

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

619-57-2370

**RECORD PACKET COPY**

December 17, 2002

**Wed 14a****TO: COMMISSIONERS AND INTERESTED PERSONS****FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR  
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO  
ELLEN LIRLEY, COASTAL PROGRAM ANALYST, SAN DIEGO****SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR  
AMENDMENT No. 4-01 (TIERRA ALTA REZONE) (For Public Hearing and  
Possible Final Action at the Coastal Commission Hearing of February 5-7, 2003)****SYNOPSIS****SUMMARY OF AMENDMENT REQUEST**

The LCP amendment consists of one item only, the proposed rezone of a 4.44-acre property in the North City LCP segment from AR-1-1 (Agricultural-Residential) to RS-1-13 (Residential Single Unit). The site is in the Mira Mesa Community Plan area, and is located north of Calle Cristobal on the rim overlooking the Los Penasquitos Canyon Preserve. The City reviewed the rezone in conjunction with a specific development proposal for a 10 lot subdivision and construction of 11 single family residences. The local approvals include the subject LCP amendment, rezone, 10-lot tentative map, Planned Residential Development Permit, Resource Protection Ordinance Permit, Coastal Development Permit, Multiple Habitat Planning Area (MHPA) Boundary Adjustment and certification of a Mitigated Negative Declaration. The associated coastal development permit has been appealed and is being held in abeyance pending Commission action on the subject rezone/LCP amendment.

The amendment request was received in the San Diego Area office on December 24, 2001, and was deemed incomplete. Additional information was received on January 18, 2002, and the amendment was deemed filed as of that date. On March 5, 2002 the Commission granted an extension of up to one year. The final date for Commission action is March 19, 2003.

**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends that the LCP amendment first be denied as submitted, then approved with modifications. The City has approved the entire site to be rezoned from a rural holding zone (AR-1-1) to very low density single family residential (RS-1-13). However, the Mira Mesa Community Plan, which is part of the City's LCP and is the certified Land

Use Plan (LUP) for the site, designates a portion of the site for very low density residential development (O-4 dua) and a portion for open space. The LUP also includes strong protections for the biologically sensitive resources that are present on most of the site. Staff recommends the property be rezoned in a manner fully consistent with the LUP. To accomplish this, staff recommends rezoning that portion of the site designated for residential use to RS-1-13, and the portion of the site designated for open space to OC (Open Space-Conservation).

The site is partially a flat mesa top and partially steep slopes leading down into Los Penasquitos Canyon Preserve. Nearly all of the site is Environmentally Sensitive Habitat Area (ESHA), including southern mixed chaparral on both the slopes and mesa top, with vernal pool habitat present on the mesa top as well. A small portion of the site has been disturbed by creation of dirt roads in a roughly triangular pattern in the southeastern area of the property; the area within and surrounding the triangle is all southern mixed chaparral (See Exhibit #6). Development of portions of the disturbed area would preclude a 100-foot buffer around the vernal pool habitat and its watershed. However, the Environmentally Sensitive Lands (ESL) ordinance of the City's LCP requires this level of protection, and would require retaining adequate mesa-top land to provide the full buffer. This would still leave about a third of the site potentially available for development. The staff believes a residential and open space zoning split, with strict application of the ESL regulations, can afford the necessary resource protection and is therefore consistent with the habitat protection policies of the certified LUP.

The appropriate resolutions and motions begin on page 4. The suggested modifications begin on page 5. The findings for denial of the Implementation Plan Amendment as submitted begin on page 5. The findings for approval of the plan, if modified, begin on page 10.

## **BACKGROUND**

The City's first Implementation Program (IP) was certified in 1988, and the City assumed permit authority shortly thereafter. The IP consisted of portions of the City's Municipal Code, along with a number of Planned District Ordinances (PDOs) and Council Policies. Late in 1999, the Commission effectively certified the City's Land Development Code (LDC) and a few PDOs; this replaced the first IP in its entirety and went into effect in the coastal zone on January 1, 2000. While it is relatively new in operation, the City is reviewing this plan on a quarterly basis, and is expecting to make a number of adjustments to facilitate implementation; most of these will require Commission review and certification through the LCP amendment process. The City's IP includes Chapters 11 through 14 (identified as the Land Development Code or LDC) of the municipal code.

## **ADDITIONAL INFORMATION**

Further information on the City of San Diego LCP Amendment No. 4-01 may be obtained from Ellen Lirley, Coastal Planner, at (619) 767-2370.

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## **PART I. OVERVIEW**

### **A. LCP HISTORY**

The City of San Diego has a long history of involvement with the community planning process; as a result, in 1977, the City requested that the Coastal Commission permit segmentation of its Land Use Plan (LUP) into twelve parts in order to have the LCP process conform, to the maximum extent feasible, with the City's various community plan boundaries. In the intervening years, the City has intermittently submitted all of its LUP segments, which are all presently certified, in whole or in part. The earliest LUP approval occurred in May 1979, with others occurring in 1988, in concert with the implementation plan. The final segment, Mission Bay Park, was certified in November 1996.

When the Commission approved segmentation of the LUP, it found that the implementation phase of the City's LCP would represent a single unifying element. This was achieved in January 1988, and the City of San Diego assumed permit authority on October 17, 1988 for the majority of its coastal zone. Several isolated areas of deferred certification remained at that time; some of these have been certified since through the LCP amendment process. Other areas of deferred certification remain today and are completing planning at a local level; they will be acted on by the Coastal Commission in the future.

Since effective certification of the City's LCP, there have been numerous major and minor amendments processed. These have included everything from land use revisions in several segments, to the rezoning of single properties, and to modifications of citywide ordinances. In November 1999, the Commission certified the City's Land Development Code (LDC), and associated documents, as the City's IP, replacing the original IP adopted in 1988. The LDC has been in effect within the City's coastal zone since January 1, 2000.

### **B. STANDARD OF REVIEW**

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

### **C. PUBLIC PARTICIPATION**

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

**PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. **MOTION I:** *I move that the Commission reject the Implementation Program Amendment No. 4-01 for the North City segment (Pacific Highlands Ranch) of the City of San Diego certified LCP as submitted.*

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a YES vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AS SUBMITTED:**

The Commission hereby denies certification of the Implementation Program Amendment No. 4-01 submitted for North City segment of the City of San Diego certified LCP (Pacific Highlands Ranch) and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted

- II. **MOTION II:** *I move that the Commission certify the Implementation Program Amendment No. 4-01 for the North City segment of the City of San Diego certified LCP (Pacific Highlands Ranch) if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION:**

Staff recommends a YES vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies the Implementation Program Amendment No. 4-01 for the North City segment of the City of San Diego certified LCP (Pacific Highlands Ranch) if modified as suggested and adopts the findings set forth below on grounds that

the Implementation Program Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

### **PART III. SUGGESTED MODIFICATIONS**

Staff recommends the following suggested revisions to the proposed Implementation Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

#### **1. CHANGE TO RESOLUTION, ORDINANCE AND MAP B-4113 IDENTIFYING THE REVISED REZONE:**

The City shall approve a new resolution and rezone to reflect split RS-1-13 and OC zoning on the site, as depicted on Exhibit #7, attached. Also, the referenced zoning map (Map B-4113, attached as Exhibit #3), must be modified to graphically depict the RS-1-13 and OC change required in this suggested modification.

### **PART IV. FINDINGS FOR REJECTION OF THE NORTH CITY SEGMENT OF THE CITY OF SAN DIEGO CERTIFIED LCP IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**

#### **A. AMENDMENT DESCRIPTION**

The subject amendment request proposes to rezone an existing 4.44 acre parcel in the North City LCP Segment (Mira Mesa Community Plan) from AR-1-1 (Agricultural-Residential) to RS-1-13 (Residential-Single Unit). The rezone would allow low density (0-4 du) residential development on the site, provided it is consistent with other sections of the LDC, such as the Environmentally Sensitive Lands regulations (ESL). The City reviewed a specific proposal for subdivision of the parcel and subsequent build-out concurrent with processing the rezone. The Commission, however, must address the rezone in isolation and consider the full range of future development that the approved rezone would allow.

#### **B. SUMMARY FINDINGS FOR REJECTION**

Briefly, the proposed rezoning does not conform with, nor is it adequate to carry out, the certified Mira Mesa Community Plan. The community plan recognized the severe resource constraints on the site, and delineated only the flat mesa top portion for residential development. The community plan designated those portions consisting of steeper slopes as open space and requires that other significant sensitive resource areas

also be preserved as open space. The City cannot apply a residential zone to the entire site when that is clearly not the intent of the certified LUP.

### **B. SPECIFIC FINDINGS FOR REJECTION**

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

a) Purpose and Intent of the Ordinance. The RS-1-13 Zone is designed to accommodate low density residential development, and allows densities ranging between 0 and 4 dwelling units per acre. The zone requires 6,000 sq.ft. minimum lots and is intended for use in the city's planned and future urbanizing areas.

b) Major Provisions of the Ordinance.

- Primarily allows single family residences, but small group homes, day care facilities, etc. are also allowed by right, and other uses with discretionary permits.
- Contains development regulations addressing density, lot size, setbacks, floor area ratios, etc.
- Contains regulations addressing lot coverage, garage requirements and accessory structures
- Contains architectural/design requirements

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. The RS-1-13 zone is not appropriate to direct future development of this entire severely-constrained parcel of land. The certified LUP clearly identifies a major portion of this property as open space. The Sensitive Resources and Open Space System of the certified LUP includes many policies addressing protection of the entire Mira Mesa open space system, and additional policies specifically addressing Los Penasquitos Canyon Preserve (Preserve), including those quoted below:

Policy 1.a. states:

Sensitive resource areas of community-wide and regional significance shall be preserved as open space. (*emphasis added*)

Policy 4.c. states:

No encroachment shall be permitted into wetlands, including vernal pools. Encroachment into native grasslands, Coastal Sage Scrub, and Maritime Chaparral shall be consistent with the Resource Protection Ordinance. Purchase, creation, or enhancement of replacement habitat area shall be required at ratios determined by the Resource Protection Ordinance or State and Federal agencies, as appropriate. In areas of native vegetation that are connected to an open space

system, the City shall require that as much native vegetation as possible is preserved **as open space**. (*emphasis added – also, the Resource Protection Ordinance [RPO] was part of the City's old municipal code; these resources are now protected under the Environmentally Sensitive Lands [ESL] regulations.*)

Policy 4.e. states, in part:

Sensitive habitat area that is degraded or disturbed by development activity or other human impacts (such as non-permitted grading, clearing or grubbing activity or four-wheel drive activity) shall be restored or enhanced with the appropriate native plant community. This is critically important when the disturbed area is adjacent to other biologically sensitive habitats. Manufactured slopes and graded areas adjacent to sensitive habitat shall be re-vegetated with the appropriate native plant community, as much as is feasible considering the City's brush management regulations.

Policy 4.i. states:

Vernal Pools: The remaining vernal pool habitat in the community shall be preserved and shall be protected from vehicular or other human-caused damage, encroachment in their watershed areas, and urban runoff.

Policy 4.l. states:

Maritime Chaparral: Maritime chaparral shall be protected from impacts due to adjacent development, including grading and brush management, that may cause damage or degradation to the habitat qualities of this resource.

Proposal 1. states in part:

Preserve the flood plain and adjacent slopes of the five major canyon systems that traverse the community – Los Penasquitos Canyon ... and the remaining vernal pool sites ... in a natural state **as open space**. (*emphasis added*)

In addition, the Residential Land Use portion of the certified LUP (Mira Mesa Community Plan) includes the following goal and subsequent policies and proposals:

Goal (cover page of element) states:

Residential subdivisions that are designed to preserve Mira Mesa's unique system of canyons, ridge tops and mesas.

Policy 1. Determination of Permitted Density states:

a. In determining the permitted density and lot size for specific projects, within the density ranges provided under the Proposals below, the City shall take into account the following factors:

1. Compatibility with the policies established in this plan;
2. Compatibility with the density and pattern of adjacent land uses;
3. Consideration of the topography of the project site and assurance that the site design minimizes impacts on areas with slopes in excess of 25 percent **and sensitive biology.** (*emphasis added*)

Policy b. states:

The City shall permit very low density development in canyon and slope areas that are not to be preserved for open space and shall permit flexibility in street improvements in residential subdivisions in topographically constrained sites.

Proposal 1. states in part:

The following density ranges and building types are proposed to meet the goals of this plan: ...

... Very low density: 0-4 dwelling units per gross acre. This density range is proposed for Lopez Ridge and the northeastern corner of the community near Canyon Hills Park. This range is generally characterized by clustered detached single-family or attached multifamily units (such as duplexes and townhomes) built on large hillside parcels **that contain relatively small areas suitable for buildings.** Design flexibility on these hillside parcels is necessary to integrate development with the natural environment, preserve and enhance views, **and protect areas of unique topography and vegetation.** ... The maximum four units per acre is not likely to be achieved except on lots that have large areas in slopes of less than 25 percent. ... (*emphasis added*)

The subject site, a 4.44 acre parcel, consists largely of sensitive biological resources, including southern mixed chaparral and a vernal pool and its watershed. The site consists of a flat mesa top and slopes (some greater than 25% gradient) which continue north, east and west of the site down into the Los Penasquitos Canyon Preserve. The Preserve is a large urban open space system that provides habitat for many sensitive and endangered species, and also provides passive recreational opportunities for the public. It connects on the west to Los Penasquitos Lagoon, and on the east to other open space canyon systems, making it a regionally significant resource.

Only a relatively small portion of the site has been informally disturbed, by foot traffic, mountain bikers and/or off-road vehicles. The largest disturbed area is on the mesa top,



immediately adjacent to the existing terminus of Caminito Rodar, but disturbed pathways lead north/northeast from this area, surrounding an isolated patch of southern mixed chaparral (ref. Exhibit #4). The disturbed area is adjacent to the vernal pool site on the south, east and north, but the lands west of the vernal pool are natively vegetated and lead down into a deep finger canyon. The site is a promontory jutting out into Los Penasquitos Canyon Preserve, and is connected to the community open space system on three sides, with existing residential development located south of the existing fence along the southern property line. The native vegetation on the mesa top is contiguous with, and an extension of, other native vegetation on the canyon slopes.

The cited LUP policies clearly intend that sensitive biological resources be as fully protected as possible, both on slopes and flatter areas. The City-approved rezone applies residential zoning (RS-1-13) to the entire 4.4 acre property. With application of the RS-1-13 Zone to the subject site, the Environmentally Sensitive Lands regulations (ESL) contained in the certified LCP Implementation Plan (Land Development Code) would also apply to development of the site. Pursuant to the ESL, the majority of the environmentally sensitive habitat area (ESHA) on steep slopes would be protected from grading, development and Zone 1 brush management measures. The vernal pool, being a delineated wetland, would be protected, and the ESL would require provision of a minimum 100-foot buffer protecting both the vernal pool and its watershed. However, the City's proposal to apply a residential zone to the entire site ignores the intent of the LUP to place a major portion of the site in open space. Therefore, the proposed rezone is inconsistent with the certified LUP.

#### **PART V. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO IMPLEMENTATION PLAN AMENDMENT, IF MODIFIED**

In review of the proposed rezone, the Commission must consider the range of zoning options available in the Land Development Code (LDC) which serves as the certified LCP Implementation Plan. The Commission also recognizes that, regardless of the zone applied to the property, the above mentioned ESL is also applicable where any portion of the premises contains environmentally sensitive lands, including sensitive biological resources and steep hillsides, such as the subject site. These terms are defined in the LDC as follows:

*Sensitive biological resources* means upland and/or wetland areas that meet any one of the following criteria:

- (a) Lands that have been included in the City of San Diego Multiple Species Conservation Program Preserve;
- (b) Wetlands;
- (c) Lands outside the MHPA that contain Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats;

(d) Lands supporting species or subspecies listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the Federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations;

(e) Lands containing habitats with Narrow Endemic Species as listed in the Biology Guidelines in the Land Development Manual; or

(f) Lands containing habitats of covered species as listed in the Biology Guidelines in the Land Development Manual.

*Steep hillsides* means all lands that have a slope with a natural gradient of 25 percent (4 feet of horizontal distance for every 1 foot of vertical distance) or greater and a minimum elevation differential of 50 feet, or a natural gradient of 200 percent (1 foot of horizontal distance for every 2 feet of vertical distance) or greater and a minimum elevation differential of 10 feet.

The site of the proposed rezoning includes both steep hillsides and sensitive biological resources. There are areas of 25% or greater slopes on three sides of the flat mesa top, the east, west and north sides, with existing development to the south. These steep hillsides extend from elevation 413 ft. to elevation 342 ft. on-site, then continue down to the canyon bottom. Both the slopes and the majority of the mesa top are covered with southern mixed chaparral vegetation, a Tier IIIA Habitat type. A delineated vernal pool is also present on the mesa top. Moreover, portions of the site, primarily the steep slopes, are within the MHPA.

The Open Space Conservation (OC) zone is very restrictive and does not allow any residential development at all. Thus, the OC zone could only apply to the open space designated portion of the property. The only structural facilities allowed in the OC zone are satellite antennas and nature centers, and these are not allowed by right, but require local discretionary permits. The stated purpose of the open space zones in general is that “these zones be applied to lands where the primary uses are parks or open space or to private land where development must be limited to implement open space policies of adopted land use plans” (*emphasis added*). Specifically, the “OC Zone is to protect natural and cultural resources and *environmentally sensitive lands*. It is intended that the uses permitted in this zone be limited to aid in the preservation of the natural character of the land, thereby implementing *land use plans*.” No residential or residentially-associated uses are allowed within the OC Zone. The City’s certified Open Space Zones are attached to this report as Exhibit #9.

The Commission thus finds the OC Zone an acceptable zone to implement the portions of the site designated open space in the LUP, but the mesa top portion of the site must also be addressed. The potential to apply split zoning to the site was therefore investigated, with the idea of placing the RS-1-13 Zone over the residentially-designated portion and the OC Zone over the portion designated open space. This alternative was ultimately chosen even though many of the significant sensitive biological resources (southern

mixed chaparral and the vernal pool area) are located within the portion of the site that would be zoned residential.

Although not all sensitive resources would be fully protected by the ESL alone, the policy provisions of the certified LUP would also be applicable in the residential portion. Section 126.0708 of the certified LCP (coastal permit regulations) requires the City to make the following findings on any coastal development permit for any proposed development: (a) ... and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; (b) The proposed coastal development will not adversely affect environmentally sensitive lands; and (c) The proposed coastal development is in conformity with the certified Local Coastal Program land use plan ... .

The Commission finds that the split OC/RS-1-13 Zones, as certified, can address protection of the various resources on properties like the subject site. The site is partially steep slopes/partially flat, partially designated open space/partially residential, partially in the MHPA/partially outside. It has large areas of sensitive biological resources and minimal disturbed area suitable for development. Not only does the LUP expressly designate everything below the rim of Los Penasquitos Canyon as open space, LUP policies 1.a., 4.c, and proposal 1 (cited on Pages 7, 8 and 9 of these findings) also require the portions of the mesa top that contain significant native vegetation or vernal pools to be protected as well. Applying the requirements of the ESL regulations, together with application of the LUP policies, and zoning all steep slope areas as open space, will provide an appropriate level of resource protection for the subject site.

However, the City's certified LDC includes several other zones that could also be applied to the subject site, particularly the two OR (Open Space Residential) zones, OR-1-1 and OR-1-2. Retaining the existing AR-1-1 (Agricultural-Residential) zone was also considered, but this zone does not implement the LUP designations of open space and residential. In investigating the OR zones, the Commission found that the OR-1-1 zone allows open space with limited private residential development, and some other uses normally associated with single-family residential neighborhoods, like small family day care homes, small residential care facilities, and small transitional homes, or agricultural uses, including aquaculture (see Exhibit 9).

Pursuant to Section 131.0250, development on premises zoned OR-1-1 is generally limited to a 25% maximum developable area, with the OR-1-2 zone containing similar provisions but applicable only to premises partially in and partially out of the MHPA. Applying these open space residential zones to an entire site is one way to assure that all policies of the LUP can be accommodated. The vernal pool and the southern mixed chaparral on the mesa top would be protected from significant disruption while still accommodating some residential development. The Commission finds the OR-1-1 and OR-1-2 zones could be applied to entire premises within and adjacent to the MHPA and designated open space, or sites containing all or nearly all ESHA, such as the subject site.

However, applying the OC zone to the slopes and the RS-1-13 zone to the mesa top, in combination with the habitat protection policies of the LUP, provides an equivalent level

of resource protection. As the property is ultimately developed, only the southeast part of the mesa top is suitable for development for a number of reasons: 1) this is the most disturbed part of the site; 2) this area is least visible from the Los Penasquitos Canyon Preserve; 3) this area is closest to existing development and existing infrastructure. Even more critical, over half the mesa top is covered with southern mixed chaparral, and there is at least one delineated vernal pool (attached correspondence suggests there may be more) in a slightly depressed area of the mesa top. After applying the minimum 100-foot buffer around the vernal pool resources, and implementing the LUP policies addressing sensitive vegetation connected to an open space system (Los Penasquitos Canyon Preserve), this is the only area remaining where development could reasonably be proposed. The LUP provides for very low density residential development within a density range of 0-4 units per acre. Due to the highly constrained nature of the mesa top, it is unreasonable to expect that the maximum density could be achieved on this property. Full development of the mesa top would result in significant loss of ESHA including southern mixed chaparral and vernal pool resources.

The LUP policies and the ESL regulations will apply to any development proposed on the mesa top, since these policies and regulations are written to fully protect the vernal pool and its required buffer, and further require that native vegetation connected to an open space system be preserved as open space. The ESL regulations require a minimum 100-foot buffer around all delineated wetlands, including vernal pools. In the case of vernal pools, however, it is necessary to protect the entire watershed in order to assure long-term viability of the pool. Thus, the protected area must include both the pool and its entire watershed. These requirements, along with the LUP policies, will further serve as a means to refine which portions of the site are potentially developable. All brush management must occur within the residentially-zoned portion of the site, and be completely outside areas zoned open space, the vernal pool/watershed, and the wetland buffer. Moreover, brush management that removes all habitat value should only occur outside natively vegetated areas. The suggested split zoning assures that the vernal pool and the southern mixed chaparral on the mesa top can thus be protected from significant disruption while still accommodating some residential development.

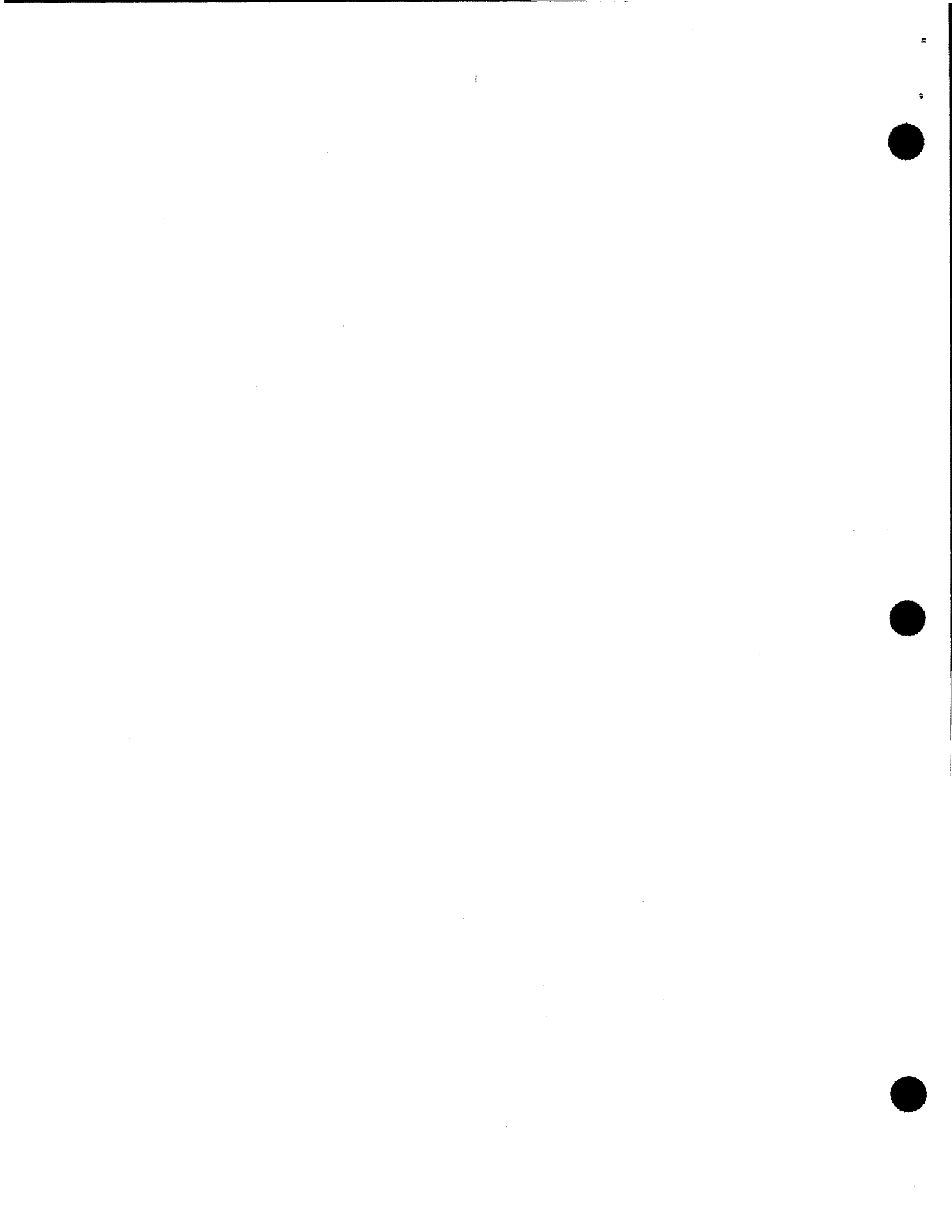
The site is partially within (slopes) and partially outside (flat areas) the defined Multiple Habitat Planning Area (MHPA) boundaries which delineate the perimeter of the City's habitat protection program responding to state NCCP requirements. The program is not part of the City's certified LCP, although it is referenced in some certified LUPs and portions of the LDC. As stated above, the ESL regulations alone do not protect sensitive habitat areas on flat portions of a site that are not included within the City's MHPA or designated open space, unless the site is zoned OR-1-1. However, although the OR-1-1 zone would protect resources by only allowing a 25% maximum developable area on the entire site, the LUP policies are also applicable to any development proposed on the subject site. These, in conjunction with the RS-1-13 zone and ESL regulations, would result in an equal level of protection. Therefore, Suggested Modification #1 requires the City's approval of a revised ordinance that would establish both the OC and RS-1-13 zones on the property, as shown on Exhibit #7, attached.

In summary, the Commission finds that the certified LCP contains a number of different zones that would ultimately accomplish approximately the same thing. It further finds that the OR zones discussed herein could appropriately be applied to the subject site and be found fully consistent with the certified LCP. However, the Commission also finds that application of the split zoning (OC/RS-1-13) will provide no less protection of sensitive resources than if the OR-1-1 zone was applied to the entire site. Thus, either method of rezoning provides appropriate resource protection. However, due to some minor differences in interpretation of the certified LDC, the City believes the split zoning is a preferable alternative, and also most consistent with the certified LUP. Therefore, the Commission finds the split OC/RS-1-13 zoning is appropriate for the site, and is consistent with, and adequate to carry out, the policies of the certified Mira Mesa Community Plan.

**PART VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP amendment, does conform with CEQA. In this particular case, the proposed amendment is being certified with suggested modification to apply different zoning to the subject site. As noted in the previous findings, the certified LUP is best implemented through an OC/RS-1-13 split zoning, which provides the greatest protection to the assortment of sensitive resources on the site, and thus minimize to the greatest extent feasible any environmental impacts associated with future development of the site. Thus, the Commission's action is to adopt suggested modifications to apply the OC/RS-1-13 Zones to the property. As modified, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact on the environment. Therefore, the Commission finds the subject LCP implementation plan amendment, if modified as suggested, conforms with CEQA.



P - 4  
R. KORCH

(R-2002-532) COR. COPY MS-302  
10/23/01

RESOLUTION NUMBER R- 295658


ADOPTED ON OCT 30 2001

WHEREAS, Newland Group, Inc., Owner/Permittee, requested an amendment to the Local Coastal Program, including a Multiple Habitat Planning Area [MHPA] boundary adjustment, for the purpose of rezoning a 4.4 acre site from the AR-1-1 zone (previously referred to as the A-1-5 zone) to the RS-1-13 zone (previously referred to as the R1-6,000 zone) for the purpose of subdividing the site and constructing eleven single-family dwelling units, preserving a vernal pool site, and providing brush management adjacent to the Rancho de Los Penasquitos Park Preserve [Tierra Alta Project], located north of Calle Cristobal at the north terminus of Caminito Rodar within the Mira Mesa Community Plan area; and

WHEREAS, on August 9, 2001, the Planning Commission of the City of San Diego held a public hearing to consider all actions related to the consideration of the Tierra Alta Project, including the amendment of the Local Coastal Program, and recommended by a vote of 5-0 that the City Council approve the actions; and

WHEREAS, on October 30, 2001, the Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Local Coastal Program for the Tierra Alta Project; and

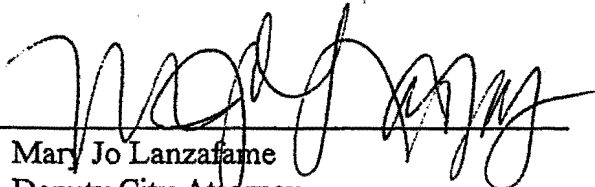
WHEREAS, the Council has considered all maps, exhibits and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

|   |
|---|
| EXHIBIT NO. 1   |
| APPLICATION NO.   |
| <b>SDLCPA #4-2001</b>   |
| Resolution  |
| Pages 1 - 2   |
|  California Coastal Commission |

BE IT RESOLVED, by the Council of the City of San Diego, that it approves the Amendment to the Local Coastal Program for the Tierra Alta Project, including approval of the Multiple Habitat Planning Area [MHPA] boundary adjustment as described on page 5 and further shown on Figure 2 of the Tierra Alta Initial Study, which is a component of the Tierra Alta Mitigated Negative Declaration (LDR No. 98-0792/SCH No. 2001061066). A copy of the amendment is on file in the Office of the City Clerk as Document No. RR-295658.

BE IT FURTHER RESOLVED, that this amendment to the City's Local Coastal Program will not become effective until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

APPROVED: CASEY GWINN, City Attorney

By   
Mary Jo Lanzafame  
Deputy City Attorney

MJL:lc  
10/15/01  
10/23/01 COR.COPY  
Or.Dept:Dev.Svcs.  
R-2002-532  
Form=r-t.frm



R. KORCH

(O-2002-37)

MS-302


ORDINANCE NUMBER O- 19011 (NEW SERIES)

ADOPTED ON NOV 19 2001

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 4.44 ACRES, LOCATED AT THE NORTHERLY TERMINUS OF CAMINITO RODAR NORTH OF CALLE CRISTOBAL, IN THE MIRA MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE (PREVIOUSLY REFERRED TO AS THE A-1-5 ZONE) TO THE RS-1-13 ZONE (PREVIOUSLY REFERRED TO AS THE R1-6,000 ZONE), AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0403 (PREVIOUSLY FOUND IN SDMC SECTION 101.0407); AND REPEALING ORDINANCE NO. O-9030 (NEW SERIES), ADOPTED JUNE 4, 1964, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. In the event that within three years of the effective date of this ordinance rezoning 4.44, located at the Northerly terminus of Caminito Rodar North of Calle Cristobal, and legally described as a Portion of Rancho de Los Penasquitos, in the Mira Mesa Community Plan area, in the City of San Diego, California, from the AR-1-1 zone (previously referred to as the A-1-5 zone) to the RS-1-13 zone (previously referred to as the R1-6,000 zone), as shown on Zone Map Drawing No. B-4113, the property is subdivided and a map or maps thereof duly submitted to the City, approved by the City, and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of San Diego Municipal Code [SDMC] section 131.0403 (previously found in SDMC section 101.0407) shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the RS-1-13

|   |
|---|
| EXHIBIT NO. 2   |
| APPLICATION NO.   |
| <b>SDLCPA #4-2001</b>   |
| Ordinance   |
| Pages 1 - 2   |
|  California Coastal Commission |

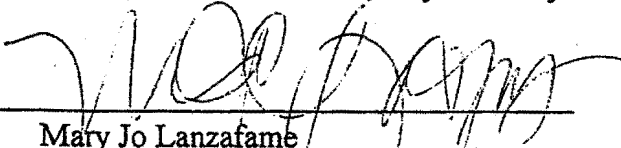
zone (previously referred to as the R1-6,000 zone), as described and defined by Section 131.0403 (previously found in SDMC section 101.0407), the boundary of such zone to be as indicated on Zone Map Drawing No. B-4113, filed in the office of the City Clerk as Document No. OO-19011. The zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. O-9030 (New Series), adopted June 4, 1964, is repealed insofar as it conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

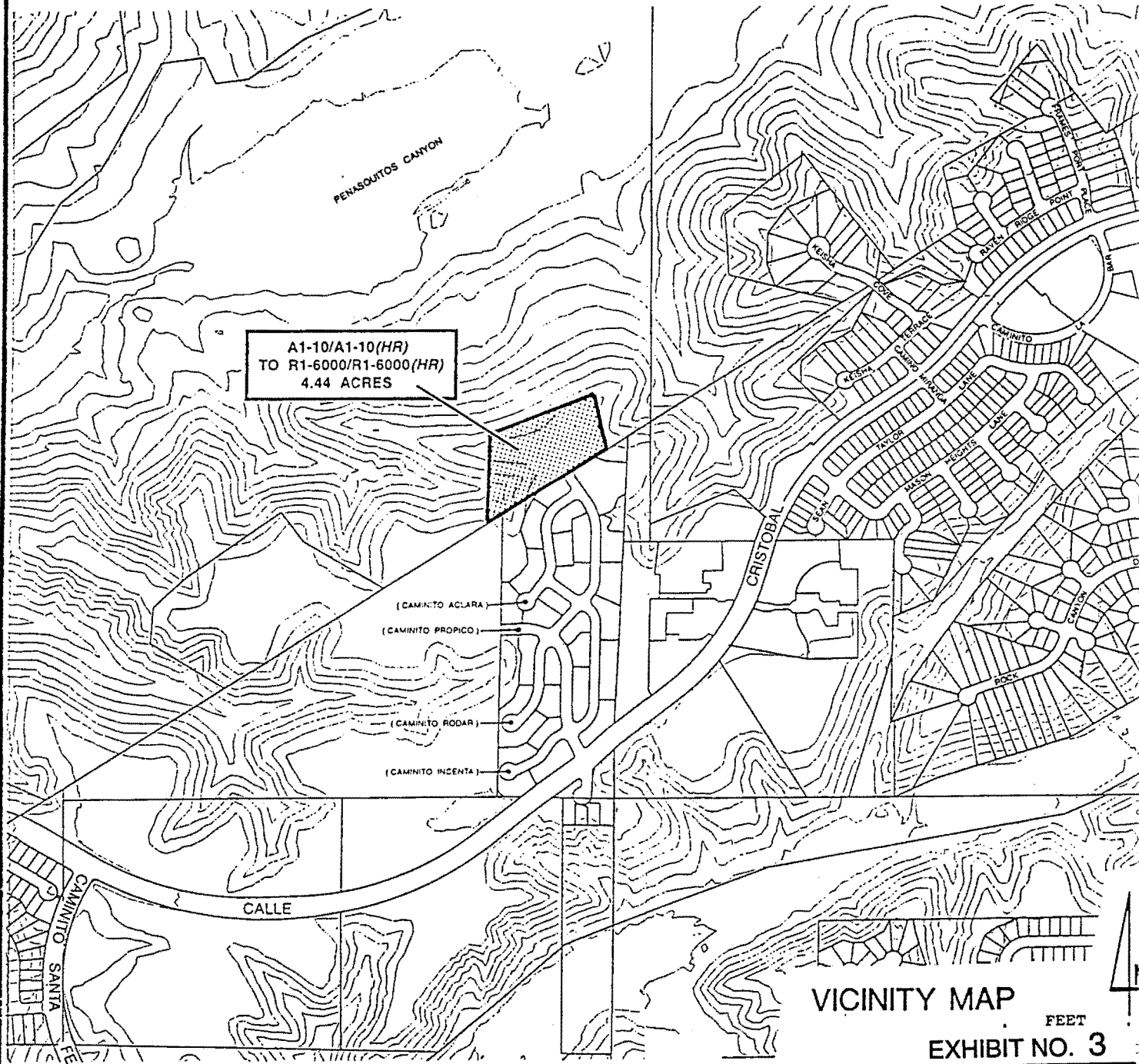
APPROVED: CASEY GWINN, City Attorney

By   
Mary Jo Lanzafame  
Deputy City Attorney

MJL:lc  
10/12/01  
Or.Dept:Dev.Svcs.  
Case No.98-0792  
O-2002-37  
Form=insubo.frm



# PROPOSED REZONING



A1-10/A1-10(HR)  
TO R1-6000/R1-6000(HR)  
4.44 ACRES

VICINITY MAP  
FEET  
EXHIBIT NO. 3

APPLICATION NO.  
**SDLCPA #4-2001**

|                                   |                             |
|-----------------------------------|-----------------------------|
| Portion of RANCHO LOS PENASQUITOS |                             |
| ORDINANCE NO. _____               | REQUEST R1-6000/R1-6000(HR) |
| EFF. DATE ORD. _____              | PLAN. COMM. RECOMMENDATION  |
| ZONING SUBJ. TO _____             | CITY COUNCIL ACTION         |
| BEFORE DATE _____                 |                             |
| EFF. DATE ZONING _____            |                             |
| MAP NAME & NO. _____              |                             |

CASE N \_\_\_\_\_  
Rezoning

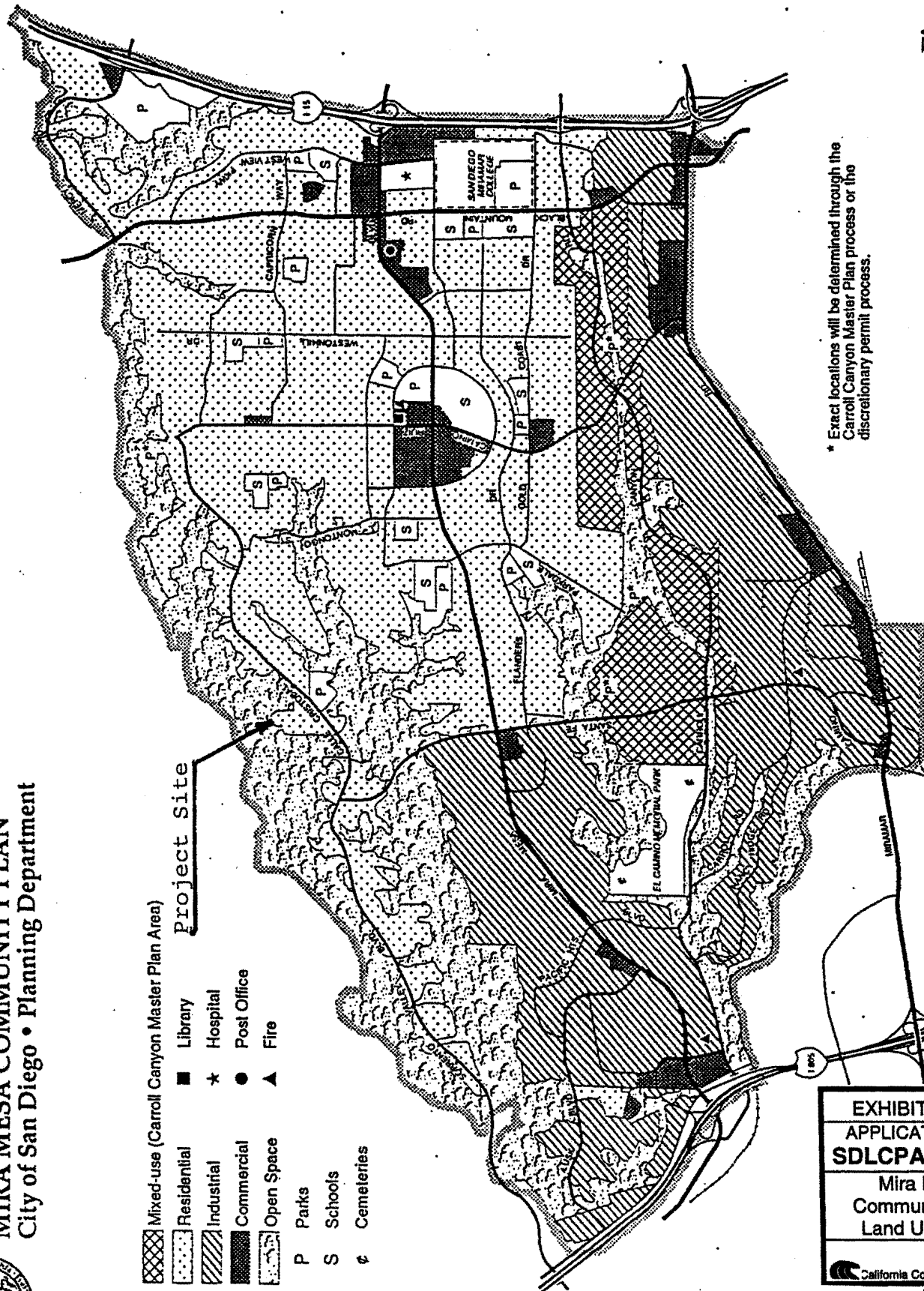


**B - 4113**

APN: 308-040-13  
(276-1717) 9-15-98 bf.

