



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 6, 2016

REPORT NO. PC-16-001

ATTENTION: Planning Commission, Agenda of January 28, 2016

SUBJECT: 10<sup>th</sup> UPDATE TO THE LAND DEVELOPMENT CODE/LOCAL  
COASTAL PROGRAM AMENDMENT (PROCESS 5)

### SUMMARY

**Issue:** Should the Planning Commission recommend approval to the City Council of the 10th Update to the Land Development Code (LDC) ordinance that amends the City's LDC and Local Coastal Program?

**Staff Recommendation:** Recommend approval to the City Council of the proposed code amendments, including Chapter 11, Articles 1 through 3; Chapter 12, Articles 1, 6, and 9; Chapter 13, Article 1; Chapter 14, Articles 1 through 4; and Chapter 15, Articles 1, 2, 5, 6, 8, 12, 14, and 18.

**Environmental Review:** The proposed amendments were reviewed for consistency with the certified Land Development Code (LDC) Environmental Impact Report (EIR) No. 96-0333, in accordance with Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15162. Based on this evaluation, Development Services Department staff determined the project would not result in new impacts or changed circumstances that would require a new environmental document and the previous environmental documents adequately cover these modifications to the LDC.

**Fiscal Impact Statement:** Costs associated with implementation of the regulations in the future will be covered by project applicants.

**Code Enforcement Impact:** The proposed amendments improve predictability and consistency in the application of LDC regulations. Issue #19 will allow for more timely corrective action of grading cases on sites with environmentally sensitive lands.

**Housing Impact Statement:** The proposed exemption from a Coastal Development Permit (Issue #9) streamlines the approval process for eligible single dwelling units (that are developed smaller than the allowable maximum floor area and structure height allowed by the base zone), which will result in reduced development costs for such housing. Issue #21 creates a process to approve increased density via a Planned Development Permit for new pedestrian oriented development in locations where the density incentive option is provided for in the applicable community plan.



## **BACKGROUND**

The 10th Update is part of the code monitoring work program that was created with the adoption of the original Land Development Code (LDC) to help maintain the code, simplify the City's development regulations, make the code more adaptable, eliminate redundancies and contradictions, standardize the code framework, and increase predictability in application of regulations. A total of 40 issues are included; the bulk of which are regulatory reform related.

The proposed amendments are intended to "right-size" decision process levels, and remove or adjust process steps that cause delay to projects or that increase project costs unnecessarily. Examples include streamlining for various public notice types, exemption from a Coastal Development Permit for eligible single dwelling units and demolition, modification of the utilization requirement for capital improvement program projects, removal of duplicative steps for non-historic development over 45 years old, exemptions from public improvement upgrades for certain tenant improvements, and streamlining for various use types including schools, home occupations, and boarding kennels/pet day care facilities. The amendments also facilitate shared parking, and bring the City into compliance with landscape water budget standards per state law and with federal standards for recreational vehicles and coastal high hazard flood areas.

To date, the amendments have been presented to the Code Monitoring Team, Technical Advisory Committee, Community Planners Committee, and Chamber of Commerce. A request for public input was posted on the City webpage and distributed via e-mail on November 18, 2015, to all planning group members and interested members of the public. As is typical of the code amendment process, the following recommendations were provided:

**Code Monitoring Team (CMT):** On October 14, 2015, CMT suggested minor revisions and requested additional time to review. On November 10, 2015, CMT voted 10-0 to recommend approval of the 10<sup>th</sup> Update, including changes that were incorporated into Issue #9 CDP Exemption, Issue #12 Schools, Issue #14 Home Occupations, Issue #29 Landscape Water Budgets, and Issue #34 Driveways.

**Technical Advisory Committee (TAC):** On October 14, 2015, TAC voted 6-2-1 to recommend approval of the approach presented by staff.

**Community Planners Committee (CPC):** On November 24, 2015, CPC reviewed the 10<sup>th</sup> Update as a subcommittee and full committee. CPC took the following actions:

Motion #1 to let individual communities decide on Issues #9 CDP Exemption, #12 Schools, #13 Assembly Facilities, and #22 CUPDO amendments. Passed by a vote of 16-0-1 Chair (La Jolla) abstained.

Motion #2 to approve Issues #1, 3-5, 8, 10-11, 15-16, 18-19, 21, 23-27, 30-38. Passed by a vote of 15-0-2 Peninsula and Chair (La Jolla) abstained.

Motion #3 to modify Issue #20 to add language related to HRB and a timeline for HRB to



make a determination instead of staff. Failed by a vote of 2-10-3. Motion #4 to approve Issue #20 passed by a vote of 12-2-2 with City Heights and Southeastern voting no and Peninsula and Chair (La Jolla) abstained.

Motion #5 to amend Issue #2 to state 60 calendar days instead of 45 calendar days. Passed by a vote of 15-1-1 with Otay Mesa voting no and Chair (La Jolla) abstained. Change was incorporated into the proposal.

Motion #6 to amend Issue #6 to add Community Planning Group's to the list of who requires distributed notice. Passed by a vote of 16-0-1 Chair (La Jolla) abstained. Change was incorporated into the proposal.

Motion #7 to amend Issue #7 to require a new permit for CIP projects if progress towards utilization is delayed for a period of 10 years from the permit issuance date. Passed by a vote of 14-2-1 Chair (La Jolla) abstained. Change was incorporated into the proposal.

Motion #8 to amend Issue #14 Home Occupation to insert a limit of one vendor at a time every 2 hours like the limit on customers. Passed by a vote of 15-0-2. Change was incorporated into the proposal.

Motion #9 to amend Issue #17 to limit the proposed exemption from public improvement upgrades to only non-residential tenant improvements. Passed by a vote of 16-0-1 Chair (La Jolla) abstained. Change was not incorporated. See analysis for Issue #17.

Motion #10 to amend Issue #28 to clarify that recycled water is not required for pools and spas. Passed by a vote of 16-0-1 Chair (La Jolla) abstained. Change was incorporated.

**City Heights Area Planning Committee (CHAPC):** On December 7, 2015, the CHAPC voted 12-0-0 to recommend the 10<sup>th</sup> Update clarify at what review level historic review takes place and when direct involvement of the Historic Resources Board is called for. See discussion for Issue #20.

**Rancho Bernardo Community Planning Board (RBCPB):** On December 17, 2015, the RBCPB voted 9-0-0 to support 10<sup>th</sup> Update Issue #27 Drive-through queuing space, and to submit concerns regarding Issue #16 Boarding Kennels/Pet Day Care Facilities based on a perception that the proposed amendment could cause erosion of employment lands. See discussion for Issue #16.

## **DISCUSSION**

The 40 issues in the 10<sup>th</sup> Update are organized in categories (Permit Process, Measurement, Parking, and Minor Corrections) with analysis provided below. Report Attachments include an issue matrix summary (Attachment 1) and proposed code language (Attachments 2-4).



### Permit Process

The following 22 issues will streamline the permit process and incorporate greater flexibility in the regulations. The amendments will result in more predictable permit process timelines and streamlined approvals. Attachment 2 includes the corresponding draft code language.

1. Board of Building Appeals and Advisors- Item withdrawn
2. Types of Notice: Notice of Application

A Notice of Application is required for a discretionary permit or map application that is decided in accordance with Process Three, Four, or Five. The Notice of Application is required to be distributed and posted at the project site and is intended to notify the public that an application has been filed. The notice is required to include a brief description of the request and a staff contact for additional information about the project. The issue is that the code currently requires the Notice of Application to be distributed and posted no later than 10 business days after the date on which the application is deemed complete, which has been problematic. The proposed amendment would allow for distribution and posting of the notice within 30 calendar days of the application being deemed complete and at least 60 calendar days prior to the public hearing. This provides a more reasonable time frame to distribute and post notice for the public at the start of the review process, and also provides time for planning groups to take action prior to the public hearing. A subsequent Notice of Public Hearing is already required to be distributed at least 10 business days prior to the associated public hearing.

3. Types of Notice: Notice of Future Decision

A Notice of Future Decision is required for a Process Two application (a staff level decision that is appealable to the Planning Commission). This type of notice is required to be distributed and posted at the project site and is intended to notify potential interested persons that an application has been filed. The Notice of Future Decision is required to include a brief description of the request and a staff contact for additional information about the project prior to the staff decision. Similar to Issue #2, the concern is that the code currently requires the notice to be distributed and posted no later than 10 business days after the application is deemed complete. The amendment would allow the Notice of Future Decision to instead be distributed and posted within 30 calendar days of the application being deemed complete, which is a more reasonable time frame. The amendment also clarifies that the staff decision date must be at least 30 calendar days after the date of the mailing of the notice (instead of 11 business days) to allow sufficient time for public comment.



#### 4. Types of Notice: Notice of Availability

The amendment reincorporates code language previously adopted by the City Council. Due to the order of action taken by the Airport Authority on separate ordinances for the 7<sup>th</sup> Update and ALUCP Implementation Plan (that each amended LDC Section 112.0301 in an overlapping time frame and delayed the effective date for the ALUCP ordinance), the Council must readopt the 7<sup>th</sup> Update code language for LDC Section 112.0301 before it can replace the existing placeholder: “Reserved Notice of Availability”. This is in spite of the fact that the City Council adopted the ALUCP Implementation ordinance on April 26, 2011, and later adopted the 7<sup>th</sup> Update ordinance on August 2, 2011 in the intended order presented by staff. This action will allow the placeholder to finally be removed and replaced with the intended code language.

#### 5. Waiver of Appeal Period

The proposed amendment deletes the “waiver of appeal period” provision for Process Three (Hearing Officer) and Process Four (Planning Commission) decisions. Currently, before the close of the public hearing for such decisions, the code provides for a decision maker to waive the appeal period for a Process Three or Four decision if it is determined for the record that there are no interested persons and that the applicant has waived all rights to appeal. However, the City Attorney raised due process concerns and advised that the waiver provision be deleted. Even if no interested parties participate at the public hearing, the Community Planning Group is still considered an interested party and can appeal the decision maker’s action accordingly. Also, Public Resources Code section 21151(c) provides for anyone to appeal the corresponding environmental determination for a project. This action preserves all existing appeal rights.

#### 6. Types of Notice: Notice of Appeal of a Permit Revocation Decision

The proposal amends the required noticing for permit revocation appeal hearings so that the same noticing distribution list that applies to the initial permit revocation hearing also applies to the appeal hearing. Currently, revocation hearings require mailed notice to the permit holder and to any persons who request the notice at least 10 business days before the date of the revocation hearing. However, the appeal hearing currently requires notice to property owners in a 300 foot radius (LDC Section 112.0308), which is not required for the revocation hearing and would therefore be removed. In response to the request made by the Community Planners Committee, the Notice of a Permit Revocation decision and the Notice of Appeal would now be required to be distributed to the officially recognized community planning group.

#### 7. Modify the Utilization Requirement for City Capital Improvement Program Projects

Currently, LDC Section 126.0108 requires a permit holder to utilize a development permit within 36 months. If the permit utilization standard is not met and a permit extension is not timely filed, then the permit becomes void. The proposed amendment modifies the utilization requirement as it applies to capital improvement program (CIP) projects in order to remove duplicative processing steps and streamline public projects in consideration of the many issues that delay or add uncertainty to processing times for CIP projects after permit approval. Examples of delay in



the development of CIP projects include the need to secure other agency approvals, the need to acquire or condemn property, the need to comply with contracting and bidding processes, and the need to secure funding (local, state, and federal). Capital improvement program projects are defined in LDC Section 113.0103 as tangible City projects with a life expectancy greater than one year that is counted as a fixed asset with values for capitalization purposes (for assessment of prosperity and financing purposes). As proposed, a CIP project would not be required to obtain a new discretionary permit unless no progress to utilize the permit is made over a period of 10 years from issuance of the permit. This amendment will better utilize and save public resources.

#### 8. Encroachments in the Public Right-of-Way

The proposed amendment will provide a staff level approval for certain public right-of-way encroachment exceptions that would allow above grade projections (i.e. awnings, balconies, bay windows, canopies, and other architectural appendages projecting a maximum of 4 feet into the public right-of-way and at least 8 feet above grade), and below grade encroachments (i.e. parking, garages, transformer vaults up to a point 3 feet or more behind the ultimate or existing curb line and at least 3 feet below the ultimate or existing curb line). According to Civic San Diego staff, the existing code has overcomplicated permit processing in Downtown San Diego for minor improvements such as balcony encroachments on floors above the first story and for below grade parking garage and utility encroachments by requiring discretionary permits.

The proposed change would apply citywide and would allow for such encroachments to be approved at the staff level via Process One with a Public Right-of-Way Permit and Encroachment Maintenance and Removal Agreement. A Process Two Neighborhood Development Permit (staff level decision appealable to the Planning Commission) would still be required for any at-grade encroachments (less than 8 feet above grade) that could potentially interfere with pedestrian activity, and a Process Four Site Development Permit (Planning Commission decision appealable to City Council) would still be required for encroachments where the applicant is not the underlying record owner and has not secured owner permission.

#### 9. Exemption from Coastal Development Permit (Single Dwelling Units/Demolition)

The proposed amendment will create a new permit exemption for single dwelling unit development and demolition that meets the specified eligibility criteria. The proposal can best be described as defining a class of development with no potential to negatively impact the environment and providing a streamlined review and approval process for such development. In order to meet the new exemption from a Coastal Development Permit, proposed development must comply with all of the following: 1) the location must be outside of the Coastal Commission appealable area and Sensitive Coastal Resource Overlay Zone; 2) the permit application must not otherwise require a development permit or subdivision map; 3) the location must not contain a designated historical resource or a potential historical resource in process; and 4) the premises must not contain environmentally sensitive lands. In addition, eligible single dwelling unit development must also comply with a reduced maximum structure height (90 percent of what is allowed by the base zone) and a maximum floor area (80 percent of what is allowed by the underlying base zone with a maximum of 40 percent of that floor area allowed



above the first story); otherwise, a Coastal Development Permit would be required.

While the process option created by this amendment includes limits more restrictive than what is allowed by the base zone, it is still expected to be well utilized due to the greater predictability in the approval process (non-appealable, staff level approval) and lower associated development costs. By offering this process incentive, local neighborhoods will likely see the smaller home development they are actively trying to encourage. Applicants will still have the option to seek discretionary approval to maximize development potential per the zone if they choose.

This item elicited great public interest. Most stakeholders support the proposal; however, some believe the eligibility requirements are already so stringent to meet coastal act requirements that the allowable floor area or structure height should not be further constrained for the new CDP exemption. Conversely, other stakeholders believe that instead of a ministerial process more development should be forced into discretionary review (i.e. by removing the separate discretionary permit exemption that is currently available for improvements to existing structures that retain at least 50 percent of the exterior walls of the existing structure) and that there should be further limits on the maximum floor area and height for the new CDP exemption.

#### 10. Exemptions from a Building Permit

The proposed amendment clarifies the listed exemptions from a Building Permit do not apply to alterations, repairs, or improvements to historical resources, or to proposed development on a premises containing environmentally sensitive lands that requires a development permit per LDC Section 143.0110. This modification will help clarify the exceptions that apply. Staff's experience has been that people do not read the code section in its entirety, which has lead to mistakes and unintended violations of the code. Moving the exception information to the start of the code section is expected to clarify the applicability and decrease the likelihood of future misinterpretation. The amendment will also clarify that one-story detached accessory buildings used as tool and storage sheds, playhouses, or similar uses with a roof area 120 square feet or less are not exempt from a building permit if they would be utilized for a separately regulated use subject to LDC Chapter 14, Article 1 (i.e. a companion unit or guest quarters).

#### 11. Electric Vehicle Charging Stations

Municipal Code Section 86.0151 defines and regulates the parking of electric vehicles at parking spaces in the public right-of-way served by a charger for electric vehicles. The proposed code amendment will implement AB 1236 to provide a streamlined approval process for the development of electric vehicle charging stations on private property. (The City is required to comply with AB 1236 by September 30, 2016.) The amendment allows for the development and operation of electric vehicle charging stations in zones citywide, narrows the scope of permit review to compliance with public health and safety requirements, and provides for an applicant to make an appeal to the Planning Commission in case of a permit denial by the Building Official. The resulting increase in development of electric vehicle charging stations will support greater use of electric vehicles consistent with the City's Climate Action Plan policies for clean and renewable energy and transit and land use strategies.



## 12. Grade K-12 Educational Facilities and One-on-One Teaching Facilities

LDC Section 141.0407 applies to educational facilities with children enrolled in grades kindergarten through 12, except for public schools which are subject to State Architect approval and are exempt from local approvals pursuant to Government Code Section 53094. All other state accredited schools are subject to applicable local requirements and state standards in terms of the type of courses and minimum facility/safety standards. The issue for charters and private schools has been the fact that few locations allow educational facilities without a Conditional Use Permit (CUP), which is why they requested expansion of the number of zone locations and circumstances where a school can be developed without a discretionary permit.

The amendment allows one-on-one teaching facilities and small educational facilities that function like professional offices in locations where the “Business and Professional Office” use category is permitted if the schools are limited to students in grades 6-12, 50 students maximum, and the facilities do not include assembly space. A recent example of this type of school was the Fusion Academy & Learning Center (Project No. 405053); a fully accredited school and tutoring facility that the Planning Commission classified as a Business and Professional Office due to its unique innovative one-to-one format and day-to-day function like a typical office. (See Planning Commission Report PC-15-084 on the agenda of June 11, 2015.)

Changes are also included to address process obstacles that have made it difficult for private schools and charter schools to open in time for the traditional school calendar. The amendment will allow K-12 schools as a limited use in Multiple Unit Residential (RM), Regional Commercial (CR), and Community Commercial (CC) zones where facility capacity does not exceed 300 students. A CUP would continue to be required for K-12 schools with occupancy over 300 students in RM, CR and CC zones and for all K-12 schools in the Agricultural Residential (AR), Neighborhood Commercial (CN), Commercial Office (CO), Visitor Commercial (CV), Industrial Park (IP), Light Industrial (IL), and Small Lot Industrial (IS) zones.

On October 28, 2015, the California Charter School Association and other stakeholders provided examples to the City Council Committee on Smart Growth and Land Use to demonstrate the difficulties they experienced in trying to find locations, secure lease agreements and school district authorization, and obtain local permit approvals under the current code. In response to their input, flexibility was also incorporated to allow new K-12 schools to replace existing schools (including schools with enrollment over 300 students) without requiring a discretionary permit if the result is no increase in the number of students at that location. This will help to better adapt and reuse existing facilities in circumstances where existing schools are closed.

Various Planned District Ordinances would also be amended, including the Central Urbanized and Mission Valley PDOs to reduce the permit process from a CUP to a limited use consistent with the new citywide regulations. The Barrio Logan, Golden Hill, Mid City, and San Ysidro PDOs do not currently require CUPs for schools, but would also be amended for consistency with the new citywide limited use regulations.



### 13. Assembly and Entertainment Uses

Various clean up amendments are proposed to ensure that religious assembly is consistently treated throughout the code on at least equal terms with similar non-religious assembly. The Barrio Logan, Golden Hill, Mid City, and San Ysidro Planned District Ordinances would be amended for consistency with the citywide regulations in Section 141.0602 (as adopted with the 9<sup>th</sup> Update to the Land Development Code on April 21, 2015). Also, to avoid potential conflict with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA) enacted in 2000, the Centre City PDO would be amended to allow religious assembly in the waterfront marine (WM) and convention center (CC) zones consistent with the existing allowance for schools in those zones; and the Mission Valley PDO would be amended to replace the existing CUP requirement for religious assembly with citywide limited use regulations. LDC Table 131-06B would also be amended to remove old text relating to religious assembly in footnote 16, which now applies only to instructional studios because the limit on assembly and entertainment uses in prime industrial lands is published separately in LDC Section 141.0602.

### 14. Home Occupation Regulations/Cottage Food Regulations

The amendment will implement state law (AB 1616 and AB 1252) to allow cottage food operations by a resident from their home in accordance with the City's amended home occupation regulations. State law provides for residents to prepare, package, and sell foods that don't require refrigeration and are non-potentially hazardous (i.e. fruits, nuts, chocolate, grains, baked goods, and tortillas) from their home (maximum of \$50,000 in annual gross sales). The state law allows for direct sales to consumers, indirect sales to third party retailers under certain conditions, and allows for one full time employee.

The amendment would also streamline the regulations applicable to all types of home occupations (small in-home businesses conducted by a resident). Consistent with the Economic Development & Intergovernmental Relations Committee recommendation, the amendment would allow the resident to have an employee or business partner for their home occupation and the ability to have customers and vendors visit their home without requiring a discretionary permit. Currently, a Neighborhood Use Permit is required for a home occupation to have a maximum of one customer at the home. However, that has been identified as unreasonable and cost prohibitive in that it requires a \$5000 deposit and does not effectively capture the business model of small in-home accountants or personal service businesses that want to accommodate customer appointments during the business day. The amendment would allow for a maximum of one customer at a time every two hours between the hours of 7am and 7pm, and one vendor every two hours during the same time period. In addition, the work week would be expanded from Monday through Friday to also include Saturdays. A Process Two NUP could be obtained to request deviations as appropriate for the context of the operation and the neighborhood.

### 15. Housing for Senior Citizens

The amendment would repeal the "housing for senior citizens" separately regulated use category, which was originally created to provide for a break on the parking rate for senior housing



development that meets the listed design criteria, but instead has been interpreted to require a Process Three Conditional Use Permit for all senior housing. Staff has been advised by the City Attorney that consistent with applicable federal and state fair housing laws, housing for seniors in a dwelling unit generally must be treated like housing for anyone else living in a dwelling. The amendment will help clarify that a CUP is not required for senior housing. Also, the state law definition of housing for senior citizens will be transferred to the associated parking regulations for restricted affordable housing units in order to facilitate implementation of the City's reduced parking regulations for affordable dwelling units. (See also Issue #32.)

#### 16. Boarding Kennels/Pet Day Care Facilities

The proposed amendment clarifies that the parking requirement of 2.5 spaces per 1,000 square feet applies to all boarding kennel/pet day care facilities regardless of whether they are permitted as limited uses or conditional uses. Currently, the existing regulations can be interpreted as requiring more parking for facilities just because they are requesting a Use Permit. The amendment will also provide flexibility for boarding kennels and pet day care facilities to be located in certain industrial areas identified as prime industrial lands, with the exception of industrial parks zoned IP-1-1 and IP-3-1. Stakeholders such as BIOCUM and the Rancho Bernardo Community Planning Board initially raised concerns about potential compatibility and impacts to employment lands. However, this use is not considered a sensitive receptor and the City's zoning code already has regulatory controls to protect valuable employment lands from erosion by non-base sector businesses. For example, the boarding kennel/pet day care use category is not allowed in the IP-1-1 or IP-3-1 zones and is allowed as a limited use only in the Light Industrial IL-2-1 and IL-3-1 zones. The IP-2-1, IL-1-1, IH-1-1, IH-2-1, IS, and IBT zones require a discretionary permit (Neighborhood Use Permit) approval, which means the decision maker must find that the proposed development does not adversely affect adopted land use plans, including the community plan and the economic prosperity element of the general plan.

#### 17. Exemption from Public Improvement Upgrades for Tenant Improvements

The proposed amendment would exempt tenant improvements that do not involve the addition of floor area or intensification of use (as measured by an increase in average daily trips) from the requirement for public improvements. Currently, the City requires public improvement upgrades for any project valued at \$50,000 or more, and includes tenant improvements even where the development involves no increase in existing development intensity, which is cost prohibitive for small tenant improvement projects. The Community Planners Committee recommended that the exemption be limited to only non-residential development. However, the change was not included due to equity and nexus concerns about treating residential and non-residential development differently for the same type of improvement that is not an intensification of use.

#### 18. Affordable/In-fill Housing and Sustainable Regulations

LDC Section 143.0915 identifies when the affordable/in-fill housing and sustainable housing regulations apply. The amendment clarifies that LDC Section 143.0915(a) applies to both for sale and for rental affordable housing units.



## 19. Corrective Action for Environmentally Sensitive Lands Code Enforcement Cases

The proposed amendment clarifies that a development permit application can be processed to address an open code violation on a premises containing environmentally sensitive lands (ESL). Currently, the code states that "...no development permit application may be processed until the enforcement action has been concluded" in reference to unlawful development on a premises with ESL where an enforcement action has been commenced by the City. The change will allow for more timely corrective action of grading cases that involve sensitive biological resources and steep hillsides, and will make the process more efficient. The California Department of Fish and Wildlife requested that the City require an up-front legal commitment by the applicant to a defined timeline to correct this type of code violation. However, that is already a remedy available to code enforcement. Instead, the code change will provide a path for cooperative applicants to more quickly obtain a discretionary permit and resolve the violation issue.

## 20. Process for Requirement of Site Specific Surveys (Historic Resource Regulations)

The amendment to LDC Section 143.0212(c) clarifies that after either 1) a site specific survey is provided for a proposed development subject to a development permit, or 2) a proposed development is determined to be exempt from the need to obtain a site specific survey, then it is not necessary to require an additional site specific survey at the construction permit phase for that same development project. The issue is that the current code language has been interpreted to allow the City to require a site specific survey determination prior to issuance of the development permit and also at the construction permit phase of a project, which has been frustrating to applicants and is not what was intended. For those projects that only require a construction permit and not a development permit, they will still be required to go through the site specific survey determination process prior to obtaining a construction permit. The amendment helps to streamline project review by eliminating duplicative steps in the process for projects that are determined to not have the potential to impact historical resources. The code change does not preclude the City from requiring review of potential historical resources for subsequent projects, and does not preclude anyone from filing a nomination for a potential historic resource to be considered for designation by the Historic Resources Board (HRB).

The City Heights Planning Area Committee requested the ordinance address when direct involvement of the HRB is called for, which is beyond the scope of this amendment. The historic review process and process for designation of historical resources is already covered in the code and in the land development manual historical resources guidelines. LDC Section 143.0210 specifies when the historical resources regulations apply and what review process level and permit applies to various development scenarios. LDC Chapter 12, Article 3, Division 2 identifies the process for designation of historical resources. LDC Section 111.0206 specifies the powers and duties of the Historical Resources Board, which is an advisory board established by the City Council to identify, designate and preserve historical resources, including recommendations on permit applications relating to the demolition, destruction, substantial alteration, removal or relocation of designated historical resources.



21. Community Plan Implementation: Density Incentive to Encourage Huffman Redevelopment

The proposed amendment to the Planned Development Permit (PDP) regulations will provide a process to approve increased density in exchange for pedestrian oriented design in new multiple dwelling unit residential development. The amendment will provide a means to implement adopted land use plan goals in specified areas, such as the North Park community's goal to replace existing "Huffman style development" with pedestrian oriented development. The new density incentive would not be applied to any specific property via this ordinance. Instead, this action simply creates the processing tool so that it can be utilized in the future by any communities citywide that expressly incorporate a density incentive subject to approval of a PDP into the applicable community plan. North Park is expected to be the first community to utilize this incentive zoning approach, and will likely be followed by communities with similar goals to provide increased density to new pedestrian oriented development in areas where the interface between the public realm and abutting private development has been identified as problematic.

22. Release of Survey Monument Bonds

The amendment will allow the City Land Surveyor to release security bonds posted for the setting of monuments. The Subdivision Map Act section 66497(d) allows the legislative body to delegate this authority to qualified staff that review and approve subdivision maps. This change will eliminate the extra processing steps that currently cause unnecessary delay to bond release.

23. Sidewalk cafes and other Minor Clean-up changes to the Central Urbanized Planned District Use Table

The amendment reduces the process level for sidewalk cafes in the Central Urbanized Planned District to allow them as a limited use "L" in the CU-1, -2, and -3 zones of the CUPDO consistent with the permit process citywide (instead of requiring a Neighborhood Use Permit). Minor clean-up amendments to the CUPDO use table would also address the following use categories to make the table consistent with the citywide use tables: group living accommodations, shopkeeper units, wireless communication facilities, electric vehicle charging stations, satellite antennas, farmers markets, retail farms, retail tasting stores, tasting rooms, medical marijuana consumer cooperatives, mobile food trucks, wholesale, warehouse, distribution facilities, mining and extractive industries, community entry signs, neighborhood identification signs, and comprehensive sign programs.

Measurement:

Refer to Attachment 3 for draft code sections for the following seven issues.

24. Visibility Area

The amendment would clarify that adequate sight distance is a determination made by the City Engineer. LDC Section 113.0273 and the Street Design Manual address measurement of visibility areas. However, the existing visibility area code section is unclear about the authority



of the City Engineer to require adequate sight distance and the City Engineers ability to modify visibility triangles as necessary to maintain adequate sight distance. This has been a frequent conflict resolution topic for project applicants in process. The amendment would clarify that adequate sight distance is required of all development and that the City Engineer may modify the visibility triangle as necessary via Process One permit review pursuant to the City Engineer authority in LDC Section 129.0104.

#### 25. Calculating the Separation Distance Between Uses

The amendment would modify the calculation of separation distance between uses to be consistent with the existing calculation for alcoholic beverage establishments to apply in circumstances where the purpose of the requirement is to evaluate how difficult it is to access the establishment by certain use types within certain proximity and limit that physical access accordingly. The change would allow the calculation to include and factor in any manmade or natural barriers in such cases, except in cases where the purpose of the separation distance is to address noise, air quality, or odor.

#### 26. Floor Area Calculation for Mixed Use Projects

The proposed amendment clarifies that the special floor area calculation for residential development in LDC Section 113.0234(b) does not apply to the commercial portion of a mixed use development. LDC Section 113.0234(b) counts unenclosed space below enclosed space for residential development under certain circumstances in order to address bulk and scale with respect to neighborhood character. The limit on floor area was not intended to apply to non-residential or mixed use product types that are vertically integrated by design.

#### 27. Drive-Through Queuing Space for Vehicles

During the processing of the 9<sup>th</sup> Update, staff was asked to consider requiring additional distance for the queuing of vehicles from the drive-through order window. Measurement of the standard for five vehicles to queue in a stacking lane is currently taken from the pick-up window. As proposed, an additional standard would be added to require a minimum of 40 feet between the order window and the nearest curb cut for all eating and drinking establishments with drive-in or drive-through services to accommodate additional queuing space for at least two cars on the premises. The City's methodology for measurement of drive-through queuing is consistent with other cities.

#### 28. Criteria for Small Lot Subdivisions Related to Landscape and Lot Area

The Small Lot Subdivision Ordinance applies in multi-family zones, and allows existing lots to be subdivided into smaller lots consistent with the allowable density of the base zone to facilitate new product types and greater opportunities for homeownership in local neighborhoods. The ordinance became effective in areas located outside of the coastal zone on June 4, 2015. However, it has since been identified through the review of various projects that the minimum lot area requirement is an unnecessary barrier to better design alternatives. The amendment would



therefore amend Table 143-03C to remove the minimum lot area requirement. There would be no increase in allowable density as a result of the change because the minimum lot width and depth standards of the pre-subdivided lot would continue to apply, and the maximum density is still calculated for the pre-subdivided lot based on the maximum density of the base zone. The proposed amendment also clarifies the landscape requirements for small lot subdivisions and corrects a typographical error to identify the plant points requirement is 0.05.

