

Draft
6TH UPDATE ISSUE MATRIX

ISSUE	SECTION(S)	DESCRIPTION
MEASUREMENT		
1.	113.0103 113.0231	<u>Determining Proposed Grade</u> Delete 113.0231 due to inconsistency with measurement of height under 113.0270(a)(4). Remove reference to deleted section under 113.0103.
2.	113.0103 113.0234	<u>Floor Area Ratio and Gross Floor Area</u> <ul style="list-style-type: none"> • Add note to definition of floor area ratio to refer reader to calculation of gross floor area and clarify in Section 113.0234 that gross floor area is used in the calculation of floor area ratio. • Treat basements and underground parking structures the same. • Eliminate loophole for residential calculation related to at grade space with more than 5 percent grade. • Simplify phantom floor regulation to consider floors at 15 foot increments and standardize exemption at 5 feet. • Revise Diagrams
3.	113.0103 113.0246 113.0252	<u>Setbacks and Property Lines for Lots that Abut an Alley</u> Clarify that for lots that abut an alley, a street yard is not created along the alley. A front property line bordering an alley shall apply a setback equivalent to a rear yard in the underlying base zone, and a side yard abutting an alley shall apply an interior side yard setback. Replace current reference to public-right-of-way with the term street in the definition of street yard.
4.	113.0237	<u>Determining a Legal Lot</u> Amendments to clarify legal lot determinations and when a Certificate of Compliance may be requested.
5.	113.0243	<u>Measuring Lot Width</u> Clarify how lot width is measured for irregularly shaped and consolidated residential lots in rules for calculation and measurement section.
6.	113.0249	<u>Established Setbacks</u> Clarify that the base zone setbacks shall apply unless an established setback was recorded for a legitimate planning purpose to implement an identified community plan objective (i.e. to preserve a view corridor).
7.	113.0252	<u>Measuring Setbacks</u> Clarify that the setback measurement is taken to the edge of frame line- not to the edge of finished siding material.
8.	113.0270	<u>Measuring Structure Height</u> Reorganize section to clarify two part measurement (plumb line and overall height) and address special circumstances (extreme topography, underground structures including subterranean garages, pools, Prop D, multiple structures). Revise Diagrams.

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9.	131.0215 Table 131-02A 131.0315 Table 131-03A 131.0415 Table 131-04A 131.0515 Table 131-05A 131.0615 Table 131-06A	<u>Zone Applicability Tables</u> Incorporate language to reference the adoption of the official zoning map by resolution. Transfer the old municipal code conversion tables from the LDC to a separate public reference document available for zone history research.
10.	131.0331 Table 131-03C 131.0343	<u>Setback Requirement in Agricultural Zones</u> Add reference to Table 131-03C to clarify that the 20-foot setback may be reduced where a lot has less than the minimum lot width, and to clarify that encroachments are permitted in Agricultural-Residential Zones (AR) zones in accordance with 131.0461.
11.	131.0431 Table 131-04D 131.0443	<u>Modify Variable Setback Requirement</u> Modify variable setback requirement for side yard setbacks in order to make setbacks easier to apply and more predictable for lots greater than 50 feet. Adjust setback requirement to a fixed percentage of the lot width. (Setbacks a + b = total fixed percentage. Setback “a” or “b” can not be less than 4 feet).
12.	131.0444 131.0449 131.0453 131.0455 131.0461	<u>Angled Building Envelope Plane/Architectural Projections and Encroachments</u> Simplify and clarify the angled building envelope plane requirements in relation to permitted encroachments and projections. Modify the maximum size of an encroaching dormer. Renumber diagrams accordingly. Clarify permitted projections and encroachments.
13.	131.0448	<u>Accessory Structures</u> Clarify that structures containing separately regulated uses are not considered accessory structures and that plumbing/ electrical is permitted in accessory structures in all residential zones.
14.	131.0465	<u>Maximum Diagonal Plan Dimension</u> Delete this regulation that currently applies to RS-1-7 only.
15.	143.0410(b)	<u>Planned Development Permits and Density Calculation</u> Clarify that density shall not exceed that set forth by the applicable zone and the applicable land use plan except as permitted by 143.0410(a)(3)(D).