# Land Use Map

MIRA MESA COMMUNITY PLAN  
City of San Diego • Planning Department



- Project Site**
- Mixed-use (Carroll Canyon Master Plan Area)
  - ▨ Residential
  - ▧ Industrial
  - ▩ Commercial
  - Open Space
  - P Parks
  - S Schools
  - ⊕ Cemeteries
  - Library
  - ★ Hospital
  - Post Office
  - ▲ Fire

EXHIBIT NO. 4  
APPLICATION NO.  
**SDLCPA #4-2001**  
Mira Mesa  
Community Plan  
Land Use Map  
California Coastal Com.

NORTH

\* Exact locations will be determined through the Carroll Canyon Master Plan process or the discretionary permit process.

Figure 1

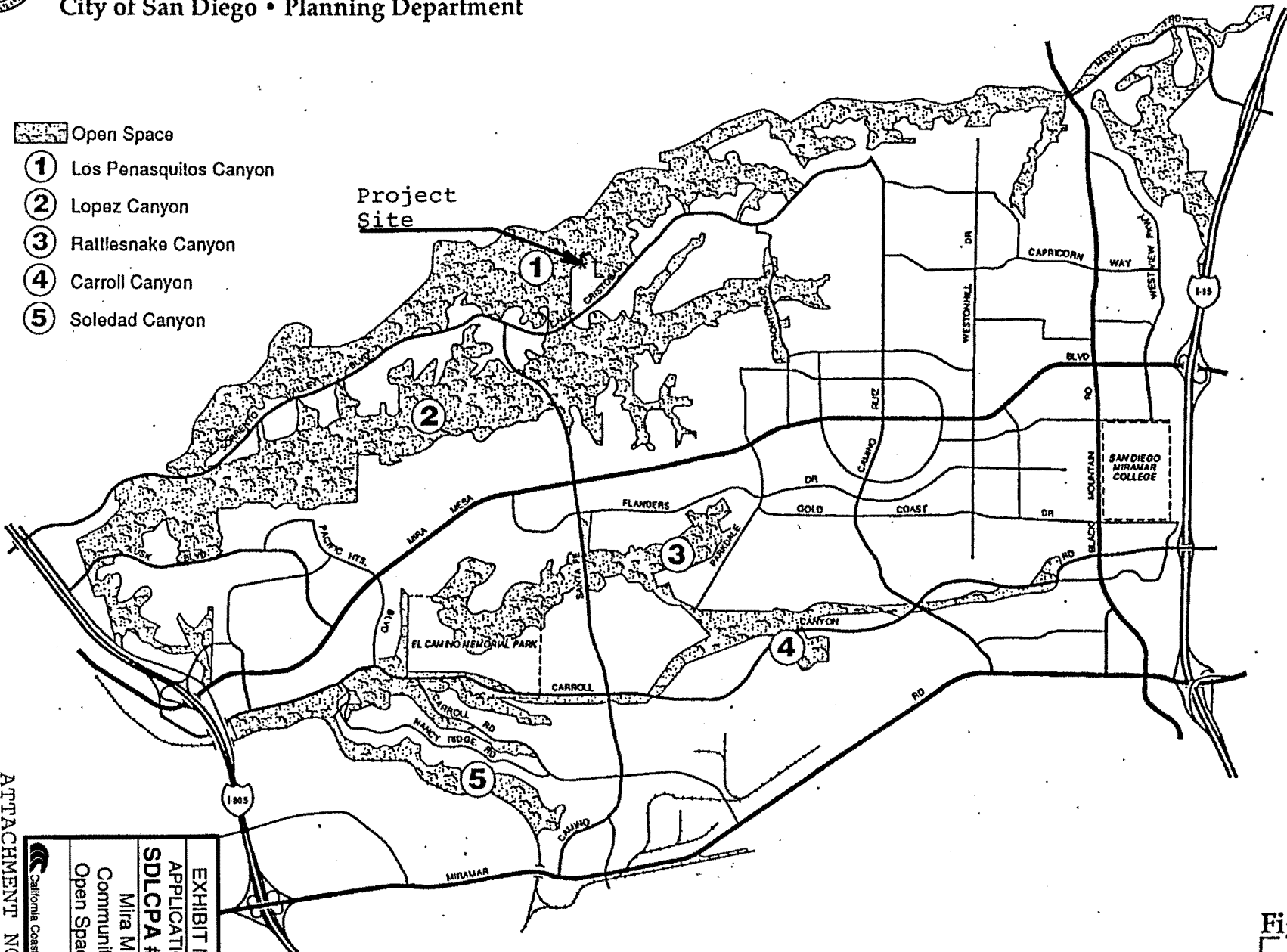


# Designated Open Space System

MIRA MESA COMMUNITY PLAN  
City of San Diego • Planning Department

- Open Space
- ① Los Penasquitos Canyon
- ② Lopez Canyon
- ③ Rattlesnake Canyon
- ④ Carroll Canyon
- ⑤ Soledad Canyon

Project Site

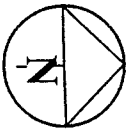


Page 2 of 2

ATTACHMENT NO. 1

|  |   |
|--|---|
|  | EXHIBIT NO. 5                                 |
|  | APPLICATION NO.                               |
|  | SDLCPA #4-2001                                |
|  | Mira Mesa<br>Community Plan<br>Open Space Map |

Figure  
**6**



BIOLOGICAL EXHIBIT

CAMINITO ACLARA

CAMINITO RODAR




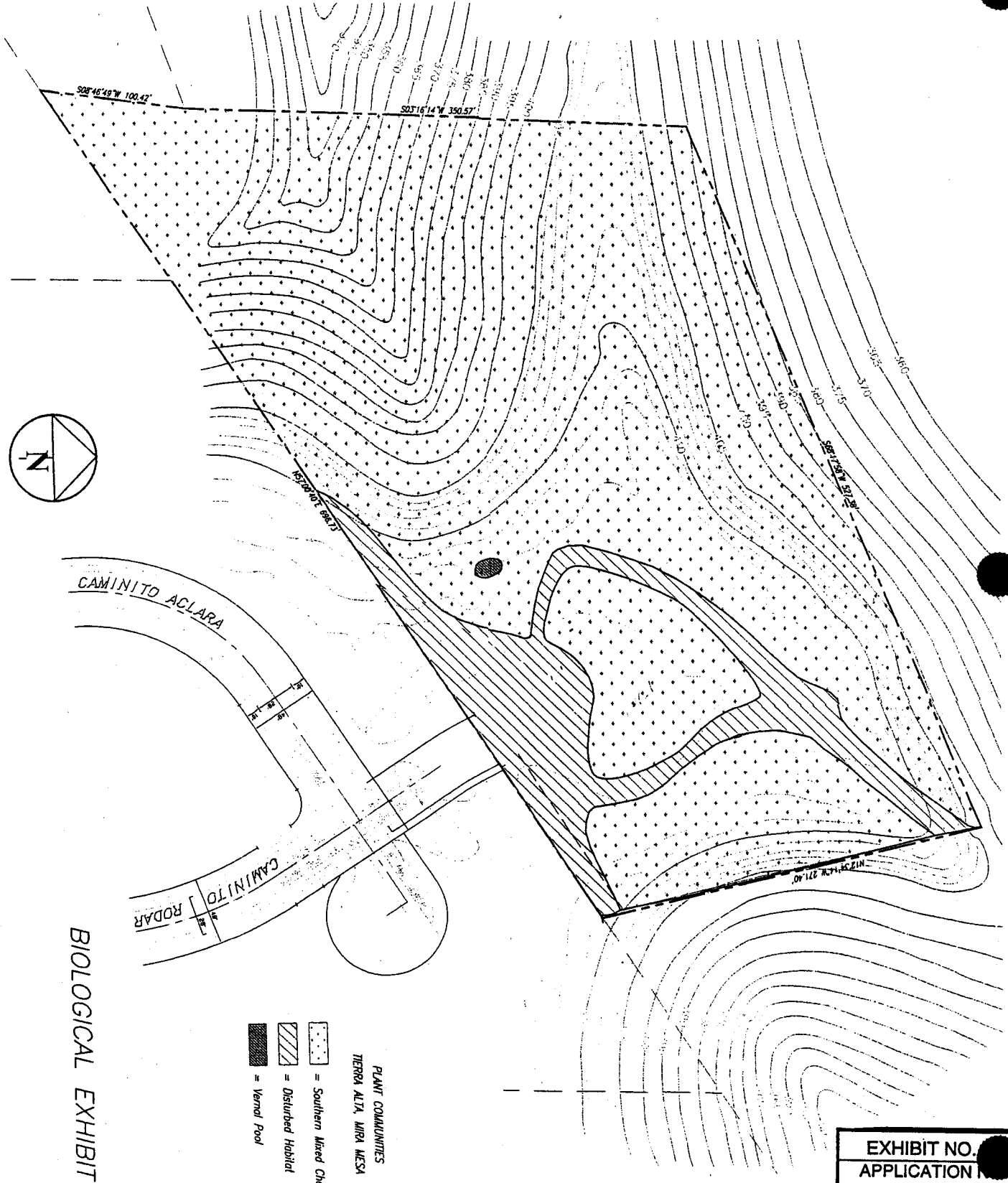
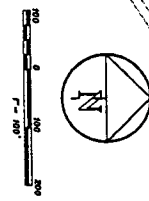
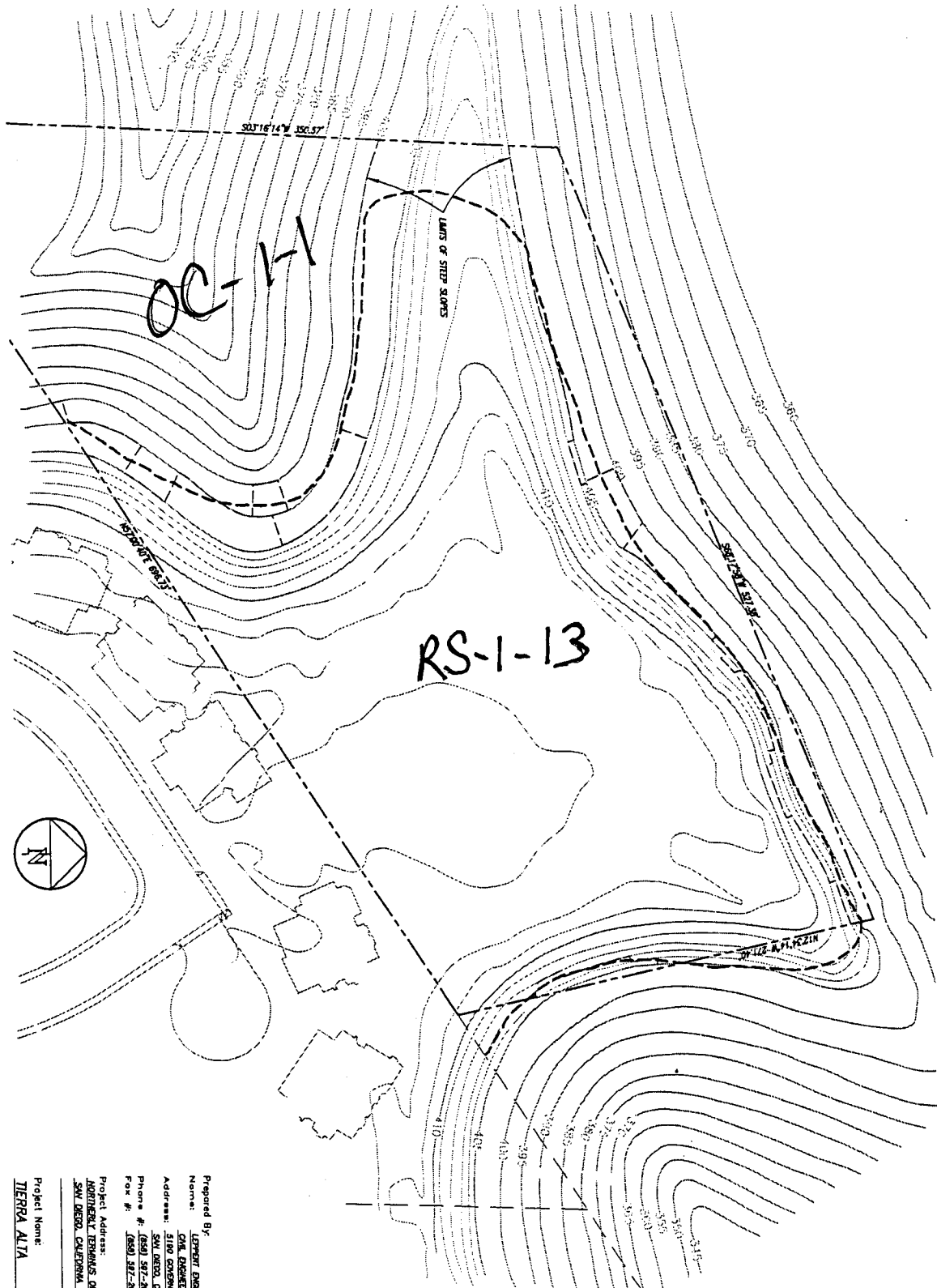
- PLANT COMMUNITIES  
TERRA ALTA, MIRA MESA
-  = Southern Mixed Chap
  -  = Disturbed Habitat
  -  = Vernal Pool

EXHIBIT NO. [REDACTED]  
APPLICATION [REDACTED]  
**SDLCPA #4-2001**

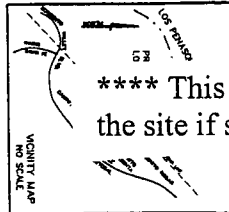
Biological





Prepared By: **LEPPERT ENGINEERING CORP.**  
 Name: **C.M. CHAMBERLAIN**  
 Address: **5190 GARDNER DR., SUITE 205**  
**SAVANA, CA 94568**  
 Phone #: **(925) 597-2001**  
 Fax #: **(925) 597-2009**  
 Project Address: **AMTHERLY TERRAINS OF CAMINO ROAD**  
**SAVANA, CALIFORNIA 94568**  
 Project Name: **TERRA ALTA**

|                |          |
|----------------|----------|
| Revision 14:   |          |
| Revision 13:   |          |
| Revision 12:   |          |
| Revision 11:   |          |
| Revision 10:   |          |
| Revision 9:    |          |
| Revision 8:    |          |
| Revision 7:    |          |
| Revision 6:    |          |
| Revision 5:    |          |
| Revision 4:    |          |
| Revision 3:    |          |
| Revision 2:    |          |
| Revision 1:    |          |
| Original Date: | 10/16/02 |
| Sheet Title:   |          |
| Sheet 1        | of 2     |



\*\*\*\* This exhibit provides the potential division of the site if split zoning were to be applied.

LEGEND:  
 SHOWN BY  
 EXISTING CONDITIONS

**EXHIBIT NO. 7**  
**APPLICATION NO.**  
**SDLCPA #4-2001**  
*Recommended*  
**Rezoning**



**SITE PLAN**  
TIERRA ALTA • 98-0792  
CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

No Scale

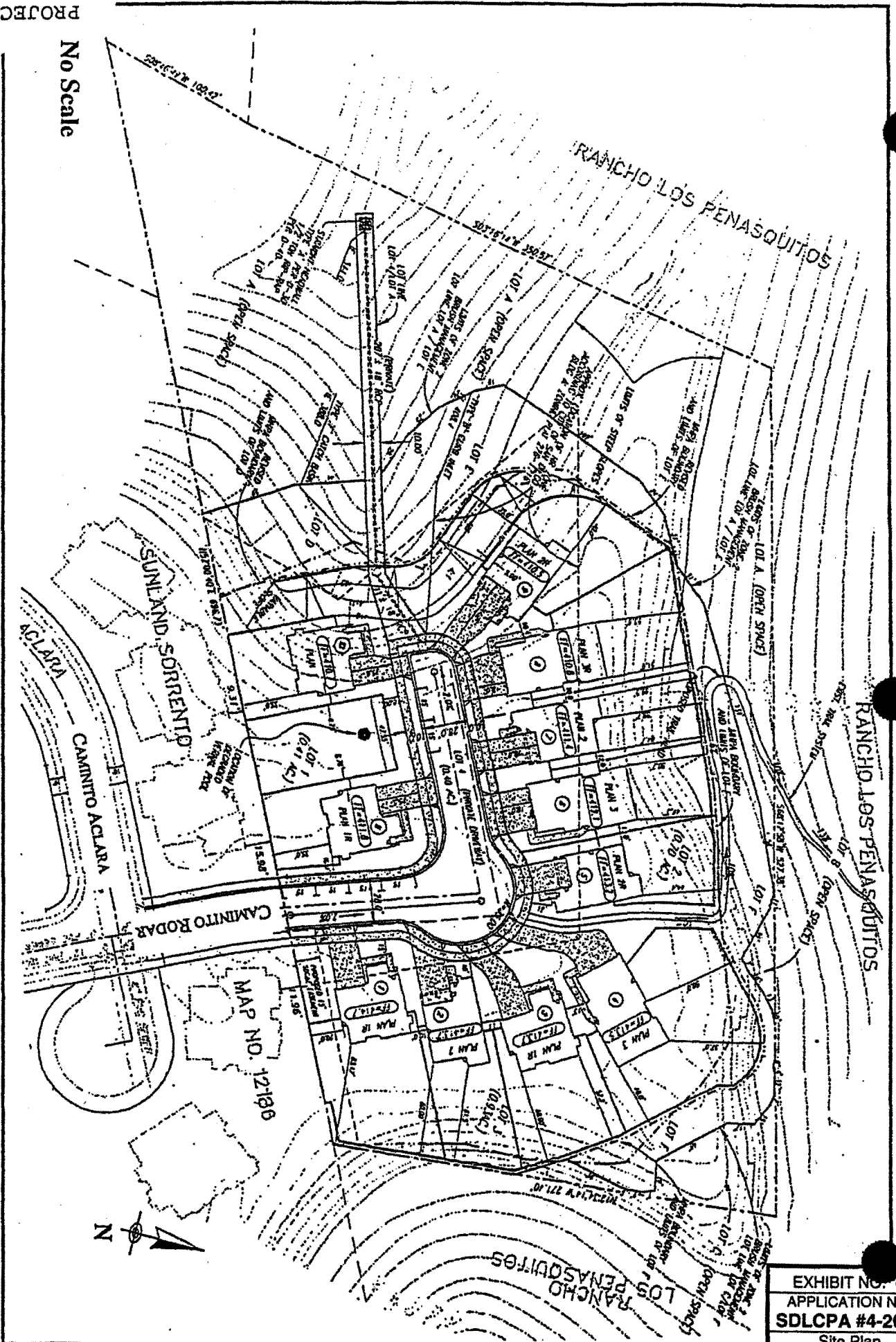


Figure  
**2**

EXHIBIT NO. 8  
APPLICATION NO.  
**SDLCPA #4-2001**  
Site Plan  
Approved by City  
with Rezone



Article 1: Base Zones

Division 2: Open Space Base Zones

§ 131.0201 Purpose of Open Space Zones

The purpose of the open space zones is to protect lands for outdoor recreation, education, and scenic and visual enjoyment; to control urban form and design; and to facilitate the preservation of *environmentally sensitive lands*. It is intended that these zones be applied to lands where the *primary uses* are parks or open space or to private land where *development* must be limited to implement open space policies of adopted *land use plans* or applicable federal and state regulations and to protect the public health, safety, and welfare.

§ 131.0202 Purpose of the OP (Open Space--Park) Zones


- (a) The purpose of the OP zones is to be applied to *public parks* and facilities, once they are dedicated as park land pursuant to City Charter Section 55 in order to promote recreation and facilitate the implementation of *land use plans*. The uses permitted in these zones will provide for various types of recreational needs of the community.
- (b) The OP zones are differentiated based on the uses allowed as follows:
  - OP-1-1 allows developed, active parks
  - OP-2-1 allows parks for passive uses with some active uses

§ 131.0203 Purpose of the OC (Open Space--Conservation) Zone

The purpose of the OC zone is to protect natural and cultural resources and *environmentally sensitive lands*. It is intended that the uses permitted in this zone be limited to aid in the preservation of the natural character of the land, thereby implementing *land use plans*.

§ 131.0204 Purpose of the OR (Open Space--Residential) Zones

- (a) The purpose of the OR zones is to preserve privately owned property that is designated as open space in a *land use plan* for such purposes as preservation of public health and safety, visual quality, *sensitive biological resources*, *steep hillsides*, and control of urban form, while retaining private *development* potential. These zones are also intended to help implement the habitat preservation goals of the City and the *MHPA* by applying development restrictions to lands wholly or partially within the boundaries of the *MHPA*. *Development* in these zones will be limited to help preserve the natural resource values and open space character of the land.
- (b) The OR zones are differentiated based on the uses allowed as follows:
  - OR-1-1 allows open space with limited private residential *development*
  - OR-1-2 allows open space with limited private residential *development* and to implement the *MHPA*

|   |
|---|
| EXHIBIT NO. 9   |
| APPLICATION NO.<br>SDLCPA #4-2001   |
| Suggested Zone-<br>OR-1-1   |
| Pages 1 - 17  |
|  California Coastal Commission |

**§ 131.0205 Purpose of the OF (Open Space--Floodplain) Zone**

The purpose of the OF zone is to control *development* within floodplains to protect the public health, safety, and welfare and to minimize hazards due to *flooding* in areas identified by the FIRM on file with the City's floodplain administrator. It is the intent of the OF zone to preserve the natural character of floodplains while permitting *development* that will not constitute a dangerous condition or an impediment to the flow of floodwaters. It is also the intent to minimize the expenditure of public money for costly *flood* control projects and to protect the functions and values of the floodplains relating to groundwater recharge, water quality, moderation of *flood* flows, wildlife movement, and habitat.

**§ 131.0215 Where Open Space Zones Apply**

On the effective date of Ordinance O-18691, all open space zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-02A.

**Table 131-02A  
Open Space Zone Applicability**

| Previous Chapter 10 Open Space Zone Replaced with New Open Space Zone Established by this Division |                                  |
|--|----------------------------------|
| Open Space Zone that Existed on December 31, 1999.   | Applicable Zone of this Division |
| OS-OSP   | OP-2-1                           |
| OS-P, OS-R   | OP-1-1                           |
| FC, FW   | OF-1-1                           |
| OS-TDR   | None                             |
| No Existing Zone   | OC-1-1                           |
| No Existing Zone   | OR-1-1                           |
| No Existing Zone   | OR-1-2                           |

**§ 131.0220 Use Regulations of Open Space Zones**

The regulations of Section 131.0222 apply in the open space zones unless otherwise specifically provided by footnotes indicated in Table 131-02B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the open space zones no *structure* or improvement, or portion thereof, shall be constructed, established, or altered nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-02B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity inconsistent with this section or Section 131.0222.

- (b) All uses or activities permitted in the open space zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the open space zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the open space zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4 (Temporary Use Permit Procedures).
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

**§ 131.0222 Use Regulations Table for Open Space Zones**

The uses allowed in the open space zones are shown in Table 131-02B.

Legend for Table 131-02B

| Symbol in Table 131-02B | Description of Symbol  |
|-------------------------|--|
| P                       | Use or use category is permitted. Regulations pertaining to a specific use may be referenced.  |
| L                       | Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| N                       | Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).   |
| C                       | Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).  |
| -                       | Use or use category is not permitted.  |