## 29. Landscape Water Budgets

Various amendments are proposed to the City's landscape standards to implement the 2013 California Green Building Standards (Part 11 of Title 24) state law changes related to landscape water budgets that were adopted as "emergency express terms" in May 2015 (effective June 1, 2015). The changes generally require a more efficient water budget for landscape areas 500 sq ft or greater, project level audits, and annual local status reports based on a watershed approach. Proposed code amendments include new plant factors to estimate plant water usage, modified irrigation efficiency factors, and new factors for evapotranspiration (to reduce the evapotranspiration adjustment factor from .7 to .55 for residential and to .45 for non-residential, and to increase the special landscape area ETAF from .3 to .45 for residential and to .55 for non-residential), which means the landscape water budget must now be about 15 percent more efficient than the City's prior standards. Applicants must demonstrate that the project's estimated total water use (ETWU) will be less than the maximum applied water allowance (MAWA)-water budget. Alternatively, pursuant to state law, applicants with a landscape area of 2,500 square feet or less can choose to demonstrate compliance via a prescriptive approach that requires the applicant demonstrate compliance with special requirements for compost, mulch, climate adapted plants, limits on turf, and special irrigation system requirements. Eligible applicants that demonstrate compliance with the State's prescriptive compliance option are not required to do the MAWA and ETWU calculations. The resulting water efficient landscapes that will result from both processing options are consistent with City goals for greater water efficiency and conservation consistent with the City's Climate Action Plan.

## 30. Standards for Recreational Vehicles and Coastal High Hazard Areas in Special Flood Hazard Areas

The proposed amendment identifies new standards for recreational vehicles in special flood hazard areas and for construction within coastal high hazard areas. The proposed amendment is necessary for the City to meet new National Flood Insurance Program criteria. The City was informed by the Federal Emergency Management Agency (FEMA) that a Flood Insurance Rate Study and Federal Insurance Rate Maps (FIRM) were recently completed for the City of San Diego and will take effect April 5, 2016. The amendments relate to FIRM Zones A1-30, AE and AH and coastal high hazard area FIRM Zones V1-30, VE, or V. Attachment 6 includes the FEMA letter dated December 22, 2015, which explains that the City can face sanctions if the amendments are not adopted by April 5, 2016. Staff has been coordinating with FEMA regarding the amendment language and expects the ordinance to be adopted in time to meet this deadline. The types of sanctions the City could face for not meeting the deadline are as follows:



- No resident would be able to purchase a flood insurance policy.
- Existing flood insurance policies will not be renewed.
- No federal grants or loans for development may be made in identified flood hazard areas under programs administered by federal agencies (i.e. HUD, EPA, and SBA).
- No federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
- No federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. (This includes policies written by FHA, VA, and others.)
- Federally insured or regulated lending institutions (i.e. banks and credit unions) must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the property is not eligible for federal disaster relief.

#### Parking:

Refer to Attachment 3 for the draft code sections for the following four issues.

#### 31. Common Area Parking

Common area parking is required for multiple dwelling unit development in “planned urbanized communities” in cases when a Planned Development Permit is required. The term planned urbanized has created confusion in applicability because the associated General Plan map is not readily accessible in the code. To help clarify the applicability, the code will be changed to explicitly state that the common area parking requirement applies in the communities of Black Mountain Ranch, Carmel Valley, Carmel Mountain Ranch, East Elliott, Fairbanks Ranch Country Club, Miramar Ranch North, Mira Mesa, Otay Mesa, Rancho Bernardo, Rancho Penasquitos, Sabre Springs, Scripps Miramar Ranch, Tierrasanta, Torrey Highlands, and University. No substantive change is proposed.

#### 32. Affordable Housing Parking Regulations

In October 2012, the City Council adopted the Reduced Parking Demand Housing Regulations. A few weeks prior to the City Council hearing, the draft ordinance was modified. The currently proposed amended language is consistent with the hearing reports, the Affordable Housing Parking Study, and staff presentations of the initially adopted ordinance in which parking reduction is applied to the affordable housing units only.

#### 33. Shared Parking

The amendment modifies the existing provision that requires shared parking to be located within 600 feet. The proposed standard of 1200 feet is considered a reasonable walking distance (equivalent of 4 City blocks and double the existing standard) and is expected to facilitate more opportunities for smart growth development.

#### 34. Maximum Number of Driveways

The proposed amendment clarifies the circumstances where property may have more than one



driveway access, which has been a frequent conflict resolution issue. LDC Section 142.0560(j)(8) states, “For properties with no access to an alley, there shall be at least one driveway opening permitted per street frontage with a maximum of one driveway opening for each 100 feet of street frontage.” The amendment will remove the potential for multiple interpretations, and clarifies applicability for different scenarios including lots with no alley access, lots with all access and at least 150 feet of street frontage, and lots with alley access and less than 150 feet of street frontage. The amendment also clarifies that corner lots are permitted to have a driveway based on a calculation of the total combined street frontage.

#### Minor Corrections

Refer to Attachment 4. The following 6 issues fix incorrect references and formatting errors.

#### 35. Exemptions from a Coastal Development Permit

LDC Section 126.0704 will be amended to correctly reference state law section 13250, California Administrative Code Title 14; instead of Title 24. The amendment also fixes a capitalization error for the term Coastal Development Permit.

#### 36. Coastal Development Section

The proposed amendment will italicize the defined term “public right-of-way” and replace the term “vacation” with the updated term “abandonment” for consistency with prior code changes.

#### 37. Retail Tasting Stores Use Category

The amendment fixes an incorrect reference to the retail tasting stores use category that was adopted with the 9<sup>th</sup> Update. Tasting rooms refers to an entirely different use category.

#### 38. Purpose of Industrial Zones

The amendment correctly spells the term “provide”, which is currently published as “ide” .

#### 39. Standard Drawings for Driveways

The amendment corrects Standard Drawing references in LDC Section 142.0560(j)(3).

#### 40. Supplemental NDP requirement for Previously Conforming Site

The amendment fixes the error in Table 143-03A where LDC Section 127.0106 is currently published as “127/0106”.

#### 41. Central Urbanized Planned District Ordinance

The amendment replaces the incorrect reference to General Planned District Section 151.0253(a) with the applicable Central Urbanized Planned District Ordinance Section 155.0253(a).



**Conclusion:**

Staff recommends approval of the proposed ordinance. The code amendments are consistent with the adopted Land Development Code goals to simplify land development regulations, to make the code more adaptable, to eliminate redundancies and contradictions, to standardize the land development code framework, and to increase predictability in application of the regulations.

**Respectfully submitted,**



**Robert Vacchi**  
**Director,**  
**Development Services Department**



**Amanda Lee**  
**Project Manager, LDC Work Program**  
**Development Services Department**

VACCHI/AJL

**Attachments:**

1. Issue Matrix
2. Draft Code Language: Permit Process
3. Draft Code Language: Measurement/Parking
4. Draft Code Language: Minor Corrections
5. Amendments to the Landscape Standards
6. Letter from FEMA dated December 22, 2015



Following is a summary of the 40 amendments organized into Permit Process/Use Types, Measurement, Parking, 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
<b>Permit Process/Use Amendments:</b> The following 22 amendments are proposed to improve the permit process, clarify the requirements for various public notice types, address inconsistencies in the regulations, and clarify the regulations applicable to various use types.			
1	Clarification	111.0207	<b><u>Board of Building Appeals and Advisors—Item withdrawn</u></b>
2	Regulatory Reform	112.0301	<b><u>Types of Notice: Notice of Application</u></b> A Notice of Application is required for an application (Process Three, Four, or Five) for a permit or map. The Notice of Application is required to be distributed and posted at the site and is intended to notify potential interested persons that an application has been filed, a brief description of the request, and a staff contact for additional information. The issue is that the code currently requires the Notice of Application to be distributed no later than 10 business days after the date on which the application is deemed complete. The amendment would allow for the Notice of Application to be distributed within 30 calendar days of the application being deemed complete and at least 60 calendar days prior to the public hearing, which is a more reasonable time frame to distribute and post this type of notice. Subsequent public notice is already provided in such cases because a separate Notice of Public Hearing is also required to be distributed at least 10 business days prior to the public hearing.
3	Regulatory Reform	112.0301	<b><u>Types of Notice: Notice of Future Decision</u></b> A Notice of Future Decision is required for a Process Two application. A Notice of Future Decision is required to be distributed and posted at the site and is intended to notify potential interested persons that an application has been filed, a brief description of the request, and a staff contact for additional information prior to the staff decision. Similar to the Notice of Application, the issue is that the code currently requires the Notice to be distributed and posted no later than 10 business days after the date on which the application is deemed complete. The amendment would allow for the Notice of Future Decision to be distributed within 30 calendar days of the application being deemed complete and at least 30 calendar days prior to the decision date, which is a more reasonable time frame to distribute and post this type of notice.



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
4	Clarification	112.0301	<p><b><u>Types of Notice: Notice of Availability</u></b></p> <p>Amend Section 112.0301(d) to officially reincorporate code language as previously adopted by the City Council (with the 7<sup>th</sup> Update to the LDC ordinance) in place of the current published text that reads “Reserved Notice of Availability”. The City Council must readopt the language from the 7<sup>th</sup> Update before it can be published in the municipal code because of the order of action taken on two separate ordinances (amending 112.0301) that were processed in the same time frame in 2011.</p>
5	Clarification	112.0505 112.0507	<p><b><u>Waiver of Appeal Period</u></b></p> <p>Delete the waiver of appeal period provision in Sections 112.0505(c) and 112.0507(c). Appeals of environmental documents can’t be limited to only interested parties because CEQA (PRC § 21151(c)) allows anyone to appeal the approval of an environmental document, or to appeal an environmental determination that CEQA does not apply to a project. Also, even if no interested parties participate at the public hearing, the Community Planning Group is always considered an interested party and can appeal the decision maker’s action on a project accordingly.</p>
6	Regulatory Reform	121.0314 121.0315	<p><b><u>Types of Notice: Notice of Appeal of a Permit Revocation Decision</u></b></p> <p>Revise the requirement for noticing for permit revocation appeal hearings so that the same noticing distribution list is provided for the initial revocation and appeal hearings. Currently, revocation hearings require mailed notice to the permit holder and to any persons who request the notice; and the appeal hearing requires notice to all property owners in a 300 foot radius in accordance with Section 112.0308. The amendment clarifies that a 300 foot radius notice will no longer be required for appeal hearings and that notice to the officially recognized planning group will now be required for permit revocation and appeal hearings.</p>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
7	Regulatory Reform	126.0108	<p><b><u>Modify the Utilization Requirement for City CIP Projects</u></b></p> <p>Amend the code to clarify that a new permit is required for capital improvement program projects only if no progress is made to utilize the project for a period of 10 years. Capital improvement program projects are defined as tangible City projects with a life expectancy greater than one year that is counted as a fixed asset with values for capitalization purposes (for assessment of prosperity and financing purposes). Issues after permit approval that typically delay or add uncertainty to processing times for CIP projects include the need to secure other agency approvals, the need to acquire or condemn property, the need to comply with contracting and bidding processes, and the need to secure funding (local, state, and federal).</p>
8	Regulatory Reform	126.0402 129.0710	<p><b><u>Encroachments in the Public Right-of-Way</u></b></p> <p>Amend the code to provide an administrative level approval for some public right-of-way encroachment types including: above grade projections (i.e. awnings, balconies, bay windows projecting a maximum of 4 feet into the public right-of-way and at least 8 feet above grade) and below grade encroachments (i.e. parking, garages, transformer vaults up to the ultimate or existing curb line). At grade encroachments (less than 8 feet above grade) would still require a Neighborhood Development Permit, and all encroachments where the underlying record owner has not granted permission would still require a Site Development Permit.</p>
9	Regulatory Reform	126.0704	<p><b><u>Exemption from Coastal Development Permit (Single Dwelling Units/Demolition)</u></b></p> <p>Create a new exemption from the requirement to obtain a Coastal Development Permit for certain single dwelling unit development and demolition of existing structures if the development meets the specified criteria for eligibility: can't be in Coastal Commission appealable area or sensitive coastal resource overlay zone; can't otherwise require a development permit or subdivision map; can't be a designated historical resource or a potential historical resource; and the premises can't contain environmentally sensitive lands. All single dwelling unit development must be located on a single lot zoned for single dwelling unit residential and must limit development to no more than 90 percent of the applicable height and 80 percent of the applicable floor area permitted by the underlying base zone in order to be eligible for the permit exemption.</p>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
10	Clarification	129.0203	<p><b><u>Exemptions from a Building Permit</u></b></p> <p>Amend LDC Section 129.0203 to clarify that the listed exemptions from a Building Permit do not apply to alterations, repairs, or improvements to historical resources or to proposed development on a premises containing ESL that requires a development permit per LDC Section 143.0110. And clarify that one-story detached accessory buildings used as tool and storage sheds, playhouses, or similar uses with a roof area 120 square feet or less are not exempt from a building permit if they would be used for a separately regulated use subject to LDC Chapter 14, Article 1.</p>
11	Regulatory Reform/ Compliance with State Law	129.0308 131.0222 131.0322 131.0422 131.0522 131.0622 141.0419 151.0103 155.0238	<p><b><u>Electric Vehicle Charging Stations</u></b></p> <p>Implement AB 1236 to provide a streamlined approval process for electric vehicle charging stations, narrow the scope of permit review to compliance with public health and safety requirements, and provide for appeal to Planning Commission in case of denial by the Building Official. The use would be allowed on private property in all citywide zones. The City is required to comply with AB 1236 by September 30, 2016.</p>
12	Regulatory Reform	131.0422 131.0522 141.0407 152.0303 152.0309 155.0238 158.0301 1512.0302 1514.0304 Table 1514-03E 1514.0305 Table 1514-03J Ch 15, Art 18, Appendix A	<p><b><u>Grade K-12 Educational Facilities and One-on-One Teaching Facilities</u></b></p> <ul style="list-style-type: none"> <li>Amend Section 141.0407 to clarify that one-on-one teaching facilities and small educational facilities (50 students maximum) such as independent study sites that function like professional offices with no assembly facilities may be permitted (without a CUP) in accordance with the business and professional office use category.</li> <li>Allow K-12 schools as a limited use in RM zones and CR and CC commercial zones where the facility capacity does not exceed 300 students. Allow a new school to replace an existing school with over 300 students if the result is no increase in the number of students. Require a CUP for schools with occupancy over 300 people in RM, CR, CO, and CC zones.</li> <li>PDOs: Amend the Central Urbanized and Mission Valley PDOs to reduce the permit process from a CUP to a limited use per citywide regulations; and amend the Barrio Logan, Golden Hill, Mid City, and San Ysidro PDOs for consistency with the amended citywide regulations in 141.0407.</li> </ul>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
13	Clarification	126.0303 131.0622 152.0303 152.0309 155.0238 156.0308 158.0301 1512.0302 1514.0304 Table 1514-03E 1514.0305 Table 1514-03J Ch 15, Art 18, Appendix A	<u><b>Assembly and Entertainment Uses</b></u> <ul style="list-style-type: none"> <li>Amend Footnote 16 in Table 131-06B to clarify that the footnote applies only to instructional studios. The limit on assembly and entertainment uses, including places of religious assembly, in prime industrial lands is published separately within LDC Section 141.0602 (adopted with 9<sup>th</sup> update to the Land Development Code April 21, 2015).</li> <li>PDOs: Amend the regulations for religious assembly in the Barrio Logan, Golden Hill, Mid City, and San Ysidro Planned District Ordinances for consistency with citywide regulations.</li> <li>To avoid conflict with federal law (RLUIPA), amend the Centre City PDO to allow religious assembly in the waterfront marine (WM) and convention center (CC) zones consistent with the existing allowance for schools in those zones; and amend the Mission Valley PDO to replace the existing CUP requirement with the citywide limited use regulations.</li> </ul>
14	State Law/ Regulatory Reform	141.0308	<u><b>Home Occupation Regulations/Cottage Food Industry</b></u> <ul style="list-style-type: none"> <li>Amend the home occupation regulations per state law (AB 1616 and AB 1252) to allow cottage food operations by a resident from their home. The law provides for residents to prepare, package, and sell foods that don't require refrigeration and are non-potentially hazardous (i.e. fruits, nuts, chocolate, grains, baked goods, and tortillas) from their home (maximum of \$50,000 in annual gross sales). The state law allows for direct sales to consumers, indirect sales to third party retailers under certain conditions, and allows for one full time employee.</li> <li>Streamline existing home occupation regulations for all small home business types per the ED&amp;IR Committee recommendation to allow operators to have an employee or business partner and ability to have customers visit their home via Process one instead of a discretionary permit.</li> </ul>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
15	Regulatory Reform	126.0303 141.0310 142.0527	<p><b><u>Housing for Senior Citizens</u></b></p> <p>Repeal this separately regulated use category, which was originally created to provide for a break on the parking rate for a senior housing development that meets the listed design criteria. However, implementation and applicability has been confusing and problematic. Housing for seniors in a dwelling unit must otherwise be treated like housing for anyone else living in a dwelling unit and is exempt from a CUP. Clarify in Section 142.0527 what is meant by the term “housing for senior citizens” in the context of affordable housing types with reduced parking demand.</p>
16	Regulatory Reform	141.0604	<p><b><u>Boarding Kennels/Pet Day Care Facilities</u></b></p> <p>Amend Section 141.0604 to allow this use type in prime industrial lands, and to clarify that the parking requirement of 2.5 spaces per 1,000 square feet applies to all boarding kennel facilities. List the parking requirement under the “general regulations” section to clarify that it applies to all kennel/pet day care establishments regardless of whether they are permitted as limited uses or conditional uses. Currently, the existing regulations can be interpreted as requiring more parking for facilities just because they are requesting a Neighborhood Use Permit, which does not make sense.</p>
17	Regulatory Reform	142.0611	<p><b><u>Exemption from Public Improvement Upgrades for Tenant Improvements</u></b></p> <p>Amend LDC Section 142.0611 to exempt tenant improvements that do not involve the addition of floor area or intensification of use (as measured by an increase in average daily trips) from the requirement for public improvements. Currently, the City requires public improvement upgrades for any project valued at \$50,000 or more, including tenant improvements where the development involves no increase in existing development intensity, which is cost prohibitive for small tenant improvement projects.</p>
18	Clarification	142.1305 143.0915	<p><b><u>Affordable/In-Fill Housing and Sustainable Regulations</u></b></p> <p>Clarify that Section 143.0915(a) applies to both for sale and rental residential development and fix the incorrect section reference to Section 142.1305. Amend the title to add “and rental”.</p>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
19	Regulatory Reform	143.0112	<p><b><u>Corrective Action for Environmentally Sensitive Lands Code Enforcement Cases</u></b></p> <p>Amend LDC Section 143.0112 to clarify that a development permit application can be processed to address a code violation on a premises containing environmentally sensitive lands. Currently, the code states that "...no development permit application may be processed until the enforcement action has been concluded" in reference to unlawful development on a premises with ESL where an enforcement action has been commenced by the City. The change will allow for more timely corrective action of grading cases that involve sensitive biological resources and steep hillsides.</p>
20	Regulatory Reform	143.0212	<p><b><u>Process for Requirement of Site-Specific Surveys (Historic Resource Regulations)</u></b></p> <p>Amend Section 143.0212(c) to clarify that after a site specific survey is provided for a proposed development project subject to a development permit (or if the proposed development is determined to be exempt from the need to obtain a site specific survey), then it is not necessary to require an additional site specific survey at the construction permit phase for that same development project.</p>
21	Regulatory Reform	143.0402 143.0410 143.0555	<p><b><u>Community Plan Implementation: Density Incentive to Encourage Huffman Redevelopment</u></b></p> <p>Amend the code to provide a new density incentive to encourage the redevelopment of multiple dwelling unit residential development to meet adopted land use plan goals in specified areas where the community goal is to replace existing "Huffman style development" with pedestrian oriented development. The new tool would not be applied to any specific property via this ordinance. The new code sections could only be utilized once implemented via community plan updates beginning with North Park in 2016, and followed by other communities with similar goals to provide increased density to new pedestrian oriented development in areas where the interface between the public realm and abutting private development has been identified as problematic.</p>
22	Regulatory Reform	144.0130	<p><b><u>Release of Survey Monument Bonds</u></b></p> <p>Amend the code to provide authority for the City Land Surveyor to approve the release of security bonds posted for the setting of monuments. State law Subdivision Map Act section 66497(d) provides for the legislative body to delegate this authority to qualified staff that review and approve subdivision maps.</p>



No.	PURPOSE	CODE SECTION	AMENDMENT DESCRIPTION
23	Regulatory Reform	155.0238	<p><b><u>Sidewalk Cafes and other Minor Clean-Up Changes to the Central Urbanized PDO</u></b></p> <p>Allow sidewalk cafes as a limited use in the CU-2 and -3 zones of the CUPDO consistent with the permit process established citywide, instead of requiring a Neighborhood Use Permit as is currently indicated in the CUPDO use table. Other use categories that need minor clean-up amendments include: group living accommodations, shopkeeper units, wireless communication facilities, electric vehicle charging stations, satellite antennas, farmers markets, retail farms, retail tasting stores, tasting rooms, medical marijuana consumer cooperatives, mobile food trucks, wholesale, warehouse, distribution facilities, mining and extractive industries, community entry signs, neighborhood identification signs, and comprehensive sign programs.</p>



**Measurement Amendments:** The following 7 items clarify how various things are defined or measured in the Land Development Code.

24	Clarification	113.0103 113.0273 131.0231 131.0331 131.0431 131.0531 131.0631	<p><b><u>Visibility Area</u></b></p> <p>Adequate sight distance is a determination made by the City Engineer. Section 113.0273 addresses measurement of visibility areas and the Street Design Manual addresses sight distance. However, the existing code is unclear about the requirement for all proposed development to provide adequate sight distance and the authority of the City Engineer to modify the visibility triangles as needed to maintain adequate sight distance. This has been a frequent conflict resolution topic. As proposed, the code would be amended to clarify that visibility area is required of all development and that the City Engineer may modify the visibility triangle as necessary via Process One permit review pursuant to the authority in 129.0104.</p>
25	Regulatory Reform	113.0225	<p><b><u>Calculating the Separation Distance Between Uses</u></b></p> <p>Modify the calculation of separation distance between uses to be consistent with the existing calculation for alcoholic beverage establishments to apply in circumstances where the purpose of the requirement is to evaluate how difficult it is to access the establishment by certain use types within certain proximity and limit that physical access accordingly. The change would allow the calculation to include and factor in any manmade or natural barriers in such cases, except in cases where the purpose of the separation distance is to address noise, air quality, or odor.</p>
26	Clarification	113.0234	<p><b><u>Floor Area Calculation for Mixed Use Projects</u></b></p> <p>Section 113.0234(b) is a special floor area calculation for residential development to count an unenclosed space below an enclosed space to address bulk and scale. Clarify that Section 113.0234(b) does not apply to the commercial portion of a mixed use development. The regulations apply to residential development in any zone.</p>



27	Clarification	141.0607 142.0560(i)	<p><b><u>Drive-Through Queuing Space for Vehicles</u></b></p> <p>Measurement of the standard for 5 vehicles to queue in a stacking lane is currently taken from the pick-up window. Staff was asked to consider taking the measurement from the order window instead or require additional distance from the order window. As proposed, a minimum of 40 feet would be required between the order window and the nearest curb cut for all eating and drinking establishments with drive-in or drive-through services to accommodate additional queuing space for at least two cars on the premises in advance of the order window.</p>
28	Regulatory Reform	142.0402 Table 142-04A 142.0404 Table 142-04C 143.0365 Table 143-03C	<p><b><u>Criteria for Small Lot Subdivisions Related to Landscape and Lot Area</u></b></p> <ul style="list-style-type: none"> <li>Amend the code to clarify the applicable landscape requirements for small lot subdivisions in Table 142-04A. Correct the typo in Table 142-04C, which currently indicates the plant points requirement for small lot subdivisions is 0.5 instead of 0.05.</li> <li>The minimum lot area requirement recently adopted within the small lot subdivision ordinance has been identified as an unnecessary barrier to better design alternatives on various projects. Amend Table 143-03C to remove the minimum lot area requirement. Continue to apply the minimum lot width and depth standards of the pre-subdivided lot, and calculate the maximum density for a pre-subdivided lot based on the maximum density of the base zone to ensure there would be no increase in allowable density.</li> </ul>
29	Compliance with state law	142.0413(d) LDM Landscape Standards: Section 2.6 and Appendix E	<p><b><u>Landscape Water Budgets</u></b></p> <p>Amend the City's landscape standards and calculation for landscape water budgets to implement the 2013 California Green Building Standards (Part 11 of Title 24) state law changes adopted as "emergency express terms" in May 2015 (effective June 1, 2015) to require a more efficient water budget for landscape areas 500 sq ft or greater, project level irrigation audits, and annual local status reports based on a watershed approach. Amendments include new plant factors to estimate plant water usage, irrigation efficiency changes, soil and mulch requirements, and new factors for evapotranspiration (to reduce the evapotranspiration adjustment factor from .7 to .55 for residential and to .45 for non-residential, and to increase the special landscape area ETAF from .3 to .45 for residential and to .55 for non-residential). Generally, the landscape water budget must now be about 15% more efficient than the City's prior standards to demonstrate that the project's estimated total water use will be less than the maximum applied water allowance.</p>



30	Compliance with Federal Law	143.0146	<p><b><u>Standards for Recreational Vehicles and Coastal High Hazard Areas in Special Flood Hazard Areas</u></b></p> <p>Amend Section 143.0146 to include standard requirements for recreational vehicles in Federal Insurance Rate Maps (FIRM) Zones A1-30, AE and AH and for construction within coastal high hazard areas as identified by FIRM Zones V1-30, VE, or V. The proposed amendments are necessary for the City to meet National Flood Insurance Program criteria.</p>
<b>Parking:</b> The following 4 items address parking and driveway related regulations.			
31	Regulatory Reform	142.0505 Table A 142.0525(c)	<p><b><u>Common Area Parking</u></b></p> <p>Common area parking is required for multiple dwelling unit development in “planned urbanized communities” in cases when a Planned Development Permit is required. The term planned urbanized has created confusion in applicability because the associated map is not readily accessible. To help clarify the applicability, an amendment is proposed to clarify that the common area parking requirement applies in the communities of Black Mountain Ranch, Carmel Valley, Carmel Mountain Ranch, East Elliott, Fairbanks Ranch Country Club, Miramar Ranch North, Mira Mesa, Otay Mesa, Rancho Bernardo, Rancho Penasquitos, Sabre Springs, Scripps Miramar Ranch, Tierrasanta, Torrey Highlands, and University.</p>
32	Clarification	142.0505 142.0525 142.0527 142.0530 151.0103	<p><b><u>Affordable Housing Parking Regulations</u></b></p> <p>In October 2012, the City Council adopted the Reduced Parking Demand Housing Regulations. A few weeks prior to the City Council hearing, the draft ordinance was modified. The currently proposed amended language is consistent with the hearing reports, the Affordable Housing Parking Study, and staff presentations of the initially adopted ordinance in which parking reduction is applied to the affordable housing units only.</p>
33	Regulatory Reform	142.0545	<p><b><u>Shared Parking</u></b></p> <p>Modify the existing provision that requires shared parking to be within 600 feet. Replace with a reasonable walking distance such as the typical accepted standard of 1200 feet (equivalent of 4 City blocks and double the existing standard).</p>



34	Clarification	142.0560(j)(8)	<p><b><u>Maximum Number of Driveways</u></b> Clarify the code to remove the potential for multiple interpretations. Lots without alley access are permitted to have at least one driveway. An additional driveway may be permitted per 100 feet of total street frontage subject to approval by the City Engineer. Lots with alley access may be permitted a driveway subject to City Engineer approval if there is at least 150 feet of total street frontage. The calculation for corner lots is based on the total combined street frontage.</p>
<b>Minor Corrections:</b> The following 7 items would fix typos, punctuation and formatting errors, incorrect terms, and incorrect section references.			
35	Incorrect Reference/ Capitalization Error	126.0704(i)	<p><b><u>Exemptions from a Coastal Development Permit</u></b> Amend Section 126.0704 to correct the reference to state law section 13250, California Administrative Code Title 14. The code currently references Title 24, which does not exist.</p>
36	Italicization Error/ Incorrect Term	126.0707	<p><b><u>Coastal Development Section</u></b> Amend Section 126.0707(f) to correct an italicization error of the defined term “public right-of-way” and to correct an outdated reference to a term that was changed throughout various code sections via a previous ordinance from “vacation” to “abandonment”.</p>
37	Incorrect Reference	131.0522 Table 131-05B	<p><b><u>Retail Tasting Stores Use Category</u></b> Amend Table 131-05B to correct the reference to the existing separately regulated use category to read “Retail Tasting Stores” instead of “Retail Tasting Rooms”. Tasting rooms is a different category altogether.</p>
38	Typographical Error	131.0601	<p><b><u>Purpose of Industrial Zones</u></b> Amend Section 131.0601 to correct the typographical error. The code is currently published with an incorrect term “ide” instead of the intended term “provide”.</p>
39	Incorrect References	142.0560	<p><b><u>Standard Drawings for Driveways</u></b> The City’s standard drawings have been amended. However, the code still refers to the old drawing numbers. Amend the incorrect references in Section 142.0560(j)(3). The reference to G-16 should be SDG-164. The reference to G-14A should be SDG-159. The reference to G-14B should be SDG-160. The reference to SDG-114 should be SDG-163.</p>



40	Typographical Error	143.0302 Table 143-03A	<b><u>Supplemental NDP Requirement for Previously Conforming Site</u></b> Fix typographical error in Table 143-03A, Row 10, column 2 where Section 127.0106 is currently published as "127/0106", but instead should be published as Section "127.0106".
41	Incorrect Reference	155.0253 Table 155-02F	<b><u>Central Urbanized PDO Supplemental Development Regulations</u></b> Amend the incorrect reference in row one/column one of the table so that the existing reference to Section 151.0253(a) is changed to 155.0253(a).



