amendments are listed in order of the associated code sections to be amended.

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
Permit Process Amendments: The following 22 amendments are proposed to improve the permit process and address inconsistencies.			
1	Regulatory Reform	62.1205 129.0642 129.0643 129.0743 129.0744	<p><u>Process for Grading and Right-of-Way Improvement Permits</u> The code sets deadlines (180 days each) for “utilizing” and “maintaining utilization” of permits in addition to a permit expiration date. If work authorized by the permit has not begun within 180 calendar days, or if work is suspended or abandoned for a continuous period of 180 calendar days the permit becomes void. Eliminating the 180 day utilization requirement will provide greater predictability for enforcement of the 2 year expiration. Work is already ensured to be completed or restored to prior condition by financial sureties/bonds (SDMC 129.0119).</p>
2	Regulatory Reform	112.0102	<p><u>Expiration of Application</u> The application expiration date for Process One maps and construction permits should allow time for corrective action in response to code enforcement civil penalty notices. Amend 112.0102 to clarify that applications associated with a code violation case under “civil penalty notice & order” will be automatically extended beyond the two year expiration period to accommodate the time set forth for “civil penalty notice & order” dates plus an additional 180 calendar day extension to allow for corrective action on the part of the applicant and time for staff issuance of the permit or map.</p>
3	Regulatory Reform	112.0103	<p><u>Process to Approve Water Supply Assessments</u> A water supply assessment required by CEQA and the state Water Code requires a noticed public hearing by the City Council. However, the water supply assessment is not required to be consolidated for processing with associated development permit applications. The amendment will clarify that the City Council must consider and approve a water supply assessment for a project prior to the lower decision making body’s consideration of the project and environmental document.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
4	Regulatory Reform	112.0103	<p><u>Consolidation of Processing in Relation to Code Violations</u> This code section has created issues for processing of corrective actions to address code violations when development permits are in process. The amendment will clarify that corrective actions to address a code violation shall not be consolidated for processing with other permit applications in order to expedite the corrective action and minimize potential for delay.</p>
5	Clarification/ Consistency with State Law	112.0301 112.0303	<p><u>Published Notice Requirement for Ad Hoc Fees</u> Section 112.0301(c)(3) requires that the City Manager publish the Notice of Public Hearing (in addition to mailed notice) in accordance with Section 112.0303 at least 10 business days before the date of the public hearing. The Mitigation Fee Act applies to ad hoc fees imposed by the City Council (i.e. Community Plan Amendment) and requires special noticing per Government Code Section 6062a. Amend the code as advised by the City Attorney to clarify that special notice for ad hoc fees is required to be published in the newspaper as two published notices with at least 5 days intervening between the first and last publication dates (not counting the publication dates).</p>
6	Clarification/ Regulatory Reform	112.0309	<p><u>Clarification Regarding Claims of Failure to Receive Notice</u> Section 112.0309 was modeled after Government Code Section 65093 and provides that failure to receive notice shall not constitute grounds to invalidate an action taken by the City for which notice was provided. Amend the code as advised by City Attorney to clarify that the action shall not be held invalid for noticing errors, unless the court invalidates the action because error was prejudicial, caused substantial injury, or a different result would have been probable had the error not occurred.</p>
7	Clarification/ Consistency with State Law	112.0504	<p><u>Appeal Period for EOT Applications for Map Waivers and Tentative Maps</u> Amend Section 112.0504(a)(2) to clarify that the time for filing an appeal is 12 business days, except where more time is afforded by State law. The code would clarify that pursuant to Subdivision Map Act section 66452.6(e), an applicant has at least 15 calendar days to file an appeal if their application for EOT for a map waiver or tentative map is denied. In that case, the maximum time period for filing an appeal would be the greater of 15 calendar days or 12 business days.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
8	Regulatory Reform	125.0141	<p><u>Process to Modify Conditions of Approval of Recorded Maps</u> The existing code requires City Council approval for requests to modify conditions of approval for recorded maps, but sets a lower process level for new map applications. The proposed change would allow for requests to amend a map to be processed through the same process level that would apply to a new application for an equivalent map proposal.</p>
9	Regulatory Reform	125.0461 126.0108 126.0111	<p><u>Extension of Time Applications for Tentative Maps and Development Permits-</u> Sections 125.0461 (tentative maps) and 126.0111 (development permits) provide for extensions of time (EOT) up to a maximum period of 72 months total.</p> <ul style="list-style-type: none"> • Currently, EOT applications must be submitted within a 60 day window of the expiration period. Applicants have indicated the existing 60 day requirement is problematic and easily missed. Amend the code to allow EOT applications for TMs and development permits to be submitted within 12 months of expiration date instead of the existing narrow 60 day application window. • Clarify that if granted, the time period for development permit EOTs begins from the date of expiration of the previously approved development permit. • The code currently provides for timely submitted development permit EOT applications to be extended 60 days or until a decision is made on the application, whichever occurs last. This has created confusion on what should happen in cases where a decision on the application does not occur until after the 72 month expiration. Modify the provision for development permit EOTs to be consistent with language applicable to tentative map EOTs to read “whichever occurs first”.
