

CALIFORNIA COASTAL COMMISSION

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September 22, 2008

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TO: COMMISSIONERS AND INTERESTED PERSONS

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT
ELLEN LIRLEY, COASTAL PROGRAM ANALYST, SAN DIEGO COAST DISTRICT**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR LCP
AMENDMENT 1-08 A, B & C (General Plan, Rooming Houses & High Density
Residential) for Commission Meeting of October 15-17, 2008**

SYNOPSIS

The subject LCP implementation plan ("IP") amendment was submitted and filed as complete on May 9, 2008. Commission regulations specify a 60 day review period for IP amendments; however, a one-year time extension was granted on July 9, 2008. As such, the last date for Commission action on this item is July 9, 2009. This report contains recommendations for the entire LCP amendment submittal.

SUMMARY OF AMENDMENT REQUEST

The amendment request consists of changes to three separate parts of the City's Implementation Plan (IP) or Land Development Code (LDC). First, the City proposes modifications to the LDC to make it more consistent with the City's General Plan, which is not part of the LCP. The language addressing how communities may initiate community plan amendments has been deleted from the LDC and placed in the General Plan. All regulations surrounding the public hearing process for community plan amendments (which may also be LCP amendments) remains in the LDC. Second, nomenclature addressing future urbanizing, planned urbanizing or urbanized areas in the LDC is proposed to be changed to be consistent with the General Plan, which no longer uses these terms. The revisions are only reference changes; no regulations, zone requirements or development standards are being modified. The amendment does not change or redesignate any existing zones or any specific property.

The second proposed set of amendments to the LCP would result in rooming houses being prohibited in the RS, RM-1 and RM-2 zones and allowed by right in the RM-3, 4, and 5 zones, plus commercial zones where mixed use is appropriate. It also defines the term "rooming house," which replaces the former "group living accommodations" title in the LDC, but also changes the meaning somewhat. The third proposed set of amendments requires a permit for six (6) or more adults in a single unit for 30 or more

consecutive days within the RS zones. It also requires parking spaces for each adult resident, minus one. Both of these amendment components, along with the “mini-dorm” regulations in LCPA No. 3-07C, are intended to address the proliferation of such structures/uses in areas adjacent to college campuses.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending certification of the entire LCP amendment request, including all three components, as submitted by the City. None of these amendments raise any Coastal Act issues, although Components B and C have generated a significant amount of public participation at the local level. The proposed amendments modify existing regulations to clarify terms, grant a greater degree of oversight, and identify appropriate locations for certain types of development. Except for rooming houses, the proposed amendments do not change the uses, or intensity of uses, allowed within the existing zones, nor modify the areas in which the zones are applied.

The appropriate resolution and motion begins on Page 4. The findings for approval of the Implementation Plan Amendment as submitted also begin on Page 4.

BACKGROUND

The City’s first IP was certified in 1988, and the City then assumed permit authority. The IP consisted of portions of the City’s Municipal Code, along with some Planned District Ordinances (PDOs) and Council Policies. In 1999, the Commission certified the City’s LDC, that includes Chapters 11 through 14 of the municipal code. It replaced the first IP and took effect in the coastal zone on January 1, 2000. The Commission has certified many IP amendments since 2000.

ADDITIONAL INFORMATION

Further information on the City of San Diego LCP Amendment 1-08 may be obtained from Ellen Lirley, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW

A. LCP HISTORY

The City of San Diego has a long history of involvement with the community planning process, and in 1977, requested that the Coastal Commission permit segmentation of its Land Use Plan (LUP) into twelve parts in order to 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.

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; but some have since been certified as LCP amendments. Other areas of deferred certification still remain today and will be acted on by the Coastal Commission in the future.

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 - RESOLUTION

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 move that the Commission reject the Implementation Program Amendment for the City of San Diego certified LCP as submitted.*

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted 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 IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Implementation Program Amendment for the City of San Diego certified LCP as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment conforms with, and is adequate to carry out, the provisions of the certified land use plans, and certification of the Implementation Program Amendment will meet the requirements of 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 or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program.

**PART III. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO
IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED**

GENERAL PLAN REVISIONS/LCPA # 1-08A

A. AMENDMENT DESCRIPTION

There are two changes to the LDC in this component, the first having to do with the initiation procedure for community plan amendments, which are also often LCP amendments. The regulations in question, Sections 122.0103 and 122.0104 are being deleted from the LDC and placed into the General Plan as policies. The second change affects several areas of the LDC and reflects a change in nomenclature. The most significant change is the addition of Section 131.0105 describing Development Character Areas, which replaces the terms Future Urbanizing and Planned Urbanizing. Development Character Areas include Proposition A Lands, Planned Urbanized and Urbanized.

B. FINDINGS FOR APPROVAL

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. In this

particular case, the changes being requested are to procedures and terminology, and are elements of the LDC not typically addressed in the policies of most certified LUPs. No changes are proposed to any LDC components that specifically carry-out certified LUP policies.

The first change deletes the regulations addressing the initiation of community plan amendments, and places that, or similar, language in the General Plan. The initiation process had originally been a City Council policy, not part of the Municipal Code, but it was added to the IP when the LDC replaced the older Municipal Code. However, the City has determined that the language reads more as policy than regulation. The sections being deleted from the LDC only identify who can initiate a community plan amendment, such as an individual community, a property owner, City Council, etc. and what parameters each must meet to do so. Once a plan amendment is initiated, the complete review and approval process continues to be part of the LDC's regulations, and nothing in those processes are changed herein. Therefore, the Commission finds the amended IP remains consistent with and able to carry out the provisions of the certified LUPs.

In the second proposed change, the IP amendment only changes terminology that is used throughout the LDC, but does not modify regulations, zone requirements, or development standards. It does not change or rename any existing zones, nor does it change the zoning on any site. What it does is change the names of areas in the older "Tier" system of the General Plan, currently identified as "Future Urbanizing" and "Planned Urbanizing," since those titles no longer reflect conditions on the ground. Although the General Plan is not part of the LCP, these terms, especially "Future Urbanizing," are also found in the LDC, where they are used to distinguish what land uses can be accommodated by the various zones, and thus which zones can best implement each individual LUP. Should the older, deleted terms appear in any certified LUP, they should be replaced with the new terminology whenever that LUP is next updated.

Many ordinances are being amended with respect to the change in terminology, but said changes will occur throughout the LDC. Basically, "Future Urbanizing" is being changed to "Proposition A Lands," "Planning Urbanizing" is being changed to "Planned Urbanized," and the older portions of the city, which previously had no particular title, will be called "Urbanized." The Commission finds that the changed names do not result in any changes in uses, rezoning of property, or different regulations, and are thus consistent with and adequate to carry out the City's many certified LUPs.

ROOMING HOUSES/LCPA #1-08 B

A. AMENDMENT DESCRIPTION

To some degree, this component is also changing terminology, since it replaces the category of "Group Living Accommodations" to "Rooming Houses." This change, however, is not a simple change of verbiage, but will actually change uses in some

locations, and the definition of rooming houses is more detailed than the older definition of group living accommodations was. A rooming house is formally defined as:

“Rooming house means a dwelling unit where three or more rooms are rented individually or separately, to tenants under separate rental agreements.”

In later discussions under the residential use category, the description is expanded to include:

“Rooming houses – Dwellings where rooms are rented individually or separately, resulting in multiple, independent living units where tenants do not share common access or financial responsibility for use of the dwelling unit as a whole.”

And further:

“Pursuant to Section 127.0102(d), all previously conforming rooming houses shall be unlawful three years from the effective date of Ordinance O-2008-61.”

This proposed set of amendments to the LCP would result in rooming houses being prohibited in the RS, RM-1 and RM-2 zones, where, under the old group living accommodations category, they were allowed. The amendments make rooming houses allowed by right in the RM-3, 4, and 5 zones, plus commercial zones where mixed use is appropriate. They were previously already allowed in these zones as group living accommodations. Thus the proposed amendments not only replace the former “group living accommodations” title in the LDC to “rooming houses,” but also change and refine the meaning somewhat.