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

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator |                  | Zones            |                  |                     |                      |
|--|-----------------|------------------|------------------|------------------|---------------------|----------------------|
|  | 1st & 2nd »     |                  | OP-              | OC-              | OR <sup>(1)</sup> - | OF <sup>(12)</sup> - |
|  | 3rd »           |                  | 1-               | 2-               | 1-                  | 1-                   |
|  | 4th »           |                  | 1                | 1                | 1                   | 1   2   1            |
| <b>Open Space</b>  |                 |                  |                  |                  |                     |                      |
| Active Recreation  | P               | p <sup>(2)</sup> | -                | -                | -                   | p <sup>(7)</sup>     |
| Passive Recreation   | P               | P                | p <sup>(6)</sup> | p <sup>(6)</sup> | p <sup>(6)</sup>    | p <sup>(6)</sup>     |
| Natural Resources Preservation   | P               | P                | P                | P                | P                   | P                    |
| Park Maintenance Facilities  | P               | p <sup>(2)</sup> | -                | -                | -                   | -                    |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator |   | Zones |    |     |                     |    |                      |
|--|-----------------|---|-------|----|-----|---------------------|----|----------------------|
|  | 1st & 2nd »     |   | OP-   |    | OC- | OR <sup>(1)</sup> - |    | OF <sup>(12)</sup> - |
|  |                 |   | 1-    | 2- | 1-  | 1-                  | 1- |                      |
|  | 3rd »           |   | 1     | 1  | 1   | 1                   | 2  | 1                    |
| 4th »  |                 | 1 | 1     | 1  | 1   | 2                   | 1  |                      |
| <b>Agriculture</b>   |                 |   |       |    |     |                     |    |                      |
| Agricultural Processing  | -               | - | -     | -  | -   | -                   | -  | P <sup>(5)</sup>     |
| Aquaculture Facilities   | -               | - | -     | -  | -   | P                   | -  | P <sup>(7)</sup>     |
| Dairies  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Horticulture Nurseries & Greenhouses   | -               | - | -     | -  | -   | -                   | -  | -                    |
| Raising & Harvesting of Crops  | -               | - | -     | -  | -   | P                   | -  | P                    |
| Raising, Maintaining & Keeping of Animals  | -               | - | -     | -  | -   | P <sup>(4)</sup>    | -  | P <sup>(4)</sup>     |
| <b>Separately Regulated Agriculture Uses</b>   |                 |   |       |    |     |                     |    |                      |
| Agricultural Equipment Repair Shops  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Commercial Stables   | -               | C | -     | -  | -   | C                   | -  | C                    |
| Community Gardens  | -               | N | -     | -  | -   | N                   | -  | L                    |
| Equestrian Show & Exhibition Facilities  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Open Air Markets for the Sale of Agriculture-Related Products & Flowers  | -               | - | -     | -  | -   | L                   | -  | L                    |
| <b>Residential</b>   |                 |   |       |    |     |                     |    |                      |
| Group Living Accommodations  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Mobilehome Parks   | -               | - | -     | -  | -   | -                   | -  | -                    |
| Multiple Dwelling Units  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Single Dwelling Units  | -               | - | -     | -  | -   | P                   | -  | -                    |
| <b>Separately Regulated Residential Uses:</b>  |                 |   |       |    |     |                     |    |                      |
| Boarder & Lodger Accommodations  | -               | - | -     | -  | -   | L                   | -  | -                    |
| Companion Units  | -               | - | -     | -  | -   | C                   | -  | -                    |
| <b>Employee Housing:</b>   |                 |   |       |    |     |                     |    |                      |
| 6 or Fewer Employees   | -               | - | -     | -  | -   | L <sup>(10)</sup>   | -  | -                    |
| 12 or Fewer Employees  | -               | - | -     | -  | -   | L <sup>(10)</sup>   | -  | -                    |
| Greater than 12 Employees  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Fraternities, Sororities and Student Dormitories   | -               | - | -     | -  | -   | -                   | -  | -                    |
| Garage, Yard, & Estate Sales   | -               | - | -     | -  | -   | L                   | -  | -                    |
| Guest Quarters   | -               | - | -     | -  | -   | N                   | -  | -                    |
| Home Occupations   | -               | - | -     | -  | -   | L                   | -  | -                    |
| Housing for Senior Citizens  | -               | - | -     | -  | -   | -                   | -  | -                    |
| Live/work Quarters   | -               | - | -     | -  | -   | -                   | -  | -                    |
| <b>Residential Care Facilities:</b>  |                 |   |       |    |     |                     |    |                      |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of<br>the Use Categories, Subcategories, and Separately Regulated<br>Uses] | Zone Designator  |                  | Zones |    |     |                     |                      |
|--|------------------|------------------|-------|----|-----|---------------------|----------------------|
|  | 1st & 2nd »      | 3rd »            | OP-   |    | OC- | OR <sup>(1)</sup> - | OF <sup>(12)</sup> - |
|  |                  |                  | 1-    | 2- | 1-  | 1-                  | 1-                   |
|  | 4th »            | 1                | 1     | 1  | 1   | 2                   | 1                    |
| 6 or Fewer Persons   | -                | -                | -     | -  | P   | -                   |                      |
| 7 or More Persons  | -                | -                | -     | -  | C   | -                   |                      |
| <b>Transitional Housing:</b>   |                  |                  |       |    |     |                     |                      |
| 6 or Fewer Persons   | -                | -                | -     | -  | P   | -                   |                      |
| 7 or More Persons  | -                | -                | -     | -  | C   | -                   |                      |
| Watchkeeper Quarters   | -                | -                | -     | -  | -   | -                   |                      |
| <b>Institutional</b>   |                  |                  |       |    |     |                     |                      |
| <b>Separately Regulated Institutional Uses</b>   |                  |                  |       |    |     |                     |                      |
| Airports   | -                | -                | -     | -  | -   | -                   |                      |
| Botanical Gardens & Arboretums   | P                | P                | -     | -  | -   | -                   |                      |
| Cemeteries, Mausoleums, Crematories  | -                | -                | -     | -  | -   | -                   |                      |
| Churches & Places of Religious Assembly  | -                | -                | -     | -  | C   | -                   |                      |
| <b>Communication Antennas:</b>   |                  |                  |       |    |     |                     |                      |
| Minor Telecommunication Facility   | L                | L                | -     | -  | L   | L                   |                      |
| Major Telecommunication Facility   | C                | C                | -     | -  | C   | C                   |                      |
| Satellite Antennas   | L                | L                | L     | -  | L   | L                   |                      |
| Correctional Placement Centers   | -                | -                | -     | -  | -   | -                   |                      |
| <b>Educational Facilities:</b>   |                  |                  |       |    |     |                     |                      |
| Kindergarten Through Grade 12  | -                | -                | -     | -  | -   | -                   |                      |
| Colleges / Universities  | -                | -                | -     | -  | -   | -                   |                      |
| Vocational / Trade Schools   | -                | -                | -     | -  | -   | -                   |                      |
| Energy Generation & Distribution Facilities  | -                | -                | -     | -  | -   | -                   |                      |
| Exhibit Halls & Convention Facilities  | P <sup>(2)</sup> | -                | -     | -  | -   | -                   |                      |
| Flood Control Facilities   | -                | -                | -     | -  | -   | L                   |                      |
| Historical Buildings Used for Purposes Not Otherwise Allowed   | -                | -                | -     | -  | -   | -                   |                      |
| <b>Homeless Facilities:</b>  |                  |                  |       |    |     |                     |                      |
| Congregate Meal Facilities   | -                | -                | -     | -  | -   | -                   |                      |
| Emergency Shelters   | -                | -                | -     | -  | -   | -                   |                      |
| Homeless Day Centers   | -                | -                | -     | -  | -   | -                   |                      |
| Hospitals, Intermediate Care Facilities & Nursing Facilities   | -                | -                | -     | -  | -   | -                   |                      |
| Interpretive Centers   | P                | P <sup>(2)</sup> | C     | -  | -   | -                   |                      |
| Museums  | P                | -                | -     | -  | -   | -                   |                      |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones            |    |     |                     |                      |
|--|-----------------|------------------|----|-----|---------------------|----------------------|
|  | 1st & 2nd »     | OP-              |    | OC- | OR <sup>(1)</sup> - | OF <sup>(12)</sup> - |
|  | 3rd »           | 1-               | 2- | 1-  | 1-                  | 1-                   |
|  | 4th »           | 1                | 1  | 1   | 1 2                 | 1                    |
| Major Transmission, Relay, or Communications Switching Stations  |                 | -                | -  | -   | -                   | -                    |
| <i>Social Service Institutions</i>   |                 | -                | -  | -   | -                   | -                    |
| <b>Retail Sales</b>  |                 |                  |    |     |                     |                      |
| Building Supplies & Equipment  |                 | -                | -  | -   | -                   | -                    |
| Food, Beverages and Groceries  |                 | -                | -  | -   | -                   | -                    |
| Consumer Goods, Furniture, Appliances, Equipment   |                 | -                | -  | -   | -                   | -                    |
| Pets & Pet Supplies  |                 | -                | -  | -   | -                   | -                    |
| Sundries, Pharmaceuticals, & Convenience Sales   |                 | -                | -  | -   | -                   | -                    |
| Wearing Apparel & Accessories  |                 | -                | -  | -   | -                   | -                    |
| <b>Separately Regulated Retail Sales Uses:</b>   |                 |                  |    |     |                     |                      |
| Agriculture Related Supplies & Equipment   |                 | -                | -  | -   | -                   | -                    |
| Alcoholic Beverage Outlets   |                 | -                | -  | -   | -                   | -                    |
| Plant Nurseries  |                 | -                | -  | -   | -                   | -                    |
| Swap Meets & Other Large Outdoor Retail Facilities   |                 | -                | -  | -   | -                   | C <sup>(7)</sup>     |
| <b>Commercial Services</b>   |                 |                  |    |     |                     |                      |
| Building Services  |                 | -                | -  | -   | -                   | -                    |
| Business Support   |                 | -                | -  | -   | -                   | -                    |
| Eating & Drinking Establishments   |                 | p <sup>(2)</sup> | -  | -   | -                   | -                    |
| Financial Institutions   |                 | -                | -  | -   | -                   | -                    |
| Funeral & Mortuary Services  |                 | -                | -  | -   | -                   | -                    |
| Maintenance & Repair   |                 | -                | -  | -   | -                   | -                    |
| Off-site Services  |                 | -                | -  | -   | -                   | -                    |
| Personal Services  |                 | -                | -  | -   | -                   | -                    |
| Assembly & Entertainment   |                 | p <sup>(2)</sup> | -  | -   | -                   | -                    |
| Radio & Television Studios   |                 | -                | -  | -   | -                   | -                    |
| Visitor Accommodations   |                 | -                | -  | -   | -                   | -                    |
| <b>Separately Regulated Commercial Services Uses</b>   |                 |                  |    |     |                     |                      |
| <b>Adult Entertainment Establishments:</b>   |                 |                  |    |     |                     |                      |
| Adult Book Store   |                 | -                | -  | -   | -                   | -                    |
| Adult Cabaret  |                 | -                | -  | -   | -                   | -                    |
| Adult Drive-In Theater   |                 | -                | -  | -   | -                   | -                    |
| Adult Mini-Motion Picture Theater  |                 | -                | -  | -   | -                   | -                    |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of<br>the Use Categories, Subcategories, and Separately Regulated<br>Uses] | Zone Designator  |   | Zones |    |                  |                     |   |                      |
|--|------------------|---|-------|----|------------------|---------------------|---|----------------------|
|  | 1st & 2nd »      |   | OP-   |    | OC-              | OR <sup>(1)</sup> - |   | OF <sup>(12)</sup> - |
|  | 3rd »            |   | 1-    | 2- | 1-               | 1-                  |   | 1-                   |
|  | 4th »            |   | 1     | 1  | 1                | 1                   | 2 | 1                    |
| Adult Model Studio   | -                | - | -     | -  | -                | -                   | - | -                    |
| Adult Motel  | -                | - | -     | -  | -                | -                   | - | -                    |
| Adult Motion Picture Theater   | -                | - | -     | -  | -                | -                   | - | -                    |
| Adult Peep Show Theater  | -                | - | -     | -  | -                | -                   | - | -                    |
| Adult Theater  | -                | - | -     | -  | -                | -                   | - | -                    |
| Body Painting Studio   | -                | - | -     | -  | -                | -                   | - | -                    |
| Massage Establishment  | -                | - | -     | -  | -                | -                   | - | -                    |
| Sexual Encounter Establishment   | -                | - | -     | -  | -                | -                   | - | -                    |
| Bed & Breakfast Establishments:  |                  |   |       |    |                  |                     |   |                      |
| 1-2 Guest Rooms  | -                | - | -     | -  | N                | -                   | - | -                    |
| 3-5 Guest Rooms  | -                | - | -     | -  | N                | -                   | - | -                    |
| 6+ Guest Rooms   | -                | - | -     | -  | C                | -                   | - | -                    |
| Boarding Kennels   | -                | - | -     | -  | -                | -                   | - | -                    |
| Camping Parks  | C                | C | -     | -  | -                | -                   | - | C <sup>(7)</sup>     |
| Child Care Facilities:   |                  |   |       |    |                  |                     |   |                      |
| Child Care Centers   | C <sup>(2)</sup> | - | -     | -  | -                | -                   | - | -                    |
| Large Family Day Care Homes  | -                | - | -     | -  | L                | -                   | - | -                    |
| Small Family Day Care Homes  | -                | - | -     | -  | P                | -                   | - | -                    |
| Eating and Drinking Establishments Abutting Residentially Zoned Property   | -                | - | -     | -  | -                | -                   | - | -                    |
| Fairgrounds  | -                | - | -     | -  | -                | -                   | - | C <sup>(7)</sup>     |
| Golf Courses, Driving Ranges, and Pitch & Putt Courses   | C                | C | -     | -  | C <sup>(9)</sup> | -                   | - | C <sup>(11)</sup>    |
| Helicopter Landing Facilities  | -                | - | -     | -  | -                | -                   | - | C <sup>(11)</sup>    |
| Instructional Studios  | C                | C | -     | -  | -                | -                   | - | -                    |
| Massage Establishments, Specialized Practice   | -                | - | -     | -  | -                | -                   | - | -                    |
| Nightclubs & Bars over 5,000 square feet in size   | -                | - | -     | -  | -                | -                   | - | -                    |
| Outpatient Medical Clinics   | -                | - | -     | -  | -                | -                   | - | -                    |
| Parking Facilities as a <i>primary use</i> :   |                  |   |       |    |                  |                     |   |                      |
| Permanent Parking Facilities   | -                | - | -     | -  | -                | -                   | - | -                    |
| Temporary Parking Facilities   | -                | - | -     | -  | -                | -                   | - | -                    |
| Private Clubs, Lodges and Fraternal Organizations  | -                | - | -     | -  | -                | -                   | - | -                    |
| Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size <sup>(3)</sup>   | C <sup>(2)</sup> | - | -     | -  | -                | -                   | - | -                    |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator  | Zones |    |     |                     |                      |
|--|------------------|-------|----|-----|---------------------|----------------------|
|  | 1st & 2nd »      | OP-   |    | OC- | OR <sup>(1)</sup> - | OF <sup>(12)</sup> - |
|  | 3rd »            | 1-    | 2- | 1-  | 1-                  | 1-                   |
|  | 4th »            | 1     | 1  | 1   | 1                   | 2                    |
| <b>Pushcarts:</b>  |                  |       |    |     |                     |                      |
| Pushcarts on Private Property  | L                | -     | -  | -   | -                   | -                    |
| Pushcarts in Public-Right-of-Way   | N                | -     | -  | -   | -                   | -                    |
| <b>Recycling Facilities:</b>   |                  |       |    |     |                     |                      |
| Large Collection Facility  | -                | -     | -  | -   | -                   | -                    |
| Small Collection Facility  | -                | -     | -  | -   | -                   | -                    |
| Large Construction & Demolition Debris <i>Recycling Facility</i>   | -                | -     | -  | -   | -                   | -                    |
| Small Construction & Demolition Debris <i>Recycling Facility</i>   | -                | -     | -  | -   | -                   | -                    |
| Drop-off Facility  | L                | L     | -  | -   | -                   | -                    |
| Green Materials Composting Facility  | -                | -     | -  | -   | -                   | -                    |
| Mixed Organic Composting Facility  | -                | -     | -  | -   | -                   | -                    |
| Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic                                    | -                | -     | -  | -   | -                   | -                    |
| Large Processing Facility Accepting All Types of Traffic   | -                | -     | -  | -   | -                   | -                    |
| Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic                                    | -                | -     | -  | -   | -                   | -                    |
| Small Processing Facility Accepting All Types of Traffic   | -                | -     | -  | -   | -                   | -                    |
| Reverse Vending Machines   | -                | -     | -  | -   | -                   | -                    |
| Tire Processing Facility   | -                | -     | -  | -   | -                   | -                    |
| Sidewalk Cafes   | -                | -     | -  | -   | -                   | -                    |
| Sports Arenas & Stadiums   | -                | -     | -  | -   | -                   | -                    |
| Theaters that are outdoor or over 5,000 square feet in size  | P <sup>(2)</sup> | -     | -  | -   | -                   | -                    |
| Veterinary Clinics & Animal Hospitals  | -                | -     | -  | -   | -                   | -                    |
| Zoological Parks   | C                | -     | -  | -   | -                   | -                    |
| <b>Offices</b>   |                  |       |    |     |                     |                      |
| <b>Business &amp; Professional</b>   | -                | -     | -  | -   | -                   | -                    |
| <b>Government</b>  | -                | -     | -  | -   | -                   | -                    |
| <b>Medical, Dental, &amp; Health Practitioner</b>  | -                | -     | -  | -   | -                   | -                    |
| <b>Regional &amp; Corporate Headquarters</b>   | -                | -     | -  | -   | -                   | -                    |
| <b>Separately Regulated Office Uses:</b>   |                  |       |    |     |                     |                      |
| Real Estate Sales Offices & Model Homes  | -                | -     | -  | L   | -                   | -                    |
| <i>Sex Offender Treatment &amp; Counseling</i>   | -                | -     | -  | -   | -                   | -                    |



| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator |       | Zones |    |     |                     |                  |                      |
|--|-----------------|-------|-------|----|-----|---------------------|------------------|----------------------|
|  | 1st & 2nd »     | 3rd » | OP-   |    | OC- | OR <sup>(1)</sup> - |                  | OF <sup>(12)</sup> - |
|  |                 |       | 1-    | 2- | 1-  | 1-                  | 1-               |                      |
|  | 4th »           | 1     | 1     | 1  | 1   | 2                   | 1                |                      |
| <b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>   |                 |       |       |    |     |                     |                  |                      |
| Commercial Vehicle Repair & Maintenance  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Commercial Vehicle Sales & Rentals   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Personal Vehicle Repair & Maintenance  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Personal Vehicle Sales & Rentals   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Vehicle Equipment & Supplies Sales & Rentals   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| <b>Separately Regulated Vehicle &amp; Vehicular Equipment Sales &amp; Service Uses:</b>  |                 |       |       |    |     |                     |                  |                      |
| Automobile Service Stations  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Outdoor Storage & Display of New, Unregistered Motor Vehicles as a Primary Use   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| <b>Wholesale, Distribution, Storage</b>  |                 |       |       |    |     |                     |                  |                      |
| Equipment & Materials Storage Yards  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Moving & Storage Facilities  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Warehouses   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Wholesale Distribution   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| <b>Separately Regulated Wholesale, Distribution, and Storage Uses:</b>   |                 |       |       |    |     |                     |                  |                      |
| Impound Storage Yards  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Junk Yards   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Temporary Construction Storage Yards Located Off-site  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| <b>Industrial</b>  |                 |       |       |    |     |                     |                  |                      |
| Heavy Manufacturing  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Light Manufacturing  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Marine Industry  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Research & Development   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Trucking & Transportation Terminals  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| <b>Separately Regulated Industrial Uses:</b>   |                 |       |       |    |     |                     |                  |                      |
| Hazardous Waste Research Facility  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Hazardous Waste Treatment Facility   | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Marine Related Uses Within the Coastal Overlay Zone  | -               | -     | -     | -  | -   | -                   | -                | -                    |
| Mining and Extractive Industries   | -               | -     | -     | -  | -   | C <sup>(8)</sup>    | C <sup>(7)</sup> | -                    |
| Newspaper Publishing Plants  | -               | -     | -     | -  | -   | -                   | -                | -                    |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |    |     |                     |                      |
|--|-----------------|-------|----|-----|---------------------|----------------------|
|  | 1st & 2nd »     | OP-   |    | OC- | OR <sup>(1)</sup> - | OF <sup>(12)</sup> - |
|  | 3rd »           | 1-    | 2- | 1-  | 1-                  | 1-                   |
|  | 4th »           | 1     | 1  | 1   | 1   2               | 1                    |
| Processing & Packaging of Plant Products & Animal By-Products Grown Off-Premises   |                 | -     | -  | -   | -                   | -                    |
| Very Heavy Industrial Uses   |                 | -     | -  | -   | -                   | -                    |
| Wrecking & Dismantling of Motor Vehicles   |                 | -     | -  | -   | -                   | -                    |
| <b>Signs</b>   |                 |       |    |     |                     |                      |
| Allowable Signs  |                 | P     | P  | P   | P                   | P                    |
| <b>Separately Regulated Signs Uses:</b>  |                 |       |    |     |                     |                      |
| Community Identification Signs   |                 | -     | -  | -   | -                   | -                    |
| Reallocation of Sign Area Allowance  |                 | -     | -  | -   | -                   | -                    |
| Revolving Projecting Signs   |                 | -     | -  | -   | -                   | -                    |
| Signs with Automatic Changing Copy   |                 | -     | -  | -   | -                   | -                    |
| Theater Marquees   |                 | -     | -  | -   | -                   | -                    |

Footnotes for Table 131-02B

- 1 All uses in the OR zone, except passive recreation and natural resource preservation, shall be located within the allowable development area in accordance with Section 131.0250.
- 2 This use is permitted only if consistent with an approved park general development plan or master plan and is subject to any requirements identified in the plan.
- 3 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 4 Excluding the maintaining, raising, feeding, or keeping of swine. The maintaining, raising, feeding, or keeping of more than 10 domestic animals requires a *premises* of at least 5 acres.
- 5 Excluding storage of vehicles, containers, chemicals, and other items that may be hazards during or after a *flood*.
- 6 The City Manager will determine if a particular use is appropriate as a passive use in conformance with an approved development plan, park plan, or other plans applicable to the property.
- 7 No *structures*, except portable *structures*, are permitted within a *floodway*.

- 8 This use is only allowed in the OR-1-2 zone subject to the regulations in Section 141.1001 and the regulations in Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).
- 9 No driving ranges or night use are permitted within the *MHPA*.
- 10 For housing 6 or fewer employees, see Section 141.0303 to determine which use regulations apply.
- 11 No fill or permanent structures shall be authorized for such development in the Coastal Overlay Zone.
- 12 Within the Coastal Overlay Zone, no structures are permitted within a floodway.

**§ 131.0230 Development Regulations of Open Space Zones**

- (a) Within the open space zones no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all *development* in the open space base zones whether or not a permit or other approval is required except where specifically identified.

**§ 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**

| Development Regulations<br>[See Section 131.0230 for<br>Development Regulations of Open<br>Space Zones] | Zone Designator |       | Zones |    |     |                   |                   |                   |
|---|-----------------|-------|-------|----|-----|-------------------|-------------------|-------------------|
|   | 1st & 2nd »     | 3rd » | OP-   |    | OC- | OR-               |                   | OF <sup>(1)</sup> |
|   |                 |       | 1-    | 2- | 1-  | 1-                | 1-                | 1-                |
|   |                 | 4th » | 1     |    | 1   | 1                 | 2                 | 1                 |
| <b>Max Permitted Residential Density (DU Per Lot)</b>   |                 |       | --    |    | --  | 1 <sup>(2)</sup>  | 1 <sup>(5)</sup>  | --                |
| <b>Min Lot Area (ac)</b>  |                 |       | --    |    | --  | 10                | 10                | 10                |
| <b>Allowable Development Area (%)</b>   |                 |       | --    |    | --  | 25 <sup>(3)</sup> | 25 <sup>(4)</sup> | --                |
| <b>Min Lot Dimensions</b>   |                 |       |       |    |     |                   |                   |                   |
| Lot Width (ft)  |                 |       | --    |    | --  | 200               | 200               | 500               |
| Street Frontage (ft)  |                 |       | --    |    | --  | 200               | 200               | 500               |

| Development Regulations<br>[See Section 131.0230 for<br>Development Regulations of Open<br>Space Zones] | Zone Designator | Zones |    |      |      |     |                   |
|---|-----------------|-------|----|------|------|-----|-------------------|
|   | 1st & 2nd »     | OP-   |    | OC-  | OR-  |     | OF <sup>(1)</sup> |
|   | 3rd »           | 1-    | 2- | 1-   | 1-   | 1-  |                   |
|   | 4th »           | 1     |    | 1    | 1    | 2   | 1                 |
| Lot Depth (ft)  |                 | --    | -- | 200  | 200  | 500 |                   |
| <b>Setback Requirements</b>   |                 |       |    |      |      |     |                   |
| Min Front Setback (ft)  |                 | --    | -- | 25   | 25   | --  |                   |
| Min Side Setback (ft)   |                 | --    | -- | 20   | 20   | --  |                   |
| Min Rear Setback (ft)   |                 | --    | -- | 25   | 25   | --  |                   |
| Max Structure Height (ft)   |                 | --    | -- | 30   | 30   | --  |                   |
| Max Lot Coverage (%)  |                 | --    | -- | 10   | 10   | --  |                   |
| Max Floor Area Ratio  |                 | --    | -- | 0.10 | 0.10 | --  |                   |

Footnotes for Table 131-02C

- 1 Refer to Section 143.0145 for supplemental development regulations for the OF zone.
- 2 See Section 131.0240(a).
- 3 See Section 131.0250(a).
- 4 See Section 131.0250(b).
- 5 See Section 131.0240(b).

§ 131.0240 **Maximum Permitted Residential Density in Open Space Zones**

- (a) Within the OR-1-1 zone, an exception to the permitted residential density of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
  - (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
  - (2) Dwelling units shall be clustered within the allowable development area as described in Section 131.0250(a) and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres.
  - (3) The remainder of the *premises* shall be maintained in its natural state.
- (b) Within the OR-1-2 zone, an exception to the permitted residential *density* of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:

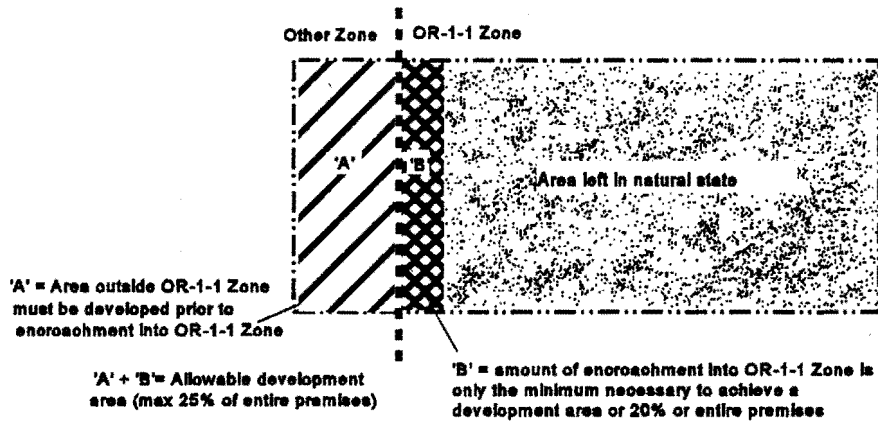
- (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
- (2) Dwelling units shall be clustered within the allowable development area as described in Section 131.0250(b) and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres, except as described in Section 131.0240(b)(4).
- (3) The remainder of the *premises* shall be maintained in its natural state.
- (4) Within the future urbanizing area, an increase in *density* of up to one dwelling unit per 4 acres of lot area may be requested through a Planned Development Permit in accordance with Process Five subject to the regulations in Section 143.0402. The remainder of the *premises* shall be left undeveloped in perpetuity.

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**§ 131.0250 Allowable Development Area in OR Zones**

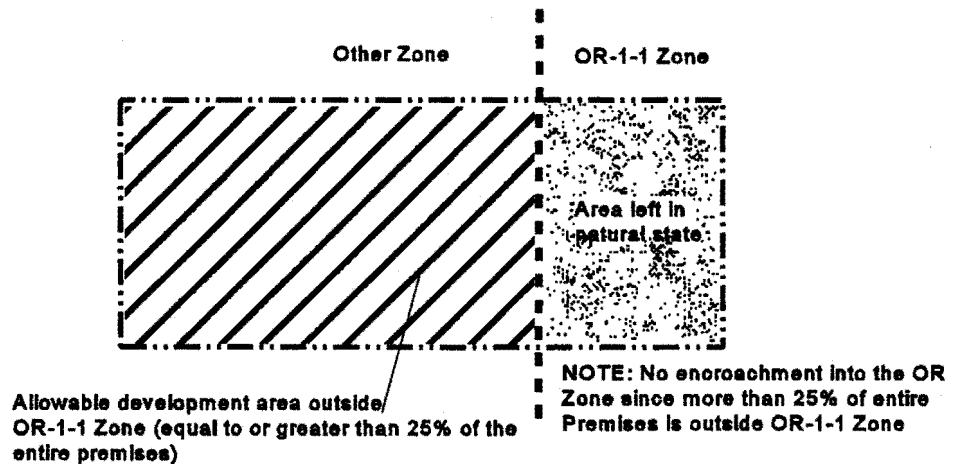
- (a) Within the OR-1-1 zone, up to 25 percent of the *premises* may be developed subject to the following:
  - (1) If 25 percent or more of the entire site is not in its natural state due to existing *development*, any new *development* proposed shall occur within the disturbed portion of the site and no additional development area is permitted.
  - (2) If the OR-1-1 zone applies only to a portion of a *premises*, the following regulations apply:
    - (A) If less than 25 percent of the *premises* is outside the OR-1-1 zone, the portion that is outside the OR-1-1 zone shall be developed before any *encroachment* into the OR-1-1 zoned portion. *Encroachment* into the OR-1-1 zone may be permitted to achieve a maximum development area of 25 percent of the entire site. See Diagram 131-02A.

**Diagram 131-02A**  
**Allowable Development Area with Encroachment Into OR-1-1 Zone**



- (B) If more than 25 percent of the *premises* is outside the OR-1-1 zone, the area outside the OR-1-1 zone may be developed and no additional development area is permitted. See Diagram 131-02B.

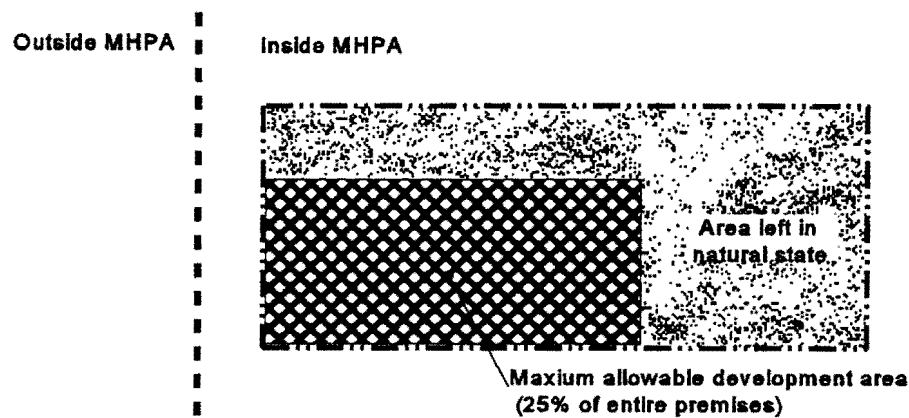
**Diagram 131-02B**  
**Allowable Development Area Without Encroachment into OR-1-1 Zone**



- (3) Within the Coastal Overlay Zone, only uses identified in Section 143.0130 (d) and (e) shall be permitted within *wetlands* subject to the provisions of Section 143.0141 (a) and (b).
- (4) Within the Coastal Overlay Zone, *coastal development* on *premises* with *steep hillsides* containing *sensitive biological resources*, or mapped as Viewshed or Geologic hazard on Map C-720, is subject to the encroachment limitations set forth in Section 143.0142(a).

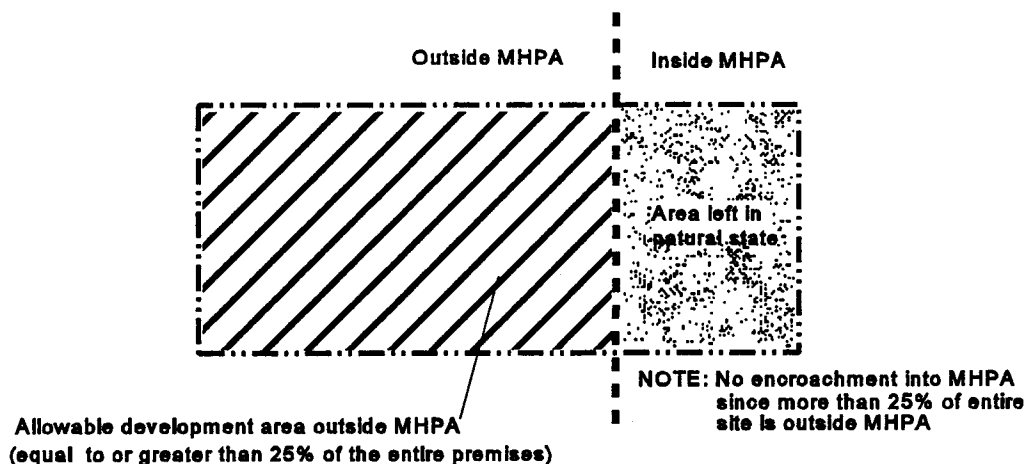
- (b) A *premises* within the OR-1-2 zone, within or partially within the *MHPA* is subject to the following regulations:
  - (1) If the *premises* is located entirely within the boundary of the *MHPA*, a maximum of 25 percent of the site may be developed. See Diagram 131-02C.

**Diagram 131-02C**  
**Allowable Development Area Entirely Within MHPA**



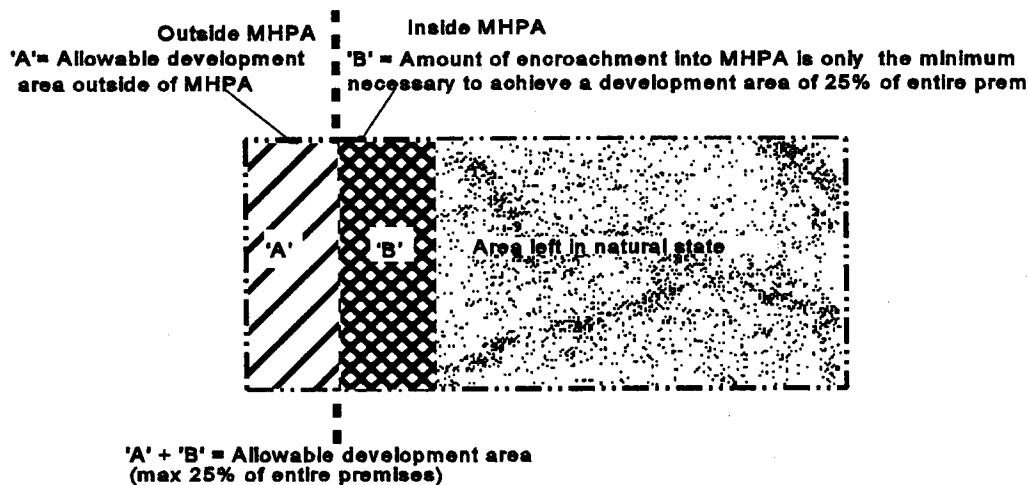
- (2) If the *premises* is located partially within the boundary of the *MHPA*, any *development* proposed must occur on the portion of the *premises* not within the *MHPA*. See Diagram 131-02D. If the portion of the *premises* not within the *MHPA* is greater than 25 percent of the *premises* area, the allowable *development* area may include all of the area outside of the *MHPA*, except as limited by Sections 143.0141(b) and (g) and 143.0142(a)(2).

Diagram 131-02D  
Allowable Development Area without Encroachment into MHPA



- (3) If the portion of the *premises* not within the *MHPA* boundary is less than 25 percent of the *premises* area, encroachment into the *MHPA* may be permitted to achieve a maximum development area of 25 percent of the *premises*. See Diagram 131-02E.

Diagram 131-02E  
Allowable Development Area with Encroachment Into MHPA



- (4) Up to 5 percent of additional *development* area is permitted to accommodate essential public facilities only, as identified in the applicable land use plan as long as the total *development* area does not exceed 30 percent of the *premises*. This additional development area shall require mitigation.



- (5) The allowable development area shall be 1 acre for a *premises* with a total area of less than 4 acres provided the width of the *MHPA* is at least 1,000 feet where the *premises* is located. Mitigation will be required for any impacts from *development* in excess of 25 percent of the *premises* area.
- (6) The portions of the *premises* within the *MHPA* that are not included in the allowable development area shall be maintained in their natural state and may be used only for passive uses consistent with the *Multiple Species Conservation Program Plan*.
- (7) *Development* within the OR-1-2 zone is subject to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations) and the Biology Guidelines in the Land Development Manual.
- (8) Any *development* within *the MHPA* shall occur in the least sensitive areas first, in accordance with the Biology Guidelines in the Land Development Manual.
- (9) Any exception to the allowable development area regulations in this section is subject to Section 143.0150.
- (10) Within the Coastal Overlay Zone, only uses identified in Section 143.0130 (d) and (e) shall be permitted within *wetlands* subject to the provisions of Section 143.0141 (a) and (b).
- (11) Within the Coastal Overlay Zone, *coastal development* on *premises* with *steep hillsides* containing *sensitive biological resources*, or mapped as Viewshed or Geologic hazard on Map C-720, is subject to the encroachment limitations set forth in Section 143.0142(a).

permanent habitat loss and the land will be revegetated and restored in accordance with the Biology Guidelines in the Land Development Manual.

§ 143.0141 **Development Regulations for Sensitive Biological Resources**

*Development* that proposes *encroachment* into *sensitive biological resources* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Biology Guidelines in the Land Development Manual.

- (a) State and federal law precludes adverse impacts to *wetlands* or listed non-covered species habitat. The *applicant* shall confer with the U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service and/or California Department of Fish and Game before any public hearing for the *development* proposal. The applicant shall solicit input from the Resource Agencies on impact avoidance, minimization, mitigation and buffer requirements, including the need for upland transitional habitat. The applicant shall, to the maximum extent feasible, incorporate the Resource Agencies' recommendations prior to the first public hearing. *Grading or construction permits* shall not be issued for any project that impacts *wetlands* or Listed non-covered species habitat until all necessary federal and state permits have been obtained.
- (b) Outside and inside the *MHPA*, impacts to *wetlands*, including vernal pools in naturally occurring complexes, shall be avoided. A *wetland buffer* shall be maintained around all *wetlands* as appropriate to protect the functions and values of the *wetland*. In the Coastal Overlay Zone the applicant shall provide a minimum 100-foot buffer, unless a lesser or greater buffer is warranted as determined through the process described in 143.0141(a). Mitigation for impacts associated with a deviation shall achieve the goal of no-net-loss and retain in-kind functions and values.
- (c) Inside the *MHPA*, *development* shall avoid impacts to narrow endemic species. Outside the *MHPA*, measures for protection of narrow endemic species shall be required such as management enhancement, restoration and/or transplantation. A list of narrow endemic species is included in the Biology Guidelines in the Land Development Manual.
- (d) Inside the *MHPA*, *development* is permitted only if necessary to achieve the allowable development area in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b), unless exempted from the development area regulations pursuant to Section 143.0111.
- (e) Inside and adjacent to the *MHPA*, all *development* proposals shall be consistent with the City of San Diego *MSCP Subarea Plan*.
- (f) Inside the *MHPA*, any change of an agricultural use to a non-agricultural use is subject to the development area regulations of Section 143.0141(d). Existing agricultural operations that exceed the allowable development area may remain as agricultural use only and do not count as part of the allowable development area.
- (g) Outside the *MHPA*, *development* of lands that are designated as open space in the applicable *land use plan* and zoned OR-1-1 is permitted only if necessary to achieve the allowable development area, in accordance with Section 131.0250(a).
- (h) Outside the *MHPA*, *encroachment* into *sensitive biological resources* is not limited, except as set forth in Section 143.0141(b) and (g).

- (i) All *development* occurring in *sensitive biological resources* is subject to a site-specific impact analysis conducted by the City Manager, in accordance with the Biology Guidelines in the Land Development Manual. The impact analysis shall evaluate impacts to *sensitive biological resources* and CEQA sensitive species. The analysis shall determine the corresponding mitigation, where appropriate, and the requirements for protection and management. Mitigation may include any of the following, as appropriate to the nature and extent of the impact.
  - (1) Acquisition or *dedication* of another site that can serve to mitigate the project impacts, with limited right of entry for habitat management, as necessary, if the site is not dedicated. This site must have long-term viability and the biological values must be equal to or greater than the impacted site.
  - (2) Preservation or *dedication* of on-site *sensitive biological resources*, creation of new habitat, or enhancement of existing degraded habitat, with limited right of entry for habitat management, as necessary, if the site is not dedicated. The site must have long-term viability and the biological values must be equal to or greater than the impacted site.
  - (3) In circumstances where the area of impact is small, monetary payment of compensation into a fund in lieu of other forms of mitigation. The City shall use the fund to acquire, maintain and administer habitat areas pursuant to City Council Resolution No. R-275129, adopted February 12, 1990. Where appropriate, the City Manager is authorized to enter into agreements with public agencies or private non-profit conservancies or foundations to administer the funds and acquire or maintain habitat preservation areas.
- (j) *Grading* during wildlife breeding seasons shall be consistent with the requirements of the City of San Diego *MSCP Subarea Plan*.
- (k) *Sensitive biological resources* that are outside of the allowable development area on a *premises*, or are acquired as off-site mitigation as a condition of permit issuance, are to be left in a natural state and used only for those passive activities allowed as a condition of permit approval. If the land is not dedicated in fee to the City, identification of permissible passive activities and any other conditions of the permit shall be incorporated into a covenant of easement that shall be recorded against title to the property, in accordance with procedures set forth in Section 143.0152. The U.S. Fish and Wildlife Service and the California Department of Fish and Game are to be named as third party beneficiaries to any covenant of easement recorded pursuant to this section.

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§ 143.0142 **Development Regulations for Steep Hillside**

*Development* that proposes *encroachment* into *steep hillsides* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Steep Hillside Guidelines in the Land Development Manual.

- (a) Allowable Development Area
  - (1) Inside of the *MHPA*, the allowable development area is determined in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b). However, within the Coastal Overlay Zone, *coastal development* is

# FAX Cover Sheet

Dept. Fish and Game  
Marine Region  
P.O. Box 12912  
La Jolla, CA. 92039  
Warden Eric Kord  
858-549-3472 office/fax

Date: June 17, 2002

Number of pages (including cover): 9

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JUN 17 2002

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

SENT TO: Name: Ellen Lirely, Tierra Alta Project

Company: California Coastal Commission

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

FAX Number: 619-767-2384


SENT BY: Name: ERIC KORD, Concerned Citizen

Phone Number: 858-549-3472 OFFICE/ FAX

### DESCRIPTION:

INFORMATION/ LETTERS REGARDING THE TIERRA ALTA PROJECT  
  
PLEASE CALL FOR ANY QUESTIONS OR COMMENTS.

- \*\*\*\* These letters are directed mostly to the appealed coastal development permit for a specific proposal at the subject site. However, they contain significant information addressing the on-site vernal pool area. Since protection of the vernal pool(s) is a major issue with the rezone as well as subsequent development, they are included with this report. This information was FAXed to the San Diego office, and the pictures are not legible. Although the text of the letters references them, they are not included as part of this exhibit.

|   |
|---|
| APPLICATION NO  |
| <b>SDLCPA #4-2001</b>   |
| Letters from<br>Interested Party  |
| Pages 1 - 20  |
|  California Coastal Commission |

August 2, 2001

San Diego Planning Commission  
City Council Chambers, 12<sup>th</sup> floor,  
City Administration Building  
202 C Street,  
San Diego, CA.

RECEIVED

JUN 17 2002

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Subject: Tierra Alta LDR No. 98-0792

Community Plan Area: Mira Mesa

Dear Planning Commission members,

My name is Eric Kord and I am a concerned citizen and home owner at 11286 Caminito Aclara, San Diego. I am involved with the Mira Mesa Community Planning Group, and at the July 16<sup>th</sup> meeting, I joined the subcommittee assigned to the Tierra Alta project. I received a copy of the Mitigated Negative Declaration for the above project from group member Tim Schenck. My background includes four years of field experience as a part-time biologist for the California Department of Fish and Game, and for the last 4 four years, I have been employed as a law enforcement officer with California Fish and Game.

I have reviewed the Mitigated Negative Declaration report for the Tierra Alta project and I have the following concerns:

First, I have found the biological survey report for the Tierra Alta project incomplete. In March of 2001, I inspected the on site vernal pool habitat. I found two distinct and separate pools, not one. The second pool is smaller in area but slightly deeper. More importantly, this second pool contained several fairy shrimp. I was not able to determine which species of fairy shrimp were in the pool, but I believe without a doubt they were fairy shrimp. The biological survey mentioned no fairy shrimp were detected during "the focused wet season". It should be determined whether or not these shrimp are the endangered "San Diego Fairy Shrimp". My findings were reported to US Fish and Wildlife official, Susan Lynn.

