



The County of San Diego

Planning Commission Hearing Report

Date:	August 7, 2026	Case/File No.:	PDS2025-POD-25-005
Place:	County Operations Center 5520 Overland Avenue San Diego, CA 92123	Project:	Housing Unlocked Zoning Ordinance Amendment – Phase I
Time:	9:00 a.m.	Location:	Countywide Unincorporated Area
Agenda Item:	#2	General Plan:	NA
Appeal Status:	Not applicable; Approval by the Board of Supervisors	Zoning:	NA
Applicant/Owner:	County of San Diego	Community:	Countywide Unincorporated Area(s)
Environmental:	15164 Addendum	APNs:	NA

A. OVERVIEW

This is a request for the Planning Commission to provide a recommendation to the Board of Supervisors (Board) on a Zoning Ordinance Amendment titled *Housing Unlocked – Phase I* (Phase I amendments). The purpose of Housing Unlocked is to simplify development standards, provide greater flexibility and predictability in the land development process, and reduce unnecessary regulatory constraints. These amendments are intended to help projects achieve the housing potential already anticipated by the General Plan, particularly attainable and infill housing, without increasing the allowable density (dwelling units per acre) of development. By facilitating housing within areas already planned for growth, the amendments help address the County's housing needs, make efficient use of existing and planned infrastructure, and preserve the General Plan's established development strategy.

Collectively, these amendments simplify development standards, increase flexibility in housing and site design, and provide greater certainty in the land development process while preserving the County's existing land use framework. The Phase I amendments implement five Housing Element programs adopted by the Board of Supervisors on July 14, 2021 (1) and codify one additional Board direction from the *Removing Barriers to Housing* initiative directed on May 24, 2023 (12). The implementation of these Housing Element programs supports direction from the Board, addresses key California Department of Housing and Community Development (HCD) requirements, and has been of high priority for stakeholder groups.

Housing Unlocked is being implemented in two phases based on the complexity of the proposed amendments, environmental review, and community engagement required. Phase I focuses on ordinance amendments that address common regulatory constraints through focused ordinance changes that support near-term Housing

Element implementation. Phase I includes the following amendments:

Development Designator Amendments:

- Increase flexibility in development standards by removing story limits while maintaining maximum building heights;
- Expanding permitted housing types and simplifying building type categories;
- Removing building separation regulations and relying on existing building and fire codes (California Building Code) or permitting by applicable fire protection district;
- Excluding residential garages and similar non-habitable accessory structures from Floor Area Ratio (FAR) calculations;
- Reducing minimum lot size requirements through the permitting and review process; and
- Increasing flexibility in how required open space may be provided.

Other Amendments:

- Encourage more complete utilization of Regional Housing Needs Allocation (RHNA) sites by requiring projects to achieve at least 70 percent of the maximum allowable residential density, unless infeasible.
- Recognize innovative housing construction methods by defining and permitting prefabricated and 3D-printed homes as manufactured housing.
- Codify standards for Tiny Homes on Wheels (THOWs), providing a consistent regulatory framework for their use as primary and accessory dwellings.
- Allow for a site plan exemption in certain code enforcement cases, provided that the code enforcement action on the property must be resolved prior to approval of the exemption.

Other Updates to County Forms:

- Update site plan exemption instructions and other forms to promote use of these checklist reviews.
- Create a reasonable accommodations request form to promote this existing pathway for review of group homes through the County's Regulatory Codes.

Today's request is for the Planning Commission to consider and provide a recommendation to the Board of Supervisors to consider and adopt of the Housing Unlocked Zoning Ordinance Amendments – Phase I. Following the Planning Commission's recommendation, the Phase I amendments are anticipated to be considered by the Board of Supervisors in the fall of 2026, with implementation to follow upon adoption. Phase II is anticipated to begin in early 2027 and will evaluate more comprehensive zoning and development policy initiatives that require additional technical analysis, environmental review, and community engagement before consideration by the Planning Commission and Board of Supervisors.

B. STAFF RECOMMENDATIONS

Staff recommend that the Planning Commission take the following actions:

1. Find that the General Plan Environmental Impact Report (EIR), dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein and the Addendum (PDS2025-ER-25-00-003) thereto dated July 22, 2026, on file with PDS, prior to making its recommendation on the Update

(Attachment A).

2. Find that only minor technical changes or changes that would not result in new significant impacts are proposed by the project; there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts that were not considered in the previously certified EIR dated August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklist (PDS2025-ER-25-00-003) dated July 22, 2026, pursuant to Section 15164 of the California Environmental Quality Act Guidelines.
3. Recommend that the Board of Supervisors adopt the *Housing Unlocked Zoning Ordinance Amendment – Phase I* (Attachment B – Clean & Attachment C – Strikeout); find that the attached Form of Ordinance, Sections 1110, 4110, 4210, 4221, 4310 (Schedule A), 4502, 4605, 4610 (Schedule B), 4615, 4840, 4917, 6502, 6663, 6678, 6945 and 7156 address updates necessary to achieve the housing development and densities as identified in the General Plan and to satisfy the California Department of Housing and Community Development (HCD) requirements.

C. **BACKGROUND**

As seen in nationwide and statewide trends, the San Diego region continues to face housing affordability and supply challenges. Consistent with direction from the San Diego County Board of Supervisors (Board), including the Housing for All initiative, the County of San Diego (County) is pursuing a range of strategies intended to increase housing opportunities, facilitate housing production, and reduce unnecessary regulatory barriers while maintaining consistency with the General Plan and applicable State of California (State) law.

As part of this range of housing strategies, the Board adopted the *Sixth Cycle Housing Element* on July 14, 2021 (1). The *Housing Element of the San Diego County General Plan* contains an *Implementation Plan* that outlines 61 programs to help meet the County's housing goals from 2021 - 2029. Many of the identified programs involve updates to the County's *Zoning Ordinance*. The California Department of Housing and Community Development (HCD) monitors the implementation of housing elements to ensure that municipalities are producing enough housing and fulfilling their Housing Element Implementation Plan commitments. To comply with the General Plan and with requirements established by HCD, Planning and Development Services (PDS) has initiated several projects, including *Housing Unlocked*. These Phase I amendments address five of the programs from the *Implementation Plan*.

Housing Unlocked was initiated in 2025 and is a multi-year effort to better facilitate housing development as envisioned by the General Plan. The County's housing regulations exist both within the General Plan and the Zoning Ordinance. The General Plan is the long-term blueprint that guides future growth and development, and the Zoning Ordinance specifies detailed requirements, such as the Development Designators, for building housing units. The Development Designators specify the range and combinations of standards for development such as building types, maximum heights, setbacks, open space, and lot sizes, coverage, and floor area ratio (FAR). However, these regulations and standards found within the General Plan and the Zoning Ordinance do not always align, which can cause applicant confusion, project delays, and limit design options for the types of housing projects that can be built.

The main goal of *Housing Unlocked* is to make it easier to build a variety of housing types to achieve the existing densities established by the General Plan, and ultimately create more attainable housing opportunities. To accomplish these goals, the project has drafted a collection of amendments to the Zoning Ordinance and the Development Designators. These amendments will improve consistency, simplify standards, remove regulatory barriers, and facilitate building more homes where they are currently planned for (i.e. realize existing densities (dwelling units per acre) of the General Plan).

D. ANALYSIS AND DISCUSSION

Research and Analysis

To fulfill multiple housing element programs within *Housing Unlocked*, the project team has taken a multifaceted approach that included a comprehensive analysis (Attachment D) of the Housing Element programs, a review of applicable State of California (State) laws, a review of housing programs and ordinance practices, and an assessment of potential implementation options. Existing County of San Diego (County) regulations, policies, and procedures were reviewed for potential changes, and the analysis identified notable differences between the General Plan designations, zoning classifications, and development designators that could better facilitate maximum General Plan densities being achieved. The analysis then produced a series of potential changes to the Zoning Ordinance and County policies and procedures that could be addressed within the five programs and one directive.

The five Housing Element programs and one Board of Supervisors directive are:

- 1) **Zoning Ordinance and Development Designators (Program 3.1.3.A)**
(*Building Height, Building Type, Setbacks, Max FAR, Minimum Lot Size, Open Space, P-Designator*)
- 2) **Zoning Ordinance Amendments to Achieve Maximum Density (Program 3.1.1.C)**
- 3) **Diversity of Land Use Designation and Building Type (Program 3.1.1.D)**
- 4) **Expand Eligibility of Checklist Exemptions (Program 3.1.1.K)**
- 5) *Group Homes for Seven or More (Program 3.3.2.A)**
- 6) **Tiny Homes on Wheels (Board Directive)**

**No associated zoning amendment*

Of the six items listed above, five (**bold**) were identified as having solutions that could be addressed through changes to the Zoning Ordinance. The first in the above list, Program 3.1.3.A, includes amendments to the Development Designators, which are a primary focus of the greater *Housing Unlocked* project. The analysis identified countywide opportunities for achieving General Plan densities through modifications to the Development Designators, with the most potential impact to be found in the County's Village areas. These modifications would provide increased site and building design flexibility and remove confusing or restrictive standards.

These solutions were then evaluated for impact and feasibility based on a review of level of effort (time and resources required), advantages and disadvantages of how they would be implemented, and an estimated priority level for each option. Zoning solutions requiring low or minimal effort, were identified as potential "quick wins" that could address the most immediate *Housing Element* needs, Board and stakeholder priorities, and California Department of Housing and Community Development (HCD) requirements by the end of this year as *Housing Unlocked Zoning Ordinance Amendment – Phase I*. Additional amendments that require more robust changes to the Zoning Ordinance are being considered as part of ongoing PDS initiatives, including Phase II of *Housing Unlocked* and the Small Lot program (October 9, 2024 (5)).

As the zoning solutions identified in the analysis became the Phase I amendments, the proposed changes were vetted through multiple meetings with various County departments, subject matter experts, industry groups, and community members. The internal and external feedback identified potential zoning and/or procedural conflicts and refined the proposed amendment language. Stakeholders also requested additional changes, originally slated for Phase II of *Housing Unlocked* due to them requiring more robust code updates, to be included in the Phase I amendments. Additional changes were added to provide a consistent set of updates to the Development Designators.

Discussion

The goals of the Phase I amendment focus on updates intended to expand housing opportunities through increased flexibility of development standards. This includes allowing a variety of building types, as well as flexibility in site

design. It is important to note that these amendments **do not** propose changing the existing *General Plan* densities and that housing developments will still be subject to other County regulations, such as septic system requirements through the County Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems. The Phase I amendments will include changes to Sections 1110, 4110, 4210, 4221, 4310 (Schedule A), 4502, 4605, 4610, 4615, 4840, 4917, 6502, 6636, 6678, 7156, and the new Section 6945 for Tiny Homes on Wheels. The Planning Commission may recommend the Board of Supervisors adopt any of the proposed amendments, none of the proposed amendments, or can make a recommendation for another version of the amendment, modified or separate, from the ones proposed. Please see below for more details on each change (Attachment B).

Housing Unlocked Zoning Ordinance Amendment – Phase I

Zoning Ordinance and Development Designators (Program 3.1.3.A)

Building Height: The maximum building height is the tallest height and maximum stories allowed for buildings in an area. Current zoning limits both maximum height and number of stories. This amendment proposes to remove the overlapping story limits. The analysis found that story limit constraints were not supporting projects in achieving General Plan densities. This amendment allows additional building design options without increasing the overall maximum height or the overall building massing. This change maintains existing building, fire, health, and safety codes, and does not change the density because the maximum units on a given parcel do not change.

This change removes the restriction on number of stories by designator in Sections 4605 and 4610 (Schedule B) and maintains the overall height in feet. Section 4615 which allows for exceptions that may permit additional stories is also removed, as there is no longer a limit on stories if developments adhere to the Building Code and maximum feet height requirement by the specified designator.

Building Type: Building type refers to the physical kind of dwelling(s) that are allowed on a parcel. As an example, the most common building type designator, C, only allows for single family homes, while other building designators allow for duplexes, triplexes, and other attached building types. The County is looking to allow more flexible building types across multiple designators to help achieve the General Plan housing goals within the existing densities. This amendment would allow duplexes, triplexes, and other attached building types in single family zones to provide a variety of housing types, including more opportunities for missing middle housing. This change would support development in the County's Village areas, where the General Plan accounted for higher densities, and the build out of lots with constrained or limited building areas, like parcels with steep slopes or sensitive lands. Reducing the development footprint could also preserve additional open space for the community or provide the opportunity for additional defensible space to support wildfire safety.

This change, reflected in Section 1100 (Definitions B) and Section 4310 (Schedule A), is to simplify the Building Type categories by removing Stacked and Attached, Three to Eight Dwelling Units; revising the definition of multi-dwelling to include attached units and units on the same or separate lots; and allowing all building types across all building type designators. This includes expanding B and C Building Type designators to allow not only Single Detached buildings, but also Semi-Detached, Duplex or Double Detached, Triplex and Multi-Dwelling or Attached building types. This also includes expanding the D Building Type designator to allow Duplex, Triplex, or Multi-Dwelling, Triplex or Multi-Dwelling for E and F Building Type designators, and Multi-Dwelling or Attached for the G, H, I and J building type designators.

Setbacks: The minimum setbacks are the required amount of space between houses, buildings, streets and/or lot lines. Setbacks make sure that there is space for safety, light, privacy, and open areas, as well as align with planned build outs of some roadways. This amendment removes setback requirements between main buildings on a project site in Section 4840. Reduced setback rules streamline standards and limit confusion while maintaining safety by relying on the building and fire separation requirements of the California Building

Code and County Consolidated Fire Code or approval by the applicable fire protection district. This creates simpler, more predictable development standards and certain parcels could have increased options for where housing can be constructed on the site. Additional updates to setback regulations are anticipated as part of Phase II of Housing Unlocked in 2027.

Max Floor Area Ratio (FAR): FAR is the largest allowed ratio of total floor area of all buildings on a lot or building site compared to the area of the parcel. This amendment in Section 4502 would exclude residential garages and other non-habitable accessory structures from FAR calculations to allow projects to better utilize space, especially on small or infill lots within Village areas. FAR is not the most limiting of the designators in terms of residential development. However, this small adjustment could help mixed-use residential projects be built on constrained lots.

Minimum Lot Size: Minimum lot size is the smallest amount of area that lots or building sites must meet before they may be developed. This amendment will allow for site design flexibility, particularly on infill lots or lots with site constraints. Small lot sizes are also suitable for missing-middle housing types. Through stakeholder feedback, lot size constraints were identified as a high impact change. Changes to minimum lot size regulations, which were initially part of Phase II, were incorporated into Phase I in response to this feedback. This change would allow for smaller lot sizes through the permitting and review process. This change to Sections 4210 and 4221 removes the 3,000 square foot and 6,000 square foot minimum lot size requirements, respectively. Additional updates to lot size regulations are planned in Phase II of Housing Unlocked, as well as in the County's Small Lot program; both anticipated for completion in 2027.

Open Space & P-Designator: Minimum open space is the smallest allowed area(s) of usable open space for residential developments with three or more dwelling units per lot. The minimum usable open space designator promotes having private and group outdoor areas available for leisure and recreation.

This change to Section 4917 allows usable group open space on rooftops or within setbacks. It also increases the percent of the usable group open space that may be located on rooftops from 20 percent to 30 percent and added that up to 30 percent of usable group open space can be in setback areas. Additionally, for the P-Designator, modifications of open space requirements in Planned Developments are allowed (Section 6678), and the restriction on additional height within 100 feet of any external boundary in residential and ag zones (Section 6636) was removed. This added flexibility in how open space is defined can add design options for different types of housing projects while maintaining open space requirements. This amendment is advantageous for sites that may be undersized or have difficult site conditions.

Minimum Densities for Housing Element (RHNA) Sites (Program 3.1.1.C)

Require 70% of the max density for RHNA sites: A provision was added to Section 4410 that requires projects being developed on a County 6th Cycle Housing Element Regional Housing Needs Allocation (RHNA) site must achieve a minimum density of 70 percent of the maximum allowable General Plan density. This provides more consistent delivery of housing where it is needed, helps the County meet its RHNA commitments, and ensures that high-opportunity sites deliver meaningful numbers of homes. By achieving maximum densities on these sites, thereby meeting required housing allocations, neighboring properties will be less constrained and development pressures could lessen on rural and backcountry areas.

New Construction Technologies (Program 3.1.1.D)

Define and allow newer prefabricated and 3D printed home construction technologies: A definition for 3D Printed Homes and Building Construction has been added to Chapter 1000, as well as an allowance of 3-D printed and prefabricated homes as manufactured homes in Section 6502. The County does allow for these types of construction, but this amendment would clarify and support new and emerging construction technologies, as well as address HCD requirements to implement this Housing Element program.

Site Plan Checklist Exemptions (Program 3.1.1.K)

Provide flexibility to allow exemptions with Code Compliance cases: The County supports the use of existing site plan exemption checklists and resolution of Code Compliance issues. This amendment would allow properties which would otherwise be eligible for a site plan exemption checklist, which are working to resolve their open code enforcement action, to apply for the Site Plan permit exemption. This supports PDS' ability to process permit applications while working with applicants to resolve any issues needed, including code compliance, to issue permits. Any open code enforcement action on the property must be resolved prior to approval or concurrent with approval of the exemption, if the permit must be approved by the Director to resolve the code enforcement action. This revised language has been added to Section 7156 and updated materials will be provided (Attachment E).

Tiny Homes on Wheels (Board Directive)

Codify existing Tiny Homes on Wheels (THOW) Board of Supervisors Directive: This new section (Section 6945) formally allows tiny homes on wheels – already in practice – as a primary and accessory dwelling use. The section implements the standards from the Director's Determination (September 4, 2025) with clear, predictable rules for residents and builders, and expands options for affordability and aging-in-place. This also supports innovative housing technologies and types as they come to market.

Updates to PDS Forms

Group Homes (Program 3.3.2A)

Support objective reviews of Group Care facilities: Section 86.801 of the Code of Regulatory Ordinances outlines the County's existing reasonable accommodations procedure. This item would support the existing pathway for more objective reviews of group homes and group care facilities by formalizing the reasonable accommodations approval process (Attachment F). The definitions for Group Homes can be broad and varies by municipality. In the County of San Diego, Group Homes can refer to Group residential and group care facilities. HCD has identified these types of housing as a priority for more objective project reviews. These reasonable accommodation efforts are legal protections designed to ensure individuals with disabilities have equal access to housing. The form would be utilized to assist projects in using and expediting the reasonable accommodations process.

E. PUBLIC INPUT

Preparation of the Phase I amendments involved extensive community engagement to ensure that updates to local regulations were responsive to community concerns and industry priorities. Overall, staff hosted or attended over 25 meetings with focus groups, stakeholder groups, and community groups. Prior to the *Housing Unlocked* project, the County has heard from stakeholder groups that certain zoning regulations and policies made it difficult to build housing in the unincorporated area. Between spring of 2025 and summer of 2026, County staff conducted a comprehensive outreach effort that included small group discussions with industry representatives and environmental organizations, a series of public webinars, and presentations at Community Planning or Sponsor Group (CPSG) meetings. The small group meetings focused on technical feasibility and implementation considerations. Public webinars were structured to educate residents about the Zoning Ordinance, specifically the Development Designators to which most of the Housing Unlocked changes are being proposed. Additional webinars were hosted to inform residents about how proposed changes to the Development Designators could promote housing development within the guidelines of the existing General Plan densities (dwelling units per acre). The

community group meetings provided a forum to discuss how the Phase I amendment can provide additional housing options and address State of California (State) housing requirements and allowed for conversations on potential community impacts and local concerns, such as infrastructure capacity and wildfire evacuation planning. Additionally, the Draft Ordinance Amendments had a public review period, starting June 5, 2026, and ending July 5, 2026. Public comment letters received have been included in Attachment G.

Stakeholder Feedback

During public outreach, staff presented the *Housing Unlocked* project at the County's Community Planning and Sponsor Group (CPSG) All-Chairs meeting in March of this year and provided an update in June. In addition, nine CPSGs requested individual presentations at their public meetings. The discussions generally focused on the potential benefits, such as creating new housing opportunities in areas where it is planned for, while also limiting negative effects on rural resources. Some expressed concerns about potential impacts to local infrastructure, fire safety, traffic, and the realities of perceived versus actualized density. While each CPSG raised unique questions and considerations, to date, only the Fallbrook CPG took a vote (unanimous decision "to not support the changes") on the proposed zoning amendments.

The *Housing Unlocked* team met with stakeholder groups, including the County's Environmental Coalition and Land Development Technical Working Group (LDTWG), the Farm Bureau, and the Building Industry Association (BIA). The stakeholder groups are generally supportive of the changes proposed by the Phase I amendments. The groups recognized that housing is necessary and that the proposed changes would promote housing development in areas where the General Plan already calls for it. For environmental stakeholders, it was recognized that these changes are in accordance with the General Plan and that these changes promote development within the County's Village areas and on infill lots. Promoting development in these areas ultimately relieves pressures on rural infrastructure and natural resources. Stakeholders within the farming industry identified that employee and farm worker housing were needed and recognized that these changes could help provide additional housing opportunities.

For land development and building industry stakeholders, the proposed changes are in line with what the industry has previously identified as changes they would like to see implemented to support housing production. Based on feedback from these meetings, several changes that were originally slated for Phase II of *Housing Unlocked* were elevated to Phase I to create a consistent set of updates to the Zoning Ordinance and Development Designators. The Phase I amendment is viewed as a positive first step, while they also noted that additional reforms should be evaluated and proposed in Phase II of *Housing Unlocked* and other County initiatives.

The project team also met with internal County staff and groups to identify potential ordinance and procedure updates and coordinate proposed changes. Project Planning and Zoning coordination meetings were held at each milestone of the project to ensure code consistency and desired streamlining. The team met with County Department of Environmental Health and Quality (DEHQ) staff to address questions about water, sewer, and septic issues, as well as highlighting the existing Local Agency Management Program (LAMP) and including program implications as part of community outreach. When the team presented to the County Fire Marshals, the group supported the proposed Phase I amendment changes stating that planned, concentrated development is easier to protect than widely dispersed rural development.

Webinars, Engage Page, and Website

Staff prepared several webinar presentations as part of the *Housing Unlocked Zoning Ordinance Amendment – Phase I* outreach. The first webinar, *Zoning & Development Designators 101*, was held on February 11, 2026, as an educational component of the project. Due to the technical nature of the proposed changes to the Zoning Ordinance, this webinar was focused on familiarizing viewers with the County's Development Designators and how they affect housing development throughout the County. The second webinar, *Options to Reduce Zoning Constraints on Housing Development*, was held on March 11, 2026. This webinar was an introduction to a collection of potential

zoning and process changes that were being considered as part of the Housing Unlocked project. The third webinar, *Zoning Amendments to Reduce Constraints on Housing Development*, was held on June 17, 2026. This webinar was a presentation of the zoning changes that are being brought forward as the Phase I amendments. Feedback from these webinars resulted in several follow-up meetings to address more specific community and landowner questions or concerns.

The *Housing Unlocked* project also has a dedicated County Engage Page and a static website. All project information is posted on these pages, including scheduled public meetings and webinars, informational guides and handouts, project documentation, and contacts. The Engage Page also includes a “submit your question” section where residents can connect with the project team.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

These amendments do not increase allowable density or development intensity but instead help realize development potential already analyzed in the General Plan EIR and therefore are not expected to result in new impacts. This project has been reviewed in compliance with the California Environmental Quality Act (CEQA), and the project qualifies for an Addendum to the General Plan Update Environmental Impact Report (EIR) under CEQA Guidelines Section 15164. An EIR Addendum dated July 22, 2026, has been prepared for the project and is on file with Planning & Development Services (PDS). There are no changes in the project, no changes in the circumstances under which the project is undertaken, and no new information which results in a new significant environmental effect or a substantial increase in the severity of a previously identified significant environmental effect. More information is available in the EIR Addendum (Attachment A).

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ATTACHMENTS:

Attachment A: Environmental Document

Attachment B: Housing Unlocked Phase I Zoning Ordinance Amendment [CLEAN]

Attachment C: Housing Unlocked Phase I Zoning Ordinance Amendment [STIKEOUT]

Attachment D: Housing Unlocked Analysis & Implementation Memorandums

Attachment E: Site Plan Design Review Checklist Exemption Instructions

Attachment F: Reasonable Accommodations Request Form

Attachment G: Public Comment Letters

Attachment A – Environmental Document

DRAFT July 22, 2026

July 22, 2026

Attachment A Environmental Documentation

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AN ADDENDUM TO THE PREVIOUSLY CERTIFIED PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE COUNTY OF SAN DIEGO GENERAL PLAN UPDATE (SCH 2002111067)

FOR PURPOSES OF CONSIDERATION OF A ZONING ORDINANCE UPDATE ("HOUSING UNLOCKED" PROGRAM)

PDS2025-POD-25-005, PDS2025-ER-25-00-003

California Environmental Quality Act (CEQA) Guidelines Section 15164(a) states that an Addendum to a previously certified Environmental Impact Report (EIR) may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR have occurred.

Additionally, there are revisions that need to be included in an Addendum to the previously certified Program EIR for the County of San Diego General Plan Update (2011 GPU EIR) in accordance with CEQA Guidelines Section 15164. These modifications would not involve a substantial increase in the severity of previously identified significant effects identified in the 2011 GPU EIR and would not create new potentially significant impacts that would require identification of new mitigation measures. The 2011 GPU EIR (Environmental Review Number 02-ZA-001; State Clearinghouse Number 2002111067) is hereby amended by this 15164 Addendum and the Environmental Checklist as described below.

Location

The project is located within the unincorporated areas of San Diego County within the First, Second, Third, Fourth, and Fifth Supervisorial Districts.

Background

On August 3, 2011, the County of San Diego Board of Supervisors adopted a comprehensive update to the County of San Diego General Plan. The General Plan provides a framework for land use and development decisions in unincorporated San Diego County, consistent with an established community vision, which included all of the Community Plans. The General Plan Land Use Maps set the land use designations, and corresponding densities, for all of the land in unincorporated San Diego County.

The County General Plan Housing Element is one of eight mandatory elements of a General Plan and is required by California state law to be updated every eight years. The County of San Diego adopted its 6th Cycle Housing Element on July 14, 2021. Revisions were limited to the housing needs assessment, constraint analysis, housing resources, and implementation plan, which required updated statistics and analyses based on updated demographic and housing data from the American Community Survey, San Diego Association of Governments, and market sources as well as a revised Sites Inventory to meet the current Regional Housing Needs Allocation (RHNA). The 2021 Housing Element update relied on the 2011 GPU EIR without modification. The California Department of Housing and Community Development found the County in compliance with state law on November 2, 2021. The Housing Element includes a set of

DRAFT July 22, 2026

programs that the County has committed to implement during the eight-year period. Continued compliance is dependent upon implementation of the programs and actions listed in the adopted Housing Element. The County has been preparing several code amendments and materials to implement five Housing Element programs and one directive from the Board of Supervisors.

The County conducted an analysis of the programs to identify any inconsistencies between the General Plan designations, zoning classifications, and development designators, as well as constraints to housing development. The analysis also included a review of the General Plan, the Housing Element Update, and the Zoning Ordinance to identify relevant goals, policies, and regulations applicable to the five programs and one directive. A list of potential actions to address the identified inconsistencies and constraints were identified. Coordination between County stakeholders and subject matter experts determined which amendments and processes would best implement each program. The County evaluated the resulting implementation options based on impact and feasibility. The resulting code amendments implement the Housing Element programs and board directive, mitigate constraints to housing development, and promote the streamlining of County processes.

The 2011 GPU EIR was certified by the Board of Supervisors on August 3, 2011. The certified Program EIR evaluated potentially significant effects for the following environmental areas of potential concern: 1) Aesthetics; 2) Agricultural Resources; 3) Air Quality; 4) Biological Resources; 5) Cultural and Paleontological Resources; 6) Geology and Soils; 7) Global Climate Change; 8) Hazards and Hazardous Materials; 9) Hydrology and Water Quality; 10) Land Use and Planning; 11) Mineral Resources; 12) Noise; 13) Population and Housing; 14) Public Services; 15) Recreation; 16) Transportation and Traffic; and, 17) Utilities and Service Systems.

Of these seventeen environmental subject areas, it was determined that only Geology/Soils and Population/Housing would not involve potentially significant impacts. The remaining environmental issues evaluated included impacts that would be significant and unavoidable with exception of the following four subject areas in which all impacts would be mitigated below a level of significance: Cultural and Paleontological Resources, Land Use and Planning, Recreation, and Global Climate Change. For those areas in which environmental impacts would remain significant and unavoidable, even with the implementation of mitigation measures, overriding considerations exist which make the impacts acceptable.

Project Changes

The County's proposed Housing Unlocked Program includes a number of amendments to the Zoning Ordinance, as well as development of promotional material, and updates to County forms and fact sheets. The Zoning Ordinance amendments include changes that encompass the entire unincorporated County of San Diego. These amendments have been proposed in order to implement several programs in the County's adopted Housing Element as well as one Board of Supervisors directive. The amendments do not require changes to the County's General Plan land use designations or amend densities for any parcel. Rather, the purpose of the amendments is to support achievement of existing General Plan densities. The following Housing Element programs are being implemented:

- Program 3.1.3.A
- Program 3.1.1.D
- Program 3.1.1.C
- Program 3.3.2.A
- Program 3.1.1.K
- Tiny Homes on Wheels Board Directive

DRAFT July 22, 2026

The proposed changes are provided by Zoning Ordinance Section and other implementation method below:

Section 1100: Definitions (Items 1 and 2)

The Zoning Ordinance would be updated to add two definitions for terms not currently defined in the Zoning Ordinance: 3D printed construction and 3D printed home. The Zoning Ordinance would be updated to add a definition for 3D printed construction, which would be a process for fabricating buildings, structures, and building elements from 3D model data using automated equipment that deposits construction material in a layer-upon-layer fashion. Additionally, the Zoning Ordinance update would add a definition for 3D printed home, which would be a 3D printed structure designed, constructed, and inspected in accordance with the provisions contained in Appendix AW of the International Residential Code, equipped to contain not more than two dwelling units and to be used with a permanent foundation.

Additionally, the project would address definitions related to building type that have been removed or added due to revisions to the building type designator (Item 6). The amendment would remove definitions for double detached, stacked, and attached that are no longer utilized. The definition for multi-dwelling would be revised to include multi-dwelling or attached building types and would be amended to include units that are located on separate lots which are unoccupied by any other dwelling units.

Section 4110: Density Regulations (Item 3)

The County's 6th Cycle Housing Element identifies a list of parcels to help the County meet the assigned RHNA. The County is required to identify sites to meet the assigned RHNA of 6,700, which is broken down by income levels (very low, low, moderate, and above moderate). The project would add a minimum density requirement for developments located on parcels identified as RHNA sites in the adopted Housing Element. The amendment would require development on RHNA sites to meet a minimum of 70 percent of the maximum density allowed by the General Plan. The amendment would allow the Director to approve a waiver of this requirement for sites with feasibility issues that may not allow for the 70 percent minimum density to be met.

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The Zoning Ordinance allows exceptions to the minimum lot area allowed by the lot area designators, net or gross, with a minimum of 6,000 square feet for lots that are created pursuant to a use permit that specifies authorization of a lesser minimum lot area. The Zoning Ordinance update would remove the minimum lot area size of 6,000 square feet. The amendments would remove the limitation on how low minimum lot sizes can be set using this exception. The revisions would not change existing minimum lot sizes on any properties.

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Building type refers to the physical kind of building that is allowed on a parcel. The existing building type designator provides for a variety of residential types, including single-family, duplex, triplex, attached and detached units, and multi-family units. The project would revise the type designator to simplify the number of types. The project would removed the stacked and attached three to eight dwelling unit designator. The multi-dwelling designator would be revised to incorporate all attached dwellings.

DRAFT July 22, 2026

The Zoning Ordinance update would revise the allowed building types in some designators to allow a wider variety of building types, where they are not currently allowed. This includes expanding B and C Building Type designators to allow for not only Single Detached buildings, but also Semi-Detached, Duplex or Double Detached, Triplex and Multi-Dwelling or Attached building types. This also includes expanding the D Building Type designator to allow Duplex, Triplex, or Multi-Dwelling, Triplex or Multi-Dwelling for E and F Building Type designators, and Multi-Dwelling or Attached for the G, H, I and J building type designators.

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The County has a floor-area ratio (FAR) standard applicable to certain parcels. FAR is calculated as the numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or building site by the net site area of such lot or building site. The Zoning Ordinance update would revise the FAR standard so that non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, are not subject to FAR calculations.

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The existing Zoning Ordinance regulates height in two ways, through number of stories and height in feet. Height designators have a noted maximum in both stories and feet. The Zoning Ordinance update would remove the maximum number of stories regulation from the Height Designator Schedule and any references to story limits throughout the section. Height designators would thus be regulated by feet only.

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The Zoning Ordinance regulates situations where an additional story may be permitted in a primary dwelling unit. As the proposed project would remove the story regulation, this section would become obsolete, as height would be regulated based on feet alone. Thus, the Zoning Ordinance update would remove this section in its entirety.

Section 4840: Required Distance Between Detached Main Buildings (Item 10)

The Zoning Ordinance regulates the required distance between detached main buildings; the existing ordinance allows for 10 feet between main buildings two stories or less and 15 feet between buildings greater than two stories. This update would revise this section to regulate the distance between main buildings through standards in the Consolidated Fire Code and California Building Code or through approval by the applicable fire protection district.

Section 4917: Group Usable Open Space Standards (Item 11)

The Zoning Ordinance requires that residential projects with more than three units provide group open space for the use of the occupants of these dwelling units. The Zoning Ordinance regulates the surfacing, location, size and shape, accessibility, openness, screening, and maintenance of the group open space. This update would revise the section to allow a larger percentage (up to 30 percent) of group open space to be provided in setback areas or on the roof of any building other than an attached garage or carport. This would be an increase from the existing 20 percent that is allowed in the existing ordinance.