B. FINDINGS FOR APPROVAL

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 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.

The purpose of the commercial zones is to provide for the employment, shopping, services, recreation, and lodging needs of the residents of and visitors to the City. Their intent is to provide distinct regulations for size, intensity, and design to reflect the variety of the desired development patterns within San Diego’s communities.

b) Major Provisions of the Ordinance. Both the residential and commercial zones include many provisions. Key provisions common to both include:

- A description of the many individual zones found under these headings
- Lists of allowed uses according to individual zones
- Site design, including setbacks, parking and landscaping for such uses
- Architectural requirements
- Some cross-over uses found in each type of zone (i.e., commercial uses allowed in some residential zones and residential uses allowed in commercial zones)

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. All the certified City of San Diego LCP land use plans include both residential and commercial zones, except for Mission Bay Park which allows commercial leaseholds but prohibits residential uses. The proposed amendments do not appear to change uses in any of the mixed-use commercial areas, but they will limit rooming houses to only the more dense multi-family residential zones, eliminating them from all single-family zones, and the two least dense multi-family zones categories.

Although these changes may be significant for some individual homeowners in those zones where rooming houses will no longer be permitted, the changes do not raise any issues with respect to Coastal Act policies, as reflected in the certified LUPs. The actual term “rooming houses” is not found in most, if not all, of the LUPs, but every one of them, except Mission Bay Park, talks about a range of residential densities and housing types and the concept of mixed residential and commercial development.

The City’s proposed amendments are consistent with the policies of all certified LUPs, even though the allowed uses of specific zone categories will change. No sites will be rezoned, and rooming houses, which are actually more of a commercial use than a residential one, will remain a permitted use in higher density residential zones and commercial mixed zones. It is only removed as a permitted use from single-family and lower density multi-family zones, where it could be argued rooming houses never were a compatible use. Therefore, the Commission finds that these amendments are consistent with, and are adequate to carry out, the policies of the certified LUPs.

RESIDENTIAL HIGH OCCUPANCY/LCPA #1-08C

A. AMENDMENT DESCRIPTION

The third proposed set of amendments actually addresses the minidorm situation described in the previous staff report from a different perspective. These amendments provide another means to regulate these developments, and address issues of parking, traffic and noise. They are intended to aid in the preservation of the character of single family zones by providing the City with a means to address parking, traffic and noise issues with high occupancy houses. The amendments will require a Residential High

Occupancy Permit anytime there are six or more adults (age 18 and above) in a single unit for thirty or more consecutive days within the RS zones. The new permit must be renewed annually for a fee of \$1,000, which may be waived for economic hardship. The permit may be revoked if there have been two or more administrative enforcement actions within a twelve-month period. The amendments also require one parking space for each adult resident in such units, minus one.

B. FINDINGS FOR APPROVAL

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 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. The intent is that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties.

b) Major Provisions of the Ordinance. Key provisions of this ordinance are:

- 14 RS zones distinguished by minimum lot size and location
- Use regulations based on individual zones
- Minimum lot standards based on individual zones
- Architectural design standards
- Regulations addressing setbacks, parking, floor area ratio, etc.

c) Adequacy of the Ordinance to Implement the Certified LUP Segments. RS zones occur city-wide, and are found in all certified land use plans within the City's LCP except Mission Bay Park, which prohibits residential uses altogether. These regulations apply only in single-family residential zones and not to any multi-family zones. No properties are being rezoned pursuant to this amendment request, nor is there any proposed change in development regulations for single-family homes. The proposed regulations are primarily designed to better enable the City to enforce the typical characteristics of single-family communities. They continue to be consistent with and adequate to carry out all land use plan policies, since the intent is to promote and reinforce the basic purpose of the RS zones. Therefore, the Commission finds the proposed modifications to the City of San Diego LDC acceptable, as submitted by the City.

PART IV. 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. 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, as amended, does conform with CEQA provisions. In this particular case, the LCP amendment will not have any significant adverse effects on the environment and 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, as amended, conforms with CEQA provisions.

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(C)

ORDINANCE NUMBER O- 19734 (NEW SERIES)

DATE OF FINAL PASSAGE APR 08 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 11, ARTICLE 3 BY AMENDING SECTION 113.0103; AMENDING CHAPTER 12, ARTICLES 2, 3, AND 5 BY REPEALING SECTIONS 122.0103, 122.0104, 123.0104, AND 125.0442; AMENDING CHAPTER 12, ARTICLE 6 BY AMENDING SECTIONS 126.0602 AND 126.0604; AMENDING CHAPTER 13, ARTICLE 1 BY ADDING SECTION 131.0105 AND FIGURE 131-01A AND BY AMENDING SECTIONS 131.0240, 131.0340, 131.0403; AND AMENDING CHAPTER 14, ARTICLES 1-4 BY AMENDING SECTIONS 141.0312, 141.0313, 141.0403, 141.0407, 141.0411, 141.0412, 141.0413, 141.0504, 141.0605, 141.0608, 141.0618, 141.0625, 141.0902, 142.0505, 142.0525, 142.0535, 142.0670, 142.1303, 143.0115, 143.0402, 143.0420, 143.0430, 143.0440, 143.0450, 143.0915, 143.0213, 144.0206 OF THE SAN DIEGO MUNICIPAL CODE AND THE LOCAL COASTAL PROGRAM, ALL TO IMPLEMENT THE COMPREHENSIVE 2008 GENERAL PLAN UPDATE.

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CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

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

Section 1. That Chapter 11, Article 3, Division 1 of the San Diego Municipal Code be and the same is hereby amended by amending Section 113.0103 to read as follows:

§113.0103 Definitions

Abutting property through Permit holder (No change)

Planned Urbanized Communities include recently developed and developing communities characterized by urban or suburban levels of density and intensity. *Planned Urbanized Communities* are one of the Development Character Areas represented on Figure 131-01A.

Premises through Proposed grade (No change)

Proposition A Lands include lands characterized by very low density, residential, open space, natural resource based park or agricultural uses, have the same meaning as the former future urbanizing land designation, and are subject to Proposition A, the Managed Growth Initiative of 1985. *Proposition A Lands* are one of the Development Character Areas represented on Figure 131-01A.

[Editors Note: Refer to the Land Use and Community Planning Element of the 2008 General Plan for further description of the former future urbanizing land designation, the current Development Character Areas, and Proposition A, the Managed Growth Initiative.]

Public improvement through Underground parking structure (No change)

Urbanized Communities include the central portion of the City and are characterized by the established, built-out neighborhoods and downtown core. *Urbanized Communities* are one of the Development Character Areas represented on Figure 131-01A.

Vehicular use area through Yard (No change)

Section 2. That Chapter 12, Article 2, Division 1 of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 122.0103 and 122.0104.

Section 3. That Chapter 12, Article 3, Division 1 of the San Diego Municipal Code be and the same is hereby amended by repealing Section 123.0104.

Section 4. That Chapter 12, Article 5, Division 4 of the San Diego Municipal Code be and the same is hereby amended by repealing Section 125.0442.

Section 5. That Chapter 12, Article 6, Division 6 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 126.0602 and 126.0604 to read as follows:

§126.0602 When a Planned Development Permit May Be Requested

- (a) (No change)
- (b) The following types of *development* may be requested with a Planned Development Permit to be decided in accordance with Process Four.
 - (1) (No change)
 - (2) (No change)
 - (3) *Developments* involving a Planned Development Permit within RS zones in *Urbanized Communities* as described in Section 143.0402.
- (c) (No change)

§126.0603 (No change)

§126.0604 **Findings for Planned Development Approval**

A Planned Development Permit may be approved or conditionally approved only if the decision maker makes all of the *findings* in Section 126.0604(a) and the supplemental *findings* in Section 126.0604(b) that are applicable to the proposed *development* as specified in this section.