In addition, I reviewed a letter from the Sierra Club Conservation Committee to Mr. Hellman of the Land and Development Review Division. The letter expresses the Sierra Club's concerns and comments regarding the Tierra Alta project. I also reviewed the above Mitigated Negative Declaration with Mary Ann Pentis of the Vernal Pool Society, and with Elizabeth Lucas and Don Chadwick, two Environmental Specialists from the California Department of Fish and Game. After hearing their recommendations and reading the Sierra Club letter, I believe the proposed vernal pool protection is inadequate. To begin, the 20 foot buffer zone appears to be insufficient. In response to a Mitigated Negative Declaration for the "Olive Pierce Middle School Playing Field" in Ramona, CA, US Fish and Wildlife and State Fish and Game "strongly" recommended a 100 foot wide buffer zone for all on site vernal pools. For a larger buffer zone in the Tierra Alta project, the Sierra Club recommended elimination of lot 10. Removing this lot would provide a

contiguous open space with the Multi-Habitat Planning Area (MHPA). This would allow a direct connection between the adjacent Lopez Ridge Vernal Pool Area and the on site vernal pools. For example, sensitive species like the native Western Spadefoot Toad (*Spea hammondi*) and the state endangered San Diego Mesa Mint (*Pogogyne abramsii*) may have a better opportunity in reaching, colonizing, and exchanging with the on site vernal pool. As the project stands now, reptiles and amphibians would have to go through the backyard of lot 10 to reach the vernal pools. In addition to the Sierra Club, the Mary Ann Pentis of the Vernal Pool Society has also recommended a 100 foot buffer zone around the vernal pools.

As related to me by Robert Korch, the vernal pool site will be managed by the Home Owners Association. This means that the HOA "gardeners" will be in charge of the vernal pool site maintenance. Have these gardeners been educated in vernal pool habitats? Will the HOA hire biological consultants to inspect the site during critical wet seasons? **Will the home owners wish to pay for the additional funding this area needs as an isolated vernal pool?** It is my opinion that the developers should have to pay for the preservation of their own mitigated vernal pool lot- not the home owners. As recommended by Don Chadwick, a non-wasting endowment fund and enhancement plan needs to be in place for this site if it is to be isolated. Otherwise, the simple solution is to eliminate lot 10. The site would be joined with surrounding natural habitat and would need very little maintenance.

As proposed, the vernal pool area will be surrounded by a block wall and will be separated from the MHPA. In the opinion of Don Chadwick and Mary Ann Pentis, isolation of this pool will severely decrease it's long term viability. **ISOLATION AND DESTRUCTION IS NOT MITIGATION.** Unless the pool is managed through appropriate funding and thorough care, this isolated vernal pool site will most likely become an empty lot for native and non-native weeds. As a result, the empty lot would have a significant and adverse neighborhood aesthetics impact. In conclusion, the vernal pool site is just one lot away from the MHPA. The most logical and most reasonable solution would be to eliminate lot 10 and adjust the MHPA boundary to include these two areas. State Environmental Specialist, Don Chadwick, also related to me that the removal of lot 10 would enhance the pool's long term viability.

Thank you for the opportunity to comment on this project.

Sincerely,

Eric B. Kord, Concern Citizen

October 29, 2001

Council of the City of San Diego  
Council Chambers, 12<sup>th</sup> floor,  
City Administration Building, 202 C Street,  
San Diego, California, 92101

Subject: Tierra Alta project, No. 98-0792

To: The San Diego City Council

My name is Eric Kord and I am a concerned citizen and home owner at 11286 Caminito Aclara, San Diego. My past experience includes a BS in biology from UC Santa Cruz and 4 years as part time field biologist. For the last four years, I have been employed as a full time Game Warden for the California Department of Fish and Game. For the October 30<sup>th</sup> City Council public hearing, I will not be representing the Department of Fish and Game. As stated above, I am a concerned citizen.

I have reviewed the Mitigated Negative Declaration report for the Tierra Alta project and I have the following concerns:

First, I have found the biological survey report for the Tierra Alta project incomplete. In March of 2001, I inspected the on site vernal pool habitat. I found two distinct and separate pools, not one. The second pool is smaller in area but slightly deeper. More importantly, this second pool contained several fairy shrimp. I was not able to determine which species of fairy shrimp were in the pool, but I believe without a doubt they were fairy shrimp. It is a possibility that these shrimp may be the endangered "San Diego Fairy Shrimp". Especially since they are known to be present in the nearby Lopez Ridge Vernal Pool Area (as related to me by Mary Anne Pentis of the Vernal Pool Society).

Second, the proposed buffer zones around the vernal pools are inadequate. According to my measurements, the proposed fence line is only two feet from the northern side of the vernal pool. The western buffer zone is approximately 20 feet. In researching my concerns, I spoke with many biologists about recommended buffer zones surrounding vernal pools. Don Chadwick, Environmental Specialist for the California Department of Fish and Game, recommends a 100 ft buffer zone around vernal pools. In addition, Nancy Gilbert, biologist for US Fish and Wildlife, and Mary Anne Pentis, president of the Vernal Pool Society, both recommend a 100 ft buffer zone around vernal pools. Larry Sward, senior biologist for Helix Environmental Consulting Firm, stated "anything less than 25 feet is absolutely ridiculous".

The ideal solution for increasing the buffer zone around the vernal pools would be to eliminate lot 10. This solution was originally proposed by Janet Anderson of the Sierra Club Conservation Committee. Removing this lot would not only create a larger buffer zone for the pool, but would

also provide a contiguous open space with the Multi-Habitat Planning Area (MHPA). This would allow a direct connection between the adjacent Lopez Ridge Vernal Pool Area and the on site vernal pools. As a result, sensitive species like the native Western Spadefoot Toad (*Spea hammondi*) and the state endangered San Diego Mesa Mint (*Pogogyne abramsii*) may have a better opportunity in reaching, colonizing, and exchanging with the on site vernal pool.

Other individuals have stated that the canyon between the Lopez Ridge Vernal Pool Area and the onsite vernal pools precludes terrestrial interaction between these two sites. This is simply not true. According to Environmental Specialist, Don Chadwik, only a "sheer wall" would keep out an amphibian or a reptile. In this case, the canyon is far from being a cliff or a sheer wall. Furthermore, the *Peterson Field Guide to Western Reptiles and Amphibians* describes the Western Spadefoot Toad as: "Primarily a species of the lowlands, frequenting washes, flood-plains of rivers, alluvial fans, playas, and alkali flats, but also ranges into the foothills and mountains.... Found in valley and foothill grasslands, open chaparral, and pine-oak woodlands." From this wide ranging description, it can be easily deduced that a small canyon has never been an obstacle for this toad's movement.

Also, some individuals have repeatedly called these vernal pools "road ruts". This is due to the track-like shape of the pools. What is most disappointing to me is that no one has mentioned the possibility that this site had vernal pools before the "road ruts" were formed. For all we know, the person who created the road ruts drove right through pre-existing vernal pools thinking they were rain puddles. Pre-existing vernal pools is possible explanation for fairy shrimp and vernal pool species occurring on the site now.

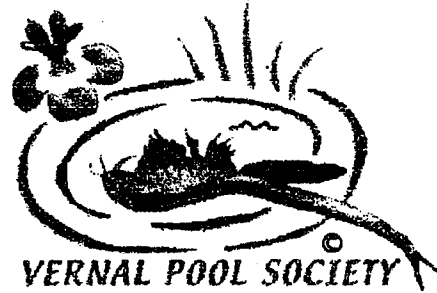
Nevertheless, increasing the buffer zone around the onsite vernal pools is paramount for their long term viability. It is important to consider that we are dealing with the last two percent of our original vernal pool habitat. If the elimination of lot 10 is unacceptable, then perhaps a rearrangement of the surrounding lots could be discussed.

Thank you for the opportunity to comment on this project.

Sincerely,

Eric B. Kord





October 18, 2001

Mr. Eric Kord, Warden,  
California Fish and Game,  
PO Box 12912  
La Jolla, CA 92039

To: Eric or /To Whomever It May Concern:

On August 18, 2001, we, the Vernal Pool Society, contacted Eric in response to a number of complaints we received concerning a threatened vernal pool and the intentions of the developer, [Tierra Alta #98-0792, Mira Mesa, San Diego]

We visited the site (lot 1, 0.41 ac.) on August 18, 2001, and examined the subject vernal pool and surroundings area in the presence of Eric Kord of the California Fish & Game. We immediately found a vernal pool basin of approximately 10 feet by 20 feet (minimum) in its dry stage. *Psilocarphus sp.* was plentiful in the dried pool basin with *Navarretia sp.* sprinkled throughout; both are indicator species of the presence of vernal pools. *Hemizonia sp.* was also found throughout the area indicating that temporal pooling exists at least part of the year on this site.

Eric reported that he saw fairy shrimp swimming in this pool during the wet season. Such report fits directly within the continuous reporting of fairy shrimp on this mesa and the adjoining Los Peñasquitos preserve mesa. [Probably one huge vernal pool complex.] The fairy shrimp have been determined to be the endangered *Branchinecta sandiegonensis*; the undersigned have also examined such fairy shrimp in this complex of vernal pools. The "cysts" of these animals are most certainly present in the soil substrate but were not surveyed at this time, even though M. Pentis is certified to conduct such surveys. This vernal pool site should be protected by the federal "critical habitat" laws as well as the Endangered species act.

The survival of this pool requires a surrounding "buffer zone" of about 100 feet in width and some conservation of its watershed, the western level ground. The vernal pool is doomed to destruction without some consideration for its water source; since there are only approximately 2% of our vernal pools remaining, it behooves us to follow our laws and give it full protection. If help is needed in this area please feel free to contact us. Photographs are attached.

Mary Anne Pentis, president

Al Pentis, biologist

---

P.O. Box 2154, Ramona, CA 92065 760/789-4085 — FAX 760/789-4085

maryanne@pentis.com al@pentis.com

# California Native Plant Society

Hon. Sara Wan, Chair  
California Coastal Commission  
FAX 619-767-2384

October 31, 2002

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NOV 01 2002

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

RE: ITEM THU 15 C, TIERRA ALTA REZONE 4-2001

Dear Chairwoman Wan and Commissioners:

The California Native Plant Society is a statewide non-profit organization of amateurs and professionals with a common interest in protecting California's native plants. The Society seeks to increase understanding of California's native flora and to preserve this rich resource for future generations. **It is our understanding that the City of San Diego is opposing the Coastal Committee's interpretation and application of the new OR 1-1 zone for urban Open Space, which is intended to protect environmentally sensitive resources.**

The San Diego Chapter of the California Native Plant Society requests that the Coastal Commission support staff's recommendation to rezone the entire site to OR 1-1 (and deny the proposed rezone to RS 1-13, as submitted). Such action would satisfy CEQA consistency, Land Use Plan conformance, and consistency with the provisions of the certified Land Development Code.

We have three areas of concern with the City's proposed rezone of this site to RS 1-13, instead of to OR 1-1. First, the OR 1-1 designation will more effectively protect the mesa top area with associated vernal pools. Vernal pools are the most endangered habitat type in San Diego - we have lost more than 95% of them to development. Development in the surrounding area brings with it weeds that escape from residential or commercial landscaping, runoff of pesticides and herbicides, and other deleterious effects. Development in the buffer zone is not consistent with protection of vernal pools.

Second, it is not proper that the City is using the "disturbed" nature of the site to argue for the RS 1-13 zone in preference to the OR1-1, because the Mira Mesa Community Plan (the Land Use Element of the General Plan) states that the disturbed nature of vegetation on a site shall not alter the determination of the environmental sensitivity of the site. This makes sense because there are few, if any, areas in San Diego that could be considered wholly "undisturbed". Also, it is our understanding that the disturbed nature of this site is a result of nearby development. In light of this, allowing a reduced zone is simply incomprehensible.



*Dedicated to the preservation of California native flora*

# California Native Plant Society

Third, the County brush clearance requirements are now 100 feet in situations such as this where development is directly adjacent to a highly combustible plant community with steep slopes. Development near the slopes will cause losses of the vegetation, which is inconsistent with their protection. The OR1-1 Zone makes more sense in this situation.

we urge you use the appropriate zone that will protect the vernal pools and steep hillsides from deterioration that inappropriate zoning will bring.

Thank you for your consideration.

Sincerely,



Carrie Schneider, President  
California Native Plant Society, San Diego Chapter  
P.O.Box 121390  
San Diego CA 92112-1390



*Dedicated to the preservation of California native flora*



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**SAN DIEGO AUDUBON SOCIETY**

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4891 Pacific Highway, Suite 112 • San Diego, CA 92110 • 619/682-7200 • Fax 619/682-7212

October 31, 2002

**RECEIVED**

NOV 01 2002

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICTHonorable Sara Wan, Chair  
California Coastal Commission

Re: Tierra Alta Rezone, Item Thu 15c

Dear Chairwoman Wan and Commissioners:

The San Diego Audubon Society asks that the Commission deny the requested rezone of the subject property from AR-1-1 to RS 1-13. Instead, we support Staff's recommended alternative of designating the site as OR-1-1, Open Space Residential.

The location of the property and the sensitive nature of the vegetation on site make the development plan unacceptable as proposed. Los Penasquitos Canyon Preserve borders the site and the Mira Mesa Community Plan (MMCP) policies clearly call for full protection of Los Penasquitos Canyon Preserve and adjacent areas as the Staff has noted in their report. In addition to the environmental concerns of the nearby preserve, the site is largely undisturbed southern mixed chaparral and contains a vernal pool. The MMCP specifically calls for protection of vernal pools in the Proposals section of the plan (page 34). This location deserves the maximum amount of environmental protection possible.

We concur with staff's analysis that the site should be protected under the OR-1-1 zoning regulations rather than the City's Environmentally Sensitive Land (ESL) regulations. It has been our experience that ESL regulations are ineffective in protecting sensitive environment. For example, in a recent development project (Carroll Canyon Business Park) in nearby Carroll Canyon, the project was approved by the City Council even though fully 65% of the site was designated as ESL land. The project exceed allowable encroachment into sensitive hillsides by a factor of 5 1/2 and almost all of the 18 acres of floodplain on the 58 acre parcel will be filled. A large population of an endangered plant species, the willowy monardella, on site will be totally destroyed as well. The location was not in the Coastal Zone.

San Diego Audubon urges that you adopt Staff's recommendation for an OR-1-1 rezone of this property and that the designation apply to the entire site. Thank you for considering our request.

Sincerely,

Mel Hinton

Conservation Committee  
San Diego Audubon Society

**From:** Ray Kay [crkay@sisna.com]  
**Sent:** Wednesday, November 06, 2002 2:34 PM  
**To:** elirley@coastal.ca.gov  
**Subject:** Tierra Alta

We wish to express our views on the proposed change of zoning from agriculture to residential the 4.4 acres at the end of our street.

We have been home owners at 11263 Caminito Rodar for 11+ years and planned to spend the remainder of our retirement years in this lovely, quiet community. The building of eleven homes at the end of our street would change our whole environment to a congested, noisy street and block a City Parks Dept constructed trail into Penisquitos Canyon. We are definitely against this rezoning. Ray and Claudia Kay



**SIERRA CLUB**  
FOUNDED 1892

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OCT 31 2002

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Office (619) 299-1743  
Conservation (619) 299-1741  
Fax (619) 299-1742  
Voice Info. (619) 299-1744  
Email [san-diego.chapter@sierraclub.org](mailto:san-diego.chapter@sierraclub.org)

**San Diego Chapter**  
*Serving the Environment in San Diego and Imperial Counties*

Hon. Sara Wan, Chair  
California Coastal Commission  
October 31, 2002

**RE: ITEM THU 15 C, TIERRA ALTA REZONE 4-2001**

Dear Chairwoman Wan and Commissioners:

**The San Diego Sierra Club respectfully requests the Commission's support for its staff recommendation to deny the proposed rezone to RS 1-13, as submitted, and approve as modified to rezone the entire site to OR 1-1. Such action would satisfy CEQA consistency, Land Use Plan conformance, and consistency with provisions of the certified Land Development Code.**

Because of the high constraints and ESHA status of the site, we believe application of the OR 1-1 Zone to the entire site is essential in order to adequately protect both the vernal pools and the sensitive biology. In order to regulate development within and adjacent to designated Open Space, steep hillsides, and the MHPA, the OR zone would be more protective by limiting the developable area to 25% of the site, while still allowing a low density residential potential. On the other hand, the Environmentally Sensitive Lands regulations triggered by the RS-1-13 Zone would be inadequate to protect the sensitive mesa top southern maritime chaparral.

Thus, we strongly support staff's determination that a residential and open space zoning split, even with Environmentally Sensitive Lands regulations, would not be adequate to afford necessary ESHA protection or to insure conformance with the habitat protection policies of the certified Mira Mesa Land Use Plan (LUP) as cited by staff on pages 8-10.

The City's approval to allow development on portions of the site deemed "disturbed" would preclude the required 100 foot vernal pool buffer. Nor would such development be in conformance with the Mira Mesa LUP policies as cited above. In addition, please note Exhibit 9 in particular. The LDC OR 1-1 Zone provisions clearly support staff's finding that the OR 1-1 Zone should be applied to the entire property, and not just the designated open space portion.\*





Office (619) 299-1743  
 Conservation (619) 299-1741  
 Fax (619) 299-1742  
 Voice Info. (619) 299-1744  
 Email [san-diego.chapter@sierraclub.org](mailto:san-diego.chapter@sierraclub.org)

**San Diego Chapter**  
*Serving the Environment in San Diego and Imperial Counties*

LCPA 4-2001  
 Page 2  
 October 31, 2002

CEQA: We further believe that staff recommendations conform with the CEQA analysis requirement to minimize to the greatest extent feasible any environmental impacts associated with developing the site. As proposed, we believe the RS 1-13 Zone would provide a much lower level of resource protection and would be inconsistent with LUP designations for the site.

CONCLUSION: This application for rezone under the OR 1-1 designation is the first that we know of to come to the Commission for review. Because the OR 1-1 Zone is intended by the City to apply to all projects within and adjacent to designated open space, steep hillsides, and the Multiple Habitat Planning area, we believe it is essential that the OR 1-1 Zone apply to the entire site. Please support you staff's recommendations. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Joanne H. Pearson".

Joanne H. Pearson, Co-chair  
 San Diego Sierra Club Coastal Committee

\*We note with concern that the City is currently processing an LDC amendment to the OR 1-1 Zone which would delete the 10 acre minimum lot size requirement. Such a change would appear to allow subdivision and increased density on highly constrained parcels such as the Tierra Ata site. (Attachment 1).



November 7, 2002

California Coastal Commission  
San Diego Area  
7575 Metropolitan Drive, Suite 103  
San Diego, Ca 92108-4402  
619-767-2370

Subject: Tierra Alta Rezone

Dear Sir or Madam:

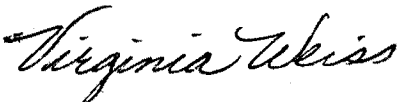
My name is Virginia Weiss and I am a concerned citizen and resident of San Diego. It has come to my attention that there is a distinct possibility that an area that is the habitat and home to numerous wildlife species may be zoned to allow the building of up to 11 homes.

I am bringing to this meeting a letter and an article written by Dr. Tomas Mustelein, a scientist and doctor who has done extensive research in the area of Entomology, and has published the included article covering several endangered species of moths that were found at 11308 Caminito Aclara, at the fenceline bordering the proposed site being discussed today. Dr. Mustelein explains in his letter pertinent information regarding the habitat that exists for not only these rare moths but also other species of wildlife that makes this area their home.

Dr. Mustelein resided at this address until June 2002. My husband and I moved in and have observed deer, rattlesnakes, covey of quail, coyote families, raccoons, numerous birds and insects. It is our concern that if this development is allowed to go through with as many homes as have been proposed, many of these species of animals will be displaced forever. There are deer feeding on the mesa directly behind our home on a regular basis. There are coyotes bringing their young through this area daily and appear to have a den somewhere on this mesa area behind our home. The rabbit population keeps the coyotes well fed. We observe these kinds of wildlife behaviors regularly and know that there is much more activity on the mesa that our untrained eyes will never observe, but are a part of this fragile ecosystem. If the moths are lost what else will disappear as a result? If the rabbits are displaced do some of the coyotes have to disappear too, or is there space for them somewhere else? The deer have an established pattern of use in this mesa and will have to be smart enough to stop coming here and find a new area to forage with their young. I haven't even mentioned the vernal pool because I realize this has been addressed, but I doubt that in the long run this will be properly maintained. This is definitely a fragile and vulnerable ecosystem that deserves protecting. Once homes are built on this mesa I believe the chance of many of these wildlife species to survive are minimal at best. They are probably already challenged and this could be the cause of the demise of at least some of them.

We concerned citizens who live near this proposed site request further careful and scientific investigation into all of the possibly affected species of animals before the final decision is made by the California Coastal Commission.

Respectfully,



Virginia Weiss

858-578-6344





**PROCEEDINGS**  
of the  
**San Diego Society of Natural History**

Founded 1874

Number 36

15 August 2000

**Two New Genera and Thirteen New Species of Owlet Moths  
(Lepidoptera: Noctuidae), Mainly from Southern California**

Tomas Mustelin

*San Diego Natural History Museum, P. O. Box 121390, San Diego, California, 92112-1390*

Ronald Leuschner

*Natural History Museum of Los Angeles County, 900 Exposition Blvd., Los Angeles, California, 90007*

Kauri Mikkola

*Zoological Museum, University of Helsinki, P. O. Box 14, FIN-00014, Finland*

J. Donald Lafontaine

*ECORC, Agriculture Canada, Ottawa, Ontario K1A 0C6, Canada*

**ABSTRACT.**—This study describes fifteen new taxa of Noctuidae, mainly from southern California. *Acontia lagunae* Mustelin and Leuschner, sp. nov., has previously been treated as an isolated southern population of *A. flavipennis* (Grote). *Acronicta browni* Mustelin and Leuschner, sp. nov., and *Merolonche australis* Mustelin and Leuschner, sp. nov., are distinctive members of the subfamily Acronictinae. This study describes three new species of *Apamea*: *A. bernardino* Mikkola and Mustelin, sp. nov., and *A. gabriell* Mikkola and Mustelin, sp. nov., are endemic to California; *A. scoparia* Mikkola, Mustelin, and Lafontaine, sp. nov., a sister species of the Palearctic *A. lateritia* (Hufnagel), is widespread in North America. *Aseptis murina* Mustelin, sp. nov., and *A. ferruginea* Mustelin, sp. nov., are close allies of *A. ethnica* (Smith), with which they are sympatric in the mountains of southern California. *Aseptis pseudolichena* Mustelin and Leuschner, sp. nov., has long been confused with *Andropolia lichena* Barnes and McDunnough, which we now also place in the genus *Aseptis*. *Orthomoia bloomfieldi* Mustelin, gen. nov. and sp. nov., is allied to *Xylanoia* but has straight male valves. *Lacinipolia subalba* Mustelin, sp. nov., is endemic to coastal San Diego County and is most closely related to *Lacinipolia pensilis* (Grote). *Fergusonix junuaris* Mustelin and Leuschner, gen. nov. and sp. nov., a midwinter flyer, represents a new genus in the subfamily Hadeninae. Finally, *Euxoa faulkneri* Mustelin and Leuschner, sp. nov., is a distinctive new member of the *infausta* group of *Euxoa*.

**INTRODUCTION**

The Noctuidae of southern California are poorly known in comparison to those in other parts of North America. During our studies of the noctuid fauna of southern California, we have encountered a number of specimens that did not seem to belong to any described taxon. Some we strongly suspected to represent undescribed species, and others had been treated as forms of geographically disjunct populations of known species. Detailed comparative analysis, including male and female genitalia, however, indicates that many of these moths warrant full species status. In this study, we name, describe, and illustrate the adults and the genitalic structures of thirteen new species belonging to the subfamilies Acontiinae, Acronictinae, Amphipyriinae, Hadeninae, and Noctuinae. We place two of these in their own new genera because of insufficient similarities to known genera. We extract three new species of *Apamea* from a planned revision of this genus by K. Mikkola and J. D. Lafontaine. We describe

these here to facilitate their inclusion in a forthcoming comprehensive study of the entire noctuid fauna of southern California.

**MATERIALS AND METHODS**

This study is based on morphological examination of specimens from the following collections: the San Diego Natural History Museum, the Los Angeles County Museum, the University of California at Riverside, the Smithsonian/National Museum of Natural History in Washington, D.C., the Canadian National Collection in Ottawa, Ontario, Canada, the Zoological Museum in Helsinki, Finland, and the private collections of R. Leuschner and T. Mustelin. Male and female genitalia were dissected and prepared according to standard techniques. All holotypes and the majority of paratypes have been, or will be, permanently deposited in the aforementioned public collections, and representative genitalic slides are available at the San Diego Natural History Museum.

15

*Orthomoia bloomfieldi* Mustelin, sp. nov.

Figure 7

**Holotype.**—1♂, CALIFORNIA, San Diego County, Miramar Airstation, 4 May 1997, leg. N. Bloomfield.

**Paratypes.**—31 specimens (29♂, 2♀): CALIFORNIA, San Diego County, Miramar Airstation, 1 May 1998 (1♂), 4 May 1997 (1♂), 10 May 1998 (1♂), 17 May 1998 (4♂), 24 May 1998 (6♂), 8 June 1998 (7♂, 2♀), 20 June 1998 (8♂), N. Bloomfield; Torrey Pines State Park, 31 May 1969, leg. R. H. Leuschner (1♂).

The holotype and ten paratypes are in the San Diego Natural History Museum; two paratypes are in the Canadian National Collection; two paratypes are at the Smithsonian/National Museum of Natural History; two paratypes are in the Zoological Museum, Helsinki, and the balance are in the Leuschner and Mustelin collections. Representative genitalic slides (94 TM ♂ and 97 TM ♀) are deposited at the San Diego Natural History Museum.

**Distribution.**—This taxon is currently known from only two localities in San Diego, California, both on the coastal plateau within a few miles of the Pacific Ocean. The majority (thirty-one of thirty-two) is from one of these localities, a riparian corridor through chaparral in San Clemente Canyon, Marine Corps Air Station Miramar. The moth flies during May and June. Food plants and immature stages are unknown.

**Eymology.**—We take great pleasure in naming this species for Norris Bloomfield, who collected the type specimen and thirty of the thirty-one paratypes.

**Description.**—Smaller than average noctuid. Antenna filiform in both sexes. Head small, covered with narrow gray-brown and pale tan scales. Thorax covered in gray-brown and pale tan scales, venter and legs concolorous with thorax. Abdomen dorsally and ventrally concolorous with thorax. Wingspan: 23–24 mm ( $n = 2$ ). Forewing

length 12.5–13 mm, ground color gray-brown with slight greenish hue. Basal dash dark and antemedian line weak, pale gray, laterally black-rimmed; median field with variable dark bar from antemedian to postmedian line; orbicular and reniform spots faintly outlined in dark and filled with barely paler scales than ground color; postmedian line white or pale gray, medially black-rimmed, outcurved close to outer forewing margin; subterminal space darker with three pale gray patches near apex and at veins Cu1 and Cu2. Ventral side of both wings paler with prominent dark discal spots and median lines. **Male genitalia** (Figures 7b and c): As for genus. **Female genitalia** (Figures 6b and c): As for genus.

**Diagnosis.**—A relatively small noctuid reminiscent of *Xylomoia didonea* (Smith) and *X. chagnoni* Barnes and McDunnough, neither of which occurs in southern California. *Orthomoia bloomfieldi* has a rounder forewing apex, a more robust body, and also differs in maculation. It lacks the brownish tint of the *Xylomoia* species and has a pronounced curved pale postmedian line, which is the most prominent feature of the forewing maculation.

**Remarks.**—This species is placed after *X. chagnoni* in the systematic list in Hodges (1983) and given the number 9433.1.

Subfamily Hadeninae

Genus *Lacinipolia* McDunnough, 1937*Lacinipolia subalba* Mustelin, sp. nov.THIS IS  
YOUR BACKYARD

Figure 8

**Holotype.**—1♂, CALIFORNIA: San Diego County, south rim of Los Peñasquitos Canyon, elevation 76 m, 4 October 1997, leg. T. Mustelin.

**Paratypes.**—45 specimens (31♂, 14♀): CALIFORNIA, San Diego County, same locality and collector as holotype, 23 September 1996 (1♂), 26 September 1997 (1♂), 22 September 1997 (1♂), 5 October 1997 (1♂), 12 October 1998 (1♂), 13 October 1998 (1♀), 17 October 1998 (1♂, 1♀), 8 October 1999 (1♂), 11 October 1999 (1♂), 19 October 1999 (1♂); Miramar Airstation, 22 September (1♂), 1 October 1996 (2♂, 3♀), 5 October 1996 (1♂, 1♀), 7 October 1996 (1♂), 9 October 1996 (5♂, 1♀), 13 October 1996 (3♂, 3♀), 15 October 1996 (2♂), 18 October 1996 (1♂), N. Bloomfield; La Mesa, 1 October 1956, A. A. Lee (1♀); San Diego, [no data], W. S. Wright (4♂, 3♀); Orange County, Rancho Mission Viejo, 28 September–3 October 1999, N. Bloomfield (2♂).

The holotype and twenty paratypes are in the San Diego Natural History Museum; four paratypes are in the Los Angeles County Museum; four paratypes are in the Canadian National Collection; four paratypes are at the Smithsonian/National Museum of Natural History, and the balance are in the Leuschner and Mustelin collections. Representative genitalic slides (19 TM ♂ and 87 TM ♀) are deposited at the San Diego Natural History Museum.

**Eymology.**—The specific name refers to the pure white hindwings of the male. It also means "less than white," referring to the soiled white hindwings of the female.

**Description.**—Smaller than average noctuid. Antenna bifasciulate in males, filiform in females. Eye hairy. Head, including labial palp and antennal scape, covered with pale gray scales with white tips, labial palp darker laterally, black scales in front of eye, collar pale steel-gray with black transverse line. Thorax covered with pale steel-gray scales, patagia with black scales laterally, venter paler gray. Abdomen pale gray with whitish tufts dorsally at base, venter paler. Forewing length: 11.5–14 mm, narrow, ground color pale steel-gray with some very pale brown scales in median field; basal dash black; antemedian line weak, dark-gray and does not reach posterior edge of wing; postmedian line black, thin, outwards lined with white, touches reniform spot, upper half very weak or missing, turns inward under

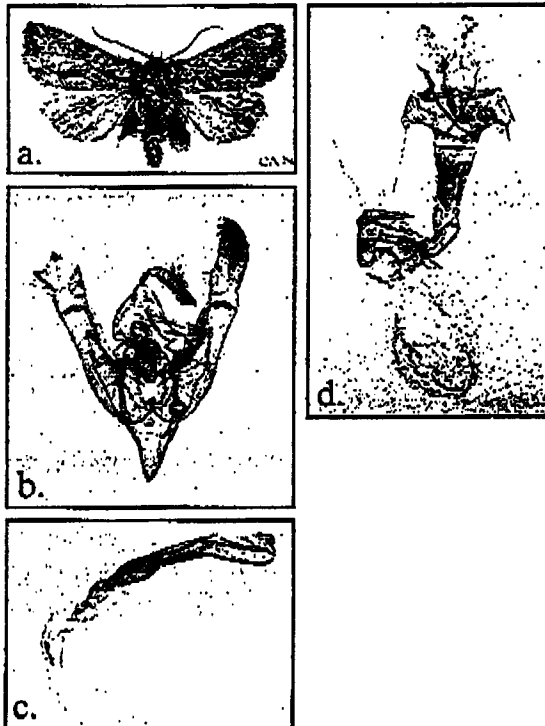


Figure 7. *Orthomoia bloomfieldi* Mustelin, gen. nov. and sp. nov. Paratype male (a), valves (b), aedeagus with everted vesica (c), bursa copulatrix (d).

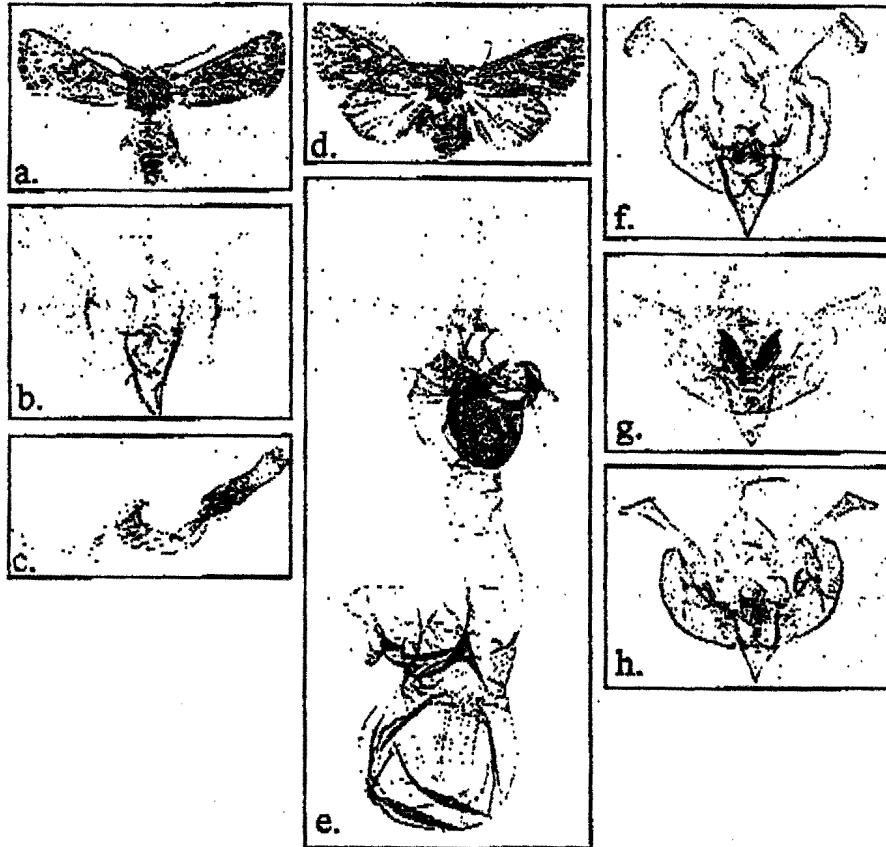


Figure 8. *Lacinipolia subalba* Mustelin, sp. nov. Holotype male (a), valves (b), aedeagus with everted vesica (c), paratype female (d), bursa copulatrix (e). For comparison, valves of *Lacinipolia pensilis* (f), *Lacinipolia vicina* (g), and *Lacinipolia illaudabilis*.

vein Cu<sub>2</sub>; subterminal line a row of dark gray dots between veins with white dot under vein Cu<sub>2</sub>; area between postmedian line and subterminal line paler than rest of wing under vein Cu<sub>2</sub>; terminal line black, broken at veins, rimmed with white; fringe gray. Orbicular spot round, large, outlined in black, filled with ground color or paler gray; reniform spot outlined in black, filled with ground color or paler gray, lower portion diffusely darker gray; claviform spot outlined in black. Male hindwing white with thin brown terminal line, veins with brown dusting in some specimens. Female hindwing pale gray darkening towards outer margin. Male genitalia (Figures 8b and c): Valve basally broad, ventrally convex, distal third narrowing to 0.25× basal width forming narrow neck, apex broadening to rounded triangle 0.7× as broad as base of valve; harpe square-shaped at center of valve, saccular extension with two finger-like projections. Aedeagus smooth with distal crown of spines; vesica 3× length of aedeagus, spiral-shaped, proximal width equal to aedeagus, distal third tapered. Female genitalia (Figure 8e): Ovipositor lobes pointed, triangular; anterior apophyses thin and long; ductus bursae with proximal sclerotized area, length 5× width, width 2× width of ovipositor lobe; corpus bursae round, sack-like, width 2.5× width of ductus bursae, surface smooth, signa absent, appendix bursae large and curved.

**Diagnosis.**—A noctuid belonging to the *Lacinipolia vicina* (Grote) group, the new taxon is particularly closely related to *L. pensilis* (Grote) but differs from it in lacking all brown tones and instead having a pale steel-gray ground color and pure white hindwings in males. The species is generally smaller and has narrower forewings than other related species of *Lacinipolia*. It also

differs in genitalic structure. For comparison, the male genitalia of *L. pensilis*, *L. vicina*, and *L. illaudabilis* (Grote) are also shown in Figure 8.

**Remarks.**—This species has been known for several years as either a new species (R. Robertson, personal communication) or a pale coastal race of *L. pensilis*. Genitalic structure, however, indicates that it is a distinct species. Notably, the lateral margin of the valve is evenly rounded, while in *L. pensilis* it is shaped like a rectangle. We suggest placing it in the systematic order after *L. pensilis*, giving it number 10395.1 in the list edited by Hodges (1983).