10	Clarification	125.1030	<p><u>Process for Easement Vacations</u> Easement vacations decided by the City Council are not required to obtain a PC recommendation prior to City Council (Section 125.1030). Section 112.0509(d) allows the PC recommendation requirement to be waived. Amend the code to allow easement vacations with a Coastal Development Permit to be exempt from a PC recommendation if the CDP is required solely for the easement vacation.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
11	Regulatory Reform	126.0108 126.0109	<p><u>Utilization of a Development Permit</u> Eliminate the maintaining utilization section of the code. The amendment will provide greater predictability regarding permit expiration and will facilitate enforcement of the existing 36 month expiration date by clarifying what must occur prior the permit expiration date and clarifying the types of evidence that must be provided to demonstrate utilization so that a permit will not be void.</p>
12	Clarification	126.0110	<p><u>Cancellation or Rescission of a Development Permit</u> A permit holder may request cancellation of a development permit before utilization of the permit, or can submit an application to rescind the development permit after it has been utilized. Currently the code specifies that the permit is not void until recorded with the County Recorder, which places an administrative burden on the City to act. The amendment clarifies that the decision to cancel a development permit does not need to be recorded with the County Recorder. The cancellation takes effect on the date of the decision and is documented as part of the City’s administrative record.</p>
13	Regulatory Reform	126.0112	<p><u>Ability to Use New Regulations Without Amending a Development Permit</u> Allow projects to have the benefit of new regulations (adopted subsequent to the permit effective date) without a need to amend their development permit (i.e. CUP) if a Process Two Neighborhood Development Permit is obtained or if the applicant can otherwise demonstrate to the satisfaction of the City Manager that the resulting development is in substantial conformance with the permit.</p>
14	Regulatory Reform/ Economic Development	126.0113	<p><u>Flexibility for Modifications to Industrial Development</u> Streamline the process for changes to design guidelines and planned industrial development permit requirements that don’t meet the criteria for Substantial Conformance Review. Reduce from a Process Four Permit Amendment to a Process Two NDP (staff level decision appealable to Planning Commission) if the development meets specified criteria, including: no impact to public health, safety, and welfare; conformance to the code; no adverse affect to the land use plan; and location at least 1,000 feet from residential development. This change in permit process will benefit manufacturers (i.e. breweries that utilize outdoor silos for grain) because it’s common for older industrial development permits to have explicitly excluded outdoor tanks in the permit conditions.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
15	Clarification/ Regulatory Reform	129.0710 129.0715	<p><u>Encroachments</u> Sections 129.0710 and 129.0715 are being amended to facilitate the processing of encroachments in the public right-of-way. The amendment will clarify that pedestrian plazas in the right-of-way beyond the ultimate curb line require a Process Two Neighborhood Development Permit prior to City Engineer approval of an Encroachment Maintenance and Removal Agreement. The clarification will allow for permit holders to execute EMRAs in cases where they are not the property owner.</p>
16	Clarification/ Regulatory Reform	127.0102 127.0103 127.0104 127.0105 127.0106 127.0108 127.0109	<p><u>Previously Conforming</u> The City’s previously conforming regulations are in need of clarification due to the potential for multiple interpretations counter to the intent of the Land Development Code. The amendments will facilitate consistent application of the regulations and a more predictable outcome for applicants and the community. The greater predictability and certainty will increase opportunities and the likelihood for reinvestment in the City’s older neighborhoods. This item deals with a highly complex subject matter. See the attached “Summary of Previously Conforming Regulations” for additional details regarding the purpose and intent and an explanation of the proposed permit process for various previously conforming development scenarios.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