PERMIT PROCESS		
16.	112.0103	<u>Consolidation of Processing</u> Allow consolidated City projects that require City Council as a decision maker for any of the required permits to be heard by the City Council without recommendation from any other decision maker. No changes to any required permit findings or noticing. The change would save the City processing time and costs.
17.	126.0203 131.0522 131.0622 141.0801	<u>Automobile Service Stations</u> Change the permit requirement from CUP (Process 3) to NUP (Process 2) in Community Commercial zones (CC) and the Commercial Regional Zone (CR-1-1). Reduce the permit requirement CUP (Process 3) to Limited Use (Process One) in the Commercial Regional zone (CR-2-1) and the industrial zones where the uses comply with the separately regulated use regulations of Section 141.0801. The separately regulated use regulations and permit processes of Section 141.0502 for alcoholic beverage outlets would continue to apply.
18.	126.0303	<u>Transitional Housing</u> Existing Section 126.0303 includes two incorrect references to processing of this use. Clarify that transitional housing requires a process five decision for transitional housing facilities with seven or more persons for consistency with Section 141.0313.
19.	126.0402 131.0466	<u>Reasonable Accommodations</u> Eliminate the process two permit requirements that are inconsistent with State law. Allow all requests to be processed through Process One to maintain confidentiality of the disability and eliminate appeal loops to Planning Commission where they would not have any authority to exercise discretion in their action.
20.	126.0502(d)(6)	<u>Site Development Permit Applicability to Sustainable Projects</u> Add the trigger for a Process 4 SDP for sustainable housing projects.
21.	126.0502 143.0302 Table 143-03A	<u>Affordable Housing Density Bonus Regulations Correction</u> Clarify that a Process 4 SDP is only required where the requested deviation exceeds the allowable incentives as specified under the density bonus regulations.
22.	126.0704 141.0302	<u>Companion Units</u> For consistency with state companion unit legislation, remove the existing Coastal Development Permit requirement for a new companion unit. Instead, require a CDP based on other characteristics of the proposed coastal development (i.e location or size) in accordance with Section 126.0704. Remove requirement that lot size must be double that of the underlying base zone.
23.	131.0222 131.0422 141.0303	<u>Employee Housing</u> Clarify that employee housing applies to housing for farm workers as specified in the state codes. Revise the use tables to limit employee housing to Agricultural base zones only.

24.	131.0222 131.0322 131.0422 131.0448 141.0306	<u>Guest Quarters</u> Guest Quarters currently require a Neighborhood Use Permit. Instead, the use should be “limited” subject to the requirements listed in the separately regulated use section, similar to the existing process for companion units.
25.	141.0607	<u>Eating & Drinking Establishments Abutting Residentially Zoned Property</u> Drive-in and drive through restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine are not permitted in the CN Zone for projects approved ministerially. However, the limited use section of the separately regulated uses for drinking & eating establishments abutting residentially zoned property did not carry over the same restriction in the CN zones. This would apply the same restriction.
LANDSCAPE		
26.	142.0402 Table 142-04A	<u>Landscape Regulations Applicability Table</u> Reduce the landscape review required for duplexes (2 dwelling units) to only require street trees.
27.	142.0403 Table 142-04B	<u>Plant Material Requirements</u> Delete the requirement for a 30-inch box size since it is not a standard size available in nurseries. Clarify that structural soil may be used as an alternative to providing the 40 square foot root zone where tree root barriers are required.
28.	142.0404 Table 142-04C	<u>Landscaping in Multi Dwelling Unit Developments</u> Provide flexibility for project design on narrow lots by modifying the requirement for one tree on each side and in the rear area of each structure. Retain the existing tree requirement (min 60 plant points.)
29.	142.0409	<u>Street Tree and Public Right of Way Requirements</u> Limit where palms may be used to satisfy the requirement. Increase the distance between sewer lines and street trees to 10 feet.
PARKING		
30.	142.0525 Table 142-05C Footnote 1	<u>Basic Parking Requirement</u> Clarify that the basic parking requirement applies to development that does not qualify for a reduced parking requirement (i.e. transit parking, or very low income parking ratio) or require an increased parking requirement (i.e. parking impact area ratio). The basic parking requirement also applies in cases where development qualifies for the transit/very low income ratio (reduced) <u>and</u> the parking impact ratio (increased), since the two cancel each other out.
31.	142.0525(a) Table 142.05C Footnote 8	<u>Parking for Condominium Conversions</u> Clarify in footnote #8 that if the number of parking spaces required of the project when it was built exceeds the required number of spaces in the table, then the number of spaces originally required must be retained.
32.	New 142.0556	<u>Mechanical Automobile Lifts</u> Add new parking requirement to allow mechanical lifts for vertical storage of automobiles in areas where tandem parking is already permitted and where lift design can order a specific car on demand. Require lifts to be completely enclosed.

33.	142.0560 Table 142-05M	<u>Driveway Width for Nonresidential Uses on Narrow Lots</u> Reduce the driveway width on smaller lots to allow a narrower driveway for the smaller non residential lots similar to what was previously approved for residential lots.
SIGNS		
34.	Chapter 9, Article 5, Division 1	<u>Repeal the Old Sign Regulations in Chapter 9, Article 5, Division 1</u> This division of the Municipal Code was to have been repealed with adoption of the LDC. The new regulations were transferred into the LDC and the old regulations were unintentionally left in Chapter 9.
35.	141.1101 141.1102 141.1103 141.1104 141.1105 141.1106 142.1210 142.1260	<u>Community Entry Signs and Neighborhood Identification Signs</u> Clarify difference between community entry signs (public right-of-way) and neighborhood identification signs on private property. Clarify process to permit community entry signs in the right of way (142.12110) under 141.1104 and address relationship to the 1974 “community identification signs guidelines” and Council Policy 200-10 which have additional related, but outdated information.