Section 6502: Mobilehomes (Manufactured Homes) (Item 12)

Section 6500 of the Zoning Ordinance regulates mobilehomes and manufactured homes. This project would amend the Zoning Ordinance update to allow 3D printed and prefabricated homes to be allowed and considered as manufactured homes. 3D printed and prefabricated homes would be subject to all regulations applicable to manufactured homes provided in the existing Section 6500.

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This section of the Zoning Ordinance regulates height specifically for planned developments; these are applicable to parcels that are marked with the P Designator. The Zoning Ordinance update would remove

DRAFT July 22, 2026

the provision that restricts additional height within 100 feet of any external boundary of a planned development located adjacent to a residential or agricultural zone.

Section 6678: Modification Requirements (Item 14)

This section of the Zoning Ordinance outlines where modifications for planned development standards can be made. Planned development standards are applicable to parcels with the P Designator. These parcels require a major use permit for development. Currently, the Zoning Ordinance does not allow any modifications of open space standards for planned developments. The Zoning Ordinance update would remove provisions that do not allow exceptions from open space provisions for properties assigned a P Designator.

Section 6945: Tiny Homes on Wheels (Item 15)

The Zoning Ordinance update would add this section to the Zoning Ordinance. This section would permit tiny homes on wheels as an allowable use for permanent habitation. The following text would be added:

A tiny home on wheels (THOW) meeting the below standards is eligible for a permit that would allow permanent habitation. A THOW that meets these requirements can be used on any lot that would allow for a single-family dwelling upon issuance of a building permit. When a THOW is removed from a site, the owner would need to file for a demolition permit so that the dwelling would be removed from the records. Any THOW intended for habitation within the unincorporated County of San Diego must meet the following requirements:

- a. The THOW must be designed and constructed to ANSI A119.5 standards for Park Models. The proposed THOW must contain a certification sticker prior to permit issuance showing that the unit is certified to this standard by an accredited third-party inspection agency.
- b. The THOW must meet the additional Fire requirements for use in the County of San Diego:
 1. Exterior wall surfaces must be non-combustible (Stucco, Masonry, Cement-Fiber board, Metal, etc.), ignition resistant, heavy timber, or log wall construction. Stucco or Cement Plaster to be a minimum of 7/8" thick. Noncombustible or fire-retardant wood shall be installed per Wildlife and Urban Interface (WUI) guidelines in PDS 664.
 2. All windows shall be dual-glazed units with a minimum of one tempered pane OR shall have a resistance rating of 20 minutes.
 3. If the THOW has eaves, eaves, soffits, and fascia must comply with the requirements for ignition-resistant construction.
 4. Roofing provided for THOWs shall have a Class A fire rating as installed per the manufacturer.
 5. All THOWs shall be constructed with residential fire sprinkler systems, with the exception of if the unit is being used as an ADU, then all ADU exemptions would apply
 6. Direct exiting must be provided from any loft space (as defined by the California Building Code) that would allow for egress from the THOW without leaving the loft.
 7. All units shall have carbon monoxide and smoke detectors.
- c. The THOW is not to exceed 430 square feet measured from inside face of walls and must have a minimum of R-13 insulation in all exterior walls.
- d. The THOW is to remain licensed and registered with the California Department of Motor Vehicles.
- e. The THOW cannot move under its own power.

DRAFT July 22, 2026

- f. The THOW cannot have any slide or pop-out features that increase the habitable square footage.
- g. The THOW shall be located a minimum of six (6) feet from any other structures measured from the face of the structures.
- h. The THOW shall be parked on a paved pad that includes bumper guards, curbs, or other installations adequate to prevent movement of the THOW. The wheels and leveling or support jacks must sit on a paving surface that meets either of the following criteria:
 - 1. A parking area for a moveable THOW shall be paved with hard, durable asphaltic paving that is at least two inches thick after compaction, or
 - 2. With cement paving at least three inches thick
- i. The THOW shall be connected to electric, water, and sewer utilities with the issuance of required building permits
- j. Extensions. All exterior walls and roof of the THOW shall be fixed with no slide-outs, tip-outs, nor other forms of mechanically articulating room area extensions.
- k. Mechanical equipment shall be incorporated into the structure, not on the roof.
- l. The THOW shall be no greater than one story and shall not exceed a maximum height of 16 feet.
- m. The THOW can have a loft for sleeping of up to 150 sq. ft., which is not considered a 2nd story.
- n. If the THOW functions as a single-family dwelling, it must comply with the required main building setbacks, building type, density, and any other applicable zoning regulations.
- o. No additional parking spaces are required for the THOW that is being used as an ADU, and if used as an ADU any displaced parking caused by the placement of the THOW does not need to be replaced.
- p. If THOW is an accessory to a primary residence, it cannot block or remove any required parking spaces for the primary residence.
- q. The THOW development must comply with existing zoning and density standards for the parcel.

Section 7156: Site Plan Permit (Item 16)

Parcels with a B Designator (Community Design Review Special Area Designator) may be eligible for the County's existing site plan design review exemption process. Currently, parcels with the B Designator with any open code enforcement actions are not allowed to use the exemption process. The Zoning Ordinance update would revise this section to allow proposed developments that are otherwise eligible for site plan permit exemptions but are on properties with active code enforcement actions to qualify for the site plan exemption process as long as code enforcement actions are resolved prior or concurrently to project approval.

Other Project Items

The project also includes updates to websites, forms, and checklists to accompany the changes to the Zoning Ordinance and implementation of the identified Housing Element programs. These items do not require revisions to the Zoning Ordinance. These updates include the following items:

DRAFT July 22, 2026

- Website Language, PDS Form 507 and Checklist Exemption Form (Item 17)

This portion of the project would update all materials related to the Site Plan Exemption Checklist process relative to allowing parcels with open code enforcement cases to be eligible for the exemption process. This would include updated website and form language.

- Reasonable Accommodations Checklist (Item 18)

Section 86.801 of the Code of Regulatory Ordinances outlines the County's existing reasonable accommodations procedure. This item would create a checklist to document and outline the existing reasonable accommodations procedure. No changes would be made to the Code of Regulatory Ordinances or the reasonable accommodations procedure. The form would be utilized to assist projects in using and expediting the reasonable accommodations process.

The proposed project would not result in any new significant environmental impacts or substantially worsen or increase the severity of impacts already identified in the General Plan Update EIR, based on the analysis provided in this Environmental Review Update Checklist. There are no substantial changes with respect to the circumstances under which the proposed project is undertaken that require major revisions of the Final EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified that show significant effects or more severe effects than those analyzed in the Final EIR.

Finding

The Final Program EIR for the County of San Diego General Plan Update, as amended by this Addendum and the Environmental Review Checklist, may be used to fulfill the environmental review requirements of the Zoning Ordinance update. Because the changes to the Zoning Ordinance meet the conditions for the application of CEQA Guidelines Section 15164, preparation of a subsequent or supplemental EIR is not required.

Attachment

Environmental Review Checklist Form (CEQA Section 15162 Findings)



VINCE NICOLETTI
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND DRIVE, SUITE 210, SAN DIEGO, CALIFORNIA 92123
(858) 505-6445 General • (858) 694-2705 Codes Compliance
(858) 565-5920 Building Services

TYLER FARMER
ASSISTANT DIRECTOR

July 22, 2026

**ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM
FOR PROJECTS WITH PREVIOUSLY APPROVED ENVIRONMENTAL DOCUMENTS**

**FOR PURPOSES OF CONSIDERATION OF
A ZONING ORDINANCE UPDATE (“HOUSING UNLOCKED” PROGRAM)**

PDS2025-POD-25-005, PDS2025-ER-25-00-003

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously certified EIR:

A Program Final EIR for the County's General Plan Update (GPU), Environmental Review Number 02-ZA- 001, State Clearinghouse Number 2002111067, was certified by the Board of Supervisors on August 3, 2011. The certified Program Final EIR evaluated potentially significant effects for the following environmental areas of potential concern: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Cultural and Paleontological Resources; Geology and Soils; Global Climate Change; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Noise; Population and Housing; Public Services; Recreation; Transportation and Traffic; and Utilities and Service Systems.

Of these environmental subject areas, it was determined that only Geology/Soils and Population/Housing would not involve potentially significant impacts. The certified Final Program EIR found that the project would cause significant effects which could be mitigated to a level below significance for the following areas: Cultural and Paleontological Resources, Land Use and Planning, Recreation, and Global Climate Change. Impacts related to Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Noise, Public Services, Transportation and Traffic, and Utilities and Service Systems remained significant and unavoidable. A Statement of Overriding Considerations was made in approving the GPU. The previously certified Program Final EIR is available at: <http://www.sandiegocounty.gov/pds/gpupdate/environmental.html>.

2. Lead agency name and address:

County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 210
San Diego, CA 92123

- a. Contact: Geoffrey Plagemann, Land Use/Environmental Planner
- b. Phone number: (858) 505-6677
- c. E-mail: Geoffrey.Plagemann@sdcounty.ca.gov

3. Project applicant's name and address:

County of San Diego, Planning & Development Services
5510 Overland Ave., Suite 210
San Diego, CA 92123-1239

4. Summary of the activities authorized by present permit/entitlement application(s):**Location**

The entirety of San Diego County is bounded by Orange and Riverside Counties to the north, Imperial County to the east, the United States–Mexico international border to the south, and the Pacific Ocean to the west. The proposed project comprises amendments to the Zoning Ordinance and related regulations applicable Countywide and would affect properties in unincorporated portions of San Diego County that are under the land use jurisdiction of the County of San Diego. Therefore, it would not apply to lands in incorporated cities or to state, federal, or tribal lands.

Background

The County's 2011 GPU included certain updates to zoning regulations and related regulations. The 2011 GPU EIR included those updates and the other zoning regulations in place in 2011 to analyze impacts associated with all 2011 GPU changes. See Section 5 below for a summary of the components of the current project in relation to the existing zoning and related regulations.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES



NO



Several amendments to the San Diego County Zoning Ordinance are proposed in order to implement programs in the County's adopted General Plan Housing Element. No physical development is proposed, nor are any primary uses proposed. The proposed Zoning Ordinance update includes provisions related to minimum densities on RHNA sites, minimum lot sizes, building type, floor area ratio (FAR), height regulated by stories, distance between main buildings, group open space, 3D printed and manufactured homes, tiny homes on wheels, and site plan review exemption processes.

The proposed amendments and additions to the San Diego County Zoning Ordinance consist of updates to the following Zoning Ordinance sections, in addition to other regulation and process updates referenced below.

Section 1100: Definitions (Items 1 and 2)

The Zoning Ordinance would be updated to add two definitions for terms not currently defined in the Zoning Ordinance: 3D printed construction and 3D printed home. The Zoning Ordinance would be updated to add a definition for 3D printed construction, which would be a process for fabricating buildings, structures, and building elements from 3D model data using automated equipment that deposits construction material in a layer-upon-layer fashion. Additionally, the Zoning Ordinance

update would add a definition for 3D printed home, which would be a 3D printed structure designed, constructed, and inspected in accordance with the provisions contained in Appendix AW of the International Residential Code, equipped to contain not more than two dwelling units and to be used with a permanent foundation.

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This portion of the project would update all materials related to the Site Plan Exemption Checklist process relative to allowing parcels with open code enforcement cases to be eligible for the

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Section 86.801 of the Code of Regulatory Ordinances outlines the County's existing reasonable accommodations procedure. This item would create a checklist to document and outline the existing reasonable accommodations procedure. No changes would be made to the Code of Regulatory Ordinances or the reasonable accommodations procedure. The form would be utilized to assist projects in using and expediting the reasonable accommodations process.

6. Subject areas determined to have new or substantially more severe significant environmental effects compared to those identified in the previous ND or EIR.

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

It should be noted that the GPU EIR was adopted in 2011, prior to the addition of Energy, Tribal Cultural Resources, and Wildfire topics to the CEQA Guidelines Appendix G in 2018. Revisions to the CEQA Guidelines do not constitute new information of substantial importance or changes in circumstance pursuant to CEQA Guidelines Section 15162(a)(3). Although these new CEQA Guidelines questions are not required to be incorporated into this analysis, the analysis herein addresses these issues.

☒ **NONE**

- | | | |
|--|---|--|
| ☐ Aesthetics | ☐ Agriculture and Forest Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology and Soils |
| ☐ Global Climate Change | ☐ Hazards and Hazardous Materials | ☐ Hydrology and Water Quality |
| ☐ Land Use and Planning | ☐ Mineral Resources | ☐ Noise |
| ☐ Population and Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/ Traffic | ☐ Tribal Cultural Resources | ☐ Utilities and Service Systems |
| ☐ Wildfire | ☐ Mandatory Findings of Significance | |

DRAFT July 22, 2026

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously certified EIR is adequate upon completion of an ADDENDUM without modification.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with an EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

Signature 

Geoffery Plagemann
Printed Name

07-23-2026

Date

Project Manager
Title

INTRODUCTION:

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines Sections 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15162(b) states that if changes to a project or its circumstances occur or new information becomes available after adoption of a Negative Declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent Negative Declaration, an Addendum, or no further documentation.

CEQA Guidelines, Section 15163(a) states that the lead or responsible agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

- a. Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and
- b. Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

CEQA Guidelines, Section 15164(a) states that the lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

DRAFT July 22, 2026

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or Negative Declaration have occurred.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

Future residential housing in the County occurring in accordance with the proposed Zoning Ordinance amendments would generally be subject to ministerial review and approval by the County if such proposals are compliant with all applicable zoning regulations; do not require preparation of a site plan or other similar approval; and are proposing a by-right use. Such housing proposals would therefore be considered non-discretionary and would not be subject to additional review or evaluation pursuant to compliance with CEQA requirements.

However, although the proposed Zoning Ordinance amendments (as listed under question 5, above) are aimed at easing certain development limitations on by-right development, some future residential housing projects occurring in accordance with the proposed amendments may ultimately raise issues that require County discretionary review or that trigger the need for additional site-specific CEQA evaluation for potential environmental effects. As appropriate, and relevant to the affected environmental issue (e.g., biological or cultural resources), specific Zoning Ordinance amendments are discussed below with consideration for compliance with the County's Guidelines for Determining Significance and relation to the 2011 GPU EIR findings, and the appropriateness of mitigation measures identified in the 2011 GPU EIR to evaluate whether no new impacts or an increase in severity of impacts, compared to the 2011 GPU EIR analysis, would occur with implementation of the proposed project.

I. AESTHETICS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of a site and its surroundings; or day or nighttime views in the area as the result of light or glare effects.

YES

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NO

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The 2011 GPU EIR identified impacts related to scenic vistas, scenic resources, visual character or quality, and light and glare as potentially significant. Mitigation measures Aes-1.1 to Aes-1.11 (scenic vistas and scenic resources), in combination with relevant GPU policies, were identified to reduce such impacts to less than significant. Additionally, mitigation measures Aes-3.1 to Aes-3.2 (visual character or quality) and Aes-4.1 to Aes-4.3 (light and glare) were identified to reduce potential impacts resulting from development that may substantially degrade the existing visual character or quality of a site and its surroundings, or from new sources of substantial light and glare. However, even with the incorporation of the identified mitigation measures, and in combination with relevant GPU policies, the GPU EIR determined that impacts to visual character or quality, as well as light and glare, would not be reduced to below a level of significance and would remain significant and unavoidable. A Statement of Overriding Considerations was therefore adopted

DRAFT July 22, 2026

for aesthetic resources, pursuant to CEQA Guidelines Sections 15091 and 15093. The proposed project would involve amendments to the County Zoning Ordinance to provide new options for future residential development in order to meet adopted goals identified in the General Plan Housing Element. The proposed amendments would not directly result in County approval of building or other development permits or in any new physical construction or development, and therefore, would not cause a change in conditions that would have the potential to adversely affect aesthetics resources in this regard. However, several of the proposed Zoning Ordinance amendments would facilitate future residential housing development options that may have the potential to result in changes the existing visual setting.

The proposed amendments would not change the existing General Plan land use or zoning designations on any parcels and would not entail any increases in allowed residential density. Future residential housing occurring in accordance with the proposed amendments would therefore be consistent with that considered in the GPU EIR and would remain subject to the same development regulations (with minor revisions; see response under question 5, above) that would control the visual appearance of future development on a particular site. In general, future residential housing occurring in accordance with the proposed Zoning Ordinance amendments would therefore not have the potential to substantially increase potential effects on scenic vistas, scenic resources, visual character, or relative to nighttime lighting or glare as compared to that originally analyzed in the GPU EIR.

The proposed Zoning Ordinance amendments would, however, revise the building type schedule for the B, C, D, E, and F designators to allow for semi-detached, duplex, stacked, and triplex building types (Section 4310, Building Type Schedule). Future residential housing proposed in accordance with the Zoning Ordinance amendments would therefore have the potential to affect the resulting visual character due to a change in the proposed residential building type on a particular property. However, due to the limited nature of the changes that may result, such allowances in building type would not, in turn, be anticipated to significantly alter or affect valued aesthetic resources, including scenic vistas or other scenic resources, or the existing visual character or quality of a site and its surroundings, as compared to potential visual effects evaluated in the GPU EIR. Additionally, all other underlying development regulations (i.e., pertaining to building height, scale, size) pursuant to the existing zoning would remain applicable to further regulate residential development on the site.

The proposed amendments to the Zoning Ordinance also include exclusion of non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, from floor-area ratio calculations (Section 4502, Applicability of Floor-Area Ratio). Although future residential housing occurring in accordance with this allowance may result in a slight increase in the potential size of the main residential structure on a specific site, such an increase would not be substantial in regard to the building size that could ultimately be constructed. Such conditions would not be anticipated to substantially increase potential effects on scenic vistas or resources, or to substantially degrade the visual character or quality of a site and its surroundings, as compared to potential visual effects as originally evaluated in the GPU EIR. All other underlying development regulations would remain applicable and would similarly influence the visual character of any future residential structures proposed.

The proposed amendments would also remove the provision that restricts additional height within 100 feet of any external boundary of a planned development adjacent to a residential or agricultural zone (Section 6636, Height). This height allowance would have the potential to result in a visual change in future residential structures applying this provision. As allowed by the proposed amendment, this increase in height would be applicable to planned development and limited to a 15 percent increase in height, provided that such additional height would not have an adverse effect on adjacent properties or on properties or development in the vicinity; and would be consistent with the General Plan and the purpose of the proposed development standards. With such performance measures, the allowed increase in height is not anticipated to substantially alter the visual setting relative to potential effects on existing visual character or quality of a site, scenic vistas, or other scenic resources as compared to potential visual effects as previously evaluated in the GPU EIR.

DRAFT July 22, 2026

Additionally, the proposed Zoning Ordinance amendments do not include any provisions related to potential nighttime lighting or glare. All new or altered lighting proposed with future residential development in accordance with the Zoning Ordinance amendments would be subject to conformance with the County Light Pollution Code and Zoning Ordinance provisions. The following mitigation measure and applicable policy from the GPU EIR were found to reduce impacts associated with light and glare to a level less than significant.

- **Aes-4.2:** Maintain light and glare regulations that minimize impacts to adjacent properties, sensitive areas, community character, observatories, and dark skies. These regulations are currently found in the Light Pollution Code and Zoning Ordinance. Additional reviews are implemented on discretionary projects in accordance with CEQA and the County's CEQA guidelines.
- **Policy COS-13.2:** Minimize, to the maximum extent feasible, the impact of development on the dark skies surrounding Palomar and Mount Laguna observatories to maintain dark skies which are vital to these two world-class observatories by restricting exterior light sources within the impact areas of the observatories.

Due to their limited nature and potential to result in a substantial visual or physical change from that presently allowed under existing development regulations applying to a particular property, the remainder of the proposed Zoning Ordinance amendments are not anticipated to have the potential to substantially or adversely affect the County's aesthetic resources, including scenic vistas; scenic resources within a state scenic highway; existing visual character or quality of a site and its surroundings; and/or through new sources of light or glare adversely affecting day or nighttime views.

With implementation of the proposed Zoning Ordinance amendments, the removal of certain height restrictions, allowed building type (e.g., duplex, stacked, triplex), and other such revisions specific to the Zoning Code sections to which they apply, may influence potential visual effects resulting with future residential development. However, as indicated in the 2011 GPU EIR, future individual development projects (new residential housing) would be subject to conformance with applicable zoning requirements, development standards, and other regulations pertaining to visual quality and aesthetic resources.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to aesthetics. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to aesthetics beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to aesthetics would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

II. AGRICULTURE AND FORESTRY RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or other agricultural resources, to a non-agricultural use; conflicts with existing zoning for agricultural use or Williamson Act contract; conflict with zoning for or cause rezoning of forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g]); result in the loss or conversion of forest land; and/or involve other changes which could result in the conversion of Farmland to a non-agricultural use or conversion of forest land to a non-forest use?

YES

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NO

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The 2011 GPU EIR concluded that impacts on agriculture resources related to potential conflicts with Williamson Act contract lands would be less than significant with incorporation of mitigation measure Agr-2.1 (land use conflicts). Additionally, direct and indirect impacts resulting from the conversion of agricultural land to non-agricultural uses were determined to be potentially significant. Mitigation measures Agr-1.1 to Agr-1.5 (direct and indirect conversion of agricultural resources) were identified to reduce such impacts; however, the mitigation measures identified would not reduce impacts to below a level of significance; therefore, impacts resulting with GPU buildout were determined to remain significant and unavoidable. A Statement of Overriding Considerations was adopted for impacts to agricultural resources, pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

No change to existing General Plan land use or zoning designations would occur with the proposed project, and no increase in residential density would result. Residential and agricultural use of affected properties would continue as allowed under existing regulatory conditions. Similarly, the proposed Zoning Ordinance amendments would not result in potential conflict with existing agricultural zoning or Williamson Act Contract lands; any such existing regulations would remain unchanged with the amendments as proposed. Future residential housing project proposed in accordance with the Zoning Ordinance amendments that would change existing land use or zoning or result in conflict with or removal of a Williamson Act contract, would be considered on a site-specific basis to determine whether potential effects on agricultural resources would occur. The proposed Zoning Ordinance amendments would not affect the use of, or result in the loss or conversion of, agricultural use lands in this regard.

Specifically, several of the proposed amendments may have the potential to facilitate a higher allowed-by-right development that may affect agricultural resources. The proposed Zoning Ordinance amendments would result in changes to Section 4210, Lot Area Regulations, and Section 4221, Minimum Lot Area Requirements, Net or Gross, to remove the minimum lot area size of 3,000 square feet and 6,000 square feet, respectively. As noted, the proposed amendments would not change the existing General Plan land use or zoning designation or increase the allowed residential density of any properties; any future residential development undertaken would occur consistent with the allowed land use and residential densities allowed under existing conditions. Therefore, the proposed zoning amendments would not create an opportunity for future development of a substantially increased number of new housing units on agriculturally zoned lands, thus increasing the potential for the conversion or loss of such resources.

Specific to the proposed Zoning Ordinance amendments, the proposed project would amend Section 4502, Applicability of Floor-Area Ratio, to revise the FAR standard so that uninhabitable accessory structures, including but not limited to carports, residential garages, and storage buildings, would not be subject to FAR calculations. No FAR requirements currently apply to lands within the A70 (Limited Agriculture), A72 (General Agriculture), or S92 (General Rural) zones, which apply to the County's agricultural use lands, while allowing for associated low-density residential housing. However, there are lands zoned as RR (Rural Residential), which allows low-density residential and agricultural uses, that have an existing FAR of 0.3 and would therefore be affected by the proposed Zoning Ordinance amendments. Although the project would remove uninhabitable accessory structures from FAR calculations within these agricultural-related use zones, it is not anticipated that such allowances would have implications leading to a substantial increase in the loss or conversion of existing farmland to non-agricultural (residential) use; no change to the existing General Plan land use or zoning would occur with the project, and the proposed amendments would not restrict or inhibit any lands from continued future agricultural use. Additionally, as only nineteen (19) parcels totaling around 100 acres in the County utilize FAR in addition to regulating residential density, changes to the existing standard would not result in additional residential units; the proposed exemption would not result in a substantial opportunity for new residential development on agriculturally zoned properties. In addition, non-habitable structures on agricultural lots are typically used for agricultural equipment storage and other

DRAFT July 22, 2026

uses which support agricultural land use. Therefore, the proposed Zoning Ordinance amendments would not cause one or more effects to agricultural resources including: conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or other agricultural resources, to a non-agricultural use; conflicts with existing zoning for agricultural use or Williamson Act contract; conflict with zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; result in the loss or conversion of forest land; and/or involve other changes which could result in the conversion of Farmland to a non-agricultural use or conversion of forest land to a non-forest use. Accordingly, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects related to agriculture or forestry resources.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to agriculture. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to agriculture beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to agriculture would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

III. AIR QUALITY

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; and/or, creation of objectionable odors affecting a substantial number of people?

YES

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NO

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The 2011 GPU EIR determined that air quality impacts would be less than significant related to conflicts with air quality plans and objectionable odors. Impacts resulting with air quality violations from exceedance of non-attainment criteria pollutant thresholds, and from potential effects on sensitive receptors from diesel particulate matter, were identified and mitigation measures Air-2.1 to Air-2.13 (air quality violations and non-attainment criteria pollutants) and Air-4.1 (sensitive receptors) were identified to reduce such impacts, in combination with relevant GPU policies; however, the mitigation measures identified were determined to be infeasible to implement. Such impacts resulting with buildout of the GPU would therefore remain significant and unavoidable. A Statement of Overriding Considerations was adopted for air quality impacts, pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals. No change to existing General Plan land use or zoning designations would occur with implementation of the proposed Zoning Ordinance amendments, and no increase in the allowed residential density would result. Implementation of the proposed project would therefore not cause an increase in future development or growth not anticipated by the current General Plan. Therefore, the proposed Zoning Ordinance amendments would not facilitate new development or generate additional vehicle trips beyond that considered with GPU buildout that would in turn increase criteria pollutant emissions which would adversely affect air quality. Similarly, as no changes

DRAFT July 22, 2026

in land use would occur, the project would not conflict with or obstruction of implementation of the San Diego Regional Air Quality Strategy or applicable portions of the State Implementation Plan.

The proposed amendments to the Zoning Ordinance would allow for future development that would require ministerial review. The associated residential development would not result in a new impact or violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or exposure of sensitive receptors to substantial pollutant concentrations. Potential impacts in this regard would not increase as compared to that evaluated in the GPU EIR.

The proposed amendments would not result in creation of objectionable odors affecting a substantial number of people. Accordingly, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects related to air quality beyond that considered in the 2011 GPU EIR in this regard. In addition, the following mitigation measures identified in the GPU EIR were found to partially mitigate the significant impacts to air quality violations and would apply to future implementing projects, as follows:

- *Air-2.7 – Implement County Air Pollution Control District (APCD) regulations for air emissions from all sources under its jurisdiction.* The application of these guidelines and enforcement of SDAPCD regulations provides assurances that development pursuant to the General Plan will not violate air quality standards.
- *Air-2.9 – Implement the Grading, Clearing, and Watercourses Ordinance by requiring all clearing and grading to be conducted with dust control measures.* Measures outlined in this Ordinance serve to minimize particulate matter emissions from construction.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or “new information of substantial importance” that would cause one or more effects related to air quality. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to air quality beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to air quality would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

IV. BIOLOGICAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that cause one or more effects to biological resources including: substantial adverse effect on any species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; substantial adverse effects on any sensitive natural community (including riparian habitat); adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan?

YES

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NO

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The 2011 GPU EIR determined that buildout of the GPU would result in potentially significant impacts to special status species. GPU policies and mitigation measures were identified to reduce such impacts, but not to a level of less than significant. The GPU EIR identified policies in the Land Use and Conservation and

Open Space Elements that would reduce potential impacts to special status species, including LU-6.1, LU-6.2, LU-6.3, LU-6.4, LU-6.6-, LU-6.7, LU-10.2, Cos-1.3, Cos-1.6 through Cos-1.11, Cos-2.1, and Cos-2.2. Such policies would require monitoring, management and maintenance of a regional preserve system; facilitate preserve assembly and funding; help minimize edge effects; facilitate preparation of habitat conservation plans and resource management plans; direct development to avoid and/or preserve habitat; provide for long-term sustainability of the natural environment; and encourage contiguous open space areas that protect wildlife habitat and corridors. Mitigation measures Bio-1.1 to Bio-1.7 of the GPU EIR were determined to partially mitigate significant impacts related to special status species.

A significant impact to federally protected wetlands was identified with GPU buildout. Relevant GPU policies and mitigation measures were identified that would reduce such impacts to below a level of significance. Policies Cos-3.1 and Cos-3.2 from the Conservation and Open space Element would reduce impacts to federally protected wetlands to less than significant. Such policies require wetland preservation and protection from pollutant discharges. The mitigation measures identified to reduce impacts to federally protected wetlands included Bio-1.1, Bio-1.5, Bio-1.6, Bio-1.7, Bio-2.2, Bio-2.3, and Bio-2.4.

The EIR analysis determined that implementation of the GPU would have the potential to impact wildlife movement corridors. GPU policies and mitigation measures identified would reduce potential impacts, but not to below a level of significance. The EIR identified policies in the Land Use and Conservation and Open Space Elements that would reduce the potential for impacts to wildlife movement corridors and nursery sites. Relevant policies include Cos-1.1 through Cos-1.5, LU-6.1, and LU-6.7. Such policies would facilitate creation, protection, maintenance, and management of a coordinated biological preserve system to include Biological Resource Core Areas, wildlife corridors, and linkages to allow for wildlife travel. Mitigation measures identified to reduce potential impacts to federally protected wetlands included Bio-1.1 through Bio-1.7, and Bio-2.3.

Impacts resulting with implementation of the GPU would therefore remain significant and unavoidable. A Statement of Overriding Considerations was adopted for impacts to biological resources, pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

The proposed project does not include changes to any existing land use or zoning designations and would not result in changes to the Land Use Element or Housing Element. Additionally, no change in land use density or intensity would result that would have the potential to increase potential effects on sensitive biological resources beyond that already anticipated with GPU buildout and relative to the by-right residential uses considered with the proposed Zoning Ordinance amendments. For the majority of the housing options that would be facilitated in accordance with the proposed Zoning Ordinance amendments, such activities would not have the potential to substantially affect any sensitive natural communities, special-status or sensitive species, or wildlife movement corridors that may be present, due to their limited nature and extent. Potential impacts beyond the scope of the GPU EIR are not anticipated to occur with project implementation.

Specific to the proposed Zoning Ordinance amendments, the County's 6th Cycle Housing Element identifies a list of parcels to help the County meet the assigned RHNA (Section 4110, Density Regulations). The proposed Zoning Ordinance update would add a minimum density requirement for future residential developments to propose at least 70 percent of the maximum density allowed by the General Plan on sites that are identified to meet the County's RHNA goals (Section 4110, Density Regulations). Under this process, the proposed amendment would allow the County Director to waive this requirement for sites that demonstrate feasibility issues, including development constraints that may be caused by known sensitive biological habitat, species, or other resources on-site that would not allow for the 70 percent minimum density to be met. In doing so, greater flexibility in proposing residential development on such sites could be achieved, while ensuring that protections for areas supporting known sensitive biological resources would

DRAFT July 22, 2026

not be reduced and would remain applicable, and that no such resources would be impacted. Additionally, the proposed Zoning Ordinance update would revise the FAR standard (Section 4502, Applicability of Floor Area Ratio) so that non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, are not subject to FAR calculations. Such allowances may therefore result in a greater development footprint that would in turn, have the potential to result in significant impacts to biological resources. However, the exemption of inclusion of such structures in the FAR with any future residential housing occurring in accordance with the proposed Zoning Ordinance amendments would not directly result in the potential for new or substantially increased physical impacts to biological resources, as compared to that identified in the GPU EIR. Additionally, future proposed developments would be individually reviewed as subject to compliance with the following applicable mitigation measures from the GPU EIR, which were found to reduce impacts associated with biological resources to a level less than significant.

- *Bio-1.5: Utilize County Guidelines for Determining Significance for Biological Resources to identify adverse impacts to biological resources. Also utilize the County's Geographic Information System (GIS) records and the Comprehensive Matrix of Sensitive Species to locate special status species populations on or near project sites. This information will be used to avoid or mitigate development and site- specific impacts as appropriate.*
- *Bio-1.6: Implement the RPO (Resource Protection Ordinance), BMO (Biological Mitigation Ordinance), and HLP (Habitat Loss Permit) Ordinance to protect wetlands, wetland buffers, sensitive habitat lands, biological resource core areas, linkages, corridors, high-value habitat areas, subregional coastal sage scrub focus areas, and populations of rare, or endangered plant or animal species.*
- *Bio-1.7: Minimize edge effects from development projects located near sensitive resources by implementing the County Noise Ordinance, the County Groundwater Ordinance, the County's Landscaping Regulations (currently part of the Zoning Ordinance), and the County Watershed Protection, Storm Water Management, and Discharge Control Ordinance.*
- *Bio-2.2: Require that development projects obtain CWA (Clean Water Act) Section 401/404 permits issued by the California Regional Water Quality Control Board and U.S. Army Corps of Engineers for all project-related disturbances of waters of the U.S. and/or associated wetlands. Also continue to require that projects obtain Fish and Game Code Section 1602 Streambed Alteration Agreements from the California Department of Fish and Game for all project-related disturbances of streambeds.*
- *Bio-2.4: Implement the Watershed Protection, Storm Water Management, and Discharge Control Ordinance to protect wetlands.*

For projects where a discretionary permit is not required for the use type, a discretionary grading permit may still be required depending on the extent of cut and fill proposed. In those situations, the County Guidelines for Determining Significance would apply to analysis of any biological resources that could be impacted by expanded development footprint allowance associated with the change to application of FAR.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to biological resources. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to biological resources beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to biological resources would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

V. CULTURAL AND PALEONTOLOGICAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the

DRAFT July 22, 2026

significance of a historical resource as defined in CEQA Guidelines Section 15064.5; causing a change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5; disturbing any human remains, including those interred outside of formal cemeteries; and/or directly or indirectly destroy a unique paleontological resource or site?