17	Regulatory Reform/ Consistency with State Law	128.0209 128.0306 128.0310 128.0312	<p><u>CEQA Document Processing Requirements</u></p> <p>The following changes will create consistency between the City’s CEQA requirements and state law, and will protect the City from certain CEQA document challenges that are currently being filed based on existing local requirements that are more restrictive than state law:</p> <ul style="list-style-type: none"> • Strike 128.0209(b). There is no requirement under state law to provide a cover letter when a previously certified document is used. Transfer this project submittal requirement from the code to instead be published in the City’s environmental review procedures and information bulletin 401. Staff reports will continue to include environmental determination statements for projects. • Revise 128.0306(b) to be consistent with the time period provided for by state law. • Revise 128.0310 and 128.0312 to separate references to the final EIR from the candidate findings and statement of overriding considerations (SOC) for the project. Remove the reference to the 14 day requirement for providing candidate findings and SOC before a public hearing in order to be consistent with state law criteria. The current requirement is unnecessarily causing delay to the processing of final EIRs. The candidate findings and SOC will still be available to the public for review with other project materials before the public hearing.
18	Clarification	129.0702	<p><u>When a Public Right-of-Way Permit is Required</u></p> <p>Amend the code to clarify that a public right-of-way permit is required for public improvements by a private entity or a public entity other than the City. The existing code allows the City Engineer to waive the permit requirement pursuant to Section 129.0702(b)(2) when the other governmental agency has an agreement in place with the City.</p>
19	Clarification	129.0720	<p><u>Qualifications to Prepare Plans and Perform Work in the Public Right-of-Way</u></p> <p>Replace the term “required” with the term “regulated” in Section 129.0720, and clarify that right-of-way work (regulated by Ch 12, Art 9) must be performed by a licensed contractor, with stated exceptions for public utilities and for homeowners to perform grading at their primary residence.</p>

No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
20	Regulatory Reform	131.0202	<p><u>Applying OP Zone to City Parkland Prior to Dedication</u> As requested by the Planning Department, to the amendment will allow the OP (open space-park) zone to be applied to City fee-owned designated park lands that have not, or will not, be formally dedicated by City ordinance or State statute. The goal is to facilitate application of the OP zone to future parkland during the community plan update process. It is common for parkland to be acquired by the City, designated for developed park purposes, and held until park facilities can be constructed, or until the property can be traded or sold to acquire land of a higher value for park purposes.</p>
21	Regulatory Reform/ Economic Development	142.0670	<p><u>Clarification of Street Light Requirement</u> Street lights are a public improvement that is required of private applicants as part of a new subdivision design. The existing code does not specify the public improvement requirement is tied to subdivision maps, which has caused the need for frequent conflict resolution for businesses in existing subdivisions who have been asked to provide new street lights while processing minor improvements via a grading permit or public right-of-way permit. Street lights will continue to be required of new subdivisions, or will otherwise be provided subject to available funding via the capital improvement program in accordance with Council Policy 200-18 (Mid-Block Street Light Policy for Developed Areas).</p>
22	Regulatory Reform	143.0212	<p><u>Exemptions from Historic Resources Site Survey</u> Section 143.0212 applies to all development that is 45 years or older and that has not been designated a historic resource. The code already exempts in-kind roof repair/replacement, and minor interior modifications limited in scope to an electrical or plumbing/mechanical permit. Amend 143.0212 to provide new exemptions from the requirement for a historic resources site survey for: 1) in-kind foundation repair and replacement (except that structures with decorative block or cobblestone foundations still require historic review), and 2) construction of swimming pools in the rear yard (except that property with a likelihood of archaeological sites still require historic review).</p>

Use Amendments: The following 11 items clarify the application of existing use categories, create new use subcategories, and streamline the process for approval of various use types:			
23	Regulatory Reform/ Economic Development	131.0112 131.0623	<u>Manufacturing Uses (Light manufacturing v.s. Heavy manufacturing)</u> Provide an exception to Section 131.0623(e) to identify beverage production as an allowable light manufacturing use in the IP-1-1 and IP-3-1 zones. Clarify that light manufacturing does not allow the use of explosives or unrefined petroleum. (Petroleum based products are okay.) Also clarify that the use category for light manufacturing includes the manufacturing of a wide variety of products including, but not limited to food, beverages, durable goods, machinery and equipment. (Manufacturing of beer fits in this category.) Heavy manufacturing involves large outdoor equipment such as cranes and large tanks to produce unpackaged bulk products such as steel, paper, lumber, fertilizer, or petrochemicals, and manufacturing that typically produces disturbing noise, dust, or other pollutants capable of harming or annoying adjacent uses.