**DRAFT: 10<sup>th</sup> Update Code Language—Permit Process and Use Types****PROCESS AMENDMENTS:****ISSUE #1: Board of Building Appeals and Advisors- Item withdrawn**

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**ISSUE #2: Types of Notice: Notice of Application****§112.0301 Types of Notice**

- (a) Notice of Application. A Notice of Application is required for an application for a permit, map, or other matter acted upon in accordance with Process Three, Process Four, Process Five, or Process CIP-Five.
    - (1) [No change]
    - (2) Distribution. The City Manager shall mail the Notice of Application to the persons described in Section 112.0302(b), no later than ~~10 business days~~ **30 calendar days** after the date on which the application is *deemed complete* **and at least 60 calendar days prior to the first public hearing**. The *applicant* shall post the Notice of Application on the property that is the subject of the application in accordance with Section 112.0304.
  - (b) [See Issue #3]
  - (c) [No change]
  - (d) [See Issue #4]
  - (e) [No change]
- 

**Issue #3: Types of Notice: Notice of Future Decision****§112.0301 Types of Notice**

- (a) [See Issue #2]
- (b) Notice of Future Decision. A Notice of Future Decision shall be provided for an application for a permit or other matter acted upon in accordance with Process Two or Process CIP-Two.
  - (1) Content. The Notice of Future Decision shall include the following information:
    - (A) through (F) [No change]



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- (G) An explanation that the decision to approve, conditionally approve, or deny the proposed *development* will be made by City staff, without a public hearing, and that the *decision date* will not be less than ~~11 business days~~ **30 calendar days** after the date of mailing the Notice of Future Decision to allow for sufficient time for public comment;
  - (H) A statement that any requests for notification of the staff's decision must be received by the City no later than 10 *business days* after the date on which Notice of Future Decision is mailed; and
  - (I) [No change]
- (2) Distribution. The City staff person approving, conditionally approving, or denying an application for a permit or other matter shall mail a Notice of Future Decision to the persons described in Section 112.0302(b) no later than ~~10 business days~~ **30 calendar days** after the date on which the application is *deemed complete* in accordance with 112.0102(b) **and at least 30 calendar days prior to the *decision date***. The *applicant* shall post the Notice of Future Decision on the property that is the subject of the application in accordance with Section 112.0304.
- (c) [No change]
  - (d) [See Issue #4]
  - (e) [No change]

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#### **Issue #4: Types of Notice: Notice of Availability**

##### **§112.0301 Types of Notice**

- (a) [See Issue #2]
- (b) [See Issue #3]
- (c) [No change]
- (d) **Reserved Notice of Availability of Local Coastal Program Amendment. A Notice of Availability is a written notice to advise of the availability of supporting materials for an action that will be taken by the City Council at a future date. A Notice of Availability is required as part of the certification process for Local Coastal Program Amendments in accordance with Section 122.0106(b).**
  - (1) **Content. The Notice of Availability of Local Coastal Program Amendment shall include the following:**



- (A) A general description of the project;
  - (B) The location of the property that is the subject of the application;
  - (C) The applicable community planning area(s);
  - (D) The name, telephone number, and city address of the City staff person to contact for additional information;
  - (E) The name of the *applicant* and, with the consent of the *applicant*, the *applicant's* address and telephone number; and
  - (F) An explanation that the final decision by the City Council will occur no sooner than 6 weeks after the date of mailing the Notice of Availability.
- (2) Distribution.
- (A) The City Manager shall distribute the Notice of Availability at least 6 weeks prior to the City Council hearing to approve or deny an amendment to the *Local Coastal Program*.
  - (B) The City Manager shall distribute the Notice of Availability to the persons described in Section 112.0302(b) and to the public agencies required in accordance with the applicable provisions of the California Coastal Act and Guidelines for *Local Coastal Program* certification.
  - (C) The Notice of Availability may be combined into a single notice document with the Notice of Planning Commission Hearing.
- (3) A subsequent Notice of Public Hearing shall be provided in accordance with Section 112.0301(c) prior to final decision by the City Council.

(e) [No change]

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### **Issue #5: Waiver of Appeal Period**

#### **§112.0505 Process Three**

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

(a) through (b) [No change]



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- (c) ~~Waiver of Appeal Period. Before the close of the public hearing, an applicant may request that the appeal period be waived. The Hearing Officer shall grant the request only after determining for the record that there are no interested persons and that the applicant has waived all rights to appeal.~~

#### **§112.0507 Process Four**

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

- (a) through (b) [No change]

- (c) ~~Waiver of Appeal Period. Before the close of the public hearing, an applicant may request that the appeal period be waived. The Planning Commission shall grant the request only after determining for the record that there are no interested persons and that the applicant has waived all rights to appeal.~~

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#### **Issue #6: Types of Notice: Notice of Appeal of a Permit Revocation Decision**

#### **§121.0314 Permit Revocation Hearing Procedures**

The hearing provisions of Process Three, in addition to the requirements of this section, apply when determining whether to revoke or modify a *development permit*, a *construction permit*, or any other approval.

- (a) Notice. The City Manager shall mail a notice of the revocation hearing to the *permit holder*, the officially recognized community planning group, if any, that represents the area in which the development is located, and to any persons who request the notice at least 10 *business days* before the date of the revocation hearing. A Notice of Application is not required.

- (b) through (c) [No change]

#### **§121.0315 Revocation Appeal**

The Hearing Officer's decision to revoke or to not revoke a permit may be appealed to the Planning Commission in the following manner:

- (a) Persons Who Can Appeal. A revocation decision may be appealed by the following persons:
- (1) ~~The applicant;~~
  - (2) (1) The *permit holder*; or



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- (3) (2) Any person who participated in the revocation proceedings before the Hearing Officer either by being present at the hearing and submitting a speaker slip or by having expressed an interest in the revocation proceedings in writing to the Hearing Officer before the decision on the revocation.
- (b) Filing an Appeal. An appeal of a revocation decision may be initiated by filing an application with the City Manager no later than 10 *business days* after the date of the Hearing Officer's decision.
- (c) Scheduling Appeal Hearings. Within 30 calendar days after the date on which an appeal application is filed, the City Manager shall set a hearing before the Planning Commission. ~~The appeal hearing shall be noticed in accordance with Municipal Code Section 112.0308.~~ and shall mail a notice of the appeal hearing to the appellant, *permit holder*, the officially recognized community planning group, if any, that represents the area in which the *development* is located, and any *interested persons* who participated in the revocation hearing.
- (d) Power to Act on Appeal. After the conclusion of the public hearing, the Planning Commission may affirm, reverse, or modify the decision on the revocation. The decision of the Planning Commission is final.

#### **Issue #7: Modify the Utilization Requirement for City CIP Projects**

##### **§126.0108 Utilization of a Development Permit**

- (a) through (c) [no change]
- (d) *Capital improvement program projects* are exempt from the permit utilization requirement pursuant to Section 126.0108(a), except that if progress is delayed for a period of 10 years from the permit issuance date and the City is unable to establish with evidence that at least one of the circumstances identified in Section 126.0108(b) occurred, then the *development permit* shall be void and a new permit shall be required.

#### **Issue #8: Encroachments in the Public Right-of-Way**

##### **§126.0402 When a Neighborhood Development Permit is Required**

- (a)-(i) [No change]
- (j) A Neighborhood Development Permit is required for construction of a privately owned *structure* proposed in the public right-of-way dedicated for a *street* or an *alley*, where the *applicant* is the *record owner* of the underlying fee title as described in Sections 129.0710(a) and 129.0710(b)(2).



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**§129.0710 How to Apply for a Public Right-of-Way Permit**

An application for a Public Right-of-Way Permit shall be submitted in accordance with Sections 112.0102 and 129.0105. The submittal requirements for Public Right-of-Way Permits are listed in the Land Development Manual. A *development permit* or other discretionary approval is required prior to issuance of a Public Right-of-Way Permit for the following:

- (a) If the proposed *encroachment* involves construction of a privately-owned *structure* or facility into the *public right-of-way* dedicated for a *street* or an *alley*, and where the *applicant* is the *record owner* of the underlying fee title, a Neighborhood Development Permit is required in accordance with Section 126.0402(j) except for the following, which are subject to approval by the City Engineer in accordance with Process One:

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

- (9) Encroachment of below-grade structures into the public right-of-way up to a point 3 feet or more behind the ultimate or existing curb line and at least 3 feet below the ultimate or existing curb line, or of above-grade structures encroaching up to a maximum of 4 feet into the public right-of-way and located at least 8 feet above the ultimate or existing grade of the curb.

- (b) If the proposed *encroachment* is erected, placed, constructed, established or maintained in the *public right-of-way* when the applicant is not the *record owner* of the property on which the *encroachment* will be located, a Site Development Permit is required in accordance with section Section 126.0502(d)(7), except for the following:

(1) through (4) [No change.]

(c) through (d) [No change]

**Issue #9: Exemption from Coastal Development Permit (Single Dwelling Units/Demolition)****§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 (b) [No change.]

- (c) Any coastal development coastal development that has been categorically excluded ~~(pursuant to Categorical Exclusion Order No. \_\_\_\_\_)~~. meets the criteria listed below:

(1) The coastal development meets all of the following:

(A) The development is not located within either the appealable area or the



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Sensitive Coastal Resource Overlay Zone.

- (B) The development does not otherwise require a development permit or a subdivision map.
- (C) The premises does not contain environmentally sensitive lands.
- (D) The premises does not contain a designated historical resource. If the City Manager determines that a structure 45 years and older is a potential historical resource, the development shall not be eligible for the Coastal Development Permit exemption unless and until the structure is determined to not be a historical resource.
- (E) The development meets the criteria in Section 126.0704(c)(2) or (3).
- (2) Proposed demolition of a structure, in part or in whole, in accordance with Section 126.0704(c)(1).
- (3) Proposed development of a single dwelling unit, including additions or alterations to an existing single dwelling unit, on a single lot zoned residential single dwelling unit in accordance with Section 126.0704(c)(1) provided that:
  - (A) The proposed structure height of the single dwelling unit does not exceed 90 percent of the maximum structure height permitted by the base zone or Coastal Height Limit Overlay Zone, whichever is lowest; and
  - (B) The gross floor area of the single dwelling unit does not exceed 80 percent of the maximum permitted gross floor area allowed by the base zone. For multi-story development, the gross floor area above the first story shall be limited to a maximum of 40 percent (of the total allowable 80 percent of the base zone).

(d) through (h) [No Change]

(i) [See Issue #33]

**Issue #10: Exemptions from a Building Permit****§129.0203 Exemptions from a Building Permit**

- (a) A Building Permit is not required for the following structures and activities, except that a Building Permit is required where the development would involve alterations, repairs, or improvements to a historical resource as described in Section 143.0220; or where



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development on a premises containing environmentally sensitive lands requires a development permit in accordance with Section 143.0110-;

- (1) One-story detached accessory buildings used as tool and storage sheds, playhouses, or similar uses provided the projected roof area is 120 square feet or less and the structure will not be utilized for any separately regulated use subject to Land Development Code Chapter 14, Article 1.
- (2) through (25) [No change]
- (b) The exemptions in Section 129.0203(a) are not exemptions from the electrical, plumbing, and mechanical permit requirements. Unless the proposed work is exempt under another section of the Land Development Code, separate electrical, plumbing, and mechanical permits may be required.
- ~~(e) The exemptions in Section 129.0203(a) do not apply to alterations, repairs, or improvements of historical resources as described in Section 143.0220.~~
- ~~(d) The exemptions in Section 129.0203(a) do not apply to proposed development on a premises containing environmentally sensitive lands that requires a development permit in accordance with Section 143.0110.~~
- (e) (c) Exemption from the permit requirements of the Building Regulations does not authorize any work to be done in any manner in violation of the provisions of the Building Regulations or any other applicable local or state regulations.

### **Issue #11: Electric Vehicle Charging Stations**

#### **§129.0308 Decision Process for an Electrical Permit**

- (a) [No change]
- (b) An applicant may appeal a Building Official's denial of an application for an Electrical permit for the following by filing an application for a Process Two appeal hearing:
  - (1) ~~a small rooftop solar energy system by filing an application for a Process Two appeal hearing as set forth in Section 141.0418(c); or~~
  - (2) an electric vehicle charging station as set forth in Section 141.0419.

Chapter 13 Use Tables (Sections 131.0222, 131.0322, 131.0422, 131.0522, 131.0622):  
Add a new separately regulated institutional use category to all Chapter 13 use tables and indicate the use is permitted as a limited use with an "L" in all zones.



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**§141.0419 Electric Vehicle Charging Stations**

Electric vehicle charging stations are facilities that supply electric energy for the recharging of electric vehicles as defined in Section 86.0151(a). Nothing in Section 141.0419 grants any deviation from the Environmentally Sensitive Lands Regulations (Chapter 14, Article 3, Division 1) or Historic Resource Regulations (Chapter 14 Article 3, Division 2).

Electric vehicle charging stations are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the following regulations. The regulations are intended to facilitate the use of electric vehicle charging stations to attain environmental and energy goals and to comply with state law requirements for timely administrative approvals and allow an *applicant* to appeal a denial of an application of an *construction permit* for an electrical vehicle charging station to Planning Commission.

- (a) *A construction permit* decided in accordance with Process One shall be required for the installation of an electric vehicle charging station.
  - (1) An Electrical Permit shall be required for the installation of an electric vehicle charging station.
  - (2) A Building Permit may be required if alterations will be made to an existing *structure* or to modify or relocate existing disabled accessible parking spaces serving the *premises*.
  - (3) The *construction permit* application shall be submitted in accordance with Sections 112.0102 and 129.0105.
  - (4) Within a planned district (subject to Land Development Code Chapter 15), a separate Planned District Ordinance Permit shall not be required in addition to the *construction permit* required pursuant to Section 141.0419.
- (b) In reviewing the *construction permit*, the Building Official shall evaluate only whether the electric vehicle charging station meets all applicable health and safety requirements of local, state, and federal law and shall apply the following general regulations:
  - (1) Electric vehicle supply equipment shall be listed and labeled by an OSHA approved nationally recognized testing laboratory.
  - (2) Charging stations may encroach into setbacks.
  - (3) Existing landscaping shall not be removed if it is required pursuant to the Landscape Regulations (Chapter 14, Article 2 Division 4), unless it is replaced with equivalent or greater landscape elsewhere on the site.



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- (4) The *applicant* shall demonstrate that an electric vehicle charging station on private property will accommodate a vehicle to be charged while parked without protruding into the *public right-of-way*.
- (5) Electric vehicle charging stations located within the *public right-of-way* shall comply with Section 86.0151.
- (c) The Building Official shall administratively approve the electric vehicle charging station unless the Building Official determines there is substantial evidence of a specific adverse impact upon the public health and safety, which for the purpose of Section 141.0419(c) means a significant quantifiable, direct, and unavoidable impact based on objective, identified, and written public health and safety standards, policies, or conditions as they existed on the date the application was *deemed complete*, and there is no feasible method or alternative to satisfactorily mitigate or avoid the specific, adverse impact.
- (d) If the Building Official determines that the proposed electric vehicle charging station could have a specific, adverse impact upon public health and safety, then the Building Official shall make written findings notifying the applicant that the permit for the electric vehicle charging station is denied, the basis for that denial, and the appeal rights set forth in Section 141.0419(e). The *applicant* shall be responsible for all administrative costs associated with processing the appeal.
- (e) *Applicant* appeal process. Notwithstanding Section 112.0504, an *applicant* may appeal the denial of an application for an electric vehicle charging station to the Planning Commission by filing an application for a Process Two appeal hearing with the City Manager no later than 12 *business days* after the *decision date*. The application shall include the contents for appeal identified in Section 112.0510(a).
  - (1) Grounds for Appeal. A denial may only be appealed on the grounds that the stated *findings* to deny the *construction permit* are not supported by substantial evidence.
  - (2) Scheduling an Appeal Hearing. The City Manager shall assign a date for an appeal hearing before the Planning Commission no later than 30 calendar days after the date on which an application for the appeal hearing is filed with the City Manager.
  - (3) Power to Act on the Decision at Appeal Hearing. The Planning Commission may affirm, reverse, or modify the decision to deny an electric vehicle charging station in accordance with the following:
    - (A) A decision to affirm the Building Official decision shall require a *finding* based on substantial evidence in the record that the proposed electric vehicle charging station could have a specific, adverse impact upon the



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public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. In addition, the *finding* shall include the basis for rejection of potential feasible alternative of preventing the adverse impact.

- (B) If the Planning Commission determines that there is not substantial evidence that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, then the decision shall be reversed and the *construction permit* shall be approved.
- (C) If the Planning Commission determines that conditions of approval would mitigate the specific, adverse impact upon the public health or safety, then the decision shall be reversed and the *construction permit* shall be conditionally approved. Any conditions imposed shall mitigate at the lowest cost possible.

#### **§151.0103 Applicable Regulations**

- (a) [No change]
- (b) The following regulations apply in all planned districts:
- (1) through (3) [No change]
- (4) Solar energy systems regulations and electric vehicle charging stations regulations contained in Land Development Code Section 141.0418 and Section 141.0419.
- (5) through (9) [No change]

#### **§155.0238 Use Regulations Table of CU Zones**

Add as limited use "L" in all zones. [See CUPDO Table in Issue #23]

#### **Issue #12: Grade K-12 Educational Facilities and One-on-One Teaching Facilities**

##### **§131.0422 Use Regulations Table for Residential Zones**

Change K-12 Educational Facilities to "L" in all RM zones.

##### **§131.0522 Use Regulations Table for Commercial Zones**

Change K-12 Educational Facilities to "L" in the CR and CC zones.

##### **§141.0407 Educational Facilities--Schools for Kindergarten to Grade 12, Colleges/Universities, and Vocational/Trade Schools**



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Educational facilities are facilities that are designed or used to provide specialized training or education. This section distinguishes between kindergarten to grade 12 schools, colleges and universities, and vocational schools and trade schools. Educational facilities are permitted by right in zones indicated with a "P", as a limited use in the zones indicated with an "L", and may be permitted with a Conditional Use Permit decided in accordance with Process Three in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) [No change]

(b) Schools for Kindergarten to Grade 12

- (1) This use category applies to schools that provide instruction to children enrolled in any grade kindergarten to grade 12.
- (2) Schools for kindergarten to grade 12 are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*.
- (3) Limited use regulations. Schools for kindergarten to grade 12 are permitted as limited uses in zones indicated by a "L" subject to the following:
  - (A) The facility design shall not accommodate more than 300 students, except that a new school may replace an existing school with enrollment over 300 students if the result is no increase in the number of students.
  - (B) Parking shall be provided in accordance with Table 142-05G.
  - (C) Deviations from Section 141.0407(b)(3)(A) or (B) may be permitted with a Conditional Use Permit decided in accordance with Process Three and subject to the conditional use regulations in Section 141.0407(b)(5).
- (4) One-on-one teaching facilities with a maximum capacity of 50 students that provide education for children enrolled in grades 6 through 12 in a traditional commercial office building are permitted by right in locations where the business and professional office use category is a permitted use in zones as indicated with a "P", except that such facilities are not permitted where in conflict with Section 141.0407(e)(1).
- (3) (5) Conditional use regulations. Schools for kindergarten to grade 12 are permitted as conditional uses in zones indicated by a "C" subject to the following:
  - (A) The *applicant* shall provide a master development plan that includes the following:
    - (i) The student capacity of the campus;



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- (ii) The size, number, and location of all proposed facilities;
  - (iii) The pedestrian and traffic circulation systems proposed for the site;
  - (iv) A transportation and parking development program; and
  - (v) A *development* phasing schedule.
- (B) The design of the *structures* shall incorporate architectural elements that help to diminish building bulk.
- (C) Larger *structures*, areas with high levels of activity, and parking areas shall be located on the site away from surrounding *development* that is smaller in scale or less intense.
- (D) Off-street parking shall be provided in accordance with Table 142-05G.
- (c) Colleges/Universities
  - (1) [No change]
  - (2) Conditional use regulations. Colleges and universities are permitted as conditional uses in zones indicated by a "C" subject to the following:
    - (A) [No change]
    - (B) Colleges and universities are subject to the conditional use criteria applicable to schools for kindergarten to grade 12 in Section 141.0407(b)(3)(5).
    - (C) through (D) [No change]
- (d) [No change]
- (e) Educational Facilities on Prime Industrial Land
  - (1) Schools for kindergarten to grade 12 are not permitted on a *premises* identified as Prime Industrial Land in a *land use plan*.
  - (2) [No change]



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**Barrio Logan Planned District:****§152.0303 Subdistrict A Permitted Uses**

- (a) No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes:
  - (1) through (4) [No change]
  - (5) Schools, limited to primary, elementary, junior high and senior high in accordance with Section 141.0407 and child care centers in accordance with Section 141.0606.
  - (6) [No change]
  - (7) [See Issue #13]
  - (8) through (12) [No change]

**§152.0309 Subdistrict C Permitted Uses**

It shall be unlawful to erect, construct, convert, establish, alter, move-on or enlarge any building or improvement or portion thereof, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

- (a) through (f) [No change]
- (g) The following ~~conditional~~ separately regulated uses may be permitted according to the regulations set forth in Municipal Code Section 151.0401 and Land Development Code Chapter 14, Article 1 (Separately Regulated Use Regulations).
  - (1) [See Issue #13]
  - (2) [No change]
  - (3) ~~Nursery and elementary~~ Elementary schools (grades K-6) in accordance with Section 141.0407, and day child care facilities centers in accordance with Section 141.0606.
  - (4) [No change]

**Central Urbanized Planned District:****§155.0238 Use Regulations Table of CU Zones**

Change K-12 Educational Facilities from “C” to “L” in CU-2 and CU-3 zones. [See Issue #23 CUPDO Table]



**Golden Hill Planned District:  
§158.0301 Residential Zones**

[No change]

(a) Permitted Uses

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

(1) [No change]

(2) Schools, limited to primary, elementary, junior high, and senior high in accordance with Section 141.0407 and child care centers in accordance with Section 141.0606.

(3) [No change]

(4) [See Issue #13]

(5) through (9) [No change]

(b) through (e) [No change]

**Mid City Planned District:  
§1512.0302 Permitted Uses - Residential (MR) Zones**

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth in Section 1512.0302.

(a) through (b) [No change]

(c) Schools, limited to primary, elementary, junior high, and senior high in accordance with Section 141.0407, and child care centers in accordance with Section 141.0606.

(d) [No change]

(e) [See Issue #13]

(f) through (l) [No change]



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**Mission Valley Planned District:****§1514.0304 Residential Zones (MVR-1, MVR-2, MVR-3, MVR-4, MVR-5)**

(a) through (b) [No change]

**Table 1514-03E**  
**Residential Zones Use Table**

Schools, limited to primary, elementary, junior high and senior high in accordance with Section 141.0407, and child care centers in accordance with Section 141.0606 P L

[See Issue #13 for assembly facilities amendment to use table]

(c) through (m) [No change]

**§1514.0305 Commercial Zones (MV-CO, MV-CV, MV-CR)**

(a) through (b) [No change]

**Table 1514-03J**  
**Commercial Zones Use Table**

Schools, ~~public, private and nursery~~ in accordance with Section 141.0407, and child care centers in accordance with Section 141.0606 P L

[See Issue #13 for assembly facilities amendment to use table]

(c) through (l) [No change]

**Article 18: San Ysidro Planned District; Appendix A: Permitted Uses**

Schools, Limited to Primary, Elementary, Junior High and Senior High in accordance with Section 141.0407, and child care centers in accordance with Section 141.0606  
change from not permitted “-“ to “L” in all commercial zones

[See Issue #13 for assembly facilities amendment to Appendix A use table]

**Issue #13: Assembly and Entertainment Uses****§126.0303 When a Conditional Use Permit Is Required**

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13. The decision process is described in Section 126.0304.



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## (a) Conditional Use Permits Decided by Process Three

Agricultural equipment repair shops through Alcoholic beverage outlets [No change]  
Assembly and Entertainment Uses, Including Places of Religious Assembly (under circumstances described in Section 141.0602)

Automobile service stations through *Historical buildings* [No change]

[See Issue #14]

Impound storage yards through *Wireless communication facilities* [No change]

(b) through (c) [No change]

**§131.0622 Use Regulations Table for Industrial Zones**

Table 131-06B Use Regulations Table for Industrial Zones [No change]

**Footnotes for Table 131-06B**

Footnotes 1 through 15 [No change]

<sup>16</sup> ~~Instructional Studios, Assembly and Entertainment facilities, and Churches and Places of Religious Assembly~~ are not permitted on a *premises* that is identified as Prime Industrial Land in a *land use plan*.

Footnotes 17 through 20 [No change]

**Barrio Logan Planned District:****§152.0303 Subdistrict A Permitted Uses**

(a) No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes:

(1) [No change]

(2) [See Issue #12]

(3) through (6) [No change]

(7) Churches, temples or buildings of permanent nature used primarily for religious purposes in accordance with Section 141.0602.

(8) through (12) [No change]



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**§152.0309 Subdistrict C Permitted Uses**

It shall be unlawful to erect, construct, convert, establish, alter, move-on or enlarge any building or improvement or portion thereof, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

(a) through (f) [No change]

(g) The following conditional uses may be permitted according to the regulations set forth in Municipal Code Section 151.0401 and Land Development Code Chapter 14, Article 1 (Separately Regulated Use Regulations).

(1) Churches, temples or buildings used primarily for religious purposes in accordance with Section 141.0602.

(2) [No change]

(3) [See Issue #12]

(4) [No change]

**Central Urbanized Planned District:****§155.0238 Use Regulations Table of CU Zones**

Add Assembly Facilities as limited use with an "L" in CU-2 and CU-3 zones. [See Issue #23]

**Centre City Planned District:****§156.0308 Base District Use Regulations**

Modify the use table to also allow assembly, including religious assembly in the waterfront marine (WM) and convention center (CC) zones.

**Golden Hill Planned District:****§158.0301 Residential Zones**

[No change]

(a) Permitted Uses

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the following purposes as provided herein:

(1) [No change]

(2) [See Issue #12]



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(3) [No change]

(4) Churches, temples, or buildings of a permanent nature used primarily for religious purposes in accordance with Section 141.0602.

(5) through (9) [No change]

(b) through (e) [No change]

**Mid City Planned District:****§1512.0302 Permitted Uses - Residential (MR) Zones**

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except as set forth in Section 1512.0302.

(a) through (b) [No change]

(c) [See Issue #12]

(d) [No change]

(e) Churches, temples, or buildings of a permanent nature used primarily for religious purposes in accordance with Section 141.0602.

(f) through (l) [No change]

**Mission Valley Planned District:****§1514.0304 Residential Zones (MVR-1, MVR-2, MVR-3, MVR-4, MVR-5)**

(a) through (b) [No change]

**Table 1514-03E**  
**Residential Zones Use Table**

Churches, Temples or buildings of a permanent nature used for religious purposes in accordance with Section 141.0602 CUP<sup>2</sup> L<sup>2</sup>

[See Issue #12 for schools/child care center amendment to use table]

**Footnote to Table 1514-03E**

<sup>2</sup> Permitted in the MVR-3, 4 and 5 Zones only.

(c) through (m) [No change]



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**§1514.0305 Commercial Zones (MV-CO, MV-CV, MV-CR)**

(a) through (b) [No change]

**Table 1514-03J**  
**Commercial Zones Use Table**

Churches, Temples or buildings of a permanent nature used for religious purposes in accordance with Section 141.0602      CUP L      CUP L      CUP L

[See Issue #12 for schools/child care center amendment to use table]

(c) through (l) [No change]

**Article 18: San Ysidro Planned District**  
**Appendix A: Permitted Uses**

Churches, Temples or Buildings of a Permanent Nature Used for Religious Purposes in accordance with Section 141.0602      SP L      SP L      SP L

[See Issue #12 for schools/child care center amendment to Appendix A use table]

**Issue #14: Home Occupation Regulations/Cottage Food Industry****§141.0308 Home Occupations**

Home occupations are businesses conducted by residents on the *premises* of their homes. Home occupations, including cottage food operations authorized pursuant to California Government Code section 51035, are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. ~~Home occupations that do not comply with~~ An applicant may request approval to deviate from the requirements in Section 141.0308(j) (k) through (4) (n) ~~may be permitted with~~ by obtaining a Neighborhood Use Permit ~~subject to Section 141.0308(m)~~ in accordance with Section 126.0203.

- (a) Home occupations are permitted only as *accessory uses* to a residential use.
- (b) Any products produced for sale must be manufactured by hand, ~~or grown on the premises, or prepared within a kitchen that meets the standards for cottage food operations in a dwelling unit in accordance with California Health and Safety Code section 114365.~~
- (c) The home occupation shall not result in the elimination or the reduction of required off-street parking.



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- (d) Signs advertising the home occupation are not permitted. Other advertising shall not include the address of the *premises*.
- (e) Home occupations, except for horticultural uses permitted in Chapter 13, Article 1, Division 3 (Agricultural Base Zones) and Division 4 (Residential Base Zones); shall be conducted within an enclosed *structure* on the *premises*.
- (f) Materials or products associated with the home occupation on the *premises* must be stored within an enclosed *structure*.
- (g) Indoor storage of materials or products associated with the home occupation shall not exceed 1,000 cubic feet for the entire *premises* or any more restrictive limitations imposed by the Building and Housing Codes or the County Health Department.
- (h) The operation of the home occupation shall be consistent with permitted residential uses, shall not create any conditions that amount to a *public nuisance*, and shall not be detrimental to the residential neighborhood by causing increased noise, traffic, lighting, odor, or by violating any applicable ordinances or laws.
- (i) The resident of the *premises* shall not rent space to others in association with a home occupation.
- (j) Only a resident of the *premises* may engage in a home occupation on the *premises*. ~~Nonresident partners, employees, or customers are not permitted on the *premises*.~~
- ~~(k) All sales of products and the performance of all service or work that requires the presence of a partner, employee, or customer shall take place off the *premises*.~~
- ~~(l) Only one vehicle for business-related purposes is permitted on the *premises* or on any adjacent residentially zoned area. This vehicle may not exceed a one-ton carrying capacity and may not be a tow truck.~~
- ~~(m) The following exceptions to the regulations in Section 141.0308(j), (k), and (l) may be permitted with a Neighborhood Use Permit:~~
  - (1) (k) Home offices may have a maximum of one employee or partner on the *premises* during the hours between 8:00 7:00 a.m. and 5:00 7:00 p.m., Monday through Friday Saturday;. For the purpose of Section 141.0308(k) an employee does not include a resident of the home.
  - (2) (l) Home offices may have a maximum of one customer on the *premises* at a time, by appointment only, between the hours of 8:00 7:00 a.m. and 5:00 7:00 p.m., Monday through Friday Saturday; and. Home offices shall not host customers on the *premises* more frequently than one customer within a 2 hour time period.



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- (m) Home offices may have a maximum of one vendor on the premises at a time between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. Home offices shall not host vendors on the premises more frequently than one vendor within a 2 hour time period.
- (3) ~~Home occupations may have more than one vehicle for business-related purposes.~~
- (n) A maximum of one vehicle for business-related purposes is permitted on-street in the adjacent residentially zoned area and shall be parked in compliance with the regulations in Section 86.0139 applicable to oversized vehicles.
  - (1) Business-related vehicles may not exceed a one-ton carrying capacity.
  - (2) Tow-trucks are not a permitted home occupation vehicle.