YES

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NO

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The 2011 GPU EIR determined that future buildout of the GPU would have the potential to result in significant impacts related to cultural resources, including historical, archaeological, and paleontological resources, as well as human remains. While County goals and policies identified in the GPU are intended to reduce impacts related to such resources, specific measures that implement such policies and regulations were identified as mitigation measures to ensure that the intended protections are achieved. The 2011 GPU EIR determined that implementation of mitigation measures Cul-1.1 to Cul-1.8 (historic resources); Cul-2.1 to Cul-2.6 (archaeological resources); Cul-3.1 to Cul-3.2 (paleontological resources); and Cul-4.1 (human remains), in combination with applicable GPU policies, would reduce potential impacts resulting from implementation of the GPU to less than significant. The passage of Assembly Bill (AB) 52 (Chapter 532, Statutes 2014) required an update to Appendix G of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. A tribal cultural resource may be considered significant if it is included in a local or state register of historic resources; is determined by the lead agency to be significant pursuant to the criteria set forth in Public Resources Code (PRC) Section 5024.1; is a geographically designated landscape that meets one or more of the criteria in PRC Section 21084.1; is a unique archaeological resource described in PRC Section 21083.2; or is a non-unique archaeological resource if it conforms to the above criteria.

The 2011 GPU EIR did not include a separate analysis of tribal cultural resources. However, the 2011 GPU EIR did evaluate cultural resources and included implementation of mitigation measures to reduce potential impacts to less than significant levels, which would also offer applicable protections to unknown tribal cultural resources.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

No change to existing General Plan land use or zoning designations or increase in residential density from that presently allowed under existing conditions is proposed. Therefore, the project would not result in a higher intensity land use (e.g., industrial or commercial) or generate new residential development at higher densities which may be more likely to involve extensive excavation or grading activities, and thus, an increased potential to disturb or destroy known or unknown cultural or paleontological resources. Rather, future residential housing occurring in accordance with the proposed amendments would be subject to ministerial review and would not involve major grading or excavation as part of implementation, thereby reducing the potential to encounter such resources.

Therefore, the proposed project would not cause one or more effects to cultural resources including: causing a change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5; causing a change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5; disturbing any human remains, including those interred outside of formal cemeteries; and/or destroying a paleontological resource or site or unique geologic feature. Thus, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects relative to cultural or paleontological resources.

Specific to the proposed Zoning Ordinance amendments, the project would add a minimum density requirement for future residential developments to propose at least 70 percent of the maximum density allowed by the General Plan on sites that are identified to meet the County's RHNA goals (Section 4110,

DRAFT July 22, 2026

Density Regulations). Under this process, the County Director would waive this requirement for sites that demonstrate feasibility issues, including development constraints that may be caused by known historic, cultural/tribal cultural, or paleontological resources on-site. In doing so, greater flexibility in proposing residential development on such sites would be achieved, while ensuring that protections for areas supporting known sensitive resources would not be reduced and would remain applicable, and that no such resources would be significantly impacted.

Additionally, the proposed Zoning Ordinance update would revise the FAR standard (Section 4502, Applicability of Floor Area Ratio) so that non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, are not subject to FAR calculations. Such allowances may therefore result in a greater development footprint that would, in turn, have the potential to result in significant impacts to known or unknown cultural or paleontological resources. However, the exemption of inclusion of such structures in the FAR with any future residential housing occurring in accordance with the proposed Zoning Ordinance amendments would not directly result in the potential for new or substantially increased physical impacts to known or unknown cultural or paleontological resources, as compared to that identified in the GPU EIR. As indicated in the GPU EIR, buildout of the GPU would result in new development having the potential to cause a substantial adverse change in the significance of historical, archaeological, paleontological resources, in addition to human remains. Mitigation measures identified were determined to reduce potential impacts to less than significant, including as follows:

- *Cul-2.5: Protect undiscovered subsurface archaeological resources by requiring grading monitoring by a qualified archaeologist and a Native American monitor for ground disturbing activities in the vicinity of known archaeological resources, and also, when feasible, during initial surveys.*
- *Cul-3.1: Implement the Grading Ordinance and CEQA to avoid or minimize impacts to paleontological resources, require a paleontological resources monitor during grading when appropriate, and apply appropriate mitigation when impacts are significant.*
- *Cul-4.1: Include regulations and procedures for discovery of human remains in all land disturbance and archaeological-related programs. Ensure that all references to discovery of human remains promote preservation and include proper handling and coordination with Native American groups. Apply appropriate mitigation when impacts are significant.*

For projects where a discretionary permit is not required for the use type, a discretionary grading permit may still be required depending on the extent of cut and fill proposed. In those situations, the County Guidelines for Determining Significance would apply to analysis of any cultural resources that could be impacted by expanded development footprint allowance associated with the change to application of FAR.

The proposed amendments to the County Zoning Ordinance would not directly result in new physical construction; the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals identified in the General Plan Housing Element. Potential impacts beyond the scope of the GPU EIR are not anticipated to occur with project implementation.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or “new information of substantial importance” that would cause one or more effects related to cultural, tribal cultural, or paleontological resources. Implementation of the proposed Zoning Amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to cultural, tribal cultural, or paleontological resources beyond those analyzed in the 2011 GPU EIR. Therefore, impacts would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

VI. GEOLOGY AND SOILS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial

DRAFT July 22, 2026

importance” that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES

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NO

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The 2011 GPU EIR determined that impacts to geology and soils would be less than significant. No mitigation measures were required.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

As with buildout of the GPU, and as appropriate to the type and extent of future residential housing or improvements undertaken in accordance with allowances resulting with the proposed Zoning Ordinance amendments, compliance with applicable California Building Code (CBC) regulations would be required to ensure that potential hazards related to geology and soils are minimized or avoided. Future development occurring in conformance with the proposed Zoning Ordinance amendments would also be required to comply with applicable GPU policies and Zoning Ordinance development standards related to geology and soils and reducing potential geologic hazards and conditions. Consistent with the findings of the 2011 GPU EIR, compliance with the CBC and local development regulations, as appropriate, would ensure that any potential impacts related to geology and soils with future housing development associated with the proposed Zoning Ordinance amendments remain less than significant. Therefore, the proposed project would not cause a significant effect related to the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that would result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; or be located on expansive soil creating substantial risks to life or property.

The proposed amendments would also update the Zoning Ordinance to permit tiny homes on wheels as an allowable use for permanent habitation (Section 6945, Tiny Homes on Wheels). Such housing options would include the use of septic systems to serve wastewater treatment and disposal demands and would not be served by connection to a public wastewater system. Conditions related to the use of septic systems would be site-specific; the proposed amendments to the Zoning Ordinance would not affect the capacity of future sites to adequately support the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or “new information of substantial importance” that would cause one or more effects related to geology and soils. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) compared to the analysis provided in the 2011 GPU EIR. Therefore, significance findings related to geology and soils would be consistent with those previously identified in the 2011 GPU EIR.

VII. GLOBAL CLIMATE CHANGE

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that result in one or more effects associated with greenhouse gas (GHG) emissions including:

DRAFT July 22, 2026

generation of GHG emissions that may have a significant impact on the environment; and/or conflict with applicable plans, policies or regulations adopted for the purpose of reducing GHG emissions?

YES

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NO

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The 2011 GPU EIR determined that potential impacts associated with GHG emissions and global climate change would be less than significant with incorporation of mitigation measures and implementation of GPU policies. Mitigation measures CC-1.1 to CC-1.19 were identified, in combination with relevant GPU policies, to reduce potential effects resulting with implementation of the GPU and to ensure compliance with Assembly Bill 32 requirements. Such measures were determined to reduce the project's contribution to potential impacts related to global climate change, including with regard for effects on water supply, wildfires, energy needs, and public health.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals. No change to existing General Plan land use or zoning designations would occur with the proposed project. The proposed amendments would not alter or increase residential density above that allowed under the existing General Plan or zoning designations. Therefore, future residential development occurring in accordance with the proposed Zoning Ordinance amendments would be consistent with growth assumptions for the County and would not result in unanticipated or increased GHG emissions beyond those analyzed in the 2011 GPU EIR. Impacts would be consistent with those previously identified in the GPU EIR.

Additionally, future residential housing occurring in accordance with allowances proposed with the Zoning Ordinance amendments would generate GHG emissions during construction. Such construction activities would occur over multiple future years, and as the result of individual projects, thus reducing the potential for concentrated emissions generation.

It is also reasonably anticipated that new GHG reduction goals, policies, and regulations adopted since the time of certification of the GPU EIR would continue to contribute to GHG reductions for current and future development within the County, as compared to effects originally evaluated in the GPU EIR. Potential effects related to global climate change from future housing development that may occur in accordance with the proposed Zoning Ordinance amendments are therefore not anticipated to increase in severity as compared to the GPU EIR significance findings. Although new regulations relative to GHG emissions have been adopted since the time of certification of the GPU EIR, such information is not considered to be of "substantial importance" that would result in one or more effects related to environmental effects associated with global climate change or compliance with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions.

Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts or an increase in the severity of previously identified impacts related to global climate change beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to global climate change would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances,

DRAFT July 22, 2026

or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport resulting in a safety hazard or excessive noise for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; vector exposure; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires?

YES

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NO

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The 2011 GPU EIR determined that impacts related to the transport, use, or disposal of hazardous materials, accidental release of hazardous materials, use of hazardous materials within proximity to schools, location on a site that may create hazard to the public or the environment, or the potential for increased human exposure to vectors would be less than significant without the requirement for mitigation measures. Impacts associated with public and private airport operations and interference with emergency evacuation and response plans were determined potentially significant. Mitigation measures Haz-1.1 to Haz-1.5 (public airports), Haz-2.1 (private airports), and Haz-3.1 to Haz-3.3 (emergency response and evacuation plans) were identified to reduce potential impacts to less than significant. Additionally, mitigation measures Haz-4.1 to Haz-4.4, in combination with relevant GPU policies, were identified to reduce potential impacts related to wildland fires; however, impacts would not be reduced to below a level of significance. Impacts pertaining to wildland fires were determined to remain significant and unavoidable. As such, a Statement of Overriding Considerations was adopted relative to wildland fires pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

The proposed project does not include any changes to existing General Plan land use or zoning designations that would increase potential adverse effects related to hazards and hazardous materials as compared to the conditions analyzed in the 2011 GPU EIR. None of the proposed Zoning Ordinance updates would authorize or result in regulations related to the use, handling, or transport of hazardous materials. Additionally, as no change in existing General Plan land use or zoning designations would occur, no change in existing or anticipated land uses would result that would allow for new use types (e.g., commercial or industrial) in any area that may increase the potential for hazards to occur or that would involve the use, handling, or transport of hazardous materials or substances. Thus, existing conditions would remain unchanged in this regard, and an increased potential for significant effects to occur would not result. Additionally, all future residential development occurring in accordance with the proposed Zoning Ordinance amendments would be subject to conformance with applicable federal, state, and local regulations pertaining to the use, handling, and disposal of common hazardous materials or substances.

Specific to the proposed Zoning Ordinance amendments, the project proposes updates to allow for a reduction in the distance between detached main buildings on a site (currently 10 feet between main buildings two stories or less and 15 feet between buildings greater than two stories) through standards in the Consolidated Fire Code and CBC, or through approval by the applicable fire protection district (Section 4840, Required Distance Between Detached Main Buildings). Additionally, the proposed amendments would allow for exclusion of non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, from FAR calculations (Section 4502, Applicability of Floor-Area Ratio). Such amendments may therefore allow for a potential increase in the resulting size of future residential structures requiring fire protection or affect emergency access during a wildfire event. All future residential housing development would be required to comply with applicable CBC and local fire regulations and codes, as well as requirements of the affected fire district providing fire protection services to ensure that the

DRAFT July 22, 2026

potential for significant effects related to the risk of wildfire hazards or the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires would not increase with project implementation, as compared to potential effects identified in the GPU EIR.

Additionally, due to the nature of the proposed project, the identified amendments to the Zoning Ordinance would not increase safety hazards or excessive noise for people residing or working in the vicinity of a private or public airport; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or increase current or future resident's exposure to vectors. Potential effects would remain similar to those identified in the GPU EIR in this regard.

Therefore, the project would not cause one or more effects to hazards or hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport result in a safety hazard or excessive noise for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; increase current or future resident's exposure to vectors; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires. Accordingly, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects related to hazards and hazardous materials.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to hazards and hazardous materials. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to hazards and hazardous materials beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to hazards and hazardous materials would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

IX. HYDROLOGY AND WATER QUALITY

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow; and/or conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan?

YES
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NO
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The 2011 GPU EIR identified impacts related to the degradation of water quality and conformance with water quality standards requirements, and groundwater supplies and recharge, as potentially significant. Mitigation measures Hyd-1.1 to Hyd-1.10 (water quality standards and requirements) and Hyd-2.1 to Hyd-2.5 (groundwater supplies and recharge) were identified to reduce such impacts, in combination with relevant GPU policies; however, impacts were determined to remain significant and unavoidable, even with the incorporation of mitigation measures. A Statement of Overriding Considerations was adopted for hydrology and water quality pursuant to CEQA Guidelines Sections 15091 and 15093.

The 2011 GPU EIR identified additional impacts associated with substantial erosion or siltation; flooding on- or off-site; creation or contribution of runoff water which would exceed the capacity of existing or planned storm water drainage systems; provision of substantial additional sources of polluted runoff; placement of housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area; exposure of people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow as potentially significant. In addition to mitigation measures Hyd-1.1 to Hyd-1.5 and Hyd-2.5, mitigation measures Hyd-3.1 to Hyd-3.3 (erosion and siltation); Hyd-4.1 to Hyd-4.3 (flooding); Hyd-6.1 (housing within a 100-year flood hazard area); Hyd-8.1 to Hyd-8.2 (dam inundation and flood hazards); and/or a combination of mitigation measures identified, in addition to relevant GPU policies, would reduce such impacts to less than significant.

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals. Subsequent to certification of the GPU EIR, the County adopted the updated Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10410 (N.S.) on February 26, 2016. A Municipal Stormwater Permit was reissued by the San Diego Regional Water Quality Control Board under the National Pollutant Discharge Elimination System (Order No. R9-2013-0001). Revisions made to these planning documents do not affect or increase the severity of potential impacts as previously analyzed in the GPU EIR.

Future residential development occurring in accordance with the proposed Zoning Ordinance amendments will require approval of a Storm Water Quality Management Plan (SWQMP) prior to construction to ensure impacts to water quality are minimized. The SWQMP would identify best management practices (BMPs) to be implemented during construction in order to prevent erosion, minimize siltation impacts, and protect water quality, including per the County of San Diego Watershed Protection Ordinance. Therefore, future residential development through application of the proposed amendments would not be anticipated to substantially alter existing drainage patterns or result in on-site or downstream flooding or erosion. Additionally, the proposed amendments would not have the potential to affect the placement of housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow; and/or conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan.

Specific to the proposed amendments, the project would update the Zoning Ordinance to permit tiny homes on wheels as an allowable use for permanent habitation (Section 6945, Tiny Homes on Wheels). Such housing options would include the use of septic systems to serve wastewater treatment and disposal demands. Conformance with applicable state and local regulations pertaining to installation and operation of the septic tank would be required to ensure that water quality is maintained.

DRAFT July 22, 2026

Additionally, the proposed amendments would allow for exclusion of non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, from FAR calculations (Section 4502, Applicability of Floor-Area Ratio). Such amendments may therefore allow for a potential increase in the resulting size of future residential structures as compared to existing conditions. However, it is anticipated that any resulting increases in structure size would be nominal and not capable of adversely affecting existing drainage patterns or groundwater recharge.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or “new information of substantial importance” that would cause one or more effects related to hydrology and water quality. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to hydrology and water quality beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to hydrology and water quality would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

X. LAND USE AND PLANNING

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that cause one or more impacts associated with land use and planning including: physically dividing an established community; conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; and/or conflict with any applicable habitat conservation plan (HCP) or natural community conservation plan (NCCP)?

YES



NO



The 2011 GPU EIR determined that impacts associated with the physical division of an established community would be reduced to less than significant with the incorporation of mitigation measures Lan-1.1 to Lan-1.3, in combination with relevant GPU policies. Impacts resulting from conflicts with applicable land use plans, policies, or regulations, including an HCP or NCCP, were determined to be less than significant, and no mitigation measures were required.

The proposed amendments would not directly result in County approval of building or other development permits. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals.

The proposed project does not include changes to any existing land use or zoning designations or changes to the Land Use Element or Housing Element; rather, the project is intended to better align the Zoning Ordinance with future development already anticipated by the General Plan. No change in existing General Plan land use or zoning or allowed residential densities would occur with project implementation; no land use conflicts would result.

Due to the nature of the project, it is not anticipated that future residential housing occurring in accordance with the proposed amendments would result in built elements that would physically divide an established community. No significant effects related to land use and planning would occur in this regard.

The proposed amendments would be consistent with the principles and policies of the General Plan which provides a framework for land use in the unincorporated County and with the General Plan Housing Element. Future housing occurring in accordance with the proposed Zoning Ordinance amendments would provide additional options to meet the County’s adopted housing goals, consistent with the Housing Element. The project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project would be consistent with relevant land use policies, including LU-1.1 in that no change to existing land use is proposed. Additionally, Policy LU-2.3 applies as the project would not change the assigned residential densities and would maintain lot sizes in a

DRAFT July 22, 2026

manner compatible with the character of affected communities. Additionally, the project would comply with Policy COS-11.18 for the protection of scenic resources, including scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes, as such resources would not be affected by the proposed amendments.

The proposed amendments would allow for changes in allowed building types (Zoning Ordinance Section 4310) and allowance of tiny homes (Section 6945), as well as updates that would allow for increased FAR (Section 4502) and other regulations that may alter existing development regulations; however, such amendments would not be in conflict with the intent of the General Plan policies and would contribute to achieving associated County goals.

Future residential housing resulting in accordance with the proposed Zoning Ordinance amendments is not anticipated to result in the potential to physically divide an established community; conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; and/or conflict with any applicable HCP or NCCP.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to land use and planning. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) related to land use and planning beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to land use and planning would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

XI. MINERAL RESOURCES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES

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NO

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The 2011 GPU EIR determined that impacts related to mineral resources would be potentially significant. Evaluation in the 2011 GPU EIR concluded that the implementation of the GPU would have the potential to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state (such as from incompatible development), and the loss of availability of a locally important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan. Implementation of mitigation measures Min-1.1 to Min-1.3 (mineral resource availability and mineral resource recovery sites), in combination with relevant GPU policies, would reduce potential impacts, but not to below a level of significance. Impacts would remain significant and unavoidable, even with incorporation of mitigation measures. A Statement of Overriding Considerations was adopted for mineral resources pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes minor amendments to the County Zoning Ordinance to provide new opportunities to meet the County's housing goals. No change to existing zoning classifications or General Plan land use designations of any County properties would occur, nor would changes to the Land Use Element or Housing Element result. The proposed amendments would not result in the rezoning of any important mineral resource zone lands (categorized pursuant to the Surface Mining and Reclamation Act regulations as having a potential for the existence of mineral resources) or change the existing use of any such lands to an incompatible residential land use. Therefore, no potentially significant loss of availability of a known mineral

DRAFT July 22, 2026

resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan, or other land use plan would occur as a result of the proposed amendments.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to mineral resources. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to mineral resources beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to mineral resources would be consistent with those previously identified in the 2011 GPU EIR and no new mitigation measures would be required.

XII. NOISE

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES

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NO

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The 2011 GPU EIR determined that implementation of the GPU would result in potentially significant noise impacts related to the exposure of persons to or generation of noise levels exceeding standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial temporary or periodic increase in ambient noise levels in the project vicinity; and exposure of people residing or working in the vicinity of a public or private airport to excessive noise levels. Implementation of mitigation measures Noi-1.1 to Noi-1.9 (excessive noise levels); Noi-2.1 to Noi-2.4 (excessive groundborne vibration); Noi-4.1 to Noi-4.2 (temporary increases in ambient noise levels); and Noi-5.1 to Noi-5.2 (excessive noise exposure from a public or private airport), in combination with applicable GPU policies, were identified to reduce such impacts to less than significant. Impacts resulting from the permanent increase in ambient noise levels were determined to be significant and unavoidable with implementation of the GPU, even with incorporation of mitigation measures Noi-3.1 to Noi-3.2 and conformance to relevant GPU policies. A Statement of Overriding Considerations was adopted for noise impacts pursuant to CEQA Guidelines Sections 15091 and 15093.

The proposed project would provide enhanced options for the provision of new residential housing units that would help to meet future housing goals and requirements, as set forth in the Housing Element. The proposed project does not include changes to any existing land use or zoning designations and would not result in changes to the Land Use Element or Housing Element. Additionally, no change in land use density or intensity would occur that would substantially increase potential noise levels or result in exposure of an increased number of people to excessive noise levels as compared to that anticipated with GPU buildout and relative to the by-right residential uses considered with the proposed Zoning Ordinance amendments.

For the majority of the housing options that would be facilitated in accordance with the proposed Zoning Ordinance amendments, such activities would not have the potential to substantially increase noise levels resulting with construction or operation, due to their nature and minor change in conditions that may result. Such improvements would be within anticipated development conditions considered in the GPU EIR.

DRAFT July 22, 2026

Specifically, the proposed amendments would allow for exclusion of non-habitable accessory structures, including but not limited to carports, residential garages, and storage buildings, from FAR calculations (Section 4502, Applicability of Floor-Area Ratio). Such amendments may therefore allow for a potential increase in the resulting size of future residential structures. Such amendments may therefore have the potential to result in increased construction noise (larger structure) or increased noise levels (decreased distance from potential noise source). Also specific to the proposed Zoning Ordinance amendments, the project also proposes updates to allow for a reduction in the distance between detached main buildings on a site (currently 10 feet between main buildings two stories or less and 15 feet between buildings greater than two stories) through standards in the Consolidated Fire Code and CBC, or through approval by the applicable fire protection district (Section 4840, Required Distance Between Detached Main Buildings).

However, these changes would not entail changing land use types allowed, and therefore, wouldn't lead to higher levels of onsite generated noise. The changes would also not facilitate placing noise sensitive land uses closer to noise sources, like roads or adjacent land uses, considering the FAR change only exempts non-habitable structures from FAR calculations.

Additionally, construction activities associated with any future residential development would be subject to conformance with 36.408 through 36.411 of the County's Noise Abatement and Control Ordinance establish additional noise limitations for the operation of construction equipment. Section 36.408 prohibits the operation of construction equipment between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday and any time on Sundays, except for emergency work. Section 36.409 establishes sound level limitations on construction equipment, detailing that operation of construction equipment that exceeds an average sound level of 75 dB for an 8-hour period between 7:00 a.m. and 7:00 p.m. when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received shall be prohibited. Section 36.404(a) of the San Diego County Code of Regulatory Ordinances also establishes 1-hour average sound level limits for various land use zones. This section prohibits noise exceeding the applicable sound level limit when measured at the property line of the property on which the noise is produced or at any location on a property receiving the noise and would further reduce the potential for noise impacts to occur. Such regulations would further minimize potential noise generated with future residential development occurring in accordance with the proposed Zoning Ordinance amendments.

The proposed amendments would have no effect related to the exposure of people residing or working in the vicinity of a public or private airport. Potential impacts would be consistent with that previously evaluated in the 2011 GPU EIR.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to noise. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to noise beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to noise would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

XIII. POPULATION AND HOUSING

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES

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NO

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The 2011 GPU EIR determined that impacts to population and housing would be less than significant. As indicated in the 2011 GPU EIR, buildout of the General Plan would not result in a substantial increase in

DRAFT July 22, 2026

population. The development and infrastructure proposed under the GPU would directly and indirectly induce population growth; however, such growth is considered to be consistent with forecasted growth for the unincorporated County. As stated in the 2011 GPU EIR, the GPU is a comprehensive plan to guide future growth and includes a framework for land use and development, as well as goals and policies, to prevent unanticipated or inappropriate population growth in the unincorporated County. Therefore, the 2011 GPU EIR concluded that buildout of the General Plan would not result in the direct or indirect inducement of unplanned population growth and a significant impact would not occur.

The project proposes amendments to the Zoning Ordinance to enhance opportunities for future development of new housing units to meet the County's housing goals. The project does not propose any changes to the existing General Plan land use designation or zoning classification of any properties that could result in the displacement of substantial numbers of housing or people, necessitating the construction of replacement housing elsewhere. As the project would not revise the existing land use or zoning of any properties, no increase in the assigned densities would occur that could result in potential increased or unplanned future growth. Accordingly, the project would not result in a new significant environmental effect relative to population and housing.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to population and housing. Project implementation would not result in new significant impacts (direct or indirect) related to population and housing beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to population and housing would be consistent with those previously identified in the 2011 GPU EIR and would remain less than significant; no mitigation measures would be required.

XIV. PUBLIC SERVICES

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES

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NO

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The 2011 GPU EIR determined that impacts related to the construction or expansion of public services (fire, police, and other public services) would be potentially significant. Such impacts would be reduced to less than significant with incorporation of mitigation measures Pub-1.1 to Pub-1.9 (fire protection services) and Pub-1.1 to Pub-1.3 (police protection services and other public services) and in combination with relevant GPU policies, as well as applicable mitigation measures identified in other 2011 GPU EIR sections to reduce potential impacts that may result with physical construction or expansion of public facilities (air quality, biological and cultural resources, noise, etc.).

The 2011 GPU EIR also indicated that impacts to school services would be potentially significant. However, the incorporation of mitigation measures Pub-1.1 to Pub-1.3 and Pub-3.1 to Pub-3 (school services), in combination with relevant GPU policies, would not reduce such impacts to below a level of significance and they would remain significant and unavoidable. A Statement of Overriding Considerations was therefore adopted for public services pursuant to CEQA Guidelines Sections 15091 and 15093.

The project proposes amendments to the Zoning Ordinance in support of meeting future housing needs consistent with the General Plan Housing Element. None of the amendments proposed would change the availability of governmental facilities or result in the need for or construction of new or expanded

DRAFT July 22, 2026

governmental facilities. The proposed amendments would not change the existing General Plan land use or zoning classification of any County lands and would therefore not result in an increase in allowed residential density that could, in turn, generate unanticipated population growth and associated future demands on public services. The project would therefore not result in impacts (direct or indirect) to libraries, schools, police protection services, fire protection services, parks, or other public facilities beyond those identified in the 2011 GPU EIR.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to public services. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to public services beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to public services would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

XV. RECREATION

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to recreation including: result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; and/or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES

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NO

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The 2011 GPU EIR determined that impacts related to recreation would be potentially significant as buildout of the GPU would increase use of existing neighborhood and regional parks, thereby resulting in accelerated deterioration of recreational facilities, and would require the construction or expansion of recreational facilities, which may have an adverse effect on the environment. The implementation of mitigation measures Rec-1.1 to Rec-1.11 (deterioration of parks and recreational facilities) and Rec-2.1 to Rec-2.6 (construction of new recreational facilities), in combination with relevant GPU policies, would be required to reduce potential impacts to less than significant.

The project proposes amendments to the County of San Diego Zoning Ordinance that would ease certain development limitations on by-right development, in order to provide new options for future residential housing intended to support goals identified in the Housing Element to meet anticipated future demands. The project would not directly result in new physical development, nor increase residential densities that would result in unanticipated population growth or increased demand for recreational facilities. The project does not include any changes to regulations regarding recreational facilities or require the construction of new or expansion of existing recreational facilities.

Therefore, the project would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; and/or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to recreation. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to recreation beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to recreation would be consistent with those previously identified in the 2011 GPU EIR and no new mitigation measures would be required.

XVI. TRANSPORTATION/TRAFFIC

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service (LOS) standard established by the county congestion management agency for designated roads or highways; a substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES

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NO

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The 2011 GPU EIR determined that transportation and traffic impacts would be potentially significant with GPU buildout as the result of inadequate emergency access, inadequate parking capacity, and potential conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts and bicycle racks). Such impacts would be reduced to less than significant through implementation of mitigation measures Tra-4.1 to Tra-4.4 (emergency access); Tra-5.1 to Tra-5.3 (parking capacity); and Tra-6.1 to Tra-6.9 (alternative transportation), in combination with relevant GPU policies.

The GPU EIR determined that impacts related to the degradation in LOS for roadways in unincorporated San Diego County and adjacent cities, and to rural road safety due to hazards or incompatible uses, would be potentially significant. These impacts were determined to be significant and unavoidable even with incorporation of mitigation measures Tra-1.1 to Tra-1.7 (unincorporated County traffic and LOS standards); Tra-2.1 (adjacent cities traffic and LOS standards); and Tra-3.1 (rural road safety), and in combination with relevant GPU policies. A Statement of Overriding Considerations was therefore adopted for transportation and traffic impacts pursuant to CEQA Guidelines Sections 15091 and 15093.

Senate Bill (SB) 743, adopted by the State of California, changed the method of traffic analysis, eliminating the use of LOS as a basis for determining significant transportation impacts under CEQA, which was used to evaluate impacts in the 2011 GPU EIR. The Governor's Office of Planning and Research updated the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts and recommended that vehicle miles traveled (VMT) be the primary metric for evaluating transportation impacts under CEQA. SB 743 does not prevent a city or county from continuing to analyze delay or LOS as part of other plans, studies, congestion management, and transportation improvements, but these metrics may no longer constitute the basis for transportation impacts under the General Plan. The General Plan identifies LOS as being a required analysis and LOS will continue to be analyzed as part of project review. However, the 2011 GPU EIR did not include an evaluation of VMT.

The proposed project would allow for additional residential housing options intended to help achieve the County's future housing needs, as set forth in the Housing Element. No change to the existing General Plan land use or zoning regulations of any lands would occur with the proposed amendments and no increase in allowed residential densities would result. As the project would not result in additional allowed density or use types or corresponding vehicle trips, the project would not cause one or more effects related to transportation and traffic including: deficiencies relative to road segment operations, level of service, and congestion; inadequate parking capacity; and/or inadequate emergency access. Accordingly, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects relative to transportation and traffic in this regard.

Further, as the proposed Zoning Ordinance updates are aimed at achieving increased options for meeting the County's residential housing needs, future development occurring in accordance with the proposed amendments is not anticipated to result in new or substantially more severe impacts related to a change in

DRAFT July 22, 2026

air traffic patterns; a substantial increase in hazards due to design or incompatible uses; or a conflict with adopted policies, plans, or programs supporting alternative transportation as evaluated in the GPU EIR.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to transportation/traffic. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or an increase in the severity of previously identified impacts related to transportation/traffic beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to transportation/traffic would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures would be required.

XVII. UTILITIES AND SERVICE SYSTEMS

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES

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NO

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The 2011 GPU EIR determined that impacts relative to solid waste regulations were less than significant. Compliance with relevant federal, state, and local solid waste regulations would be achieved, and the implementation of mitigation measures would not be required.

The 2011 GPU EIR identified potentially significant impacts as buildout of the GPU may result in exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; and/or result in noncompliance with federal, state, and local statutes and regulations related to solid waste. Mitigation measures USS-1.1 to USS-1.3 (wastewater treatment requirements and adequate wastewater facilities); USS-2.1 to USS-2.3 (new water and wastewater facilities); USS-3.1 to USS-3.5 (sufficient stormwater drainage facilities); and USS-8.1 to USS-8.4 (energy) were identified to reduce such impacts to less than significant.

Buildout of the GPU was also determined to result in a potentially significant impact related to adequate water supplies and sufficient landfill capacity, as the GPU would accommodate an increase in population and housing within the unincorporated County, thereby increasing water demand and demand for landfill disposal services. Mitigation measures USS-4.1 to USS-4.7 (adequate water supplies) and USS-6.1 to USS-6.8 (sufficient landfill capacity) were identified to reduce such impacts, in combination with relevant GPU policies; however, such impacts would not be reduced to below a level of significance and would therefore remain significant and unavoidable. A Statement of Overriding Considerations was adopted for impacts to utilities and service systems, pursuant to CEQA Guidelines Sections 15091 and 15093.

DRAFT July 22, 2026

The project proposes amendments to the County Zoning Ordinance and would not directly result in County approval of building or other development permits or directly result in new physical construction. Rather, the proposed amendments would revise certain development regulations to better facilitate and support available residential housing development options to achieve County housing goals. No change to existing General Plan land use or zoning designations would occur, and therefore, the project would not increase the intensity of any future land uses (e.g., residential to industrial or commercial use). Similarly, no increase in allowed residential densities would result. Therefore, the proposed amendments would not result in the generation of new population or unplanned growth or substantially increase potential future demand for utilities and service systems beyond that already anticipated with GPU buildout. The proposed project would amend the Zoning Ordinance to permit tiny homes on wheels as an allowable use for permanent habitation (Section 6945, Tiny Homes on Wheels). Such housing options would include the use of septic systems to serve wastewater treatment and disposal demands and would not be served by connection to a public wastewater system. Therefore, such future residential housing options would not place new service demands on any public wastewater districts.

The proposed Zoning Ordinance amendments would not cause one or more effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the relocation or construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste. Thus, the project would not result in a new significant environmental effect or substantial increase in the severity of previously identified significant effects relative to utilities and service systems as evaluated in the 2011 GPU EIR.

Since the 2011 GPU EIR was certified, there have been no changes in the project, changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that would cause one or more effects related to utilities and service systems. Implementation of the proposed Zoning Ordinance amendments would not result in new significant impacts (direct or indirect) or a substantial increase in the severity of impacts related to utilities and service systems beyond those analyzed in the 2011 GPU EIR. Therefore, impacts related to utilities and service systems would be consistent with those previously identified in the 2011 GPU EIR; no new mitigation measures are required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES
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Per the instructions for evaluating environmental impacts in this Addendum, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Sections IV and V of this form. In addition to project-specific impacts, this evaluation considered the project's potential for significant cumulative effects. There is no substantial evidence that biological or cultural resources would be affected or associated with this project. Therefore, the project has been determined not to meet this Mandatory Finding of Significance.