(a) (No change)

(b) **Supplemental Findings--*Proposition A Lands***

A project involving rural cluster in the AR-1-1 zone or the OR-1-12 zone within *Proposition A Lands* where increased *density* is proposed may be approved or conditionally approved only if the decision maker makes the following supplemental *findings* in addition to the *findings* in Section 126.0604(a):

(1) The proposed *development* will assist in accomplishing the goal of permanently preserving lands designated as part of the *MHPA* through the provision of public and private open space easements or *dedications*;

(2) (No change)

(3) (No change)

(4) (No change)

(5) (No change)

(6) (No change)

- (7) Within *Proposition A Lands*, the proposed *development* will be consistent with the approved subarea plan; and
- (8) (No change)

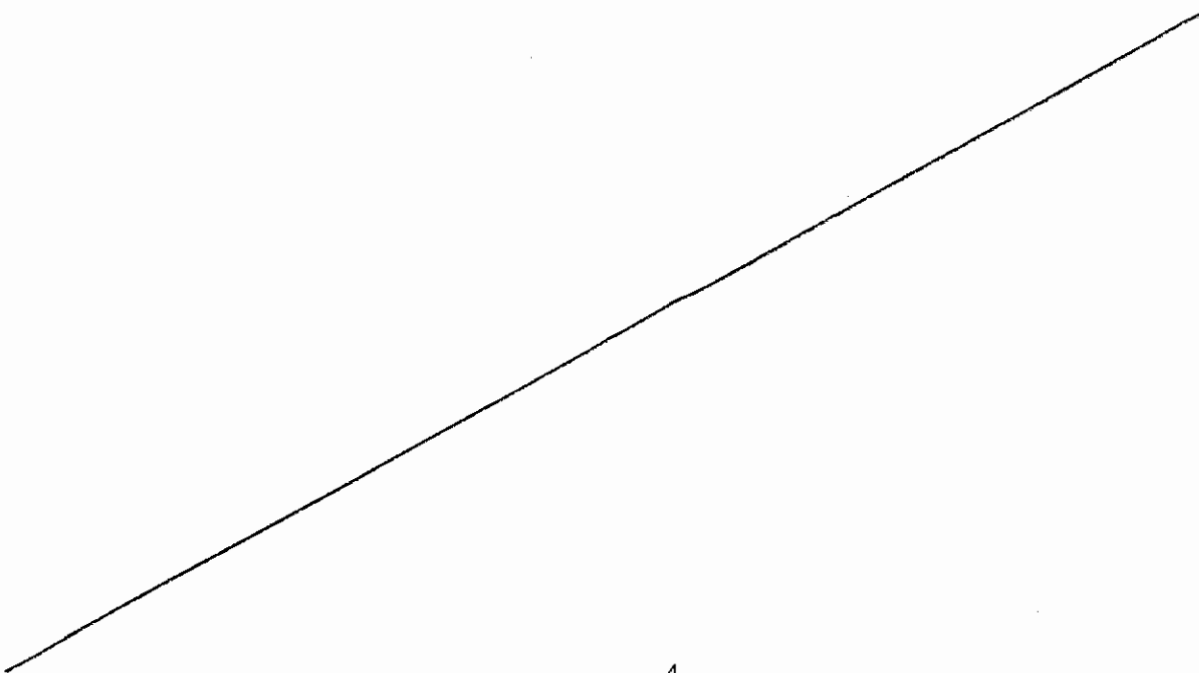
Section 6. That Chapter 13, Article 1, Division 1 of the San Diego Municipal Code be and the same is hereby amended by adding Section 131.0105 and Figure 131-01A to read as follows:

§131.0105 Development Character Areas

Development Character Areas are established to ensure that appropriate *development* regulations are applied to community plan areas based upon their age and geographic location and include *Proposition A Lands*, *Planned Urbanized Communities*, and *Urbanized Communities*. Development Character Area boundaries generally follow community plan area boundaries except in the case of University City, which falls into two Development Character Areas. Development Character Areas are represented on Figure 131-01A.

Figure 131-01A




Development Character Areas




DRAFT 9/4/2007

Legend

Development Character Areas

-  PROPOSITION A LANDS
-  PLANNED URBANIZED
-  URBANIZED

0 10,000 20,000 Feet



Legend

Development Character Areas

PROPOSITION A LANDS

 PLANNED URBANIZED

 URBANIZED

0 10,000 20,000 Feet



Section 7. That Chapter 13, Article 1, Division 2 of the San Diego Municipal Code be and the same is hereby amended by amending Section 131.0240 to read as follows:

§131.0240 Maximum Permitted Residential Density in Open Space Zones

- (a) (No change)
- (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) (No change)
 - (2) (No change)
 - (3) (No change)
 - (4) Within *Proposition A Lands*, 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.

Section 8. That Chapter 13, Article 1, Division 3 of the San Diego Municipal Code be and the same is hereby amended by amending Section 131.0340 to read as follows:

§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) (No change)

- (2) (No change)
- (3) (No change)
- (4) Within *Proposition A Lands*, except within the Del Mar Mesa Specific Plan 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. For *development* within the Del Mar Mesa Specific Plan area, the rural cluster option is not available, and the maximum permitted *density* is that identified in the Del Mar Mesa Specific Plan adopted on May 27, 1997 by Ordinance O-18377.

(b) (No change)

Section 9. That Chapter 13, Article 1, Division 4 of the San Diego Municipal Code be and the same is hereby amended by amending Section 131.0403 to read as follows:

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

- (a) (No change)
- (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 Urbanized Community* or within *Proposition A Lands*, 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 Urbanized Communities or Proposition A Lands*

- 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*

Section 10. That Chapter 14, Article 1, Division 3 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 141.0312 and 141.0313 to read as follows:

§141.0312 Residential Care Facilities

Residential care facilities provide in-house treatment or rehabilitation programs for residents on a 24-hour basis. Residential care facilities include drug and alcohol rehabilitation and recovery facilities and residential and community care facilities as defined by the state or county. Housing for senior citizens, nursing homes, convalescent homes, work furlough and probationary residential facilities, and emergency shelters are not residential care facilities.

Residential care facilities for 7 to 12 persons may be permitted with a Conditional Use Permit decided in accordance with Process Three, and residential care facilities for 13 or more persons may be permitted with a Conditional Use Permit decided in accordance with Process Four, in the zones indicated with a "C" in the Use

Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Residential care facilities are not permitted in agricultural zones in

Proposition A Lands.

- (b) (No change)

- (c) (No change)

- (d) (No change)

- (e) (No change)

- (f) (No change)

- (g) (No change)

- (h) (No change)

- (i) (No change)

- (j) (No change)

§141.0313 Transitional Housing Facilities

Transitional housing facilities offer residential accommodations for a specified period of time, counseling services, and other support services to prepare *families* and individuals for independent living.

Transitional housing may be permitted with a Conditional Use Permit decided in accordance with Process Five, in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. Section 112.0509(b) requiring a Planning Commission recommendation, shall not be applicable to transitional housing facilities.

- (a) Transitional housing is not permitted in agricultural zones in *Proposition A Lands.*

- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) (No change)
- (f) (No change)
- (g) (No change)
- (h) (No change)
- (i) (No change)

Section 11. That Chapter 14, Article 1, Division 4 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 141.0403, 141.0407, 141.0411, and 141.0412, 141.0413 to read as follows:

§141.0403 Cemeteries, Mausoleums, and Crematories

Cemeteries, mausoleums, and crematories may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Cemeteries, mausoleums, and crematories are not permitted in agricultural zones in *Proposition A Lands* or within *floodplains* located in agriculturally zoned areas of the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) (No change)
- (f) (No change)

- (g) (No change)

§141.0407 Educational Facilities--Schools for Kindergarten to Grade 12 and Colleges/Universities

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

- (a) Permanent *development* associated with educational facilities is not permitted in agricultural zones in *Proposition A Lands* or within *floodplains* located in the Coastal Overlay Zone.