### **Issue #15: Housing for Senior Citizens**

#### **§126.0303 When a Conditional Use Permit Is Required**

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13. The decision process is described in Section 126.0304.

#### **(a) Conditional Use Permits Decided by Process Three**

Agricultural equipment repair shops through Alcoholic beverage outlets [No change]  
[See Issue #12]

Automobile service stations through *Historical buildings* [No change]

Housing for senior citizens

Impound storage yards through *Wireless communication facilities* [No change]

(b) through (c) [No change]

#### **~~141.0310~~ — Housing for Senior Citizens**

~~Housing for senior citizens may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.~~

~~(a) — Housing for senior citizens shall meet the requirements of one of the following:~~

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



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- (2) — ~~“Senior citizen housing development” as defined in Section 51.3 of the California Civil Code.~~
- (b) — ~~Housing for senior citizens may be permitted a *density* bonus as provided in Chapter 14, Article 3, Division 7 (Affordable Housing Density Bonus Regulations).~~
- (c) — ~~Housing for senior citizens may be permitted only in locations that meet the following requirements:~~
  - (1) — ~~Facilities shall be located in a topographically flat area with minimal *grade* separation between the facility and public transportation or other public services;~~
  - (2) — ~~Facilities shall be located near a wide range of commercial, retail, professional, and social services patronized by senior citizens;~~
  - (3) — ~~Facilities shall be located within two to three blocks, or approximately 750 feet, of a major supermarket; and~~
  - (4) — ~~Facilities shall be located within two blocks, or approximately 600 feet, of a bus or transit stop.~~
- (d) — ~~Off-Street Parking Requirements~~
  - (1) — ~~Parking ratios shall be determined in accordance with the following:~~
    - (A) — ~~The base parking requirement is 1 parking space per *dwelling unit*;~~
    - (B) — ~~For facilities that provide daily meals in a common cooking and dining facility and that provide and maintain a common transportation service for residents, the base parking requirement is 0.7 parking spaces per *dwelling unit* plus 1 parking space for each staff person, calculated based on staffing for the peak-hour shift; and~~
    - (C) — ~~Housing for senior citizens that meets the criteria of Reduced Parking Demand Housing, as stated in Section 142.0527(a), shall provide parking in accordance with Section 142.0527.~~
  - (2) — ~~Parking areas shall be lighted for the safety of tenants. Lighting shall be of a design that deters vandalism. The location, type, and size of the proposed lighting fixtures shall be specified on the permit application.~~
- (e) — ~~Facilities Requirements~~
  - (1) — ~~All facilities shall provide laundry facilities that are adequately sized and located to serve the needs of residents.~~



- (2) ~~Facilities of 14 dwelling units or more shall provide a recreation/social room. This room shall be at least 400 square feet in area unless it is located adjacent to a useable outdoor open space area. The room shall have toilet facilities available on the ground floor.~~
- (3) ~~Facilities that have 2 or more stories and 20 or more dwelling units shall provide elevator service.~~
- (4) ~~A plan indicating how the proposed facility could be converted to a nonsenior housing project and comply with the applicable parking requirements is required before approval of the permit.~~
- (5) ~~Trash bins shall be conveniently located and shall be covered and screened.~~
- (6) ~~All facilities that do not have an on-site manager shall provide a posted phone number of the project owner or off-site manager for emergencies or maintenance problems.~~

[See Issue #32 for clarification to Section 142.0527(a)(3)(B)(ii)]

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**Issue #16: Boarding Kennels/Pet Day Care Facilities**

**§141.0604 Boarding Kennels/Pet Day Care Facilities**

Boarding kennels and pet day care facilities for the boarding, training and care of household pets are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to Section 141.0604(a) and (b). Boarding kennels and pet day care facilities may be permitted with a Neighborhood Use Permit decided in accordance with Process Two in the zones indicated with an "N" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to Section 141.0604 (a) and (c).

(a) General Rules

- (1) Boarding kennels and pet day care facilities shall be operated and maintained in accordance with the health and sanitation regulations for health regulated businesses in Chapter 4, Article 2, Division 7 (Animals and Poultry).
- (2) Boarding kennels and pet day care facilities shall be maintained in a sanitary condition to minimize the impacts of odors on surrounding *development*.

(3) Off-street parking shall be provided at a rate of 2.5 spaces for every 1,000 square feet of floor area.

(b) Limited Use Regulations



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- (1) All boarding, training, and pet care activities shall be conducted within an enclosed building. Exterior boarding, training, and exercise facilities are not permitted as a limited use.
  - (2) Kennels and associated *structures* shall not be located any closer than 50 feet to any *property line*, unless the *structures* are sound-proofed.
  - ~~(3) Off street parking shall be provided at a rate of 2.5 spaces for every 1,000 square feet of floor area.~~
  - (4) ~~Boarding kennels and pet day care facilities shall not be located on a premises that is identified as Prime Industrial Land in a land use plan.~~
  - ~~(5)~~ (3) Deviations from Section 141.0604(b) may be permitted with a Neighborhood Use Permit decided in accordance with Process Two, with the exception of outdoor facilities in CN zones which are not permitted.
- (c) Neighborhood Use Permit Regulations
- (1) Noise emanating from the facility shall be kept at minimum levels through the following methods:
    - (A) Limitations on the number of animals permitted in exterior areas at any one time;
    - (B) Limitations on the hours that animals are permitted in exterior areas;
    - (C) Locating exterior boarding and exercise areas on those portions of the site where noise impacts on surrounding *development* will be minimized;
    - (D) The use of walls or *fences* to minimize noise impacts to surrounding *development*; and
    - (E) Sound-proofing of interior kennel areas.
  - (2) Exterior boarding, training, and exercise facilities shall be *screened* from adjacent *development* by a 6-foot *solid fence* or wall.
  - ~~(3) Off street parking shall be provided in accordance with Table 142-05E.~~

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**Issue #17: Exemption from Public Improvement Upgrades for Tenant Improvements**

**§142.0611 Exemptions from Requirement to Provide Public Improvements Incidental to a Building Permit**

The following activities are exempt from Section 142.0610:



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- (a) The construction of accessory buildings such as residential garages;
- (b) The construction of *accessory structures* such as swimming pools or patio decks;
- (c) The alteration of existing buildings where the proposed improvements have a total value, as estimated by the Building Official, of \$50,000 or less; ~~and~~
- (d) Tenant improvements that do not involve the addition of gross floor area or intensification of use (as measured by an associated increase in average daily trips);
- ~~(d)~~ (e) Neighborhood revitalization projects operated by the San Diego Housing Commission; and
- ~~(e)~~ (f) The alteration of an existing *single dwelling unit*.

#### **Issue #18: Affordable/In-Fill Housing and Sustainable Regulations**

##### **§142.1305 Election to Provide For-Sale Affordable Housing Units in a For-Sale Development**

(a) through (b) [No change]

**Table 142-13A**  
[No change to Table]

##### **§143.0915 When Affordable/In-Fill Housing and Sustainable Buildings Regulations Apply**

These regulations apply to the following types of *development*:

- (a) Residential *development* (including both for-sale and for rental affordable housing units) in accordance with Section 142.1306(a) 142.1305.
- (b) through (g) [No change]

#### **Issue #19: Corrective Action for Environmentally Sensitive Lands Code Enforcement**

##### **§143.0112 Requirement to Submit Required Documentation and Obtain Permit Prior to Development on Environmentally Sensitive Lands**

It is unlawful to begin *development* on a *premises* that contains *environmentally sensitive lands* without submitting required documentation and obtaining the applicable *development permit*, or an exemption as required pursuant to this division. If unlawful *development* occurs on property



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containing *environmentally sensitive lands* and an enforcement action has been commenced by the City pursuant to Section 143.0160, ~~no~~ a development permit application may shall not be processed for the premises until the enforcement action has been concluded, or the City Manager determines a development permit is necessary to resolve the enforcement action.

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**Issue #20: Process for Requirement of Site Surveys (Historic Resource Regulations)**

**§143.0212      Need for Site-Specific Survey and Determination of Location of Historical Resources**

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

(c)      The City Manager shall evaluate proposed development to determine the need for a site-specific survey. The determination shall be provided within 10 *business days* of application for a *construction permit* or within 30 calendar days of application for a *development permit*, as applicable. A site-specific survey shall be required when the City Manager determines that a *historical resource* may exist on the parcel, ~~or~~ and if the *development* proposes a substantial alteration according to Section 143.0250(a)(3). If the City Manager determines that a site-specific survey is not required for a proposed development within the specified time period specified above, then a permit in accordance with Section 143.0210 shall not be required. If a site-specific survey is prepared to the satisfaction of the City Manager for a development permit, additional site-specific surveys for the development and associated construction permits shall not be required pursuant to Section 143.0212.

(d)      [No change.]

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**Issue #21: Community Plan Implementation: Density Incentive to Encourage Huffman Redevelopment**

**§143.0402      When Planned Development Permit Regulations Apply**

This Division applies to all *development* proposals for which a Planned Development Permit is requested, in accordance with Table 143-04A.

**Table 143-04A  
Supplemental Planned Development Permit Regulations Applicability**

Type of <i>Development</i> Proposal	Applicable Sections	Required <i>Development</i> Permit/Decision Process <sup>(1)</sup>
Residential <i>development</i> requesting deviations from applicable zone regulations through <i>Development</i> that complies with the applicable <i>land use plan</i> designation,		



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but contains uses that are not permitted in the underlying base zone [No change]		
<u>Multiple dwelling unit residential development with increased density per the adopted land use plan</u>	<u>143.0403, 143.0410, 143.0455</u>	<u>PDP/Process 4</u>
Rural cluster <i>development</i> in the AR and OR zones through Residential <i>development</i> in RS zones of <i>urbanized Communities</i> where a Planned Development Permit is Requested [No change]		

### §143.0410 General Development Regulations for Planned Development Permits

(a) [No change]

(j) Criteria For *Development* Design

The following design criteria will be used to evaluate proposed *developments* in conjunction with the required *findings*.

- (1) The overall *development* design should be comprehensive and should demonstrate the relationships of the proposed *development* on-site with existing *development* off-site.
- (2) The scale of the project should be consistent with the neighborhood scale as represented by the dominant *development* pattern in the surrounding area or as otherwise specified in the applicable land use plan.
- (3) Buildings should avoid an overwhelming or dominating appearance as compared to adjacent structures and development patterns. Abrupt differences in scale between large commercial buildings and adjacent residential areas should be avoided. Instead, gradual transitions in building scale should be incorporated.
- (4) Larger structures should be designed to reduce actual or apparent bulk. This can be achieved by using pitched roof designs, separating large surface masses through changes in exterior treatment, or other architectural techniques.
- (3) (5) Buildings, *structures*, and facilities on the *premises* should be well integrated into, oriented towards, and related to, the topographic and natural features of the site.
- (4) (6) Proposed *developments* should avoid repetitious *development* patterns that are inconsistent with the goals of the applicable *land use plan*.



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- (5) Buildings should avoid an overwhelming or dominating appearance as compared to adjacent *structures* and *development* patterns. Abrupt differences in scale between large commercial buildings and adjacent residential areas should be avoided. Instead, gradual transitions in building scale should be incorporated.
- (6) Larger *structures* should be designed to reduce actual or apparent bulk. This can be achieved by using pitched roof designs, separating large surface masses through changes in exterior treatment, or other architectural techniques.
- (7) To the greatest extent possible, landscaping should be used to soften the appearance of blank walls and building edges and enhance the pedestrian scale of the *development*.
- (8) Elements such as **street trees**, curbside landscaping, varied *setbacks*, and enhanced paving should be used to enhance the visual appearance of the *development*.
- (9) Roof forms should be consistent in material, design, and appearance with existing *structures* in the surrounding neighborhood.
- (10) Plant materials and other design features should be used to define and enhance the appearance of roof spaces, especially flat roofs that are visible from higher elevations.
- (10)(11) Building material and color palettes should be consistent with applicable guidelines in the applicable *land use plan*, if provided.

**§143.0455 Supplemental Planned Development Permit Regulations for Multiple Dwelling Unit Residential Development with Increased Density per the Adopted Land Use Plan**

In addition to the general regulations for all Planned Development Permits in Section 143.0410(j)(5) through (11), the following regulations apply to *multiple dwelling unit residential development* that requests approval of increased *density* via a Planned Development Permit where expressly provided for in the adopted *land use plan*. It is the intent of these regulations to provide increased density in pedestrian-friendly *development* that is consistent with the planned character of the neighborhood per the adopted *land use plan*.

(a) **Density**

- (1) The minimum and maximum *density* for utilization of the increased *density* provision in Section 143.0455 shall be as specified in the adopted *land use plan* and shall not require processing of a deviation.
- (2) Utilization of this increased *density* alternative per the adopted *land use plan* shall not preclude eligible projects from also using the state density bonus program where applicable.



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- (b) The relationship of the proposed *development* to the *public right-of-way* and neighboring property shall be addressed as follows.
- (1) The *development* shall provide visually interesting building articulation that maintains a sense of scale and transition to buildings lower in height and to the adjacent *public right-of-way* by incorporating the following:
    - (A) Offsetting wall planes, openings, projections, recesses and other building details.
    - (B) Varied building rooflines.
    - (C) One and two story building components with upper-story step backs at the third *floor* and above.
    - (D) *Building facades* that include a main entry and other pedestrian-oriented architectural features such as windows, balconies, trellises, wing walls (attached to building), garden walls (free standing), porches, fencing, and arbors.
  - (2) *Off-street parking spaces* shall be located behind the *building façade* where possible, and shall be provided with access off of an *alley* where available.
  - (3) The adjacent sidewalk, curb, and gutter shall be provided to City standards, and shall include all improvements necessary to bring existing *public right-of-way* conditions to current standards. Existing curb cuts that exceed current standards shall be removed or reduced accordingly to not exceed the maximum dimension identified in Section 142.0560.

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#### **Issue #22: Release of Survey Monument Bonds**

##### **§144.0130 Survey Monuments**

- (a) Survey monuments shall be set in accordance with the *Subdivision Map Act*, Chapter 4, Article 9, to the satisfaction of the City Engineer. When the setting of monuments is deferred, a cash security deposit, in the amount of the estimated cost as provided by the engineer or land surveyor, shall be deposited with the City to guarantee setting such monuments and payment of the surveyor of record for setting them. When the final monuments are set as certified on the final map or *parcel map* and are accepted by the City Engineer and the surveyor of record is paid for setting them, the monument security shall be released in accordance with ~~the *Subdivision Map Act*, Chapter 4, Article 9~~ Section 144.0130(b).



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- (b) The City Land Surveyor may approve the release of any security posted for the setting of monuments upon meeting the requirements as set forth in Section 144.0130(a), the Subdivision Map Act Chapter 4, Article 9, and Government Code section 66497(d).

**Issue #23: Sidewalk Cafes and other Minor Clean-up Corrections to the Central Urbanized Planned District Ordinance Use Table**

**§155.0238 Use Regulations Table of CU Zones**

The uses allowed in the CU zones are shown in Table 155-02C:

**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 >> 7	CU-									
	3rd >> 7	1 <sup>-(1)</sup>		2-			3-				
	4th >> 7	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
Open Space through Agriculture [No change]											
Residential											
Group Living Accommodations		-		-			-				
Mobilehome Parks		-		-			-				
Multiple Dwelling Units		p <sup>(3)</sup>		p <sup>(3)(4)</sup>			p <sup>(3)(4)</sup>				
Rooming House [See Sections 131.0112(a)(3)(A) and 131.0540]		P		P			P				
Shopkeeper Units Shopkeeper Units [See Section 113.0103]		P		p <sup>(4)</sup>			p <sup>(4)</sup>				
Single Dwelling Units		P		-			P				
Separately Regulated Residential Uses											
Boarder & Lodger Accommodations through Home Occupations [No change]											



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Housing for Senior Citizens		€		€			€				
Live/Work Quarters through Watchkeeper Quarters [No change]											
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 >> 7	CU-									
	3rd >> 7	1 <sup>-(1)</sup>		2-			3-				
	4th >> 7	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
Institutional											
Separately Regulated Institutional Uses											
Airports through Communication Antennas [No change]											
Satellite Antennas		L		L			L				
Correctional Placement Centers [No change]											
Educational Facilities:											
Kindergarten through Grade 12		-		€ L			€ L				
Colleges / Universities		-		C			C				
Vocational / Trade School		-		P			C				
Electric Vehicle Charging Stations		L		L			L				



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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 >> 7	CU-									
	3rd >> 7	1-(1)		2-			3-				
	4th >> 7	1	2	3	4	5	3(2)(12)	6	7	8	
Energy Generation & Distribution Facilities through Major Transmission, Relay, or Communications Switching Stations [No change]											
Satellite Antennas		L		L			L				
Social Service Institutions through Solar Energy Systems [No change]											
Retail Sales											
Building Supplies & Equipment through Wearing Apparel & Accessories [No change]											

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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 >> 7	CU-									
	3rd >> 7	1 <sup>-(1)</sup>		2-			3-				
	4th >> 7	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
Separately Regulated Retail Sales Uses											
Agriculture Related Supplies & Equipment through Alcoholic Beverage Outlets [No change]											
Farmers' Markets											
Weekly Farmers' Markets		=		L				L			
Daily Farmers' Market Stands		=		L				L			
Plant Nurseries [No change]											
Retail Farms		=		L				L			
Retail Tasting Stores		=		L				L			
Swap Meets & Other Large Outdoor Retail Facilities [No change]											
Commercial Services											
Building Services through Radio & Television Studios [No change]											
Tasting Rooms		=		=				=			
Visitor Accommodations [No change]											
Adult Entertainment Establishments through Massage Establishments, Specialized Practice [No change]											



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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- <sup>(1)</sup>		2-			3-				
	4th >> ?	1	2	3	4	5	3 <sup>(2)(12)</sup>	6	7	8	
<u>Medical Marijuana Consumer Cooperatives</u>		-			C			C			
<u>Mobile Food Trucks</u>		L			L			L			
Nightclubs & Bars over 5,000 square feet in size through Recycling Facilities [No change]											
Sidewalk Cafes		N			N L			N L			
Sports Arenas & Stadiums through Zoological Parks											
Offices through Vehicle & Vehicular Equipment Sales & Service [No change]											
Wholesale, Distribution, and Storage											
Equipment & Materials Storage Yards through Moving & Storage Facilities [No change]											
<del>Warehouses</del>		-			P <sup>(8)</sup>			P <sup>(8)</sup>			
<del>Wholesale Distribution</del> <u>Facilities</u>		-			P <sup>(8)</sup>			P <sup>(8)</sup>			
<b>Separately Regulated Wholesale, Distribution, and Storage Uses</b>											
Impound Storage Yards through Temporary Construction Storage Yards Located off-site [No change]											

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 >> 2	CU-									
	3rd >> 2	1-(1)		2-			3-				
	4th >> 2	1	2	3	4	5	3(2)(12)	6	7	8	
Industrial											
Heavy Manufacturing through Trucking & Transportation Terminals [No change]											
Separately Regulated Industrial Uses											
Mining and Extractive Industries		-		-			-				
Hazardous Waste Research Facility through Wrecking & Dismantling of Motor Vehicles [No change]											
Signs											
Allowable Signs [No change]											
Separately Regulated Signs Uses											
Community Entry Signs		L		L			L				
Community Neighborhood Identification Signs		N		N			N				
Reallocation of Sign Area Allowance Comprehensive Sign Program		N		N			N				
Revolving Projecting Signs through Theater Marquees [No change]											

Footnotes to Table 155-02C [No change]



**DRAFT: 10<sup>th</sup> Update Code Language—Measurement and Parking****MEASUREMENT AMENDMENTS:****ISSUE #24: Visibility Area****§113.0103 Definitions**

*Visibility area* means the area necessary to allow adequate sight distance for safe vehicle and pedestrian movement at intersections involving a *public right-of-way*. See Section 113.0273 and the Street Design Manual for additional information on adequate sight distance and measuring *visibility areas*.

**§113.0273 Measuring Visibility Area**

The *visibility area* is a triangular portion of a *premises* formed by drawing one line perpendicular to and one line parallel to the *property line* or *public right-of-way* for a specified length and one line diagonally joining the other two lines, as shown in Diagram 113-02SS.

- (a) The City Engineer shall determine whether proposed development provides adequate sight distance based on the context of the development and shall require visibility areas accordingly. No *structures* may be located within a *visibility area* unless otherwise provided by the applicable zone or the regulations in Chapter 14, Article 2 (General Development Regulations).

**(a)(b) Typical Distances Used to Measure Visibility Areas**

- (1) For *visibility areas* at the intersection of *streets*, two sides of the triangle extend along the intersecting *property lines* for 25 feet and the third side is a diagonal line that connects the two.
- (b)(2) For *visibility areas* at the intersection of a *street* and *alley*, two sides of the triangle extend along the intersecting *property lines* for 10 feet and the third side is a diagonal line that connects the two.
- (e)(3) For *visibility areas* at the intersection of a *street* and driveway, one side of the triangle extends from the intersection of the *street* and the driveway for 10 feet along the *property line*. The second side extends from the intersection of the *street* and driveway for 10 feet inward from the *property line* along the driveway edge and the third side of the triangle connects the two.
- (d)(4) Where the required front and street side yards measure less than 25 feet when combined, that measurement or 15 feet, whichever is greater, establishes the *visibility area* at the street intersection.

**Diagram 113-02SS**  
**Visibility Area [No change]**

- (c) The City Engineer may modify the requirement for *visibility areas* specified in Section 113.0273(a) and (b) through Process One permit review pursuant to the authority in Section 129.0104.
- (1) The distance specified in Section 113.0273(b) may be increased if it is determined by the City Engineer that a greater distance is required to provide adequate sight distance and maintain public health and safety.
- (2) The distance specified in Section 113.0273(b) may be reduced if it is determined by the City Engineer that the reduced distance would still provide adequate sight distance and would not create a public health and safety hazard.

Add a row to Chapter 13 Tables for visibility areas per 113.0273

#### **§131.0231 Development Regulations Table for Open Space Zones**

The following development regulations apply in the open space zones as shown in Table 131-02C.

**Table 131-02C**  
**Development Regulations of Open Space Zones**

#### **§131.0331 Development Regulations Table for Agricultural Zones**

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

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

#### **§131.0431 Development Regulations Table for Residential Zones**

The following development regulations apply in the residential zones as shown in Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

- (a) RE Zones

**Table 131-04C**  
**Development Regulations for RE Zones**

- (b) RS Zones



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**Table 131-04D**  
**Development Regulations for RS Zones**

- (c) RX Zones

**Table 131-04E**  
**Development Regulations for RX Zones**

- (d) RT Zones

**Table 131-04F**  
**Development Regulations for RT Zones**

- (e) RM Zones

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

**§131.0531 Development Regulations Tables for Commercial Zones**

The following development regulations apply in each of the commercial zones as shown in Tables 131-05C, 131-05D, and 131-05E.

- (a) CN Zones

**Table 131-05C**  
**Development Regulations for CN Zones**

- (b) CR, CO, CV, and CP Zones

**Table 131-05D**  
**Development Regulations for CR, CO, CV, CP Zones**

- (c) CC Zones

**Table 131-05E**  
**Development Regulations for CC Zones**

**§131.0631 Development Regulations Table for Industrial Zones**

The following development regulations apply in the industrial zones as shown in Table 131-06C.

**Table 131-06C**  
**Development Regulations for Industrial Zones**

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**ISSUE #25: Calculating Separation Distance Between Uses****§113.0225 Measuring Distance Between Uses**

When there is a separation requirement between uses, the distance of the separation shall be measured as follows, except as specified by state law. ~~(this is illustrated in See~~ Diagram 113-02E).

**Diagram 113-02E**  
**Distance Between Uses**

- (a) The distance shall be measured between *property lines*, buildings, or use locations, as required by the regulations for the particular use.
- (b) The Where the purpose of the separation distance is to minimize the effect of noise, air quality or odor disturbances generated by one of the uses, the distance between uses shall be measured horizontally in a straight line between the two closest points of the property lines, buildings, or use locations as applicable to the context of the development. ~~(e)~~ The distance shall be measured horizontally without regard to topography or *structures* that would interfere with a straight-line measurement.
- (c) Otherwise, the measurement of distance between uses may take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access via a straight-line.

**ISSUE #26: Floor Area Calculation for Mixed Use Projects****§113.0234 Calculating Gross Floor Area**

*Gross floor area* is calculated in relationship to the *structure* and *grade* adjacent to the exterior walls of a building. The elements included in the *gross floor area* calculation differ according to the type of *development* proposed and are listed in Section 113.0234(a)-(c). *Gross floor area* does not include the elements listed in Section 113.0234(d). The total *gross floor area* for a *premises* is regulated by the *floor area ratio* development standard.

- (a) [No change]
- (b) Additional Elements Included in *Gross Floor Area* in Residential Zones and for Residential Development in Other Zones. (Section 113.0234(b) does not apply to commercial development.)
  - (1) through (2) [No change]



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- (3) *Gross floor area* includes any at-grade space that is built with enclosed space above, when there is at least 7-foot 6-inches between grade and the finish-floor elevation above, and the enclosed space above projects at least 4 feet from the face of the *structure* and exceeds a height of 5 feet measured from the top of the wall or post supporting the space to the top of the roof above, as shown in Diagram 113-02P. Where the gradient along any edge of the at-grade space is greater than 25 percent, the unenclosed at-grade space shall not be counted as *gross floor area*.

(c) through (d) [No change]

### **Issue #27: Drive-through Queuing Space for Vehicles**

#### **§141.0607 Eating and Drinking Establishments with Drive-in or Drive-through Service**

Eating and drinking establishments that offer drive-in or drive-through service are permitted in zones indicated with a "P" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones). Eating and drinking establishments that offer drive-in or drive-through service may be permitted with a Conditional Use Permit decided in accordance with Process Three in zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the regulations in this Section. The Conditional Use Permit decision maker shall consider whether the proposed use minimizes adverse impacts on adjacent properties and surrounding neighborhoods. The decision maker may impose conditions in the Conditional Use Permit in addition to requiring compliance with the following:

- (a) [No change]
- (b) Space for vehicle queuing for the drive-in or drive-through service shall be provided as follows:
- (1) Queue space for a minimum of five cars shall be provided for each drive-up service window or position, as measured from the food and beverage pick-up window or position. The queue space for each car shall be 10 feet wide and 20 feet long, in accordance with Section 142.0560(i).
  - (2) A minimum of 40 feet in additional space shall be provided from the order window to the closest curb cut to provide additional queuing space for two cars prior to the order window on the premises.
  - (2)(3) Required queue spaces shall not obstruct access to parking aisles or parking spaces.

(c) through (g) [No change]

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**§142.0560 Development and Design Regulations for Parking Facilities**

(a) through (h) [No change]

- (i) Queue Requirements for Drive-Up Service. Queue space for a minimum of five cars shall be provided for each drive-up service window or position. The queue space for each car shall be 10 feet wide and 20 feet long. Required queue spaces shall not obstruct access to parking aisles or parking spaces. See Section 141.0607(b) for additional queue requirements that apply to eating and drinking establishments with drive up or drive through service.

(j) [See Issue #34]

**Issue #28: Criteria for Small Lot Subdivisions Related to Lot Area****§142.0402 When Landscape Regulations Apply**

- (a) [No change in text.]
- (b) Table 142-04A provides the applicable regulations and type of permit required by this division for the landscaping required in conjunction with the specific types of *development* proposals. Any project that proposes more than one of the types of *development* shown is subject to all of the regulations for each type of *development*.

**Table 142-04A**  
**Landscape Regulations Applicability**

Type of <i>Development</i> Proposal			Applicable Regulations	Required Permit Type/Decision Process
Column A	Column B	Column C <sup>(1)</sup>		
1. New <i>structures</i> that equal or exceed the <i>gross floor area</i> shown (Column B), and are proposing the type of <i>development</i> shown (Column C)	[No change in text.]			
through				
14. Commercial <i>development</i> with at least 1,000 square feet of landscape area				
<u>15. Small Lot Subdivision</u>			<u>142.0403</u> <u>142.0404</u> <u>142.0413</u>	<u>No permit required by this division</u>



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Footnote to Table 142-04A [No change in text.]

**§142.0404 Street Yard and Remaining Yard Planting Area and Point Requirements**

[No change first paragraph]

**Table 142-04C**  
**Street Yard and Remaining Yard Planting Requirements**

<b>Type of Development Proposal<sup>(6)</sup></b>	<b>Type of Yard</b>	<b>Planting Area Required</b> (Percentage of total <i>yard</i> area unless otherwise noted below) <sup>(1)</sup>	<b>Plant Points Required<sup>(1)</sup></b>
Multiple Dwelling Unit through Condominium Conversion [No change]			
Small <i>Lot Subdivision</i>	[No change]	[No change]	0.5 <b>0.05</b> points per square foot of total <i>street yard</i> area
Commercial Development through Large Retail Establishments [No change]			

**§143.0365 Supplemental Site Development Permit Regulations for Small Lot Subdivisions**

The purpose of these regulations is to provide supplemental *development* regulations for *development* of *single dwelling units* in a *small lot subdivision*. A *small lot subdivision* subdivides lots zoned for *multiple dwelling units* into smaller lots for *development* of *single dwelling units*. The intent is to encourage *development* of single family housing 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 appropriate to neighborhood character. The following supplemental regulations apply to a Site Development Permit for a small *lot subdivision*.

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

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

<b>Max permitted density pre-subdivided lot (DU per lot)</b>	
Pre-subdivided lot	Per the base zone
Subdivided lot	1
<b>Min lot area (sf)</b>	<del>maximum permitted density</del> of base zone --
<b>Min lot dimensions</b>	
Pre-subdivided lot	
Lot width (ft)	25
Lot Depth (ft)	50
Street Frontage (ft) [See Section 131.0442(a)]	25
Subdivided lot	
Lot width (ft)	--
Lot Depth (ft)	--
Street Frontage (ft) [See Section 131.0442(a)]	--
<b>Setback requirements</b>	per the base zone <sup>(1)</sup>
<b>Maximum Lot coverage</b>	--
<b>Setback requirements for resubdivided corner lots</b> [See Section 113.0246(f)]	applies
<b>Max structure height (ft)</b>	
RM-1-1, RM-1-2, and RM-1-3	36 <sup>(2)</sup>
RM-2-4, RM-2-5, and RM-2-6	40 <sup>(3)</sup>
RM-3-7 and RM-3-8	40
<b>Lot coverage for sloping lots</b> [See Section 131.0445(a)]	applies
<b>Max floor area ratio</b>	per the base zone <sup>(4)</sup>
<b>Accessory uses and structures</b> [See Section 131.0448(a),(b)]	applies
<b>Garage regulations</b> [See Section 131.0449(a)]	applies
<b>Building spacing</b> [See Section 131.0450]	--
<b>Max third story dimensions</b> [See Section 131.0460]	--
<b>Architectural projections and encroachments</b> [See Section 131.0461(a)]	applies
<b>Supplemental requirements</b>	
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
<b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]	applies

**Footnotes for Table 143-03C** [No change in text.]

(d) through (h) [No change in text]

- (i) The planting **landscape** requirements shall be in accordance with the requirements for small lot subdivisions shown in **Section 142.0402**, Table 142-04C **142-04A**.