As described in Section IV, Biological Resources, and Section V, Cultural Resources, above, the project would not result in any new or more severe impacts to biological resources or cultural/historic resources, nor would the project result in any previously unidentified impact that would be cumulatively considerable. Furthermore, as described throughout this addendum, the project would not result in any new or more severe direct or indirect environmental impacts to human beings. All impacts associated with the project would be consistent with those previously identified in the 2011 GPU EIR.

XIX. ATTACHMENTS

The County of San Diego Planning Commission Hearing Report Attachment B: Draft Housing Unlocked Phase I Zoning Ordinance Amendment [CLEAN]

XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

California Environmental Quality Act, CEQA Guidelines.

California Fish and Wildlife Code, Section 1600 et seq.

County of San Diego

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3.

County of San Diego General Plan, 2011.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Agricultural Resources, approved March 19, 2007.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Air Quality, approved March 19, 2007.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, approved September 15, 2010.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources: Archaeological and Historical Resources, approved December 5, 2007.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Geologic Hazards, approved July 30, 2007.

County of San Diego Guidelines for Determining Significance Hydrology and Water Quality, approved August 18, 2021.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Mineral Resources, approved July 30, 2008.

DRAFT July 22, 2026

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Vectors, approved January 15, 2009.

County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Visual Resources, approved July 30, 2007.

County of San Diego Fire Protection Plan Guidelines for Staff, approved 2024.

County of San Diego Guidelines for Determining Significance Climate Change, approved February 2018.

County of San Diego Guidelines for Determining Significance Noise, approved January 27, 2009.

County of San Diego Transportation Study Guidelines, adopted January 2026.

County of San Diego Zoning Ordinance.

County of San Diego, San Diego County General Plan Environmental Impact Report, adopted August 3, 2011.

County of San Diego, San Diego County General Plan, adopted August 3, 2011.

**Attachment B – Housing Unlocked Phase I Zoning
Ordinance Amendment [CLEAN]**

1100

DEFINITIONS

1100 TITLE, PURPOSE AND APPLICABILITY.

The provisions of Section 1100 through Section 1199, inclusive, shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of The Zoning Ordinance. The meaning and construction of words and phrases as set forth shall apply throughout The Zoning Ordinance, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in the Uniform Building Code shall be applicable except when in conflict with definitions contained in The Zoning Ordinance, in which case The Zoning Ordinance definition shall prevail.

1105 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE.

The following general rules of construction shall apply to the textual provisions of The Zoning Ordinance.

- a. Headings. Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of The Zoning Ordinance.
- b. Illustration. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
- c. Shall and May. "Shall" is always mandatory and not discretionary. "May" is discretionary.
- d. Tenses and Numbers. Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 1. "And" indicates that all connected items or provisions apply.
 2. "Or" indicates that the connected items or provisions may apply single or in any combination.
 3. "Either...or" indicates that the connected items or provisions shall apply single but not in combination.
- f. All public officials, bodies, and agencies to which reference is made are those of the County of San Diego unless otherwise indicated.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Def. 3

DEFINITIONS (3)

3D-Printed Building Construction: A process for fabricating buildings, structures and building elements from 3D model data using automated equipment that deposits construction material in a layer-upon-layer fashion.

3D-Printed Home: A 3-D printed structure designed, constructed, and inspected in accordance with the provisions contained in Appendix AW of the International Residential Code (IRC), equipped to contain not more than two dwelling units and to be used with a permanent foundation.

DEFINITIONS (B)

Building Type, Residential: That group of building types comprising the following:

1. **Single Detached:** One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, located on a lot or building site which is unoccupied by any other dwelling unit.
2. **Semi-Detached:** One dwelling unit, which is placed side-by-side and touching another dwelling unit or its garage, both of which are located on separate lots or building site unoccupied by any other dwelling unit.
3. **Double Detached or Duplex:** Two dwelling units placed side-by-side, which may be attached or detached, both of which are on a lot or building site which is unoccupied by any other dwelling unit.
4. **Triplex:** A multiple dwelling limited to three dwelling units arranged side-by-side or vertically so that some structural parts are touching one another, but freestanding and structurally separated from any other dwelling units, all of which dwelling units are located on a lot or building site which is unoccupied by any other dwelling unit.
5. **Multi-Dwelling or Attached:** A structure or structures containing a total of 3 or more dwelling units in any vertical or horizontal arrangement on a single lot or building site or located on separate lots which are unoccupied by any other dwelling units.

DENSITY REGULATIONS

4100 TITLE AND PURPOSE.

The provisions of Section 4100 through Section 4199, inclusive, shall be known as the Density Regulations. The purpose of these provisions is to aid in the implementation of the growth, population distribution, conservation, and development policies of the San Diego County General Plan and its associated Community and Specific Plans, and to meet requirements for residential and nonresidential development within the County as set forth in the policies and principles of the General Plan.

4105 DENSITY DESIGNATOR NOTATION.

Density shall be indicated by an Arabic numeral indicating the actual maximum number of permitted dwelling units per net residential acre. Density may be expressed in decimal fraction notation, e.g. "3" and "3.5" indicating three and three and one-half dwelling units per net residential acre, respectively or a zero "0" density indicating no dwelling units are allowed. A dash ("-") shall indicate that no density is specified by zoning and that the General Plan shall be referred to in order to determine maximum allowed density. A zero "0" density shall not apply to dwellings permitted by the Temporary Use Regulations or the Accessory Use Regulations (see sections 6156 and 6160).

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4110 DENSITY REGULATIONS.

- a. Specification of Density. The adopted San Diego County General Plan provides the maximum allowed residential density for residential land use designations. Maximum residential densities expressed in dwelling units per net residential acre may be established in zoning to regulate the density of residential development where densities are not specified in the General Plan or lesser densities than those in the General Plan are deemed appropriate. Any such density may be specified within the Development Regulations.
- b. Density Designator. In no case shall a density greater than that allowed in the General Plan be specified.
- c. Minimum Density. Minimum densities may be applied to require a minimum level of residential development, when development is undertaken. Minimum residential density shall be expressed as the minimum dwelling units permitted per net residential acre and shall appear as an Arabic numeral which precedes the maximum residential density and which is separated by a dash ("-") from the maximum residential density. The notation for minimum density shall be the same as that specified for maximum density in Section 4105. A minimum residential density shall not be specified except in association with a maximum residential density.
- d. RHNA Sites. Projects submitted on Regional Housing Needs Allocation (RHNA) Sites shall propose at least 70 percent of the maximum density allowed by the Zoning Ordinance or General Plan. A reduction may be approved by the final decision maker if the applicant can show that site constraints make achieving 70 percent of the maximum density infeasible. For the purposes of this section, a RHNA site is a parcel which has been identified to meet the County's RHNA allocation in the County's adopted Housing Element or Annual Progress Report.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6478 (N.S.) adopted 12-1-82)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

LOT AREA REGULATIONS

4200 TITLE AND PURPOSE.

The provisions of Section 4200 through 4299, inclusive, shall be known as Lot Area Regulations. The purpose of these provisions is to aid in the implementation of the growth, population distribution, conservation, and development policies of the San Diego County General Plan and to meet requirements for residential and nonresidential development within the County as set forth in the policies and principles of the General Plan.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

4205 LOT AREA DESIGNATOR NOTATION.

Minimum lot area shall be indicated directly with square feet expressed in thousands, e.g., "6000" and "10,000" indicating 6,000 and 10,000 square feet respectively. Minimum lot area may be expressed as acres, e.g. 1 ac. and 1.5 ac. A dash ("-") shall indicate that there is no minimum lot area or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4210 LOT AREA REGULATIONS.

- a. Specification of Lot Area. Minimum lot areas shall be established to regulate the minimum area that lots or building sites must have before they may be developed, and any such minimum lot area may be specified within the development unit.
- b. Lot Area Designator. A lesser lot area may be permitted under the provisions of the Planned Development Standards commencing at Section 6600, the provisions of Section 4230 relating to lot area averaging, or where otherwise excepted by this ordinance.

(Amended by Ord. No. 5787 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4215 MINIMUM LOT AREA TO BE MAINTAINED

No portion of the required area of any lot or building site shall be used or considered as part of the required area for any other lot or building site. No lot or building site shall be reduced in size so that the area thereof is less than the minimum prescribed by an applicable lot area designator except when such reduction results from partial acquisition for public use. No existing lot or building site which has an area less than the minimum required lot area shall be reduced in area, except when such reduction results from partial acquisition for public use.

(Amended by Ord. No. 6855 adopted on 10-10-84)

4220 MINIMUM LOT AREA REQUIREMENT MET – SUBSTANDARD LOT.

Any substandard lot or building site shall be deemed to meet an applicable minimum lot area requirement when:

- a. It existed as an entire lot, or as an entire parcel for which either a deed of record in the office of the County Recorder or a bona fide contract of sale was in full force and effect, prior to the date it was first zoned to the zone classification which caused it to be undersized; and
- b. It is not the result of a division of land in violation of any state law or county ordinance.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4221 MINIMUM LOT AREA REQUIREMENTS, NET OR GROSS.

The net lot area of a lot shall not be less than the required minimum area prescribed by the lot area designator of the zone, except when one of the following requirements is satisfied:

- a. Said lot or building site is created pursuant to a use permit specifying such lesser area or issued for the purpose of authorizing such lesser area.
- b. All requirements of Section 4220 of this Ordinance are met.
- c. Said lot or building site is shown on an approved final subdivision map, or on a tentative subdivision map which has been approved or filed for approval, all prior to December 1, 1969; provided that after December 31, 1971:
 - 1. Said lot or building site exists as an entire lot, or as an entire parcel for which either a deed is of record in the office of the County Recorder or a bona fide contract of sale is in full force and effect.
 - 2. It is not the result of a division of land in violation of any State law or County ordinance.
- d. Said lot or building site is shown on an approved division of land plat or on a division of land plat filed for approval prior to December, 1969; provided that after December 31, 1971:
 - 1. Said lot or building site exists as an entire lot or as an entire parcel for which either a deed is of record in the office of the County Recorder or a bona fide contract of sales is in full force and effect.
 - 2. It is not the result of a division of land in violation of any State law or County ordinance.
- e. Exemption. Multifamily and mixed-use projects that include a floor area ratio that meets the requirements under subdivision (b) of Section 65913.11. of the California Government Code shall be allowed on existing legal parcels, regardless of consistency with the existing minimum lot size requirement, provided all other applicable requirements are met, including meeting the densities established by the Zoning Ordinance or General Plan.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10858 (N.S.) adopted 7-19-23)

4300

BUILDING TYPE REGULATIONS

4300 TITLE AND PURPOSE.

The provisions of Section 4300 through 4399, inclusive, shall be known as the Building Type Regulations. The purpose of these provisions is to allow flexibility within the development regulations to identify structural types and sizes most appropriate to the various geographic settings and special local policies of San Diego County.

4305 BUILDING TYPE DESIGNATOR NOTATION.

Building type shall be indicated by a capital letter corresponding to one row of the Building Type Schedule at Section 4310 specifying the permitted building types. A dash ("-") shall indicate that none of the building types specified in Section 4310 are permitted or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4310 BUILDING TYPE SCHEDULE.

- a. Residential. Buildings containing only residential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitted Residential Building Types".
- b. Mixed. Buildings containing both residential and nonresidential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitted Mixed Residential and Nonresidential Building Types". The number of dwelling units shall not be greater than permitted by the same building designator for residential buildings.
- c. Nonresidential. Buildings containing only nonresidential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitting Nonresidential Building Types".
- d. Designator A. In zones subject to the "A" Building Designator, no buildings are permitted except those exempt from the Building Type Schedule pursuant to Section 4315.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

PERMITTED BUILDING TYPES									
RESIDENTIAL						MIXED RESIDENTIAL NONRESIDENTIAL		NONRESIDENTIAL	
DESIGNATOR	Single Detached (one dwelling unit per lot)	Semi-Detached (one dwelling unit per lot)	Duplex or Double Detached (a) (two units on same lot)	Triplex, Three Unit Multiple (a) (same lot)	Multi-Dwelling or Attached (same lot or separate lots)	Limited Non residential (ground level and basement only)	Unlimited Nonresidential (any level)	Detached (one or more main buildings per lot)	Attached (same lot or separate lots)
A									
B	●	●	●	●	●				
C	●	●	●	●	●	●		●	●
D	●	●	●	●	●				
E	●	●	●	●	●				
F	●	●	●	●	●	●		●	●
G	●	●	●	●	●	●		●	
H	●	●	●	●	●	●		●	●
I	●	●	●	●	●	●		●	
J	●	●	●	●	●	●		●	●
K	●	●	●	●	●				
L	●	●	●	●	●	●	●	●	●
M	●	●	●	●	●	●		●	●
N	●	●	●	●	●	●		●	
O			●	●	●				
P			●	●	●	●	●	●	●
Q			●	●	●	●		●	
R			●	●	●	●		●	
S				●	●				
T				●	●	●	●	●	●
U				●	●	●		●	
V				●	●	●			
W								●	●
X								●	
Y									●

● PERMITTED BUILDING TYPE

(a) Detached dwellings are permitted. (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

4315 EXEMPTIONS FROM BUILDING TYPE SCHEDULE.

The following are exempt from provisions of Sections 4310; Building Type Schedule:

- a. Civic Use Types.
- b. Any use or structure for which a use permit is granted.
- c. Accessory Structures.
- d. Temporary structures erected pursuant to the Temporary Use Regulations.
- e. Secondary Uses.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

FLOOR-AREA RATIO REGULATIONS

4500 TITLE AND PURPOSE.

The provisions of Section 4500 through Section 4599, inclusive, shall be known as the Floor-Area Ratio Regulations. The purpose of these provisions is to allow flexibility within the Development Regulations to identify structural sizes most appropriate to the various geographic settings and special local policies of San Diego County by establishing the maximum floor-area ratio to which structures may be constructed.

4502 APPLICABILITY OF FLOOR-AREA RATIO.

The floor-area ratio shall incorporate all buildings on the lot or building site. For the purposes of this section, floor area ratio will be calculated as the numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or building site, excluding non-habitable accessory structures, meaning accessory buildings not used for living or sleeping purposes, including but not limited to carports, residential garages, or storage buildings, by the net site area of such lot or building site.

4505 FLOOR-AREA RATIO DESIGNATOR NOTATION.

Floor-area ratio shall be indicated by an Arabic numeral indicating the actual maximum permitted floor-area ratio. A dash ("-") shall indicate that floor-area ratio is not regulated by this ordinance except as may otherwise be limited by required setbacks and height restrictions or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations. However, a floor-area ratio pursuant to the Land Use Element of the General Plan may be applicable to a property.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4510 FLOOR-AREA RATIO PERMITTED.

Floor-area ratios shall be established to regulate the scale of development and any such ratio may be specified within the Development Regulations.

HEIGHT REGULATIONS

4600 TITLE AND PURPOSE

The provisions of Section 4600 through Section 4699, inclusive, shall be known as the Height Regulations. The purpose of these provisions is to establish the maximum height of buildings and other structures within zones.

4605 HEIGHT DESIGNATOR NOTATION

Height shall be indicated by a capital letter corresponding to one row of the Height Schedule at Section 4610 specifying the maximum permitted height of buildings and other structures measured in feet. A dash ("-") shall indicate that there is no height limit, and may be used only where a dash has been used for the Building Type designator or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4610 HEIGHT SCHEDULE

Height designators used for the Development Regulations shall be limited to those in the following Schedule B:

4610

SCHEDULE B HEIGHT SCHEDULE

DESIGNATOR	MAXIMUM HEIGHT (a) (Feet)
A	15
B	20
C	25
D	25
E	30
F	30
G	35
H	35
I	35
J	40
K	40
L	45
M	45
N	50
O	55
P	60
Q	60
R	(b)

Notes:

- (a) Any number of stories is permitted, provided all building code requirements and floor-area ratio limitations are met and maximum height is not exceeded.
- (b) Greater than 60 feet. Any height in excess of 60 feet requires a Major Use Permit.

4615

4620 PERMITTED EXEMPTIONS FROM HEIGHT LIMITS.

The following structures shall be exempt from the maximum height provisions of an applicable height designator:

- a. Radio and television receiving antennas no more than 200 feet in height of the type customarily used for home radio and television receivers.
- b. Transmitting antennas no more than 200 feet in height used by licensed amateur (ham) or citizens band radio operators.
- c. Flagpoles no more than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250
- d. Signs no more than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Grain elevators, silos and water tanks functionally used for commercial agriculture, boarding and breeding stables or public stables which are located in agricultural zones or S92 Use Regulations; provided that no such structure shall be more than 50 feet in height.
- f. Chimneys no more than 100 feet in height located in industrial zones; and all other chimneys extending no more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Any structure for which a Major Use Permit is granted pursuant to other provisions of this ordinance, when the Major Use Permit authorizes an exemption to the height regulations.
- h. Any structure used primarily to contain or support an Essential Services or Fire Protection Services use.
- i. A Photovoltaic Solar Energy System extending not more than 5 feet above the highest point of the roof.
- j. Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
- k. Meteorological Testing (MET) Facility of less than 200 feet in height permitted in accordance with Section 6123.
- l. Brewery and associated structures, including water tanks or silos, not more than 50 feet in height, located in industrial or commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)

(Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)

(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

(Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

(Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)

(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)

(Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4622 EXCEPTIONS TO HEIGHT LIMITS WITH MINOR USE PERMIT.

Except as otherwise provided by Section 4620, the following structures may be erected and maintained above the maximum height permitted by an applicable height designator upon the issuance of a minor use permit therefore; provided, however, no such structure above such height limit shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building:

- a. Radio and television receiving antennas greater than 200 feet in height of the type customarily used for home radio and television receivers
- b. Transmitting antennas greater than 200 feet in height used by licensed amateur (ham) radio operators; and all transmitting antennas used by other than licensed amateur (ham) or citizens band radio operators
- c. Flagpoles greater than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d. Signs greater than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Provided the principle use of the property is commercial agriculture, a boarding and breeding stable or a public stable, grain elevators, silos and water tanks greater than 50 feet in height, and barns and all other structures greater than the permitted height limit of the zone, functionally used for commercial agriculture, a boarding and breeding stable or a public stable, which are located in agricultural zones or S92 Use Regulations; grain elevators, silos, and water tanks not located in agricultural zones or S92 Use Regulations, functionally used for commercial agriculture, boarding and breeding stables or public stables.
- f. Chimneys greater than 100 feet in height located in industrial zones; and all other chimneys extending more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Towers, gables, spires, steeples, sundecks, scenery lofts, cupolas, and similar structures and necessary mechanical appurtenances; provided, however, that no such structure may extend more than 20 feet above the maximum height specified by the applicable height designator if of combustible materials.
- h. Penthouse; provided, however, that no penthouse shall exceed 28 feet in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than 12 feet in height above the roof; and further provided, however, that the aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- i. A Photovoltaic Solar Energy System.
- j. Wireless Telecommunications Facilities.
- k. Brewery and associated structures, including water tanks and silos, greater than 50 feet in height located in industrial and commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)
(Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)
(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
(Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
(Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4630

4630 HEIGHT OF FENCES.

The height of fences shall be regulated by the Fencing and Screening Regulations commencing at Section 6700.

(Amended by Ord. No. 10204 (N.S.) adopted 3-

28-12) 4631 HEIGHT OF GUARD RAILINGS.

The height of guard railings for safety protection around depressed ramps, openwork fences, hedges or landscape architectural features shall be regulated by the Setback Regulations at Section 4835.

4840 REQUIRED DISTANCE BETWEEN DETACHED MAIN BUILDINGS.

Distance between main buildings on the same lot or building site may be permitted per the County Consolidated Fire Code and California Building Code or through approval by the applicable fire protection district.

4841 REQUIRED DISTANCE BETWEEN DETACHED ACCESSORY BUILDINGS AND MAIN BUILDINGS.

No detached accessory building walls shall be closer than 6 feet to any main building walls or other accessory building walls on the same lot or building site and no detached accessory building eaves shall be closer than 4 feet to any main building eaves or other accessory building eaves on the same lot or building site. When the distance between either the walls or the eaves of a detached accessory building and a main building or living unit are less than specified in this section, the buildings are deemed attached for the purpose of determining setbacks and both must meet the setbacks prescribed for a main building.

Exceptions to this section are:

1. More restrictive separation may be required by the Animal Enclosure Setbacks in Section 3112.
2. There is no prescribed separation between chicken coops.
3. Swimming pools which do not extend more than 3 feet above the ground adjacent thereto.

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

4842 SETBACKS FOR DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

- a. No detached accessory building shall be located with walls closer than 3 feet or eaves closer than 2 feet from interior side or rear property lines.
- b. No detached accessory building authorized by Section 6156.g exceeding 1,000 square feet in area shall be located within a required setback pursuant to Section 4810.
- c. The combined area of all detached accessory buildings authorized by Section 6156.g, having any portion within the required setback pursuant to Section 4810, shall not exceed 1,000 square feet.

(Added by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

USABLE OPEN SPACE REGULATIONS

4900 TITLE AND PURPOSE.

The provisions of Section 4900 through Section 4999, inclusive, shall be known as the Usable Open Space Regulations. The purpose of these provisions is to promote the availability of outdoor areas for leisure and recreation throughout San Diego County by establishing requirements for minimum areas of usable open space for residential developments with three or more dwelling units per lot or building site.

4905 USABLE OPEN SPACE DESIGNATOR NOTATION.

Usable open space shall be indicated by a capital letter corresponding to one row of the Usable Open Space Schedule at Section 4910 specifying the minimum square feet of private and group usable open space for each dwelling unit in a residential development with three or more dwelling units per lot or building site. A dash ("-") shall indicate that there is no useable open space requirement or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4910 USABLE OPEN SPACE DESIGNATORS SCHEDULE.

Usable open space designators used within the development unit shall be limited to those in the following Schedule D:

4910

SCHEDULE D USABLE OPEN SPACE SCHEDULE

USABLE OPEN SPACE PER
DWELLING UNIT
(square feet)

<u>DESIGNATOR</u>	<u>PRIVATE</u>	<u>GROUP</u>
A	0	0
B	0	150
C	0	500
D	0	800
E	100	0
F	100	150
G	100	500
H	100	800
I	350	0
J	350	150
K	350	500
L	350	800
M	600	0
N	600	150
O	600	500
P	600	800

4915 PRIVATE USABLE OPEN SPACE STANDARDS.

The purpose of these provisions is to prescribe standards for the development and maintenance of open areas, each of which is provided for the exclusive use of the occupants of one dwelling unit and which is intended to serve the needs of said occupants for a private, outdoor space available for recreation and leisure activities. Each private usable open space shall conform to the following standards:

- a. **Surfacing.** A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways and service areas shall not be counted as usable open space. Adequate guard railings or other protective devices shall be erected wherever necessary for space on a roof or balcony, but shall not be more than 4 feet high and shall conform to the requirements of any applicable height designator.
- b. **Location.** The space may be located anywhere on the same lot as the dwelling unit it serves, except that above-ground-level space shall not be located within 5 feet of an interior side lot line. All spaces shall be adjacent to and not more than 15 feet above or below the floor level of the dwelling unit served.
- c. **Size and Shape.** An area of contiguous ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 10 feet. An area of above-ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 5 feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.
- d. **Accessibility.** The space shall be accessible to only one dwelling unit.
- e. **Openness.** There shall be no fixed, immovable obstructions over ground-level space except for devices to enhance its usability, such as sun shades, patio covers and awnings, and except that not more than 50 percent of the space may be covered by a private balcony projecting from a higher story. Above ground-level space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for 8 feet above its floor level.
- f. **Enclosure.** Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other open space areas on the same lot by a building wall, by dense landscaping not less than 5 feet high and not less than 3 feet wide, or by a solid or grille lumber or masonry fence or wall not less than 5 feet high, subject to the requirements of the Fencing and Landscaping Regulations commencing at Section 6700. However, when such screening would impair a beneficial outward and open orientation of view, with no building located opposite and within 50 feet from such required screening, as measured perpendicularly therefrom a horizontal plane, the above-prescribed height may be reduced to 3 feet.
- g. **Maintenance.** All required private usable open space shall be permanently maintained.

4917 GROUP USABLE OPEN SPACE STANDARDS.

The purpose of these provisions is to prescribe standards for the development and maintenance of open areas provided for the use of the occupants of dwelling units and intended to serve their needs for outdoor open space available for group recreation and leisure activities. The design of all group usable open space must be suitable for such group uses and shall conform to the following standards:

- a. **Surfacing.** A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate guard railings or other protective devices shall be erected wherever necessary for space on a roof, but shall not be more than 4 feet high and shall conform to the requirements of any applicable height designator.
- b. **Location.** The space may be located anywhere on the same lot as the dwelling units it serves, within 20 feet of the nearest dwelling unit served, except that not more than 30 percent of the required area may be located in setback areas or on the roof of any building other than an attached garage or carport. Any structure used as part of the group usable open space must meet the setback requirements.
- c. **Size and Shape.** An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 15 feet. Narrow strips of open space, such as landscaped strips, adjoining but projecting away from such a rectangle shall not be counted toward the usable open space requirement. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.
- d. **Accessibility.** The space shall be accessible to all the dwelling units on the lot or building site.
- e. **Openness.** There shall be no fixed, immovable obstructions above the space except for devices to enhance its usability, such as sun shades, patio covers, and awnings.
- f. **Screening.** Ground-level space shall be screened from abutting lots, wall, by dense landscaping not less than 3 feet high and not less than 3 feet wide, or by a solid or grille lumber or masonry fence or wall not less than 3 feet high, subject to the requirements of the Fencing and Landscaping Regulations commencing at Section 6700.
- g. **Maintenance.** All required group usable open space shall be permanently maintained.

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

4920 LOCATION OF USABLE OPEN SPACE.

Usable open space areas shall not be located in any required front or exterior side yard.

MOBILEHOME (MANUFACTURED HOME) REGULATIONS

6500 TITLE AND PURPOSE.

The provisions of Section 6500 through 6549, inclusive, shall be known as the Mobilehome (Manufactured Home) Regulations. The purpose of these provisions is:

- a. To supplement the zone regulations applied to mobilehomes with additional standards and procedures which will promote a satisfactory living environment for residents of mobilehomes and will permit a mix of mobilehomes and other types of housing within the county.
- b. To better facilitate utilization of mobilehomes as a housing resource.
- c. To permit greater diversity in the types of mobilehome parks.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6215 (N.S.) adopted 1-13-82)

Mobilehome on Private Lot Regulations

6502 APPLICATION.

The provisions of Sections 6502 through 6506, inclusive, apply to mobilehomes located on a private lot wherever a single detached residential building is permitted. For the purposes of this section, 3-D printed and prefabricated homes that meet the standards pursuant to Section 6506 shall be permitted and considered as manufactured homes.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

6504 EFFECT OF LOCATING A MOBILEHOME ON A PERMANENT FOUNDATION SYSTEM. A mobilehome which has been placed on a private lot and on a permanent foundation system pursuant to these regulations shall be subject to local property taxation.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

6506 REQUIREMENTS FOR PLACING A CERTIFIED MOBILEHOME ON A PRIVATE LOT.

- a. Eligibility. A mobilehome that was constructed after September 15, 1971, and was issued an insignia of approval by the California Department of Housing and Community Development or a mobilehome that has been certified under the National Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) may be located on a private lot only upon compliance with the requirements set forth below.
- b. Requirements. An eligible mobilehome shall comply with the following requirements when located on a private lot:
 1. Has not been altered in violation of applicable codes.
 2. Is occupied only as a residential use.
 3. Is in conformance with all provisions of this Ordinance, The Subdivision ordinance and the Health and Safety Code applicable to residential structures. Subject to the foregoing regulations, mobilehomes may be located on the same lot containing conventionally constructed dwellings.

4. If attached to a permanent foundation system it shall comply with the provisions of Section 18551 of the Health and Safety Code.
5. Is covered with an exterior wall material customarily used on conventional dwellings. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
6. Roofs shall have a pitch of not less than 2 inch vertical rise for each 12 inches of horizontal run and consist of shingles or other material customarily used for conventional dwellings, unless waived by the Director under 8. or 9. below.
7. All roofs shall include roof overhangs of not less than one foot measured from the vertical side of the mobilehome, except where the location of attached structures, such as carports, garages, porches, or similar structures precludes the continuation of the overhang, or unless waived by the Director under 9. below.
8. The Director may waive the roof pitch and eave requirement for attached accessory portions of the structure such as carports, porches, or similar canopy structures not enclosed by solid walls. Roof parapet walls are not required for such canopy structures.
9. The Director may waive the roof pitch and/or the roof overhang requirement if the roof for the main structure is concealed from view by parapet walls consistent with a commonly recognized architectural style such as Santa Fe or Mission style.
- c. Building Permit. Prior to installation of a mobilehome on a permanent foundation system, the mobilehome owner or a licensed contractor shall obtain a building permit from the Department of Planning and Development Services. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the Health and Safety Code.
- d. Cancellation of Registration. The owner shall comply with the regulations established pursuant to Section 18551(b) of the Health and Safety Code for cancellation of registration of a mobilehome. The owner shall also comply with the provisions of Section 18550(b) of the Health and Safety Code.
- e. Approval for Occupancy. The Director shall determine that the proposed project is in compliance with all applicable requirements and conditions prior to issuing final approval for occupancy.
- f. Modification of Requirements. Unless otherwise specified, no modification may be granted from these requirements or from the requirements specified in Title 25 of the California Administrative Code which are not subject to local modification.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 6865 (N.S.) adopted 11-07-84)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 8232 (N.S.) adopted 5-5-93)

(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)

(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

PLANNED DEVELOPMENT STANDARDS

6600 TITLE AND PURPOSE.

The provisions of Section 6600 through 6699, inclusive, shall be known as the Planned Development Standards. The purpose of these provisions is to carry out the intent of Section 5800 of the Planned Development Area Regulations and to set forth development standards that must be met by planned developments before they are granted a major use permit in accordance with the Use Permit Procedures commencing at Section 7350. The intent of Section 5800 shall be applicable to all major use permits for planned developments even where the zoning of the property does not include the "P" Planned Development Area designator. It is intended that planned developments containing mobilehomes shall not be considered mobilehome parks for purposes of the application of Title 25 of the California Administrative Code; provided, however, that those provisions of Title 25 relating to the installation, maintenance, use and occupancy of mobilehomes outside of mobilehome parks shall apply.

(Amended by Ord. No. 5787 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)

6606 CONCEPT OF A PLANNED DEVELOPMENT.

A planned development shall consist of an integrated development located on a single tract of land, or on 2 or more tracts of land which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements and the location of structures, the circulation pattern, parking facilities, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6602)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

6609 APPLICABILITY OF ANIMAL REGULATIONS.

Except as otherwise provided, a planned development shall conform to all provisions of the Animal Regulations commencing at Section 3000.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6618)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

6610

6610 APPLICABILITY OF USE REGULATIONS.

Except as provided in Section 5806, only those uses which are permitted by right, or are permitted by a use permit, or an administrative permit, shall be permitted in a planned development. When the applicable use regulations allow a use type in such use regulations only if such type is within a planned development, such a use type is permitted only within a planned development or contiguous planned developments having a total gross site area of at least 20 acres.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6604)

6612 APPLICABILITY OF DEVELOPMENT REGULATIONS.

Except as otherwise provided hereinafter, a planned development shall conform to all provisions of the Development Regulations commencing at Section 4000.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6606)

6615 APPLICABILITY OF SPECIAL AREA REGULATIONS.

A planned development shall conform to all provisions of any applicable special area regulations.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6608)

6618 GENERAL DEVELOPMENT CRITERIA.

- a. **Compatibility with Adjacent Land Uses.** A planned development shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.
- b. **Relation to Natural Features.** A planned development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6609)

6621 COMPUTATION OF PERMITTED NUMBER OF LOTS.

The maximum density provisions of the General Plan Land Use Element shall be used in the computation of the permitted number of dwelling units. The Director shall compute the residential acreage pursuant to the following:

- a. Computation of Residential Acreage in an Exclusively Residential Planned Development. In a planned development devoted exclusively to residential use types, the residential acreage of the proposed development shall equal the total land area within the boundaries of the development. For the purpose of the application of this subsection the "total land area within the boundaries of the development" shall be defined to exclude any land within rights-of-way of public streets or highways existing or to be dedicated or offered for dedication as part of the project.
- b. Computation of Residential Acreage in a Planned Development Containing Non-Residential Use Types. For the purpose of computing the maximum and minimum density permitted or required in a planned development containing non-residential use types, the residential acreage of the proposed development shall be determined as follows:
 1. For those portions of the site where the residential development (and its associated open space) are separate and distinct from the non-residential development (and its associated open space), the acreage to be used for residential development (and its associated open space) shall be used as the basis for computing density.
 2. For those portions of the site where the residential and non- residential development area not separate and distinct (e.g., they are in the same building or a closely associated group of buildings), the acreage shall be allocated between the residential and non-residential uses on the basis of the floor area, ground area, and other factors which indicate the relative usage of the site by residential and non-residential uses.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6610)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6624 LOT SIZE.

The Lot Size Regulations commencing at Section 4200 shall not apply in a planned development; provided, however, that all required findings can be made pursuant to Section 7350.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6611)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6627 BUILDING TYPE.