#### Subfamily Hadeninae

#### Genus *Fergusonix* Mustelin and Leuschner, gen. nov.

This new genus is superficially quite similar to *Miodera* Smith. Both genera contain smaller than average, densely haired noctuids adapted to flying during the coldest part of the year. The new genus is presently monotypic, the sole member being *Fergusonix januaris* Mustelin and Leuschner, new genus and species, described below. This species resembles *Miodera stigmata* Smith, 1908, in having its head, thorax, and abdomen covered in long hair-like scales, in overall coloration and mottling. However, the new taxon differs in having filiform antennae in both sexes, while males of *M. stigmata* and *M. eureka* Barnes and Benjamin, have broadly pectinate antennae. The morphology of the male genitalia also differ too much for placement of the new species in the same genus. In the new genus the

November 6, 2002

Dear Coastal Commission,

My name is Melissa Reiman, and I am a homeowner in the Tierra Mesa HOA in San Diego. My home sits on the canyon at 11274 Caminito Aclara, and my property will directly be affected by any rezoning of the land development I purchased property directly adjacent to. My neighbors and I on Caminito Aclara are directly affected, and are adamantly opposed to the proposed rezoning of this agricultural parcel.

I bought my home on Caminito Aclara in February of 2002 because it sat on the wildlife preserve and because of the unrestricted backyard view, and never once was I informed that there would be any construction on the canyon I bought my home on. I paid an extra \$10,000 for my unrestricted view, which at the time was the highest amount any home had sold for in Tierra Mesa. I justified the purchase by the fact that the canyon was part of this protected preserve, and was told that no one would ever build behind me or would ever restrict my view. This home was a life investment for me.

You can imagine my surprise when I found a man surveying in the canyon directly behind my house late last year. I approached him to see what he was surveying, and he told me that there were tentative plans for building on the parcel in question.

I want to first address and speak for the "*real*" property owners of this parcel – the animals and wildlife. Just as early as Monday morning, I had a large female coyote walking in front of my backyard *in broad daylight*, looking for water and food. The den of numerous coyotes are directly on that parcel, as well as endangered shrimp, quail, rabbits, snakes, lizards, deer, kangaroo rats, field mice, and hundreds of species of birds. Not a day goes by that I don't see at least 10 or more of these different types of animals. Every morning, I have up to 78 quail feeding in front of my backyard, and rabbits and birds all day long. I invite the Coastal Commission to set up videotape or take pictures from my backyard – because unless you live directly on this agricultural preserve, you would have no idea all the wildlife that lives here.

When I first moved to this area of San Diego in 2001, almost weekly, I would drive past dead coyotes or other wildlife on Calle Cristobal. This preserve seems to be all that the animals have left. It is unfortunate that our construction developers and our society's greed, results in more and more homes built on every single ounce of space left in San Diego. This is what is destroying what little bit of beauty and habitat we have left - the beauty of that land that made San Diego the most beautiful city in America. I want to fight to keep what little land is left *undeveloped* - for these animals' habitat.

My neighbors on Caminito Aclara have been very active in voicing their concerns, as well, about the proposed home development. We have vernal pools in our canyon – some directly on that parcel.

My other oppositions to the rezoning of this property personally affect me and my fellow neighbors.

- Our properties on Caminito Aclara have increased in value, partially due to the location, peacefulness and unrestricted view of the canyon we sit on. If this parcel is developed, it will ultimately decrease our property value on Caminito Aclara. Our backyards will no longer be private, and any building would result in us having obstructed views by the homes and the backyards of these new homes. Personally, I would also lose my entire view on the Northwest end of my home.

-I am opposed to the building of these properties because of the noise that would result from directly facing the new homes' backyards – dogs, parties, backyard activities, children – all will have a direct result on my lifestyle and noise of the neighborhood.

- With the proposed construction of 11 new homes, comes approximately 22 –33 new cars that will be using my street. There is already no parking for the extra cars people living here have – and the traffic is already thick. We have many young children who have nowhere to play but in the street, running in and out of parked cars. With that much more traffic – it will ultimately cause more dangerous conditions on the roads in Tierra Mesa.

-The construction dirt and noise would be non-stop during the building of these homes, and would directly impact my privacy and my lifestyle. Most of my work and livelihood is over the telephone during the day, and much of the time, I work from home – the noise from construction would be unacceptable.

-I am assuming that if 11 new homes were being built and homeowners were using our streets, then they would also be using our park and our pool. This may result in more wear and tear of our public domain, and may result in higher HOA fees. I am opposed to this as well.

I bought in Tierra Mesa because of the privacy, the views, the peacefulness, the beauty of natural habitat and the presence of wildlife, and I cannot accept nor believe that the Coastal Commission would stand to see more of California's nature and wildlife be affected by the building of 11 new homes.

Please do not rezone this property to residential. Your decision will affect human beings lives, their financial futures, and the future of the animals and California's beautiful nature habitat.

If there is anything I can do personally to stop this from happening, please let me know. Thank you very much for your consideration in this matter.

Sincerely,



Melissa Reiman  
11274 Caminito Aclara  
San Diego, CA 92126  
858-693-1331

Coastal Commission

11/04/2002

Re: request for rezoning of 4.4 acre parcel off of Tierra Mesa Condominium Complex in Mira Mesa (San Diego)

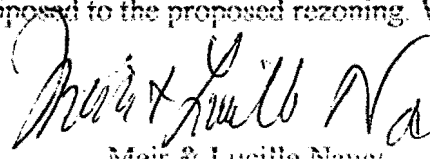
To whom it may concern,

Since we cannot attend the meeting to be held Thursday Nov 7 at 9:00 at the Doubletree Hotel we'd like to document our stand on the matter for your consideration.

We are absolutely opposed to the proposed rezoning. In our opinion the addition of 11 single family homes will substantially change and degrade the nature of our Tierra Mesa community for the following reasons:

- a. The addition of 22-30 vehicles (2-2.5 vehicles per household) will conservatively result in 88-120 (2 drivethroughs/day/vehicle) more cars traversing the whole community to reach the new area. This will dramatically change the character of our community from one where our grandchildren can safely play to one where it will be dangerous to let children go out of the house. This is in addition to the additional noise levels and pollution these cars will cause. This will force us to look for a home elsewhere as we cannot allow our children to be subjected to the new traffic levels.
- b. The already dangerous entrance/exit situation from Tierra Mesa will have to be solved. There are currently weekly near misses at this location and the addition of 88-120 more entrances/egresses creates a situation which is still much more dangerous.
- c. Access and views of the Penasquitos Canyon and Reserve were primary considerations in choosing to live at Tierra Mesa. Having 11 big homes where there were previously pristine views degrades the value and nature of the community.
- d. In our opinion Tierra Mesa is a very well planned aesthetically pleasing community. Tacking on 11 single family homes will very likely lead to a different development standard, home styles and color scheme and again will detract from the sense of well being we have in the community. A decision to go ahead with development must at minimum require a consistent architectural rendering with the current community.

For all the above reasons we stand firmly opposed to the proposed rezoning. We appreciate your consideration in the matter.



Meir & Lucille Nawy  
11155 Caminito Inocenta



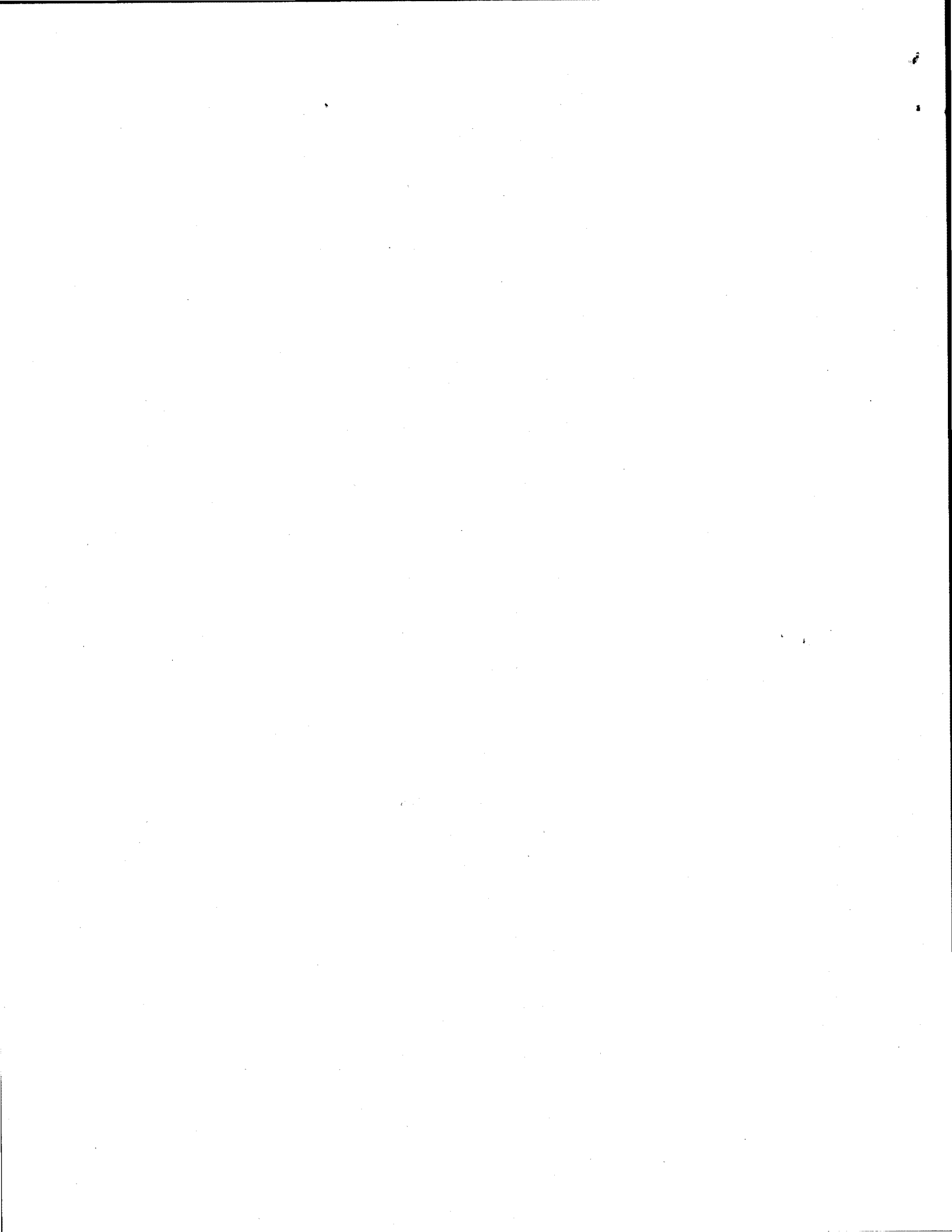


**Wed 14a**

**City of San Diego  
LCP Amendment #4-2001  
(Tierra Alta Rezone)  
Submittal  
For Commission Action November 2002**

**Excerpts from the  
City of San Diego  
Land Development Code  
including**

**Existing  
AR-1-1 (Agricultural – Residential) Zone  
and  
Proposed  
RS –1 –13 (Residential Single Unit) Zone**



Article 1: Base Zones

Division 3: Agricultural Base Zones

---

§ 131.0301 Purpose of Agricultural Zones

The purpose of the agricultural zones is to provide for areas that are rural in character or areas where agricultural uses are currently desirable. The agricultural zones are intended to accommodate a wide range of agriculture and agriculture-related uses as well as *single dwelling units*.

---

§ 131.0302 Purpose of the AG (Agricultural--General) Zones

- (a) The purpose of the AG zones is to accommodate all types of agricultural uses and some minor agricultural sales on a long-term basis. Nonagricultural uses are limited in the AG zones in order to strengthen the presence and retention of traditional agricultural uses.
- (b) The AG zones are differentiated based on the minimum *lot* size as follows:
- AG-1-1 requires minimum 10-acre *lots*
  - AG-1-2 requires minimum 5-acre *lots*

---


§ 131.0303 Purpose of the AR (Agricultural--Residential) Zones

- (a) The purpose of the AR zones is to accommodate a wide range of agricultural uses while also permitting the *development* of *single dwelling unit* homes at a very low *density*. The agricultural uses are limited to those of low intensity to minimize the potential conflicts with residential uses. This zone is applied to lands that are in agricultural use or that are undeveloped and not appropriate for more intense zoning. Residential *development* opportunities are permitted with a Planned Development Permit at various densities that will preserve land for open space or future *development* at urban intensities when and where appropriate.
- (b) The AR zones are differentiated based on the minimum *lot* size as follows:
- AR-1-1 requires minimum 10-acre *lots*
  - AR-1-2 requires minimum 1-acre *lots*

---

§ 131.0315 Where Agricultural Zones Apply

On the effective date of Ordinance O-18691, all agricultural zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-03A.

|   |
|---|
| APPLICATION NO.<br><b>SDLCPA #4-2001</b>  |
| Existing Ag Zone  |
| Pages 1 - 13  |
|  California Coastal Commission |
| Ch. Art. Div.<br>13 1 3 1   |

**Table 131-03A  
Agricultural Zone Applicability**

| Previous Chapter 10 Agricultural Zone Replaced With New Agricultural Zone Established by This Division |                                  |
|--|----------------------------------|
| Agricultural Zone that Existed on December 31, 1999.   | Applicable Zone of this Division |
| A-1-1  | AR-1-2                           |
| A-1-5, A-1-10  | AR-1-1                           |
| A-1-20   | None                             |
| A-1-40   | None                             |
| No Existing Zone   | AG-1-1                           |
| No Existing Zone   | AG-1-2                           |

**§ 131.0320 Use Regulations of Agricultural Zones**

The regulations of Section 131.0322 apply in the agricultural zones unless otherwise specifically provided by footnotes indicated in Table 131-03B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the agricultural zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-03B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0322.
- (b) All uses or activities permitted in the agricultural zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the agricultural zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the agricultural zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

§ 131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

Legend for Table 131-03B

| Symbol in Table 131-03B | Description of Symbol  |
|-------------------------|--|
| P                       | Use or use category is permitted. Regulations pertaining to a specific use may be referenced.  |
| L                       | Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| N                       | Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).   |
| C                       | Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).  |
| -                       | Use or use category is not permitted.  |

Table 131-03B  
Use Regulations Table of Agricultural Zones

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator  |  | Zones |   |                      |   |
|--|------------------|--|-------|---|----------------------|---|
|  | 1st & 2nd »      |  | AG    |   | AR                   |   |
|  | 3rd »            |  | 1-    |   | 1-                   |   |
|  | 4th »            |  | 1     | 2 | 1                    | 2 |
| <b>Open Space</b>  |                  |  |       |   |                      |   |
| Active Recreation  | -                |  |       |   | P                    |   |
| Passive Recreation   | P                |  |       |   | P                    |   |
| Natural Resources Preservation   | P                |  |       |   | P                    |   |
| Park Maintenance Facilities  | -                |  |       |   | -                    |   |
| <b>Agriculture</b>   |                  |  |       |   |                      |   |
| Agricultural Processing  | p <sup>(4)</sup> |  |       |   | p <sup>(4)</sup>     |   |
| Aquaculture Facilities   | P                |  |       |   | P                    |   |
| Dairies  | P                |  |       |   | p <sup>(8)</sup>     |   |
| Horticulture Nurseries & Greenhouses   | p <sup>(6)</sup> |  |       |   | p <sup>(6)</sup>     |   |
| Raising & Harvesting of Crops  | P                |  |       |   | P                    |   |
| Raising, Maintaining & Keeping of Animals  | p <sup>(2)</sup> |  |       |   | p <sup>(2),(3)</sup> |   |
| <b>Separately Regulated Agriculture Uses</b>   |                  |  |       |   |                      |   |
| Agricultural Equipment Repair Shops  | C                |  |       |   | -                    |   |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator |                  | Zones |                  |    |   |
|--|-----------------|------------------|-------|------------------|----|---|
|  | 1st & 2nd »     | AG               |       | AR               |    |   |
|  |                 | 3rd »            | 1-    |                  | 1- |   |
|  |                 |                  | 4th » | 1                | 2  | 1 |
| Commercial Stables   |                 | L                |       | L                |    |   |
| Community Gardens  |                 | L                |       | L                |    |   |
| Equestrian Show & Exhibition Facilities  |                 | C                |       | C                |    |   |
| Open Air Markets for the Sale of Agriculture-Related Products & Flowers  |                 | L                |       | L                |    |   |
| <b>Residential</b>   |                 |                  |       |                  |    |   |
| Group Living Accommodations  |                 | -                |       | -                |    |   |
| Mobilehome Parks   |                 | -                |       | -                |    |   |
| Multiple Dwelling Units  |                 | -                |       | -                |    |   |
| Single Dwelling Units  |                 | P <sup>(1)</sup> |       | P                |    |   |
| <b>Separately Regulated Residential Uses</b>   |                 |                  |       |                  |    |   |
| Boarder & Lodger Accommodations  |                 | L                |       | L                |    |   |
| Companion Units  |                 | -                |       | C                |    |   |
| Employee Housing:  |                 |                  |       |                  |    |   |
| 6 or fewer employees   |                 | L <sup>(7)</sup> |       | L <sup>(7)</sup> |    |   |
| 12 or Fewer employees  |                 | L <sup>(7)</sup> |       | L <sup>(7)</sup> |    |   |
| Greater than 12 employees  |                 | N                |       | C                |    |   |
| Fraternities, Sororities and Student Dormitories   |                 | -                |       | -                |    |   |
| Garage, Yard, & Estate Sales   |                 | -                |       | L                |    |   |
| Guest Quarters   |                 | -                |       | N                |    |   |
| Home Occupations   |                 | -                |       | L                |    |   |
| Housing for Senior Citizens  |                 | -                |       | -                |    |   |
| Live/Work Quarters   |                 | -                |       | -                |    |   |
| Residential Care Facilities:   |                 |                  |       |                  |    |   |
| 6 or fewer persons   |                 | -                |       | P                |    |   |
| 7 or more persons  |                 | -                |       | C                |    |   |
| Transitional Housing:  |                 |                  |       |                  |    |   |
| 6 or fewer persons   |                 | -                |       | P                |    |   |
| 7 or more persons  |                 | -                |       | C                |    |   |
| Watchkeeper Quarters   |                 | -                |       | -                |    |   |
| <b>Institutional</b>   |                 |                  |       |                  |    |   |
| <b>Separately Regulated Institutional Uses</b>   |                 |                  |       |                  |    |   |
| Airports   |                 | C                |       | C                |    |   |
| Botanical Gardens & Arboretums   |                 | C                |       | C                |    |   |

► Chapter 13: Zones

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |   |    |   |
|--|-----------------|-------|---|----|---|
|  | 1st & 2nd »     | AG    |   | AR |   |
|  | 3rd »           | 1-    |   | 1- |   |
|  | 4th »           | 1     | 2 | 1  | 2 |
| Cemeteries, Mausoleums, Crematories  |                 | C     |   | C  |   |
| <i>Churches &amp; Places of Religious Assembly</i>   |                 | -     |   | C  |   |
| Communication Antennas:  |                 |       |   |    |   |
| Minor Telecommunication Facility   |                 | L     |   | L  |   |
| Major Telecommunication Facility   |                 | C     |   | C  |   |
| <i>Satellite Antennas</i>  |                 | L     |   | L  |   |
| Correctional Placement Centers   |                 | -     |   | -  |   |
| Educational Facilities   |                 |       |   |    |   |
| Kindergarten through Grade 12  |                 | -     |   | C  |   |
| Colleges / Universities  |                 | -     |   | C  |   |
| Vocational / Trade School  |                 | -     |   | -  |   |
| Energy Generation & Distribution Facilities  |                 | C     |   | C  |   |
| Exhibit Halls & Convention Facilities  |                 | -     |   | -  |   |
| <i>Flood Control Facilities</i>  |                 | L     |   | L  |   |
| <i>Historical Buildings Used for Purposes Not Otherwise Allowed</i>  |                 | C     |   | C  |   |
| Homeless Facilities:   |                 |       |   |    |   |
| Congregate Meal Facilities   |                 | -     |   | -  |   |
| Emergency Shelters   |                 | -     |   | -  |   |
| Homeless Day Centers   |                 | -     |   | -  |   |
| Hospitals, Intermediate Care Facilities & Nursing Facilities   |                 | -     |   | C  |   |
| Interpretive Centers   |                 | P     |   | P  |   |
| Museums  |                 | -     |   | -  |   |
| Major Transmission, Relay, or Communications Switching Stations  |                 | C     |   | C  |   |
| <i>Social Service Institutions</i>   |                 | -     |   | -  |   |
| <b>Retail Sales</b>  |                 |       |   |    |   |
| Building Supplies & Equipment  |                 | -     |   | -  |   |
| Food, Beverages and Groceries  |                 | -     |   | -  |   |
| Consumer Goods, Furniture, Appliances, Equipment   |                 | -     |   | -  |   |
| Pets & Pet Supplies  |                 | -     |   | -  |   |
| Sundries, Pharmaceuticals, & Convenience Sales   |                 | -     |   | -  |   |
| Wearing Apparel & Accessories  |                 | -     |   | -  |   |
| Separately Regulated Retail Sales Uses   |                 |       |   |    |   |
| Agriculture Related Supplies & Equipment   |                 | C     |   | C  |   |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |   |    |   |
|--|-----------------|-------|---|----|---|
|  | 1st & 2nd »     | AG    |   | AR |   |
|  | 3rd »           | 1-    |   | 1- |   |
|  | 4th »           | 1     | 2 | 1  | 2 |
| Alcoholic Beverage Outlets   |                 | -     |   | -  |   |
| Plant Nurseries  |                 | C     |   | C  |   |
| Swap Meets & Other Large Outdoor Retail Facilities   |                 | -     |   | C  |   |
| <b>Commercial Services</b>   |                 |       |   |    |   |
| Building Services  |                 | -     |   | -  |   |
| Business Support   |                 | -     |   | -  |   |
| Eating & Drinking Establishments   |                 | -     |   | -  |   |
| Financial Institutions   |                 | -     |   | -  |   |
| Funeral & Mortuary Services  |                 | -     |   | -  |   |
| Maintenance & Repair   |                 | -     |   | -  |   |
| Off-Site Services  |                 | -     |   | -  |   |
| Personal Services  |                 | -     |   | -  |   |
| Assembly & Entertainment   |                 | -     |   | -  |   |
| Radio & Television Studios   |                 | -     |   | -  |   |
| Visitor Accommodations   |                 | -     |   | -  |   |
| <b>Separately Regulated Commercial Services Uses</b>   |                 |       |   |    |   |
| Adult Entertainment Establishments:  |                 | -     |   | -  |   |
| Adult Book Store   |                 | -     |   | -  |   |
| Adult Cabaret  |                 | -     |   | -  |   |
| Adult Drive-In Theater   |                 | -     |   | -  |   |
| Adult Mini-Motion Picture Theater  |                 | -     |   | -  |   |
| Adult Model Studio   |                 | -     |   | -  |   |
| Adult Motel  |                 | -     |   | -  |   |
| Adult Motion Picture Theater   |                 | -     |   | -  |   |
| Adult Peep Show Theater  |                 | -     |   | -  |   |
| Adult Theater  |                 | -     |   | -  |   |
| Body Painting Studio   |                 | -     |   | -  |   |
| Massage Establishment  |                 | -     |   | -  |   |
| Sexual Encounter Establishment   |                 | -     |   | -  |   |
| <b>Bed &amp; Breakfast Establishments:</b>   |                 |       |   |    |   |
| 1-2 Guest Rooms  |                 | -     |   | L  |   |
| 3-5 Guest Rooms  |                 | -     |   | N  |   |
| 6+ Guest Rooms   |                 | -     |   | C  |   |



► Chapter 13: Zones

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |                  |    |   |
|--|-----------------|-------|------------------|----|---|
|  | 1st & 2nd »     | AG    |                  | AR |   |
|  | 3rd »           | 1-    |                  | 1- |   |
|  | 4th »           | 1     | 2                | 1  | 2 |
| Boarding Kennels   | L               |       | L                |    |   |
| Camping Parks  | C               |       | C                |    |   |
| Child Care Facilities:   |                 |       |                  |    |   |
| Child Care Centers   | -               |       | C <sup>(9)</sup> |    |   |
| Large Family Day Care Homes  | -               |       | L <sup>(9)</sup> |    |   |
| Small Family Day Care Homes  | -               |       | P                |    |   |
| Eating and Drinking Establishments Abutting Residentially Zoned Property   | -               |       | -                |    |   |
| Fairgrounds  | -               |       | C                |    |   |
| Golf Courses, Driving Ranges, and Pitch & Putt Courses   | C               |       | C                |    |   |
| Helicopter Landing Facilities  | C               |       | C                |    |   |
| Instructional Studios  | -               |       | -                |    |   |
| Massage Establishments, Specialized Practice   | -               |       | -                |    |   |
| Nightclubs & Bars over 5,000 square feet in size   | -               |       | -                |    |   |
| Outpatient Medical Clinics   | -               |       | -                |    |   |
| Parking Facilities as a <i>Primary Use</i> :   |                 |       |                  |    |   |
| Permanent Parking Facilities   | -               |       | -                |    |   |
| Temporary Parking Facilities   | -               |       | -                |    |   |
| Private Clubs, Lodges and Fraternal Organizations  | -               |       | -                |    |   |
| Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size <sup>(5)</sup>   | -               |       | C                |    |   |
| Pushcarts  |                 |       |                  |    |   |
| Pushcarts on Private Property  | -               |       | -                |    |   |
| Pushcarts in <i>public right-of-way</i>  | -               |       | -                |    |   |
| Recycling Facilities:  |                 |       |                  |    |   |
| Large Collection Facility  | N               |       | N <sup>(9)</sup> |    |   |
| Small Collection Facility  | L               |       | L                |    |   |
| Large Construction & Demolition Debris <i>Recycling Facility</i>   | -               |       | -                |    |   |
| Small Construction & Demolition Debris <i>Recycling Facility</i>   | -               |       | -                |    |   |
| Drop-off Facility  | -               |       | -                |    |   |
| Green Materials Composting Facility  | L               |       | N                |    |   |
| Mixed Organic Composting Facility  | C               |       | C                |    |   |
| Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic                                    | -               |       | -                |    |   |
| Large Processing Facility Accepting All Types of Traffic   | -               |       | -                |    |   |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |   |    |   |
|--|-----------------|-------|---|----|---|
|  | 1st & 2nd »     | AG    |   | AR |   |
|  | 3rd »           | 1-    |   | 1- |   |
|  | 4th »           | 1     | 2 | 1  | 2 |
| Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic                                    | -               |       |   | -  |   |
| Small Processing Facility Accepting All Types of Traffic   | -               |       |   | -  |   |
| Reverse Vending Machines   | -               |       |   | -  |   |
| Tire Processing Facility   | -               |       |   | -  |   |
| Sidewalk Cafes   | -               |       |   | -  |   |
| Sports Arenas & Stadiums   | -               |       |   | -  |   |
| Theaters that are outdoor or over 5,000 square feet in size  | -               |       |   | -  |   |
| Veterinary Clinics & Animal Hospitals  | C               |       |   | C  |   |
| Zoological Parks   | C               |       |   | C  |   |
| <b>Offices</b>   |                 |       |   |    |   |
| Business & Professional  | -               |       |   | -  |   |
| Government   | -               |       |   | -  |   |
| Medical, Dental, & Health Practitioner   | -               |       |   | -  |   |
| Regional & Corporate Headquarters  | -               |       |   | -  |   |
| Separately Regulated Office Uses   |                 |       |   |    |   |
| Real Estate Sales Offices & Model Homes  | -               |       |   | L  |   |
| Sex Offender Treatment & Counseling  | -               |       |   | -  |   |
| <b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>   |                 |       |   |    |   |
| Commercial Vehicle Repair & Maintenance  | -               |       |   | -  |   |
| Commercial Vehicle Sales & Rentals   | -               |       |   | -  |   |
| Personal Vehicle Repair & Maintenance  | -               |       |   | -  |   |
| Personal Vehicle Sales & Rentals   | -               |       |   | -  |   |
| Vehicle Equipment & Supplies Sales & Rentals   | -               |       |   | -  |   |
| Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses  |                 |       |   |    |   |
| Automobile Service Stations  | -               |       |   | -  |   |
| Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>  | -               |       |   | -  |   |
| <b>Wholesale, Distribution, Storage</b>  |                 |       |   |    |   |
| Equipment & Materials Storage Yards  | -               |       |   | -  |   |
| Moving & Storage <i>Facilities</i>   | -               |       |   | -  |   |
| Warehouses   | -               |       |   | -  |   |
| Wholesale Distribution   | -               |       |   | -  |   |
| Separately Regulated Wholesale, Distribution, and Storage Uses   |                 |       |   |    |   |

| Use Categories/Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator | Zones |   |                  |   |
|--|-----------------|-------|---|------------------|---|
|  | 1st & 2nd »     | AG    |   | AR               |   |
|  | 3rd »           | 1-    |   | 1-               |   |
|  | 4th »           | 1     | 2 | 1                | 2 |
| Impound Storage Yards  |                 | -     |   | -                |   |
| Junk Yards   |                 | -     |   | -                |   |
| Temporary Construction Storage Yards Located Off-Site  |                 | N     |   | N                |   |
| <b>Industrial</b>  |                 |       |   |                  |   |
| Heavy Manufacturing  |                 | -     |   | -                |   |
| Light Manufacturing  |                 | -     |   | -                |   |
| Marine Industry  |                 | -     |   | -                |   |
| Research & Development   |                 | -     |   | -                |   |
| Trucking & Transportation Terminals  |                 | -     |   | -                |   |
| <b>Separately Regulated Industrial Uses</b>  |                 |       |   |                  |   |
| Hazardous Waste Research Facility  |                 | -     |   | C <sup>(9)</sup> |   |
| Hazardous Waste Treatment Facility   |                 | -     |   | C <sup>(9)</sup> |   |
| Marine Related Uses Within the Coastal Overlay Zone  |                 | -     |   | -                |   |
| Mining and Extractive Industries   |                 | C     |   | C                |   |
| Newspaper Publishing Plants  |                 | -     |   | -                |   |
| Processing & Packaging of Plant Products & Animal By-products Grown Off-premises   |                 | C     |   | -                |   |
| Very Heavy Industrial Uses   |                 | -     |   | -                |   |
| Wrecking & Dismantling of Motor Vehicles   |                 | -     |   | -                |   |
| <b>Signs</b>   |                 |       |   |                  |   |
| Allowable Signs  |                 | L     |   | L                |   |
| <b>Separately Regulated Signs Uses</b>   |                 |       |   |                  |   |
| Community Identification Signs   |                 | N     |   | N                |   |
| Reallocation of Sign Area Allowance  |                 | -     |   | -                |   |
| Revolving Projecting Signs   |                 | -     |   | -                |   |
| Signs with Automatic Changing Copy   |                 | -     |   | -                |   |
| Theater Marquees   |                 | -     |   | -                |   |

Footnotes for Table 131-03B

- 1 This use is permitted only as an *accessory use* to a permitted agricultural use.
- 2 Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres.
- 3 Excludes maintaining, raising, feeding, or keeping of swine.

- 4 See Section 131.0323(a).
- 5 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 6 See Section 131.0323(b).
- 7 For housing 6 or fewer employees, see Section 141.0303 to determine which use regulations apply.
- 8 Dairies require a *premises* of at least 5 acres.
- 9 This use is not allowed within the Coastal Overlay Zone

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**§ 131.0323 Additional Use Regulations of Agricultural Zones**

The uses in this section are permitted within the agricultural zones as indicated subject to the regulations listed.

(a) Agricultural processing is permitted as an *accessory use* subject to the following:

- (1) The processing must be accessory to a primary agricultural use located on the same *premises*;
- (2) At least 60 percent of the products to be processed must be produced on the same *premises*; and
- (3) Killing or dressing of animals other than poultry, fowl, or rabbits raised on the same *premises* is not permitted. Any building used for this purpose shall not be closer than 50 feet to any *property line*.

(b) Horticulture nurseries are permitted subject to the following:

- (1) Only plants are permitted to be sold on the *premises*. The sale of nonplant items requires a Conditional Use Permit for a plant nursery in accordance with Section 141.0503;
- (2) At least 75 percent of the plants available for sale must be propagated or grown from saplings on the *premises*; and
- (3) The only buildings permitted on the *premises* are greenhouses, maintenance equipment storage buildings, and one building with a maximum area of 300 square feet for sales transactions.

**§ 131.0330 Development Regulations of Agricultural Zones**

- (a) Within the agricultural zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all *development* in the agricultural base zones whether or not a permit or other approval is required except where specifically identified.

**§ 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**

| Development Regulations<br>[See Section 131.0330 for Development<br>Regulations of Agricultural Zones] | Zone Designator | Zones            |                  |                  |                    |
|--|-----------------|------------------|------------------|------------------|--------------------|
|  | 1st & 2nd »     | AG               |                  | AR               |                    |
|  | 3rd »           | 1-               | 1-               | 1-               | 1-                 |
|  | 4th »           | 1                | 2                | 1                | 2                  |
| <b>Max Permitted Residential Density (DU Per Lot)</b>  |                 | 1 <sup>(1)</sup> | 1 <sup>(1)</sup> | 1 <sup>(2)</sup> | 1 <sup>(3)</sup>   |
| <b>Min Lot Area (ac)</b>   |                 | 10               | 5                | 10               | 1                  |
| <b>Min Lot Dimensions</b>  |                 |                  |                  |                  |                    |
| Lot Width (ft)   |                 | 200              | 200              | 200              | 100 <sup>(4)</sup> |
| Street Frontage (ft)   |                 | 200              | 200              | 200              | 100 <sup>(5)</sup> |
| Lot Depth (ft)   |                 | 200              | 200              | 200              | 150                |
| <b>Setback Requirements</b>  |                 |                  |                  |                  |                    |
| Min Front Setback (ft)   |                 | 25               | 25               | 25               | 25                 |
| Min Side Setback(ft) <sup>(See Section 131.0343)</sup>   |                 | 20               | 20               | 20               | 20                 |
| Min Rear Setback (ft)  |                 | 25               | 25               | 25               | 25                 |
| <b>Max Structure Height (ft)</b><br>[See Section 131.0344]   |                 | 30               | 30               | 30               | 30                 |
| <b>Max Lot Coverage (%)<sup>(7)</sup></b>  |                 | 10               | 20               | 10               | 20                 |
| <b>Min Floor Area<sup>(6)</sup></b>  |                 | applies          | applies          | applies          | applies            |

Footnotes for Table 131-03C

- <sup>1</sup> A *single dwelling unit* is permitted only as an *accessory use* to a permitted agricultural use on the same *premises*.
- <sup>2</sup> See Section 131.0340(a).
- <sup>3</sup> See Section 131.0340(b).
- <sup>4</sup> See Section 131.0342(a).
- <sup>5</sup> See Section 131.0342(b).
- <sup>6</sup> Each dwelling unit shall have a *gross floor area* of at least 650 square feet, not including the garage.
- <sup>7</sup> *Structures* that are used to provide shade areas for growing plants, such as green houses and agricultural shade *structures*, are not included for determining *lot coverage*.

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§ 131.0340 **Maximum Permitted Residential Density in Agricultural Zones**

- (a) Within the AR-1-1 zone, an exception to the permitted residential *density* of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
  - (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
  - (2) Dwelling units shall be clustered and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres, except as described in Section 131.0340(a)(4).
  - (3) The remainder of the *premises* shall be left undeveloped until and if complete *development* at urban intensity is appropriate.
  - (4) Within the future urbanizing area, an increase in *density* of up to one dwelling unit per 4 acres of lot area may be requested through a Planned Development Permit in accordance with Process Five subject to the regulations in Section 143.0402. The remainder of the *premises* shall be left undeveloped in perpetuity.
- (b) Within the AR-1-2 zone, an exception to the permitted residential *density* of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
  - (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).

- (2) Dwelling units shall be clustered and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per acre.
- (3) The remainder of the *premises* shall be left undeveloped until and if complete *development* at urban intensity is appropriate.

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**§ 131.0342 Minimum Lot Dimensions in Agricultural Zones**

- (a) In the AR-1-2 zone, the front 25 percent of a *lot* may be tapered to coincide with the *street frontage* permitted in accordance with Section 131.0342(b) if that *lot* abuts the end of a *public right-of-way* where no provision is made for its future extension.
- (b) In the AR-1-2 zone, the required *street frontage* may be reduced to 60 feet for *lots* located at the end of a *street* where no provision is made for its future extension.