(j) [No change in text]

### **Issue #29: Landscape Water Budgets**

#### **§142.0413 Water Conservation**

(a) through (b) [No change]

(c) Mulch Requirements. All required planting areas and all exposed soil areas without vegetation shall be covered with mulch to a minimum depth of 2 3 inches, excluding slopes.

(d) Water Budget.

- (1) ~~Developments listed in Table 142-04I~~ All new development with a landscape area of 500 square feet or greater shall be subject to a water budget Maximum Applied Water Allowance (MAWA) Water Budget, except as provided in Section 142.0413(h).

**Table 142-04I**  
**Water Budget Applicability**

<b>Type of Development</b>	<b>Landscape Area Threshold</b>
New non-residential development	1,000 <u>500</u> square feet and greater
<del>New multiple dwelling unit development</del>	1,000 <u>500</u> square feet <sup>†</sup> and greater
<del>New single dwelling unit development</del>	All subdivider installed landscape

Footnote to Table 142-04I [No change]

- (2) The ~~water budget~~ Maximum Applied Water Allowance (MAWA) Water Budget is calculated using the following formula (see Section 2.6 and Appendix E of the Landscape Standards of the Land Development Manual for additional information):

$$\text{MAWA Water Budget} = (ET_o)(0.62) [(0.7 \text{ ETAF})(LA) + (0.3 \text{ 1-ETAF})(SLA)]$$

$$\text{For residential landscape areas} = (ET_o)(0.62) [(0.55)(LA) + (0.45)(SLA)]$$

$$\text{For non-residential landscape areas} = (ET_o)(0.62) [(0.45)(LA) + (0.55)(SLA)]$$

Where:

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ETo = Evapotranspiration (inches per year)  
 0.62 = Conversion Factor (to gallons)  
 0.7 = Evapotranspiration Adjustment Factor  
 LA = Landscaped Area (square feet)  
 0.3 = Evapotranspiration Adjustment Factor for Special Landscape Area and Reclaimed Water  
 SLA = Special Landscape Area

**Legend for MAWA Water Budget Calculation Formula**

<u>Symbol</u>	<u>Description of Symbol</u>
<u>ETo</u>	<u>Evapotranspiration measured in inches per year; see Table 6 or ETo Map</u>
<u>0.62</u>	<u>Conversion factor to gallons</u>
<u>ETAF</u> <u>0.55 for residential landscape areas;</u> <u>0.45 for non-residential landscape areas</u>	<u>Evapotranspiration Adjustment Factor</u>
<u>LA</u>	<u>Landscape Area measured in square feet</u>
<u>1- ETAF</u> <u>0.45 for residential landscape areas;</u> <u>0.55 for non-residential landscape areas</u>	<u>Additional Evapotranspiration Adjustment Factor for Special Landscape Areas and Reclaimed Water</u>
<u>SLA</u>	<u>Special Landscape Area measured in square feet</u>

- (3) The irrigation system is required to be operated within the approved ~~water budget~~ MAWA Water Budget.
- (4) The ~~estimated total water use~~ Estimate Total Water Use (ETWU), as calculated in Section 2.6 of the Landscape Standards of the Land Development Manual shall not exceed the ~~water budget~~ MAWA Water Budget as calculated in Section 142.0413(d)(2).
- (e) Water Meters.



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- (1) Dedicated landscape irrigation meters shall be required in all new *development* with a landscape area greater than or equal to 5,000 1,000 square feet; except that this requirement shall not apply to ~~new single dwelling unit development~~ or to the commercial production of agricultural crops or livestock.
  - (2) [No change]
- (f) Irrigation Audit. An applicant applicant subject to the requirement for a ~~water budget~~ MAWA Water Budget ~~in table 142-041~~ is required to conduct and submit to the City an irrigation audit consistent with Section 2.7 of the Landscape Standards of the Land Development Manual.
- (1) All irrigation audits shall be conducted by a ~~California-registered landscape architect, a licensed landscape contractor, or other professional licensed~~ authorized by the State to perform this work.
  - (2) [No change]
- (g) [No change]
- (h) Pursuant to state law (California Code of Regulations section 490.1), any project with an aggregate landscape area of 2,500 square feet or less may alternatively demonstrate to the satisfaction of the Development Services Director that the landscape area for the development will comply with all of the following instead of Section 142.0413(a) through (g):
- (1) Incorporates compost at a rate of at least 4 cubic yards per 1,000 square feet to a total depth of 6 inches (unless contraindicated by a soil test);
  - (2) Includes climate adapted plants that meet the following:
    - (A) All plant species are identified on the Water Use Classification of Landscape Species (WUCOLS) list as requiring little or no summer water and have an average plant factor of 0.3; and
    - (B) The minimum plant area for the climate adapted plants is at least 75 percent of the total plant area for residential *development* or 100 percent for non-residential *development*. Plant areas used for edibles or areas where recycled water is used for irrigation may be excluded from the calculation of total plant area.
  - (3) Incorporates a minimum 3 inch layer of mulch on all exposed soil surfaces of planting areas, except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
  - (4) Minimizes the use of turf as follows:



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- (A) Turf is not permitted for non-residential *development* or in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles and is irrigated by subsurface irrigation (or equivalent system that creates no overspray or runoff).
  - (B) Turf for residential *development* landscape areas shall not exceed 25 percent of the landscape area and shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet horizontal length.
- (5) Provides an irrigation system that meets all of the following requirements:
- (A) Includes an automatic irrigation controller that utilizes a rain sensor and evapotranspiration or soil moisture sensor data, and that does not lose programming data in the event a primary power source is interrupted;
  - (B) Includes a pressure regulator to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range;
  - (C) Includes manual shut-off valves (such as a gate valve, ball valve or butterfly valve) installed as close as possible to the point of connection to the water supply;
  - (D) Includes irrigation sprinkler and emission devices that meet the Landscape Irrigation Sprinkler and Emitter Standard per state law;
  - (E) Includes subsurface irrigation (or equivalent system that produces no overspray or runoff) in any landscape areas less than 10 feet in width in any direction; and
  - (F) Includes a private submeter for any non-residential *development* landscape areas that are 1,000 square feet or more in size.
- (6) Incorporates the following statement on the approved landscape plan set:
- The project *applicant* agrees to comply with the requirements of the prescriptive compliance option to the Model Water Efficient Landscape Ordinance (MWELO) in accordance with state law and Land Development Code Section 142.0413(h), and will provide the property *owner* at the time of final inspection with a certificate of completion, certificate of installation, irrigation schedule, and schedule of landscape and irrigation maintenance.
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**Issue #30: Standards for Recreational Vehicles and Coastal High Hazard Areas in Special Flood Hazard Areas**

**§143.0146 Supplemental Regulations for Special Flood Hazard Areas**

All proposed *development* within a *Special Flood Hazard Area* is subject to the following requirements and all other applicable requirements and regulations of FEMA.

(a) *Development* and Permit Review

(1) through (6) [No change]

- (7) In ~~in~~ all *floodways*, any *encroachment*, including *fill*, new construction, significant modifications, and other *development* is prohibited unless *certification* by a registered professional engineer is provided demonstrating that *encroachments* will not result in any increase in *flood* levels during the occurrence of the *base flood* discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c)(13).

(b) through (c) [No change]

(d) Standards for *Manufactured Homes*

All new and replacement *manufactured homes* and additions to *manufactured homes* are subject to the following regulations.

- (1) The *lowest floor* shall be elevated at least 2 feet above the *base flood elevation*.
- (2) *Manufactured homes* shall be securely anchored to a permanent foundation system to resist flotation, collapse, or lateral movement.
- (3) A registered engineer or architect must certify that the conditions of this subsection have been met. The *certification* shall be provided to the City Engineer before final inspection approval.
- (4) Within *FIRM Zones V1-V30, VE, and V*, the placement or installation of *manufactured homes* shall comply with the standards for coastal high hazard areas in Section 143.0146(g).

(e) [No change]

(f) Standards for Recreational Vehicles

- (1) A recreational vehicle, as defined by FEMA and used in this section, is a vehicle built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.



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(2) All recreational vehicles placed in *FIRM* Zones A1-A30, AE, AH, V1-V30, VE, and V shall comply with one of the following:

(A) Be on the site for fewer than 180 consecutive days; or

(B) Be fully licensed with the state and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

(C) Meet the standards for *manufactured homes* in Section 143.0146(d); or

(D) Meet the standards for coastal high hazard areas in Section 143.0146(g) within *FIRM* Zones V1-V30, VE, or V.

(g) Standards for Coastal High Hazard Area

(1) A coastal high hazard area is an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a *FIRM* Zone V1-V30, VE, or V.

(2) Within coastal high hazard areas designated by *FIRM* Zones V1-V30, VE, or V, the following standards shall apply:

(A) All new *development*, including *substantial improvement* to an existing *structure*, shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the bottom of the lowest horizontal structural member of the *lowest floor* (excluding the pilings or columns) is elevated to or above the *base flood* level. The pile or column foundation and *structure* attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the *base flood*. Wind loading values used shall be those required by applicable state or local building standards.

(B) All new *development* shall be located on the landward side of the



reach of mean high tide.

(C) All new *development* and any *substantial improvement* to an existing *structure* shall have the space below the *lowest floor* free of obstructions or constructed with breakaway walls. Such enclosed space shall be used solely for parking of vehicles, building access or storage.

(D) Fill shall not be used for structural support of buildings.

(E) Man-made alteration of sand dunes which would increase potential flood damage is prohibited.

(F) The *applicant* shall provide the following records to the satisfaction of the City Engineer:

(i) Certification by a registered engineer or architect that a proposed *structure* complies with Section 143.0146(g); and

(ii) Plans that identify the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the *lowest floor* (excluding pilings or columns) of all new *structures* and any *substantial improvements* to existing structures, and whether such *structures* contain a *basement*.

(f)(h) The City Engineer shall notify the San Diego District Offices of the Coastal Commission of any pending changes to the adopted Flood Insurance Rate Maps affecting property within the Coastal Overlay Zone when the City Engineer receives notification of such potential changes. The City Engineer shall notify the Commission staff when *costal development* within the City of San Diego's Coastal Development Permit jurisdiction would require processing a change to the FIRM maps. The City Engineer shall assure the Commission's District Office has the most current effective Flood Insurance Rate Maps approved by FEMA by forwarding any revised maps affecting the Coastal Overlay Zone within thirty working days of City Engineer's receipt.

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**PARKING AMENDMENTS:****Issue #31: Common Area Parking****§142.0505 When Parking Regulations Apply**

Intro paragraphs [No change]

**Table 142-05A**  
**Parking Regulations Applicability**

<b>Type of Development Proposal</b>	<b>Applicable Regulations</b>	<b>Required Permit Type/ Decision Process</b>
Rows 1 through 4 [No change]		
<i>Multiple dwelling unit residential development in Planned Urbanized Communities</i> that are processed with processing a Planned Development Permit that meets the location criteria in Section 142.0525(c)	Section 142.0525(c)	No permit required by this division
Rows 6-13 [No change]		

**§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**

(a) through (b) [No change]

- (c) Common Area Parking Requirement. The common area parking requirement applies to *multiple dwelling unit developments* that are located in *Planned Urbanized Communities*, and *development* that are *is being* processed in conjunction with a Planned Development Permit and that is located in one of the following communities: Black Mountain Ranch, Carmel Mountain Ranch, Carmel Valley, East Elliott, Fairbanks Ranch Country Club, Miramar Ranch North, Mira Mesa, Otay Mesa, Rancho Bernardo, Rancho Penasquitos, Sabre Springs, Scripps Miramar Ranch, Tierrasanta, Torrey Highlands, and University. The following standards will be applied by the decision maker *when to determine the number of common area parking spaces to require as a condition of approval is required*:

(1) through (4) [No change]

(d) [No change]



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**Issue #32: Affordable Housing Parking Regulations****§142.0505 When Parking Regulations Apply**

These regulations apply in all base zones and planned districts, with the exception of those areas specifically identified as being exempt from the regulations, whether or not a permit or other approval is required.

Table 142-05A identifies the applicable regulations and the type of permit required by this division, if any, for the type of *development* shown.

**Table 142-05A  
Parking Regulations Applicability**

<b>Type of <i>Development</i> Proposal</b>	<b>Applicable Regulations</b>	<b>Required Permit Type/Decision Process</b>
Any <i>single dwelling unit</i> residential <i>development</i>	[No change in text.]	
Any <i>multiple dwelling unit</i> residential <i>development</i>	[No change in text.]	
Any <i>multiple dwelling unit</i> residential <i>development</i> that includes housing that meets the criteria stated in Section 142.0527 for <del>Reduced</del> <b>Parking Demand Housing</b> ( <b>Affordable Housing Parking Regulations</b> )	Sections 142.0510, 142.0525, 142.0527, and 142.0560	No permit required by this division
Any nonresidential <i>development</i> through Tandem Parking for commercial uses	[No change in text.]	

**§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios**

- (a) Minimum Required Parking Spaces. The required automobile parking spaces, motorcycle parking spaces, and bicycle parking spaces for *development* of *multiple dwelling units*, whether attached or detached, and related and *accessory uses* are shown in Table 142-05C. Other allowances and requirements, including

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the requirement for additional common area parking for some projects, are provided in Section 142.0525(b) through (d).

**Table 142-05C**  
**Minimum Required Parking Spaces for**  
**Multiple Dwelling Units and Related Accessory Uses**

Multiple Dwelling Unit Type and Related and Accessory Uses	Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated)			Motorcycle Spaces Required Per Dwelling Unit	Bicycle <sup>(5)</sup> Spaces Required Per Dwelling Unit
	Basic <sup>(1)</sup>	Transit Area <sup>(2)</sup>	Parking Impact <sup>(4)</sup>		
Studio up to 400 square feet through 5+ bedrooms	[No change in text.]				
<b>Affordable housing dwelling units regulated by Reduced Parking Demand Housing (see Section 142.0527)</b>	N/A	N/A	0.25 beyond that required in Section 142.0527	(See footnote 3)	(See footnote 3)
Condominium conversion through Accessory uses	[No change in text.]				

Footnotes for Table 142-05C [No change]

(b) through (d) [No change in text.]



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§142.0527 **Affordable Housing Parking Regulations for Reduced Parking Demand Housing**

The **Affordable Housing Parking Regulations** establish the minimum number of on site parking spaces **required** for ~~multiple dwelling unit residential development~~ that includes ~~Reduced Parking Demand Housing~~ shall be determined as set forth below **affordable housing dwelling units** that meet the criteria in Section 142.0527(a)(3).

(a) Definitions. For the purposes of Section 142.0527, the following definitions apply:

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

(3) ~~Reduced Parking Demand Housing~~ **Affordable housing dwelling units** means ~~development where~~ **are dwelling units within a multiple dwelling unit residential development** that meet the following criteria:

(A) ~~All or a portion of the dwelling~~ **Dwelling** units are rental units reserved for a period of at least 30 years for *low income* or *very low income* households in which the tenants do not pay more than 35 percent of gross household income toward gross rent (including utilities). These provisions shall be included in a written agreement with the San Diego Housing Commission; and

(B) The *development* falls into at least one of the following categories:

(i) Family Housing;

(ii) Housing for Senior Citizens, meeting the criteria of ~~Section 141.0310(a);~~ **"Housing for older persons" as defined in 42 United States Code, Section 3607(b) of the Fair Housing Act Amendments of 1988 and 24 Code of Federal Regulations, section 100.304; or "Senior citizen housing development" as defined in Section 51.3 of the California Civil Code;**

(iii) Housing for *disabled persons*;

(iv) SRO *hotel*; or

(v) Studio (up to and including 400 square feet) or 1 *bedroom* (greater than 400 square feet), provided the studio or 1 *bedroom* is not within a *development* for Family Housing or Housing for Senior Citizens.

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- (b) Parking Demand. The minimum required automobile parking spaces for ~~Reduced Parking Demand Housing~~ affordable housing dwelling units shall be determined using the following indexes (See the Land Development Manual: Calculating Affordable Housing ~~Reduced Parking Demand Housing~~ Parking Requirements for guidance on calculating the Walkability and Transit Indexes.):

(1) [No change in text.]

- (A) Retail, theater, or assembly and entertainment uses present within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.
- (B) More than 120 *lots* developed with retail, theater, or assembly and entertainment uses within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.
- (C) Office, nonresidential day care, nursery school, kindergarten through grade 12, hospitals, healthcare uses, or Civic Uses within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.
- (D) More than 50 *lots* developed with office, nonresidential day care, nursery school, kindergarten through grade 12, hospitals, or healthcare uses, or Civic Uses within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.

(2) Transit Index

The Transit Index shall be determined by assigning points for the number of peak hour trips within a defined distance from the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units. For bus transit, the distance is one-quarter mile from the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units for each bus transit stop. For fixed rail and bus rapid transit, the distance is one-half mile from the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units for each fixed stop. Inbound /outbound stops for the same route are calculated as one stop.

(A) through (D) [No change in text.]

(3) [No change in text.]

- (c) Alternative compliance may be used to determine the Walkability Index in accordance with the following:

- (1) A project shall be deemed to have alternatively complied with Section 142.0527(b)(1)(B) when it is demonstrated to the satisfaction of the City



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Manager that there are more than 120 retail, theater, or assembly and entertainment uses within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.

- (2) A project shall be deemed to have alternatively complied with Section 142.0527(b)(1)(D) when it is demonstrated to the satisfaction of the City Manager that there are more than 50 office, nonresidential day care, nursery school, kindergarten through grade 12, hospitals, or healthcare uses, or Civic Uses within one-half mile of the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.
- (d) ~~Reduced Parking Demand Housing~~ Affordable housing dwelling units Parking Ratios. Table 142-05D provides the parking ratios required for ~~Reduced Parking Demand Housing~~ affordable housing dwelling units as defined in Section 142.0527(a)(3).

**Table 142-05D**  
**~~Reduced Parking Demand Housing~~ Affordable Housing Dwelling Units Parking Ratios**

[No change to text within table.]

Footnotes for Table 142-05D

- (1) [No change]
- (2) Visitor and staff parking spaces are calculated by multiplying the ratio by the total number of ~~Reduced Parking Demand Housing~~ affordable housing dwelling units.
- (3) For assigned parking, the number of additional parking spaces is calculated by multiplying the total parking spaces required for the ~~Reduced Parking Demand Housing~~ affordable housing dwelling units, visitor, and staff parking by 0.1. For unassigned parking, no additional parking spaces are required.
- (e) Supplemental Regulations.
- (1) [No change in text.]
- (2) ~~Reduced Parking Demand Housing~~ Affordable housing dwelling units shall not be subject to the parking regulations of the Transit Overlay Zone and shall not be entitled to parking reductions provided for in Section 142.0550 (Parking Assessment District Calculation Exception).
- (3) and (4) [No change in text.]

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**§142.0530 Nonresidential Uses — Parking Ratios**

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

(c) Nonresidential Uses. Table 142-05G establishes the required ratio of parking spaces to building *floor* area for the nonresidential uses shown that are not covered by the parking requirements in Section 142.0530(a) and (b).

**Table 142-05G**  
**Parking Ratios for Specified Non-Residential Uses**

Use	Parking Spaces Required per 1,000 Square Feet of <i>Floor</i> Area Unless Otherwise Noted ( <i>Floor</i> Area Includes <i>Gross Floor Area</i> plus below <i>Grade Floor Area</i> , and Excludes <i>Floor</i> Area Devoted to Parking)		
	Required Automobile Parking Spaces <sup>(1)</sup>		
	Minimum Required Outside a Transit Area	Minimum Required Within a Transit Area <sup>(2)</sup>	Maximum Permitted
Single room occupancy hotels (For SRO <i>Hotels</i> that meet the criteria for <del>Reduced Parking Demand Housing</del> <b>affordable housing dwelling units</b> stated in Section 142.0527, see Section 142.0527 for parking requirements.)	1 per room	0.5 per room	N/A

Footnotes [No change in text.]

(d) through (g) [No change in text.]

**§151.0103 Applicable Regulations**

(a) [No change in text.]

(b) The following regulations apply in all planned districts:



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- (1) through (7) [No change in text.]
- (8) Parking Regulations for ~~Reduced Parking Demand Housing~~ **affordable housing dwelling units** in Land Development Code Section 142.0527, except where the Planned District Ordinance provides a lower parking ratio than allowed in Section 142.0527.
- (9) [No change in text.]

**Issue #33: Shared Parking****§142.0545 Shared Parking**

- (a) Approval Criteria. In all zones except single unit residential zones, *shared parking* may be approved through a Building Permit subject to the following requirements.
  - (1) *Shared parking* requests shall be for two or more different land uses located adjacent or near to one another, subject to the standards in this section.
  - (2) All *shared parking* facilities shall be located within a ~~600-foot~~ **1200 foot** horizontal distance of the uses served.
  - (3) Parties involved in the shared use of a parking facility shall provide an agreement for the shared use in a form that is acceptable to the City Attorney.
  - (4) *Shared parking* facilities shall provide *signs* on the *premises* indicating the availability of the facility for patrons of the participating uses.
  - (5) Modifications to the *structure* in which the uses are located or changes in tenant occupancy require review by the City Manager for compliance with this section.

(b) through (d) [No change]

**Issue #34: Maximum Number of Driveways****§142.0560 Development and Design Regulations for Parking Facilities**

- (a) through (h) [No change]
- (i) [See Issue #27]
- (j) Driveway and Access Regulations
  - (1) through (7) [No change]

- (8) Maximum Number of Driveways Permitted on a Premises.
- (A) For properties with no access to an alley, there shall be at least one driveway opening permitted per lot. ~~street frontage with a maximum of one~~ An additional driveway opening may be permitted subject to approval by the City Engineer for a lot with at least 100 feet of street frontage total street frontage. For corner lots, the length of the *street frontage* may be combined for the purpose of this calculation.
- (B) For properties with access to an *alley* and at least 150 feet of total *street frontage*, a maximum of one driveway opening for each 150 feet of ~~frontage is~~ street frontage may be permitted subject to approval by the City Engineer. For corner lots, the length of the *street frontage* may be combined for the purpose of this calculation.
- (C) For properties with access to an *alley* and less than 150 feet of total ~~frontage~~ street frontage, a driveway is not permitted, except that in the RM-1-1, RM-1-2, and RM-1-3 zones, one driveway may be permitted if the prohibition of a driveway opening would preclude achieving the maximum *density* permitted by the underlying zone.

(9) through (10) [No change]

(k) [No change]



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**Draft 10<sup>th</sup> Update Code Language: Minor Corrections****Issue #35: Exemptions from a Coastal Development Permit****§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 (b) [No change]
- (c) [See Issue #9]
- (d) through (h) [No change]
- (i) Any improvement to a *single dwelling unit* that constitutes part of a “single family residential building” as defined in California Administrative Code, Title 14, section 13250(a) and that does not require a ~~coastal development permit~~ **Coastal Development Permit** pursuant to California Administrative Code, Title 24 **14**, section 13250(b).

**Issue #36: Coastal Development Section****§126.0707 Decision Process for a Coastal Development Permit**

- (a) through (e) [No change.]
- (f) Any *coastal development* involving a *subdivision* pursuant to the Subdivision Map Act and any other division of land requires a Coastal Development Permit. The land division shall be processed as part of the Coastal Development Permit in accordance with the Subdivision Regulations (Chapter 14, Article 4) and Subdivision Procedures (Chapter 12, Article 5). Any tentative map, lot line adjustment, merger, ~~public right-of-way~~ **public right-of-way** vacation **abandonment** or public easement abandonment may be approved or conditionally approved only if the decision maker makes the *findings* pursuant to Section 126.0708.

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**Issue #37: Retail Tasting Stores Use Category****§131.0522 Use Regulations Table for Commercial Zones**

The uses allowed in the commercial zones are shown in Table 131-05B.

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

Use Categories/Subcategories	Zone Designator	Zones
Retail Tasting Rooms <b>Stores</b>	[No change in text]	

**Issue #38: Purpose of Industrial Zones****§131.0601 Purpose of Industrial Zones**

The purpose of the industrial zones is to accommodate a range of industrial and manufacturing activities in designated areas to promote a balanced land use and ~~ide~~ **provide** flexibility in the design of new and redeveloped industrial projects while assuring high quality *development* and to protect land for industrial uses and limit nonindustrial uses.

**Issue #39: Standard Drawings for Driveways****§142.0560 Development and Design Regulations for Parking Facilities**

(a) through (i) [No change]

(j) Driveway and Access Regulations

(1) through (2) [No change]

(3) Driveway openings shall comply with San Diego Regional Standard Drawing G-16 **SDG-164** and either Number G-14A **SDG-159** and G-14B **SDG-160**, Concrete Driveways, or ~~SDG-114~~ **SDG-163**, Concrete Driveway Commercial Alternate, except that driveway openings abutting a through travel lane less than 17 feet wide with an existing or anticipated speed limit of 30 miles per hour or greater shall conform to Drawing Number ~~SDG-114~~ **SDG-163**, Concrete Driveway Commercial Alternate.

(k) [No change]



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**Issue #40: Supplemental NDP Requirement for Previously Conforming Site****§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.

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

<b>Type of Development Proposal</b>	<b>Applicable Sections</b>	<b>Required Development Permit/Decision Process</b>
[No change]	[No change]	[No change]
Site with <i>Previously Conforming</i> Conditions	127.0102-127.0106 <b>127.0106</b> , 143.0303, 143.0305, 143.0375	NDP/Process Two
[No change]	[No change]	[No change]

**Issue #41: Central Urbanized PDO Supplemental Development Regulations****§155.0253 Supplemental Development Regulations**

The following additional supplemental *development* regulations apply in the Central Urbanized Planned District. These regulations shall supersede any regulations contained in Code Chapter 14, Article 3, that are inconsistent or not expressly incorporated into the Central Urbanized Planned District regulations.

**Table 155-02F**  
**Supplemental Development Regulations Applicability**

<b>Type of Development Proposal</b>	<b>Applicable Sections</b>	<b>Required Development Permit/Decision Process(1)</b>
Residential and mixed commercial/residential development in facility deficient neighborhoods shown on Map B-4104 under circumstances outlined in Section 151.0253(a) <b>155.0253(a)</b>	155.0243(a)	Site Development Permit/Process 3



San Diego Municipal Code  
**Land Development Code**

**Landscape Standards**



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### LANDSCAPE STANDARDS AMENDMENTS

The following amendments have been incorporated into this posting of this plan:

Amendment	Date Effective Administratively	Date Adopted by City Council	Resolution Number
Landscape Standards Adopted.		11-18-97	R-289460
Revisions for Water Conservation and Related Items	11-27-09		
Water Conservation Amendments to Implement State Law and Minor Corrections			

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## INTRODUCTION

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The Landscape Standards establish the minimum plant material, irrigation, brush management, and landscape related standards for work done in accordance with requirements of Land Development Code. They provide guidelines and alternative methods to meet regulations based on various site conditions. Additionally, the Landscape Standards provide the technical standards to create and maintain landscapes that conserve and efficiently use water. Applicants proposing landscape work should also obtain copies of the Submittal Requirements in the Land Development Manual. These establish the materials and information that must be submitted with an application for review by the City and establish applicable drafting standards for landscape drawings.



## SECTION I: PLANT MATERIALS GUIDELINES

### 1.1 LOCATIONAL CRITERIA

The following general standards establish criteria for the location of all landscape improvements. Refer to **Section V** for additional restrictions and requirements governing landscape improvements in public rights-of-way.

- 1.1-1 Landscape improvements in all areas shall be located to permit the proper operation of irrigation systems and the effective use of mowers and other power equipment in lawn areas.
- 1.1-2 Plant locations and spacing shall permit normal plant development without undue crowding or trimming.
- 1.1-3 Plant materials are to be grouped into hydrozones with plant species having similar water demand and by their, soil, sun, and shade requirements. A hydrozone may mix plants of moderate and low water use or mix plants of high water use and moderate water use. If hydrozones contain mixed water use plants, the higher water use plant classification shall be used for the ~~estimated total water use~~ **Estimated Total Water Use** (ETWU) calculations (see Section 2.6-2.)

### 1.2 SCREENING CRITERIA

When plant materials, in conjunction with or in lieu of fencing, are used to satisfy the screening requirements established by the Land Development Code, the plantings shall be evergreen and spaced to ensure 100 percent screening within two years of installation.

### 1.3 PLANT SELECTION CRITERIA

#### 1.3-1 General Guidelines

Plants shall be selected based on the water budget requirements in Section 2.6 ~~MAWA Water Budget~~ **MAWA Water Budget** (~~Water Budget~~). With regard to the Landscape Regulations, there are three general categories of plants: Preferred, Acceptable, and Prohibited.

- 1.3-1.01 Preferred plants are essentially those most suited to the actual site conditions. However, there are innumerable combinations of factors affecting the selection of appropriate plants. The water needs of a plant are, however, a critical factor. For the purposes of this document, preferred plants are water conserving plants which are easily maintained and have no known history of problems. **Appendix 'A'** is a list of reference materials which discuss and identify water conserving plants.

- 1.3-1.02 Acceptable plants are those which satisfy minimum performance standards for the special site area in question and are easily maintained. For example, to be acceptable for Brush Management Zone 2, the plant must meet the performance standards for that zone.
- 1.3-1.03 Prohibited plants are those which do not satisfy the minimum performance standards for the site area in question. In addition, there are a number of invasive species that are not allowed in any required landscape area. The use of these materials elsewhere on a site is strongly discouraged. Where existing, these plants shall be eradicated. **Table 1** contains a list of Prohibited Plants.

**TABLE 1**  
**PROHIBITED SPECIES**

Botanical Name	Common Name
<i>Ailanthus altissima</i>	Tree-of-Heaven
<i>Arundo donax</i>	Giant Reed
<i>Broussonetia papyrifera</i>	Paper Mulberry
<i>Cortaderia selloana</i>	Pampas Grass
<i>Nicotiana glauca</i>	Tree Tobacco
<i>Pennisetum setaceum</i>	Fountain Grass
<i>Spartium junceum</i>	Spanish Broom
Tamarix spp	Tamarisk
<i>Ricinus communis</i>	Castor Bean

- 1.3-1.04 Plant material used for erosion control on disturbed soil areas and slopes should achieve 100 percent soil coverage within two years of being installed.
- 1.3-1.05 Palm tree sizes are based on brown trunk height using the following methods for measurement for the type of palm shown:
- Fan Palms - Measured from the ground line to the base of the first living frond.
  - Feather Palms - Measured from the ground line to the base of the heart leaf where the heart leaf breaks away from the trunk.