24	Regulatory Reform/ Economic Development	131.0112 131.0222 131.0322 131.0422 131.0522 131.0622 141.0507	<u>Tasting Rooms versus Retail Tasting Stores</u> Amend Section 131.0112 and Ch 13 use tables to create a new commercial subcategory for tasting rooms, and allow them by right where accessory to beverage manufacturing. Create a new separately regulated use category for stand-alone retail tasting stores that sell beer (for on and off premises consumption) and offer tastings of the beer product the business manufactures at a separate location pursuant to a duplicate license (Type 1 or Type 23). Allow as a limited use in commercial and industrial zones subject to parking requirement and limit on hours (CN zones/by residential).
25	Regulatory Reform/ Economic Development	131.0112 131.0222 131.0422 131.0522 131.0622 142.0530 Table 142-05G	<u>Distribution and Storage Uses</u> Clarify the description of the distribution and storage use category and subcategories, and eliminate duplicative language. Use of the terms “wholesale” (a type of sales transaction) and “warehouse” (a type of building) as use category types has created confusion for applicants seeking to locate their businesses, especially since the category descriptions are very similar. The amendment will result in three subcategories: equipment and materials storage yards (outdoors), moving and storage facilities, and distribution facilities. Revise the Chapter 13 use tables and associated parking table 142-05G accordingly to reflect the name of the new use categories.

26	Regulatory Reform	131.0112 131.0222 131.0422 131.0522 131.0622 141.0602 142.0530 Table 142-05G 155.0238 Table 155-02C 1510.0303 1510.0307 1510.0309	<p><u>Assembly and Entertainment Uses, Including Churches</u></p> <p>Create a new separately regulated use category (Section 141.0602) to regulate Assembly and Entertainment Uses and places for religious assembly together as one use category that regulates assembly and entertainment facilities based on the size of the establishment. Set the process level based on the maximum capacity for assembly (i.e. allowing up to 300 people as limited use and creating conditional use criteria for larger facilities subject to a CUP). The City currently regulates “churches and places of religious assembly” and “assembly and entertainment” as “permitted by right” or “not permitted” in most zones, but still requires a CUP for churches in a few specialized zones (i.e. AR, SEPDO, and CUPDO).</p> <ul style="list-style-type: none"> • Amend CUPDO: Require CUP in CU-1 zone, and allow as limited use in the CU-2 and 3 zones. • Amend La Jolla Shores PDO: Do not allow in SF. Require a CUP in the CC and Visitor zones.
27	Regulatory Reform	131.0222 131.0322 131.0422 131.0522 131.0622 141.0607	<p><u>Drive-in and Drive-through Eating and Drinking Establishments</u></p> <p>Create a new use category for drive-in and drive-through eating and drinking establishments to regulate this type of development as a separately regulated use. The current code treats drive-in and drive-through components as a design feature of a restaurant. The new separately regulated use category will allow for this type of development to occur where it is appropriate for the location. This includes requirements for conditions to be placed on development in certain zones to minimize detrimental effects to neighboring properties. Set 7 year amortization period for drive through hours of operation in previously conforming establishments adjacent to residential.</p>

28	Regulatory Reform	131.0322 141.0302	<p><u>Companion Units</u> A companion unit is a small dwelling unit that is accessory to a single dwelling unit on a residential lot that provides complete living facilities, including a kitchen, independent of the primary dwelling.</p> <ul style="list-style-type: none"> • The existing code indicates that a Conditional Use Permit is required for a companion unit in the agricultural-residential zones. Change to a “limited” use to allow companion units via Process One approval if they meet the requirements in Section 141.0302 like in other citywide zones. • Remove existing requirement that a companion unit be constructed with the same siding and roof materials of the primary dwelling unit. The requirement is an unnecessary obstacle to the conversion of existing accessory buildings to companion units in established neighborhoods.