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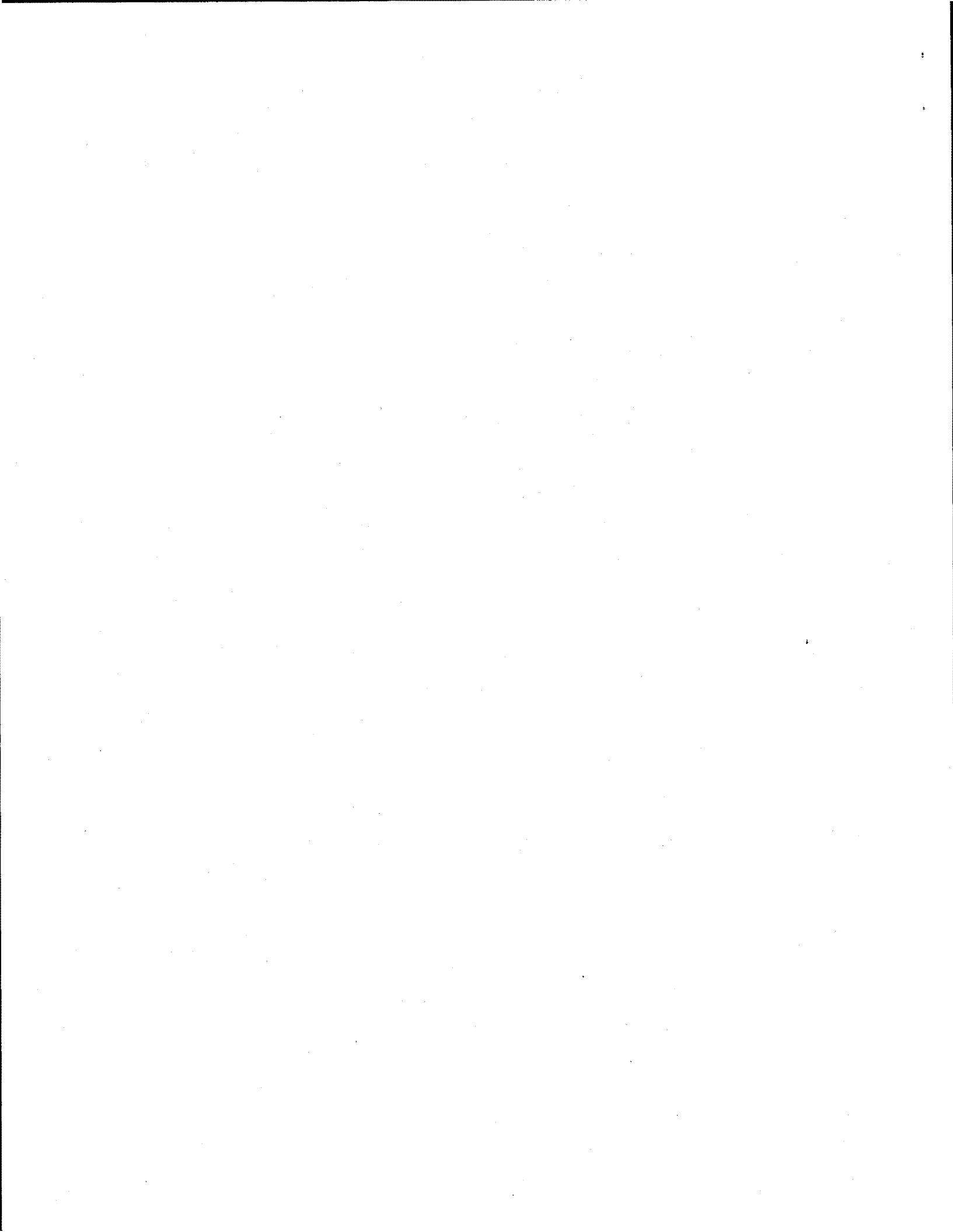
**§ 131.0343 Setback Requirements in Agricultural Zones**

The minimum side *setback* for a legal *lot* that existed on the effective date of this section and that has less than the minimum lot width specified in Table 131-03C, is 10 percent of the width of the *lot* or 5 feet, whichever is greater.

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**§ 131.0344 Maximum Structure Height in Agricultural Zones**

A *structure* may exceed the 30-foot *structure height* limit if the front, side, and rear *setbacks* are each increased by 10 feet for each 10 feet, or portion thereof, of *structure height* above 30 feet, except as limited by the regulations in Chapter 13, Article 2 (Overlay Zones).





## Article 1: Base Zones

### Division 4: Residential Base Zones

#### § 131.0401 Purpose of Residential Zones

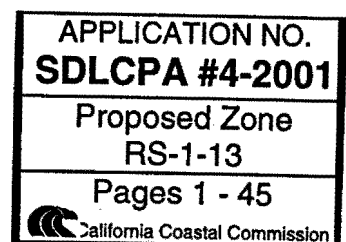
The purpose of the residential zones is to provide for areas of residential *development* at various specified densities throughout the City. The residential zones are intended to accommodate a variety of housing types and to encourage the provision of housing for all citizens of San Diego. It is also intended that the residential zones reflect desired *development* patterns in existing neighborhoods while accommodating the need for future growth.

#### § 131.0402 Purpose of the RE (Residential--Estate) Zones

- (a) The purpose of the RE zones is to provide for *single dwelling units* on large *lots* with some accessory agricultural uses. It is intended that this zone be applied to areas that are rural in character, where the retention of low *density* residential *development* is desired.
- (b) The RE zones are differentiated based upon applicable development regulations as follows:
  - RE-1-1 requires *development* on minimum 10-acre *lots*
  - RE-1-2 requires *development* on minimum 5-acre *lots*
  - RE-1-3 requires *development* on minimum 1-acre *lots*

#### § 131.0403 Purpose of the RS (Residential--Single Unit) Zones

- (a) The purpose of the RS zones is to provide appropriate regulations for the *development* of *single dwelling units* that accommodate a variety of *lot* sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties.
- (b) The RS zones are differentiated based on the minimum *lot* size and whether the *premises* is located in an urbanized community or a planned or future urbanizing community, as follows:
  - (1) Urbanized Communities
    - RS-1-1 requires minimum 40,000-square-foot *lots*
    - RS-1-2 requires minimum 20,000-square-foot *lots*
    - RS-1-3 requires minimum 15,000-square-foot *lots*
    - RS-1-4 requires minimum 10,000-square-foot *lots*
    - RS-1-5 requires minimum 8,000-square-foot *lots*
    - RS-1-6 requires minimum 6,000-square-foot *lots*
    - RS-1-7 requires minimum 5,000-square-foot *lots*



(2) Planned or Future Urbanizing Communities

- RS-1-8 requires minimum 40,000-square-foot *lots*
- RS-1-9 requires minimum 20,000-square-foot *lots*
- RS-1-10 requires minimum 15,000-square-foot *lots*
- RS-1-11 requires minimum 10,000-square-foot *lots*
- RS-1-12 requires minimum 8,000-square-foot *lots*
- RS-1-13 requires minimum 6,000-square-foot *lots*
- RS-1-14 requires minimum 5,000-square-foot *lots*

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§ 131.0404 Purpose of the RX (Residential--Small Lot) Zones

- (a) The purpose of the RX zones is to provide for both attached and detached *single dwelling units* on smaller *lots* than are required in the RS zones. It is intended that these zones provide an alternative to *multiple dwelling unit developments* where *single dwelling unit developments* could be developed at similar densities. The RX zone provides for a wide variety of residential *development* patterns.
- (b) The RX zones are differentiated based on the minimum *lot* size as follows:
- RX-1-1 requires minimum 4,000-square-foot *lots*
  - RX-1-2 requires minimum 3,000-square-foot *lots*

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§ 131.0405 Purpose of the RT (Residential--Townhouse) Zones

- (a) The purpose of the RT zones is to provide for attached, single-dwelling unit residential *development* on small *lots* with *alley* access. It is intended that these zones provide for more urbanized, single-unit living at densities that are historically more typical of multiple-unit zones. The RT zones provide transition opportunities between single-unit neighborhoods and higher *density* multiple-unit neighborhoods and in some instances may replace multiple-unit zones at similar densities. The RT zones are intended to be applied on subdivided blocks with *alleys* that are within or close to highly urbanized areas, *transit areas*, and redevelopment areas.
- (b) The RT zones are differentiated based on the minimum *lot* size as follows:
- RT-1-1 requires minimum 3,500-square-foot *lots*
  - RT-1-2 requires minimum 3,000-square-foot *lots*
  - RT-1-3 requires minimum 2,500-square-foot *lots*
  - RT-1-4 requires minimum 2,200-square-foot *lots*

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§ 131.0406 Purpose of the RM (Residential--Multiple Unit) Zones

- (a) The purpose of the RM zones is to provide for *multiple dwelling unit development* at varying densities. The RM zones individually accommodate *developments* with similar densities and characteristics. Each of the RM zones is intended to establish *development* criteria that consolidates common development regulations, accommodates specific dwelling types, and responds to locational issues regarding adjacent land uses.

- (b) The RM zones are differentiated based on the uses allowed and the permitted *density* as follows:
- (1) The following zones permit lower *density multiple dwelling units* with some characteristics of *single dwelling units*:
    - RM-1-1 permits a maximum *density* of 1 dwelling unit for each 3,000 square feet of *lot area*
    - RM-1-2 permits a maximum *density* of 1 dwelling unit for each 2,500 square feet of *lot area*
    - RM-1-3 permits a maximum *density* of 1 dwelling unit for each 2,000 square feet of *lot area*
  - (2) The following zones permit medium *density multiple dwelling units*:
    - RM-2-4 permits a maximum *density* of 1 dwelling unit for each 1,750 square feet of *lot area*
    - RM-2-5 permits a maximum *density* of 1 dwelling unit for each 1,500 square feet of *lot area*
    - RM-2-6 permits a maximum *density* of 1 dwelling unit for each 1,250 square feet of *lot area*
  - (3) The following zones permit medium *density multiple dwelling units* with limited commercial uses:
    - RM-3-7 permits a maximum *density* of 1 dwelling unit for each 1,000 square feet of *lot area*
    - RM-3-8 permits a maximum *density* of 1 dwelling unit for each 800 square feet of *lot area*
    - RM-3-9 permits a maximum *density* of 1 dwelling unit for each 600 square feet of *lot area*
  - (4) The following zones permit urbanized, high *density multiple dwelling units* with limited commercial uses:
    - RM-4-10 permits a maximum *density* of 1 dwelling unit for each 400 square feet of *lot area*
    - RM-4-11 permits a maximum *density* of 1 dwelling unit for each 200 square feet of *lot area*
  - (5) RM-5-12 permits visitor accommodations or medium *density multiple dwelling units* at a maximum *density* of 1 dwelling unit for each 1,000 square feet of *lot area*.

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**§ 131.0415 Where Residential Zones Apply**

On the effective date of Ordinance O-18691, all residential zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-04A.

**Table 131-04A  
Residential Zone Applicability**

| Previous Chapter 10 Residential Zone Replaced With New Residential Zone Established by This Division |                                  |
|--|----------------------------------|
| Residential Zone That Existed on December 31 1999.   | Applicable Zone of This Division |
| No Existing Zone   | RE-1-1                           |
| No Existing Zone   | RE-1-2                           |
| No Existing Zone   | RE-1-3                           |
| R1-40,000 in Urbanized Communities as of December 31 1999.   | RS-1-1                           |
| R1-20,000 in Urbanized Communities as of December 31 1999.   | RS-1-2                           |
| R1-15,000 in Urbanized Communities as of December 31 1999.   | RS-1-3                           |
| R1-10,000 in Urbanized Communities as of December 31 1999.   | RS-1-4                           |
| R1-8,000 in Urbanized Communities as of December 31 1999.  | RS-1-5                           |
| R1-6,000 in Urbanized Communities as of December 31 1999.  | RS-1-6                           |
| R1-5,000 in Urbanized Communities as of December 31 1999.  | RS-1-7                           |
| R1-40,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.       | RS-1-8                           |
| R1-20,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.       | RS-1-9                           |
| R1-15,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.       | RS-1-10                          |
| R1-10,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.       | RS-1-11                          |
| R1-8,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.        | RS-1-12                          |
| R1-6,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.        | RS-1-13                          |
| R1-5,000 in Planned Urbanizing Communities and Future Urbanizing Area as of December 31 1999.        | RS-1-14                          |
| No Existing Zone   | RX-1-1                           |
| R1-5,000/SLO   | RX-1-2                           |
| No Existing Zone   | RT-1-1                           |
| No Existing Zone   | RT-1-2                           |
| No Existing Zone   | RT-1-3                           |
| No Existing Zone   | RT-1-4                           |
| R-3000   | RM-1-1                           |
| R-2500   | RM-1-2                           |
| R-2000   | RM-1-3                           |
| R-1750   | RM-2-4                           |
| R-1500   | RM-2-5                           |
| R-1250   | RM-2-6                           |

| Previous Chapter 10 Residential Zone Replaced With New Residential Zone Established by This Division |                                  |
|--|----------------------------------|
| Residential Zone That Existed on December 31 1999.   | Applicable Zone of This Division |
| R-1000   | RM-3-7                           |
| R-800  | RM-3-8                           |
| R-600  | RM-3-9                           |
| R-400  | RM-4-10                          |
| R-200  | RM-4-11                          |
| RV   | RM-5-12                          |

**§ 131.0420 Use Regulations of Residential Zones**

The regulations of Section 131.0422 apply in the residential zones unless otherwise specifically provided by footnotes indicated in Table 131-04B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the residential zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-04B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0422.
- (b) All uses or activities permitted in the residential zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the residential zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the residential zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

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

The uses allowed in the residential zones are shown in the Table 131-04B.

5

Legend for Table 131-04B

| Symbol In Table 131-04B | Description Of Symbol  |
|-------------------------|--|
| P                       | Use or use category is permitted. Regulations pertaining to a specific use may be referenced.  |
| L                       | Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations). |
| N                       | Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).   |
| C                       | Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).  |
| -                       | Use or use category is not permitted.  |

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

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses] | Zone Designator      | Zones |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |   |   |   |
|---|----------------------|-------|-----|---|---|---|---|---|---|---|---|---|---|----|-----|-----|----|----|---|---|---|---|---|---|---|---|
|   | 1st & 2nd »          | RE-   | RS- |   |   |   |   |   |   |   |   |   |   |    | RX- | RT- |    |    |   |   |   |   |   |   |   |   |
|   | 3rd »                | 1-    | 1-  |   |   |   |   |   |   |   |   |   |   |    | 1-  | 1-  |    |    |   |   |   |   |   |   |   |   |
|   | 4th »                | 1     | 2   | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11  | 12  | 13 | 14 | 1 | 2 | 1 | 2 | 3 | 4 |   |   |
| <b>Open Space</b>   |                      |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |   |   |   |
| Active Recreation   | P                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   | P |   |   |   |   | P |   |
| Passive Recreation  | P                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | P |   |   |   |   | P |
| Natural Resources Preservation  | P                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | P |   |   |   |   | P |
| Park Maintenance Facilities   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| <b>Agriculture</b>  |                      |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |   |   |   |
| Agricultural Processing   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Aquaculture Facilities  | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Dairies   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Horticulture Nurseries & Greenhouses  | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Raising & Harvesting of Crops   | P <sup>(3)</sup>     |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Raising, Maintaining & Keeping of Animals   | P <sup>(3)(10)</sup> |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| <b>Separately Regulated Agriculture Uses</b>  |                      |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |   |   |   |
| Agricultural Equipment Repair Shops   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Commercial Stables  | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Community Gardens   | N                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | N |   |   |   |   | N |
| Equestrian Show & Exhibition Facilities   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |
| Open Air Markets for the Sale of Agriculture-Related Products & Flowers   | -                    |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   | - |   |   |   |   | - |

6

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator |                  | Zones |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
|--|-----------------|------------------|-------|----|---|---|---|---|---|---|---|---|---|------------------|-----|-----|----|----|----|---|---|---|---|---|
|  | 1st & 2nd »     | RE-              | RS-   |    |   |   |   |   |   |   |   |   |   |                  | RX- | RT- |    |    |    |   |   |   |   |   |
|  |                 | 3rd »            | 1-    | 1- |   |   |   |   |   |   |   |   |   |                  |     | 1-  | 1- |    |    |   |   |   |   |   |
|  |                 | 4th »            | 1     | 2  | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9                | 10  | 11  | 12 | 13 | 14 | 1 | 2 | 1 | 2 | 3 |
| <b>Residential</b>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| <b>Group Living Accommodations</b>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Group Living Accommodations  | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| Mobilehome Parks   | -               | P <sup>(1)</sup> |       |    |   |   |   |   |   |   |   |   |   | P <sup>(1)</sup> | -   |     |    |    |    |   |   |   |   |   |
| Multiple Dwelling Units  | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| Single Dwelling Units  | P               | P                |       |    |   |   |   |   |   |   |   |   |   | P                | P   |     |    |    |    |   |   |   |   |   |
| <b>Separately Regulated Residential Uses</b>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| <i>Boarder &amp; Lodger Accommodations</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Boarder & Lodger Accommodations  | L               | L                |       |    |   |   |   |   |   |   |   |   |   | L                | L   |     |    |    |    |   |   |   |   |   |
| <i>Companion Units</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Companion Units  | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | -   |     |    |    |    |   |   |   |   |   |
| <i>Employee Housing:</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Employees   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Employees   | L               | L                |       |    |   |   |   |   |   |   |   |   |   | L                | L   |     |    |    |    |   |   |   |   |   |
| 12 or Fewer Employees  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 12 or Fewer Employees  | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| Greater than 12 Employees  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Greater than 12 Employees  | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <i>Fraternities, Sororities and Student Dormitories</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Fraternities, Sororities and Student Dormitories   | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <i>Garage, Yard, &amp; Estate Sales</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Garage, Yard, & Estate Sales   | L               | L                |       |    |   |   |   |   |   |   |   |   |   | L                | L   |     |    |    |    |   |   |   |   |   |
| <i>Guest Quarters</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Guest Quarters   | N               | N                |       |    |   |   |   |   |   |   |   |   |   | N                | -   |     |    |    |    |   |   |   |   |   |
| <i>Home Occupations</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Home Occupations   | L               | L                |       |    |   |   |   |   |   |   |   |   |   | L                | L   |     |    |    |    |   |   |   |   |   |
| <i>Housing for Senior Citizens</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Housing for Senior Citizens  | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | C   |     |    |    |    |   |   |   |   |   |
| <i>Live/Work Quarters</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Live/Work Quarters   | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <i>Residential Care Facilities:</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Persons   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Persons   | P               | P                |       |    |   |   |   |   |   |   |   |   |   | P                | P   |     |    |    |    |   |   |   |   |   |
| 7 or More Persons  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 7 or More Persons  | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | C   |     |    |    |    |   |   |   |   |   |
| <i>Transitional Housing:</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Persons   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 6 or Fewer Persons   | P               | P                |       |    |   |   |   |   |   |   |   |   |   | P                | P   |     |    |    |    |   |   |   |   |   |
| 7 or More Persons  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| 7 or More Persons  | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | C   |     |    |    |    |   |   |   |   |   |
| <i>Watchkeeper Quarters</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Watchkeeper Quarters   | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <b>Institutional</b>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| <b>Separately Regulated Institutional Uses</b>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| <i>Airports</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Airports   | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <i>Botanical Gardens &amp; Arboretums</i>  |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Botanical Gardens & Arboretums   | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | C   |     |    |    |    |   |   |   |   |   |
| <i>Cemeteries, Mausoleums, Crematories</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Cemeteries, Mausoleums, Crematories  | -               | -                |       |    |   |   |   |   |   |   |   |   |   | -                | -   |     |    |    |    |   |   |   |   |   |
| <i>Churches &amp; Places of Religious Assembly</i>   |                 |                  |       |    |   |   |   |   |   |   |   |   |   |                  |     |     |    |    |    |   |   |   |   |   |
| Churches & Places of Religious Assembly  | C               | C                |       |    |   |   |   |   |   |   |   |   |   | C                | C   |     |    |    |    |   |   |   |   |   |

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator |       | Zones |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
|--|-----------------|-------|-------|----|---|---|---|---|---|---|---|---|---|----|-----|-----|----|----|---|---|---|---|---|
|  | 1st & 2nd »     | RE-   | RS-   |    |   |   |   |   |   |   |   |   |   |    | RX- | RT- |    |    |   |   |   |   |   |
|  |                 | 3rd » | 1-    | 1- |   |   |   |   |   |   |   |   |   |    |     | 1-  | 1- |    |   |   |   |   |   |
|  | 4th »           | 1     | 2     | 3  | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11  | 12  | 13 | 14 | 1 | 2 | 1 | 2 | 3 |
| <b>Communication Antennas:</b>   |                 |       |       |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Minor Telecommunication Facility   | L               | L     |       |    |   |   |   |   |   |   |   |   |   | L  | L   |     |    |    |   |   |   |   |   |
| Major Telecommunication Facility   | C               | C     |       |    |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Satellite Antennas   | L               | L     |       |    |   |   |   |   |   |   |   |   |   | L  | L   |     |    |    |   |   |   |   |   |
| Correctional Placement Centers   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| <b>Educational Facilities:</b>   |                 |       |       |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Kindergarten through Grade 12  | C               | C     |       |    |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Colleges / Universities  | C               | C     |       |    |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Vocational / Trade School  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Energy Generation & Distribution Facilities  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Exhibit Halls & Convention Facilities  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Flood Control Facilities   | L               | L     |       |    |   |   |   |   |   |   |   |   |   | L  | L   |     |    |    |   |   |   |   |   |
| Historical Buildings Used for Purposes Not Otherwise Allowed   | C               | C     |       |    |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| <b>Homeless Facilities:</b>  |                 |       |       |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Congregate Meal Facilities   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Emergency Shelters   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Homeless Day Centers   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Hospitals, Intermediate Care Facilities & Nursing Facilities   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Interpretive Centers   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Museums  | C               | C     |       |    |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Major Transmission, Relay, or Communications Switching Stations  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Social Service Institutions  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| <b>Sales</b>   |                 |       |       |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Building Supplies & Equipment  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Food, Beverages and Groceries  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Consumer Goods, Furniture, Appliances, Equipment   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Pets & Pet Supplies  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Sundries, Pharmaceuticals, & Convenience Sales   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Wearing Apparel & Accessories  | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| <b>Separately Regulated Sales Uses</b>   |                 |       |       |    |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Agriculture Related Supplies & Equipment   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Alcoholic Beverage Outlets   | -               | -     |       |    |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |

8



| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator |       | Zones |   |   |   |   |   |   |   |   |   |   |   |     |    |     |    |    |   |   |   |   |   |
|--|-----------------|-------|-------|---|---|---|---|---|---|---|---|---|---|---|-----|----|-----|----|----|---|---|---|---|---|
|  | 1st & 2nd »     | RE-   | RS-   |   |   |   |   |   |   |   |   |   |   |   | RX- |    | RT- |    |    |   |   |   |   |   |
|  |                 | 1-    | 1-    |   |   |   |   |   |   |   |   |   |   |   | 1-  | 1- |     |    |    |   |   |   |   |   |
|  |                 | 4th » | 1     | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10  | 11 | 12  | 13 | 14 | 1 | 2 | 1 | 2 | 3 |
| Plant Nurseries  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Swap Meets & Other Large Outdoor Retail Facilities   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| <b>Commercial Services</b>   |                 |       |       |   |   |   |   |   |   |   |   |   |   |   |     |    |     |    |    |   |   |   |   |   |
| Building Services  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Business Support   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Eating & Drinking Establishments   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Financial Institutions   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Funeral & Mortuary Services  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Maintenance & Repair   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Off-Site Services  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Personal Services  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Radio & Television Studios   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Assembly & Entertainment   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Visitor Accommodations   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| <b>Separately Regulated Commercial Services Uses</b>   |                 |       |       |   |   |   |   |   |   |   |   |   |   |   |     |    |     |    |    |   |   |   |   |   |
| <b>Adult Entertainment Establishments:</b>   |                 |       |       |   |   |   |   |   |   |   |   |   |   |   |     |    |     |    |    |   |   |   |   |   |
| Adult Book Store   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Cabaret  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Drive-In Theater   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Mini-Motion Picture Theater  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Model Studio   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Motel  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Motion Picture Theater   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Peep Show Theater  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Adult Theater  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Body Painting Studio   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Massage Establishment  | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Sexual Encounter Establishment   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| <b>Bed &amp; Breakfast Establishments:</b>   |                 |       |       |   |   |   |   |   |   |   |   |   |   |   |     |    |     |    |    |   |   |   |   |   |
| 1-2 Guest Rooms  | N               | N     |       |   |   |   |   |   |   |   |   |   |   | N | -   |    |     |    |    |   |   |   |   |   |
| 3-5 Guest Rooms  | N               | C     |       |   |   |   |   |   |   |   |   |   |   | C | -   |    |     |    |    |   |   |   |   |   |
| 6+ Guest Rooms   | C               | C     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |
| Boarding Kennels   | -               | -     |       |   |   |   |   |   |   |   |   |   |   | - | -   |    |     |    |    |   |   |   |   |   |

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator |     | Zones |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
|--|-----------------|-----|-------|---|---|---|---|---|---|---|---|---|---|----|-----|-----|----|----|---|---|---|---|---|
|  | 1st & 2nd »     | RE- | RS-   |   |   |   |   |   |   |   |   |   |   |    | RX- | RT- |    |    |   |   |   |   |   |
|  | 3rd »           | 1-  | 1-    |   |   |   |   |   |   |   |   |   |   |    | 1-  | 1-  |    |    |   |   |   |   |   |
|  | 4th »           | 1   | 2     | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11  | 12  | 13 | 14 | 1 | 2 | 1 | 2 | 3 |
| Camping Parks  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Child Care Facilities:   |                 |     |       |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Child Care Centers   | C               | C   |       |   |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Large Family Day Care Homes  | L               | L   |       |   |   |   |   |   |   |   |   |   |   | L  | L   |     |    |    |   |   |   |   |   |
| Small Family Day Care Homes  | P               | P   |       |   |   |   |   |   |   |   |   |   |   | P  | P   |     |    |    |   |   |   |   |   |
| Eating and Drinking Establishments Abutting Residentially Zoned Property   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Fairgrounds  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Golf Courses, Driving Ranges, and Pitch & Putt Courses   | C               | C   |       |   |   |   |   |   |   |   |   |   |   | C  | C   |     |    |    |   |   |   |   |   |
| Helicopter Landing Facilities  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Instructional Studios  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Massage Establishments, Specialized Practice   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Nightclubs & Bars over 5,000 square feet in size   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Outpatient Medical Clinics   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Parking Facilities as a <i>Primary Use</i> :   |                 |     |       |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Permanent Parking Facilities   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Temporary Parking Facilities   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Private Clubs, Lodges and Fraternal Organizations  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size <sup>(4)</sup>   | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Pushcarts:   |                 |     |       |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Pushcarts on Private Property  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Pushcarts in <i>public right-of-way</i>  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Recycling Facilities:  |                 |     |       |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Large Collection Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Small Collection Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Large Construction & Demolition Debris Recycling Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Small Construction & Demolition Debris Recycling Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Drop-off Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Green Materials Composting Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Mixed Organic Composting Facility  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |
| Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic  | -               | -   |       |   |   |   |   |   |   |   |   |   |   | -  | -   |     |    |    |   |   |   |   |   |

10

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator | Zones |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
|--|-----------------|-------|-----|---|---|---|---|---|---|---|---|---|---|----|-----|-----|----|----|---|---|---|---|---|
|  | 1st & 2nd »     | RE-   | RS- |   |   |   |   |   |   |   |   |   |   |    | RX- | RT- |    |    |   |   |   |   |   |
|  | 3rd »           | 1-    | 1-  |   |   |   |   |   |   |   |   |   |   |    | 1-  | 1-  |    |    |   |   |   |   |   |
|  | 4th »           | 1     | 2   | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11  | 12  | 13 | 14 | 1 | 2 | 1 | 2 | 3 |
| Large Processing Facility Accepting All Types of Traffic   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Small Processing Facility Accepting at Least 98% of<br>Total Annual Weight of Recyclables From Commercial &<br>Industrial Traffic  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Small Processing Facility Accepting All Types of Traffic   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Reverse Vending Machines   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Tire Processing Facility   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Sidewalk Cafes   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Sports Arenas & Stadiums   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Theaters that are outdoor or over 5,000 square feet in size  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Veterinary Clinics & Animal Hospitals  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Zoological Parks   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| <b>Offices</b>   |                 |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Business & Professional  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Government   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Medical, Dental, & Health Practitioner   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Regional & Corporate Headquarters  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| <b>Separately Regulated Office Uses</b>  |                 |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Real Estate Sales Offices & Model Homes  | L               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    | L  |   |   |   |   | L |
| Sex Offender Treatment & Counseling  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| <b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>   |                 |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Commercial Vehicle Repair & Maintenance  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Commercial Vehicle Sales & Rentals   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Personal Vehicle Repair & Maintenance  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Personal Vehicle Sales & Rentals   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Vehicle Equipment & Supplies Sales & Rentals   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| <b>Separately Regulated Vehicle &amp; Vehicular Equipment<br/>Sales &amp; Service Uses</b>   |                 |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Automobile Service Stations  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Outdoor Storage & Display of New, Unregistered Motor<br>Vehicles as a <i>Primary Use</i>   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| <b>Wholesale, Distribution, Storage</b>  |                 |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Equipment & Materials Storage Yards  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Moving & Storage Facilities  | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |
| Warehouses   | -               |       |     |   |   |   |   |   |   |   |   |   |   |    |     |     |    |    |   |   |   |   |   |

11

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator | Zones |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
|--|-----------------|-------|---|---|-----|---|---|---|---|---|---|---|---|----|-----|----|-----|----|---|---|---|---|---|---|
|  | 1st & 2nd »     | RE-   |   |   | RS- |   |   |   |   |   |   |   |   |    | RX- |    | RT- |    |   |   |   |   |   |   |
|  | 3rd »           | 1-    |   |   | 1-  |   |   |   |   |   |   |   |   |    | 1-  |    | 1-  |    |   |   |   |   |   |   |
|  | 4th »           | 1     | 2 | 3 | 1   | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11  | 12 | 13  | 14 | 1 | 2 | 1 | 2 | 3 | 4 |
| <b>Wholesale Distribution</b>  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| <b>Separately Regulated Wholesale, Distribution, and Storage Uses</b>  |                 |       |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| Impound Storage Yards  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Junk Yards   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Temporary Construction Storage Yards Located off-site  |                 | N     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | N |   |   |   |   | N |
| <b>Industrial</b>  |                 |       |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| Heavy Manufacturing  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Light Manufacturing  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Marine Industry  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Research & Development   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Trucking & Transportation Terminals  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| <b>Separately Regulated Industrial Uses</b>  |                 |       |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| Hazardous Waste Research Facility  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Hazardous Waste Treatment Facility   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Marine Related Uses Within the Coastal Overlay Zone  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Mining and Extractive Industries   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Newspaper Publishing Plants  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Processing & Packaging of Plant Products & Animal By-products Grown Off-premises   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Very Heavy Industrial Uses   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Wrecking & Dismantling of Motor Vehicles   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| <b>Signs</b>   |                 |       |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| Allowable Signs  |                 | P     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | P |   |   |   |   | P |
| <b>Separately Regulated Signs Uses</b>   |                 |       |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    |   |   |   |   |   |   |
| Community Identification Signs   |                 | N     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | N |   |   |   |   | N |
| Reallocation of Sign Area Allowance  |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Revolving Projecting Signs   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Signs with Automatic Changing Copy   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |
| Theater Marquees   |                 | -     |   |   |     |   |   |   |   |   |   |   |   |    |     |    |     |    | - |   |   |   |   | - |

| Use Categories/ Subcategories<br>[See Section 131.0112 for an explanation<br>and descriptions of the Use Categories,<br>Subcategories, and Separately Regulated<br>Uses] | Zone Designator |  | Zones |   |   |    |   |   |    |   |   |    |    |    |  |
|--|-----------------|--|-------|---|---|----|---|---|----|---|---|----|----|----|--|
|  | 1st & 2nd »     |  | RM-   |   |   |    |   |   |    |   |   |    |    |    |  |
|  | 3rd »           |  | 1-    |   |   | 2- |   |   | 3- |   |   | 4- |    | 5- |  |
|  | 4th »           |  | 1     | 2 | 3 | 4  | 5 | 6 | 7  | 8 | 9 | 10 | 11 | 12 |  |
| Processing & Packaging of Plant Products & Animal By-products Grown Off-premises   |                 |  | -     | - | - | -  | - | - | -  | - | - | -  | -  | -  |  |
| Very Heavy Industrial Uses   |                 |  | -     | - | - | -  | - | - | -  | - | - | -  | -  | -  |  |
| Wrecking & Dismantling of Motor Vehicles   |                 |  | -     | - | - | -  | - | - | -  | - | - | -  | -  | -  |  |
| <b>Signs</b>   |                 |  |       |   |   |    |   |   |    |   |   |    |    |    |  |
| <b>Allowable Signs</b>   |                 |  | P     |   |   | P  |   |   | P  |   |   | P  |    | P  |  |
| <b>Separately Regulated Signs Uses</b>   |                 |  |       |   |   |    |   |   |    |   |   |    |    |    |  |
| Community Identification Signs   |                 |  | N     |   |   | N  |   |   | N  |   |   | N  |    | N  |  |
| Reallocation of Sign Area Allowance  |                 |  | -     |   |   | -  |   |   | -  |   |   | -  |    | -  |  |
| Revolving Projecting Signs   |                 |  | -     |   |   | -  |   |   | -  |   |   | -  |    | -  |  |
| Signs with Automatic Changing Copy   |                 |  | -     |   |   | -  |   |   | -  |   |   | -  |    | -  |  |
| Theater Marquees   |                 |  | -     |   |   | -  |   |   | -  |   |   | -  |    | -  |  |

Footnotes for Table 131-04B

- 1 Development of a mobilehome park in any RS or RX zone is subject to Section 143.0302.
- 2 Development of a mobilehome park in the RM zones is subject to Section 143.0302.
- 3 This use is permitted only if as an *accessory use*, but shall not be subject to the *accessory use* regulations in Section 131.0125.
- 4 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 5 Non-owner occupants must reside on the *premises* for at least 7 consecutive calendar days.
- 6 Two *guest rooms* are permitted for visitor accommodations per the specified square footage of lot area required per dwelling unit (maximum permitted *density*), as indicated on Table 131-04G.
- 7 See Section 131.0423(c).
- 8 See Section 131.0423(a).
- 9 See Section 131.0423(b).

- 10 Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres. Maintaining, raising, feeding, or keeping of swine is not permitted.

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**§ 131.0423 Additional Use Regulations of Residential Zones**

The following uses are permitted in the residential zones indicated in Table 131-04B, subject to the additional use regulations in this section.

- (a) Medical, dental, and health practitioner offices are permitted subject to the following:
- (1) No overnight patients are permitted; and
  - (2) Not more than two practitioners, and not more than three employees of each practitioner, shall work on the *premises*.
- (b) Sales and commercial service uses, where identified in the RM zones, are permitted subject to the following:
- (1) Identified retail and commercial services uses are permitted only as a mixed-use in *developments* with 25 or more residential dwelling units;
  - (2) Retail and commercial uses must be located on the ground *floor*; and
  - (3) Retail and commercial uses shall not occupy more than a total of 25 percent of the *gross floor area* of the ground *floor*.
- (c) Group living accommodations are permitted subject to the following:
- (1) Group living accommodations shall not contain more than 5 *guest rooms*.
  - (2) No more than 2 renters per *guest room* are permitted.
  - (3) Meals may be provided for renters only.
  - (4) Renters of *guest rooms* must reside on the *premises* for at least 7 consecutive calendar days.

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**§ 131.0430 Development Regulations of Residential Zones**

- (a) Within the residential zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.

- (c) The regulations in this division apply to all *development* in the residential base zones whether or not a permit or other approval is required except where specifically identified.