The Building Type Regulations commencing at Section 4300 shall not apply in a planned development.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6612)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6630

6630 MAXIMUM FLOOR AREA.

The Maximum Floor Area Regulations commencing at Section 4400 shall not apply in a planned development.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6613)

6633 FLOOR-AREA RATIO.

The Floor-Area Ratio Regulations commencing at Section 4500 shall not apply in a planned development.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6614)

6636 HEIGHT.

The Height Regulations commencing at Section 4600 shall apply in a planned development; provided, however, that the approving authority may approve buildings and structures of 15 percent greater height, if, in its opinion, such additional height would not have an adverse effect on adjacent properties or on properties or development in the vicinity and would be consistent with the General Plan and the purpose of these development standards.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6615)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

6639 COVERAGE.

The Coverage Regulations commencing at Section 4700 shall not apply to a planned development; provided, however, that no more than 75 percent of the area of a lot containing a mobilehome shall be covered.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6616)

6642 SETBACKS-PERIMETER.

The following setbacks shall be maintained on the perimeter of a planned development:

- a. The Setback Regulations commencing at Section 4800 shall apply to the perimeter of a planned development.
- b. A setback of at least 50 feet from centerline shall be maintained by any mobilehome or other building or structure, except a fence or wall, from any street along an exterior boundary of the development, except that when such street has a right-of-way width greater than 60 feet, a setback of 20 feet from the right-of-way of such street shall be maintained.
- c. Except as provided in paragraph "b", a setback of not less than 25 feet from the exterior boundary shall be maintained.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6617)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6645 SETBACK-INTERIOR.

The Setback Regulations commencing at Section 4800 shall not apply to the interior of a planned development; provided, however, that mobilehomes and other buildings shall conform to the following setback and spacing requirements:

- a. Setback From Interior Way or Other Surfaced Public Area. No mobilehome or other building shall be located closer than 5 feet from any interior vehicular or pedestrian way, court, plaza, open parking lot or any other surfaced area reserved for public use or for use in common by residents of the planned development. Such setback shall generally be measured from the nearest edge of a surfaced area; provided, however, that where no sidewalk exists in conjunction with a public or private street, such setback shall be measured from the nearest edge of the street right-of-way or private road easement.
- b. Garages and Carports. No garage or carport having straight-in access from a public or private circulation street shall be located closer than 20 feet from the nearest edge of the sidewalk of such street, or where no sidewalk exists from the nearest edge of the street right-of-way or road easement.
- c. Mobilehome Side Yard Setback. Each lot containing a mobilehome shall have a side yard of not less than 3 feet in width along the entire length of the lot.
- d. Mobilehome Rear Yard Setback. Each lot containing a mobilehome shall have a rear yard of not less than 3 feet extending the entire width of the lot.
- e. Spacing Between Buildings Other Than Mobilehomes. Wall to wall spacing between buildings other than mobilehomes shall be at least 10 feet. Within the RS, RR, A70 and A72 use regulations, spacing between dwellings (including attached garages) shall be equal to at least twice the width of the interior side yard setback of the zone's setback designator.
- f. Open Space Surrounding Buildings Other Than Mobilehomes. Each building other than a mobilehome shall be surrounded by relatively level open space having a slope no greater than 10 percent and extending a minimum distance of 10 feet in all directions measured from the furthest projections of the external walls of the building.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6618)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

6648 OPEN SPACE.

The Usable Open Space Regulations commencing at Section 4900 shall apply to a planned development; provided, however, that the following requirements shall be met. Plot plans for planned developments shall include the dimensions of all usable open space areas to ensure compliance with the minimum size, shape and slope requirements of Sections 4915 and 4917. In the event of conflict between the Usable Open Space Regulations and the provisions of this section, the requirements yielding the most open space shall apply.

- a. Minimum Open Space. The total land area in residential use types shall be computed per Section 6621.a or b for purposes of determining the open space requirements. Open Space shall be comprised of a combination of private usable open space and conservation/group open space pursuant to b. and c. below.

6648

- b. Minimum Private Usable Open Space. Private Usable Open Space shall be provided on each lot within the subdivision per the table below:

GP Designation	Usable Open Space per Lot
VR-# (all)	400 sf
SR-# (all)	1000 sf
RL-# (all)	4000 sf

Substitution of group usable open space for private open space may be allowed if the lots cannot satisfy the requirements above. The total area that is not satisfied on individual lots shall be in addition to the Conservation/Group Open Space requirement.

- c. Conservation/Group Open Space. The total useable and/or non-useable open space shall be provided on the project site pursuant to the table below.
- i. Conservation Open Space. Non-useable conservation open space shall be left in its natural state and shall be preserved in an open space easement. No structures or development shall be permitted. Conservation open space shall be kept free of litter and shall at no time constitute a health, safety, fire or flood hazard. Areas devoted to natural or improved flood control channels and those areas encumbered by flowage, floodway or drainage easements, as well as riding and hiking trails designated on a community or subregional plan map, may be applied toward satisfying this portion of the conservation open space requirement.
- ii. Group Open Space. Useable open space shall comply with the standards of Section 4917. Land occupied by buildings and structures reserved for common recreational use by the residents may be counted as group usable open space for purposes of this subsection provided it meets the requirements of Section 4917.

GP Designation	Percent Conservation/Group Open Space
VR-# (all)	25
SR-# (all)	40
RL-# (all)	80

- d. Staged Development. If development is to be accomplished in stages, the development plan shall coordinate improvement of the open space, the construction of buildings, structures and improvements in such open space, and the construction of dwelling units in order that each development stage achieves a proportionate share of the total open space and environmental quality of the total planned development.
- e. Reservation for Common Use. All or any part of the required open space may be reserved for use in common by the residents of the planned development except as restricted by the private usable open space requirements of the Usable Open Space Regulations. Areas permanently reserved for common open space shall be reserved for the use and enjoyment of the residents in a manner which makes the county or a public district or a public agency a party to and entitled to enforce the reservation. The approving authority may require that open space easements over the required open

space be conveyed to the county. (Riding and hiking trails designated on a community or subregional plan map shall be open to the general public.)

- f. Unreserved open space. Any open space in the development not reserved for the use in common of the residents pursuant to subsection "e" hereof, and not subject to the usable open space requirements of Section 4900, may be counted toward computation of the permitted number of dwelling units pursuant to Section 6621.e. However, any project proposing such unreserved open space shall be subject to the following conditions to be contained in the major use permit for the planned development: (1) That a homeowners association be created consisting of all owners of residential property in the planned development, and (2) that the unreserved open space shall be subject to an open space easement.
- g. Additional Requirements for Mobilehomes. In addition to the open space requirements of subsections "a" through "e" and the Usable Open Space Regulations, planned development containing mobilehomes shall meet the following requirements for open space and recreational facilities:
 - 1. At least one substantial area of group usable open space shall be provided. Such area shall:
 - i. Conform to the requirement for group usable open space set forth in the Usable Group Open Space Regulations.
 - ii. Be of such size and shape that each side of a rectangle inscribed within it is at least 100 feet in length.
 - iii. Include outdoor recreational facilities for both active and passive recreation.
 - iv. Include completely enclosed recreational facilities consisting of not less than 10 square feet of floor area for each lot containing a mobilehome.
 - 2. All or any part of the group usable open space required by the Usable Open Space Regulations may be used to satisfy the requirements of Paragraph "f.1" if such open space meets the standards for minimum dimension, maximum slope and outdoor recreational facilities set forth herein.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6619)
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
 (Amended by Ord. No. 7321 (N.S.) adopted 6-10-87)
 (Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6650 ACCESSORY STRUCTURES.

The approved plot plan for any planned residential development shall provide standards (i.e., setbacks, sizes, coverage) for permitted accessory structures and buildings or shall specify that the standard allowances of The Zoning Ordinance shall prevail. Such buildings and structures may include but are not limited to swimming pools/spas, patio covers, guest living quarters, storage buildings, detached garages/carports, and outdoor chimneys or barbecue grills.

(Added by Ord. 9690 (N.S.) adopted 12-15-04)

6651 SIGNS.

Signs shall be permitted in a planned development in accordance with the Off-Premise Sign Regulations commencing at Section 6200 and the On- Premise Sign Regulations commencing at Section 6250. Interior street, building and other signs shall be uniform in design and reflect good taste in style and size.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6622)

6654 OFF-STREET PARKING.

Off-street parking shall be provided in accordance with the Parking Regulations commencing at Section 6750.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6624)

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

6657 CIRCULATION.

All streets within the planned development that by function fall within the system of classification of streets as specified in Article III, Classification (Types) of Streets of the "San Diego County Standards", Ordinance No. 2809 (New Series), as amended, shall be improved to county road standards for the particular classification of street, and all such streets shall be offered for dedication to the public. When the developer desires to retain any such streets as private streets, the county may reject the offer of dedication. Other forms of access, such as pedestrian ways, courts, plazas, driveways or open parking lots shall not be offered for dedication. Forms of common access other than dedicated public streets shall be permanently reserved and maintained for their intended purpose by means acceptable to the approving authority and County Counsel.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6626)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

6660 ACCESS.

Any mobilehome, other dwelling unit or other building that is located more than 100 feet from a public or private street or other vehicular way shall have pedestrian access thereto capable of accommodating emergency and service vehicles.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6628)

6663 FIRE PROTECTION.

Fire hydrants and connections shall be installed as required by the Planning Commission and shall be of a type approved by the chief of the local fire district, or, if there is no local fire district, by the County Fire Warden.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6630)

6666 NIGHT LIGHTING.

Light fixtures for walks, parking areas, driveways and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. For normal street lighting, applicable county standards and regulations shall apply.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6632)

6669 ANTENNAS.

A Master Antenna Television (MATV) System shall be provided with underground cable service to at least all mobilehomes and other buildings containing dwelling units. This MATV System shall be provided at no charge for service and shall be conveyed to the homeowners association at no charge. This requirement may be met by the provision of an underground Cable Television (CATV) System by a county-licensed CATV operator. No other exterior television antennas shall be permitted unless authorized by the Planned Development permit, except that individual parcels having dwellings may have dish antennas that are one meter or less in diameter or diagonal measurement.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6634)

(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

6672 UNDERGROUNDING.

All sewer and water facilities, electricity, gas, telephone, and television signal distribution systems shall be placed underground.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6636)

6675 SPECIAL REQUIREMENTS FOR MOBILEHOMES.

In addition to the requirements set forth hereinabove, planned developments containing mobilehomes shall conform to the following requirements:

- a. Area. A planned development containing mobilehomes shall not be less than 5 acres in area.
- b. Fencing and Landscaping. Planned development containing mobilehomes shall conform to the Fencing and Landscaping Regulations commencing at Section 6700.
- c. Storage Areas. Common Storage areas shall be provided within an enclosed fenced area for the residents of the planned development occupying mobilehomes for the storage of recreational vehicles, trailers, travel trailers, and other licensed or unlicensed vehicles. This area shall be not less than 50 square feet for each lot containing a mobilehome.
- d. Sewer and Water. Each lot containing a mobilehome in a planned development shall be provided with water and sewer connections in accordance with Chapter 5 of Title 25 of the California Administrative Code. Water shall be provided by a water supplier having a valid permit from the California Department of Health of the Department of Environmental Health. Public sewers shall be provided by a public agency which has obtained discharge requirements approved by the appropriate California Water Quality Control Board. Individual sewage disposal systems shall be approved by the Department of Environmental Health.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6640)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

6678 MODIFICATION OF REQUIREMENTS.

Modification of these Planned Development Standards may be granted by the authority granting or modifying a Major Use Permit for a planned development when it determines that such modification will not be detrimental to the subject development, adjacent properties, or residents, or the public interest; or the General Plan, provided, however, no modification shall be granted for the density provisions of Sections 6621 nor from any applicable requirements specified in Chapter 5 of Title 25 of the California Administrative Code, except those which are subject to local modification.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6642)

(Amended by Ord. No. 6031 (N.S.) adopted 4-22-81)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93) (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95) (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6679 EFFECT OF AMENDMENTS ON PENDING PLANNED DEVELOPMENTS.

The amendments to the Planned Development Area Standards found in Ordinance No. 8247 (N.S.), adopted on May 19, 1993, shall not apply to any Major Use Permit for a planned development which was approved by the County, or any application for a Major Use Permit for a planned development which was filed (pursuant to Section 1019 of the Zoning Ordinance) with the County, before June 18, 1993. Said amendments shall not apply to any subsequent Time Extension, Minor Deviation or Ministerial Permit filed pursuant to such Major Use Permits. Said amendments shall also not apply to modifications of these Major Use Permits for a planned development, unless such modifications would change the approved Major Use Permit by 1) increasing the number of dwelling units, 2) enlarging the planned development site, or 3) in the RS, RR, A70 or A72 use regulations, changing the building type of dwellings from residential single detached to any other residential building type.

(Added by Ord. No. 8247 (N.S.) adopted 5-19-93)

6945

6945 TINY HOMES ON WHEELS.

A tiny home on wheels (THOW) meeting the below standards is eligible for a permit that would allow permanent habitation. A THOW that meets these requirements can be used on any lot that would allow for a single-family dwelling upon issuance of a building permit. When a THOW is removed from a site the owner would need to file for a demolition permit so that the dwelling would be removed from the records. Any THOW intended for habitation within the unincorporated County of San Diego must meet the following requirements:

- a. The THOW must be designed and constructed to ANSI A119.5 standard for Park Models. The proposed THOW must contain a certification sticker prior to permit issuance showing that the unit is certified to this standard by an accredited third-party inspection agency.
- b. The THOW must meet the additional Fire requirements for use in the County of San Diego:
 1. Exterior wall surfaces must be non-combustible (Stucco, Masonry, Cement-Fiber board, Metal, etc.), ignition resistant, heavy timber, or log wall construction. Stucco or Cement Plaster to be a minimum of 7/8" thick. Noncombustible or fire-retardant wood shall be installed per Wildlife and Urban Interface (WUI) guidelines in PDS 664.
 2. All windows shall be dual-glazed units with a minimum of one tempered pane OR shall have a resistance rating of 20 minutes.
 3. If the THOW has eaves, eaves, soffits, and fascia must comply with the requirements for ignition-resistant construction.
 4. Roofing provided for THOWs shall have a Class A fire rating as installed per the manufacturer.
 5. All THOWs shall be constructed with residential fire sprinkler systems, with the exception of if the unit is being used as an ADU, then all ADU exemptions would apply
 6. Direct exiting must be provided from any loft space (as defined by the California Building Code) that would allow for egress from the THOW without leaving the loft.
 7. All units shall have carbon monoxide and smoke detectors.
- c. The THOW is not to exceed 430 square feet measured from inside face of walls and must have a minimum of R-13 insulation in all exterior walls.
- d. The THOW is to remain licensed and registered with the California Department of Motor Vehicles.
- e. The THOW cannot move under its own power.
- f. The THOW cannot have any slide or pop-out features that increase the habitable square footage.
- g. The THOW shall be located a minimum of six (6) feet from any other structures measured from the face of the structures.
- h. The THOW shall be parked on a paved pad that includes bumper guards, curbs, or other installations adequate to prevent movement of the THOW. The wheels and leveling or support jacks must sit on a paving surface that meets either of the following criteria:
 1. A parking area for a moveable THOW shall be paved with hard, durable asphaltic paving that is at least two inches thick after compaction, or
 2. With cement paving at least three inches thick
- i. The THOW shall be connected to electric, water, and sewer utilities with the issuance of required building permits
- j. Extensions. All exterior walls and roof of the THOW shall be fixed with no slide-outs, tip-outs,

nor other forms of mechanically articulating room area extensions

- k. Mechanical equipment shall be incorporated into the structure, not on the roof.
- l. The THOW shall be no greater than one story and shall not exceed a maximum height of 16 feet.
- m. The THOW can have a loft for sleeping of up to 150 sq. ft., which is not considered a 2nd story.
- n. If the THOW functions as a single-family dwelling, it must comply with the required main building setbacks, building type, density, and any other applicable zoning regulations.
- o. No additional parking spaces are required for the THOW that is being used as an ADU, and if used as an ADU any displaced parking caused by the placement of the THOW does not need to be replaced.
- p. If THOW is an accessory to a primary residence, it cannot block or remove any required parking spaces for the primary residence.
- q. The THOW development must comply with existing zoning and density standards for the parcel.

7156 SITE PLAN PERMIT

EXEMPTION.

- a. The Director may grant an exemption from the requirement to process a Site Plan permit if he or she finds that all of the purposes and requirements of the Site Plan permit have been or will be fulfilled by another discretionary permit; or
- b. Where the Director finds the proposed development or improvement is minor in nature and the public purpose for which the Site Plan permit would normally be required will not be harmed by granting an exemption from said requirement. For purposes of this subsection, "minor in nature" may mean the proposed improvement is not visible from any street; no additional parking spaces will be required by the proposed improvements; an addition not exceeding 500 square feet in area; the replacement of an existing permitted sign(s) (like for like, and no increase in sign area); replacement of windows/doors; re-stucco, re-roof or minor improvements to the façade of an existing permitted building(s); or other similar improvements. This shall be determined on a case-by-case basis.

Any open code enforcement action on the property must be resolved prior to approval of the exemption, or concurrent with approval of the exemption if the permit must be approved to resolve the code enforcement action.

The Director may forward a request for a Site Plan permit exemption to the applicable Community Planning or Sponsor Group for a recommendation prior to granting a Site Plan permit exemption request.

This subsection "b" shall not apply to land falling within the coastal zone, as defined by the California Coastal Act of 1976.

- c. An exemption from the requirement to process a Site Plan permit does not constitute a waiver or exemption from any other requirement of this Zoning Ordinance or any other law, ordinance or other regulation applicable to the project.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the purposes for which a Site Plan review would otherwise have been required shall be permitted without prior approval of the Director.

This Section shall not apply to those Site Plans required by a special area regulations designator where there are specific exemption criteria established under the special area regulations designator sections.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6655 (N.S.) adopted 9-28-83)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Attachment C – Housing Unlocked Phase I Zoning
Ordinance Amendment [STRIKEOUT]**

1100

DEFINITIONS

1100 TITLE, PURPOSE AND APPLICABILITY.

The provisions of Section 1100 through Section 1199, inclusive, shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of The Zoning Ordinance. The meaning and construction of words and phrases as set forth shall apply throughout The Zoning Ordinance, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in the Uniform Building Code shall be applicable except when in conflict with definitions contained in The Zoning Ordinance, in which case The Zoning Ordinance definition shall prevail.

1105 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE.

The following general rules of construction shall apply to the textual provisions of The Zoning Ordinance.

- a. Headings. Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of The Zoning Ordinance.
- b. Illustration. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
- c. Shall and May. "Shall" is always mandatory and not discretionary. "May" is discretionary.
- d. Tenses and Numbers. Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. Conjunctions. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 1. "And" indicates that all connected items or provisions apply.
 2. "Or" indicates that the connected items or provisions may apply single or in any combination.
 3. "Either...or" indicates that the connected items or provisions shall apply single but not in combination.
- f. All public officials, bodies, and agencies to which reference is made are those of the County of San Diego unless otherwise indicated.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Def. 3

DEFINITIONS (3)

3D-Printed Building Construction: A process for fabricating buildings, structures and building elements from 3D model data using automated equipment that deposits construction material in a layer-upon-layer fashion.

3D-Printed Home: A 3-D printed structure designed, constructed, and inspected in accordance with the provisions contained in Appendix AW of the International Residential Code (IRC), equipped to contain not more than two dwelling units and to be used with a permanent foundation.

DEFINITIONS (B)

Building Type, Residential: That group of building types comprising the following:

1. Single Detached: One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, located on a lot or building site which is unoccupied by any other dwelling unit.

~~2. Double Detached: (See Duplex).~~

~~3. 2. Semi-Detached: One dwelling unit, which is placed side-by-side and touching another dwelling unit or its garage, both of which are located on separate lots or building site unoccupied by any other dwelling unit.~~

~~4. 3. Double Detached or Duplex: Two dwelling units placed side-by-side, which may be attached or detached, both of which are on a lot or building site which is unoccupied by any other dwelling unit.~~

~~5. 4. Triplex: A multiple dwelling limited to three dwelling units arranged side-by-side or vertically so that some structural parts are touching one another, but freestanding and structurally separated from any other dwelling units, all of which dwelling units are located on a lot or building site which is unoccupied by any other dwelling unit.~~

~~6. Stacked: Dwelling units arranged vertically so that one dwelling unit is placed above or below the other. The number of dwelling units shall not exceed the number permitted by the same building designator for other types of residential buildings.~~

~~7. Attached, Three to Eight Dwelling Units: 3 to 8 dwellings placed side-by-side so that some structural parts are touching one another, located on separate lots which are unoccupied by any other dwelling units.~~

~~8. 5. Multi-Dwelling or Attached: A structure or structures containing a total of 3 or more dwelling units in any vertical or horizontal arrangement on a single lot or building site or located on separate lots which are unoccupied by any other dwelling units.~~

DENSITY REGULATIONS

4100 TITLE AND PURPOSE.

The provisions of Section 4100 through Section 4199, inclusive, shall be known as the Density Regulations. The purpose of these provisions is to aid in the implementation of the growth, population distribution, conservation, and development policies of the San Diego County General Plan and its associated Community and Specific Plans, and to meet requirements for residential and nonresidential development within the County as set forth in the policies and principles of the General Plan.

4105 DENSITY DESIGNATOR NOTATION.

Density shall be indicated by an Arabic numeral indicating the actual maximum number of permitted dwelling units per net residential acre. Density may be expressed in decimal fraction notation, e.g. "3" and "3.5" indicating three and three and one-half dwelling units per net residential acre, respectively or a zero "0" density indicating no dwelling units are allowed. A dash ("-") shall indicate that no density is specified by zoning and that the General Plan shall be referred to in order to determine maximum allowed density. A zero "0" density shall not apply to dwellings permitted by the Temporary Use Regulations or the Accessory Use Regulations (see sections 6156 and 6160).

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4110 DENSITY REGULATIONS.

- a. Specification of Density. The adopted San Diego County General Plan provides the maximum allowed residential density for residential land use designations. Maximum residential densities expressed in dwelling units per net residential acre may be established in zoning to regulate the density of residential development where densities are not specified in the General Plan or lesser densities than those in the General Plan are deemed appropriate. Any such density may be specified within the Development Regulations.
- b. Density Designator. In no case shall a density greater than that allowed in the General Plan be specified.
- c. Minimum Density. Minimum densities may be applied to require a minimum level of residential development, when development is undertaken. Minimum residential density shall be expressed as the minimum dwelling units permitted per net residential acre and shall appear as an Arabic numeral which precedes the maximum residential density and which is separated by a dash ("-") from the maximum residential density. The notation for minimum density shall be the same as that specified for maximum density in Section 4105. A minimum residential density shall not be specified except in association with a maximum residential density.
- d. RHNA Sites. Projects submitted on Regional Housing Needs Allocation (RHNA) Sites shall propose at least 70 percent of the maximum density allowed by the Zoning Ordinance or General Plan. A reduction may be approved by the final decision maker if the applicant can show that site constraints make achieving 70 percent of the maximum density infeasible. For the purposes of this section, a RHNA site is a parcel which has been identified to meet the County's RHNA allocation in the County's adopted Housing Element or Annual Progress Report.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6478 (N.S.) adopted 12-1-82)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

LOT AREA REGULATIONS

4200 TITLE AND PURPOSE.

The provisions of Section 4200 through 4299, inclusive, shall be known as Lot Area Regulations. The purpose of these provisions is to aid in the implementation of the growth, population distribution, conservation, and development policies of the San Diego County General Plan and to meet requirements for residential and nonresidential development within the County as set forth in the policies and principles of the General Plan.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

4205 LOT AREA DESIGNATOR NOTATION.

Minimum lot area shall be indicated directly with square feet expressed in thousands, e.g., "6000" and "10,000" indicating 6,000 and 10,000 square feet respectively. Minimum lot area may be expressed as acres, e.g. 1 ac. and 1.5 ac. A dash ("-") shall indicate that there is no minimum lot area or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4210 LOT AREA REGULATIONS.

- a. Specification of Lot Area. Minimum lot areas shall be established to regulate the minimum area that lots or building sites must have before they may be developed, and any such minimum lot area may be specified within the development unit.
- b. Lot Area Designator. ~~In no case shall a minimum lot area of less than 3,000 square feet be designated under the provisions of the Lot Area Regulations, except where a~~ A lesser lot area may be permitted under the provisions of the Planned Development Standards commencing at Section 6600, the provisions of Section 4230 relating to lot area averaging, or where otherwise excepted by this ordinance.

(Amended by Ord. No. 5787 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4215 MINIMUM LOT AREA TO BE MAINTAINED

No portion of the required area of any lot or building site shall be used or considered as part of the required area for any other lot or building site. No lot or building site shall be reduced in size so that the area thereof is less than the minimum prescribed by an applicable lot area designator except when such reduction results from partial acquisition for public use. No existing lot or building site which has an area less than the minimum required lot area shall be reduced in area, except when such reduction results from partial acquisition for public use.

(Amended by Ord. No. 6855 adopted on 10-10-84)

4220 MINIMUM LOT AREA REQUIREMENT MET – SUBSTANDARD LOT.

Any substandard lot or building site shall be deemed to meet an applicable minimum lot area requirement when:

- a. It existed as an entire lot, or as an entire parcel for which either a deed of record in the office of the County Recorder or a bona fide contract of sale was in full force and effect, prior to the date it was first zoned to the zone classification which caused it to be undersized; and
- b. It is not the result of a division of land in violation of any state law or county ordinance.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

4221 MINIMUM LOT AREA REQUIREMENTS, NET OR GROSS.

The net lot area of a lot shall not be ~~not~~ less than the required minimum area prescribed by the lot area designator of the zone, except when ~~provided that~~ one of the following requirements is satisfied:

- a. Said lot or building site is created pursuant to a use permit specifying such lesser area or issued for the purpose of authorizing such lesser area, ~~provided that such lot or building site shall in no event have an area less than six thousand (6,000) square feet.~~
- b. All requirements of Section 4220 of this Ordinance are met.
- c. Said lot or building site is shown on an approved final subdivision map, or on a tentative subdivision map which has been approved or filed for approval, all prior to December 1, 1969; provided that after December 31, 1971:
 - 1. Said lot or building site exists as an entire lot, or as an entire parcel for which either a deed is of record in the office of the County Recorder or a bona fide contract of sale is in full force and effect.
 - 2. It is not the result of a division of land in violation of any State law or County ordinance.
- d. Said lot or building site is shown on an approved division of land plat or on a division of land plat filed for approval prior to December, 1969; provided that after December 31, 1971:
 - 1. Said lot or building site exists as an entire lot or as an entire parcel for which either a deed is of record in the office of the County Recorder or a bona fide contract of sales is in full force and effect.
 - 2. It is not the result of a division of land in violation of any State law or County ordinance.
- e. Exemption. Multifamily and mixed-use projects that include a floor area ratio that meets the requirements under subdivision (b) of Section 65913.11. of the California Government Code shall be allowed on existing legal parcels, regardless of consistency with the existing minimum lot size requirement, provided all other applicable requirements are met, including meeting the densities established by the Zoning Ordinance or General Plan.

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10858 (N.S.) adopted 7-19-23)

4300

BUILDING TYPE REGULATIONS

4300 TITLE AND PURPOSE.

The provisions of Section 4300 through 4399, inclusive, shall be known as the Building Type Regulations. The purpose of these provisions is to allow flexibility within the development regulations to identify structural types and sizes most appropriate to the various geographic settings and special local policies of San Diego County.

4305 BUILDING TYPE DESIGNATOR NOTATION.

Building type shall be indicated by a capital letter corresponding to one row of the Building Type Schedule at Section 4310 specifying the permitted building types. A dash ("-") shall indicate that none of the building types specified in Section 4310 are permitted or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4310 BUILDING TYPE SCHEDULE.

- a. Residential. Buildings containing only residential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitted Residential Building Types".
- b. Mixed. Buildings containing both residential and nonresidential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitted Mixed Residential and Nonresidential Building Types". The number of dwelling units shall not be greater than permitted by the same building designator for residential buildings.
- c. Nonresidential. Buildings containing only nonresidential principal uses shall be permitted according to those columns of the Building Type Schedule pertaining to "Permitting Nonresidential Building Types".
- d. Designator A. In zones subject to the "A" Building Designator, no buildings are permitted except those exempt from the Building Type Schedule pursuant to Section 4315.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

[illegible]

● PERMITTED BUILDING TYPE

(a) Detached dwellings are permitted. (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

4315 EXEMPTIONS FROM BUILDING TYPE SCHEDULE.

The following are exempt from provisions of Sections 4310; Building Type Schedule:

- a. Civic Use Types.
- b. Any use or structure for which a use permit is granted.
- c. Accessory Structures.
- d. Temporary structures erected pursuant to the Temporary Use Regulations.
- e. Secondary Uses.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

FLOOR-AREA RATIO REGULATIONS

4500 TITLE AND PURPOSE.

The provisions of Section 4500 through Section 4599, inclusive, shall be known as the Floor-Area Ratio Regulations. The purpose of these provisions is to allow flexibility within the Development Regulations to identify structural sizes most appropriate to the various geographic settings and special local policies of San Diego County by establishing the maximum floor-area ratio to which structures may be constructed.

4502 APPLICABILITY OF FLOOR-AREA RATIO.

The floor-area ratio shall incorporate all buildings on the lot or building site. For the purposes of this section, floor area ratio will be calculated as the numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or building site, excluding non-habitable accessory structures, meaning accessory buildings not used for living or sleeping purposes, including but not limited to carports, residential garages, or storage buildings, by the net site area of such lot or building site.

4505 FLOOR-AREA RATIO DESIGNATOR NOTATION.

Floor-area ratio shall be indicated by an Arabic numeral indicating the actual maximum permitted floor-area ratio. A dash ("-") shall indicate that floor-area ratio is not regulated by this ordinance except as may otherwise be limited by required setbacks and height restrictions or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations. However, a floor-area ratio pursuant to the Land Use Element of the General Plan may be applicable to a property.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4510 FLOOR-AREA RATIO PERMITTED.

Floor-area ratios shall be established to regulate the scale of development and any such ratio may be specified within the Development Regulations.

HEIGHT REGULATIONS

4600 TITLE AND PURPOSE

The provisions of Section 4600 through Section 4699, inclusive, shall be known as the Height Regulations. The purpose of these provisions is to establish the maximum height of buildings and other structures within zones.

4605 HEIGHT DESIGNATOR NOTATION

Height shall be indicated by a capital letter corresponding to one row of the Height Schedule at Section 4610 specifying the maximum permitted height of buildings and other structures measured in feet ~~and numbers of stories~~. A dash ("-") shall indicate that there is no height limit, and may be used only where a dash has been used for the Building Type designator or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4610 HEIGHT SCHEDULE

Height designators used for the Development Regulations shall be limited to those in the following Schedule B:

4610

SCHEDULE B HEIGHT SCHEDULE

DESIGNATOR	MAXIMUM HEIGHT <u>(a)</u> (Feet)	MAXIMUM NUMBER OF STORIES
A	15	4
B	20	2
C	25	2
D	25	3
E	30	2
F	30	3
G	35	2
H	35	3
I	35	4
J	40	3
K	40	4
L	45	4
M	45	(a)
N	50	(a)
O	55	(a)
P	60	4
Q	60	(a)
R	(b)	(a)

Notes:

- (a) Any number of stories is permitted, provided all building code requirements and floor-area ratio limitations are met and maximum height is not exceeded.
- (b) Greater than 60 feet. Any height in excess of 60 feet requires a Major Use Permit.

4615

4615 ~~ADDITIONAL STORY PERMITTED.~~

- a. ~~Where the average slope of a lot is greater than one foot rise or fall in 7 feet in the area of the lot bounded by a line drawn 5 feet outside the building perimeter or, where closer, along property lines, an additional story may be permitted in a residential building which is located on the downhill side of a street, provided that in no case shall such a building have a height measured in feet greater than that permitted by the applicable height designator. Basements or cellars within such buildings will only be permitted if the grade elevation at all points adjacent to the basement perimeter is not more than 2 feet below the finished floor elevation directly above. This subsection (a) shall not apply to through lots or corner lots.~~
- b. ~~An additional story may be permitted in a main dwelling with a primary residential use upon issuance of an Administrative Permit, provided that in no case shall the main dwelling have a height measured in feet greater than that permitted by the applicable height designator. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be provided pursuant to Section 7060.c. The Director may approve said administrative permit provided the following findings are made:~~
 1. ~~The additional story will be in harmony with scale and bulk of dwellings on adjacent properties in the same zone, and will be compatible with the existing neighborhood character in the vicinity of the property; and~~
 2. ~~The additional story will not create a safety hazard, obstruct, interrupt or detract from existing views or be detrimental to surrounding properties in the same zone.~~

~~This subsection (b) shall not apply to basements proposed or existing within the main dwelling as basements are not considered a story.~~

~~(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)~~

4620 PERMITTED EXEMPTIONS FROM HEIGHT LIMITS.

The following structures shall be exempt from the maximum height provisions of an applicable height designator:

- a. Radio and television receiving antennas no more than 200 feet in height of the type customarily used for home radio and television receivers.
- b. Transmitting antennas no more than 200 feet in height used by licensed amateur (ham) or citizens band radio operators.
- c. Flagpoles no more than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.

4620

- d. Signs no more than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Grain elevators, silos and water tanks functionally used for commercial agriculture, boarding and breeding stables or public stables which are located in agricultural zones or S92 Use Regulations; provided that no such structure shall be more than 50 feet in height.
- f. Chimneys no more than 100 feet in height located in industrial zones; and all other chimneys extending no more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Any structure for which a Major Use Permit is granted pursuant to other provisions of this ordinance, when the Major Use Permit authorizes an exemption to the height regulations.
- h. Any structure used primarily to contain or support an Essential Services or Fire Protection Services use.
- i. A Photovoltaic Solar Energy System extending not more than 5 feet above the highest point of the roof.
- j. Wind turbines, windmills, wind-driven water pumps and appurtenant structures required for the function thereof.
- k. Meteorological Testing (MET) Facility of less than 200 feet in height permitted in accordance with Section 6123.
- l. Brewery and associated structures, including water tanks or silos, not more than 50 feet in height, located in industrial or commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)
 (Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)
 (Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 9971 (N.S.) adopted 02-25-09)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
 (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4622 EXCEPTIONS TO HEIGHT LIMITS WITH MINOR USE PERMIT.