29	Regulatory Reform/ Economic Development	131.0623	<p><u>Allowance for Live Entertainment in Industrial Zones</u> Amend Section 131.0623 to allow eating and drinking establishments to have live entertainment in industrial zones, except for heavy industrial zones (IH zones).</p>
30	Clarification/ Regulatory Reform	141.0405	<p><u>Satellite Antennas in Industrial Zones</u> The amendment clarifies the existing discretionary permit exemptions that apply to accessory satellite antennas in industrial zones and to satellite antennas (in any zone) that are 5 feet in diameter or smaller.</p>
31	Clarification	141.0411 156.0315	<p><u>Historic Buildings Occupied by Uses Otherwise Not Allowed</u> Clarify that in cases where proposed reuse of a historic building includes a separately regulated use, the proposed use must be designed to meet the separately regulated use requirements as applicable to that use in order to minimize detrimental effects on the neighborhood. As requested by Civic San Diego, also amend the Centre City PDO to make it consistent with citywide regulations for this separately regulated use category.</p>

32	Clarification	141.0504	<p><u>Plant Nurseries</u> A “plant nursery” is a place where plants are cultivated and grown for transplant, distribution, and sale. There has been confusion as to why “plant nurseries” is a separately regulated use category. The amendment clarifies that the use is permitted by right in commercial zones and will help distinguish this use type from horticulture nurseries and greenhouses (agricultural use) and garden centers (a retail sales use). Currently, the code requires a Conditional Use Permit for plant nurseries in agricultural zones if the facility would include a retail space larger than 300 feet or allow non-plant retail sales. Retail sales of plants from garden centers in retail stores are also allowed by right in all zones that allow the sale of consumer goods.</p>
33	Clarification/ Regulatory Reform	141.1003	<p><u>Marine-Related Uses in the Coastal Zone</u> Clarify that no limitations apply to this use category in industrial zones where the use is permitted (as indicated by a “P” in the Ch 13 use table). Commercial zones that require a conditional use permit will continue to be subject to the separately regulated use criteria in Section 141.1003.</p>

Measurement Amendments: The following 5 items clarify how various things are defined or measured in the Land Development Code.			
34	Clarification	113.0234	<p><u>Bay Windows</u> Amend Section 113.0234 (Rules for Calculation and Measurement for Gross Floor Area) to help clarify under what circumstances bay windows are exempt from the calculation of gross floor area. Bay windows are exempt if the window height is less than 5 feet, there is at least 3 feet of space between the bottom of the window sill and the grade below (with no structural supports), and the interior space does not project more than 4 feet outward.</p>
35	Clarification/ Regulatory Reform	131.0448 131.0461	<p><u>Garages and Accessory Structures</u> Strike the term “detached” in subsection (c) in reference to garages. Encroachments associated with garages and non-habitable structures are limited in accordance with LDC Section 131.0461. The accessory building can’t exceed 525 sq ft in RS zones. Clarify that an accessory building in the setback can’t share a common wall with the primary dwelling unit, but can be attached via a design element and still be considered a separate building.</p>
36	Clarification	131.0461	<p><u>Roof Projection into the Angled Building Envelope Plane</u> The existing regulation in Section 131.0461(a)(1)(D), which is depicted in Diagram 131-04S, has led to multiple interpretations about what is intended to be a limited allowance for a roof design to project into the angled building envelope plane (facing the front yard) under specified limitations. The proposed amendment would clarify that the roof design may project into the angled building envelope, but may not encroach into the setback.</p>

37	Regulatory Reform	142.0305 142.0340	<p><u>Retaining Walls</u> Clarify when a building permit is required for a retaining wall by adding a reference in Table 142-03A to Section 129.0203. Create an exception for measurement of the height of retaining walls for zoning purposes when the elevation of the adjacent street grade is higher than the building pad. In such cases, the measurement of any portion of the wall or attached fence above grade would be taken from the adjacent street grade. This also will help clarify that the portion of the retaining wall at or below grade is not required to be broken into smaller wall sections (where it is greater than 3 feet in height) since it is interior to the private property and the majority of the wall is not visible from the public right-of-way.</p>