§ 131.0431 **Development Regulations Table of Residential Zones**

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

- (a) RE Zones

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

| Development Regulations<br>[See Section 131.0430 for Development<br>Regulations of Residential Zones] | Zone designator | Zones   |         |         |
|---|-----------------|---------|---------|---------|
|   | 1st & 2nd »     | RE-     |         |         |
|   | 3rd »           | 1-      | 1-      | 1-      |
|   | 4th »           | 1       | 2       | 3       |
| <b>Max permitted density (DU per lot)</b>   |                 | 1       | 1       | 1       |
| <b>Min lot area (ac)</b>  |                 | 10      | 5       | 1       |
| <b>Min lot dimensions</b>   |                 |         |         |         |
| Lot width (ft)  |                 | 200     | 200     | 100     |
| <i>street frontage</i> (ft) [See Section 131.0442(a)]   |                 | 200     | 200     | 100     |
| Lot width (corner) (ft)   |                 | 200     | 200     | 100     |
| Lot depth (ft)  |                 | 200     | 200     | 150     |
| <b>Setback requirements</b>   |                 |         |         |         |
| Min Front <i>setback</i> (ft) [See Section 131.0443(a)(1) and (2)]                                    |                 | 25      | 25      | 25      |
| Min Side <i>setback</i> (ft) [See Section 131.0443(a)(3)]   |                 | 20      | 20      | 20      |
| Min <i>Street side setback</i> (ft) [See Section 131.0443(a)(3)]                                      |                 | 20      | 20      | 20      |
| Min Rear <i>setback</i> (ft) [See Section 131.0443(a)(4)]   |                 | 25      | 25      | 25      |
| <b>Setback requirements for resubdivided corner lots</b> [See Section 131.0443(i)]                    |                 | applies | applies | applies |
| <b>Max structure height</b> (ft) [See Section 131.0444(a)]  |                 | 30      | 30      | 30      |
| <b>Lot coverage for sloping lots</b> [See Section 131.0445(a)]  |                 | applies | applies | applies |
| <b>Max floor area ratio</b>   |                 | 0.10    | 0.20    | 0.35    |
| <b>Max paving/ hardscape</b> [See Section 131.0447]   |                 | applies | applies | applies |
| <b>Accessory uses and structures</b> [See Section 131.0448 (a),(b)]                                   |                 | applies | applies | applies |
| <b>Garage regulations</b> [See Section 131.0449(a)]   |                 | applies | applies | applies |
| <b>Building spacing</b> [See Section 131.0450]  |                 | applies | applies | applies |
| <b>Max third story dimensions</b>   |                 | --      | --      | --      |
| <b>Architectural projections and encroachments</b> [See Section 131.0461(a)]                          |                 | --      | --      | --      |
| <b>Supplemental requirements</b> [See Section 131.0464(a)]  |                 | applies | applies | applies |
| <b>Diagonal plan dimension</b>  |                 | --      | --      | --      |

15

(b) RS Zones

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

| Development Regulations<br>[See Section 131.0430 for<br>Development Regulations of<br>Residential Zones] | Zone Designator | Zones                |                       |                       |                       |                       |                       |                       |
|--|-----------------|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|  | 1st & 2nd »     | RS-                  |                       |                       |                       |                       |                       |                       |
|  | 3rd »           | 1-                   | 1-                    | 1-                    | 1-                    | 1-                    | 1-                    | 1-                    |
|  | 4th »           | 1                    | 2                     | 3                     | 4                     | 5                     | 6                     | 7                     |
| <b>Max permitted density (DU per lot)</b>  |                 | 1                    | 1                     | 1                     | 1                     | 1                     | 1                     | 1                     |
| <b>Min lot area (sf)</b>   |                 | 40,000               | 20,000                | 15,000                | 10,000                | 8,000                 | 6,000                 | 5,000                 |
| <b>Min lot dimensions</b>  |                 |                      |                       |                       |                       |                       |                       |                       |
| Lot width (ft)   |                 | 100                  | 80                    | 75                    | 65                    | 60                    | 60                    | 50                    |
| Street frontage (ft) [See Section 131.0442(a)]   |                 | 100                  | 80                    | 75                    | 65                    | 60                    | 60                    | 50                    |
| Lot width (corner) (ft)  |                 | 110                  | 85                    | 80                    | 70                    | 65                    | 65                    | 55                    |
| Lot depth (ft)   |                 | 100                  | 100                   | 100                   | 100                   | 100                   | 95                    | 95                    |
| <b>Setback requirements</b>  |                 |                      |                       |                       |                       |                       |                       |                       |
| Min Front setback (ft) [See Section 131.0443(a)(1)]  |                 | 25 <sup>(1)</sup>    | 25 <sup>(1)</sup>     | 20 <sup>(1)</sup>     | 20 <sup>(1)</sup>     | 20 <sup>(1)</sup>     | 15 <sup>(1)</sup>     | 15 <sup>(1)</sup>     |
| Min Side setback (ft)  |                 | 10 <sup>(2)</sup>    | 10 <sup>(2)</sup>     | 6 <sup>(2)</sup>      | 6 <sup>(2)</sup>      | 6 <sup>(2)</sup>      | 5 <sup>(2)</sup>      | 4 <sup>(2)</sup>      |
| Min Street side setback (ft)   |                 | 10 <sup>(2)</sup>    | 10 <sup>(2)</sup>     | 10 <sup>(2)</sup>     | 10 <sup>(2)</sup>     | 10 <sup>(2)</sup>     | 10 <sup>(2)</sup>     | 10 <sup>(2)</sup>     |
| Min Rear setback (ft)  |                 | 25 <sup>(3)</sup>    | 25 <sup>(3)</sup>     | 20 <sup>(3)</sup>     | 20 <sup>(3)</sup>     | 20 <sup>(3)</sup>     | 15 <sup>(3)</sup>     | 13 <sup>(3)</sup>     |
| Setback requirements for resubdivided corner lots [See Section 131.0443(i)]                              |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Max structure height (ft)  |                 | 24/30 <sup>(4)</sup> | 24/30 <sup>(4)</sup>  | 24/30 <sup>(4)</sup>  | 24/30 <sup>(4)</sup>  | 24/30 <sup>(4)</sup>  | 24/30 <sup>(4)</sup>  | 24/30 <sup>(4)</sup>  |
| Lot coverage for sloping lots [See Section 131.0445(a)]  |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Max floor area ratio   |                 | 0.45                 | varies <sup>(5)</sup> | varies <sup>(5)</sup> | varies <sup>(5)</sup> | varies <sup>(5)</sup> | varies <sup>(5)</sup> | varies <sup>(5)</sup> |
| Max paving/ hardscape [See Section 131.0447]   |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Accessory uses and structures [See Section 131.0448 (a),(b)]   |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Garage regulations [See Section 131.0449(a)]   |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Building spacing [See Section 131.0450]  |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Max third story dimensions [See Section 131.0460]  |                 | --                   | applies               | applies               | applies               | applies               | applies               | applies               |
| Architectural projections and encroachments [See Section 131.0461(a)]                                    |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Supplemental requirements [See Section 131.0464(a)]  |                 | applies              | applies               | applies               | applies               | applies               | applies               | applies               |
| Diagonal plan dimension [See Section 131.0465]   |                 | --                   | --                    | --                    | --                    | --                    | --                    | applies               |

16



| Development Regulations<br>[See Section 131.0430 for<br>Development Regulations of<br>Residential Zones] | Zone Designator | Zones             |                   |                   |                   |                   |                   |                   |
|--|-----------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
|  | 1st & 2nd »     | RS-               |                   |                   |                   |                   |                   |                   |
|  | 3rd »           | 1-                | 1-                | 1-                | 1-                | 1-                | 1-                | 1-                |
|  | 4th »           | 8                 | 9                 | 10                | 11                | 12                | 13                | 14                |
| <b>Max permitted density (DU per lot)</b>  |                 | 1                 | 1                 | 1                 | 1                 | 1                 | 1                 | 1                 |
| <b>Min lot area (sf)</b>   |                 | 40,000            | 20,000            | 15,000            | 10,000            | 8,000             | 6,000             | 5,000             |
| <b>Min lot dimensions</b>  |                 |                   |                   |                   |                   |                   |                   |                   |
| Lot width (ft)   |                 | 100               | 80                | 75                | 65                | 60                | 60                | 50                |
| street frontage (ft) [See Section 131.0442(a)]   |                 | 100               | 80                | 75                | 65                | 60                | 60                | 50                |
| Lot width (corner) (ft)  |                 | 110               | 85                | 80                | 70                | 65                | 65                | 55                |
| Lot depth (ft)   |                 | 100               | 100               | 100               | 100               | 100               | 95                | 95                |
| <b>Setback requirements</b>  |                 |                   |                   |                   |                   |                   |                   |                   |
| Min Front setback (ft) [See Section 131.0443(a)(1)]  |                 | 25                | 25                | 25                | 20                | 15                | 15                | 15                |
| Min Side setback (ft)  |                 | 10                | 8                 | 7                 | 6                 | 5                 | 5                 | 4                 |
| Min Street side setback (ft)   |                 | 20                | 15                | 15                | 10                | 10                | 10                | 10                |
| Min Rear setback (ft)  |                 | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> | 10 <sup>(6)</sup> |
| Setback requirements for resubdivided corner lots<br>[See Section 131.0443(i)]                           |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Max structure height (ft)  |                 | 35                | 35                | 35                | 35                | 35                | 35                | 35                |
| Lot coverage for sloping lots [See Section<br>131.0445(a)]   |                 | -                 | -                 | -                 | -                 | -                 | -                 | -                 |
| Max floor area ratio [See Section 131.0446(b)]   |                 | 0.45              | 0.60              | 0.60              | 0.60              | 0.60              | 0.60              | 0.60              |
| Max paving/ hardscape [See Section 131.0447]   |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Accessory uses and structures [See Section 131.0448<br>(a),(b)]  |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Garage regulations [See Section 131.0449(a)]   |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Building spacing [See Section 131.0450]  |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Max third story dimensions   |                 | -                 | -                 | -                 | -                 | -                 | -                 | -                 |
| Architectural projections and encroachments [See<br>Section 131.0461(a)]                                 |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Supplemental requirements [See Section<br>131.0464(a)]   |                 | applies           | applies           | applies           | applies           | applies           | applies           | applies           |
| Diagonal plan dimension  |                 | -                 | -                 | -                 | -                 | -                 | -                 | -                 |

Footnotes for Table 131-04D

- 1 See Section 131.0443(a)(2).
- 2 See Section 131.0443(a)(3).
- 3 See Section 131.0443(a)(4).

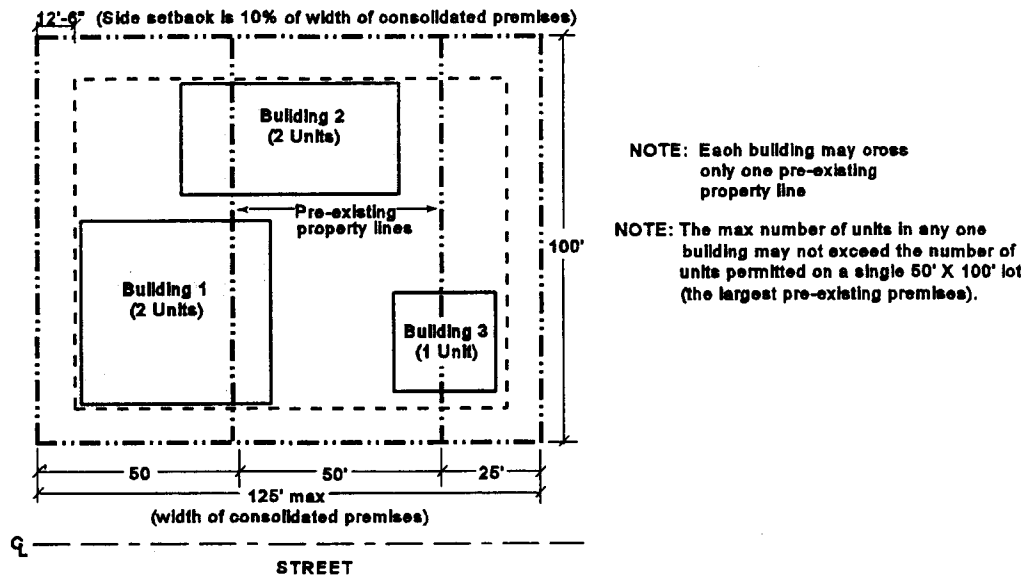
- 4 See Section 131.0444(b).
- 5 See Section 131.0446(a).
- 6 See Section 131.0443(a)(5).

(c) RX Zones

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

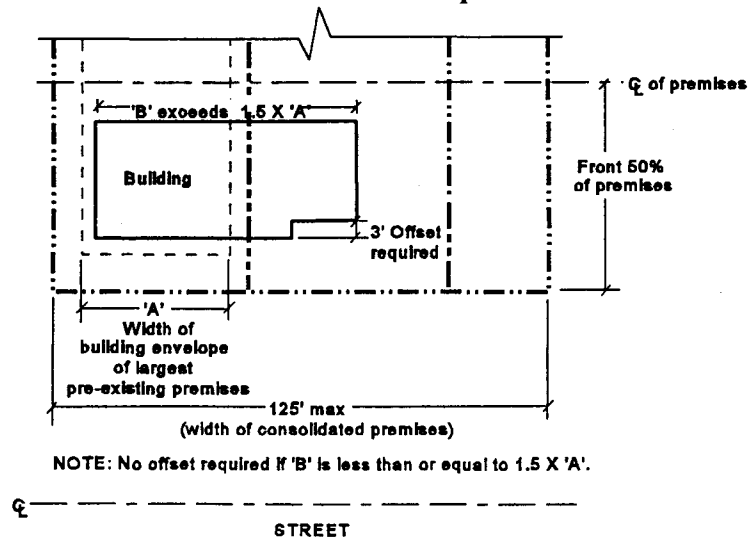
| Development Regulations<br>[See Section 131.0430 for Development Regulations of Residential Zones] | Zone designator | Zones   |                   |
|--|-----------------|---------|-------------------|
|  | 1st & 2nd »     | RX-     |                   |
|  | 3rd »           | 1-      | 1-                |
|  | 4th »           | 1       | 2                 |
| <b>Maximum permitted density (DU per lot)</b>  |                 | 1       | 1                 |
| <b>Min lot area (sf)</b> [See Section 131.0441]  |                 | 4,000   | 3,000             |
| <b>Min lot dimensions</b>  |                 |         |                   |
| Lot width (ft)   |                 | 35      | 35 <sup>(1)</sup> |
| street frontage (ft) [See Section 131.0442(b)]   |                 | 35      | 35 <sup>(1)</sup> |
| Lot width (corner) (ft)  |                 | 35      | 35 <sup>(1)</sup> |
| Lot depth (ft)   |                 | 50      | 50                |
| <b>Setback requirements</b>  |                 |         |                   |
| Min Front setback (ft) [See Section 131.0443(b)(1)]  |                 | 15      | 15                |
| Min Side setback (ft) [See Section 131.0443(b)(2)]   |                 |         |                   |
| Detached   |                 | 3/0     | 3/0               |
| Attached   |                 | 0       | 0                 |
| Min Street Side Setback (ft) [See Section 131.0443(b)(2)]  |                 | 3       | 3                 |
| Min Rear setback (ft) [See Section 131.0443(b)(3)]   |                 | 10      | 10                |
| Max structure height (ft) [See Section 131.0444(c)]  |                 | 30      | 30                |
| Max floor area ratio [See Section 131.0446(c)]   |                 | 0.70    | 0.80              |
| Accessory uses and structures [See Section 131.0448(a),(b)]  |                 | applies | applies           |
| Garage regulations [See Section 131.0449(a)]   |                 | applies | applies           |
| Building spacing [See Section 131.0450]  |                 | applies | applies           |
| Architectural projections and encroachments [See Section 131.0461(a)]                              |                 | applies | applies           |
| Requirements for attached units [See Section 131.0462]   |                 | applies | applies           |
| Roof design variation [See Section 131.0463]   |                 | applies | applies           |
| Supplemental regulations [See Section 131.0464(b)]   |                 | applies | applies           |
| Diagonal plan dimension [See Section 131.0465]   |                 | applies | applies           |

Diagram 131-04R  
Buildings on Consolidated Lots



- (c) If the depth of the *lots* to be consolidated is greater than 139 feet, only 139 feet shall be used in the calculation to determine the number of units permitted without a Site Development Permit; and
- (d) Within the front 50 percent of the consolidated *premises*, a minimum 3-foot offset in the front facade shall be required for any building where the dimension most parallel to the *street* exceeds one-and-one-half times the width of the permitted *building envelope* of the largest *lot* existing before consolidation. See Diagram 131-04S.

Diagram 131-04S  
Lot Consolidation Offset Requirement



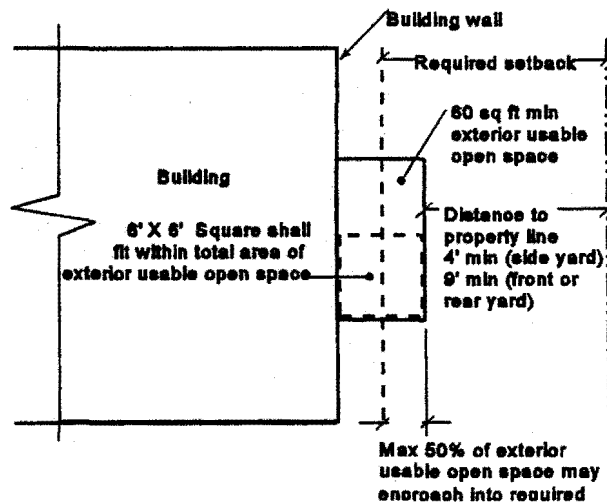
§ 131.0454 Storage Requirements in the RM Zones

In all RM zones, each dwelling unit shall have a fully enclosed, personal storage area outside the unit that is at least 240 cubic feet with a minimum 7-foot horizontal dimension along one plane.

§ 131.0455 Private Exterior Open Space in the RM Zones

- (a) In the RM-1-1, RM-1-2, and RM-1-3 zones, at least 60 square feet of usable, private, exterior open space abutting each dwelling unit shall be provided with a minimum dimension of 6 feet in any direction. The open space may be located in required *yard* areas, but shall be no closer than 9 feet to the front or rear *property lines*, and no closer than 4 feet to the side *property lines*. See Diagram 131-04T.

Diagram 131-04T  
Private Exterior Open Space



- (b) In the RM-2-4, RM-2-5, and RM-2-6 zones, at least 75 percent of the dwelling units shall be provided with at least 60 square feet of usable, private, exterior open space abutting the unit with a minimum dimension of 6 feet. The open space may be located in required front and rear *yards*, but shall be no closer than 9 feet to the front *property line*.
- (c) In the RM-3-7, RM-3-8, and RM-3-9 zones, at least 75 percent of the dwelling units shall be provided with at least 60 square feet of usable, private, exterior open space abutting the unit with a minimum dimension of 6 feet. The open space may be located in the required front *yard*, but shall be no closer than 9 feet to the front *property line*.
- (d) In the RM-4-10, RM-4-11, and RM-5-12 zones, at least 50 square feet of usable, private, exterior open space abutting each dwelling unit shall be provided with a minimum dimension of 4 feet.

§ 131.0441 **Minimum Lot Area in Residential Zones**

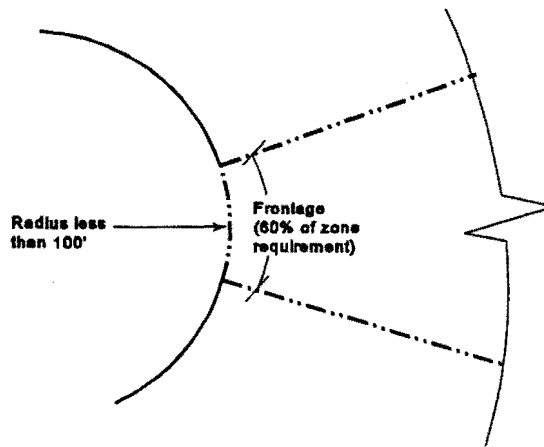
In the RX and RT zones, *lots* served by *alley* access may use a portion of the *alley* to meet the minimum lot area requirement. Up to one-half the width of the abutting *alley*, not to exceed 10 feet, may be applied toward the total lot area provided the *alley* area does not exceed 10 percent of the minimum lot area requirement.

§ 131.0442 **Minimum Lot Dimensions in Residential Zones**

(a) Exception to Minimum *Street Frontage* in the RE, RS, and RM Zones

The minimum *street frontage* for any *lot* in the RE, RS, and RM zones that fronts principally on a turnaround or curving *street* with a centerline radius of less than 100 feet, is 60 percent of the *street frontage* specified for the zone in which the *lot* is located as shown in Diagram 131-04A.

Diagram 131-04A  
Lot Frontage on Curving Street



(b) Exception to Minimum *Street Frontage* in the RX Zones

The minimum *street frontage* is 28.5 feet for any *lot* in the RX zones that fronts principally on a turnaround or curving *street* with a centerline radius of less than 100 feet.

(c) Minimum Lot Dimensions in the RX-1-2 Zone

Where a *lot* in the RX-1-2 zone abuts an *alley* and access is taken from the *alley*, the indicated minimum lot dimensions are as follows:

|                        |         |
|------------------------|---------|
| Lot Width              | 25 feet |
| <i>Street Frontage</i> | 25 feet |
| Lot Width (corner)     | 25 feet |

§ 131.0443 **Setback Requirements in Residential Zones**

(a) *Setbacks* in RE and RS Zones

(1) Front *Setbacks* in RE and RS Zones

For that portion of a *lot* that fronts a cul-de-sac, the minimum front *setback* may be reduced 5 feet below the requirement specified in Tables 131-04C and 131-04D; however, in no case shall the *setback* be less than 5 feet.

(2) Front *Setbacks* in all RE Zones and the RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, RS-1-7 Zones

For *lots* where at least one-half of the front 50 feet of the lot depth has a minimum slope gradient of 25 percent, the *setback* closest to the *street frontage* may be reduced to a minimum of 6 feet.

(3) Side and *Street Side Setbacks* in all RE Zones and the RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, RS-1-7 Zones

(A) For *lots* exceeding 50 feet in width, each side *setback* shall be at least the dimension shown in Tables 131-04C and 131-04D or 10 percent of the width of the *lot*, whichever is greater, except one side *setback* may observe the minimum dimension shown in Tables 131-04C and 131-04D as long as the combined dimensions of both side *setbacks* equals at least 20 percent of the lot width.

(B) The *street side setback* is at least the dimension shown in Tables 131-04C and 131-04D or 10 percent of the lot width, whichever is greater.

(C) For *lots* with 40 to 50 feet in width, each side *setback* is a minimum of 4 feet.

(D) For *lots* with less than 40 feet in width, each side *setback* may be reduced to 10 percent of the lot width but shall not be reduced to less than 3 feet.

(E) For irregularly shaped *lots*, such as pie shaped *lots*, the *setbacks* is based on the average lot width for the first 50 feet of lot depth.

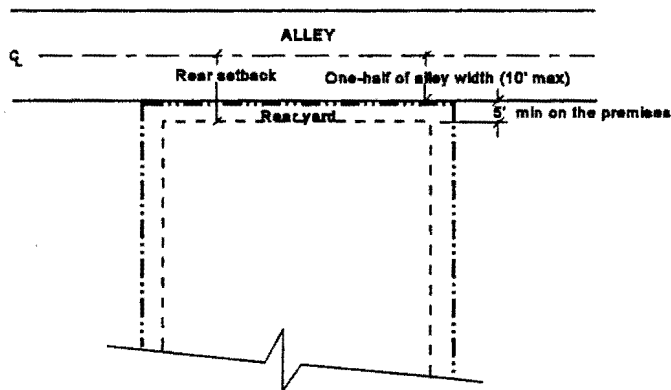
(F) For consolidated *lots*, the width for determining *setback* requirements is the width of the *premises* after the consolidation.

(4) Rear *Setback* in all RE Zones and the RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, RS-1-7 Zones

(A) The required rear *setback* is at least the dimension shown in Table 131-04D, except as follows:

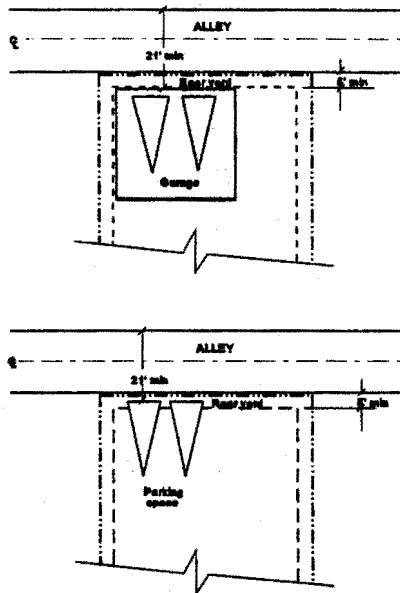
- (i) For *lots* with less than 100 feet in depth, the rear *setback* is at least 10 percent of the lot depth, but not less than 5 feet; and
  - (ii) For *lots* with greater than 150 feet in depth, the rear *setback* is at least 10 percent of the lot depth or the dimension shown in Tables 131-04C and 131-04D, whichever is greater.
- (B) Where a rear *yard* abuts an *alley*, one-half of the *alley* width, but not more than 10 feet, may be counted toward the required rear *setback*. In no case shall a rear *setback* using this provision be less than 5 feet on the *premises*. See Diagram 131-04B.

Diagram 131-04B  
Rear Yard Abutting Alley



- (C) Where access for parking is taken from the *alley* and the parking spaces are not parallel to the *alley*, a minimum distance of 21 feet shall be provided between the edge of the *alley public right-of-way* opposite the *lot* and the outside edge of the parking garage or parking stall closest to the *alley*. See Diagram 131-04C.

Diagram 131-04C  
Parking Adjacent to Alley



- (5) Rear *Setback* in the RS-1-8, RS-1-9, RS-1-10, RS-1-11, RS-1-12, RS-1-13, and RS-1-14 Zones

For *lots* that are served by *alley* access, the rear *setback* may be reduced to 4 feet.

(b) *Setbacks* in RX Zones

- (1) Front *Setback* in RX Zones

RX zone *developments* exceeding a total of four dwelling units are required to provide variable front *setbacks* as follows:

- (A) Front *setbacks* of 15 feet are required for at least 25 percent of the total dwelling units, 10-foot front *setbacks* are required for at least 25 percent of the total dwelling units, and 20-foot front *setbacks* are required for at least 25 percent of the total dwelling units;
- (B) No more than 40 percent of the total number of dwelling units are permitted to have front *setbacks* in any one category (i.e. 10 feet, 13 feet, or 16 feet) described in 131.0443(e)(2)(A); and
- (C) Variable front *setbacks* described in this section shall be established by easement at the time of *tentative map* approval. The easements shall be established at the time of zone application if *lots* are existing and no map is proposed. If a Planned Development Permit is processed, the variable *setbacks* may be established with the permit in lieu of creating easements.



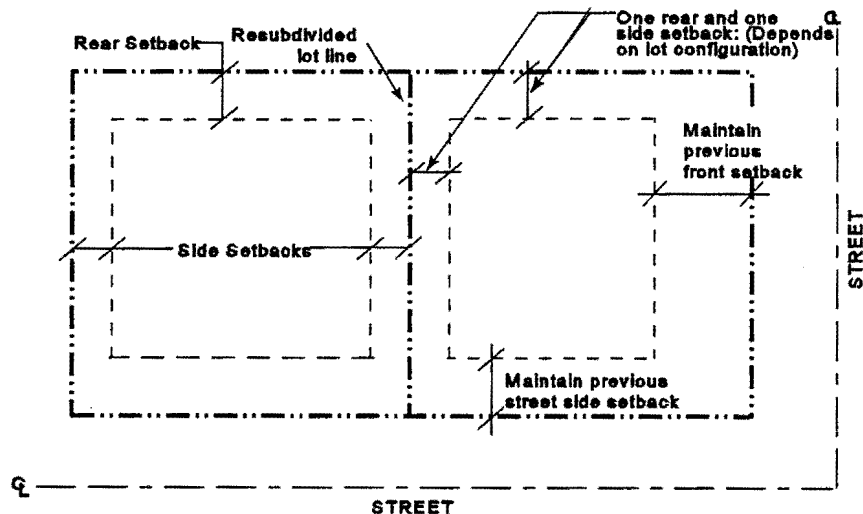
(4) Rear *Setback* in the RM-5-12 Zone

The rear *setback* specified in Table 131-04G shall be increased 3 feet for each 12 feet of *structure height* over 24 feet.

(i) *Setbacks* for Resubdivided Corner Lots in the RE, RS, and RM Zones

Corner *lots* that have been resubdivided shall maintain the front *setback* and *street side setback* in compliance with the requirements placed on the original *lot* configuration, as shown in Diagram 131-04K. The rear *yards* of the resubdivided *lots* shall be adjacent to the *property line* located opposite the front *property line* of the resubdivided *lots*.

Diagram 131-04K  
Setbacks for Resubdivided Corner Lots



§ 131.0444 Maximum Structure Height in Residential Zones

- (a) In the RE zones, a *structure* may exceed the 30-foot height limit to a maximum of 35 feet if the front, side, and rear *setbacks* are each increased by 10 feet, except where *structure height* is limited by the regulations in Chapter 13, Article 2 (Overlay Zones).
- (b) In the RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, and RS-1-7 zones, *structure height* shall not exceed the height of the *building envelope*. Abutting the required front, side, and street side yards, the height of the *building envelope* above 24 feet is established by the angled *building envelope* planes shown in Table 131-04H up to the maximum permitted 30-foot *structure height*, as shown in Diagram 131-04L. If the maximum *structure height* does not exceed 27 feet, the angle above 24 feet is required only at the *side yards*.

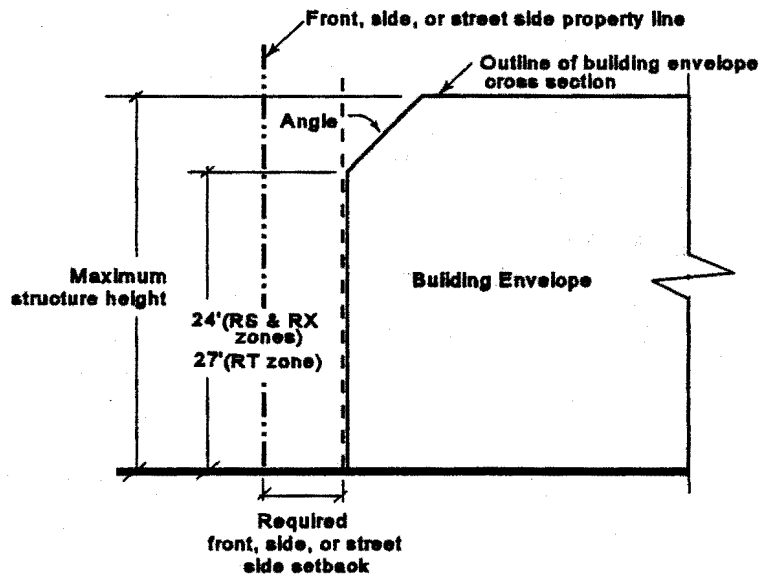
**Table 131-04H  
Required Angle Building Envelope Plane**

| Lot Width             | Angle of Plane |
|-----------------------|----------------|
| Less than 75 feet     | 45 degrees     |
| 75 feet to 150 feet   | 30 degrees     |
| Greater than 150 feet | 0 degrees      |

The angled planes are measured from the vertical axis inward.

Chimneys may project into the space above the angled *building envelope* planes to a maximum *structure height* of 30 feet.

**Diagram 131-04L  
Angled Building Envelope Planes in RS, RX, and RT Zones**



- (c) In the RX zones, the *structure height* shall not exceed the height of the *building envelope*. Abutting the required front, side, and street side yards, the height of the *building envelope* above 24 feet is established by a 45-degree angled *building envelope* plane up to the maximum permitted 30-foot *structure height*. If the maximum *structure height* does not exceed 27 feet in height, the 45-degree angled *building envelope* plane is required only along the side yards. The angled *building envelope* planes shall be measured in accordance with Diagram 131-04L. Chimneys may project into the space above the angled *building envelope* planes to the maximum *structure height* of 30 feet.
- (d) In the RT zone, for buildings with a slab foundation, the maximum permitted *structure height* is 21 feet for one- and two-story *structures* or 31 feet for three-story *structures*. For buildings with a conventional raised *floor*, the maximum permitted *structure height* is 25 feet for one- and two-story *structures* or 35 feet for three-story *structures*. For buildings

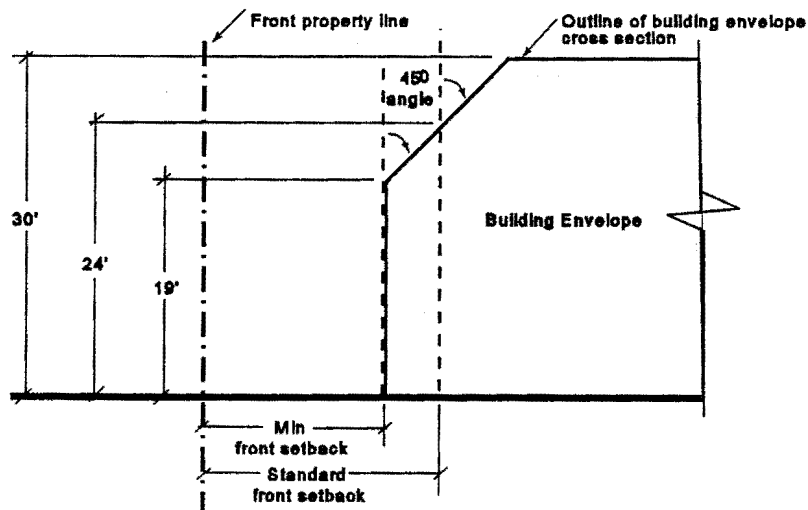
with sloped roofs with at least a 3:12 pitch (3 vertical feet to 12 horizontal feet), the maximum permitted *structure height* is increased by 5 feet. In all cases, unless otherwise excepted, the height of the *building envelope* above 27 feet adjacent to the front *setback line* is established by a 30-degree angled *building envelope* plane slanting inward to the maximum permitted *structure height*. The angled *building envelope* planes shall be measured in accordance with Diagram 131-04L.

(e) *Structure Height* Requirements in RM-1-1, RM-1-2, RM-1-3 Zones

(1) *Structure height* shall not exceed the height of the *building envelope*, established as follows:

(A) At the front *setback line*, the height of the *building envelope* above 19 feet at the minimum *setback* and 24 feet at the standard *setback*, is established by a 45-degree angled *building envelope* plane sloping inward to the maximum permitted 30-foot *structure height* limit, as shown in Diagram 131-04M.

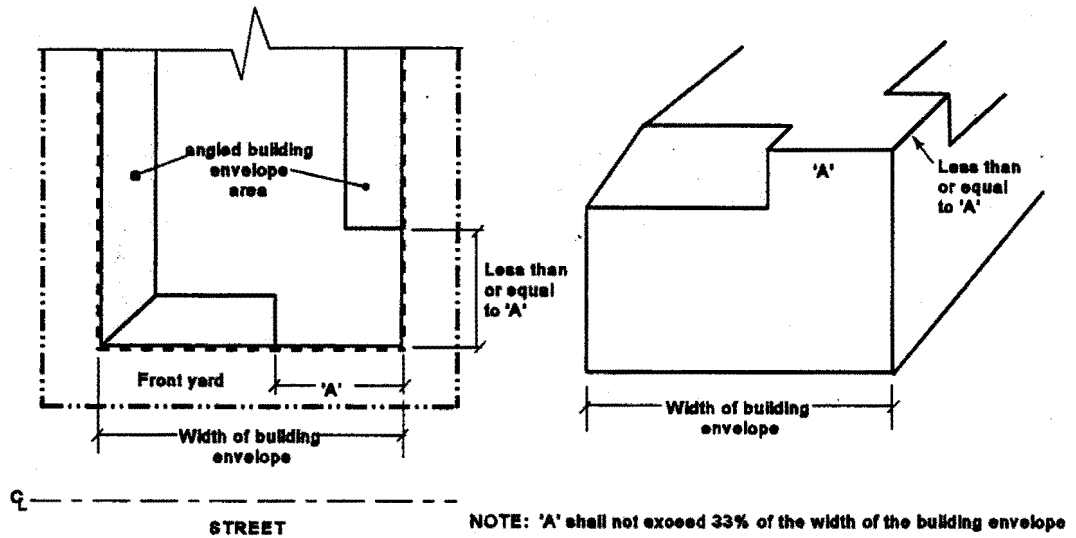
Diagram 131-04M  
Angled Building Envelope at Front Setback



Exception: The *building envelope* may have a projection outside the angled *building envelope* area for up to 33 percent of the width of the *building envelope* facing the front *yard*. The maximum depth of the projection shall be equal to or less than its width. See Diagram 131-04N.

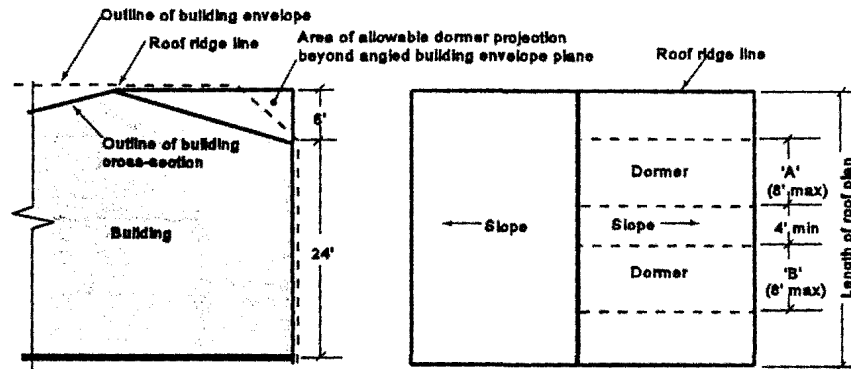
Chimneys may project into the space above the angled *building envelope* planes to a maximum height of 30 feet.