Except as otherwise provided by Section 4620, the following structures may be erected and maintained above the maximum height permitted by an applicable height designator upon the issuance of a minor use permit therefore; provided, however, no such structure above such height limit shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building:

- a. Radio and television receiving antennas greater than 200 feet in height of the type customarily used for home radio and television receivers..

- b. Transmitting antennas greater than 200 feet in height used by licensed amateur (ham) radio operators; and all transmitting antennas used by other than licensed amateur (ham) or citizens band radio operators
- c. Flagpoles greater than 50 feet in height; provided, however, that flagpoles used as signs or attention-attracting devices shall be subject to the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- d. Signs greater than 50 feet in height except as otherwise limited by the Off-Premise Sign Regulations commencing at Section 6200 and the On-Premise Sign Regulations commencing at Section 6250.
- e. Provided the principle use of the property is commercial agriculture, a boarding and breeding stable or a public stable, grain elevators, silos and water tanks greater than 50 feet in height, and barns and all other structures greater than the permitted height limit of the zone, functionally used for commercial agriculture, a boarding and breeding stable or a public stable, which are located in agricultural zones or S92 Use Regulations; grain elevators, silos, and water tanks not located in agricultural zones or S92 Use Regulations, functionally used for commercial agriculture, boarding and breeding stables or public stables.
- f. Chimneys greater than 100 feet in height located in industrial zones; and all other chimneys extending more than 3 feet above the highest point on the roof of the building to which they are attached.
- g. Towers, gables, spires, steeples, sundecks, scenery lofts, cupolas, and similar structures and necessary mechanical appurtenances; provided, however, that no such structure may extend more than 20 feet above the maximum height specified by the applicable height designator if of combustible materials.
- h. Penthouse; provided, however, that no penthouse shall exceed 28 feet in height above the roof when used as an enclosure for tanks or for elevators which run to the roof and in all other cases shall not extend more than 12 feet in height above the roof; and further provided, however, that the aggregate area of all penthouses and other roof structures shall not exceed 33-1/3 percent of the area of the supporting roof.
- i. A Photovoltaic Solar Energy System.
- j. Wireless Telecommunications Facilities.
- k. Brewery and associated structures, including water tanks and silos, greater than 50 feet in height located in industrial and commercial zones.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5574 (N.S.) adopted 8-1-79)
 (Amended by Ord. No. 6091 (N.S.) adopted 7-1-81)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 10035 (N.S.) adopted 1-27-10)
 (Amended by Ord. No. 10072 (N.S.) adopted 9-15-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10463 (N.S.) adopted 4-14-17)

4630

4630 HEIGHT OF FENCES.

The height of fences shall be regulated by the Fencing and Screening Regulations commencing at Section 6700.

(Amended by Ord. No. 10204 (N.S.) adopted 3-

28-12) 4631 HEIGHT OF GUARD RAILINGS.

The height of guard railings for safety protection around depressed ramps, openwork fences, hedges or landscape architectural features shall be regulated by the Setback Regulations at Section 4835.

4840 REQUIRED DISTANCE BETWEEN DETACHED MAIN BUILDINGS.

~~No main building 2 stories or less in height shall be closer than 10 feet to any other main building to which it is not attached on the same lot or building site, and no main building exceeding 2 stories in height shall be closer than 15 feet to any other main building to which it is not attached on the same lot or building site except where Distance between main buildings on the same lot or building site may be permitted per the County Consolidated Fire Code and California Building Code or through approval by the applicable fire protection district.~~

4841 REQUIRED DISTANCE BETWEEN DETACHED ACCESSORY BUILDINGS AND MAIN BUILDINGS.

No detached accessory building walls shall be closer than 6 feet to any main building walls or other accessory building walls on the same lot or building site and no detached accessory building eaves shall be closer than 4 feet to any main building eaves or other accessory building eaves on the same lot or building site. When the distance between either the walls or the eaves of a detached accessory building and a main building or living unit are less than specified in this section, the buildings are deemed attached for the purpose of determining setbacks and both must meet the setbacks prescribed for a main building.

Exceptions to this section are:

1. More restrictive separation may be required by the Animal Enclosure Setbacks in Section 3112.
2. There is no prescribed separation between chicken coops.
3. Swimming pools which do not extend more than 3 feet above the ground adjacent thereto.

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

4842 SETBACKS FOR DETACHED ACCESSORY BUILDINGS AND STRUCTURES.

- a. No detached accessory building shall be located with walls closer than 3 feet or eaves closer than 2 feet from interior side or rear property lines.
- b. No detached accessory building authorized by Section 6156.g exceeding 1,000 square feet in area shall be located within a required setback pursuant to Section 4810.
- c. The combined area of all detached accessory buildings authorized by Section 6156.g, having any portion within the required setback pursuant to Section 4810, shall not exceed 1,000 square feet.

(Added by Ord. No. 6761 (N.S.) adopted 4-25-84)

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

(Amended by Ord. No. 10359 (N.S.) adopted 10-29-14)

USABLE OPEN SPACE REGULATIONS

4900 TITLE AND PURPOSE.

The provisions of Section 4900 through Section 4999, inclusive, shall be known as the Usable Open Space Regulations. The purpose of these provisions is to promote the availability of outdoor areas for leisure and recreation throughout San Diego County by establishing requirements for minimum areas of usable open space for residential developments with three or more dwelling units per lot or building site.

4905 USABLE OPEN SPACE DESIGNATOR NOTATION.

Usable open space shall be indicated by a capital letter corresponding to one row of the Usable Open Space Schedule at Section 4910 specifying the minimum square feet of private and group usable open space for each dwelling unit in a residential development with three or more dwelling units per lot or building site. A dash ("-") shall indicate that there is no useable open space requirement or that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10348 (N.S.) adopted 7-30-14)

4910 USABLE OPEN SPACE DESIGNATORS SCHEDULE.

Usable open space designators used within the development unit shall be limited to those in the following Schedule D:

4910

SCHEDULE D USABLE OPEN SPACE SCHEDULE

USABLE OPEN SPACE PER
DWELLING UNIT
(square feet)

<u>DESIGNATOR</u>	<u>PRIVATE</u>	<u>GROUP</u>
A	0	0
B	0	150
C	0	500
D	0	800
E	100	0
F	100	150
G	100	500
H	100	800
I	350	0
J	350	150
K	350	500
L	350	800
M	600	0
N	600	150
O	600	500
P	600	800

4915 PRIVATE USABLE OPEN SPACE STANDARDS.

The purpose of these provisions is to prescribe standards for the development and maintenance of open areas, each of which is provided for the exclusive use of the occupants of one dwelling unit and which is intended to serve the needs of said occupants for a private, outdoor space available for recreation and leisure activities. Each private usable open space shall conform to the following standards:

- a. **Surfacing.** A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways and service areas shall not be counted as usable open space. Adequate guard railings or other protective devices shall be erected wherever necessary for space on a roof or balcony, but shall not be more than 4 feet high and shall conform to the requirements of any applicable height designator.
- b. **Location.** The space may be located anywhere on the same lot as the dwelling unit it serves, except that above-ground-level space shall not be located within 5 feet of an interior side lot line. All spaces shall be adjacent to and not more than 15 feet above or below the floor level of the dwelling unit served.
- c. **Size and Shape.** An area of contiguous ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 10 feet. An area of above-ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 5 feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.
- d. **Accessibility.** The space shall be accessible to only one dwelling unit.
- e. **Openness.** There shall be no fixed, immovable obstructions over ground-level space except for devices to enhance its usability, such as sun shades, patio covers and awnings, and except that not more than 50 percent of the space may be covered by a private balcony projecting from a higher story. Above ground-level space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for 8 feet above its floor level.
- f. **Enclosure.** Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways, and from other open space areas on the same lot

4915

by a building wall, by dense landscaping not less than 5 feet high and not less than 3 feet wide, or by a solid or grille lumber or masonry fence or wall not less than 5 feet high, subject to the requirements of the Fencing and Landscaping Regulations commencing at Section 6700. However, when such screening would impair a beneficial outward and open orientation of view, with no building located opposite and within 50 feet from such required screening, as measured perpendicularly therefrom a horizontal plane, the above-prescribed height may be reduced to 3 feet.

- g. Maintenance. All required private usable open space shall be permanently maintained.

4917 GROUP USABLE OPEN SPACE STANDARDS.

The purpose of these provisions is to prescribe standards for the development and maintenance of open areas provided for the use of the occupants of dwelling units and intended to serve their needs for outdoor open space available for group recreation and leisure activities. The design of all group usable open space must be suitable for such group uses and shall conform to the following standards:

- a. Surfacing. A surface shall be provided which allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate guard railings or other protective devices shall be erected wherever necessary for space on a roof, but shall not be more than 4 feet high and shall conform to the requirements of any applicable height designator.
- b. Location. The space may be located anywhere on the same lot as the dwelling units it serves, within 20 feet of the nearest dwelling unit served, except that not more than 30 ~~20~~ percent of the required area may be located in setback areas or on the roof of any building other than an attached garage or carport. Any structure used as part of the group usable open space must meet the setback requirements.
- c. Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 15 feet. Narrow strips of open space, such as landscaped strips, adjoining but projecting away from such a rectangle shall not be counted toward the usable open space requirement. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.
- d. Accessibility. The space shall be accessible to all the dwelling units on the lot or building site.
- e. Openness. There shall be no fixed, immovable obstructions above the space except for devices to enhance its usability, such as sun shades, patio covers, and awnings.
- f. Screening. Ground-level space shall be screened from abutting lots, wall, by dense landscaping not less than 3 feet high and not less than 3 feet wide, or by a solid or grille lumber or masonry fence or wall not less than 3 feet high, subject to the requirements of the Fencing and Landscaping Regulations commencing at Section 6700.
- g. Maintenance. All required group usable open space shall be permanently maintained.

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

4920 LOCATION OF USABLE OPEN SPACE.

2 - 112

Usable open space areas shall not be located in any required front or exterior side yard.

MOBILEHOME (MANUFACTURED HOME) REGULATIONS

6500 TITLE AND PURPOSE.

The provisions of Section 6500 through 6549, inclusive, shall be known as the Mobilehome (Manufactured Home) Regulations. The purpose of these provisions is:

- a. To supplement the zone regulations applied to mobilehomes with additional standards and procedures which will promote a satisfactory living environment for residents of mobilehomes and will permit a mix of mobilehomes and other types of housing within the county.
- b. To better facilitate utilization of mobilehomes as a housing resource.
- c. To permit greater diversity in the types of mobilehome parks.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6215 (N.S.) adopted 1-13-82)

Mobilehome on Private Lot Regulations

6502 APPLICATION.

The provisions of Sections 6502 through 6506, inclusive, apply to mobilehomes located on a private lot wherever a single detached residential building is permitted. For the purposes of this section, 3-D printed and prefabricated homes that meet the standards pursuant to Section 6506 shall be permitted and considered as manufactured homes.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

6504 EFFECT OF LOCATING A MOBILEHOME ON A PERMANENT FOUNDATION SYSTEM. A mobilehome which has been placed on a private lot and on a permanent foundation system pursuant to these regulations shall be subject to local property taxation.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

6506 REQUIREMENTS FOR PLACING A CERTIFIED MOBILEHOME ON A PRIVATE LOT.

- a. Eligibility. A mobilehome that was constructed after September 15, 1971, and was issued an insignia of approval by the California Department of Housing and Community Development or a mobilehome that has been certified under the National Mobilehome Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) may be located on a private lot only upon compliance with the requirements set forth below.
- b. Requirements. An eligible mobilehome shall comply with the following requirements when located on a private lot:
 1. Has not been altered in violation of applicable codes.
 2. Is occupied only as a residential use.
 3. Is in conformance with all provisions of this Ordinance, The Subdivision ordinance and the Health and Safety Code applicable to residential structures. Subject to the foregoing regulations, mobilehomes may be located on the same lot containing conventionally constructed dwellings.

4. If attached to a permanent foundation system it shall comply with the provisions of Section 18551 of the Health and Safety Code.
5. Is covered with an exterior wall material customarily used on conventional dwellings. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
6. Roofs shall have a pitch of not less than 2 inch vertical rise for each 12 inches of horizontal run and consist of shingles or other material customarily used for conventional dwellings, unless waived by the Director under 8. or 9. below.
7. All roofs shall include roof overhangs of not less than one foot measured from the vertical side of the mobilehome, except where the location of attached structures, such as carports, garages, porches, or similar structures precludes the continuation of the overhang, or unless waived by the Director under 9. below.
8. The Director may waive the roof pitch and eave requirement for attached accessory portions of the structure such as carports, porches, or similar canopy structures not enclosed by solid walls. Roof parapet walls are not required for such canopy structures.
9. The Director may waive the roof pitch and/or the roof overhang requirement if the roof for the main structure is concealed from view by parapet walls consistent with a commonly recognized architectural style such as Santa Fe or Mission style.
- c. Building Permit. Prior to installation of a mobilehome on a permanent foundation system, the mobilehome owner or a licensed contractor shall obtain a building permit from the Department of Planning and Development Services. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the Health and Safety Code.
- d. Cancellation of Registration. The owner shall comply with the regulations established pursuant to Section 18551(b) of the Health and Safety Code for cancellation of registration of a mobilehome. The owner shall also comply with the provisions of Section 18550(b) of the Health and Safety Code.
- e. Approval for Occupancy. The Director shall determine that the proposed project is in compliance with all applicable requirements and conditions prior to issuing final approval for occupancy.
- f. Modification of Requirements. Unless otherwise specified, no modification may be granted from these requirements or from the requirements specified in Title 25 of the California Administrative Code which are not subject to local modification.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 6865 (N.S.) adopted 11-07-84)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

(Amended by Ord. No. 8232 (N.S.) adopted 5-5-93)

(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)

(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

PLANNED DEVELOPMENT STANDARDS

6600 TITLE AND PURPOSE.

The provisions of Section 6600 through 6699, inclusive, shall be known as the Planned Development Standards. The purpose of these provisions is to carry out the intent of Section 5800 of the Planned Development Area Regulations and to set forth development standards that must be met by planned developments before they are granted a major use permit in accordance with the Use Permit Procedures commencing at Section 7350. The intent of Section 5800 shall be applicable to all major use permits for planned developments even where the zoning of the property does not include the "P" Planned Development Area designator. It is intended that planned developments containing mobilehomes shall not be considered mobilehome parks for purposes of the application of Title 25 of the California Administrative Code; provided, however, that those provisions of Title 25 relating to the installation, maintenance, use and occupancy of mobilehomes outside of mobilehome parks shall apply.

(Amended by Ord. No. 5787 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)

6606 CONCEPT OF A PLANNED DEVELOPMENT.

A planned development shall consist of an integrated development located on a single tract of land, or on 2 or more tracts of land which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements and the location of structures, the circulation pattern, parking facilities, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6602)

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

6609 APPLICABILITY OF ANIMAL REGULATIONS.

Except as otherwise provided, a planned development shall conform to all provisions of the Animal Regulations commencing at Section 3000.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6618)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

6610

6610 APPLICABILITY OF USE REGULATIONS.

Except as provided in Section 5806, only those uses which are permitted by right, or are permitted by a use permit, or an administrative permit, shall be permitted in a planned development. When the applicable use regulations allow a use type in such use regulations only if such type is within a planned development, such a use type is permitted only within a planned development or contiguous planned developments having a total gross site area of at least 20 acres.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6604)

6612 APPLICABILITY OF DEVELOPMENT REGULATIONS.

Except as otherwise provided hereinafter, a planned development shall conform to all provisions of the Development Regulations commencing at Section 4000.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6606)

6615 APPLICABILITY OF SPECIAL AREA REGULATIONS.

A planned development shall conform to all provisions of any applicable special area regulations.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6608)

6618 GENERAL DEVELOPMENT CRITERIA.

- a. **Compatibility with Adjacent Land Uses.** A planned development shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.
- b. **Relation to Natural Features.** A planned development shall relate harmoniously to the topography of its site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6609)

6621 COMPUTATION OF PERMITTED NUMBER OF LOTS.

The maximum density provisions of the General Plan Land Use Element shall be used in the computation of the permitted number of dwelling units. The Director shall compute the residential acreage pursuant to the following:

- a. **Computation of Residential Acreage in an Exclusively Residential Planned Development.** In a planned development devoted exclusively to residential use types, the residential acreage of the proposed development shall equal the total land area within the boundaries of the development. For the purpose of the application of this subsection the "total land area within the boundaries of the development" shall be defined to exclude any land within rights-of-way of public streets or highways existing or to be dedicated or offered for dedication as part of the project.
- b. **Computation of Residential Acreage in a Planned Development Containing Non-Residential Use Types.** For the purpose of computing the maximum and minimum density permitted or required in a planned development containing non-residential use types, the residential acreage of the proposed development shall be determined as follows:
 1. For those portions of the site where the residential development (and its associated open space) are separate and distinct from the non-residential development (and its associated open space), the acreage to be used for residential development (and its associated open space) shall be used as the basis for computing density.
 2. For those portions of the site where the residential and non- residential development area not separate and distinct (e.g., they are in the same building or a closely associated group of buildings), the acreage shall be allocated between the residential and non-residential uses on the basis of the floor area, ground area, and other factors which indicate the relative usage of the site by residential and non-residential uses.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6610)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6624 LOT SIZE.

The Lot Size Regulations commencing at Section 4200 shall not apply in a planned development; provided, however, that all required findings can be made pursuant to Section 7350.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6611)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6627 BUILDING TYPE.

The Building Type Regulations commencing at Section 4300 shall not apply in a planned development.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6612)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6630

6630 MAXIMUM FLOOR AREA.

The Maximum Floor Area Regulations commencing at Section 4400 shall not apply in a planned development.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6613)

6633 FLOOR-AREA RATIO.

The Floor-Area Ratio Regulations commencing at Section 4500 shall not apply in a planned development.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6614)

6636 HEIGHT.

The Height Regulations commencing at Section 4600 shall apply in a planned development; provided, however, that the approving authority may approve buildings and structures of 15 percent greater height, if, in its opinion, such additional height would not have an adverse effect on adjacent properties or on properties or development in the vicinity and would be consistent with the General Plan and the purpose of these development standards. ~~No additional height shall be approved within 100 feet of any external boundary of the planned development adjacent to land in any residential or agricultural zone.~~

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6615)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

6639 COVERAGE.

The Coverage Regulations commencing at Section 4700 shall not apply to a planned development; provided, however, that no more than 75 percent of the area of a lot containing a mobilehome shall be covered.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6616)

6642 SETBACKS-PERIMETER.

The following setbacks shall be maintained on the perimeter of a planned development:

- a. The Setback Regulations commencing at Section 4800 shall apply to the perimeter of a planned development.
- b. A setback of at least 50 feet from centerline shall be maintained by any mobilehome or other building or structure, except a fence or wall, from any street along an exterior boundary of the development, except that when such street has a right-of-way width greater than 60 feet, a setback of 20 feet from the right-of-way of such street shall be maintained.
- c. Except as provided in paragraph "b", a setback of not less than 25 feet from the exterior boundary shall be maintained.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6617)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6645 SETBACK-INTERIOR.

The Setback Regulations commencing at Section 4800 shall not apply to the interior of a planned development; provided, however, that mobilehomes and other buildings shall conform to the following setback and spacing requirements:

- a. Setback From Interior Way or Other Surfaced Public Area. No mobilehome or other building shall be located closer than 5 feet from any interior vehicular or pedestrian way, court, plaza, open parking lot or any other surfaced area reserved for public use or for use in common by residents of the planned development. Such setback shall generally be measured from the nearest edge of a surfaced area; provided, however, that where no sidewalk exists in conjunction with a public or private street, such setback shall be measured from the nearest edge of the street right-of-way or private road easement.
- b. Garages and Carports. No garage or carport having straight-in access from a public or private circulation street shall be located closer than 20 feet from the nearest edge of the sidewalk of such street, or where no sidewalk exists from the nearest edge of the street right-of-way or road easement.
- c. Mobilehome Side Yard Setback. Each lot containing a mobilehome shall have a side yard of not less than 3 feet in width along the entire length of the lot.
- d. Mobilehome Rear Yard Setback. Each lot containing a mobilehome shall have a rear yard of not less than 3 feet extending the entire width of the lot.
- e. Spacing Between Buildings Other Than Mobilehomes. Wall to wall spacing between buildings other than mobilehomes shall be at least 10 feet. Within the RS, RR, A70 and A72 use regulations, spacing between dwellings (including attached garages) shall be equal to at least twice the width of the interior side yard setback of the zone's setback designator.
- f. Open Space Surrounding Buildings Other Than Mobilehomes. Each building other than a mobilehome shall be surrounded by relatively level open space having a slope no greater than 10 percent and extending a minimum distance of 10 feet in all directions measured from the furthest projections of the external walls of the building.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6618)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)

6648 OPEN SPACE.

The Usable Open Space Regulations commencing at Section 4900 shall apply to a planned development; provided, however, that the following requirements shall be met. Plot plans for planned developments shall include the dimensions of all usable open space areas to ensure compliance with the minimum size, shape and slope requirements of Sections 4915 and 4917. In the event of conflict between the Usable Open Space Regulations and the provisions of this section, the requirements yielding the most open space shall apply.

- a. Minimum Open Space. The total land area in residential use types shall be computed per Section 6621.a or b for purposes of determining the open space requirements. Open Space shall be comprised of a combination of private usable open space and conservation/group open space pursuant to b. and c. below.

6648

- b. Minimum Private Usable Open Space. Private Usable Open Space shall be provided on each lot within the subdivision per the table below:

GP Designation	Usable Open Space per Lot
VR-# (all)	400 sf
SR-# (all)	1000 sf
RL-# (all)	4000 sf

Substitution of group usable open space for private open space may be allowed if the lots cannot satisfy the requirements above. The total area that is not satisfied on individual lots shall be in addition to the Conservation/Group Open Space requirement.

- c. Conservation/Group Open Space. The total useable and/or non-useable open space shall be provided on the project site pursuant to the table below.
- i. Conservation Open Space. Non-useable conservation open space shall be left in its natural state and shall be preserved in an open space easement. No structures or development shall be permitted. Conservation open space shall be kept free of litter and shall at no time constitute a health, safety, fire or flood hazard. Areas devoted to natural or improved flood control channels and those areas encumbered by flowage, floodway or drainage easements, as well as riding and hiking trails designated on a community or subregional plan map, may be applied toward satisfying this portion of the conservation open space requirement.
- ii. Group Open Space. Useable open space shall comply with the standards of Section 4917. Land occupied by buildings and structures reserved for common recreational use by the residents may be counted as group usable open space for purposes of this subsection provided it meets the requirements of Section 4917.

GP Designation	Percent Conservation/Group Open Space
VR-# (all)	25
SR-# (all)	40
RL-# (all)	80

- d. Staged Development. If development is to be accomplished in stages, the development plan shall coordinate improvement of the open space, the construction of buildings, structures and improvements in such open space, and the construction of dwelling units in order that each development stage achieves a proportionate share of the total open space and environmental quality of the total planned development.
- e. Reservation for Common Use. All or any part of the required open space may be reserved for use in common by the residents of the planned development except as restricted by the private usable open space requirements of the Usable Open Space Regulations. Areas permanently reserved for common open space shall be reserved for the use and enjoyment of the residents in a manner which makes the county or a public district or a public agency a party to and entitled to enforce the reservation. The approving authority may require that open space easements over the required open

space be conveyed to the county. (Riding and hiking trails designated on a community or subregional plan map shall be open to the general public.)

- f. Unreserved open space. Any open space in the development not reserved for the use in common of the residents pursuant to subsection "e" hereof, and not subject to the usable open space requirements of Section 4900, may be counted toward computation of the permitted number of dwelling units pursuant to Section 6621.e. However, any project proposing such unreserved open space shall be subject to the following conditions to be contained in the major use permit for the planned development: (1) That a homeowners association be created consisting of all owners of residential property in the planned development, and (2) that the unreserved open space shall be subject to an open space easement.
- g. Additional Requirements for Mobilehomes. In addition to the open space requirements of subsections "a" through "e" and the Usable Open Space Regulations, planned development containing mobilehomes shall meet the following requirements for open space and recreational facilities:
 1. At least one substantial area of group usable open space shall be provided. Such area shall:
 - i. Conform to the requirement for group usable open space set forth in the Usable Group Open Space Regulations.
 - ii. Be of such size and shape that each side of a rectangle inscribed within it is at least 100 feet in length.
 - iii. Include outdoor recreational facilities for both active and passive recreation.
 - iv. Include completely enclosed recreational facilities consisting of not less than 10 square feet of floor area for each lot containing a mobilehome.
 2. All or any part of the group usable open space required by the Usable Open Space Regulations may be used to satisfy the requirements of Paragraph "f.1" if such open space meets the standards for minimum dimension, maximum slope and outdoor recreational facilities set forth herein.

(Renumbered and amended by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6619)
(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
(Amended by Ord. No. 7321 (N.S.) adopted 6-10-87)
(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93)
(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6650 ACCESSORY STRUCTURES.

The approved plot plan for any planned residential development shall provide standards (i.e., setbacks, sizes, coverage) for permitted accessory structures and buildings or shall specify that the standard allowances of The Zoning Ordinance shall prevail. Such buildings and structures may include but are not limited to swimming pools/spas, patio covers, guest living quarters, storage buildings, detached garages/carports, and outdoor chimneys or barbecue grills.

(Added by Ord. 9690 (N.S.) adopted 12-15-04)

6651 SIGNS.

Signs shall be permitted in a planned development in accordance with the Off-Premise Sign Regulations commencing at Section 6200 and the On- Premise Sign Regulations commencing at Section 6250. Interior street, building and other signs shall be uniform in design and reflect good taste in style and size.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6622)

6654 OFF-STREET PARKING.

Off-street parking shall be provided in accordance with the Parking Regulations commencing at Section 6750.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6624)

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

6657 CIRCULATION.

All streets within the planned development that by function fall within the system of classification of streets as specified in Article III, Classification (Types) of Streets of the "San Diego County Standards", Ordinance No. 2809 (New Series), as amended, shall be improved to county road standards for the particular classification of street, and all such streets shall be offered for dedication to the public. When the developer desires to retain any such streets as private streets, the county may reject the offer of dedication. Other forms of access, such as pedestrian ways, courts, plazas, driveways or open parking lots shall not be offered for dedication. Forms of common access other than dedicated public streets shall be permanently reserved and maintained for their intended purpose by means acceptable to the approving authority and County Counsel.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6626)

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

6660 ACCESS.

Any mobilehome, other dwelling unit or other building that is located more than 100 feet from a public or private street or other vehicular way shall have pedestrian access thereto capable of accommodating emergency and service vehicles.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6628)

6663 FIRE PROTECTION.

Fire hydrants and connections shall be installed as required by the Planning Commission and shall be of a type approved by the chief of the local fire district, or, if there is no local fire district, by the County Fire Warden.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6630)

6666 NIGHT LIGHTING.

Light fixtures for walks, parking areas, driveways and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. For normal street lighting, applicable county standards and regulations shall apply.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6632)

6669 ANTENNAS.

A Master Antenna Television (MATV) System shall be provided with underground cable service to at least all mobilehomes and other buildings containing dwelling units. This MATV System shall be provided at no charge for service and shall be conveyed to the homeowners association at no charge. This requirement may be met by the provision of an underground Cable Television (CATV) System by a county-licensed CATV operator. No other exterior television antennas shall be permitted unless authorized by the Planned Development permit, except that individual parcels having dwellings may have dish antennas that are one meter or less in diameter or diagonal measurement.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)
(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6634)
(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

6672 UNDERGROUNDING.

All sewer and water facilities, electricity, gas, telephone, and television signal distribution systems shall be placed underground.

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6636)

6675 SPECIAL REQUIREMENTS FOR MOBILEHOMES.

In addition to the requirements set forth hereinabove, planned developments containing mobilehomes shall conform to the following requirements:

- a. Area. A planned development containing mobilehomes shall not be less than 5 acres in area.
- b. Fencing and Landscaping. Planned development containing mobilehomes shall conform to the Fencing and Landscaping Regulations commencing at Section 6700.
- c. Storage Areas. Common Storage areas shall be provided within an enclosed fenced area for the residents of the planned development occupying mobilehomes for the storage of recreational vehicles, trailers, travel trailers, and other licensed or unlicensed vehicles. This area shall be not less than 50 square feet for each lot containing a mobilehome.
- d. Sewer and Water. Each lot containing a mobilehome in a planned development shall be provided with water and sewer connections in accordance with Chapter 5 of Title 25 of the California Administrative Code. Water shall be provided by a water supplier having a valid permit from the California Department of Health of the Department of Environmental Health. Public sewers shall be provided by a public agency which has obtained discharge requirements approved by the appropriate California Water Quality Control Board. Individual sewage disposal systems shall be approved by the Department of Environmental Health.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)
(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6640)
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

6678 MODIFICATION OF REQUIREMENTS.

Modification of these Planned Development Standards may be granted by the authority granting or modifying a Major Use Permit for a planned development when it determines that such modification will not be detrimental to the subject development, adjacent properties, or residents, or the public interest; or the General Plan, provided, however, no modification shall be granted for the density provisions of Sections 6621, ~~nor from the open space provisions of Section 6648~~, nor from any applicable requirements specified in Chapter 5 of Title 25 of the California Administrative Code, except those which are subject to local modification.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Renumbered by Ord. No. 5787 (N.S.) adopted 6-4-80. Formerly 6642)

(Amended by Ord. No. 6031 (N.S.) adopted 4-22-81)

(Amended by Ord. No. 8247 (N.S.) adopted 5-19-93) (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95) (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

6679 EFFECT OF AMENDMENTS ON PENDING PLANNED DEVELOPMENTS.

The amendments to the Planned Development Area Standards found in Ordinance No. 8247 (N.S.), adopted on May 19, 1993, shall not apply to any Major Use Permit for a planned development which was approved by the County, or any application for a Major Use Permit for a planned development which was filed (pursuant to Section 1019 of the Zoning Ordinance) with the County, before June 18, 1993. Said amendments shall not apply to any subsequent Time Extension, Minor Deviation or Ministerial Permit filed pursuant to such Major Use Permits. Said amendments shall also not apply to modifications of these Major Use Permits for a planned development, unless such modifications would change the approved Major Use Permit by 1) increasing the number of dwelling units, 2) enlarging the planned development site, or 3) in the RS, RR, A70 or A72 use regulations, changing the building type of dwellings from residential single detached to any other residential building type.

(Added by Ord. No. 8247 (N.S.) adopted 5-19-93)

6945

6945 TINY HOMES ON WHEELS.

A tiny home on wheels (THOW) meeting the below standards is eligible for a permit that would allow permanent habitation. A THOW that meets these requirements can be used on any lot that would allow for a single-family dwelling upon issuance of a building permit. When a THOW is removed from a site the owner would need to file for a demolition permit so that the dwelling would be removed from the records. Any THOW intended for habitation within the unincorporated County of San Diego must meet the following requirements:

- a. The THOW must be designed and constructed to ANSI A119.5 standard for Park Models. The proposed THOW must contain a certification sticker prior to permit issuance showing that the unit is certified to this standard by an accredited third-party inspection agency.
- b. The THOW must meet the additional Fire requirements for use in the County of San Diego:
 1. Exterior wall surfaces must be non-combustible (Stucco, Masonry, Cement-Fiber board, Metal, etc.), ignition resistant, heavy timber, or log wall construction. Stucco or Cement Plaster to be a minimum of 7/8" thick. Noncombustible or fire-retardant wood shall be installed per Wildlife and Urban Interface (WUI) guidelines in PDS 664.
 2. All windows shall be dual-glazed units with a minimum of one tempered pane OR shall have a resistance rating of 20 minutes.
 3. If the THOW has eaves, eaves, soffits, and fascia must comply with the requirements for ignition-resistant construction.
 4. Roofing provided for THOWs shall have a Class A fire rating as installed per the manufacturer.
 5. All THOWs shall be constructed with residential fire sprinkler systems, with the exception of if the unit is being used as an ADU, then all ADU exemptions would apply
 6. Direct exiting must be provided from any loft space (as defined by the California Building Code) that would allow for egress from the THOW without leaving the loft.
 7. All units shall have carbon monoxide and smoke detectors.
- c. The THOW is not to exceed 430 square feet measured from inside face of walls and must have a minimum of R-13 insulation in all exterior walls.
- d. The THOW is to remain licensed and registered with the California Department of Motor Vehicles.
- e. The THOW cannot move under its own power.
- f. The THOW cannot have any slide or pop-out features that increase the habitable square footage.
- g. The THOW shall be located a minimum of six (6) feet from any other structures measured from the face of the structures.
- h. The THOW shall be parked on a paved pad that includes bumper guards, curbs, or other installations adequate to prevent movement of the THOW. The wheels and leveling or support jacks must sit on a paving surface that meets either of the following criteria:
 1. A parking area for a moveable THOW shall be paved with hard, durable asphaltic paving that is at least two inches thick after compaction, or
 2. With cement paving at least three inches thick
- i. The THOW shall be connected to electric, water, and sewer utilities with the issuance of required building permits
- j. Extensions. All exterior walls and roof of the THOW shall be fixed with no slide-outs, tip-outs,

nor other forms of mechanically articulating room area extensions

- k. Mechanical equipment shall be incorporated into the structure, not on the roof.
- l. The THOW shall be no greater than one story and shall not exceed a maximum height of 16 feet.
- m. The THOW can have a loft for sleeping of up to 150 sq. ft., which is not considered a 2nd story.
- n. If the THOW functions as a single-family dwelling, it must comply with the required main building setbacks, building type, density, and any other applicable zoning regulations.
- o. No additional parking spaces are required for the THOW that is being used as an ADU, and if used as an ADU any displaced parking caused by the placement of the THOW does not need to be replaced.
- p. If THOW is an accessory to a primary residence, it cannot block or remove any required parking spaces for the primary residence.
- q. The THOW development must comply with existing zoning and density standards for the parcel.