38	Regulatory Reform/ Economic Development	142.0910	<p><u>Mechanical Equipment Used in the Manufacturing Process</u> Provide an exception from the requirement in Section 142.0910(a) and (b) for mechanical equipment screening for industrial development that involves light or heavy manufacturing when the appurtenances are not readily visible from any residential development.</p>
<p>Parking: The following 2 items address parking and driveway related regulations.</p>			
39	Regulatory Reform/ Economic Development	142.0530 Table 142-05G	<p><u>Parking Requirement for Capital Intensive Manufacturing</u> Create a new specified parking requirement at rate of 1 space per 1,000 square feet of gross floor area for capital intensive manufacturing involving the use of large equipment, tanks, vessels, automated machinery, or any similar combination of such machinery and equipment.</p>
40	Regulatory Reform	142.0560	<p><u>Driveway Design to Meet Engineering Standards</u> Clarify that the driveway gradient engineering design standards in 142.0560(j)(9)(C) apply to driveway ramps to clarify that subsections (B) and (C) are intended to apply in different circumstances. The requirement for two 8 foot transitions on driveway ramps with gradients greater than 14 percent is typically associated with parking structures and low vehicle travel speeds. Subsection (B) applies to private driveways with higher vehicle travel speeds and instead requires a 20 foot long flat transition between the driveway apron and any gradient greater than 5 percent.</p>
<p>Signs: The following 4 items address the corresponding regulations and approval process for signs.</p>			

41	Regulatory Reform/ Economic Development	126.0113 142.1208	<p><u>Signage in Planned Commercial and Industrial Developments</u> Provide for commercial and industrial development to add signage in accordance with the sign code without a need to amend applicable development permits that are outdated with respect to sign regulations. Also allow Process One approval per the current sign code for any sites subject to old comprehensive sign plans adopted prior to January 1, 2000. Clarify that the following signs would still require a development permit: comprehensive sign plans (adopted January 1, 2000 or later), revolving projecting signs, signs with automatic changing copy, or a theater marquee. Also, a <i>sign</i> that involves an alteration to the building where the proposed building alteration is not in substantial conformance to the applicable <i>development permit</i>; or any proposal that involves an <i>advertising display sign</i> would not be eligible for the proposed Process One exception.</p>
42	Regulatory Reform	121.0203 121.0504 121.0505 129.0802 129.0804 129.0806 129.0811 129.0812 129.0813 129.0815 142.1206 142.1210	<p><u>Utilization of Sign Permits, Sign Stickers, and Sign Inspections</u></p> <ul style="list-style-type: none"> • Delete the requirement for initial utilization and maintaining utilization of a sign permit. A two year permit expiration period applies. • Remove outdated code language that references “sign stickers” and inspections. Sign inspections will occur only in association with a related building permit or code violation case.
43	Regulatory Reform	141.1105 142.1210 142.1260	<p><u>Gas Station Electronic Pricing Signs</u> State law sets requirements for posting of gas station pricing. However, the City currently requires a Process Two Neighborhood Use Permit for any signs with changeable copy, including gas station electronic pricing signs. The amendment will allow gas stations to obtain staff approval (Process One) of signs that display gas prices electronically, and will eliminate the unnecessary discretionary permit expense for what is considered basic signage consistent with the industry trend.</p>

44	Regulatory Reform	142.1220 Table 142-12B 142.1225 Table-12C	<p><u>Walls Signs and Ground Signs</u></p> <p>Currently, the wall sign area for an establishment is regulated with respect to the size of any ground signs. Ground signs, however, are tied to the street frontage and the adjacent street classification and speed limit of the premises as a whole. This has created unnecessary processing complications for new commercial tenants seeking approval of a wall sign, especially because the sign companies that process the permits tend to be different for wall signs versus ground signs. The change will help simplify the regulations and facilitate processing with a minimal increase, if any, to the signage as a whole. The existing requirement is a processing complication for applicants and can be especially unfair to businesses that aren't represented by the ground signage. The existing La Jolla Shores PDO sign requirement (applicable to a small specialized area) would remain unchanged.</p>
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Minor Corrections: The following 13 items would fix typos, punctuation and formatting errors, incorrect terms, and incorrect section references.			