- 1.3-1.06 Plant material used adjacent to coastal bluffs shall be native or naturalized to minimize the need for irrigation beyond initial plant establishment. Existing exotic and other plant materials that require regular irrigation should be removed and replaced with native or naturalized plant material.
- 1.3-1.07 Plant material are to be selected to be less than or equal to the ~~maximum applied water allowance~~ **Maximum Applied Water Allowance** (MAWA) ~~as determined by the water budget~~ **Water Budget formula calculation formula** and specifications in Section 2.3-13.10.
- 1.3-2 Lawns
  - 1.3-2.01 Areas of lawn shall be minimized and concentrated where used
  - 1.3-2.02 Lawn areas shall not exceed 10 percent of the planting area on a premises, excluding required common areas, active recreation areas, areas located within the public right-of-way between the curb and public sidewalk, and areas of turf used for bioretention and infiltration basins. This restriction does not apply to single dwelling unit residential uses in residential zones.
  - 1.3-2.03 The minimum dimension of a lawn bounded by impervious surfaces on two or more sides is 8 feet in all directions unless subsurface or low volume irrigation is used (low pressure irrigation through tubing or lateral lines and low volume emitters such as drip lines or bubblers).
  - 1.3-2.04 Lawn areas located on slopes, where the toe of slope is adjacent to hardscape (as defined in Section 113.0103 of the Land Development Code), shall not exceed a gradient of 25 percent (4:1).
- 1.3-3 Vehicular Use Areas Not Within Street Rights-of-Way
  - 1.3-3.01 Landscape improvements, including, but not limited to, plants, berms, signs, and structures shall be selected, positioned, and maintained to avoid obstructing views of motorists near intersections of aisles, drives, and pedestrian walkways.
  - 1.3-3.02 Trees shall be selected and maintained such that scaffold branches are a minimum of 60 inches above the finish grade as measured at the trunk.
  - 1.3-3.03 Plant materials with known surface root problems shall not be used in vehicular use areas.

## 1.4 SITE PREPARATION CRITERIA

- 1.4-1 When so indicated on the approved landscape plans, soils testing by a certified agronomic soil testing laboratory and/or 24 hour percolation tests (see **Sec. 2.3-13.08**) shall be conducted and report recommendations implemented prior to the installation of plants and irrigation systems.

- 1.4-2 Certified soil test and percolation test results and any proposed construction document revisions shall be submitted to the City. Written approval of revised construction documents is required prior to the installation of plantings and irrigation systems.
- 1.4-3 Soil amendments are to be used when needed to improve water retention in the soil, to improve the functional structure of the soil for greater water infiltration and percolation, to balance pH, and to optimize plant growth.

## 1.5 INSTALLATION CRITERIA

- 1.5-1 All drainage shall comply with the Storm Water Standards of the Land Development Manual.
  - 1.5-5.01 All planting areas shall be designed to effectively handle all drainage onsite.
  - 1.5-5.02 Concentrated flows shall be handled on-site using low impact development practices.
- 1.5-2 Only trees which are not self-supporting shall be staked or guyed.
- 1.5-4 Herbaceous groundcovers shall be planted with triangular spacing at a distance that will typically ensure 100 percent coverage within one-year of installation.
- 1.5-5 For irrigated areas, the rate of seed application shall be sufficient to typically provide 100 percent coverage within six months of installation.
- 1.5-6 All required planting areas shall be covered with mulch (organic or inorganic) to a minimum depth of 2 3 inches, excluding slopes requiring revegetation. All exposed soil areas without vegetation shall also be mulched to this minimum depth.

## 1.6 MAINTENANCE CRITERIA

- 1.6-1 Trees shall be watered deeply, but infrequently, to promote deeper rooting, and shall be fertilized as required by sound horticultural practices.
- 1.6-2 Plants shall be pruned in accordance with professional trimming standards to maintain their intended shapes and sizes, and to insure the health of the specimen and the safety of the public.
- 1.6-2 Tree guys and stake ties shall be inspected and adjusted periodically, and removed when necessary, to insure that they are adequately surrounding the tree without girdling trunks or branches.
- 1.6-4 Plants shall be pruned to avoid blocking walks, passageways and sight distance views for vehicular traffic.



- 1.6-5 Dead plants shall be replaced, damaged branches shall be removed, and overgrown areas shall be thinned by the selective removal of unnecessary plants.
- 1.6-6 Shrubs and vines used for screening trash enclosures and service areas shall be pruned to maximize screening while allowing access to the storage/service areas.
- 1.6-7 Shrubs, trees, and vines for screening adjacent properties shall be kept pruned so they do not interfere with pedestrian traffic and do not encroach excessively onto the adjacent property.
- 1.6-8 Trees shall be selected based upon the site characteristics including soil type, soil area, drainage, and adjacent improvements. Trees selected should grow to maturity without impacts to sidewalks, curbs, and other public improvements.

## 1.7 STREETS RIGHTS-OF-WAY AND OPEN SPACES MATERIAL GUIDELINES

All planting in street rights-of-way and those in open space areas that are to be maintained by the City, either directly or by administered contract shall comply with this section.

### 1.7-1 Plant Selection

- 1.7-1.01 In areas of existing development without an approved street tree plan<sup>1</sup>, the tree selection(s) shall match the existing, permitted, predominate species unless the species is not listed in the Street Tree Selection Guide ([www.sandiego.gov/street-div/pdf/treeguide.pdf](http://www.sandiego.gov/street-div/pdf/treeguide.pdf)).
- 1.7-1.02 In newly developing areas without an approved street tree plan, tree selection shall be coordinated to achieve continuity.
- 1.7-1.03 Plant selection shall be limited to those species which are considered relatively disease and pest-free and require minimal trimming to be maintained in a safe and attractive condition.
- 1.7-1.04 Substitutions of plant material in the street rights-of-way must be approved by the City Manager.
- 1.7-1.05 The planting of trees such as Cinnamomum, Ficus, Fraxinus, Schinus and other species with surface root systems that tend to damage sidewalks shall not typically be used in public rights-of-way. They will only be considered under appropriate site conditions and where maintenance responsibilities have been assigned to the satisfaction of the City Manager.

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<sup>1</sup> Street tree plans, if adopted, are located in the applicable community plan. If there is no adopted street tree plan contact the City Arborist for the appropriate tree.

1.7-1.06 High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.

## 1.7-2 Installation Criteria

1.7-2.01 Per Section 1.4, Site Preparation Criteria, a soil percolation test shall be performed by filling a 12"x 12"x 12" square hole with water, waiting 12 hours, and then completely refilling. All percolation test operations shall be conducted in the presence of a licensed landscape architect, contractor, civil engineer or related professional. If all the water is not absorbed within 12 hours of the second filling, tree installations shall include the following:

- 150 cubic feet of topsoil to a maximum depth of three feet.
- A four-inch minimum diameter perforated drain line connected to a storm drain or sump. When connecting to a storm drain, a cleanout shall be installed at the connection to allow inspection of sources of non-storm water discharges caused by excessive irrigation.
- Sumps when approved, shall be a minimum 12 inches in diameter and extend four feet below the planting trench depth. A minimum three-inch diameter pipe with removal cap on top shall be extended to the surface for inspection.
- A subsurface irrigation system.

1.7-2.02 Non-biodegradable root barriers shall be installed around new trees in the public right-of-way to direct tree root growth downward and away from adjacent sidewalks, curbs, gutters, driveways, and other public improvements. Root barriers may be eliminated where the combination of tree species, soil type, soil area, and drainage conditions can be shown to afford equivalent protection against tree root damage to public improvements.

## 1.7-3 Maintenance Criteria

1.7-3.01 Trees with a low spreading branch structure shall typically not be used in the street rights-of-way, and individual specimens shall be selected, planted, and pruned, if necessary, such that major scaffold branches are at least 8 feet above the finish surface or finish grade, as measured at the trunk.

1.7-3.02 Trees shall be positioned and kept maintained so that any branches that extend out over dedicated street rights-of-way have a minimum of 14 feet 6 inches of clearance above the surface of the street.

## 1.7-4 Public Improvements Adjacent to Existing Trees



- 1.7-4.01 Sidewalk, curb, gutter or driveway renovation or replacement within four feet of an existing tree shall be performed following procedures that would protect the existing tree. These procedures could include root pruning, modification to the alignment of the proposed public improvement, erecting temporary barriers during construction, or modification to the construction detail of the improvement. Where the combination of existing conditions and the proposed public improvement would preclude tree preservation, trees that are removed should be replaced with new street trees.
- 1.7-4.02 Public improvement work adjacent to existing trees shall be performed in accordance with the provisions of the public right-of-way permit.

## 1.8 WATER FEATURES

- 1.8-1 Manmade water features including pools, spas, ponds, lakes, waterfalls, fountains, artificial streams and similar features where water is artificially supplied are subject to the regulations for high water use landscape features.
- 1.8-2 Recirculating water systems shall be used as a source for water features.
- 1.8-3 Where available, recycled water shall be used as a source for manmade water features with the exception of pools and spas and similar features that are prohibited from using recycled water by state law.
- 1.8-4 Constructed wetlands that are non-irrigated and that are used for on-site wastewater treatment or stormwater best management practices are not water features and are not subject to the MAWA Water Budget calculation formula in Section 2.6.

## SECTION II: IRRIGATION SYSTEMS

### 2.1 GENERAL REQUIREMENTS

Irrigation systems shall be designed, constructed, and managed to maximize overall irrigation efficiency within the limits established by the ~~maximum applied water allowance~~ **MAWA Water** (MAWA). The following standards establish the minimum requirements for irrigation systems.

- 2.1-1 The minimum design, installation and maintenance criteria herein shall not be considered as specifications.
- 2.1-2 Material or processes other than those indicated herein may be used if sufficient data is presented to show that the material or process is equivalent or better in performance and intent, and meets or exceeds all design and performance tests with all equivalent features.
- 2.1-3 All required irrigation systems and all irrigated areas shall be automatically controlled. Temporary systems may be an exception.
- 2.1-4 All required irrigation systems shall be maintained in working condition as approved. Any equipment or material needing replacement is to be replaced immediately with equipment or material of the same type and performance standards as the originally approved irrigation system.
- 2.1-5 Irrigation systems (valve systems, piping and pressure regulators) shall be designed to deliver water to hydrozones based on the moisture requirements of the plant grouping.
- 2.1-56 Water meters. Dedicated (separate) landscape water meters shall be installed for all new development as listed in Table 2 prior to occupancy or final inspection approval.
- 2.1-67 Submeters. A landscape irrigation submeter shall be installed for development as listed in Table 2 prior to a certificate of occupancy or final inspection approval.



**TABLE 2**  
**LANDSCAPE WATER METER**  
**APPLICABILITY**

Type of Water Meter	Type of Development Proposal	Landscape Area <sup>2</sup> Threshold
Dedicated Landscape Irrigation Meter	New development (excluding single dwelling unit development and commercial production of crops and livestock)	<del>5,000</del> 1,000 s.f. and greater
Landscape irrigation <u>Irrigation</u> Submeter	New single-dwelling unit development	All
	Improvements to the following existing development, that do not have a dedicated landscape irrigation meter, that require a building permit and landscape review consistent with Section 142.0402: <ul style="list-style-type: none"> <li>• Multiple-dwelling units development - common landscape area only</li> <li>• Commercial</li> <li>• Industrial</li> </ul>	1,000 s.f. and greater

## 2.2 TYPES OF SYSTEMS

### 2.2-1 Temporary Systems

Temporary systems shall operate for a period sufficient to establish plant material and to provide vegetative cover that prevents soil erosion. The amount of irrigation must be adjusted when warranted by site conditions.

### 2.2-2 On-Grade Systems

- 2.2-2.01 On-grade piping shall not be allowed where subject to adjacent pedestrian traffic or vandalism.
- 2.2-2.02 On-grade piping is allowed for temporary systems and irrigation in the brush management zones.
- 2.2-2.03 Permanent on-grade systems in brush management zones shall utilize metal pipe and fittings. Irrigation heads and nozzles may be plastic.

<sup>2</sup> For purposes of this calculation the landscape area means the entire premises less the area of building footprints, non-irrigated portions of parking lots, driveways, hardscapes (as defined in §113.0103 of the Land Development Code), and areas designated for habitat preservation or brush management Zone 2.

- 2.2-2.04 Selective watering of introduced native materials in native areas, irrigation of highly erosive or extremely rocky soils, and areas where trenching would disturb or loosen unstable material may be approved for on-grade installation by the City Manager.
- 2.2-2.05 All on-grade lines shall be secured to slopes every 10 feet. The ends of all laterals shall also be staked. Stakes shall be installed so as not to create a safety hazard.
- 2.2-3 Spray Systems
  - 2.2-3.01 Spray heads of different manufacturers or of different basic types (bubbler, stream, standard, low gallonage, impact, etc.) shall have consistent operating characteristics on any single lateral circuit.
  - 2.2-3.02 Spray heads on the same lateral circuit shall be balanced for matched precipitation rates within five percent from the average for any different arcs of coverage or operating radii.
  - 2.2-3.03 Specially designed, adjustable nozzles shall be used for odd shaped areas, while still maintaining even application rates.
- 2.2-4 Drip Systems
  - 2.2-4.01 All components shall be of non-corrosive materials.
  - 2.2-4.02 Except for temporary installations, all lateral piping shall be installed below the finish grade of the planting area. Emitter distribution tubing (downstream of emitters) may be installed on finish grade if covered by mulch.
  - 2.2-4.03 System equipment shall be installed below grade in locking access sleeves or meter boxes.
  - 2.2-4.04 Drip tubing systems with embedded, factory installed, or integral bi-wall small orifice type emitters shall be designed such that there is a maximum emission rate differential of no more than five percent along the entire length of tubing.
  - 2.2-4.05 The design of drip systems shall provide balanced water supply to plant materials of different sizes irrigated by a common lateral line.
  - 2.2-4.06 All drip systems shall be adequately filtered and regulated per the manufacturer's recommended specifications.



- 2.2-4.07 All systems shall be capable of flushing out accumulated particulate matter. System designs shall provide a means for servicing such flushing requirements with a minimum of erosion or disruption to the surrounding landscape.
- 2.2-4.08 Pressure gauges shall be included in the design at critical points such as filtration equipment, fertilization equipment, regulators, or pressure compensating valves.
- 2.2-4.9 Systems shall be designed for the mature size of plant material to be irrigated, including the eventual rooting pattern of the planting. A minimum of 50 percent of the root structure of the plant material is to be irrigated at all stages of growth, up to and including full mature size. All necessary equipment for mature plant size irrigation shall be installed initially. Future outlets for tubing shall be capped or otherwise sealed until needed.
- 2.2-4.10 Emitters shall be protected from soil or root incursion and easily accessible. Metal rods may be required at emitters for easy location with a metal detector.

## 2.2-5 Special Systems

Special systems shall be allowed at the discretion of the City Manager.

## 2.3 DESIGN STANDARDS

### 2.3-1 Water Supply

Water supply shall be clean, free of suspended particles, algae, or chemicals that may form insoluble precipitates in the equipment or may be detrimental to plantings.

### 2.3-2 Water Service

2.3-2.01 Individually assessed areas and lots that will be individually owned shall have separately metered and controlled irrigation systems. Irrigation shall be confined to the individual areas without overspray onto adjacent areas or across property lines.

2.3-2.02 City approved backflow prevention units are required on all irrigation systems. Installation shall comply with all applicable health and safety codes.

### 2.3-3 Electrical Service

Electrical service point of connection for the irrigation system controllers shall be indicated and referenced on the irrigation plans.

### 2.3-4 Scheduling and Circuiting

2.3-4.01 Each circuit shall be capable of meeting the minimum needs of the mature plant material during peak demands within a weekly irrigation schedule.

- All irrigation systems shall include a weather-based or soil moisture-based irrigation controller.
- Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent.

2.3-4.02 Lateral systems shall be divided by exposure (sun vs. shade, etc.), elevation, and by type of irrigation application equipment (drip, spray, etc.).

2.3-4.03 Where the plant material has differing watering needs, such as **very low**, low, medium, and high water use plants, separate systems shall be designed to give each plant-type area adequate minimum amounts of water. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and lawns.

#### 2.3-5 Control Systems

2.3-5.01 Automatic control systems shall accommodate all aspects of the design, including multiple schedules, repeat cycles, and moisture sensing and rain sensing override devices (or weather based adjustment) as required.

2.3-5.02 Control mechanisms for moisture-sensing systems shall be accommodated within the controller enclosure.

2.3-5.03 Controller units shall be enclosed in secure, weather and vandal resistant, locking housings manufactured expressly for that purpose or located within a structure. Controller cabinets shall not be installed within an irrigation spray pattern.

#### 2.3-6 Valves

##### 2.3-6.01 Emergency Shutoff Valves

- Globe or ball valves shall be provided at points of connection and loop or zone isolation points.
- For manifold remote control valves, the globe or ball valve shall equal the size of the largest control valve in the manifold.
- For all slope areas, globe or ball valves shall be located on the main line upstream from the control valves and adjacent to the slope area. Valve box lids shall be marked "Emergency Shutoff."



- Main line flow sensors ~~should~~ **shall** be installed ~~as necessary~~ to prevent irrigation runoff resulting from system damage, broken irrigation lines, or faulty valves. **Residential landscape areas less than 5,000 square feet are exempt.**

#### 2.3-6.02 Zone Control Valves

- Globe or ball valves shall be installed to divide the irrigation system into controllable units, and to avoid draining long runs of piping for system repairs.
- Globe or ball valves shall isolate all looped portions of mainline networks.

#### 2.3-6.03 Remote Control Valves

- Control valves shall be manifold where feasible, and installed in individual valve boxes.
- Valves shall be of slow closing design, and automatically close in the event of power failure.
- Valves shall be sized to provide adequate pressure differential for proper operation.

#### 2.3-6.04 Quick Coupling Valves/Hose Bibs

Quick coupler valves or hose bibs shall be spaced at 100-foot intervals, maximum, and as needed to logically service areas.

#### 2.3-6.05 Special Valves

- Anti-drain valves shall be installed on all irrigation systems without integral check valves on any areas where the cross-slope gradient of the lateral system exceeds ten feet. If any portion of the lateral system requires anti-drain valves, the lateral system shall be designed to maintain consistent operating pressures.
- Excess flow shutoff valves shall be installed with all irrigation spray heads located at the top of permanently revegetated slopes and within two feet of a public sidewalk.

### 2.3-7 Piping Only

The materials in Table 3 may be used for required landscape irrigation systems.

**TABLE 3**  
**ACCEPTABLE PIPE MATERIALS**

LOCATION	USE	MATERIAL	TYPE	NOTES
<b>Below Grade</b>	Pressure Mains	Copper	Type "L"	Any Size
		P.V.C.	Class 315	2"
		P.V.C.	Sch. 40	1-1/2"
		Red Brass		Threaded
	Lateral Lines	Copper	Type "L"	Any Size
		* Galvanized Iron	Sch. 40	Threaded
		Polyethylene	Uv-resistant	Drip Systems
		P.V.C.	Class 315	1/2"
		P.V.C.	Class 200	3/4"
		P.V.C.	Sch. 40	Any Size
		Red Brass		Threaded
	Fittings	Cast Iron	Class 250	Short Body
		Copper	Type "L"	Any Size
		* Galvanized Iron	Sch.40	Threaded
		Nylon or A.B.S.	Specialty	Drip Systems
		P.V.C.	Sch.40	Any Size
		Red Brass		Threaded
<b>Above Grade</b>	Pressure Mains	* Copper	Type 'L'	Any Size
		* Galvanized Iron	Sch. 40	Threaded
		* Red Brass		Threaded
	Lateral Lines	Copper	Type "L"	Any Size
		Galvanized Iron	Sch. 40	Threaded
		Polyethylene	Uv-resistant	Drip Systems Mulch Required
		* P.V.C.	Uvr-sch. 40	Any Size
		* P.V.C.	Class 315	2"
		* P.V.C.	Sch. 40	<2"
	Fittings	Copper	Type "L"	Any Size
		Galvanized Iron	Sch. 40	Any Size
		Molded Plastic	Uv-resistant	Drip Systems
<b>Above Grade</b>	Fittings	* P.V.C.	Uvr-sch. 40	Any Size
		* P.V.C.	Sch. 40	Any Size
		Red Brass		Threaded

\* Temporary Systems Only.



### 2.3-8 Runoff and Overspray

All irrigation systems shall be designed to avoid runoff, seepage, and overspray onto adjacent property, non-irrigated areas, walks, roadways, or structures. Systems requiring flushing shall accommodate flushing without erosion, disturbance to planting areas, or discharge into the storm drain system

### 2.3-9 Pressure Constraints

- 2.3-9.01 Irrigation systems shall be designed to operate correctly at the lowest available operational pressure expected during the year and shall withstand water system surges.
- 2.3-9.02 Pressure differential within lateral piping circuits shall not exceed 20 percent of the designed operating pressure of the equipment on that circuit.
- 2.3-9.03 Pressure regulating devices shall be installed on any systems with a static inlet pressure at the point of connection greater than 80 psi unless specifically approved by the City Manager. Pressure shall be regulated to a pressure adequate to operate the equipment at designed pressures with all incidental and line losses included.
- 2.3-9.04 Where the pressure within the system exceeds 80 psi (due to elevation drops, etc.), a pressure reducing valve shall be used to reduce pressure to design levels.

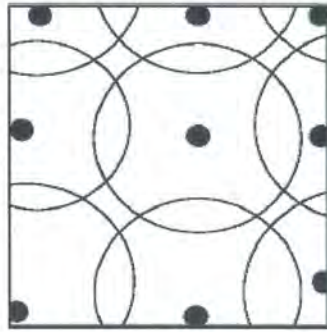
### 2.3-10 Velocity Constraints

Irrigation system piping shall be sized such that velocities remain below five feet per second.

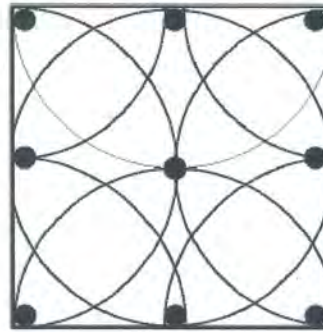
### 2.3-11 Coverage

- 2.3-11.01 Spray heads in turf areas and all stream, strip or square spray type heads shall be spaced 50 percent of the maximum rated diameter of coverage (Figure 2-2).

**FIGURE 2-1  
SPRAY DIAMETER IN  
SHRUBS/GROUNDCOVER**



**FIGURE 2-2  
SPRAY DIAMETER IN  
TURF AREA**



- 2.3-11.02 Only low volume irrigation or subsurface irrigation shall be used to irrigate turf areas that are within 24 inches of an impermeable surface unless the surface is constructed to allow the water to drain entirely into a landscaped area.

#### 2.3-12 Equipment Protection

- 2.3-12.01 Any irrigation equipment located within 12 inches of pedestrian and vehicular use areas shall be located entirely below grade or otherwise adequately protected from potential damage.
- 2.3-12.02 All heads located within 12 inches of pedestrian and vehicular use areas shall be pop-up type.
- 2.3-12.03 Pop-up heads shall be installed with swing joints or other flexible assembly.
- 2.3-12.04 In-line wire splices shall be made only in pull boxes, with waterproof sealing packets.
- 2.3-12.05 Swing joints shall be installed in lines at all abrupt changes of grade.

#### 2.3-13 Water Conservation Performance Standards and Requirements

The following standards apply to all projects for which landscaping is required and to special landscape situations such as slopes, fire hazard areas, and transitional landscapes:

- 2.3-13.01 For all areas, the water delivery rate of the irrigation system shall be matched to the slope gradient and the percolation rate of soil.
- 2.3-13.02 Slopes with a gradient of 3:1 or steeper and greater than 6 feet in height that are irrigated with an overhead spray system must have a precipitation rate no greater than 0.65 inches per hour.



- 2.3-13.03 The irrigation system shall deliver water efficiently and uniformly and shall be appropriate to the needs of the plant materials. Recommended reference materials for irrigation systems design are listed in **Appendix "A"**.
- 2.3-13.04 Over watering as evidenced by soggy soils, continually wet pavement, standing water, runoff in street gutters and other similar conditions shall be prevented.
- 2.3-13.05 All devices such as tensiometers, moisture sensors and rain sensing devices are subject to City approval.
- 2.3-13.06 Moisture sensors shall be installed per manufacturer's recommendations.
- 2.3-13.07 All automatic irrigation controllers and moisture sensing systems shall be adjusted seasonally and as weather and plant conditions warrant.
- 2.3-13.08 Twenty-four hour pressure recording information and the date of the recording shall be indicated on the irrigation plans.
- 2.3-13.09 When the pressure reading is either less than 40 psi, more than 5 years old or is not available, the pressure shall be calculated from the hydraulic grade line zone (contact Water Utilities) and the site elevation. The calculated pressure, meter elevation and hydraulic gradient shall be indicated on the plans.
- 2.3-13.10 When the actual measured or calculated minimum pressure is below 40 psi, irrigation systems, except for drip and other low flow systems, shall include compensating design or equipment modifications.
- 2.3-13.11 New development, in areas where reclaimed water is available and suitable for irrigation, shall provide a separate water distribution system so that only reclaimed water is used for irrigation.
- 2.3-13.12 Systems requiring flushing shall accommodate flushing without discharge into the storm drain system.
- 2.3-13.13 Alternative irrigation systems that may be used to augment water for landscape purposes include:
- Graywater systems may be used when installed consistent with the Department of Water Resources Graywater Guide and upon permit approval and inspection by San Diego County Department of Environmental Health.
  - Rain water harvesting may be used to augment irrigation systems provided that the systems used to harvest and store the water are designed to prevent intrusion of trash, insects, and animals.

## 2.4 INSTALLATION STANDARDS

### 2.4-1 Trench Widths

Trenches for irrigation pressure lines shall be excavated wide enough to allow a minimum of four inches between parallel pipe lines and eight inches from lines of other trades. Lines shall not be installed parallel and directly over one another. Maintain three inches vertical clearance between crossing irrigation lines; minimum transverse angle is 45 degrees.

### 2.4-2 Pipe Depths

**TABLE 4  
PIPE DEPTHS**

LINE TYPE	LOCATION	SIZE	DEPTH	ZONE		
				COM	IND	RES
Pressure Main	Within Landscape	<3" I.D.	18 inches	•	•	•
		3" I.D.	24 inches	•	•	•
		4" I.D.	30 inches	•	•	•
Pressure Main	Under Vehicular Paving	<3" I.D.	30 inches			•
		<3" I.D.	36 inches			
				•	•	
Non-Pressure Lateral	Within Landscape	3" I.D.	36 inches	•	•	•
		<3" I.D.	12 inches	•	•	
Non-Pressure Lateral	Under Vehicular Paving	3" I.D.	18 inches	•	•	
Non-Pressure Lateral	Under Vehicular Paving	<3" I.D.	24 inches			•
Non-Pressure Lateral	Under Vehicular Paving	<3" I.D.	30 inches	•	•	
Non-Pressure Lateral	Under Vehicular Paving	3" I.D.	30 inches	•	•	

### 2.4-3 Sleeving

- 2.4-3.01 All pipe and wire under vehicular paving shall be installed in PVC Schedule 40 sleeves. Sleeves shall be at least twice the diameter of the pipe or wire bundle to be enclosed, with a minimum two-inch size, and shall extend 12 inches beyond each edge of pavement.



- 2.4-3.02 Sleeving shall be marked at each end at the time of installation with a painted spot on the back face of the curb or other similar marking.

#### 2.4-4 Marking Tape

Metallic backed locating tape shall be installed along the entire length of the sleeve, 12 inches directly above the sleeve. Tape shall be marked "IRRIGATION" in two inch capital letters every three feet along the tape.

#### 2.4-5 Backfill

- 2.4-5.01 Backfill material shall be clean and free of debris, large rocks and objects with sharp edges.

- 2.4-5.02 Finish grade of all trenches must conform to adjacent grades without dips, sunken areas, humps or other irregularities.

#### 2.4-6 Landscape Irrigation Submeter

- 2.4-6.01 A landscape irrigation submeter shall be installed after the domestic water meter in development required to install the submeter in Table 2 (Landscape Water Meter Applicability).

- 2.4-6.02 An irrigation mainline from the landscape irrigation submeter shall be extended to the rear yard of new single dwelling unit development.

## 2.5 STREET RIGHTS-OF-WAY AND OPEN SPACE IRRIGATION SYSTEMS

#### 2.5-1 Water Services

- 2.5-1.01 Center islands, open space areas and street rights-of-way shall have separate meters and services unless they are part of the same maintenance assessment district, whereby, they may share the same meter and service.
- 2.5-1.02 All water services shall have a City-approved backflow device installed above ground. A guard fence or steel enclosure will be installed if the device is located within five feet of a pedestrian travel way.
- 2.5-1.03 There shall be no sharing of water with private property.
- 2.5-1.04 Street water mains shall be shown and identified along with the water meter and service connection. The meter address and I.D.# shall be shown on the irrigation plan.

## 2.5-2 Electrical Services

2.5-2.01 The location of the following must be shown on the construction drawings:

- Source of electrical power;
- Service entry pedestal with approved detail;
- Conduits and wire conductors with sizes;
- Electrical meter;
- Safety-socket box;
- Circuit breaker enclosure;
- Irrigation controller and enclosure.

2.5-2.02 In cases where the electric power service is unknown at time of plan check, a note must be added stating that it will be placed on the plans during the "As Built" phase.

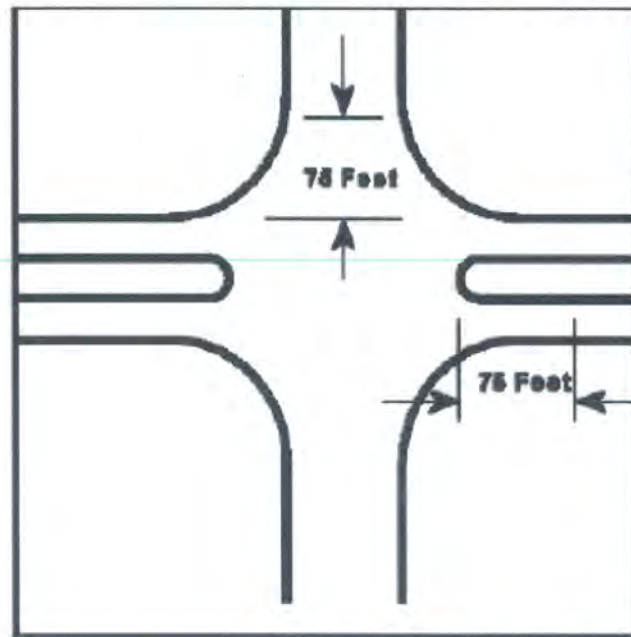
2.5-2.03 Center islands, open space areas and rights-of-way shall have their own irrigation controllers unless they are part of the same maintenance assessment district, whereby, they may share the same controller. The controller shall not be located in the center island.