7156

SITE PLAN PERMIT

EXEMPTION.

- a. The Director may grant an exemption from the requirement to process a Site Plan permit if he or she finds that all of the purposes and requirements of the Site Plan permit have been or will be fulfilled by another discretionary permit; or
- b. Where the Director finds the proposed development or improvement is minor in nature and the public purpose for which the Site Plan permit would normally be required will not be harmed by granting an exemption from said requirement. For purposes of this subsection, "minor in nature" may mean the proposed improvement is not visible from any street; ~~there is no active code enforcement action on the property~~; no additional parking spaces will be required by the proposed improvements; an addition not exceeding 500 square feet in area; the replacement of an existing permitted sign(s) (like for like, and no increase in sign area); replacement of windows/doors; re-stucco, re-roof or minor improvements to the façade of an existing permitted building(s); or other similar improvements. This shall be determined on a case-by-case basis.

Any open code enforcement action on the property must be resolved prior to approval of the exemption, or concurrent with approval of the exemption if the permit must be approved to resolve the code enforcement action.

The Director may forward a request for a Site Plan permit exemption to the applicable Community Planning or Sponsor Group for a recommendation prior to granting a Site Plan permit exemption request.

This subsection "b" shall not apply to land falling within the coastal zone, as defined by the California Coastal Act of 1976.

- c. An exemption from the requirement to process a Site Plan permit does not constitute a waiver or exemption from any other requirement of this Zoning Ordinance or any other law, ordinance or other regulation applicable to the project.

No building permit shall be issued for a project for which the Site Plan permit exemption has been granted except pursuant to plans bearing the Director's stamp granting such exemption. No deviation from aspects of such plans pertinent to the purposes for which a Site Plan review would otherwise have been required shall be permitted without prior approval of the Director.

This Section shall not apply to those Site Plans required by a special area regulations designator where there are specific exemption criteria established under the special area regulations designator sections.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6655 (N.S.) adopted 9-28-83)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 8105 (N.S.) adopted 7-15-92)
(Amended by Ord. No. 8236 (N.S.) adopted 5-5-93)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

**Attachment D – Housing Unlocked Analysis &
Implementation Memorandums**



County of San Diego Housing Unlocked

Analysis, Housing Laws, and Best Practice Memo
Research and Implementations Options Memo

July 2026



Housing Unlocked Analysis & Implementation Memorandums

Background

The Housing Unlocked project explores strategies to update the Zoning Ordinance to support the General Plan's vision for housing and implement the Housing Element. Housing Unlocked does this by simplifying regulations, removing barriers, and providing greater flexibility. It is not a proposal to change General Plan land use designations or increase allowable densities on individual properties or specific RHNA sites.

Purpose

The **Analysis, Housing Laws, and Best Practice Research Memorandum (Analysis Memo)** and the **Implementation Memorandum (Implementation Memo)** provide background on how potential zoning ordinance amendments were identified and evaluated. Together, these documents establish a framework for identifying opportunities to improve the Zoning Ordinance and evaluating potential implementation strategies. They were not the sole source of information that led to the potential strategies developed as part of Housing Unlocked, but rather, one "piece of the puzzle" that helped inform the project. Stakeholder and community input, through public webinars, community planning and sponsor group meetings, industry group meetings, developer meetings, and internal subject matter experts, all played a role in developing potential strategies for the project.

Analysis and Implementation

The **Analysis Memo** reviewed the General Plan, Housing Element Update, Zoning Ordinance, County procedures, housing laws, and best practices from comparable jurisdictions to identify opportunities for alignment and reduce regulatory constraints. The primary objective of the **Analysis Memo** was to evaluate whether the zoning ordinance development designators (i.e. detailed development requirements such as building type, height, or setbacks) limit the ability to achieve the maximum residential densities envisioned by the General Plan. It focused specifically on the relationship between the General Plan and the existing zoning standards partially through the concept of "locked units." Locked units are units that would be allowable by the maximum General Plan density but would be difficult to achieve under the current designator standards. *Site specific constraints such as market conditions, slopes, or environmental conditions were not considered; only units locked by the designators were considered. For this reason, the estimated number of locked units identified in the memo should be considered approximate planning-level only estimates.*

The **Implementation Memo** identified and evaluated potential strategies to alleviate the constraints identified in the **Analysis Memo**. Identified strategies, for the purpose of the memo, were organized as initial options for consideration during the development and drafting of the Zoning Ordinance Amendments. The purpose of the **Implementation Memo** was to inform possible Zoning Ordinance Amendments based on impact and feasibility. This included a review of the level of effort, implementation methodology, advantages and disadvantages, and an estimated priority level for each implementation option. The **Implementation Memo** identifies both "quick wins" (low-effort actions) and recommended strategies (those with the greatest potential to advance Housing Element implementation and unlock housing opportunities).

Future Updates

Most quick win recommended strategies were moved forward for implementation and included in the Draft Housing Unlocked Zoning Ordinance Amendments (Phase I) for public review. While not all recommended strategies are intended for immediate implementation, they provide a framework for future ordinance updates to be considered as resources become available. Some of these other recommended strategies, while not proposed for incorporation into Phase I, remain part of the longer-term framework for ordinance updates and will be considered as part of Housing Unlocked Phase II which is planned for late 2027.

Table of Contents

Purpose and Organization	1
Program 3.1.3.A – Zoning Ordinance Cleanups and Building Types and Development	
Designators.....	2
Analysis.....	2
Applicable Housing Laws.....	25
Best Practices (3.1.3.A and 3.1.1.D).....	26
Implementation Options.....	28
Program 3.1.1.D – Diversity of Land Use Designation and Building Type	30
Analysis.....	30
Applicable Housing Laws.....	32
Best Practices	32
Implementation Options.....	32
Tiny Homes on Wheels	33
Analysis.....	33
Applicable Housing Laws.....	34
Best Practices	35
Implementation Options.....	36
Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density	37
Analysis.....	37
Applicable Housing Laws.....	39
Best Practices	39
Implementation Options.....	40
Program 3.3.2.A – Group Homes for Seven or More.....	41
Analysis.....	41
Applicable Housing Laws.....	42
Best Practices	43
Implementation Options.....	44
Program 3.1.1.K – Expand Eligibility of Checklist Exemptions.....	45
Analysis.....	45
Applicable Housing Laws.....	49
Best Practices	49
Implementation Options.....	51

List of Tables

Table 1: Number of Units Locked by Each Primary Development Designator	4
Table 2: Number of Variations for Each Variant Parcel	5
Table 3: Density Variation by Community Planning Area	6
Table 4: Description of Height Designator	6
Table 5: Height Variation by Community Planning Area	8
Table 6: Use Designator Compatibility Matrix.....	9
Table 7: Use Variation by Designator	11
Table 8: Use Variation by Community Planning Area	11
Table 9: Building Type Designators.....	13
Table 10: Building Type Variation by Designator	16
Table 11: Description of Setback Designator	18
Table 12: Setback Designator Findings.....	20
Table 13: Setback Variation by Community Planning Area	21
Table 14: Residential Parcels with a Maximum Floor Area.....	22
Table 15: Usable Open Space Per Dwelling Unit Designator	23
Table 16: Santa Barbara County Permitted Densities	28
Table 17: Multi-family Land Use Designations and Densities	37
Table 18: RHNA Sites and Yields by Multi-family District	38
Table 19: Location of Special Area B Designator By Community Planning Area	45
Table 20: Parcels with Special Area D Designator	47
Table 21: Special Area D Designators	48

Purpose and Organization

The purpose of this memorandum is to identify implementation actions for the following five Housing Element programs, as well as for the Board of Supervisors directive on Tiny Homes on Wheels.

The following five Housing Element Update programs and Board of Supervisors directive are included:

- 1) Program 3.1.3.A – Zoning Ordinance Cleanups and Building Types and Development Designators
- 2) Program 3.1.1.D – Diversity of Land Use Designation and Building Type
- 3) Tiny Homes on Wheels (Board Directive)
- 4) Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density
- 5) Program 3.3.2.A – Group Homes for Seven or More
- 6) Program 3.1.1.K – Expand Eligibility of Checklist Exemptions

For each of these, the following is provided:

- **Analysis:** The analysis provides a thorough review of all six efforts. Existing County policies and procedures are reviewed for changes that will result from program implementation. The analysis identifies any inconsistencies between the General Plan designations, zoning classifications, and development designators as appropriate on a program-by-program basis. The analysis includes a review of the General Plan, the Housing Element Update, and the Zoning Ordinance to identify relevant goals, policies, and regulations applicable to the five programs and one directive. Feedback from the two working group meetings, held with County subject matter experts on June 17 and July 1, is included in the analysis as appropriate. Analysis for each is dependent on the program goals and thus varies in complexity and content. Note that resultant numbers from this analysis are conceptual and may not reflect true development potential due to site-specific constraints, including existing development on parcels.
- **Applicable Housing Laws:** This section identifies and describes applicable state laws and housing legislation relevant to each. The laws relevant to program implementation are identified through a comprehensive review of recent legislation. As appropriate, relevant Government Code sections are referenced as well.
- **Best Practice:** This section includes a review of best practices and comparisons of related housing programs and ordinances. This includes a comparison of nine jurisdictions that have effectively implemented similar programs. Examples are spread across the five programs and one directive.
- **Implementation Options:** The implementation options, included in each section as a dot point list, are not intended to be inclusive of all options in future deliverables, but rather to be a general, preliminary guide. The options will be expanded upon in a subsequent memorandum and comparative matrix.

Program 3.1.3.A – Zoning Ordinance Cleanups and Building Types and Development Designators

As provided in the County's 6th Cycle Housing Element, Program 3.1.3.A, Zoning Ordinance Cleanups and Building Types and Development Designators, includes the following action:

Review the development designators in the Zoning Ordinance and amend Code by the end of 2022 as necessary and appropriate to ensure that a range of housing types and densities can be achieved, and that the designators facilitate development at the maximum density allowed by the General Plan.

Analysis

The development designators are the County of San Diego's zoning regulations that specify the range and combinations of standards for residential and nonresidential development within San Diego County, as set forth in the policies and principles of the San Diego County General Plan. A comprehensive geographic and data analysis of the existing designators revealed that, throughout the County, parcels are unable to meet General Plan densities due to restrictions by one or multiple designators.

The purpose of this analysis is to determine whether the zoning designators are limiting factors to achieving the maximum General Plan density. This analysis focuses specifically on the relationship between the General Plan and the existing zoning standards. The analysis is based on existing standards and typical site conditions; the total number of resultant locked units may be further constrained by site-specific conditions, including existing development on parcels. For the purposes of this analysis, site specific limiting factors such as market conditions, slopes, or environmental conditions were not considered; only units locked by the designators were considered.

There are 164,280 unique parcels in the County. The General Plan prescribes some amount of residential density to 141,315 of the parcels. All parcels were considered in the analysis. For those parcels that do not allow any residential density, there is no conflict in meeting the General Plan residential density, as the residential density is zero. For each parcel where the density permitted by the specified designator was less than the density permitted by the General Plan, the difference in permitted density yielded a specific number of "locked units". Locked units are units that would be allowable by the maximum General Plan density but would be difficult to achieve under the current designator standards. These units were calculated by taking the difference between the maximum General Plan density and the maximum allowable density by the specified designator and multiplying the difference in density by the acreage of the specified parcel. In cases where the density allowable by the specified designator was greater than the maximum General Plan density, the number of locked units was considered to be zero.

For example, if the General Plan Land Use designation on a 1-acre parcel was VR-30, allowing 30 du/ac, and the parcel had a height designator of B, which would allow 2 stories or approximately 20 du/ac, the difference in density would be 10 du/ac. For a 1-acre parcel, this would yield 10 locked units. In the event that the number of locked units yielded was not a whole

number, if the units yielded were greater than or equal to 0.5, the number of units was rounded up to the nearest whole number. Where there were resulting units less than 0.5, the number of locked units was rounded down to the nearest whole number. For parcels yielding less than 0.5 locked units overall due to small size, zero locked units were noted.

The following designators were reviewed in the analysis:

- Maximum Zoning Density
- Maximum Building Height
- Use Regulation
- Permitted Building Type
- Minimum Setbacks
- Maximum Floor Area and Maximum Floor Area Ratio
- Maximum Lot Coverage
- Minimum Usable Open Space
- Minimum Lot Size
- Special Area Designators B and D (see Section 3.1.1.K for analysis)
- Planned Development Designator (P Designator)

The following designators were analyzed for consistency with the General Plan density quantitatively on a parcel-specific basis:

- Zoning Density
- Maximum Building Height
- Use Regulation
- Permitted Building Type
- Minimum Setbacks

Summary of Variations

The analysis considers the designators both on their own and how they interact with each other to ensure a comprehensive and holistic set of results. Many designators do not add comprehensive constraints when considered together, especially those that are not restrictive toward meeting the maximum density or those that do not regulate a physical development standard, such as use, type, and special area designators. Removing constraints to reaching the General Plan density posed by one designator should not result in further restrictions for the other designators. The primary designators that may have an impact on another designator's ability to meet the General Plan density include the height, setback, maximum building coverage, building type, and minimum lot size designators. The height and setback designators interact by limiting developable space on a parcel. The analysis considers this interaction in the setback section. Larger setbacks with a smaller height maximum can cause a compounding constraint to development. The maximum building coverage could cause a compounding constraint in consideration with the height restriction; however, the analysis considered height in the maximum building coverage analysis and no conflicts were found. Other designators that can impact each other are minimum lot size and building type. This typically impacts parcels

that only allow one detached single-family dwelling. For this analysis, the building type assumes that all parcels would be subdivided prior to development of these single-family units.

The minimum open space designator primarily interacts with the parcel's size, rather than the other designators on the parcel, when determining compounding effects that may limit density. Maximum floor area and maximum floor area ratio were determined to have few to no restrictions in meeting the maximum density. When considered in combination with other designators, they are not likely to exacerbate another or create a new constraint.

Designators such as use or building type likely do not have a negative effect on the other designators' ability to reach the maximum density. These designators may limit a parcel's ability to meet the maximum General Plan density or highlight an incompatibility but are independent of the method of restriction of the other designators.

Because the zoning density designator is absolute with respect to the maximum achievable density (when there is no conflict with the General Plan density), the combination with other designators would have the same cumulative effect as they would on achieving the maximum allowable General Plan densities. Therefore, the analysis comparing zoning density to General Plan density is not further impacted by any other designator.

Similarly, the use designator is a summary of compatibility between the different use types and General Plan designation and has no physical development standards that would compound with other designators. The Special Area designators included as a part of this analysis do not regulate development standards and thus do not cause any cumulative constraints. The Planned Development ("P") designator has its own set of development standards and thus does not interact with any designators in a manner that would cause cumulative constraints.

Table 1 shows the number of parcels locked by each of the primary designators (zoning density, height, use, building type, and setbacks), the acreage of the parcels, and the number of locked units. Note that some parcels have a variation between multiple designators and the General Plan density, so identified units and parcels may be repeated across designators.

Parcels that would not yield one unit due to size are not included in this analysis as they effectively have no locked units. Note that any minor variances among tables in acreages are due to rounding as described in the introduction of this analysis.

Table 1: Number of Units Locked by Each Primary Development Designator

Designator	Number of Parcels	Acreage	Locked Units
Zoning Density	387	4,655	9,166
Height	1,290	977	6,451
Use	3,332	6,189	13,244 ¹
Building Type	953	360	2,993
Setbacks	204	29	310
Minimum Lot Size	2,494	4,111	9,509

¹ Note that for the use designator, these units are not locked units, but rather a noted number of units that are incompatible between the use designator and the General Plan designation

Table 2 shows the number of variations for each parcel with multiple constraining designators. About 87 percent of parcels with a designator limiting density potential have only one of the primary five designators constraining density. None of these parcels are constrained by all five designators. Fixing one designator may result in eliminating the constraint of other designators (i.e., increasing allowed height may result in setbacks no longer being an issue to achieving the maximum General Plan density).

Table 2: Number of Variations for Each Variant Parcel

Number of Variations	Number of Parcels	Acreage
1	4,274	9,363
2	450	1,225
3	328	132
4	2	0
Total	5,054	10,720

Zoning Density

This analysis looks for conflicts between the maximum permitted density by the General Plan land use designation and the Zoning Density development designator. For the majority of the parcels in the County, the zoning density designator indicates that the General Plan land use designation should be referred to in order to determine the maximum density permitted. Therefore, no conflict is found between the two densities for the vast majority of parcels. However, 9,318 parcels in the County have a zoning density that differs from what is listed in the General Plan. Many of these zoning densities are higher than the allowable density provided by the General Plan and therefore do not cause conflict with meeting the General Plan density. In an effort to mitigate the number of parcels that are an undevelopable sliver of land, any parcel where the conflict yielded no locked units was excluded from the analysis.

As shown in Table 3, there are 387 parcels in which the zoning density is in conflict with the General Plan density, resulting in approximately 9,166 units locked by the zoning density (i.e., units that would be achievable at the General Plan allowable density). Lakeside, Alpine, and Spring Valley have the most housing units with the potential to be unlocked, with 7,638 (83%) of the 9,166 locked units. The majority of the potentially locked units are in the VR-15 and VCMU land use designations, with 4,962 and 2,399 locked units respectively, indicating that this designator is a constraint to the development of multi-family housing in particular.

According to County subject matter experts, the variations between the zoning density and General Plan density most often affect parcels in mixed-use or commercial zones, in which the General Plan allows some residential density, but the zoning density limits residential development on these parcels. This is consistent with the findings of the analysis indicating significant conflict in the Village Core Mixed Use General Plan designation.

One suggested idea from the working group meetings included removing the zoning density designator or revising the zoning density designator to refer to only the General Plan to determine allowable residential density. A further analysis of zoning solutions will continue to explore whether removing or modifying the zoning density designator to refer to the General Plan density will remove a key constraint to housing development.

Table 3: Density Variation by Community Planning Area

Community Planning Area	Number of Variant Parcels	Acreage	Locked Units
Alpine	54	189	2,616
Bonsall	1	9	8
Central Mountain	8	18	28
Desert	36	240	504
Fallbrook	8	212	222
Jamul-Dulzura	17	602	69
Julian	10	48	34
Lakeside	79	722	4,211
Mountain Empire	23	136	59
North County Metro	8	109	80
North Mountain	1	2	4
Rainbow	1	84	109
Ramona	3	34	77
San Dieguito	20	375	53
Spring Valley	11	142	811
Sweetwater	11	475	22
Valle De Oro	73	364	160
Valley Center	23	894	99
Total	387	4,655	9,166

Height

The height designator for the County regulates both building height in feet and number of stories for a parcel. The allowable height and number of stories by each height designator is noted in Table 4.

Table 4: Description of Height Designator

Height Designator	Maximum Feet	Maximum Stories
A	15	1
B	20	2
C	25	2
D	25	3
E	30	2
F	30	3
G	35	2
H	35	3
I	35	4
J	40	3
K	40	4
L	45	4
M	45	Any
N	50	Any
O	55	Any
P	60	4
Q	60	Any
R	>60 (Major Use Permit)	Any

A common convention recommended by the California Department of Housing and Community Development (HCD) is that the minimum height to implement a certain density is the dwelling units per acre (du/ac) divided by ten (ex: a parcel allowing 30 du/ac requires a height of at least 3 stories in order to reach the full density potential). Additionally, HCD uses a typical standard of 10 feet in height for 10 du/acre. Thus, a zone allowing 30 du/ac should allow up to 30 feet or 3 stories of height. This standard was used as the basis of analysis for the height designator.

The following analysis is inclusive of all zoning standards at the time of drafting. In an effort to mitigate the number of parcels that are an undevelopable sliver of land, any parcel where the conflict yielded no locked units was excluded from the analysis.

There are 1,290 parcels (0.8%) with a maximum height that would likely not allow full implementation of the allowed density, as follows:

- 1,286 parcels have a height designation of G, which allows a maximum height of 35 feet and 2 maximum stories.
- Two parcels allow a density of 24 du/ac but have a height designation of C, which allows a maximum height of 25 feet or 2 stories.
- One parcel allows a density of 30 du/ac but has a height designation of A, which allows a maximum height of 15 feet and 1 story.
- One parcel allows a density of 24 du/ac but has a height designation of B, which allows a maximum height of 20 feet and 2 stories.

Fixing the inconsistency between the height and number of stories in the G designator is recommended. This could include increasing the number of stories allowed by the G designator from 2 to 3 stories. The other inconsistent parcels can be addressed by redesignating them to a designator that allows for more stories.

Subject matter experts in the working group meetings also indicated that, in practice, the G designator limits development potential. Residential developments could reach more than 2 stories within 35 feet. The limit on number of stories has historically limited achievable project densities more than the maximum number of feet. Per conversations with County subject matter experts, the two main situations in which the number of stories are limiting for residential are structures proposed on slopes that are unable to meet the basement definition and multi-family structures that want three stories. Other residential projects that require a Major Use Permit are able to request an exception to the Height Regulations in accordance with 4620(g) of the Zoning Ordinance with Planning Commission approval and upon Major Use Permit findings.

A potential solution could include removing the limit on the number of stories and maintaining the limit on the number of feet to set a maximum building height. In the short term, the Administrative Permit process for “additional story permitted” in Section 4615(b) could be expanded to include multi-family structures, as it currently only applies to a single family main dwelling.

The distribution of the variant parcels by community planning area and the number of potential units that are being limited by the height designator (i.e., locked units) are shown in Table 5 below. All parcels with height and density variations allow a density of 24 du/ac or 30 du/ac.

There are 12 planning areas that have parcels with a height inconsistency, and a total of 6,451 units that are locked. Of these units, 4,351 (67%) are in Lakeside, Alpine, and Fallbrook. Community planning areas not included in the table below have no parcels with inconsistencies between height and General Plan density.

Table 5: Height Variation by Community Planning Area

Community Planning Area	Number of Variant Parcels	Acreage	Locked Units
Alpine	55	166	1,580
County Islands	9	11	44
Desert	2	26	105
Fallbrook	173	123	1,040
Lakeside	302	302	1,731
North County Metro	225	103	570
Ramona	2	5	22
San Dieguito	33	8	82
Spring Valley	93	89	364
Sweetwater	17	42	168
Valle De Oro	123	55	224
Valley Center	256	47	521
Total	1,290	977	6,451

Housing Unlocked: Analysis, Housing Laws, and Best Practice Research Memo

The County's use designators note which General Plan land use designations are considered compatible with the parcel. The use designator compatibility with the General Plan designations is shown in Table 6 for reference.

COMPATIBILITY MATRIX																																			
SUMMARY PREPARED PURSUANT TO SECTION 2050																																			
NOTE: This matrix is a summary only. For complete regulations see appropriate sections of The Zoning Ordinance and General Plan.																																			
USE REGULATIONS																																			
	RS	RD	RM	RV	RU	RO	RR	RC	RMH	C30	C31	C32	C34	C35	C36	C37	C38	C40	C42	C44	C46	M50	M52	M54	M56	M58	A70	A72	S90	S92	S96	S98	S99	S92	S94
Land Use Designations	R S	R D	R M	R V	R U	R O	R R	R C	R M H	C 30	C 31	C 32	C 34	C 35	C 36	C 37	C 38	C 40	C 42	C 44	C 46	M 50	M 52	M 54	M 56	M 58	A 70	A 72	S 90	S 92	S 96	S 98	S 99	S 92	S 94
Village Residential																																			
Village Residential 30 (VR-30)	o	•	•	•	•	•		•	•		o	o	o																	•	o	•	•	•	
Village Residential 24 (VR-24)	o	•	•	•	•	•		•	•		o	o	o																	•	o	•	•	•	
Village Residential 20 (VR-20)	o	•	•	•	•	•		•	•		o	o	o																	•	o	•	•	•	
Village Residential 15 (VR-15)	o	•	•	•	•	•		•	•		o	o	o														o	o		•	o	•	•	•	o
Village Residential 10.9 (VR-10.9)	•	•	•	•	•	•		o	•		o	o	o														o	o		•	o	•	•	•	o
Village Residential 7.3 (VR-7.3)	•	•	•	•	•	•		o	•		o	o	o														o	o		•	o	•	•	•	o
Village Residential 4.3 (VR-4.3)	•	•	•	•	•	•	o	o	•																		o	o		•	o	•	•	•	o
Village Residential 2.9 (VR-2.9)	•	•	o	o	o	•	o	o	•																		o	o		•	o	•	•	•	o
Village Residential 2 (VR-2)	•	•	o	o	o	•	•	o	•																		o	o		•	o	•	•	•	o
Semi-Rural																																			
Semi-Rural 0.5 (SR-05)	•	o				•	•	o	•																		o	o		•	o	•	•	•	o
Semi-Rural 1 (SR-1)	•					•																													

In an effort to mitigate the number of parcels that are an undevelopable sliver of land, any parcel where the conflict yielded no locked units was excluded from the analysis. Additionally, for the purposes of this analysis, the density that the use designator is able to reach consistently was utilized, rather than the densities allowed in special circumstances.

Incompatibilities between the use designator and the General Plan maximum density were determined by analyzing the difference between the highest density designation considered compatible with a parcel's specified use designator, and the actual land use designation on said parcel. For example, if a 1-acre parcel has a land use designation of RS, the highest density compatible designation listed in the table from the zoning code is VR-10.9. If this parcel were to have an actual General Plan designation of VR-20, then the difference in densities would be 19.1 du/ac, yielding 19 incompatible units. As the use designator does not specifically regulate the density and allowed units on a parcel, but is instead a demonstration of compatibility, these units are not prevented from being built by the use designator. These units are thus considered to be incompatibilities rather than locked units. Revisions to the use designator would not result in more achievable units.

There are 3,332 parcels that have an incompatibility between the maximum density achievable by the use designator and the General Plan allowable density. Conflicts were determined based on whether the highest-density compatible use designator allows less density than the General Plan density for each parcel. Table 7 shows the number of parcels for which the use designator is not compatible with the General Plan density. Designators not included have no parcels that are inconsistent with their respective allowable General Plan densities.

Note that the A70 (Limited Agricultural Use Regulations) and RR (Rural Residential) designators serve to reinforce the General Plan and community plans. These two use designators are largely agricultural, rural, or semi-rural areas. Though they have variations and locked units, these rural areas may not be the most suitable or realistic for unlocking housing in line with project and larger County goals.

Table 7: Use Variation by Designator

Use Designator	Number of Variant Parcels	Acreage	Incompatible Units
A70	1,757	3,088	4,052
A72	12	11	16
CL-2	1	2	4
M52	1	0	1
M58	1	3	1
RMH10	9	41	208
RMH11	3	32	127
RMH12	5	34	103
RMH13	2	35	157
RMH3	1	84	109
RMH4	11	173	459
RMH5	2	32	74
RMH6	12	194	1,527
RMH7	15	173	1,323
RMH8	5	104	731
RMH9	16	152	1,183
RR	1,087	1,045	2,078
RS	368	135	1,031
S82	21	822	47
S92	3	25	13
Total	3,332	6,185	13,244

The distribution of the variant parcels is shown below. Community planning areas not included have no parcels with inconsistencies between use and density.

Table 8: Use Variation by Community Planning Area

Community Planning Area	Number of Variant Parcels	Acreage	Incompatible Units
Alpine	620	891	1,515
Bonsall	6	210	11
Central Mountain	3	30	13
Desert	9	53	423
Fallbrook	238	509	585
Julian	1	8	2
Lakeside	231	846	4,458
Mountain Empire	66	49	125
North County Metro	959	1,460	2,590
North Mountain	112	147	145
Pala-Pauma	13	224	158
Rainbow	1	84	109
Ramona	771	1,169	1,634
San Dieguito	7	130	127
Spring Valley	117	179	958
Sweetwater	28	50	81
Valle De Oro	88	133	129
Valley Center	62	17	181
Total	3,332	6,189	13,244

Conversations with subject matter experts discussed the reasons why current use designators exist as adopted. The conversation covered why some properties might have a different use designator compared to their neighboring properties. These reasons include maintaining community character and project-specific General Plan updates. Expanding the allowance of residential uses as a secondary use, as an expansion of Senate Bill (SB) 6 and Assembly Bill (AB) 2011, may address some variations among use designators of neighboring properties, which would align with zoning best practices.

Building Type

The building type designator regulates the physical kind of dwelling(s) that are allowed on parcels. Table 9 lists the existing building types in the County for reference.

Table 9: Building Type Designators

PERMITTED BUILDING TYPES											
RESIDENTIAL								MIXED RESIDENTIAL NONRESIDENTIAL		NONRESIDENTIAL	
DESIGNATOR	Single Detached (one dwelling unit per lot)	Semi-Detached (one dwelling unit per lot)	Duplex or Double Detached (a) (two units on same lot)	Stacked (same lot)	Triplex, Three Unit Multiple (a) (same lot)	Attached, Three to Eight Dwelling Units (separate lots)	Multi-Dwelling (same lot)	Limited Nonresidential (ground level and basement only)	Unlimited Nonresidential (any level)	Detached (one or more main buildings per lot)	Attached (same lot or separate lots)
A											
B	●										
C	●							●		●	●
D	●	●									
E	●	●	●								
F	●	●	●	●				●		●	●
G	●	●	●	●	●			●		●	
H	●	●	●	●	●			●		●	●
I	●	●	●	●	●	●		●		●	
J	●	●	●	●	●	●		●		●	●
K	●	●	●	●	●	●	●				
L	●	●	●	●	●	●	●	●	●	●	●
M	●	●	●	●	●	●	●	●		●	●
N	●	●	●	●	●	●	●	●		●	
O			●	●	●	●	●				
P			●	●	●	●	●	●	●	●	●
Q			●	●	●	●		●		●	
R			●	●	●	●	●	●		●	
S					●	●	●				
T					●	●	●	●	●	●	●
U					●	●	●	●		●	
V					●	●	●	●			
W										●	●
X										●	
Y											●

● PERMITTED BUILDING TYPE

(a) Detached dwellings are permitted. (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

All of the parcels where the General Plan allows residential density were reviewed in the building type analysis. Designators can allow several building types.

The following permitted building types have no such impact and thus were not considered in the density calculations:

- Stacked, which regulates building placement. For example, a duplex would have the same maximum density on a parcel whether the placement was stacked or side by side.
- Attached, Three to Eight Dwelling Units (separate lots), which serves as building placement on subdivisions. Additionally, every designator where these are allowed also allows triplexes, which allow more units on a lot than the attached, three to eight dwelling unit type.
- Limited Nonresidential and Unlimited Nonresidential do not impact residential density and thus were not included in the evaluation.
- Nonresidential (both attached and detached) uses do not impact residential density and thus were not included in the evaluation.

Different techniques were used for the residential building types allowed by each building type designator to estimate an achievable density. Each designator was analyzed to determine if the building type permitting the highest density was able to implement the allowed density on the parcels with that designator. For example, if a parcel had a building designator that allowed single-family units, duplexes, and triplexes, the estimated allowable maximum density would refer to the triplex. Generally, uses get more intense with each designator and many subsequent designators include the uses of those that come before them. Not all designators had parcels that had building type constraints.

It was assumed that all parcels designated for only single-family building types would be subdivided for development and existing procedures for subdivision would be followed. Typically, this consideration affects mostly the large parcels that allow only single-family units. There is no conflict relative to building type on parcels where the maximum General Plan density is limited to single-family development (7.3 or less in the County).

Note that concerns with the subdivision process as a constraint are relative to the process rather than a constraint resulting from the restrictions of the General Plan density of building type designator. Implementation solutions that address innovative building types on single family-zoned parcels could help address these concerns and are included as potential solutions. Furthermore, there may be room for aligning some of these analysis results with other County housing efforts (Inclusionary Housing and the Development Feasibility Analysis when available).

Table 10 shows the number of parcels for which the noted type designator does not allow the General Plan allowable density to be met, acreage of these parcels, and potential locked units by designator. The table is separated by those types that do not allow buildings and those that do. Designators not included have no parcels that are inconsistent with their respective allowable General Plan densities. There are 2,993 locked units on 953 parcels based on building type.

As provided in Section 4305, a dash ("-") indicated for type means that no building types are allowed except those that are exempt from the building type schedule, or in that when used in conjunction with a Village Zone, regulations shall be specified in the applicable Village Zone Development Regulations. In these cases, the Village Zone Development Regulations allow buildings on these sites and thus the building type designator is not a constraint and there are no locked units. One recommendation to improve Zoning Code clarity would be to have different symbology to represent that no building types are allowed versus when Village Zone Development Regulations should be referenced.

For parcels that have a "-" and are not located in a Village Zone, a "-" is treated the same as an A designator, assuming no buildings allowed. The General Plan maximum density was reviewed for these parcels. The vast majority of parcels in these zones are not suitable for residential development, and include tribal lands, open space, rural lands, and public agency lands. These parcels are not included as they have little to no potential for locked units. It is unlikely that the majority of these parcels could be easily developed.

All parcels with General Plan land uses that generally allow higher-density residential uses, namely the Village Residential designations, ranging in density from 2 du/ac to 30 du/ac were reviewed. There are parcels where there is an assigned General Plan density that is greater than two, indicating that residential units should be allowed on these parcels and that these parcels are locked due to the restriction of the type designator, not the General Plan density. The majority of these parcels are quite small and may be in existing rights-of-way or intentionally do not allow building types for other parcel-specific reasons. There are no major conflicts or locked units on these parcels.

There are 337 parcels with an A designator that appear to have conflicts. The majority of these properties are existing mobile home parks. This indicates a potential error with the A designator on these parcels. These parcels should also be reviewed for confirmation that they are accurately marked with the A designator, that appear to allow no buildings when there is development existing on the parcels.