45	Incorrect Section References	54.0308 54.0309	<u>Vacant Structures</u> When the abandoned properties ordinance was adopted, section 54.0308 was reformatted so that subsections (a)(1) through (9) became (a) through (i). However, three references to the old code sections remain. The police department uses this section to enforce against trespassers in vacant structures and need these section references fixed. References to (a)(8) should be (h) and (a)(9) should be (i). Non-LDC change requested by City Attorney.
46	Incorrect Spelling	98.0425	<u>Fee Payment</u> The term fee payment is misspelled as “free” payment. Change requested by City Attorney.
47	Incorrect Term	113.0103	<u>Definition of Reasonable Accommodation</u> Replace “dwelling unit” with “dwelling” per state law definition of reasonable accommodation.
48	Missing Section Reference	123.0101	<u>Zoning and Rezoning Actions</u> The code currently provides procedures for applying zoning to property in accordance with zones in Chapter 13. A reference would be added to clarify that the procedures also apply to zoning and rezoning of planned district bases zones identified in Chapter 15.
49	Incorrect Reference	126.0502	<u>Capital Improvement Program (CIP) Projects</u> The Council adopted a lower process for CIP projects in various circumstances. However, Section 126.0502(c)(4) and (5) only regulates private improvements and should not refer to a separate CIP process. Delete the incorrect CIP reference and restore to the original code language.
50	Incorrect Reference	131.0540	<u>Regulation of Residential in Commercial Zones</u> The code contains an incorrect reference to a residential table 131-04B in a context where it should be referencing the commercial zone table 131-05B.

51	Incorrect Permit Reference	131.0622	<p><u>Child Care Centers in Industrial Zones</u> The 7th Update to the Land Development Code (Ordinance O-20081) adopted a conditional use permit requirement for child care centers in the IP-1-1, IP-2-1, IL-2-1, IL-3-1, IH-2-1, and IS-1-1 zones to protect prime industrial lands in accordance with the General Plan. It appears that when the section was subsequently amended with the Otay Mesa Plan Update (O-20361) the new zones IP-3-1 and IBT were added as limited uses “L” (the former process for that use in industrial lands) instead of a conditional use requiring a CUP. The IP-1-1, IP-2-1, IP-3-1, IL-2-1, IL-3-1, IH-2-1, IS-1-1, and IBT should all show “C”. This correction is important to protect prime industrial lands.</p>
52	Incorrect Section References/ Punctuation Errors	141.0619	<p><u>Push Carts and Retail Food Code</u> The pushcart regulations refer to outdated references in SDMC Chapter 4. Instead they should just reference the CA Retail Food Code/Health and Safety Code, which establishes the health regulations that apply to food handling, storage, etc. The health regulations are enforced by the County via the required health permit.</p>
53	Grammatical Error	142.0310(a)	<p><u>General Fence Regulations</u> Replace the term “an” with “a” under 142.0310(a)(1) in reference to a Public Right-of-Way permit.</p>
54	Italicization Error	144.0233	<p><u>Street System and Development</u> “Street system” is not a defined term and should not be italicized under the section relating to acceptance of dedications. The term “street” is a defined term and can remain in italics, but the term “system” should not be italicized. The term “development” is a defined term and needs italics.</p>
55	Capitalization error/ Italicization Error	144.0242	<p><u>Findings for Tentative Map Approval</u> The term “findings” should be italicized to make reference to the defined term in Section 113.0103. The reference to LDC Sections should begin with a capital “S”.</p>
56	Incorrect Terms	1513.0304	<p><u>Mission Beach Planned District Ordinance (MBPDO) Errors</u> In MBPDO Section 1513.0304(d), the correct term “for” is misspelled as “or” and to change the term “deep” to “depth” in the context where it is incorrectly published as “3 feet in deep” to read “3 feet in depth”.</p>

57	Incorrect Section Titles	Ch 15, Art 17 Div 1-4	<u>Otay Mesa Planned District Ordinance (Repealed)</u> The Otay Mesa Planned District ordinance was repealed by the City Council (O-2014-87). However, the titles for the article and divisions were accidentally left in the code. This minor clean up action will clarify that the PDO was repealed in its entirety. Change requested by City Attorney.
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