Diagram 131-04N  
Exception for Angled Building Envelope Area

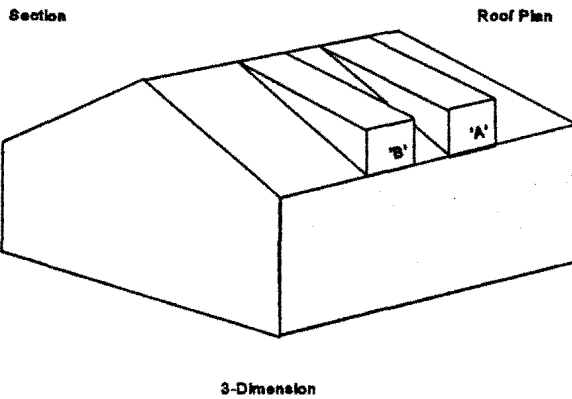


- (B) At the side *setback line*, the height of the *building envelope* above 24 feet in height is established by a 45-degree *building envelope* plane sloping inward to the maximum permitted 30-foot *structure height*.
- (2) *Dormer* windows may project into the space above the 45-degree angled *building envelope* planes, as shown in Diagram 131-04O, subject to the following:
- (A) A *dormer* window may not extend beyond a height of 30 feet;
  - (B) The aggregate width of *dormer* windows may not exceed 30 percent of the length of the roof plan to which the *dormers* will be attached;
  - (C) Each *dormer* window may not exceed 8 feet in width measured at the widest point; and
  - (D) There shall be at least 4 feet between each *dormer* window.

Diagram 131-04O  
Dormer Window Projection Beyond Angled Building Envelope Plane



NOTE: Total width of dormer projections ('A' + 'B') shall not exceed 30% of length of roof plan in RM -1-1, RM -1-2, RM -1-3 zones or 50% of length of roof plan in RM -2-4, RM -2-5, RM -2-6 zones.



(f) *Structure Height Requirements in RM-2-4, RM-2-5, RM-2-6 Zones*

- (1) *Structure height shall not exceed the height of the building envelope, established as follows:*

At the side *setback lines*, the maximum height of the *building envelope* above 30 feet in height is established by a 60-degree angled *building envelope* plane sloping inward from the side *setback lines* to the maximum permitted 40-foot *structure height*.

- (2) *Dormer windows may project into the space above the 60-degree angled building envelope planes, as shown in Diagram 131-04O subject to the following:*

- (A) The aggregate width of *dormer windows* may not exceed 50 percent of the length of the roof plan to which the *dormers* will be attached; and

- (B) *Dormer windows* may not extend beyond a height of 40 feet.

**§ 131.0445 Lot Coverage in Residential Zones**

- (a) In all RE zones and the RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-4, RS-1-5, RS-1-6, and RS-1-7 zones, the maximum permitted *lot coverage* is 50 percent on any *premises* where more than 50 percent of the *premises* contains *steep hillsides*.
- (b) In the RT zones, garages of 525 square feet of *floor area* or less are not included in the calculation of *lot coverage*. Bay windows and turrets, when built at ground level, count as coverage. Roofed entryways (porches) and balconies with at least two elevations that are a minimum of 40 percent open do not count as coverage.
- (c) In the RM-4-10 and RM-4-11 zones, maximum *lot coverage* is 50 percent for interior *lots* and 60 percent for corner *lots*.
- (d) In the RM-5-12 zone, maximum *lot coverage* is 50 percent for interior *lots* and 60 percent for corner *lots*, except that maximum *lot coverage* for any *premises* that has a building exceeding 4 *stories* or 48 feet in *height* shall be reduced in accordance with Table 131-04I.

**Table 131-04I  
Lot Coverage in RM-5-12 Zone**

| <i>Stories or Structure Height</i>      | <i>Maximum Lot Coverage</i> |
|---|-----------------------------|
| 1-4 <i>stories</i> or 48 feet           | 50/60%                      |
| 5 <i>stories</i> or 60 feet             | 37%                         |
| 6 <i>stories</i> or 72 feet             | 32%                         |
| 7 <i>stories</i> or 84 feet             | 28%                         |
| 8 <i>stories</i> or 96 feet             | 25%                         |
| 9 <i>stories</i> or 108 feet            | 23%                         |
| More than 10 <i>stories</i> or 120 feet | 21%                         |

**§ 131.0446 Maximum Floor Area Ratio in Residential Zones**

- (a) *Floor Area Ratio* for the RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, RS-1-7 Zones
  - (1) The maximum permitted *floor area ratio* is based on the lot area in accordance with Table 131-04J:

**Table 131-04J**  
**Maximum Floor Area Ratio in RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, RS-1-7 Zones**

| Lot Area<br>(square feet) | Floor Area Ratio |
|---------------------------|------------------|
| 3,000 and less            | 0.70             |
| 3,001 - 4,000             | 0.65             |
| 4,001 - 5,000             | 0.60             |
| 5,001 - 6,000             | 0.59             |
| 6,001 - 7,000             | 0.58             |
| 7,001 - 8,000             | 0.57             |
| 8,001 - 9,000             | 0.56             |
| 9,001 - 10,000            | 0.55             |
| 10,001 - 11,000           | 0.54             |
| 11,001 - 12,000           | 0.53             |
| 12,001 - 13,000           | 0.52             |
| 13,001 - 14,000           | 0.51             |
| 14,001 - 15,000           | 0.50             |
| 15,001 - 16,000           | 0.49             |
| 16,001 - 17,000           | 0.48             |
| 17,001 - 18,000           | 0.47             |
| 18,001 - 19,000           | 0.46             |
| 19,001 and greater        | 0.45             |

- (2) For lots that exceed the minimum lot area required by the applicable zone and where more than 50 percent of the lot area contains steep hillsides, the maximum permitted floor area ratio shall be based on the following:
- (A) The area of the site not containing steep hillsides or the minimum lot area required by the applicable zone, whichever is greater; plus
  - (B) 25 percent of the remaining lot area not included in (A), above.
- (b) In the RS-1-8, RS-1-9, RS-1-10, RS-1-11, RS-1-12, RS-1-13, and RS-1-14 zones, up to 400 square feet of garage area shall be excluded from the calculation of gross floor area.
- (c) In the RX zone, the calculation of floor area ratio shall be based on the minimum lot area of the zone, or the area of the lot with a gradient less than 10 percent, whichever is greater.
- (d) In the RT zones, up to 525 square feet of garage area may be excluded from the calculation of gross floor area.

- (e) In the RM-1-2, RM-1-3, RM-2-4, RM-2-5, and RM-2-6 zones, a minimum of one-fourth of the permitted *floor area ratio* shall be reserved for required parking. If underground parking is provided, an area equal to the *gross floor area* of the underground parking may be added to the maximum *gross floor area* permitted for nonparking uses. The maximum *floor area ratio* for all *structures* on the *premises*, excluding *underground parking structures*, shall not exceed the maximum permitted *floor area ratio* for the zone as identified in Table 131-04G.
- (f) In the RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM-4-11, and RM-5-12 zones, a minimum of one-third of the permitted *floor area ratio* shall be reserved for required parking. If underground parking is provided, an area equal to the *gross floor area* of the underground parking may be added to the maximum *gross floor area* permitted for nonparking uses. The maximum *floor area ratio* for all *structures* on the *premises*, excluding *underground parking structures*, shall not exceed the maximum permitted *floor area ratio* for the zone as identified in Table 131-04G.
- (g) In the RM-5-12 zone, the maximum permitted *floor area ratio* for buildings exceeding 4 *stories* or 48 feet of *structure height* shall be increased in accordance with Table 131-04K.

**Table 131-04K  
Floor Area Ratio in the RM-5-12 Zone**

| <i>Stories or Structure Height</i>      | <i>Maximum Floor Area Ratio</i> |
|---|---------------------------------|
| 1-4 <i>stories</i> or 48 feet           | 1.80                            |
| 5 <i>stories</i> or 60 feet             | 1.85                            |
| 6 <i>stories</i> or 72 feet             | 1.90                            |
| 7 <i>stories</i> or 84 feet             | 1.95                            |
| 8 <i>stories</i> or 96 feet             | 2.00                            |
| 9 <i>stories</i> or 108 feet            | 2.05                            |
| More than 10 <i>stories</i> or 120 feet | 2.10                            |

**§ 131.0447 Maximum Paving and Hardscape in Residential Zones**

Within the required front *yard* of the RE and RS zones, the amount of paving and *hardscape*, including *architectural projections*, is limited to 70 percent of the total required *yard*.

**§ 131.0448 Accessory Uses and Structures in Residential Zones**

- (a) *Accessory uses* within enclosed buildings are restricted to 25 percent of the permitted *gross floor area*.



(b) Accessory Structures in RE, RS, and RX Zones

For lots with less than 10,000 square feet of area, one-story accessory buildings, not including attached or detached patio structures, may encroach into the required side and rear setbacks, subject to the following conditions:

- (1) The maximum permitted structure height of an accessory building is 10 feet for a flat roof and 15 feet for a pitched roof. If the structure contains a shed roof, the maximum structure height is 12 feet measured at the ridge. A building with a flat roof may have a roof deck, provided that all handrails and other appurtenances are limited to 42 inches in height and comply with all setback requirements.
- (2) All required visibility areas, as set forth in Section 113.0273, shall be observed.
- (3) No accessory building shall be used for living or sleeping purposes.
- (4) In the RE and RS zones the accessory building shall not exceed 525 square feet in gross floor area.
- (5) In the RX zones the accessory building shall not exceed 400 square feet in gross floor area.
- (6) The length of any accessory building dimension within the required yards shall not exceed 30 feet.
- (7) The accessory building must be placed entirely within the rear 30 percent of the lot or behind the front 70 feet of the lot, whichever results in the accessory building being located farther from the street.
- (8) If the accessory building is used for parking and access to the building is taken from the alley, a minimum distance of 21 feet shall be provided between the edge of the alley opposite the lot and the exterior wall of the accessory building.
- (9) The accessory building may have electrical, gas, and water/sewer connections to provide the following activities:
  - (A) Lighting, washing machines, dryers, laundry tubs, and hot water heater;
  - (B) A one-half bathroom, limited to a water closet and a lavatory sink; and
  - (C) A shower provided the property owner signs an agreement recorded with the County Recorder and processed through the City Manager stating that the building will not be used for living or sleeping purposes.

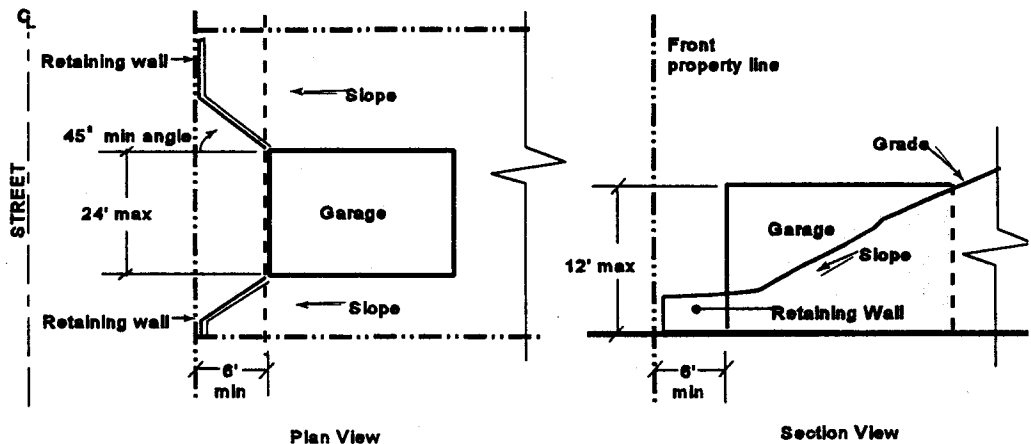
§ 131.0449 **Garage Regulations in Residential Zones**

(a) Garages with an Existing Embankment in the RE, RS, and RX Zones

Attached or detached garages, not exceeding 12 feet in height, including parapets and handrails, may encroach into the front and street side yards, as shown in Diagram 131-04P, subject to the following conditions:

- (1) The building is used only for required parking and incidental storage related to residential use;
- (2) The building is located entirely within a pre-existing embankment at least 6 feet high, which shall be maintained. The embankment must have an average height of at least 6 feet within the area where the building is proposed.
- (3) The *building facade* is set back a minimum of 6 feet from the *property line*;
- (4) The building elevation facing the *street* is no more than 24 feet wide;
- (5) No garage door opens so that it projects into the *public right-of-way* at any time;
- (6) In the RE and RS zones the building does not exceed 525 square feet in *gross floor area*;
- (7) In the RX zone the building does not exceed 400 square feet in *gross floor area*; and
- (8) If the building is constructed in conjunction with a *retaining wall* that will be located within the required *front yard*, the *retaining wall* must be flared outward from the corners of the building at a minimum 45-degree angle to provide a *visibility area*.

**Diagram 131-04P  
Garage Within Existing Embankment**

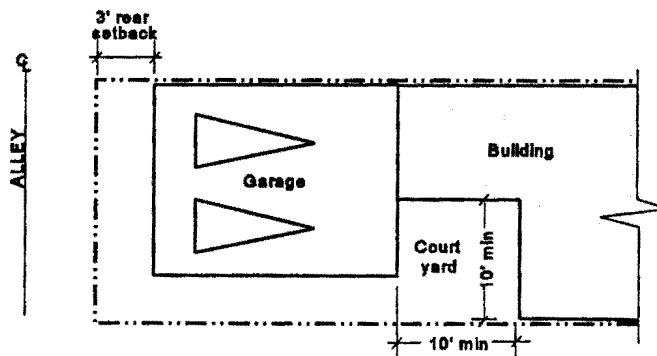


34

(b) Garages in RT Zones

- (1) An enclosed and detached two-car garage is required except as otherwise provided in this section.
- (2) Access to required parking shall be from an *alley* abutting the *premises*. In lieu of public *alleys* in new *subdivisions*, private easements may be used to provide access for abutting residents and authorized service vehicles only.
- (3) The garage shall provide at least two 9-foot by 20-foot parking spaces perpendicular to, and directly accessible from, the abutting *alley*.
- (4) The garage shall be located within the rear 30 feet of the *lot*, except to the extent that it is necessary to accommodate a 21-foot distance between the edge of the garage and the edge of the *alley* opposite the *lot*.
- (5) The detached garage may not exceed 12 feet in height.
- (6) The garage may have a *roof deck* with open or solid safety fencing not to exceed 42 inches in height.
- (7) The garage shall abut one interior *property line*.
- (8) The garage may be attached to the dwelling unit, subject to the following conditions:
  - (A) A court yard with minimum dimensions of 10 feet by 10 feet must be provided within the rear 50 percent of the *lot*, as shown in Diagram 131-04Q, or within the dwelling unit. The court yard shall extend the full height of the *structure* and must be at least 75 percent open to sunlight;

Diagram 131-04Q  
Courtyard Requirement with Attached Garage



- (B) The vehicle entry facade of the garage may not be more than 24 feet from the rear *property line*; and

35

(C) The garage is subject to the same height limits as the dwelling unit.

(9) Habitable space may be located above an attached garage.

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**§ 131.0450 Building Spacing in Residential Zones**

Detached dwellings shall maintain a minimum distance of 6 feet between dwellings and 3 feet between any dwelling and any detached, nonhabitable accessory building located on the same *premises*.

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**§ 131.0451 Minimum Development in the RT Zones**

Townhouse *development* is permitted only if there is concurrent *development* of at least 300 feet of *street frontage* or a contiguous 50 percent of the *lots* in a block, whichever provides the greatest *street frontage*.

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**§ 131.0452 Parkway Requirement in the RT Zones**

*Subdivisions* within the RT zones shall include a landscaped *parkway* between the *street* and the parallel public sidewalk that is at least 4 feet, 6 inches wide.

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**§ 131.0453 Lot Consolidation Regulations in the RM-1-1 and RM-1-2 Zones**

In the RM-1-1 and RM-1-2 zones within urbanized communities, *lot* consolidation is subject to the following:

- (a) Any building on a consolidated *premises* may cross only one previous *property line*, as shown in Diagram 131-04R;
- (b) If the consolidation results in a total *street frontage* exceeding 60 feet, the number of dwelling units permitted within any single building shall not exceed the number of units that would have been permitted on the largest *premises* before the consolidation, as shown in Diagram 131-04R;

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**§ 131.0456 Common Open Space in the RM Zones**

In all RM zones, *premises* with more than four dwelling units shall include common open space as follows:

- (a) The common open space area shall be at least 300 square feet, or 25 square feet per dwelling unit, whichever is greater.
- (b) At least one area of common open space shall be provided with minimum dimensions of 12 feet by 15 feet. This space shall be improved as a usable area with lawn or recreational facilities.
- (c) Roofed *structures* may occupy a maximum of 50 percent of the common open space area. No enclosed buildings are permitted in the common open space area.
- (d) Common open space may be provided in the required side and rear *yards*.
- (e) Common open space shall be landscaped or improved with outdoor recreational facilities available only to the residents and guests of the *development*.

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**§ 131.0460 Maximum Third Story Dimensions in the RS Zones**

In the RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, and RS-1-7 zones, the following shall apply:

- (a) The width of the third *story* is limited to 70 percent of the width of the *lot*.
- (b) The depth of the third *story* is limited to 50 percent of the depth of the *lot* or 100 percent of the maximum width dimension, whichever is greater.

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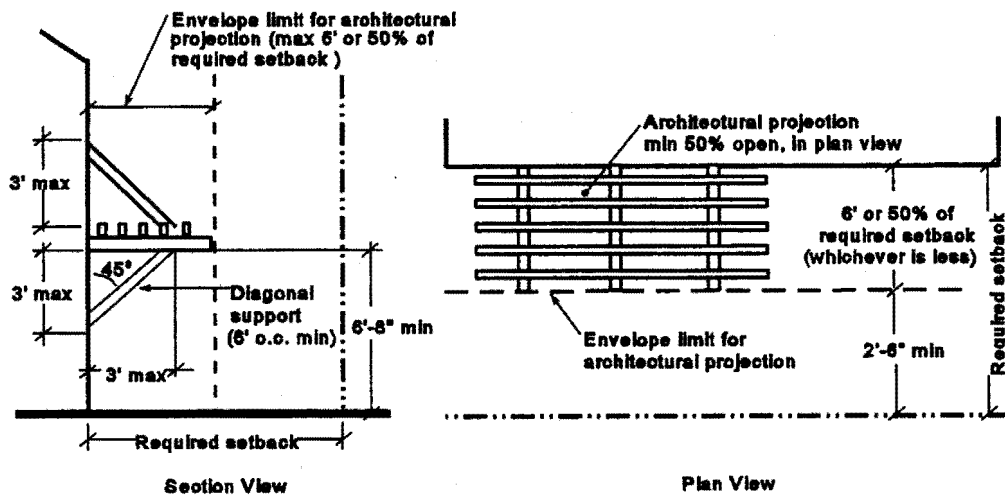
**§ 131.0461 Architectural Projections and Encroachments in Residential Zones**

(a) The following are permitted *architectural projections* and *encroachments* into required *yards* for RS and RX zones and the RM-1-1, RM-1-2, and RM-1-3 zones. These projections and *encroachments* are not permitted in the required yards within view corridors that are designated by *land use plans* in the Coastal Overlay Zone and may not be located in a required *visibility area* or a required turning radius or vehicle back-up area except where development regulations may allow.

- (1) Eave, cornice, and eyebrow projections may extend into the required *yard* subject to the following:
  - (A) The projection may extend a maximum of 6 feet into the required *yard* or 50 percent of the width of the required *yard*, whichever is less;
  - (B) The projection shall not be closer than 2 feet, 6 inches to the *property line*; and

- (C) There shall be a minimum 6-foot, 8-inch clearance between *proposed grade* and the projection.
- (2) Openly supported *architectural projections*, including trellises, may encroach into required *yards*, as shown in Diagram 131-04U, subject to the following:
- (A) The height shall not exceed the height of the *roof eave* or the sill plate of the second *floor*, whichever is lower;
  - (B) The projection shall be at least 50 percent open in plan view;
  - (C) The projection may extend a maximum of 6 feet into the required *yard* or 50 percent of the width of the required *yard*, whichever is less;
  - (D) The projection shall not be closer than 2 feet, 6 inches to the *property line*;
  - (E) There shall be a minimum 6-foot, 8-inch clearance between *proposed grade* and the lowest horizontal portion of the projection, not including the supports, as described in Section 131.0461(a)(2)(F), below; and
  - (F) Diagonal supports from the building wall, such as knee braces, extending within a 45-degree angle from the building wall to the horizontal portion of the projection are permitted, provided that the horizontal and vertical components of the supports do not exceed 3 feet. There shall be a minimum spacing of 6 feet between supports.

Diagram 131-04U  
Openly Supported Architectural Projections

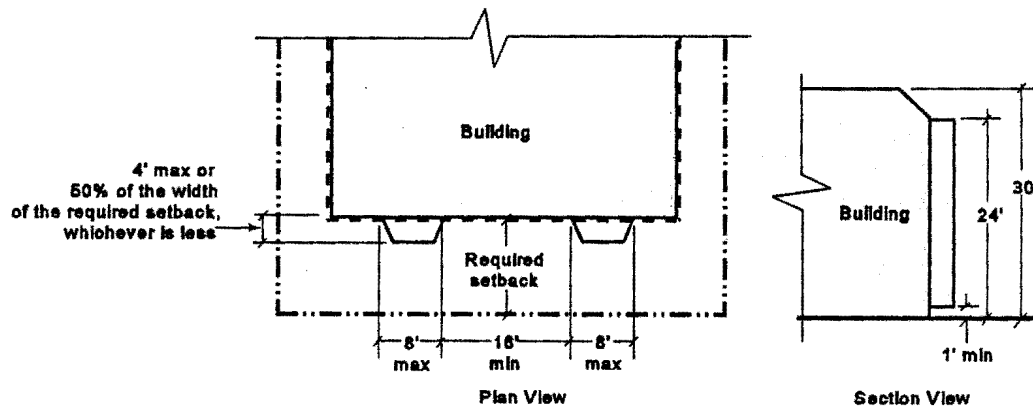


- (3) Bay windows may project into required *yards*, as shown in Diagram 131-04V, subject to the following requirements:

38

- (A) There shall be a minimum 1-foot clearance between the lowest point of the bay window *structure* and *proposed grade* directly below;
- (B) The bay window shall not project into the required *yard* more than 4 feet or 50 percent of the width of the required *yard*, whichever is less. The bay window shall not be closer than 4 feet to the *property line*;
- (C) The bay window shall not be more than 8 feet in width;
- (D) The bay window may extend to the maximum permitted height of the *building envelope*; and
- (E) There shall be a 16-foot or greater spacing between bay windows, and no more than two bay windows per elevation shall encroach into the required *yard*.

**Diagram 131-04V  
Bay Window Yard Projections**



- (4) Fireplace enclosures may encroach into required *yards* subject to the following requirements:
  - (A) The fireplace enclosure may not encroach into the required *yard* more than 2 feet, 6 inches or 50 percent of the width of the required *yard*, whichever is less. The fireplace shall not be closer than 2 feet, 6 inches to the *property line*;
  - (B) The fireplace and chimney are not be subject to the 45-degree sloped *building envelope* requirement and may extend to the maximum *structure height* at the required *setback*;
  - (C) The fireplace enclosure shall have a maximum width of 10 feet measured from *grade* to the *roof eave* or the sill plate of the second *floor*, whichever is lower, and a maximum width of 5 feet beyond that; and
  - (D) No more than two projecting fireplaces per building elevation are permitted.

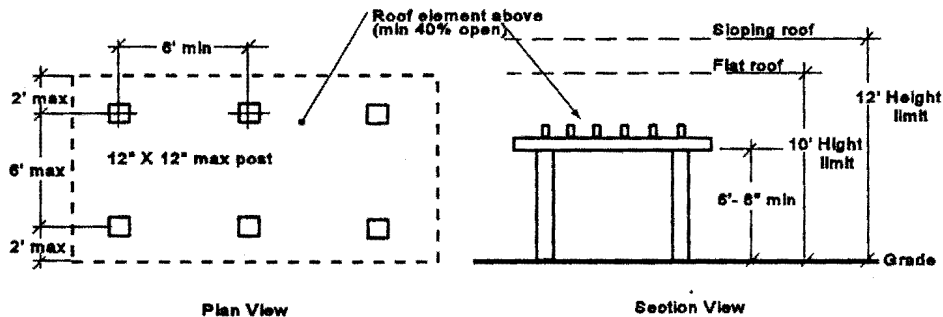
- (5) Electrical fuse boxes, gas meters, and utility enclosures may encroach into required side and rear *yards* subject to the following requirements:
  - (A) The *encroachment* into the required *yard* shall not exceed 18 inches;
  - (B) The *encroachment* shall not be closer than 2 feet, 6 inches to the *property line*;
  - (C) The *encroachment* shall not exceed a width of 6 feet and a height of 8 feet; and
  - (D) No more than one of each of these types of *encroachments* is permitted per building elevation.
  
- (6) Entry roofs and porches may encroach into the required front and street side *yards* subject to the following requirements:
  - (A) The *encroachment* shall not exceed 6 feet or 50 percent of the width of the required *yard*, whichever is less;
  - (B) The height of the entry roof shall not exceed 10 feet for flat roofs, 12 feet for pitched roofs, or 12 feet at the apex of an arched roof with 10 feet at the springline;
  - (C) The width of the *encroachment* shall not exceed 10 feet or 50 percent of the width of the habitable portion of the building elevation, whichever is greater; and
  - (D) Porches shall be maintained with at least two elevations that are at least 40 percent open.
  
- (7) Entry arbors may encroach into required front and street side *yards*, as shown in Diagram 131-04W, subject to the following requirements:
  - (A) The height of the arbor shall not exceed 10 feet for flat-topped *structures* or 12 feet for sloping *structures*;
  - (B) The width of the arbor shall not exceed 6 feet, measured to the centerlines of the supports. A maximum 2-foot overhang is permitted on each side of the center of the supports, as long as the overhang does not project into the *public right-of-way*;
  - (C) The horizontal surface of the arbor, including overhang, must provide a minimum 6-foot, 8-inch clearance above *proposed grade*;
  - (D) Supports shall not exceed a maximum dimension of 12 inches by 12 inches;
  - (E) There shall be at least 6 feet between supports along the length of the arbor;
  - (F) In plan view, the arbor shall be at least 40 percent open. Fencing between posts is subject to Chapter 14, Article 2, Division 3 (Fence Regulations);

40



- (G) The arbor shall not be enclosed on any side other than the side attached to the building, if attached; and
- (H) Arbors may encroach the entire width of the required *yard* but may not project beyond the *property line*.

**Diagram 131-04W**  
**Entry Arbor Yard Projections**



- (8) *Patio structures* may be located within a required *side yard* or *rear yard*, subject to the following requirements:
  - (A) The *patio structure* shall not be located closer than 5 feet to any *property line*;
  - (B) The *patio* shall be open on at least three sides except for support columns with maximum dimensions of 18 inches by 18 inches in plan view;
  - (C) The support columns shall have a minimum separation of 8 feet measured on center; and
  - (D) The height of the roof of the *patio* shall not exceed the *roof eave* or the sill plate of the second *floor*, whichever is lower.
- (9) *Dormers* are permitted to encroach into required *yards* and into the sloped *building envelope* plane subject to the following:
  - (A) The total length of all *dormers* on a building wall may not exceed 30 percent of the total length of the building along that wall;
  - (B) A *dormer* may not exceed 8 feet in width, measured at the building wall;
  - (C) There shall be a minimum of 4 feet between each *dormer*, including eaves;
  - (D) Projecting *dormers* may project through the 30/45-degree sloped *building envelope* plane and may encroach 4 feet into the required *yard* or 50 percent of the width of the adjacent required *yard*, whichever is less; provided, however, that the *dormer* may not be closer than 3 feet to the *property line*; and

- (E) A *dormer* may be a vertical extension of a bay window.
- (10) Unroofed *structures*: An unroofed portion of a *structure* not in excess of 3 feet above *proposed grade*, with an open safety railing not exceeding 42 inches in height, is permitted within a required side or rear *yard*.
- (b) The following are permitted *architectural projections* and *encroachments* into the required front and street side *yard* for the RT zones. A maximum of 50 percent of the area of the required minimum front *yard* (the front 5 feet of the *lot*) may be used for *encroachments*. See Section 131.0464(c) for required building articulation features. No permitted projection or *encroachment* may be located in a required *visibility area* or a required turning radius or vehicle back-up area except where development regulations may allow.
  - (1) Projecting balconies may encroach into required minimum front and street side *yards* subject to the following requirements:
    - (A) One unenclosed projecting balcony is permitted for each *story* above the first *story*;
    - (B) A projecting balcony may encroach up to 4 feet into required minimum *yards*;
    - (C) Support posts to the ground below are not permitted unless the area below the balcony serves as a projecting entry and provides shelter for an access door to the dwelling unit; and
    - (D) The maximum permitted width of projecting balconies is 8 feet.
  - (2) Bay windows may encroach into required minimum front and street side *yards* subject to the following requirements:
    - (A) Bay windows are limited to two per *story*;
    - (B) The maximum permitted width of bay windows is 8 feet;
    - (C) Bay windows may encroach a up to 4 feet into required minimum *yards*; and
    - (D) Bay windows may extend to the height of the building or there may be a horizontal separation between the bay windows.
  - (3) Turrets with or without cupola may encroach into the required minimum front and street side *yards* and may extend into the sloped *building envelope* area subject to the following requirements:
    - (A) Only one turret per *lot* may be used;
    - (B) A turret located at the corner of the building on a corner *lot* may encroach into both the front and street side *yards*;
    - (C) A turret may encroach up to 4 feet into required *yards*; and

- (D) A turret (and cupola) may also extend above the building height limit and into the sloped *building envelope* area so that the highest point is up to 5 feet above the maximum *structure height* of the zone.
- (4) Projecting entries, either at *grade* or elevated with accompanying stairs and cover, may encroach into required minimum front and street side *yards* subject to the following requirements:
  - (A) Only one entry per elevation is permitted;
  - (B) The height of the *floor* of an elevated entry shall not exceed 42 inches above *proposed grade*;
  - (C) The entry may not be closer than 4 feet to the front *property line*; and
  - (D) The width of a projecting entry shall not exceed 50 percent of the width of the *building facade*.
- (5) Trellis projections and eaves may project into required minimum front and street side yards subject to the following requirements:
  - (A) Trellises may project into required minimum *yards* up to the *property line*, but no portion of the trellis may extend beyond the *property line*;
  - (B) Eaves may project 2 feet, 6 inches into the required minimum *yards*; and
  - (C) There shall be at least 6 feet, 8 inches of clearance between *proposed grade* and the bottom of the projections.
- (6) *Dormer* windows may project into required minimum front and street side *yards* subject to the following requirements:
  - (A) A maximum of two *dormers* are permitted per elevation;
  - (B) The maximum width of *dormers* shall be 5 feet; and
  - (C) *Dormers* may extend into the sloped *building envelope* area.
- (7) A detached garage may encroach into the street side *yard* subject to the following requirements:
  - (A) The garage may not exceed 12 feet in height; and
  - (B) The garage must be located within the rear 30 feet of the *lot*.
- (c) In the RM-2-4, RM-2-5, RM-2-6, RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM-4-11, and RM-5-12 zones, architectural *encroachments* listed in Section 131.0461(a) are permitted with the following limitations. No permitted projection or *encroachment* may be located in required *yards* within view corridors that are designated by *land use plans* in the

Coastal Overlay Zone or in a required *visibility area* or a required turning radius or vehicle back-up area except where development regulations may allow.

- (1) For front and rear *yards*, one *encroachment* is permitted per 50 feet of *building facade* length, with a minimum of 10 feet between *encroachments*.
- (2) For side *yards*, two *encroachments* are permitted per 50 feet of *building facade* length, with a minimum of 10 feet between *encroachments*.
- (3) A minimum of 3 feet must be provided between the *encroachment* and the *property line*.

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**§ 131.0462 Requirements for Attached Units in the RX Zones**

The street wall of an attached dwelling unit shall be horizontally offset a minimum of 4 feet from the street wall of the dwelling unit to which it is attached.

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**§ 131.0463 Roof Design Variation Requirements in the RX Zones**

In the RX zones, for *developments* exceeding 8 dwelling units, at least 30 percent of the units shall have roof designs that vary from the remainder of the dwelling units.

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**§ 131.0464 Supplemental Requirements for Residential Zones**

(a) Supplemental Requirements for RE and RS Zones

- (1) *Manufactured homes* are permitted as residential dwelling units subject to all regulations of the applicable zone in addition to the following supplemental regulations:
  - (A) Siding shall be of nonreflective material such as wood, vinyl, stucco, decorative stone, or masonry;
  - (B) Roofing materials shall be of nonreflective material such as concrete tiles, fiberglass shingles, or composition shingles, shakes, or tiles;
  - (C) Eaves shall be between 12 and 16 inches measured from the vertical side of the exterior wall; and
  - (D) The foundation along the exterior perimeter shall conform to the Building Regulations and shall consist of poured concrete, masonry, or approved all-weather material. If the foundation material is not masonry or concrete, it shall match the siding material of the home.

(b) Supplemental Requirements for RX Zones:

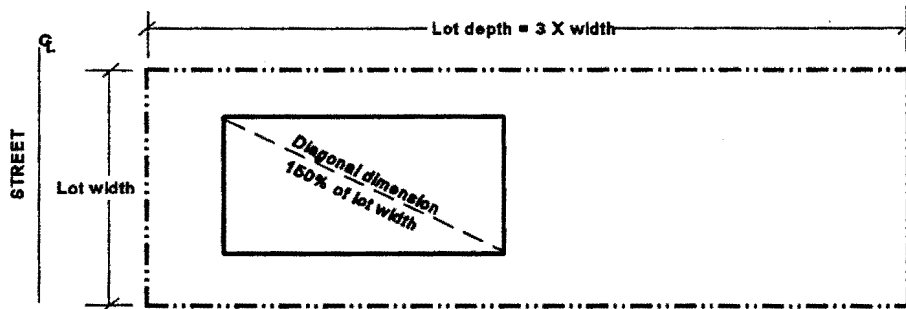
- (1) For *lots* without *alley* access, a minimum of 25 percent of the length of the *building facade* on the ground *floor* must be utilized for habitable space.

§ 131.0465 Diagonal Plan Dimension in Residential Zones

For new structures in the RS-1-7 zone and all RX zones, a maximum diagonal plan dimension applies to lots where the depth is three times the width, as follows:

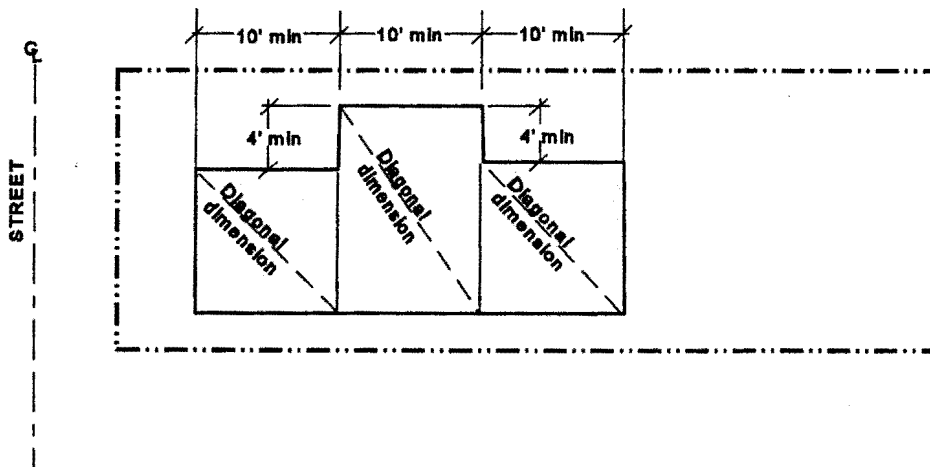
- (a) The maximum diagonal plan dimension shall not exceed 150 percent of the width of the lot, as shown in Diagram 131-04Z.

Diagram 131-04Z  
Maximum Diagonal Plan Dimension



- (b) The maximum diagonal plan dimension shall be measured between the two most extreme points on the structure. If the structure is irregular in shape, the maximum diagonal plan dimension may be measured between the first extreme building point and the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations, as shown in Diagram 131-04AA. A modulation shall have a minimum 4-foot differential and shall extend for a minimum of 10 feet in length.

Diagram 131-04AA  
Diagonal Plan Dimension Modulations



45