2.5-3 Only materials and equipment that are on the Park and Recreation Department's Approved Irrigation Materials List" (**Appendix "D"**) shall be used. Installation shall be per the San Diego Regional Standard Drawings unless otherwise approved.

2.5-4 Mainline and lateral piping may cross public streets as long as they are placed in sleeves and do not cross within 75 feet of any intersection (**Figure 2-3**).



**FIGURE 2-3  
MAINLINE & LATERAL PIPING CROSSING PUBLIC STREETS**



- 2.5-5 Heads with low precipitation rates shall be used whenever possible.
- 2.5-6 Non-spray type irrigation systems shall be used whenever practical for all plantings in the street right-of-way.
- 2.5-7 Drip systems, when approved for use in the street right-of-way, shall use rigid PVC laterals installed below grade with schedule 80 risers and access caps/sleeves for servicing the emitters, and with self-flushing type emitters.
- 2.5-8 Pressure reducing valves shall be installed above grade in conjunction with the backflow unit, or below grade in valve boxes.
- 2.5-9 Check valves shall be installed where lateral piping rises in grade from the control valve.
- 2.5-10 Remote control valves are to be installed in manifold wherever possible. Each remote control valve will have a straight through globe valve (of the same size) installed with it upstream. Remote control valves installed in manifold will have one globe valve (of the same size as the largest remote control valve) installed upstream of the manifold. All manifold connections are to be red brass (see San Diego Regional Standard Drawing SDI-103).
- 2.5-11 One-inch size quick coupling valves, each with its own one-inch straight through globe valve installed upstream, will be installed and spaced no further than 200 feet apart. The

need for quick coupler systems in the open space areas shall be determined on a case-by-case basis. The smallest diameter pipe to serve a quick coupler shall be 1 1/2 inches.

- 2.5-12 In-line globe valves will be used to allow sectional shutdown of the systems. All globe valves are to be labeled as to size and with an arrow leader pointing to the symbol (Example: 1 1/2" G.V.).
- 2.5-13 All irrigation controllers are to be installed in steel enclosures. Controllers will be installed "freestanding" as per San Diego Regional Standard Drawing I-17 ( not bolted to the enclosure wall). Enclosure shall be located at a prime observation area with good access and free from irrigation overspray. While the electric power service and controller enclosure may be shared between different assessment districts, each district shall have their own controller(s). Controllers are not to be interconnected.
- 2.5-14 A minimum of two spare wires are to be installed from the controller to the furthest single valve or cluster of valves in each separate wire run. Pull boxes will be shown and labeled wherever wire splicing is necessary. All control wires shall be color coded as per Supplemental Irrigation Specifications (**Appendix "C"**).
- 2.5-15 Each and every sprinkler head (except for drip-type systems) shall have an anti-drain/excess flow valve installed below the head as part of the riser assembly unless the sprinkler head is equipped with an internal check valve.
- 2.5-16 All pressure pipe to be installed underground shall be Schedule 40 P.V.C. for 1 1/2-inch diameter and smaller, and PVC Class 315 for 2-inch diameter and larger.
- 2.5-17 All pressure pipe installed above ground in open space areas shall be galvanized steel Schedule 40 pipe or Schedule 40 UV resistant pipe.
- 2.5-18 All lateral, non-pressure pipe shall be Schedule 40 PVC, 3/4-inch minimum.

## 2.6 WATER BUDGET

- 2.6-1 ~~Developments listed in Table 5 shall be subject to~~ All new development with a landscape area of 500 square feet or greater must demonstrate compliance with a MAWA Water Budget– Maximum Applied Water Allowance (MAWA) unless exempted in Section 2.6-2.
- 2.6-2 The following developments are exempt from the requirements of Section 2.6-1
  - 2.6-2.01 Landscape that is part of a registered historic site (local, state or federal);
  - 2.6-2.02 Ecological restoration projects without permanent irrigation;
  - 2.6-2.03 Botanical gardens and arboretums open to the public; and



## 2.6-2.04 Mined-land reclamation projects without permanent irrigation.

**TABLE 5**  
**WATER BUDGET (MAWA)**  
**APPLICABILITY**

Type of Development Proposal	Landscape Area <sup>3</sup> Threshold
New nonresidential development	1,000 s.f. and greater
New multiple dwelling unit development	1,000 square feet and greater
New single dwelling unit development	All subdivider installed landscape*
Subdivisions	

\* All model homes shall be landscaped consistent with the principles of a water efficient landscape. Signs shall be used to identify the model as an example of a water efficient landscape, featuring elements such as hydrozones, irrigation equipment, plant materials and other elements that contribute to the water efficiency. Information shall be provided within the model about designing, installing, and maintaining water efficient landscapes; and using irrigation submeters.

- 2.6-3 The maximum applied water allowance MAWA Water Budget is calculated using the following calculation formula as follows<sup>4</sup> (see calculation worksheets in Appendix E):

$$MAWA = (ET_o)(0.62) [(0.7)(LA) + (0.3)(SLA)]$$

$$MAWA \text{ Water Budget} = (ET_o)(0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)] = \text{gallons per year}$$

$$\text{For residential landscape areas} = (ET_o)(0.62) [(0.55)(LA) + (0.45)(SLA)]$$

$$\text{For non-residential landscape areas} = (ET_o)(0.62) [(0.45)(LA) + (0.55)(SLA)]$$

**Legend for MAWA Water Budget Calculation Formula**

Symbol	Description of Symbol
ET <sub>o</sub>	Evapotranspiration (inches per year)
0.62	Conversion factor to gallons

<sup>3</sup> For purposes of this calculation the landscape area means the entire premises less the area of building footprints, non-irrigated portions of parking lots, driveways, hardscapes (as defined in §113.0103 of the Land Development Code), and areas designated for habitat preservation or brush management Zone 2.

<sup>4</sup> See Appendix E Water Requirements Worksheets for assistance in calculating water use.

<b>ETAF</b> 0.55 for residential landscape areas; 0.45 for non-residential landscape areas	<b>Evapotranspiration Adjustment Factor</b>
<b>LA</b>	<b>Landscape Area (square feet)</b>
<b>1- ETAF</b> 0.45 for residential landscape areas; 0.55 for non-residential landscape areas	<b>Additional Evapotranspiration Adjustment Factor for Special Landscape Areas and Reclaimed Water</b>
<b>SLA</b>	<b>Special Landscape Area (square feet)</b>

Where:

ET<sub>o</sub> = Evapotranspiration (inches per year)(see Table-6)

0.62 = Conversion factor (to gallons)

0.7 = Evapotranspiration Adjustment Factor

LA = Landscaped Area (square feet)(see footnote 3)

0.3 = Evapotranspiration Adjustment Factor for Special Landscape Area and Reclaimed Water

SLA = Special Landscape Area<sup>5</sup>

**Table-6**  
**EVAPOTRANSPIRATION (ET<sub>o</sub>) TABLE**  
**BY COMMUNITY PLANNING AREA**

<b>Community Planning Area</b>	<b>Average Annual ET<sub>o</sub> (inches/year)</b>	<b>Community Planning Area</b>	<b>Average Annual ET<sub>o</sub> (inches/year)</b>
Barrio Logan	41	North City FUA-Subarea II	47
Black Mountain Ranch	47	Ocean Beach	41
Carmel Mountain Ranch	51	Old San Diego	47
Carmel Valley	47	Otay Mesa	51
Centre City	41	Otay Mesa-Nestor	41
City Heights	47	Pacific Beach	41
Clairemont Mesa	47	Pacific Highlands Ranch	47
College Area	51	Peninsula	41

<sup>5</sup> An Evapotranspiration Adjustment Factor of 1.0 (0.3 additional) is used for Special Landscape Areas. Special Landscape Areas are active and passive recreation areas, areas solely dedicated to the production of fruits and vegetables, and areas irrigated with reclaimed water.



Del Mar Mesa	47	Rancho Bernardo	57
East Elliott	51	Rancho Encantada	57
Eastern Area	51	Rancho Penasquitos	51
Encanto	51	Sabre Springs	51
Fairbanks Country Club	47	San Pasqual	57
Greater Golden Hill	47	San Ysidro	47
Greater North Park	47	Serra Mesa	47
Kearney Mesa	47	Scripps Miramar Ranch	51
Kensington-Talmadge	51	Skyline-Paradise Hills	51
La Jolla	41	Southeastern San Diego	47
Linda Vista	47	Tierrasanta	51
Midway-Pacific Highway Corridor	41	Tijuana River Valley	41
Mira Mesa	47	Torrey Highlands	47
Miramar Ranch North	51	Torrey Hills	47
Mission Beach	41	Torrey Pines	41
Mission Valley	47	University	47
Navajo	51	Uptown	47
Normal Heights	47	Via De La Valle	47

2.6-4 The estimated total water use **Estimated Total Water Use** (ETWU) shall not exceed the water budget **MAWA Water Budget** as calculated in Section 2.6-2 **2.6-3**.

2.6-5 The estimated total water use **ETWU** is calculated **using the following calculation formula** as follows (see **calculation** worksheets in Appendix E):

$$\text{ETWU} = [(ETo)(0.62)][(\text{PF} \times \text{HA} / \text{IE}) - (\text{PF} \div \text{IE} \times \text{HA}) + \text{SLA}] = \text{gallons per year}$$

**Legend for Estimated Total Water Use (ETWU) Calculation Formula**

<b>Symbol</b>	<b>Description of Symbol</b>
<b>ETo</b>	Evapotranspiration (inches per year)
<b>0.62</b>	Conversion factor to gallons
<b>PF</b>	Plant Factor
<b>HA</b>	Hydrozone Area (square feet)
<b>IE</b>	Irrigation Efficiency (0.81 for Drip System devices) (0.75 for Overhead Spray devices)
<b>SLA</b>	Special Landscape Area (square feet)

Where:

ETWU = Estimated total water use per year (gallons)

ETo = Reference Evapotranspiration (inches)

PF = Plant Factor from WUCOLS<sup>6</sup>

HA = Hydrozone Area<sup>7</sup> (high, medium, and low, water use areas) (square feet)

SLA = Special Landscape Area (square feet)

0.62 = Conversion Factor

IE = Irrigation Efficiency (minimum 0.71)

## 2.7 LANDSCAPE IRRIGATION AUDIT

Development subject to Section 2.6 – **MAWA** Water Budget, shall be subject to the following audit requirements.

- 2.7-1 A landscape irrigation audit is intended to verify that all irrigation systems, plant materials, and landscape features have been installed and operate as approved.
- 2.7-2 All landscape irrigation audits shall be conducted by a ~~California registered landscape architect, a licensed landscape contractor, or other professional licensed~~ **authorized** by the State to perform this work.
- 2.7-3 The professional that conducts the landscape irrigation audit shall certify that all irrigation systems, plant materials, and landscape features have been installed and operate as approved, and shall submit that certification to the City prior to occupancy and use.

<sup>6</sup> The California Department of Water Resources 1999 publication by U.C Cooperative Extension employee Larry Costello, beginning on page 45 of the following link ([www.owue.water.ca.gov/docs/wucols00.pdf](http://www.owue.water.ca.gov/docs/wucols00.pdf)).

<sup>7</sup> The surface area of water features (swimming pools, spas, ponds, lakes, fountains and similar features) are included in the high water use hydrozone and the surface area of artificial turf, is included in the low water use hydrozone.



## SECTION III: BRUSH MANAGEMENT

### 3-1 BRUSH MANAGEMENT – DESCRIPTION

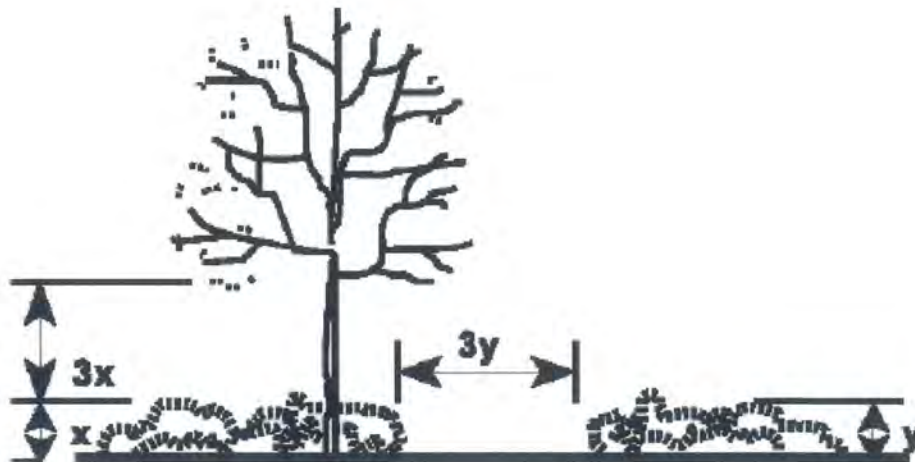
Fire safety in the landscape is achieved by reducing the readily flammable fuel adjacent to structures. This can be accomplished by pruning and thinning of native and naturalized vegetation, revegetation with low fuel volume plantings or a combination of the two. Implementing brush management in an environmentally appropriate manner requires a reduction in the amount and continuity of highly flammable fuel while maintaining plant coverage for soil protection. Such a transition will minimize the visual, biological and erosion impacts while reducing the risks of wildland fires.

### 3-2 BRUSH MANAGEMENT- REQUIREMENTS

#### 3.2-1 Basic requirements – All Zones

- 3.2-1.01 For zone two, plants shall not be cut below six inches.
- 3.2-1.02 Debris and trimmings produced by thinning and pruning shall be removed from the site or if left, shall be converted into mulch by a chipping machine and evenly dispersed, non-irrigated, to a maximum depth of 6 inches.
- 3.2-1.03 Trees and large tree form shrubs (e.g., Oaks, Sumac, Toyon) which are being retained shall be pruned to provide clearance of three times the height of the under story plant material or six feet whichever is higher (**Figure 3-1**). Dead and excessively twiggy growth shall also be removed.

**FIGURE 3-1  
PRUNING TREES TO PROVIDE CLEARANCE FOR BRUSH MANAGEMENT**



- 3.2-1.04 All plants or plant groupings except cacti, succulents, trees and tree-form shrubs shall be separated by a distance three times the height of the tallest adjacent plants (**Figure 3-1**).
- 3.2-1.05 Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Pinus, Quercus, Platanus, Salix and Populus).
- 3.2-2 Zone 1 Requirements - All Structures
  - 3.2-2.01 Do not use, and remove if necessary, highly flammable plant materials (see **Appendix "B"**).
  - 3.2-2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.
  - 3.2-2.03 Maintain all plantings in a succulent condition.
  - 3.2-2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.
- 3.2-3 Zone 2 Requirements – All Structures
  - 3.2-3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 400 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

## SECTION IV: REVEGETATION AND EROSION CONTROL GUIDELINES

### 4.1 PERMANENT REVEGETATION

#### 4.1-1 Revegetation Adjacent to Native Vegetation

Revegetation of manufactured slopes and other disturbed areas adjacent to areas of native vegetation shall be accomplished in a manner so as to provide visual and horticultural compatibility with the indigenous native plant materials. The following guidelines are in addition to the guidelines and criteria for slope revegetation and brush management. Further restrictions may apply in natural preserve areas such as Tecolote Canyon and Penasquitos Canyon or as required as part of environmental mitigation efforts. Transitional landscape treatments between non-native landscapes and undeveloped areas may be required or considered by the City Manager. When so required, the following guidelines shall apply:



- 4.1-1.01 The plant palettes for transitional landscapes shall typically consist of a combination of appropriate and compatible native and nonnative species.
- 4.1-1.02 The mix of native and non-native plant materials should generally vary. Areas contiguous to existing native vegetation shall be planted with native materials exclusively.
- 4.1-1.03 Invasive (i.e., those readily capable of reproducing and spreading into native, non-irrigated areas) non-native plant species including but not limited to those listed on **Table 1** are prohibited in all transitional landscapes.
- 4.1-1.04 Noxious weeds and invasive plants (e.g., Pampas Grass) that sprout in transition areas shall be promptly removed.
- 4.1-1.05 Permanent irrigation is prohibited in the portions of transition areas contiguous to the existing native vegetation.
- 4.1-1.06 Required mulching and hydroseeding as specified in the landscape regulations, shall follow the guidelines in **Sections 4.3** and **4.4** of the Landscape Standards.
- 4.1-1.07 Required slope revegetation shall follow the guidelines in **Section 4.2** of the Landscape Standards.

#### 4.1-2 General Revegetation

- 4.1-2.01 Revegetation on manufactured slopes and other disturbed areas that are not adjacent to native vegetation shall be accomplished to provide a stable soil cover that prevents erosion.
- 4.1-2.02 Required mulching and hydroseeding as specified in the landscape regulations, shall follow the guidelines in **Sections 4.3** and **4.4** of the Landscape Standards.
- 4.1-2.03 Required slope revegetation shall follow the guidelines in **Section 4.2** of the Landscape Standards.

## 4.2 SLOPE REVEGETATION GUIDELINES

These guidelines establish the acceptable standards for the design and installation of slope revegetation.

- 4.2-1 Requirements for revegetation may be waived by the City Manager where cut slopes are not subject to erosion due to their rocky character or where the slopes are protected against erosion and instability to the satisfaction of the City Engineer.

- 4.2-2 A minimum of 50 percent of the total slope area shall be planted with deep rooting groundcovers, (i.e. those with a typical root depth of 5 feet or greater). For seeded plantings, at least 50 percent of the viable seed count shall be deep rooting species.
- 4.2-3 All the plant materials shall be appropriate to the site conditions, water conserving and appropriately spaced to control soil erosion.

### 4.3 MULCHING PROCEDURES

The following procedures will be followed when mulching is required by the landscape regulations or when proposed by the applicant.

- 4.3-1 Jute netting and other approved geotextile materials shall be installed and secured per manufacturer's specifications and in a manner precluding sheet flows and rilling below the material surface.
- 4.3-2 Straw Stabilization:
  - Straw mulch shall be uniformly spread at the rate of two tons per acre.
  - Straw on all cut slopes shall be "tacked" with binder at a minimum rate of 160 pounds per acre. The binder shall be an organic derivative or processed organic adhesive.
  - Straw on all fill slopes shall be incorporated into the soil with a bladed roller so that the straw will not support combustion or blow away and will leave a uniform surface.
- 4.3-3 Wood Products:
  - Shredded wood products shall be uniformly spread to a minimum depth of two inches.
  - When used in conjunction with indigenous native container stock, the mulch shall be applied at the conclusion of the initial 90-day maintenance period.

### 4.4 HYDROSEEDING PROCEDURES

- 4.4-1 Seed mixes shall be specified by the pure live seed of each species.
- 4.4-2 Fiber mulch shall be applied at a minimum rate of 2,000 pounds per acre except when used in conjunction with straw mulch, when it shall be applied at a minimum rate of 400 pounds per acre.
- 4.4-3 A wetting agent consisting of 95 percent alkyl polyethylene glycol ether shall be applied as per manufacturers' recommendations.



- 4.4-4 Equipment used for the application of slurry shall have a built-in agitation system to suspend and homogeneously mix the slurry. The slurry mix shall be dyed green. The equipment must have a pump capable of applying slurry uniformly.

## 4.5 MAINTENANCE REQUIREMENTS

- 4.5-1 Permanently irrigated slopes shall be maintained for a period no less than 90 days.
- 4.5-2 Nonpermanently irrigated areas shall be maintained for a period not less than 25 months.
- 4.5-3 All revegetated areas shall be maintained by the Permittee until final approval by the City Manager. The maintenance period begins on the first day following acceptance and may be extended at the determination of the City Manager.
- 4.5-4 Prior to final approval, the City Manager may require corrective action including but not limited to, replanting, the provision or modification of irrigation systems, and the repair of any soil erosion or slope slippage.

## SECTION V: STREET RIGHTS-OF-WAY AND OPEN SPACES

### 5.1 INTRODUCTION

All landscape improvements in street rights-of-way and those in open space areas that are to be maintained by the City, either directly or by administered contract, shall comply with all relevant sections of the landscape standards except as superseded or modified by the requirements of this section. Additional restrictions on the location of landscape improvements may be required per the Street Design Manual under "Additions/Design Criteria - Sight Distance." These additional restrictions do not apply to trees maintained per the criteria of this section.

### 5.2 CENTER ISLAND LANDSCAPING

- 5.2-1 All center island paving shall be integral colored, stamped concrete (**Appendix "C"**) unless otherwise approved by the City Manager. Colors shall be limited to those in **Appendix "C."**
- 5.2-2 Planted areas shall have a minimum width of two feet and shall have a minimum inside diameter (i.d.) of four feet and a height no greater than six inches above the median curb. A two-foot maintenance walk shall be provided around the perimeter of medians, inclusive of curbing (refer to standard drawing SDG-112).
- 5.2-3 Areas greater than 100 square feet in size shall be level or graded to drain to their centers with any runoff resulting from precipitation collected through a system of drain inlets and appropriately sized pipes to carry it to a storm drain system.

- 5.2-4 Turf and high water use plants shall not be used in medians.

### 5.3 DEDICATED OPEN SPACE AREAS

- 5.3-1 All disturbed open space areas shall be revegetated according to the guidelines in Sections 3 and 4, the Brush Management Guidelines and the Slope Revegetation Standards. These areas shall be maintained by the permittee for a minimum of 25 months before the open space can be accepted for maintenance by the Park and Recreation Department.
- 5.3-2 To reestablish vegetation in disturbed areas, a temporary irrigation system shall be installed. This system may be removed at the City's discretion, prior to acceptance of maintenance for the areas in question at the end of the maintenance period.



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### **Appendix A**

## **Reference Materials For Water-Conserving Plants & Irrigation Systems**

## REFERENCES

### WATER-CONSERVING PLANTS – BOOKS

- Clark, D.E *Western Garden Book*, Menlo Park CA: Lande Publishing Co. 1979
- Schmidt, M.G. *Growing California Native Plants*, Los Angeles CA: University of California Press, 1980
- Robie, Ronald. *Plants for California Landscapes*, Sacramento CA: Department of Water Resources, 1979
- Duffield, and Jones. *Plants for Dry Climates*, Tucson AZ: H.P. Books, 1981
- Perry, Bob. *Trees and shrubs for Dry California Landscapes*, San Dimas: Land Design Publishing, 1981
- *Selected California Native Plants With Commercial Sources*, Saratoga CA: Saratoga Horticultural Foundation, Third Edition

### IRRIGATION SYSTEMS – BOOKS

- Pair, H. and Hinz, W. and Reid, C. and Fronst, K., ed. *Irrigation*. Maryland: Irrigation Association, Fifth Edition, 1983
- Sarsfield, Chet, *Book of Tables*. California: Irrigation Technical Services, P.O. box 268, Lafayette, CA 94549
- Simon, A. *Basic Hydraulics*. New York: John Wiley & Sons, 1981
- Watkins, James A. *Turf Irrigation Manual*, Telsco Industires, 1987

### OTHER REFERENCE MATERIALS

- 
- AB 325 Model Water Efficient Landscape Ordinance  
<http://www.owue.water.ca.gov/docs/WaterOrdSec490.cfm>
- AB 1881 Water Conservation in Landscaping  
<http://www.owue.water.ca.gov/landscape/ord/updatedOrd.cfm#dwr>
- California Landscape Contractor Association (CLCA) <http://www.clca.org>
- California Integrated Waste Management Board – Commercial Landscapes,  
[www.ca.gov/organics/landscaping](http://www.ca.gov/organics/landscaping)
- <http://www.cdflmu.org/4291.pdf>
- California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbook – <http://www.cabmphandbooks.com>
- Education Resources [www.clca.org](http://www.clca.org), [www.irrigation.org](http://www.irrigation.org), [www.thegarden.org](http://www.thegarden.org),  
[www.miracosta.cc.ca.us](http://www.miracosta.cc.ca.us), [www.cuyamaca.edu](http://www.cuyamaca.edu), [www.swc.cc.ca.us](http://www.swc.cc.ca.us), [www.bewaterwise.org](http://www.bewaterwise.org)
- Environmentally Friendly Landscapes <http://www.beyondpesticides.org/pesticidefreelawns/>,  
[www.beyondpesiticides.org](http://www.beyondpesiticides.org)
- Evapotranspiration Data [www.cimis.water.ca.gov](http://www.cimis.water.ca.gov)
- Fire Safe Council – <http://www.firesafecouncil.org/education/index.cfm>
- Firewise Communities – <http://firewise.org>
- “General Guidelines for Creating Defensible Space”



- State Board of Forestry and Fire Protection and California Department of Forestry and Fire Protection, February 2006 – [http://www.bof.fire.ca.gov/pdfs/copyof4291finalguidelines9\\_29\\_06.pdf](http://www.bof.fire.ca.gov/pdfs/copyof4291finalguidelines9_29_06.pdf)
- Gray Water [www.owue.water.ca.gov/docs/graywater\\_guide\\_book.pdf](http://www.owue.water.ca.gov/docs/graywater_guide_book.pdf)
- Gray Water Permits [http://www.sdcountry.ca.gov/deh/inspections\\_permits.html#land](http://www.sdcountry.ca.gov/deh/inspections_permits.html#land)
- Home Landscaping for Fire – University of California, Division of Agriculture and Natural Resources – <http://www.anrccatalog.ucdavis.edu/pdf/8228.pdf>
- Integrated Pest Management (IPM) – University of California, Cooperative Extension
- <http://www.anrcatalog.ucdavis.edu/pdf/8228/pdf>
- Invasive Plants [www.cal-ipc.org](http://www.cal-ipc.org)
- Irrigation Audits
- Irrigation Association (IA) <http://www.irrigation.org/certification>
- Irrigation and Maintenance BMPs  
[www.irrigation.org/gov/default.aspx?pg=BMPs.htm&id+104](http://www.irrigation.org/gov/default.aspx?pg=BMPs.htm&id+104)
- Low Impact Development Handbook, County of San Diego
- Mosquito Control [www.co.san-diego.ca.us/deh/chd/wmv/index.html](http://www.co.san-diego.ca.us/deh/chd/wmv/index.html)
- Natural Resources Conservation Service Soil Surveys for California  
<http://www.websoilsurvey.nrcs.ucda.gov/app/WebSoilSurvey.aspx>
- Professional Landscape Network (PLANET)– <http://www.landcarenetwork.org>
- Rain Water Harvesting [www.twdb.state.tx.us](http://www.twdb.state.tx.us)
- Regional Water Quality Control Board [www.swrcb.ca.gov/rwqcbp](http://www.swrcb.ca.gov/rwqcbp)
- San Diego County Evapotranspiration Map [www.sdcwa.org](http://www.sdcwa.org)
- Smart Water Application Technologies (SWAT)  
<http://www.irrigation.org/SWAT/Industry/ia-tested.aspx>
- Soil [www.healthysoil.org](http://www.healthysoil.org)
- State Water Resources Control Board Stormwater Program  
<http://www.waterboards.ca.gov/stormwtr/index.html>
- Storm Water [www.projectcleanwater.org/pdf/watershed-ordinance.pdf](http://www.projectcleanwater.org/pdf/watershed-ordinance.pdf), [www.casqa.org](http://www.casqa.org)
- Water Conservation [www.sdcwa.org](http://www.sdcwa.org)
- Water sense, EPA - <http://www.epa.gov/watersense>
- Water Use of Common Ornamental Landscape Species, WUCOLS,  
[www.wucols.water.ca.gov](http://www.wucols.water.ca.gov)

**NATIONAL XERISCAPE COUNCIL, Inc, 940 E. 51 Street, Austin, TX 78751-2241.  
(512) 454-8626**

- Proceedings, Xeriscape 85. 1985, 1986, 1987, 1988, & 1989 Editions
- Fry, A. and Gray, A. *Sprinkler Irrigation Handbook*. Rainbird Sprinkler Mfg. Corp. California, 1969
- Manufacturer's Literature. Rainbird Sprinkler Mfg. Corp., 1987
- Manufacturer's Literature. Toro company, 1987
- *Saving Water in Landscape Irrigation*. University of California, division of Agricultural Sciences. Leaflet No. 2976. 1977

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**Appendix B**

## **Brush Management Implementation Guidelines**



(TO BE ADDED AT A FUTURE DATE.)

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### **Appendix C**

## **Improvements For Street Rights-of-Way and Open Space To Be Maintained By the City**



## **APPROVED COLORS FOR CONCRETE CENTER ISLAND PAVING (Refer to Section 5.2)**

L.M. Scoffield Company or approved equal Chromix Admixtures™

C-11 Desert Sand  
 C-12 Mesa Beige  
 C-13 Tawny Pink  
 C-15 Coachella Sand  
 C-20 Limestone  
 C-21 Adobe Tan  
 C-22 Coral Red  
 C-25 Sombrero Bluff  
 C-26 Antique Cork  
 C-28 Riverside Buff

## **SUPPLEMENTAL IRRIGATION SPECIFICATIONS**

(The Supplemental Irrigation Specifications shall be incorporated in the design and provided within the written irrigation specifications for all Street Rights-of-Way and Open Space projects that will be maintained by the City.)

## **SUPPLEMENTAL IRRIGATION SPECIFICATIONS**

1. **GENERAL:** All materials and equipment used in sprinkler irrigation work shall be new and without flaws of defects and of quality and performance as specified. Prior to installation of any irrigation work, the contractor shall submit for approval by the city, a list of all proposed materials and equipment. Should the contractor propose to use material(s) or equipment other than those as listed as "approved", the contractor shall submit in writing, to the city, a request to deviate from the approved list. Samples of the material(s) or equipment should accompany the request to assist in the evaluation of the proposed substitution. The burden of proof shall be borne by the contractor.
2. **MAIN LINE PIPE CONNECTIONS:** Shall be made horizontally per standard drawings i-28 and I-29.
3. **PIPE THRUST BLOCKS:** All pressure pipe 4" and smaller, polyvinyl chloride or asbestos cement shall have the correct sized concrete thrust block installed at every abrupt change of alignment; at globe or gate valves, at tees, elbows and crosses, and at ends of pipe runs; or wherever the field engineer deems one to be necessary. Thrust blocks are to be installed as per standard drawings w-17, w-18 and w-19 and sdw-100, sized as for 4" pipe.
4. **PIPE SLEEVES:** Shall be sch. 40 pvc, two times the pipe size diameter and extend 12" beyond each side of pavement. The letters "e" for electrical or "w" for water shall be stamped or chiseled on the pavement directly above the sleeve.