- (c) (No change)

- (d) (No change)

- (e) (No change)

- (f) (No change)

§141.0411 Historical Buildings Occupied by Uses Not Otherwise Allowed

Historical buildings occupied by uses not otherwise allowed may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) In *Proposition A Lands*, a Conditional Use Permit shall not be approved for *historical buildings* occupied by uses not otherwise allowed.

- (b) (No change)

- (c) (No change)

- (d) (No change)

- (e) (No change)

- (f) (No change)
- (g) (No change)
- (h) (No change)

§141.0412 Homeless Facilities

- (a) (No change)
- (b) (No change)
- (c) Emergency Shelters

Emergency shelters may be permitted with a Conditional Use Permit decided in accordance with Process Five in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. Section 112.0509(b) requiring a Planning Commission recommendation, shall not be applicable to emergency shelters.

- (1) Emergency shelters are not permitted in *Proposition A Lands*.
- (2) (No change)
- (3) (No change)
- (4) (No change)
- (5) (No change)
- (6) (No change)
- (7) (No change)
- (8) (No change)
- (9) (No change)

§141.0413 Hospitals, Intermediate Care Facilities, and Nursing Facilities

Hospitals, intermediate care facilities, and nursing facilities may be permitted with a Process Four Conditional Use Permit in the zones indicated with a “C” in the Use

Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) These facilities are not permitted in agricultural zones in *Proposition A Lands* or within *floodplains* located in the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) (No change)
- (f) (No change)

Section 12. That Chapter 14, Article 1, Division 5 of the San Diego Municipal Code be and the same is hereby amended by amending Section 141.0504 to read as follows:

§141.0504 Swap Meets and Other Large Outdoor Retail Facilities

Swap meets and other large outdoor retail facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Swap meets and other large outdoor retail facilities are not permitted in agricultural zones in *Proposition A Lands* or within *floodplains* located in agriculturally zoned areas of the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) (No change)
- (f) (No change)

Section 13. That Chapter 14, Article 1, Division 6 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 141.0605, 141.0608, 141.0618, and 141.0625 to read as follows:

§141.0605 Camping Parks

Camping parks may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) *Fill* or permanent buildings associated with the *development* of camping parks are not permitted in *floodplains* or in agricultural zones in *Proposition A Lands* or in agriculturally zoned areas of the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) No change)
- (f) (No change)
- (g) (No change)
- (h) (No change)

§141.0608 Fairgrounds

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

- (a) Fairgrounds are not permitted in agricultural zones in *Proposition A Lands*.

Fill or permanent buildings are not permitted in *floodplains* located in agriculturally zoned areas of the Coastal Overlay Zone.

- (b) (No change)

- (c) (No change)

- (d) (No change)

- (e) (No change)

- (f) (No change)

§141.0618 Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size

Privately operated, outdoor recreational facilities over 40,000 square feet in size may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Privately operated, outdoor recreational facilities are not permitted in agricultural zones in *Proposition A Lands*, or within *floodplains* located in agriculturally zoned areas of the Coastal Overlay Zone.

- (b) (No change)

- (c) (No change)

- (d) (No change)

- (e) (No change)

- (f) (No change)

- (g) (No change)

§141.0625 Veterinary Clinics and Animal Hospitals

Veterinary clinics and hospitals may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Veterinary clinics and hospitals are not permitted in agricultural zones in *Proposition A Lands*, except as an accessory use within a zoological park, or within *floodplains* located in the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)

Section 14. That Chapter 14, Article 1, Division 9 of the San Diego Municipal Code be and the same is hereby amended by amending Section 141.0902 to read as follows:

§141.0902 Junk Yards

Junk yards may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Junk yards are not permitted in agricultural zones in *Proposition A Lands*, or within *floodplains* located in the Coastal Overlay Zone.
- (b) (No change)
- (c) (No change)
- (d) (No change)
- (e) (No change)

Section 15. That Chapter 14, Article 2, Division 5 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 142.0505, 142.0525, and 142.0535 to read as follows:

§142.0505 When Parking Regulations Apply

These regulations apply in all base zones and planned districts, with the exception of those areas specifically identified as being exempt from the regulations, whether or not permit or other approval is required. Table 142-05A identifies the applicable regulations and the type of permit required by this division, if any, for the type of development shown.

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

Type of Development Proposal	Applicable Regulations	Required Permit Type/ Decision Process
Any single dwelling unit residential development	Sections 142.0510, 142.0520 and 142.0560	No permit required by this division
Any multiple dwelling unit residential development	Sections 142.0510, 142.0525 and 142.0560	No permit required by this division
Any nonresidential development	Sections 142.0510, 142.0530, and 142.0560	No permit required by this division
Multiple dwelling unit projects in Planned Urbanized Communities that are processing a Planned Development Permit.	Section 142.0525(c)	No permit required by this division
Condominium conversion	Section 142.0525(a)	No permit required by this division
Off-premises parking for development in Urbanized Communities.	Section 142.0535	No permit required by this division
Commercial uses on small lots	Section 142.0540(a)	No permit required by this division
Nonresidential developments that exceed maximum permitted parking	Section 142.0540(b)	Neighborhood Development Permit /Process Two
Nonresidential developments that vary from minimum parking requirements with a TDM Plan	Section 142.0540(c)	Site Development Permit/Process Three
Shared parking for specified uses	Section 142.0545	No permit required by this division
Shared parking for nonspecified uses	Section 142.0545(b)(7)	Neighborhood Development Permit/ Process Two
Tandem Parking for commercial uses	Section 142.0555(b)	Neighborhood Development Permit/ Process Two

§142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios

- (a) (No change)
- (b) (No change)

- (c) Common Area Parking Requirement. The common area parking requirement applies to *multiple dwelling unit developments* that are located in *Planned Urbanized Communities* and that are processed in conjunction with a Planned Development Permit. The following standards will be applied by the decision maker when common area parking is required.

(1) (No change)

(2) (No change)

(3) (No change)

(4) (No change)

(d) (No change)

§142.0535 Off-Premises Parking Regulations in Urbanized Communities

Required *off-street parking spaces* for uses in *Urbanized Communities* may be located *off-premises*, subject to the following regulations.

(a) (No change)

(b) (No change)

(c) (No change)

(d) (No change)

Section 16. That Chapter 14, Article 2, Division 6 of the San Diego Municipal Code be and the same is hereby amended by amending Section 142.0670 to read as follows:

§142.0670 Standards for Public Improvements

- (a) Streetscape and *street* improvements shall be constructed in accordance with the applicable adopted Council Policies, the standards established in the Land Development Manual, and the following regulations:

- (1) For *Urbanized Communities*, the design of sidewalks shall be in *substantial conformance* with the historic design of sidewalks on adjacent properties including location, width, elevation, scoring pattern, texture, color, and material to the extent that the design is approved by the City Engineer, unless an alternative design is approved as part of a use permit or *development permit*. An alternative design also requires an Encroachment Maintenance and Removal Agreement in accordance with Section 129.0715.

(2) (No change)

(3) (No change)

(4) (No change)

(5) (No change)

(6) (No change)

(b) (No change)

(c) (No change)

(d) (No change)

(e) (No change)

(f) (No change)

Section 17. That Chapter 14, Article 2, Division 13 of the San Diego Municipal Code be and the same is hereby amended by amending Section 142.1303 to read as follows:

§ 142.1303 Exemptions From the Affordable Housing Inclusionary Regulations

This Division is not applicable to the following:

- (a) Residential *development* located in the North City Future Urbanizing Area that is within *Proposition A Lands* of the City of San Diego or any project

located in an area of the City that was previously located in the North City Future Urbanizing Area and has been phase shifted into the *Planned Urbanized Communities*, and is subject to the inclusionary zoning requirements contained in the North City Future Urbanizing Area Framework Plan, San Diego Municipal Code section 143.0450(d), the Subarea Plans, Development Agreements, Affordable Housing Agreements, or conditions of approval of a *development permit*, as applicable.