Compliance with State Law		
36.	68.0205	<u>Helicopter Landing Facilities</u> Helicopter landing facilities are a separately regulated use (Section 141.0610). Per the direction of Cal Trans and the City Attorney, section 68.0205 shall be deleted since the City does not have issuing authority for heliport licenses. The City can continue to require and issue CUPs for the use, but may not require an additional license.
37.	131.0222 131.0322 131.0422 131.0522 131.0622 141.0606	<u>Family Child Care Homes</u> Amendment will address change in State law regarding the definition of family child care homes, including a change in terminology from “day care” to “child care”. Under the LDC, family day care homes may provide care for up to 6 children in a small child care home and for 7-12 children in a large day care home. State law allows small child care homes to care for up to 8 children without an additional adult attendant, and for large family child care homes to care for up to 14 children, under specified conditions.
38.	142.0805 Table 142-08A 142.0810 142.0820 142.0830	<u>Refuse/Recycling Storage</u> Add a trigger to review for compliance with the CA Solid Waste Reuse/Recycling Act. Clarify the regulations apply to new residential development of 2+ units, all new non-residential development, and an addition to existing multi family or non-residential development where the gross floor area would be increased 30 percent or more.

MINOR CORRECTIONS

Incorrect Terms

39.	125.0220	<u>Certificate of Compliance</u> Add word “in” in the sentence “An applicant shall apply for a Certificate of Compliance <u>in</u> accordance with Section 112.0102.”
40.	143.0210 Table 143-02A	<u>Table: Applicability of Historic Resource Regulations</u> Under row #3 (multiple dwelling units), column 3 (important archaeological sites) change reference from “NDP/Process Four” to “SDP/Process Four”.
41.	143.0915	<u>Applicability of Affordable Expedite Regulations</u> Strike residential in the sentence “These regulations apply to the following types of residential development.” The section applies to new residential, commercial, or industrial development as stated in 143.0915(f).

Formatting Error

42.	142.1010 Table 142-10B	<u>Table: Required Off-Street Loading Spaces</u> Reformat Table so that the boxes are correctly divided in column 1. The existing Table has incorrectly merged several of the boxes, which makes the table difficult to read.
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Typographical Error

43.	126.0404	<u>Reference to Neighborhood Development Permit Supplemental Findings</u> The Neighborhood Development Permit findings reference supplemental findings in Sections 126.0404(b) through (f), but the findings only go through (d). Strike (f) and replace with (d).
44.	131.0431(e) Table 131-04G Footnotes 17 and 18	<u>Residential Zones Section Reference</u> Revise references in footnotes 17 and 18 to reflect the correct subsection where reference information is located.
45.	142.1270(b)(1) (E), (b)(2)(E) & (d)	<u>Signs in Multi Family Zones</u> Erroneous references to RM-4-12 should read RM-5-12. (There is no such zone as RM-4-12.)

Minor PDO Corrections

46.	155.0238 Table 155-02C	<u>Central Urbanized PDO Table 155-02C</u> Replace “outpatient medical clinics” with “urgent care facilities” in the CUPDO Use Table for consistency with the LDC as amended by the 5 th Update.
47.	155.0242	<u>Central Urbanized PDO Table 155-02D</u> Correct typographical error in reference to Section 131.05552.
48.	1512.0308 Table 1512-03M	<u>Mid City PDO Table 1512-03M</u> The Table reference to CN-2, CN-1A in row 2 should instead read CN-1, CN-1A to match row above it. Row 1 applies to lots 30,000 sq ft or more and row 2 applies to lots less than 30,000 sq ft. Correct language can be verified by ordinance O-17307 dated 5/30/1989. The Table reference 1512.03M should also be fixed to replace the period with a hyphen to match the LDC code format for Tables.

49.	1512.0310 Table 1512-03S	<u>Mid City PDO Table 1512-03S</u> The Table reference in row 3 should apply to lots 15,000 sq ft or more (instead of less) since the row that follows already applies to lots less than 15,000 but at least 10,000). The row that applies to lots less than 10,000 sq ft was accidentally omitted. The row should be added to apply to CV-2 zone, lots less than 10,000 sq ft and the applicable density is 1 unit per 1,000 sq ft. The last row for CV-6 should be deleted since there is no CV-6 zone. Correct language can be verified by ordinance O-17307 dated 5/30/1989.
50.	1519.0303	<u>Southeastern PDO Special Character Multi-Family Neighborhood Criteria</u> Clarify that the development regulations for properties located in designated special character multi family neighborhoods are applied in accordance with the SF-5000 standards per ordinance (O-16921) and with the special regulations in 1519.0303(i).
51.	1519.0403	<u>Southeastern PDO Multi Dwelling Unit Parking Requirement</u> Clarify that the PDO parking design requirements related to uncovered parking and carport parking apply to lots containing four or more dwelling units.