5. **TRENCH MARKER TAPE FOR ALL PRESSURE PIPE:** Shall have a continuous blue colored trench marker metallic tape placed nine inches (9") below finished grade and directly above the buried pipe.
6. **SAND ENCASEMENT FOR PIPES:** For all irrigation pipe, direct burial control wire and electrical conduit shall be plaster or mortar sand as per section 200 of the standard specifications, with a minimum sand equivalent of 50.
7. **REMOTE CONTROL VALVE BOXES:** Shall be concrete with a cast iron locking lid. The contractor shall paint the identification number of the valve box. The paint shall be white or yellow aluminum asphaltic-base waterproof paint. In addition, weatherproof, plastic identification tags shall be affixed to the colored conductor in the valve box.
8. **VALVE BOX LOCKING LIDS:** The contractor shall rework the locking toggles of the concrete valve boxes by replacing the existing clevis pin and sheet metal clip with a marine-type stainless steel machine bolt and self-locking unit. Apply oil to lubricate and to prevent rust.
9. **ANTI-DRAIN/EXCESS-FLOW VALVE:** Shall be installed under each sprinkler head which is not equipped with an internal check valve (as anti-geyser device as well as a low head anti-drain valve).
10. **ALTERNATE PIPE SLEEVE LOCKING CAP FOR VALVES:** Shall be per standard drawing i13, heavy duty red brass locking cap threaded to fit 2" diameter sch. 40 pvc pipe.
11. **MULTIPLE CONTROLLER INSTALLATIONS:** Enclosures shall be sized accordingly. No 110 volt wire runs shall pass from controller cabinet to cabinet. Each controller shall have a separate electrical service through a raceway. Provide one power off-on switch for each controller.
12. **DIRECT BURIAL CONTROL WIRES:** Shall be solid copper, 600 volt, type uf, conforming to the standard specifications and drawings, special provisions and the following wire colors and installation requirements.

NEUTRAL WIRES: White (#12 awg), do not interconnect neutral wires between controllers.

PILOT WIRES: (#14 awg), use as many as necessary.

<u>VALVE NO.</u>	<u>VALVE NO.</u>
1/19*. Yellow	10. White w/ red stripe
2/20*. Orange	11. Yellow w/ red stripe
3/21*. Blue	12. Blue w/ stripe
4/22*. Black	13. Orange w/ red stripe
5/23*. Brown	14. Purple w/ white stripe
6/24*. Purple	15. Brown w/ white stripe
7. Yellow w/ black stripe	16. Yellow w/ white stripe



- |                           |                          |
|---------------------------|--------------------------|
| 8. Orange w/ black stripe | 17. Blue w/ white stripe |
| 9. Red w/ black stripe    | 18. Red w/ white stripe  |

**SPARE WIRES:** Two (2) red (#14 awg) from furthest valve or manifold to each controller.

\*colors repeat for valves beyond 18.

13. **WIRE CONNECTIONS:** Neutral, pilot and spare wires shall be installed with a 2' - 0" coiled excess wire length at each end enclosure. Each and every wire splice shall be soldered together (using 60-40 solder), then encased in the waterproof epoxy connectors. Wire splices shall be made only in valve or pull boxes.
14. **WIRE BUNDLES:** Each individual controller clock's control wires shall be bundles and taped together with colored tape at intervals not exceeding 10'-0". Controller identification tape colors shall be as follow: (use as many as necessary).

#### CONTROLLER COLOR

- "A" BLACK
- "B" RED
- "C" WHITE
- "D" BLUE
- "E" GREEN
- "F" YELLOW










15. **WIRES IN PULL BOXES:** Shall be loose and shall not come within three (3") inches from lid. Boxes shall be sized accordingly to accommodate this requirement.
16. **TRENCH MARKER TAPE FOR WIRES:** All direct burial wires shall be marked with a continuous red colored trench marker plastic tape placed nine inches (9") below finished grade and directly above the buried wires. Tape shall be three inches (3") wide.
17. **WIRE TESTING:** Shall be tested for continuity, open circuits, and unintentional grounds prior to connecting to equipment. The minimum insulation resistance to ground shall be fifty (50) megohms. Any wiring not meeting this requirement shall be replaced, at the contractor's expense.
18. **GUARANTEE:** The contractor's guarantee shall consist of section 308-7 of the standard specifications and the following:

The entire irrigation system shall be guaranteed against defects in materials and workmanship for a period of one (1) year from the date of acceptance of work. Should the contractor fail during the guarantee period to expeditiously correct a defect upon written notification by the city, the city shall cause the work to be corrected and bill the actual costs incurred to the contractor. Defect corrections shall include the complete restoration of existing improvements that were damaged as a result of the defect.

19. **AS BUILT IRRIGATION PLANS:** A reduced copy of the approved as-built irrigation plan(s), color coded by stations and laminated in plastic, shall be mounted on the inside of each controller enclosure for maintenance personnel at the time of the final acceptance.

I

**TABLE**  
**IRRIGATION LEGEND FOR PUBLIC PROJECTS**

IRRIGATION LEGEND FOR PARK & RECREATION CONSULTANTS					
IRRIGATION LEGEND					
SYMBOL	DESCRIPTION	RADIUS	GPM	MANUFACTURER/ MODEL NO.	
• •	<i>Consultant to describe type of heads and assign identification numbers - special symbols may be used for drip and other special heads with prior approval by Park and Recreation Department</i>				I-1 thru I-3
• •					
• •					
↓					
M	Water Meter				
	Pressure Regulating Valve				Similar to I-14
	Remote Control Valve				I-14
	Gate Valve w/ alternate pipe sleeve installation				I-13
	Globe Valve w/ alternate pipe sleeve installation				I-12
	Quick Coupling Valve (1" - size minimum)				I-5
	Automatic Controller				I-17 or I-18
-----	Direct Burial Control Wire (Solid Copper - Color Coded)				I-16
	Pull Box (Low Voltage - Locking Lid / High Voltage - Bolt Down Lid)				I-15
	2" and larger Mainline - Class 315 PVC w/Sch 80 fittings or bell gasket fittings for 3" and larger				I-25 or I-26
	1 1/2" and smaller Mainline - Sch. 40 PVC				I-25
	Lateral Lines - Sch. 40 PVC, 1/4" Minimum Size				I-25
<u>G.I.</u>	Galvanized Pipe Sch. 40				I-20 thru I-24
<u>CU</u>	Copper Pipe Type "L"				I-25
	Reduced Pressure Backflow Preventer				W-27
----	Potable Water				
	Hose Bibb (Garden Valve)				I-6



San Diego Municipal Code

## **Land Development Code**

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### **Appendix D**

## **Approved Irrigation Materials List**

**1. REDUCED PRESSURE BACKFLOW PREVENTERS AND ENCLOSURES:****1.1 Reduce Pressure Backflow Preventers**

(Assemblies shall include all necessary Test Cocks with Full Port Valves included.) Febco  
 #825Y BV; #825YAR Febco #880 'N' Shape Febco #880V Vertical Wilkins #575 RP  
 Hershey Beeco FRP-11/6 CM Series Watts 009 Series; 909 Series **1.2 Backflow**

**Enclosures**

(Sharp edges are not allowed on enclosures)

Rain Man #117371A (Zinc Plated, with 2 Coats Black Polyurethane Baked -On Paint)

Strong Box #SBBC - Al or Ali (Aluminum)

Le Meur (Stainless Steel Mesh)

All-Spec (Stainless Steel Mesh)

**2. IRRIGATION CONTROLLERS AND ENCLOSURES:****2.1 Irrigation Controllers**

Irritrol MC-Plus

Rainbird ISC

Rainmaster RME Series

Cal Sense 2100/et-1

**2.2 Controller Enclosures**

(Stainless Steel only)

All Spec

La Max

Strong Box

Rain Man

**3. MASTER CONTROL VALVES:**

(24 volt, Electric, Bronze, Normally Open)

Griswold 2160

Superior 3100

**4. FLOW SENSORS DEVICES:**

Data Industrial Flow Sensor 220P

Data Industrial Meter 600

Cal Sense FM Series

**5. PRESSURE REDUCING VALVES:**

(Pilot Operated, Stainless Steel Trim)

CLA-VAL #90-01BS (1 1/4" - 3" Size)

CLA-VAL #90-01BS (4" and Larger)

(With Stainless Steel Trim for Manual and Pilot Valves)

Bailey #400

Wilkins #500

Watts 25 AUB Series



**6. ISOLATION VALVES:****6.1 Globe Valves - 3" and Smaller Bronze**

Wilkins #215

Champion #100

Buckner #22000

**6.2 Gate Valves - 4" and Larger Cast Iron**

Clow

Mueller

I.O.W.A.

**6.3 Locking Cap for Globe/Gate Valve Sleeves**

Rainbird #63100 with #2049 Key

Buckner #72

**7. REMOTE CONTROL VALVES:**

(24-volt Electric, Bronze, Normally Closed)

Rainbird EFB-CP Series

Superior 950-DW; 4000 (Reclaimed)

Griswold DWS and DW-PRS Series

Toro 216 Series

**8. QUICK COUPLING VALVES:****8.1 Quick Coupling Valves - Two Piece with Locking Cover**

Rainbird #44 LRC

Buckner #25016

**8.2 Quick Coupling Valve Keys - Single Lug**

Rainbird #44K

Buckner #25011

**8.3 Reclaimed Water Quick Coupling Valves - One Piece, Red Brass Acme - Thread with Locking Lavender Cover**

Toro #474-44

Nelson #7645

**8.4 Reclaimed Water Quick Coupling Valve Key - Acme-thread**

Toro #464-03

Nelson #7641

**9. IRRIGATION BOXES:****9.1 Remote Control Valve Boxes and Pull Boxes with Cast Iron Locking Lid**

Concrete: Brooks #3-HL

Concrete: Christy #B3-3 with B3TL

Concrete: San Diego Precast

Concrete: J &amp; R 3HL

**9.2 Quick Coupling Valve Boxes with Concrete Lid**

Concrete: Brooks #1-RD

Concrete: Christy #F-8 with F8D

Concrete: San Diego Precast #1A

**10. IRRIGATION HEADS:**

- 10.1 Pop-Up Rotor Heads, Oversize - Full Circle With 50' - 60' Radius**  
Rainbird #41-51A SAM-RC, R-70FC, Talon TA-80-FC w/S.S. Riser Buckner #11360-06 Hunter #I-40, I-25 (With Factory Installed Nozzles) Toro 640, S2001
- 10.2 Pop-Up Rotor, Heads Oversize - Part Circle With 50' - 60' Radius**  
Rainbird #47A SAM-RC, R-70FC, Talon TA-85-PC w/S.S. Riser Hunter #I-40 Ads, I-25 ADV/ADS (With Factory-installed Nozzles) Toro 640, S2001
- 10.3 Shrub & Pop-Up Rotor Heads, Standard - Full Circle With 40' - 50' Radius**  
Rainbird #31A RC, Falcon, T-Bird Buckner #10060-06 Hunter #I-20, I-25 (With Factory-installed Nozzles) Toro 640, S700C
- 10.4 Shrub & Pop-Up Rotor Heads, Standard - Part Circle With 40' - 50' Radius**  
Rainbird #37A RC, Falcon w/stainless steel riser, T-Bird Buckner #10061-06 or #17061-06 Hunter #I-20 ADS, I-25 ADV/ADS (With Factory-installed Nozzles) Toro 640, S700C
- 10.5 Shrub & Pop-Up Rotor Heads Undersize - Full Circle With 30' - 40' Radius**  
Rainbird #21A RC Buckner #11330-06 Hunter #I-20 (With Factory-installed Nozzles) Toro S700C
- 10.6 Shrub & Pop-Up Rotor Heads Undersize - Part Circle With 30' - 40 Radius**  
Rainbird #27A RC Buckner #11300-06 Series Hunter #I-20 ADS (With Factory-installed Nozzles) Toro S700C
- 10.7 Shrub & Pop-Up Rotor Heads Short Range - Full or Part Circle With 16' - 30' Radius**  
Rainbird T-Bird Hunter G Series, Stainless Steel Toro S700C
- 10.8 Brass Impact Rotor Heads (Riser Mount) Oversize - Full or Part Circle With 60' - 70' Radius**  
Rainbird #35 PJADT-TNT (With 1/4" Nozzle) Buckner AI-103 or AI-123  
**Standard - Full or Part Circle With 45' - 50' Radius**  
Rainbird #35 PJADJ-TNT (With 3/16" Nozzle) Buckner AI-73 BU  
**Undersize - Full or Part Circle With 30' - 40' Radius**  
Rainbird #25 BPJDA-TNT (With 5/32" Nozzle) Buckner AI-53SB-AB
- 10.9 Shrub Spray Heads -Fixed - Full or Part Circle**  
Rainbird #B Series with PA-8S Adapter, Rainbird 1800 Series with PA-8S PRS (Pressure Regulating Riser) Hunter #I-10 and "R" Type (90,180, and 360 Degrees Only; with factory-installed



nozzles)

Thompson #460 Series

Toro #570S with Adapter

**10.10 Shrub Spray Heads - Plastic Pop Ups Full or Part Circle**

Rainbird #1800 Series, 1800 Sam, 1800 Sam PRS,

Rainbird 1800 with Microsprays

Toro #570

Hunter "S" or "R" Type (90, 180, and 360 Degrees Only)

**10.11 Shrub Bubblers Pressure Compensating Flood Type**

Rainbird #1400 Series

Buckner #13000 and #13001

Thompson #700A

**10.12 Shrub Bubblers Pressure Compensating Stream Type**

Rainbird #1500 Series

Buckner #13010

**11. ANTI-DRAIN/EXCESS FLOW VALVES:**

Valcon #ADV-XS, #ADV

King Brother's KBI

**12. PIPE AND FITTINGS:**

**12.1 Cast Iron Fittings/ Ductile Iron Fittings for Mainline (AWWA-C110) Short Body/Cement Lined**

Dayton Foundry Tyler Pipe and Foundry Leemco-Slant Bell Fittings

**12.2 Cast Iron Joint Restraints:**

Leemco

**12.3 Polyvinyl Chloride Pipe (PVC):**

EPCO

Pacific Plastic

PW Pipe

J-M Mfg.

Finn

Apache

Brownline

Alertline (Reclaimed Water)

Waterwarn (Reclaimed Water)

**12.4 Polyvinyl Chloride Pipe (PVC) Fittings:**

Dura

Lasco

Sloan

Plastiline

Spears

**12.5 Swing Joints/Height Adjusters**

Dura

Toro 850 Series

Olson TSR-1

13. **TRENCH MARKER TAPE:**  
Allen Marking Tape Paul Potter Warning Tape, Inc. 'Alarmatape'
14. **WIRE CONNECTORS:**  
Pen-Tite  
Dry Splice



San Diego Municipal Code

## **Land Development Code**

# **Landscape Standards**

Appendix E

**Water Requirements Budget**  
**Landscape Worksheets**

**LANDSCAPE WATER BUDGET REQUIREMENTS**  
**LANDSCAPE WORKSHEET**

This project worksheet is to be submitted to the City when the proposed development is subject to the water budget requirement in Chapter 14, Article 2, Division 4 (Landscape Regulations).

Project Name: \_\_\_\_\_ Project #: \_\_\_\_\_

Project Address: \_\_\_\_\_

Individual/Business Completing the Worksheet \_\_\_\_\_

Phone Number \_\_\_\_\_

**1. DEFINITIONS:**

**ET Adjustment Factor:** A factor that when applied to reference evapotranspiration adjusts for plant water requirements and irrigation efficiencies, two major influences on the amount of water that is required for a healthy landscape.

**Estimated Total Water Use (ETWU):** The total water used for the landscape based on the plants used and irrigation method selected for the landscape design. The ETWU shall not exceed the MAWA.

**Evapotranspiration:** The quantity of water as measured in average inches per year that evaporated from adjacent soil surfaces and transpired by plants during a specific time period. (Evapotranspiration data may be found at [www.cimis.water.ca.gov](http://www.cimis.water.ca.gov). You may obtain a free ~~pass-word~~ password from the Department of Water Resources. The site also holds an abundance of informational links and complete instructions.)

**Evapotranspiration Adjustment Factor (ETAF):** A factor that when applied to reference evapotranspiration adjusts for plant water requirements and irrigation efficiencies, two major influences on the amount of water that is required for a healthy landscape.

**Hydrozone:** A section or zone of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For the purpose of the calculation, the surface area of manmade water



features (see LDM Section 1.8) are included in the high water use hydrozone, and the surface area of artificial turf and temporary irrigation is included in the low water use hydrozone.

**Irrigation Audit:** An in-depth evaluation of the performance of an irrigation system conducted by a professional authorized by the State to perform such work. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

**Landscape Area:** The entire premises less the area of building footprints, non-irrigated portions of parking lots, driveways, hardscapes (as defined in §113.0103 of the Land Development Code Section 113.0103), and areas designated for habitat preservation or brush management Brush Management Zone 2.

**Maximum Applied Water Allowance (MAWA) Water Budget -:** The upper limit of annual applied water for the established landscaped area expressed in gallons per year. It is based upon the area's reference evapotranspiration (ET<sub>o</sub>), the evapotranspiration adjustment factor (ETAF), and the size of the landscape area.

**Plant Factor:** A factor that when multiplied by reference the average inches per year evapotranspiration rate, estimates the amount of water used by plants. Plant water use calculations are based on the current Water Use Classification of Landscape Species (WUCOLS) list in WUCOLS III-IV ([www.owue.water.ca.gov/docs/wucols00.pdf](http://www.owue.water.ca.gov/docs/wucols00.pdf)) published by the University of California Cooperative Extension and the California Department of Water Resources: ([http://ucanr.edu/sites/WUCOLS/Download\\_WUCOLS\\_IV\\_List/](http://ucanr.edu/sites/WUCOLS/Download_WUCOLS_IV_List/)).

Plant Water Use	Plant Factor	Also includes
Very Low	0.0 to 0.1	
Low	0.1-0.3	Artificial Turf; Temporary Irrigation
Moderate	0.4-0.6	
High	0.7-1.0	Water features
Special Landscape Area	1.0	

The average plant factor are as follows:

- Low water using plants is less than 0.2;
- Medium water using plants is 0.5; and
- High water using plants is 0.8.
- Factors for non plant material are as follows: Water Features. The surface area of man made water features (pools, ponds, spas and similar features) are calculated using the coefficient for high water using plants.

- ~~Artificial Turf. The surface area of artificial turf is calculated using the co-efficient for low water using plants with a distribution uniformity (DU) of 1.0.~~

**Special Landscape Area:** Areas used for active and passive recreation areas, areas solely dedicated to the production of fruits and vegetables, and areas irrigated with reclaimed water.

## 2. DETERMINE THE WATER BUDGET

### **MAWA Water Budget Calculation**

The water budget **MAWA Water Budget** is to be calculated using the following calculation formula:

$$\text{Water Budget} = (ET_o)(0.62) [(0.7)(LA) + (0.3)(SLA)]$$

$$\text{MAWA Water Budget} = (ET_o)(0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)] = \text{gallons per year}$$

$$\text{For residential landscape areas} = (ET_o)(0.62) [(0.55)(LA) + (0.45)(SLA)]$$

$$\text{For non-residential landscape areas} = (ET_o)(0.62) [(0.45)(LA) + (0.55)(SLA)]$$

Where:

$ET_o$  = Evapotranspiration (inches per year) (see Table 6 or  $ET_o$  Map)

0.62 = Conversion factor (to gallons)

0.7 = Evapotranspiration Adjustment Factor

LA = Landscape Area (square feet)

0.3 = Additional Evapotranspiration Adjustment Factor for Special Landscape Areas

SLA = Special Landscape Area (square feet)

### **Legend for MAWA Water Budget Calculation Formula**

<b>Symbol</b>	<b>Description of Symbol</b>
<b><math>ET_o</math></b>	Evapotranspiration (inches per year); see Table 6 or $ET_o$ Map
<b>0.62</b>	Conversion factor to gallons
<b>ETAF</b> 0.55 for residential landscape areas; 0.45 for non-residential landscape areas	Evapotranspiration Adjustment Factor
<b>LA</b>	Landscape Area (square feet)



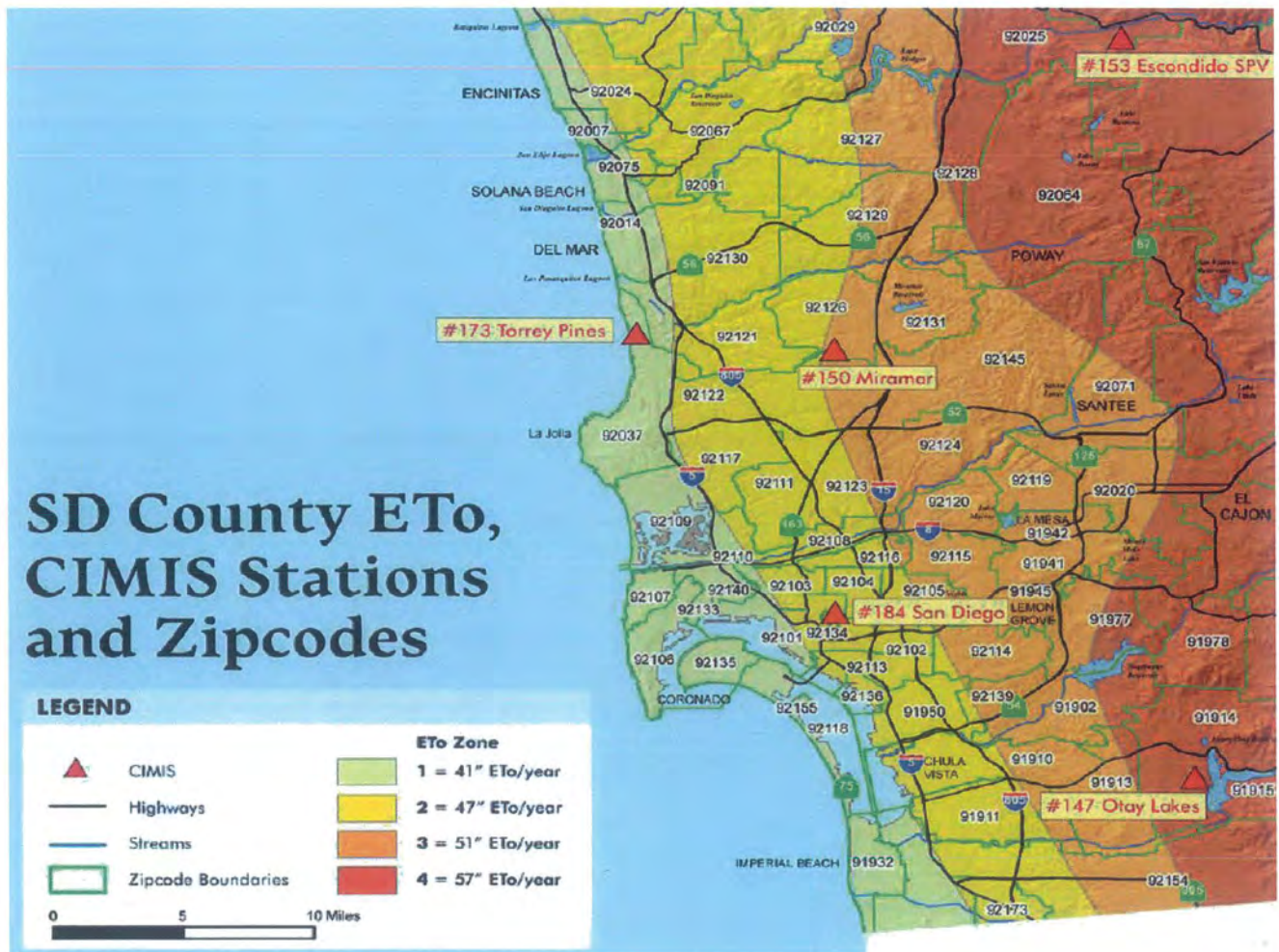
<u>1- ETAF</u> <u>0.45 for residential landscape areas;</u> <u>0.55 for non-residential landscape</u> <u>areas</u>	<u>Additional Evapotranspiration Adjustment</u> <u>Factor for Special Landscape Areas and</u> <u>Reclaimed Water</u>
<u>SLA</u>	<u>Special Landscape Area (square feet)</u>

In the calculation below provide the values for the water budget calculation used for the proposed project. The ETo for the calculation may be based on the precise location of the project using the ETo Map or based on the ETo for the Community Planning Area in Table 6 of the Landscape Standards each of which follows.

$$\frac{(\quad)(0.62)}{\text{ET}_0} \left[ \frac{(0.7)(\quad)}{\text{LA}} + \frac{(0.3)(\quad)}{\text{SLA}} \right] = \frac{\quad}{\text{Gal./Yr.}}$$

MAWA Water Budget calculation = (ET<sub>0</sub>)(0.62) [(ETAF)(LA) + (1-ETAF)(SLA)] =  
gallons per year

### ETo Map





**Table-6**  
**EVAPOTRANSPIRATION (ET<sub>o</sub>) TABLE**  
**BY COMMUNITY PLANNING AREA**

Community Planning Area	Average Annual ET <sub>o</sub> (inches/year)	Community Planning Area	Average Annual ET <sub>o</sub> (inches/year)
Barrio Logan	40	North City FUA Subarea II	47
Black Mountain Ranch	47	Ocean Beach	41 40
Carmel Mountain Ranch	51 47	Old San Diego	47
Carmel Valley	47	Otay Mesa	51 47
Centre City	41 40	Otay Mesa-Nestor	41 40
City Heights	47	Pacific Beach	41 40
Clairemont Mesa	47	Pacific Highlands Ranch	47
College Area	51 47	Peninsula	41 40
Del Mar Mesa	47	Rancho Bernardo	57
East Elliott	51 47	Rancho Encantada	57
Eastern Area	51 47	Rancho Penasquitos	51 47
Encanto	51 47	Sabre Springs	51 47
Fairbanks Country Club	47	San Pasqual	57 54
Greater Golden Hill	47	San Ysidro	47
Greater North Park	47	Serra Mesa	47
Kearney Mesa	47	Scripps Miramar Ranch	51 47
Kensington-Talmadge	51 47	Skyline-Paradise Hills	51 47
La Jolla	41 40	Southeastern San Diego	47
Linda Vista	47	Tierrasanta	51 47
Midway-Pacific Highway Corridor	41 40	Tijuana River Valley	41 40
Mira Mesa	47	Torrey Highlands	47
Miramar Ranch North	51 47	Torrey Hills	47
Mission Beach	41 40	Torrey Pines	41 40
Mission Valley	47	University	47
Navajo	51 47	Uptown	47
Normal Heights	47	Via De La Valle	47

### 3. DETERMINE THE ESTIMATED TOTAL WATER USE (ETWU)

The Estimated Total Water use Use (ETWU) is calculated using the following formula:

$$ETWU = [(ET_o)(0.62)][(PF/IE \times HA/IE) + SLA] = \text{gallons per year}$$

#### **Legend for Estimated Total Water Use (ETWU) Calculation Formula**

<b>Symbol</b>	<b>Description of Symbol</b>
<u>ET<sub>o</sub></u>	<u>Evapotranspiration (inches per year)</u>
<u>0.62</u>	<u>Conversion factor to gallons</u>
<u>PF</u>	<u>Plant Factor</u>

<u>HA</u>	Hydrozone Area <sup>8</sup> —(square feet)
<u>IE</u>	Irrigation Efficiency (0.81 for Drip System devices) (0.75 for Overhead Spray devices)
<u>SLA</u>	Special Landscape Area (square feet)

Where:

ET<sub>o</sub> = Reference Evapotranspiration (inches)

0.62 = Conversion factor to gallons

PF = Plant Factor from WUCOLS

HA = Hydrozone Area (s.f. square footage)

IE = Irrigation Efficiency

Irrigation Method and Efficiency					
Bubblers	0.85	Fixed Spray	0.55	Rotator Spray	0.70
Drip	0.90	Micro-Sprays	0.70	Rotors	0.70
Drip Irrigation	0.80	MP Rotators	0.75	Spray Heads	0.60

Plant Water Use	Plant Factor	Also includes
Low	<0.1–0.2	Artificial Turf <sub>2</sub>
Moderate	0.3–0.7	
High	0.8 and greater	Water features
Special Landscape Area	1.0	

Use the following table to track **track** information about each controller in the system.

Controller No.	Hydrozone No.	Valve Circuit	Plant Factor (PF)	Hydrozone Area in s.f. (HA)	Irrigation Method	Irrigation Efficiency (IE)	% Total Landscape Area

<sup>8</sup> The surface area of water features (swimming pools, spas, ponds, lakes, fountains and similar features) are included in the high water use hydrozone and the surface area of artificial turf, is included in the low water use hydrozone.



[illegible]

Then plug in the numbers from each controller/hydrozone into the ETWU equation. Then total the gallons per year of each controller/hydrozone for the Estimated Total Water Use per year. **The total ETWU cannot exceed the total Water Budget-MAWA.**

[illegible]

U.S. Department of Homeland Security  
500 C Street, SW  
Washington, DC 20472



# FEMA

**DEC 22 2015**

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Honorable Kevin L. Faulconer  
Mayor, City of San Diego  
202 C Street, 11th Floor  
San Diego, California 92101

Dear Mayor Faulconer:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for the City of San Diego, California, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on April 5, 2016; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d) and (e).

As noted in FEMA's letter dated October 5, 2015, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for San Diego County. Therefore, the City of San Diego should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for the City of San Diego will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the California Department of Water Resources. You may contact James Eto, the NFIP State Coordinator, by telephone at (916) 574-1409, in writing at 3464 El Camino Avenue, Suite 200, Sacramento, California 95821, or by electronic mail at [jeto@water.ca.gov](mailto:jeto@water.ca.gov).

The FEMA Regional staff in Oakland, California, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for the City of San Diego and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (510) 627-7100 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region IX, at 1111 Broadway, Suite 1200, Oakland, California 94607.



The Honorable Kevin L. Faulconer

Page 2

**DEC 22 2015**

The NFIP State Coordinating Office for your State has verified that California communities may include language in their floodplain management measures that automatically adopt the most recently available flood elevation data provided by FEMA. Your community's floodplain management measures may already be sufficient if the measures include suitable automatic adoption language and are otherwise in accordance with the minimum requirements of the NFIP. The NFIP State Coordinator can assist you further in clarifying questions you may have about automatic adoption.

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until April 5, 2016, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by April 5, 2016. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,



Rachel Sears, Chief  
Floodplain Management Branch  
Federal Insurance and Mitigation Administration

cc: Robert J. Fenton, Jr., Regional Administrator, FEMA Region IX  
James Eto, NFIP State Coordinator, California Department of Water Resources  
Jamal Batta, CFM, P.E., Floodplain Manager, City of San Diego