Section 18. That Chapter 14, Article 3, Division 1 of the San Diego Municipal Code be and the same is hereby amended by amending Section 143.0115 to read as follows:

§143.0115 Procedures and Regulations for Project-Specific Land Use Plans

- (a) Project-specific *land use plans*, including specific plans, precise plans, privately initiated *land use plan* amendments, and *Proposition A Land* subarea plans, proposed for sites where *environmentally sensitive lands* are present, are subject to the regulations in this section to ensure adequate analysis of the constraints and opportunities of the planning area relative to *environmentally sensitive lands*. The analysis of *environmentally sensitive lands* for project-specific *land use plans* will be conducted in accordance with either Section 143.0115(b) or (c) based on whether or not a Site Development Permit is processed concurrently with the project-specific *land use plan*. Within the Coastal Overlay Zone, a project-specific *land use plan* is subject to the *Local Coastal Program* amendment process.
- (b) (No change)
- (c) (No change)

Section 19. That Chapter 14, Article 3, Division 2 of the San Diego Municipal Code be and the same is hereby amended by amending Section 143.0213 to read as follows:

§143.0213 Procedures and Regulations for Project-Specific Land Use Plans

- (a) The regulations in this division shall apply to project-specific *land use plans*, including specific plans, precise plans, privately initiated *land use plan* amendments, and *Proposition A Land* subarea plans, when *historical resources* are present. These regulations are applied in order to ensure an adequate analysis of the constraints and opportunities of the planning area relative to *historical resources*.
- (b) (No change)

Section 20. That Chapter 14, Article 3, Division 4 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 143.0402, 143.0420, 143.0430, 143.0440, and 143.0450 to read as follows:

§143.0402 When Planned Development Permit Regulations Apply

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

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

Type of Development Proposal	Applicable Sections	Required Development Permit/Decision Process ⁽¹⁾
Residential <i>development</i> requesting deviations from applicable zone regulations ⁽²⁾	143.0403, 143.0410, 143.0420	PDP/Process 4
Commercial and Industrial <i>development</i> requesting deviations from applicable zone regulations	143.0403, 143.0410, 143.0460	PDP/Process 4
<i>Developments</i> within <i>land use plans</i> where a Planned Development Permit is recommended when other discretionary actions are requested	143.0403, 143.0465	PDP/Process 3
Rural cluster <i>development</i> in the AR and OR zones	143.0403, 143.0410, 143.0420, 143.0440	PDP/Process 4
Rural cluster <i>development</i> with increased density in the AR-1-1 and OR-1-2 zones within <i>Proposition A Lands</i> ⁽³⁾	143.0403, 143.0410, 143.0420, 143.0450	PDP/Process 5

Type of Development Proposal	Applicable Sections	Required Development Permit/Decision Process ⁽¹⁾
Residential development in RS zones of Urbanized Communities where a Planned Development Permit is requested	143.0403, 143.0410, 143.0420, 143.0430	PDP/Process 4

Footnotes to Table 143-04A

- 1 (No change)
- 2 (No change)
- 3 (No change)

§143.0420 Supplemental Planned Development Permit Regulations for Residential Development

In addition to the general regulations for all Planned Development Permits, the following supplemental regulations apply to all Planned Development Permits that include residential *development*, when identified in Table 143-04A:

(a) Open Space

- (1) For proposed *development* within the zones shown in the first column in Table 143-04B, the open space requirements shown in the second and third columns apply.

Table 143-04B
Open Space Requirements for Planned Development Permits

Zone	Minimum Usable Open Space Required per Dwelling Unit ⁽²⁾	Minimum Total Open Space Required per Dwelling Unit ⁽¹⁾
OR-1-1	--	4 ac
OR-1-2 ⁽³⁾	--	4 ac
AR-1-1 ⁽³⁾	--	2 ac
AR-1-2	--	17,400 sq. ft.
RE-1-1	--	4 ac
RE-1-2	--	2 ac
RE-1-3	--	17,400 sq. ft.
RS-1-1, RS-1-8	7,000 sq. ft.	14,000 sq. ft.
RS-1-2, RS-1-9	3,500 sq. ft.	7,000 sq. ft.
RS-1-3, RS-1-10	2,625 sq. ft.	5,250 sq. ft.
RS-1-4, RS-1-11	1,750 sq. ft.	3,500 sq. ft.
RS-1-5, RS-1-12	1,200 sq. ft.	2,400 sq. ft.
RS-1-6, RS-1-13	900 sq. ft.	1,800 sq. ft.
RS-1-7, RS-1-14	750 sq. ft.	1,500 sq. ft.
RX-1-1	625 sq. ft.	1,250 sq. ft.
RX-1-2	500 sq. ft.	1,000 sq. ft.
RM-1-1	500 sq. ft.	500 sq. ft.
RM-1-2	375 sq. ft.	375 sq. ft.
RM-1-3	300 sq. ft.	300 sq. ft.
RM-2-4	220 sq. ft.	220 sq. ft.
RM-2-5	190 sq. ft.	190 sq. ft.
RM-2-6	155 sq. ft.	155 sq. ft.

Zone	Minimum Usable Open Space Required per Dwelling Unit ⁽²⁾	Minimum Total Open Space Required per Dwelling Unit ⁽¹⁾
RM-3-7	125 sq. ft.	125 sq. ft.
RM-3-8	100 sq. ft.	100 sq. ft.
RM-3-9	90 sq. ft.	90 sq. ft.
RM-4-10	75 sq. ft.	75 sq. ft.
RM-4-11	75 sq. ft.	75 sq. ft.
RM-5-12	125 sq. ft.	125 sq. ft.

Footnotes for Table 143-04B

- 1 Total open space includes usable open space plus any other areas to be left as open space.
- 2 Usable open space includes private exterior open space and common open space that is functional to residents.
- 3 For open space requirements for residential rural cluster *development* with increased *density* in the AR-1-1 and OR-1-2 zones within *Proposition A Lands*, see Section 143.0450(c).

(2) (No change)

(3) (No change)

(4) (No change)

(5) (No change)

(6) (No change)

(b) (No change)

(c) (No change)

(d) (No change)

§143.0430 Supplemental Planned Development Permit Regulations for Residential Development in RS Zones in Urbanized Communities

In addition to the general regulations for all Planned Development Permits and supplemental regulations for residential *developments*, *developments* requesting a Planned Development Permit in the *Urbanized Communities* in the RS Zones or in areas combining RS and any other zone permitting residential use are subject to the following regulations:

(a) (No change)

(b) (No change)

(c) (No change)

(d) (No change)

§143.0440 Supplemental Planned Development Permit Regulations for Residential Rural Cluster Development in the AR and OR Zones

In addition to the general regulations for all Planned Development Permits and supplemental regulations for residential *developments*, the following regulations apply to all residential Planned Development Permits for rural cluster *developments* in the AR and OR zones:

(a) *Density*

- (1) Within the AR zones, the maximum residential *density* permitted shall be as specified in the applicable zone, with the units clustered to preserve the remainder of the *premises* in its natural state until and if complete *development* at urban *densities* is ever deemed appropriate. Within *Proposition A Lands*, the reservation of future *development* potential will require the use of covenants, conditions, restrictions, or other mechanisms as determined by the City Manager to insure that the undeveloped portion of the property remains undeveloped until the *Proposition A Lands* are shifted to a *Planned Urbanized Community*.
- (2) (No change)
- (3) (No change)
- (4) Within *Proposition A Lands* and outside the Coastal Overlay Zone, the area of a golf course meeting the criteria of Section 143.0440(c)(4) may be used in the calculation of total permitted residential *density*.

(b) (No change)

(c) Open Space Requirement

- (1) (No change)
- (2) (No change)
- (3) (No change)
- (4) Recreational facilities shall be designed to serve only the occupants and guests of the *development*. However, within *Proposition A Lands* and outside the Coastal Overlay Zone, golf courses open to the public and their customary incidental, supportive facilities (excluding lodging facilities) need not be restricted provided that a permanent and irrevocable open space easement is established that covers the area of the golf course. A golf course open to the public means a public golf course or a private golf course on public or private land that is open to the public on a daily fee basis or that offers memberships to the public.
- (5) Within *Proposition A Lands* and outside the Coastal Overlay Zone, the area of a golf course meeting the criteria of Section 143.0440(c)(4) may be used in the calculation of total required open space.

§143.0450 Supplemental Planned Development Permit Regulations for Residential Rural Cluster Development with Increased Density

In addition to the general regulations for all Planned Development Permits and supplemental regulations for residential *developments*, the following regulations apply to all residential rural cluster *developments* requesting increased *density* that are located in the AR-1-1 and OR-1-2 zones within *Proposition A Lands*. Approval of a proposed *development* in accordance with this section shall require the *findings* in Section 126.0604(b) to be made.

- (a) *Density*

- (1) Within the AR-1-1 and OR-1-2 zones within *Proposition A Lands*, except within the Del Mar Mesa Specific Plan adopted on May 27, 1997 by Ordinance No. O-18337, the maximum permitted *density* with the increased *density* rural cluster alternative is one *dwelling unit* per 4 acres with the *dwelling units* clustered. The remainder of the *premises* where no *development* is proposed shall be maintained in its natural state with no future *development* potential. The utilization of this increased *density* alternative shall require the provision of housing within the *premises*, affordable to *low* or *very low income families*, in accordance with Section 143.0450(d). For *development* within the Del Mar Mesa Specific Plan area the *development* regulations identified in the Del Mar Mesa Specific Plan adopted on May 27, 1997 by Ordinance O-18337 apply.
- (2) (No change)
- (3) (No change)
- (b) (No change)
- (c) Open Space Requirements
 - (1) (No change)
 - (2) (No change)
 - (3) (No change)
 - (4) (No change)
 - (5) (No change)
 - (6) Recreational facilities shall be designed to serve only the occupants and guests of the planned *development*. However, within *Proposition*

A Lands and outside the Coastal Overlay Zone, golf courses open to the public and their customary incidental, supportive facilities (excluding lodging facilities) need not be restricted provided that a permanent and irrevocable open space easement is established that covers the area of the golf course. A golf course open to the public shall mean a public golf course or a private golf course on public or private land that is open to the public on a daily fee basis or that offers memberships to the public.

(7) (No change)

(d) Affordable Housing Requirement for Increased *Density* Rural Cluster *Development*:

In the AR-1-1 and OR-1-2 zones within *Proposition A Lands*, Planned Developments using the increased *density* rural cluster alternative are required to provide housing units within the *development*, that are affordable to *low income families*, as certified by the San Diego Housing Commission.

(1) (No change)

(2) (No change)

(3) (No change)

(4) (No change)

(e) Subarea Plan Requirement in the North City Future Urbanizing Area

(1) Within the North City Future Urbanizing Area that is within *Proposition A Lands*, a subarea plan shall be prepared pursuant to the General Plan. The subarea plan shall be developed consistent with the North City Future Urbanizing Area Framework

Plan, as approved by the California Coastal Commission on May 14, 1993. Alternatively, the *applicant* must demonstrate that, at a minimum, all public facilities within the subarea (as designated by the General Plan) have been sited; a Purchase Agreement for the public facility sites has been completed; mixed use centers within the subarea have been sited; the *street* system to access the mixed use centers and public facilities has been aligned; a financing plan for the project area, subarea, or larger planning area has been completed; and open space boundaries have been refined if the project deviates from the *MHPA* boundaries shown in the General Plan.

(2) (No change)

Section 21. That Chapter 14, Article 3, Division 9 of the San Diego Municipal Code be and the same is hereby amended by amending Section 143.0915 to read as follows:

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

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

- (a) (No change)
- (b) (No change)
- (c) (No change)
- (d) Residential *development* of 10 or more *dwelling units* within the *Urbanized Communities* of the City, provided that all of the *dwelling units* are affordable to households earning no more than 150% average median income and where applicable, the *development* does not reduce the number of affordable units previously existing.
- (e) (No change)

(f) (No change)

(g) (No change)

Section 22. That Chapter 14, Article 4, Division 2 of the San Diego Municipal Code be and the same is hereby amended by amending Section 144.0206 to read as follows:

§144.0206 Requirements for Tentative Maps in Planned Urbanized Communities

Tentative maps of property in the *Planned Urbanized Communities* may be approved if they comply with one of the following conditions.

- (a) *Tentative maps* of property in the *Planned Urbanized Communities* may be approved if the following conditions are required to be met before *final map* or *parcel map* approval:
 - (1) (No change)
 - (2) (No change)
 - (3) (No change)
- (b) *Tentative maps* of property in *Planned Urbanized Communities* may be approved before development of an implementation program for financing *public improvements* in accordance with Section 125.0442 if the *subdivider* enters into a binding Development Agreement with the City by which the *subdivider* consents to future establishment of any necessary assessment districts covering the subject community financing plan area and by which the *subdivider* consents to payment of an estimated facilities benefit assessment fee at the time of building permit issuance. The Development Agreement shall provide for the possibility of an under payment or over payment of the estimated fee and for reimbursement of a portion of, or supplementation of,

the fees as may be required. The resolution approving the *tentative map* shall specify all such conditions.

Section 23. 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 24. Except in the Coastal Overlay Zone, this ordinance shall take effect and be in force on the thirtieth day from and after its passage. Within the Coastal Overlay Zone, this ordinance shall be in force and effect on the date it is effectively certified by the California Coastal Commission as a City of San Diego Local Coastal Program amendment.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By: 

Nina M. Fain
Deputy City Attorney

NMF:mm

2/22/08

3/05/08 CORR.COPY

Or. Dept: CPCI

O-2008-114

MMS#5931

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 25 2008.

ELIZABETH S. MALAND
City Clerk

By: 

Deputy City Clerk

Approved: 4-8-08

(date)


JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor

OLD LANGUAGE; ~~STRIKEOUT~~

NEW LANGUAGE: DOUBLE UNDERSCORE

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE REGARDING THE REGULATION OF ROOMING HOUSES AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1, BY AMENDING SECTION 113.0103; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 1, BY AMENDING SECTION 131.0112; DIVISION 2, BY AMENDING SECTION 131.0222; DIVISION 3, BY AMENDING SECTION 131.0322; DIVISION 4, BY AMENDING SECTIONS 131.0422 AND 131.0423; DIVISION 5, BY AMENDING SECTION 131.0522; DIVISION 6, BY AMENDING SECTION 131.0622; AND, BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0525.

§ 113.0103 Definitions

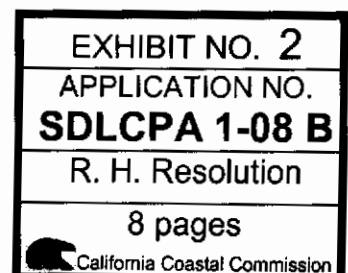
Abutting property through Roof Sign [No change in text.]

Rooming house means a dwelling unit where three or more rooms are rented individually or separately, to tenants under separate rental agreements. Housing protected by federal or state law, including housing for persons protected under the Fair Housing Act (42 USC section 3604 (f)) and the California Fair Housing Act (California Government Code section 12920 et seq.), or housing otherwise subject to the City's Separately Regulated Use regulations in Chapter 14, Article 1, shall not constitute a rooming house.

School through Yard [No change in text.]

§ 131.0112 Descriptions of Use Categories and Subcategories

(a) [No change in text.]



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

(3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

(A) Rooming houses ~~Group Living Accommodations~~ —

Dwellings where rooms are rented individually or separately, resulting in multiple, independent living units where tenants do not share common access or financial responsibility for use of the dwelling unit as a whole.

~~multiple residents share living accommodations and facilities and where meals or other services are provided.~~

Pursuant to Section 127.0102(d), all previously conforming rooming houses shall be unlawful three years from the effective date of Ordinance O-2008-61.

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

(4) through (11) [No change in text.]

(b) [No change in text.]

§ 131.0222 Use Regulations Table for Open Space Zones

[No change in text.]

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

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones				
	1st & 2nd >>		OP-		OC-	OR ⁽¹⁾ -	OF ⁽¹²⁾ -
	3rd >>		1-	2-	1-	1-	1-
	4th >>		1	1	1	1 2	1

Open Space [No change in text.]					
Agriculture [No change in text.]					
Residential					
Group Living Accommodations	-	-	-	-	-
Mobilehome Parks through Multiple Dwelling Units [No change in text.]					
Rooming House [See Section 131.0112(a)(3)(A)]	=	=	=	=	=
Single Dwelling Units	-	-	-	P	-
Separately Regulated Residential Uses:					
Boarder & Lodger Accommodations	-	-	-	L	-
Companion Units through Watchkeeper Quarters [No change in text.]					
Institutional through Signs [No change in text.]					
[No change in footnotes.]					

§ 131.0322 Use Regulations Table for Agricultural Zones

[No change in text.]

Table 131-03B
Use Regulations Table of Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
		AG		AR	
	1st & 2nd >>	1-		1-	
	3rd >>	1		1	
	4th >>	1	2	1	2
Open Space [No change in text.]					
Agriculture [No change in text.]					
Residential					
Group Living Accommodations		-		-	
Mobilehome Parks through Multiple Dwelling Units [No change in text.]					
Rooming House [See Section 131.0112(a)(3)(A)]		=		=	
Single Dwelling Units		P ⁽¹⁾		P	
Separately Regulated Residential Uses					
Boarder & Lodger Accommodations		-		L	
Companion Units through Watchkeeper Quarters [No change in text.]					
Institutional through Signs [No change in text.]					

[No change in footnotes.]

§ 131.0422 Use Regulations Table for Residential Zones

[No change in text.]

Table 131-04B
Use Regulations Table of Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																											
	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					
Open Space [No change in text.]																														
Agriculture																														
Agricultural Processing through Raising and Harvesting of Crops [No change in text.]																														
Raising, Maintaining & Keeping of Animals			p(3)(10)(9) - -																											
Separately Regulated Agricultural Uses [No change in text.]																														
Residential																														
Group Living Accommodations			- - - -																											
Mobilehome Parks through Multiple Dwelling Units [No change in text.]																														
Rooming House [See Section 131.0112(a)(3)(A)]			= = = =																											
Single Dwelling Units			P P P P																											
Separately Regulated Residential Uses																														
Boarder & Lodger Accommodations			L L L L																											
Companion Units through Watchkeeper Quarters [No change in text.]																														
Institutional through Signs [No change in text.]																														

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones											
	1st & 2nd >>		RM-											
	3rd >>		1-			2-			3-			4-		5-
	4th >>		1	2	3	4	5	6	7	8	9	10	11	12
Open Space [No change in text.]														
Agriculture [No change in text.]														
Residential														
Group Living Accommodations			P ⁽⁷⁾			P ⁽⁷⁾			P ⁽⁷⁾			P ⁽⁷⁾		P ⁽⁷⁾
Mobilehome Parks through Multiple Dwelling Units														

[No change in text.]					
Rooming House [See Section 131.0112(a)(3)(A)]	=	=	P	P	P
Single Dwelling Units	P	P	P	P	-
Separately Regulated Residential Uses					
<i>Boarder & Lodger Accommodations</i>	L	L	L	L	L
Companion Units through Watchkeeper Quarters [No change in text.]					
Institutional [No change in text.]					
Sales					
Building Supplies & Equipment [No change in text.]					
Food, Beverages and Groceries	-	-	P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾
Consumer Goods, Furniture, Appliances, Equipment through Pets and Pet Supplies [No change in text.]					
Sundries, Pharmaceuticals, & Convenience Sales	-	-	P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾
Wearing Apparel & Accessories [No change in text.]					
Commercial					
Building Services through Off-site Services [No change in text.]					
Personal Services			P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾	P ⁽⁹⁾⁽⁸⁾
Assembly & Entertainment through Separately Regulated Commercial Services [No change in text.]					
Offices					
Business & Professional through Government [No change in text.]					
Medical, Dental, & Health Practitioner	-	-	P ⁽⁸⁾⁽⁷⁾	P ⁽⁸⁾⁽⁷⁾	-
Regional & Corporate Headquarters [No change in text.]					
Vehicular & Vehicular Equipment Sales & Service through Signs [No change in text.]					

Footnotes for Table 131-04B.

¹ through ⁶ [No change in text.]⁷ See Section 131.0423(e).⁸ ⁷ See Section 131.0423(a).⁹ ⁸ See Section 131.0423(b).¹⁰ ⁹ 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.**§ 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) through (b) [No change in text.]

(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.~~

§ 131.0522 Use Regulations Table of Commercial Zones

[No change in text.]

Table 131-05B
Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
		CN (1)-			CR-		CO-		CV-		CP-
		1-			1-	2-	1-		1-		1-
		1	2	3	1	1	1	2	1	2	1
Open Space [No change in text.]	1st & 2nd >>										
Agriculture [No change in text.]	3rd >>										
Residential	4th >>										
Group Living Accommodations		-	-	-	-	-	-	-	-	-	-
Mobilehome Parks through Multiple Dwelling Units [No change in text.]											
Rooming House [See Section 131.0112(a)(3)(A)]		P ⁽²⁾	P	-	P	-	P	-	P ⁽²⁾	-	-
Single Dwelling Units		-	-	-	-	-	-	-	-	-	-
Separately Regulated Residential Uses											
Boarder & Lodger Accommodations		L ⁽²⁾	L	-	L	-	L	-	L ⁽²⁾	-	-

Companion Units through Watchkeeper Quarters [No change in text.]						
Institutional through <i>Signs</i> [No change in text.]						

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
		CC-																	
		1-			2-			3-			4-			5-					
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
	1st & 2nd >> 3rd >> 4th >>																		
Open Space [No change in text.]																			
Agriculture [No change in text.]																			
Residential																			
Group Living Accommodations		-			-			-			-			-			-		
Mobilehome Parks through Multiple Dwelling Units																			
Rooming House [See Section 131.0112(a)(3)(A)]		P			P			P			P			P			P		
Single Dwelling Units		-			-			-			-			-			-		
Separately Regulated Residential Uses																			
Boarder & Lodger Accommodations		L			-			L			L			L			L		
Companion Units through Watchkeeper Quarters [No change in text.]																			
Institutional through Signs [No change in text.]																			
[No change in footnotes.]																			

§ 131.0622 Use Regulations Table for Industrial Zones

[No change in text.]

Table 131-06B

Use Regulations Table for Industrial Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones							
		IP-		IL-			IH-		IS-
		1-	2-	1-	2-	3-	1-	2-	1-
		1	1	1	1	1	1	1	1
Open Space [No change in text.]	1st & 2nd >> 3rd >> 4th >>								
Agriculture [No change in text.]									
Residential									
Group Living Accommodations		-	-	-	-	-	-	-	-
Mobilehome Parks through Multiple Dwelling Units [No change in text.]									
Rooming House [See Section 131.0112(a)(3)(A)]		=	=	=	=	=	=	=	=
Single Dwelling Units		-	-	-	-	-	-	-	-
Separately Regulated Residential Uses									
Boarder & Lodger Accommodations		-	-	-	-	-	-	-	-
Companion Units through Watchkeeper Quarters [No change in text.]		-	-	-	-	-	-	-	-
Institutional through <i>Signs</i> [No change in text.]									
[No change in footnotes.]									

§ 142.0525 Multiple Dwelling Unit Residential Uses — Required Parking Ratios

Table 142-05C

**Minimum Required Parking Spaces for
Multiple Dwelling Units and Related and Accessory Uses**

Multiple Dwelling Unit Type and Related and Accessory Uses	Automobile Spaces Required Per Dwelling Unit (Unless Otherwise Indicated)			Motorcycle Spaces Required Per Dwelling Unit	Bicycle ⁽⁵⁾ Spaces Required Per Dwelling Unit
	Basic ⁽¹⁾	Transit Area ⁽²⁾ or Very Low Income ⁽³⁾	Parking Impact ⁽⁴⁾		
Studio up to 400 square feet through Condominium conversion [No change in text.]					
<u>Rooming house</u> Rooming and Boarding House	<u>1.0 per tenant</u> <i>boarder</i>	<u>0.75 per tenant</u> <i>boarder</i>	<u>1.0 per tenant</u> <i>boarder</i>	<u>0.05 per tenant</u> <i>boarder</i>	<u>0.30 per tenant</u> <i>boarder</i>
<u>Boarder & Lodger Accommodations</u>	<u>1.0 per two</u> <i>boarders or lodgers</i>	<u>1.0 per two</u> <i>boarders or lodgers</i>	<u>1.0 per two boarders</u> <u>or lodgers.</u> <u>except 1.0 per boarder</u> <u>or lodger in beach</u> <u>impact area</u>	=	=
Residential care facility through Accessory Uses [No change in text]					

[No change in footnotes.]

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

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(O-2008-57 Rev. Version A)

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____


AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING THE LAND DEVELOPMENT CODE BY ADDING CHAPTER 12, ARTICLE 3, DIVISION 5, BY ADDING SECTIONS 123.0501, 123.0502, 123.0503, 123.0504, 123.0505 AND 123.0506; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4, BY AMENDING SECTION 131.0422 TABLE 131-04B BY ADDING FOOTNOTE 11; AND BY AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5, BY AMENDING SECTION 142.0520 TABLE 142-05B, ALL PERTAINING TO RESIDENTIAL HIGH OCCUPANCY PERMITS.

§123.0501 Purpose of Residential High Occupancy Permit

The purpose of these procedures is to provide for annual review of high occupancy single dwelling units for conformance with the applicable zoning regulations by ensuring that high occupancy units provide adequate parking and minimize impacts to adjacent properties.

§123.0502 When a Residential High Occupancy Permit Is Required

(a) A Residential High Occupancy Permit is required for a single dwelling unit when the occupancy of the dwelling unit would consist of six or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days.

EXHIBIT NO. 3
APPLICATION NO.
SDLCPA 1-08 C
R. H. O. Resolution
7 pages
 California Coastal Commission

(1) Prior to the rental or sale of a *single dwelling unit*, the property owner shall disclose the requirement for a Residential High Occupancy Permit to prospective tenants or buyers.

(2) The Residential High Occupancy Permit requirement shall apply to a *single dwelling unit* described in Section 123.0502(a) regardless of whether six or more persons eighteen years of age and older resided in the *dwelling unit* prior to the effective date of this ordinance.

(b) Housing for senior citizens, residential care facilities, and transitional housing facilities are exempt from the requirement for a Residential High Occupancy Permit, but are otherwise subject to the use regulations in Chapter 14, Article 1.

§123.0503 How to Apply for a Residential High Occupancy Permit

(a) Within 30 days of an increase in *single dwelling unit* occupancy that results in six or more persons eighteen years of age and older residing in a *single dwelling unit* for a period of 30 or more consecutive days, a property owner shall apply for a Residential High Occupancy Permit in accordance with Section 112.0102.

(b) The Residential High Occupancy Permit application and applicable fees shall be resubmitted annually by the property owner to ensure compliance with the provisions of this division.

(c) A fee waiver for economic hardship may be requested with the permit application and shall be granted in accordance with Process One where a

property owner demonstrates to the satisfaction of the City Manager that their annual income is less than the Area Median Income.

- (d) It is unlawful for any Responsible Person to violate any requirement of this Division.

§123.0504 Decision on a Residential High Occupancy Permit

- (a) A decision on an application for a Residential High Occupancy Permit shall be approved in accordance with Process One.
- (b) The applicant shall demonstrate on submitted plans that one off-street parking space per occupant eighteen years of age and older, less one will be accommodated on the premises. In cases where an occupant eighteen years of age and older does not have a vehicle or a valid driver's license, the applicant shall provide evidence to the satisfaction of the City Manager to demonstrate the need for a lower parking requirement, which shall be documented in the permit record.
- (c) In case of conflict between the requirements of this section and the Parking Impact Overlay Zone, the higher of the applicable parking requirements shall apply.
- (d) Parking spaces shall conform to regulations in Chapter 14, Article 2.

§123.0505 Issuance of a Residential High Occupancy Permit

- (a) The City Manager shall issue the Residential High Occupancy Permit when the required fees have been paid (or a fee waiver is granted), a copy

of the lease agreement(s) has been provided where applicable, and the permit has been approved.

(b) A Residential High Occupancy Permit shall not be issued to a property with a pending code violation case.

(c) The permit shall be valid for a 12 month period, except that an increase in occupancy or the number of vehicles in excess of that authorized under the permit shall require a new permit application and fees.

§123.0506 Enforcement and Administrative Remedies

(a) Violations of this Division are subject to the judicial and administrative enforcement remedies identified in Section 121.0311 of this Code.

(b) Violations of this Division may also result in the revocation of a previously approved Residential High Occupancy Permit, in the event of two or more code violations, within the last twelve months, have been determined to exist either prior to or pursuant to the final adjudication of any of the enforcement remedies available under Section 123.0311 of this Code.

§131.0422 Use Regulations Table for Residential Zones

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

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 I (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article I (Separately Regulated Use Regulations).

Symbol in Table 131-04B	Description Of Symbol
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 [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	
Residential																									
Group Living Accommodations	-	-														-	-								
Mobilehome Parks	-	P ⁽¹⁾														P ⁽¹⁾	-								
Multiple Dwelling Units	-	-														-	-								
Single Dwelling Units	P	P ⁽¹¹⁾														P ⁽¹¹⁾	P ⁽¹¹⁾								
Separately Regulated Residential Uses																									
Boarder & Lodger Accommodations	L	L														L	L								
Companion Units	L	L														L	L								
Employee Housing:																									
6 or Fewer Employees	L	L														L	L								
12 or Fewer Employees	-	-														-	-								
Greater than 12 Employees	-	-														-	-								
Fraternities, Sororities and Student Dormitories	-	-														-	-								
Garage, Yard, & Estate Sales	L	L														L	L								
Guest Quarters	N	N														N	-								
Home Occupations	L	L														L	L								
Housing for Senior Citizens	C	C														C	C								
Live/Work Quarters	-	-														-	-								
Residential Care Facilities:																									
6 or Fewer Persons	P	P														P	P								
7 or More Persons	C	C														C	C								
Transitional Housing:																									
6 or Fewer Persons	P	P														P	P								
7 or More Persons	C	C														C	C								
Watchkeeper Quarters	-	-														-	-								

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.
- 11 A Residential High Occupancy Permit is required in accordance with Section 123.0502 for a single dwelling unit when the occupancy of the dwelling unit would consist of six or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days.

§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

Table 142-05B
Minimum Required Parking Spaces for
Single Dwelling Units and Related Uses

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit ⁽¹⁾
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> (previously conforming parking regulations in Section 142.0510 (d) do not apply) ⁽²⁾
<u>High occupancy single dwelling units subject to Section 123.0502</u>	<u>1 space per occupant eighteen years of age and older, less one space (previously conforming parking regulations in Section 142.0510 (d) do not apply)</u>
Housing for senior citizens (maximum 1 bedroom)	1 space per dwelling unit

Footnotes for Table 142-05B

- 1 *Single dwelling units* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on-street, abutting the subject property, but shall conform to Section 142.0525(c)(4).
- 2 In campus impact areas, new *single dwelling unit development* with 5 or more *bedrooms* shall provide a minimum of 2 parking spaces in a garage. Where an existing garage is proposed for conversion to habitable area, garage parking shall be replaced with an equivalent number of garage parking spaces on the *premises*.

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