For parcels with a B or C designator, conflicts would arise for those parcels with a maximum density that allows multi-family housing. In the County, this would be those parcels that have a maximum density of 10.9 du/ac or greater. In this analysis, a density of 7 du/ac is used for the maximum for a single detached unit. Minimum lot size was also considered in this analysis. All parcels with B and C designators were reviewed, and those with a maximum density of 10.9 or higher are considered to be restricted by their building type. There are 32 parcels with the B designator and 658 with the C designator, for a total of 2,614 locked units. Note that there is potential to allow additional housing types in the B and C designators, which could allow for additional density without subdividing parcels. This is discussed in the analysis of Program 3.1.1.D.

Parcels that allow semi-detached units and a single detached unit (D designator) were evaluated on parcel-by-parcel basis using minimum lot size and density. Again, all parcels with a density of less than 10.9 have no conflict due to allowable subdivisions of the parcels and

minimum lot size. There are no D designator parcels with a density of 10.9 or higher; thus there are no parcels with a conflict.

For parcels where a duplex is the most intense use (E/F designator), the analysis reviewed density and minimum lot size. A duplex on a 6,000-square-foot lot would yield a maximum density of 14.5 du/ac. Thus, all parcels with a maximum density of 14.5 or lower have no conflict; this includes all of the parcels in the E designator. The F designator has 262 parcels with a maximum density of 15 or 24 du/ac. These parcels are not able to reach the maximum density with a duplex and subdivision. There are 372 locked units on these parcels.

For designators where a triplex is the most intense use (G/H/I/J), the analysis looked at density and minimum lot size. Parcels that have low densities and smaller minimum lot sizes have no conflict. No parcels with the G, I, or J designator have any conflict. There is 1 parcel with a density of 30 du/ac and a 6,000-square-foot minimum lot size, which yields a maximum density of 21.75 du/acre. There are 7 locked units on this parcel (2.7 acres).

There is no conflict on any designators that allow multi-dwelling building types (K, L, M, N, O, P, R, S, T, U, V designators). The multi-dwelling type allows a wide range of building and housing types and all parcels with this building type can build to their maximum density.

Table 10: Building Type Variation by Designator

Building Type Designator	Allowed Building Types	Number of Variant Parcels	Acreage	Locked Units
No Buildings Allowed				
-	No building types	0	0	0
A	No building types	0	0	0
Subtotal (No Buildings Allowed)		0	0	0
Buildings Allowed				
B	Single detached, nonresidential	32	10	50
C	Single detached	658	188	2,564
D	Single detached	0	0	0
E	Single detached, duplex	0	0	0
F	Single detached, duplex, triplex, stacked	262	161	372
G	Single detached, duplex, triplex, stacked, triplex, mixed-use and nonresidential (detached)	0	0	0
H	Single detached, duplex, triplex, stacked, mixed-use and nonresidential (attached and detached)	1	1	7
I	Single detached, duplex, triplex, stacked, mixed-use and nonresidential (attached), attached 3-8 dwelling units	0	0	0
J	Single detached, duplex, triplex, stacked, mixed-use and nonresidential (attached), attached 3-8 dwelling units	0	0	0
Total		953	360	2,993

Discussions with subject matter experts at the County indicated that the C building type designator is commonly noted as a constraint to housing development by property owners and developers, since it only allows one detached single-family unit. The different residential building types are also known to be confusing for residents. Suggestions for improvements to reduce inconsistencies between the designator and the General Plan density include changing the C designator to allow multiple single-family dwellings per parcel without a subdivision. Potential solutions also include allowing a variety of housing types on larger parcels, including structures that look like single-family residences but are multi-family (e.g., duplex, triplex, quadplex units), or allowing more than one unit per parcel without subdivision. Large-scale changes to the building designators typically require consideration regarding whether the General Plan EIR provides sufficient analysis or additional environmental review is required. The County's General Plan EIR analyzed parcels at the highest General Plan density so making the building type designators consistent with the General Plan should not create an additional necessary environmental review.

Setbacks

The setback designator for the County regulates the front, side, and rear setbacks for each parcel. The required setbacks by designator are noted in Table 11.

Table 11: Description of Setback Designator

Designator	Standard Front Yard Setback	Interior Side Yard Setback	Exterior Side Yard Setback	Rear Yard Setback
A	100	15	35	50
B	60	15	35	50
C	60	15	35	25
D	60	15	35	25
E	60	0	35	15
F	60	*	35	25
G	50	10	35	40
H	50	10	35	25
I	50	7.5	35	25
J	50	5	35	25
K	50	5	35	25
L	50	5	35	25
M	50	5	35	25
N	50	5	35	25
O	50	0	35	25
P	50	0	35	15
Q	50	0	35	15
R	**	0	35	15
S	30	*	35	15
T	30	0	35	15
U	30	0	35	0
V	Setbacks to be established during planned development, use permit or site plan review			
W	60	25	35	25

* The combined width of the side yards shall be 15 percent of the lot width, provided that no individual side yard shall be less than 5 feet in width nor required to be more than 20 feet in width, except that an exterior side yard shall have a setback no less than that specified in the Setback Schedule.

** Equal to setback requirement of abutting property that is nearest main building.

To determine whether the setbacks allowed by the setback designator on each parcel posed a constraint to meeting the maximum allowable density, a developable area by lot size was established. The analysis tested whether there was adequate lot area within the building envelope created by the minimum setbacks to accommodate the maximum number of permitted dwelling units. First, the area of the building envelope was calculated by removing the lot areas within the minimum setbacks. This was done for each designator for sites ranging in size 1 to 5 acres. The projected parcels were assumed to be perfect squares, and other site conditions (e.g., slope) were not considered. As most parcels are not perfectly square and have varying site conditions, this gave an approximation of parcels with variations between the setback designator and the General Plan allowable density. Then, the minimum building footprint was determined by multiplying the maximum dwelling units per acre times an assumed average unit size of 1,200 square feet. The analysis compared the resulting building floor area and footprint to the area of the building envelope and height allowance. A conflict was noted wherever the building envelope was smaller than the building floor area or footprint. For parcels that allow more than one story, the required building floor area was assumed at the respective fraction of the size.

Generally, minimum setbacks are not a constraint on achieving permitted densities for single-family lots. They are a constraint on small lots where the setbacks make up a larger proportion of the total lot area and result in a small building envelope. All parcels with conflicts between the setback designator and the General Plan density were under 2 acres. The analysis determined that the minimum setback requirements were constraints to achieving multi-family densities (generally 10.9 du/ac and greater) on lots less than 1 or 2 acres.

Based on the aforementioned analysis performed regarding density, lot size, building envelope size, height, and setbacks, a number of relationships were found to be true. These relationships between these standards could be parsed out into findings which could be used to determine whether the setback designator prevents the maximum General Plan density from being built. These are statements based on the approximate application of the currently applied County designators. The following findings were determined to be true of the relationship between setbacks, height, size, and density, and were used to determine which parcels had a variation between the General Plan density and the maximum density allowed by the setback designator:

1. All parcels with setback designator V or "-" are able to meet all allowed densities, as a designator of "-" indicates that no setbacks are required, and designator V determines the setbacks on a planned development basis. This is common in areas with specific plans.
2. All setback designators allow parcels greater than or equal to 3 acres with any height designator to meet all currently allowable General Plan densities.
3. All setback designators allow parcels of any size or height designator to meet densities less than or equal to 4.3 du/ac.
4. All setback designators other than A or B allow parcels of any size or height designator to meet densities less than or equal to 10.9 du/ac.
5. Setback designator B allows parcels of any size or height designator to meet densities less than or equal to 7.3 du/ac.
6. All setback designators allow parcels greater than or equal to 2 acres with any height designator other than A, which currently allows only one story, to meet all currently allowable General Plan densities.
7. Setback designators E, J, K, L, M, N, O, P, Q, R, S, T, and U allow parcels of any size with any height designator other than A to meet all currently allowable General Plan densities.
8. All setback designators other than A allow parcels greater than or equal to 2 acres with a height designator of A to meet all currently allowable General Plan densities.
9. All setback designators other than A or B allow parcels of any size with any height designator other than A to meet densities less than or equal to 24 du/ac.
10. Setback designator A allows parcels of any size with a height designation of I, K, L, M, N, O, P, Q, or R to meet densities less than or equal to 24 du/ac.

These findings are summarized in Table 12 below.

Table 12: Setback Designator Findings

Setback	Size	Height	Density
- / V	All	All	All
All	≥3 acres	All	All
All	All	All	≤4.3 du/ac
All other than A or B	All	All	≤10.9 du/ac
B	All	All	≤7.3 du/ac
All	≥2 acres	≥2 stories	All
E, J, K, L, M, N, O, P, Q, R, S, T, and U	All	≥2 stories	All
All other than A	≥2 acres	1 story	All
All other than A or B	All	≥2 stories	≤24 du/ac
A	All	≥4 stories	≤24 du/ac

In an effort to mitigate the number of parcels that are an undevelopable sliver of land, any parcel where the conflict yielded no locked units was excluded from the analysis. A total of 204 parcels (0.1 percent of all County parcels) are not able to meet their allowable maximum density under the currently applied setback designator. A total of 202 parcels have a General Plan allowable density of 30 du/ac, and they range in size from 0.1 to 1.7 acres; of these, 201 have a setback designator of B, and 1 has a setback designator of R. The required setbacks of each designator are included in Table 11. The remaining two parcels have a setback designator of A, a maximum height of 1 story, and an allowable General Plan density of 7.3 du/ac. The B designator poses a constraint due to the larger rear yard setback. For all 204 parcels, size is a constraint that keeps the setback designator from allowing the site to reach its full density potential. For especially small sites in general, they are likely to have difficulty meeting the maximum density if developed without consolidation, regardless of the applied setback designator. Parcels that are less than or equal to 6,500 square feet (148 of the 206) have no locked units due to small size of the parcels. At the maximum allowable General Plan density, the acreage would still allow less than 1 unit. Therefore, even if the setback allows less density than the General Plan, changing the setbacks would not unlock more unit potential on these parcels. According to subject matter experts, setbacks are only limiting the ability to meet density in zones with large rear yard requirements. In all other scenarios, the lot size is the primary constraint, not the setback designator.

The distribution of the variant parcels and the number of potential units that are being limited by the setback are shown in Table 13. Community planning areas not included have no parcels with inconsistencies between setbacks and General Plan density. The majority of parcels with setback constraints are located in Valley Center. There are 310 locked units based on this analysis. While setbacks may not theoretically constrain or lock units in the County, in application, building placement and development may be more restricted by the minimum setback requirements than the macroscopic analysis can determine. This is due to the nature of each parcel including conditions such as shape, slopes, and environmental conditions. These are specific to the condition of an individual parcel and cannot be determined based on reviewing the designators alone. These determinations can be made on a project-specific basis and would be more appropriate for the use of a variance rather than large-scale changes.

Table 13: Setback Variation by Community Planning Area

Community Planning Area	Number of Variant Parcels	Acreage	Locked Units
Fallbrook	1	0	5
Lakeside	2	2	5
Valley Center	201	27	300
Grand Total	204	29	310

Applicants have expressed that having 23 different sets of setbacks may be a constraint to development and simplifying to have fewer setback designators would reduce uncertainty for applicants. The following was a suggestion derived from the working group meeting:

- For lots under 10,000 square feet, a 10-foot front yard setback from the edge of the street, and a 5-foot rear and side yard setback from the property line.
- For lots between 10,000 square feet and 0.5 acres, a 10-foot front yard setback from the edge of the street, but increase the rear and side yard setbacks to 7 feet.
- For lots between 0.5 acres and 1 acre, a 15-foot front yard setback from the edge of the street, and a 10-foot rear and side yard setback from the property line.
- For lots over 1 acre, a 20-foot front yard setback from the edge of the street, and a 15-foot rear and side yard setback from the property line.

This solution could be applied to all parcels and greatly simplify the setback designator. However, it should be noted that in the County, some existing setbacks are measured from the center line of the road at maximum buildout provided in the County's Mobility Element, which would be difficult to change. This can be confusing for applicants, as the streets are not necessarily at full buildout and many properties are on private roads and easements. The code could be revised to measure setbacks from the property line except where otherwise required, such as for planned rights-of-way in the Mobility Element. This could include a revision to Section 4816 of the zoning code to address developments along larger roads with more restrictive setback requirements.

The County currently has minimum setback requirements between the main buildings on a project site. An additional short-term fix would be to allow a reduction for the setbacks between main buildings on a project site based on fire access requirements. This option would be an opportunity to ease residential development and increase site potential.

Maximum Floor Area/Maximum Floor Area Ratio

Maximum floor area is regulated on a parcel-by-parcel basis. All but 19 parcels where the General Plan allows any residential density have a dash for the maximum floor area designator. According to the County of San Diego Zoning Ordinance Section 4405, a dash for maximum floor area ("-") indicates that permitted floor area is not regulated except as otherwise limited by setbacks and height restrictions. Of these 19 parcels, 2 allow a density of 10.9 du/ac, and 1 allows a density of 4.3 du/ac. The rest all allow residential densities under 3 du/ac. Therefore, the maximum floor area designator is not a constraint to the development of housing. Very few of the parcels in the County use maximum floor area to regulate residential density and, as such, changes to the standard are unlikely to effectively unlock additional units and density.

Table 14 summarizes the size and allowable density of the 19 residential parcels with a maximum floor area.

Table 14: Residential Parcels with a Maximum Floor Area

Community Planning Area	Number of Parcels	Max Floor Area (Sq Ft)	General Plan Land Use Designation	Maximum Density Allowed by the General Plan (du/ac)	Acreage
Alpine	1	6,000	SR-1	1	1.6
Bonsall	2	6,000, 10,000	PAL	0.0125 ¹	9.2
Valley Center	16	1,600	SR-2, VR-2, VR-2.9, VR-4.3, VR-10.9	0.5, 2, 2.9, 4.3, 10.9	95.9
Total					106.7

¹ When PAL designated lands are transferred to private ownership, the RL-80 designation (0.0125 du/ac) applies until the appropriate long-term use of the property is determined and a general plan amendment is approved for redesignation of the property.

There are 498 residential parcels in the County with a maximum floor area ratio (FAR) designator other than a dash. These parcels have densities ranging from 0.0125 to 30 du/ac. Almost half (227, 45%) of these parcels have densities under 1 du/ac, in which case the FAR would not restrict the ability to reach the maximum density. Very few of the parcels in the County use FAR to regulate residential density and, as such, changes to the standard are unlikely to unlock additional units and density.

Subject matter experts indicated that the FAR does not come up often when evaluating residential developments. Solutions in the working group meeting included removing this standard for residential development; exempting garage space from inclusion in the FAR; and exempting residential units from the FAR calculation and using only the nonresidential portion for determining FAR.

Maximum Building Coverage

There are 3,002 residential parcels in the County that have a maximum building coverage designator other than a dash. According to the County Zoning Ordinance Section 4705, a dash ("-") indicates that maximum coverage of the lot or building site, in either square feet or portion of the lot, is not regulated except as otherwise limited by required setbacks. These parcels have densities ranging from 0.0125 to 30 du/ac. A total of 362 parcels have General Plan allowable densities of 10.9 du/ac or greater, all of which have a coverage designator of 0.6. A maximum building coverage of 0.6 could constrain the ability to achieve higher density housing. It would likely require multi-story development and could limit the size of average unit sizes and the amount of common area and facilities. For example, approximately 26,000 square feet of coverage would be allowed on a 1-acre parcel. At 30 du/ac, that would allow 871 square feet of coverage per dwelling unit. Thirteen of the 362 parcels are limited to 2 stories and 24 du/ac. The remainder all allow 4 stories and up to 30 du/ac. Building coverage is not a significant constraint on achieving permissible densities.

Minimum Open Space

The open space designator for the County regulates the private and group required open space for each parcel. The required open space by designator is noted in Table 15.

Table 15: Usable Open Space Per Dwelling Unit Designator

Designator	Private (Sq Ft)	Group (Sq Ft)
A	0	0
B	0	150
C	0	500
D	0	800
E	100	0
F	100	150
G	100	500
H	100	800
I	350	0
J	350	150
K	350	500
L	350	800
M	6,000	0
N	6,000	150
O	6,000	500
P	6,000	800

The minimum open space designator A has no requirements and therefore poses no constraint to residential development. Designators B and F have the same 150 square footage/du for common open space. Eight percent per acre is not an obvious constraint on density. Designator G's minimum 500 square foot/du appears to be a significant constraint on achieving density by requiring 46 percent (for the General Plan maximum of 40 du/ac) on a 1-acre test lot for common usable open space. The further constraint is that to qualify as "usable" the land must be <10% slopes, so it effectively uses the least constrained lands for open space instead of higher-density housing. This constraint can be moderated by the permitted use of up to 20 percent of the minimum required group open space area on a rooftop. Currently, rooftop open space may be counted toward private open space.

Subject matter experts indicated that open space requirements may be limiting specifically to multi-family developments. Added flexibility, such as allowing open space on rooftops or allowing group open space rather than individual for multi-family developments, are potential solutions.

Minimum Lot Size

According to Section 4205 of the County Zoning Ordinance, a dash ("-") indicates there is no minimum lot area. There are 137,706 residential parcels in the County that have a lot area designator other than a dash, i.e., they have a minimum lot area requirement.

Minimum lot size affects the ability to achieve the permissible density differently for single-family and multi-family zones or land uses. For single-family land use designations (generally less than 10.9 du/ac) or any parcel that is limited to one primary dwelling per lot, the minimum lot size

determines the maximum density. For example, a 1-acre minimum lot size will equate to a maximum density of 1 du/ac; a 10,000-square-foot minimum lot size will equate to a maximum density of 4.3 du/ac (43,560 square feet/10,000 square feet/du = 4.3 du/ac). Minimum lot sizes go down to 2,000 square feet. The County has an existing Conservation Subdivision Program applicable to the SR-10, RL-20, RL-40, and RL-80 designations that can allow for going lower than the minimum lot sizes on parcels with these designators.

Therefore, there is a structural conflict if the minimum lot size is greater than the permissible density. For example, as noted above, if the General Plan land use density is 1 du/ac but the minimum lot size was 2.0 acres, it would be impossible to achieve 1 du/ac. Similarly, if the General Plan land use density was 4.3 du/ac and the minimum lot size per dwelling unit is 20,000 square feet, the zoning would only allow 2.178 du/ac instead of the otherwise allowable 4.356 du/ac.

This analysis identifies the areas and number of parcels where the minimum lot size would not allow a subdivision to achieve the maximum permissible General Plan density. There are 2,494 lower-density (<10.9 du/ac) parcels identified with minimum lot areas greater than the maximum lot size that would achieve the maximum density. Of those, 1,134 (45%) are parcels designated in the General Plan for 0.5 du/ac (2-acre minimum lot size). However, the minimum lot sizes for these parcels range between 2.5 to 40.0 acres. All but three parcels require a minimum lot size of 2.86 acres or larger. A total of 142 parcels require a minimum lot size of 4.0 acres or larger, which would yield less than half of the maximum General Plan density. . There are a total of approximately 9,500 locked units as a result of the conflicts between the permitted General Plan density and effective minimum lot area and the minimum lot area via the zoning designator.

Of the nearly 2,500 parcels with minimum lot size conflicts, the General Plan designated 19 percent for 7.3 du/ac; 14 percent for 2 du/ac; and 13 percent for 4.3 du/ac.

Some of the conflicting minimum lot sizes are fairly close (within 85%) to the maximum General Plan density and therefore may not warrant revision. It may be worth revising the minimum lot sizes of those that significantly reduce the development potential versus the General Plan density.

The minimum lot size is generally not a constraint on the ability to achieve the maximum permissible density for multi-family developments. This is because the lot size is relative to the development, not the dwelling unit. Therefore, as stated in Section 4210 of the County Zoning Code, the minimum lot area “regulates the minimum area that lots or building sites must have before they may be developed.” Subject matter experts noted that the lot size designator is not applied to any projects that are proposed as condominium developments, so multi-family developments can be built as condominiums without the application of the lot size designator.

For multi-family developments, a very large minimum lot size (e.g., greater than 10 acres) increases the initial land costs and the size of any development to achieve per unit efficiency. Therefore, a large minimum lot size can be a constraint for multi-family developments. However, the maximum minimum lot size for areas designated for multi-family densities of 10.9 du/ac or greater is 2.0 acres. Therefore, there is no existing constraint.

Subject matter experts indicated that minimum lot sizes can be a problem for development. It was noted that some of the determinations for lot sizes were made about 50 years ago and are there to control density. It was also noted that there may be pushback from the community regarding minimum lot size, as the County traditionally is known for its larger lot sizes. Furthermore, some of the minimum lot sizes are there to ensure the minimum buildable area for any project.

Planned Development

The planned development (“P”) designator is applied to 5,435 parcels in the County. This designator is intended to preserve land with unique characteristics and permit creative and imaginative design for development. The P designator provides its own set of development standards that are largely more permissive than the applicable designators and thus typically do not cause a constraint in reaching the maximum General Plan density. Note that applicants can apply for Planned Developments on properties that do not have a P designator.

The exception to this is the open space requirement. This was brought up as a potential constraint in the working group meetings. The open space requirements are not eligible to be modified, as described in Section 6678 of the County Zoning Ordinance. The open space requirement is regulated per lot. The requirements for the SR (1,000 square feet) and RL (4,000 square feet) are not likely to cause constraints due to the rural nature of development in these areas. The open space requirement in the VR General Plan designations (400 square feet per lot) is on the higher side for small single-family subdivision use types. This applies to 2,387 of the parcels with a P designator. This may cause a constraint on small lot subdivisions; however, the County has an existing simple waiver process for smaller lots. Because the requirement is per lot, the requirement will not likely cause a constraint on multi-unit developments on one lot.

Solutions to address the open space constraint are similar to those that would address the constraint of minimum open space as described above. This includes allowing modification of open space requirements, reducing the open space requirement in the VR designations, and providing flexibility in zoning language to allow open space on rooftops or in setback areas.

Applicable Housing Laws

There are no housing laws that require the development designators to be specifically analyzed to identify constraints to housing development; however, the following housing laws are reviewed when local governments have inconsistencies between the general plan and the zoning ordinance. A review of applicable housing laws related to constraints, housing development, housing incentives, and density was conducted as part of the Housing Element constraints analysis.

AB 3194 (2018) amended the Housing Accountability Act to make it harder for local governments to deny housing development projects by closing loopholes in existing legislation. The bill clarified that if a project is consistent with objective general plan standards, but the local zoning is not, the project should not be considered inconsistent with the local standards and should therefore not require a rezoning. Local governments can still apply objective zoning

standards, but they must apply them in a way that facilitates development at the density permitted by the general plan.

Additionally, AB 821 (2023) allows a development project to move forward in a timely manner where the project complies with the general plan, but the local agency's zoning ordinance is inconsistent. The local agency must either make the zoning consistent with the general plan within 180 days from the receipt of the development application or approve the development application based on the general plan, not the inconsistent zoning code.

Government Code Section 65583(a) requires each jurisdiction's housing element to include an assessment of housing constraints relevant to meeting the housing needs. For the County, as a part of the 6th Cycle Housing Element, this included an analysis of land use controls, building codes and their enforcement, site improvements, fees, and other exactions required of developers, local processing and permit procedures, historic preservation practices and policies, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis also demonstrated local efforts to remove governmental constraints that would prevent the County from meeting its housing needs.

As part of this constraints analysis, it was noted that the regulations in the Zoning Code, specifically the building type, height, setbacks, open space, parking, and minimum lot size regulations, may prevent properties from achieving maximum densities by preventing high-density properties from constructing multi-family buildings. Program 3.1.3.A was developed to analyze and address these constraints and amend the Zoning Code as necessary to ensure that a range of housing types and densities can be achieved.

Best Practices (3.1.3.A and 3.1.1.D)

A thorough review of several jurisdictions' zoning codes was conducted to find applicable case studies to review and present as best practices. The survey of jurisdictions began with reviewing jurisdictions with Prohousing Designations and jurisdictions that are historically innovative in terms of policy and development.

The following two jurisdictions were identified as having zone districts that provide a range of housing types and densities within their zoning code. These examples also highlight some unique strategies these jurisdictions implemented to maximize the permitted densities. The examples presented not only are unique but successful in producing the types of housing that is intended.

Sacramento County

In 2022, the Board of Supervisors approved a set of amendments to the Sacramento County Zoning Code with the goal of encouraging the development of plans that streamline multi-family housing approvals and accelerate all types of housing production.¹ These amendments were funded from HCD (SB 2) and included the following.

¹ Sacramento County. SB-2 Housing Production Streamlining and Acceleration. <https://planning.saccounty.gov/LandUseRegulationDocuments/Pages/SB-2.aspx>.

Expanded Project Types

Previously, lower-density residential zones (RD-1 to RD-10) were almost exclusively reserved for single-family detached residential product types. Sacramento County expanded the housing products to single-family attached and duplex/halfplex that comply with the zone density maximums and applicable residential use and development standards.² This was allowed either by right or under an entitlement process for the RD-3 through RD-10 zone districts.

- **RD-3.** Low Density Single-Family Residential Zoning District. Minimum lot size of 10,000 square feet, with minimum lot width of 65 feet (single-family attached/detached), is permitted if a public sewer facility is in use or if a public sewage facility and public water facility are both in use.
- **RD-4.** Low Density Single-Family Residential Zoning District. Minimum lot size of 8,500 square feet (single-family attached/detached) is permitted if a public sewer facility is in use or if a public sewage facility and public water facility are both in use. Convenience centers are permitted, subject to issuance of a use permit. Minimum lot width and public street frontage is 65 feet.
- **RD-5.** Low Density Single-Family Residential Zoning District. Most widely used single-family residential zoning district where public water supply and public sewage facilities are both in use. Minimum interior lot sizes are 5,200 square feet and corner lots are 6,200 square feet. Duplexes are permitted with a minimum lot size of 8,500 square feet. Incidental agricultural uses are permitted on lots of 20,000 square feet or larger. Certain types of business and professional office uses when in scale and oriented to neighborhood and convenience centers are subject to issuance of a use permit.
- **RD-7.** Low Density Single-Family Residential Zoning District with interior lot size of 4,000 square feet and corner lots of 5,200 square feet. Zero lot lines can be used in this zoning district. Duplexes are permitted on 8,500-square-foot corner lots and on interior lots of 6,200 square feet and may require issuance of a use permit.
- **RD-10.** Low Density Single-Family Residential Zoning District, with a maximum density of 10 dwelling units per net acre.

Duplex projects of up to 10 units (5 lots) or 10 lots (single-family attached or detached) are now considered “small” projects and are allowed by right in more residential zones. Projects with greater unit or lot counts are considered “large” and require a use permit from the Zoning Administrator.

A similar approach could be done for the C building type to allow additional unit types such as duplex, triplex, and quadplex units to meet the maximum density without requiring the time, risk, and cost of subdivision of the property. These projects could be required to have an administrative or minor use permit if Sacramento County chose.

² A halfplex is a building designed for occupancy by two families living independently of each other, where each dwelling unit is located on a lot that may be separately owned or conveyed.

Minimum Yard Requirements

Sacramento County also reduced multi-family front, side street, interior side, and rear setbacks for multi-family residential housing adjacent to nonresidential development. Multi-family setbacks from adjacent low-density residential zoning districts have not changed, but now, multistory buildings may use a stepback to achieve the minimum setback requirements. Examples of the stepback requirements for interior side and rear yards adjacent to or within a low-density residential zone are below.

- 25 foot setback for a 1-story structure
- 50 foot setback for a 2-story structure
- 75 foot setback for a 3-story structure

Santa Barbara County

The DR (Design Residential) zone is applied to areas that are appropriate for one-family, two-family, and multi-family dwellings. The intent of the DR zone is to ensure comprehensively planned and well-designed residential development, while allowing flexibility and encouraging innovation and diverse design, and requiring that substantial open space be maintained within new residential developments.

The DR zone regulates the maximum number of dwelling units on a lot through the establishment of 27 categories, with each allowing for a different maximum density (i.e., DR-16 permits 16 du/acre) ranging from DR-0.1 to DR-30. Three zoning designations have a minimum and a maximum to comply with state law (see Table 16).

Table 16: Santa Barbara County Permitted Densities

Zoning Map Symbol	Minimum Dwelling Units per Gross Acre	Maximum Dwelling Units per Gross Acre
DR-20/25	20	25
DR-20/30	20	30
DR-30/40	30	40

The DR zone also allows residential uses like stock cooperatives and community apartments, which allows for a different model of unit/land ownership.

Implementation Options

Potential implementation options to eliminate internal conflicts that limit density may include one or more of the following:

- Change one or more of the designators of existing parcels.
- Create new designators customized to unique or limited circumstances.
- Amend existing designators, including the following potential options:
 - **Height:** Remove story designator and use only feet
 - **Height:** Amend the G designator to allow three stories
 - **Type:** Allow additional building types or flexible standards in the C designator
 - **Setbacks:** Revise setbacks to be based on the minimum lot size

- **Setbacks:** Reduce setbacks for smaller parcels
- **FAR:** Remove FAR from residential development
- **FAR:** Exempt residential garages from FAR
- **FAR:** Exempt residential units from FAR
- **Open Space:** Reduce open space requirements for the G designator
- **Open Space:** Allow open space on rooftops or in setback areas
- Combinations of one or more of the above
- Removing or reducing the amount of designators
- Fully revising the zoning to have base zones and/or designators similar to many other jurisdictions
- **Planned Development:** Allow modification of open space requirements
- **Planned Development:** Reduce open space requirements in Section 6648
- **Planned Development:** Allow open space on rooftop or in setback areas
- **Planned Development:** Allow an exception to the P designator for housing projects.

Program 3.1.1.D – Diversity of Land Use Designation and Building Type

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.D, Diversity of Land Use Designation and Building Type, includes the following action:

Maintain a mixture of residential land use designations and development regulations that accommodate various building types and styles, including but not limited to: small lot single-family homes; tiny homes; detached condominium Projects; townhomes; duplex/triplex/multiplex; courtyard apartments; bungalow courts; live/work units; mixed-use projects; moveable tiny homes; 3D printed homes; and new prefab housing types that meet state and local building code standards. Continue to explore innovative building types and housing options that can be implemented through the County's Zoning Ordinance by reviewing development designators and designations and amend the Ordinance as appropriate (in coordination with action 3.1.3.A).

Analysis

The analysis of designators for Program 3.1.3.A above shows the potential for amending building types to allow a wider range of housing types to meet the maximum density. This is particularly the case for parcels with the C type designator. Allowing a wider variety of housing types in this designator would help the 35,749 parcels that currently cannot meet the maximum density have increased housing opportunities without a subdivision.

The following types of housing could be considered as newly allowable building types in the C type designator. These types could be included under the requirement that residential development is not permitted beyond the maximum density of the parcel. Additionally, the following types could be allowed as an alternative to subdividing with an administrative or minor use permit:

- Multiple detached single-family units on a parcel
- Clustered units or development on a large parcel, minimizing disturbed land area but maximizing density
- Garden apartments or bungalow courts
- Attached single-family homes
- Duplex, triplex, or quadplex units
- Tiny homes on wheels
- Other building types that meet existing development standards, including density

Currently, a mobile or manufactured home is permitted on a private lot wherever a single detached residential building is permitted. The Zoning Ordinance could be updated to explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed. A specific analysis allowing tiny homes on wheels is provided in the Tiny Homes on Wheels section below.

Another option would be to create a new defined term and accompanying development standard for the purposes of calculating permissible density so that it reflects the different

impacts of different size units. The new term and standards would establish values for each unit type based on their impacts. These values would allow the County to manage and regulate based on their equivalent values or impacts as opposed to treating all units as if their impacts are equivalent. Currently, all units—whether a 6-bedroom, 10,000-square-foot single-family home, or a 400-square-foot studio, or 1-bedroom multi-family unit—are counted in the same manner toward the maximum and future minimum dwelling units per acre standards. The different impacts of different unit types are well known and documented in many other standards. Each of the following regulations are calculated based on the size or type of unit in effort to be more accurate, fair and equitable:

- Minimum parking requirements
- Average daily trip generation rates
- Water, sewer, energy demand and generation rates
- Population and school-aged children calculations
- Development impact fees

All of these well-established metrics can be used as the basis for defining a dwelling unit for purposes of calculating permissible density. Generally, smaller units (bedrooms and/or floor area) will count as a percentage of a standard “full-sized” dwelling unit. For example, a 400-square-foot studio or 1-bedroom unit might count as 0.5 dwelling units whereas a 2,500-square-foot single-family home would count as 1.0 dwelling unit. The intent of the equivalent dwelling unit factor is to create more absolute units, but with roughly the same total number of bedrooms and persons and per capita impacts. This concept should be limited to multi-family zones.

For example, using total bedrooms as a hypothetical singular measure of equivalent environmental impact, if 100 total bedrooms was allowed, the developer would have the option of building 33 3-bedroom units, 50 2-bedroom units, or 100 1-bedroom units. In comparison to the construction the 33 of the largest 3-bedroom units, the zoning would allow a net increase of 17 ($50 \text{ 2b} - 33 \text{ 2br} = 17$ net additional living units) to 67 ($100 \text{ 1br} - 33 \text{ 3br} = 67$) net living units (without an increase in environmental impacts assumed and studied as part of the EIR for the General Plan. The actual measures of environmental equivalency would be based on multiple impact factors. Additional calculations would be provided should the County pursue this implementation option.

This would remove the implicit and unintended biases, constraints, incentives and deterrents under the one size fits all dwelling unit impact under the current zoning. The proposed mechanism would allow the standards to be adjusted intentionally and objectively to calculate and incentivize or deter unit types consistent with County policies, goals and objectives. The current standards reward construction of the largest and most expensive units and discourages construction of smaller, less costly, more affordable units, and less impactful units without increasing the net impacts on traffic, parking, utilities, or schools. This approach would enable the County to increase the variety of housing sizes to meet a wider range of household needs and result in a net increase in the number of individual dwelling units. This approach is being adopted by an increasing number of municipalities for these very same purposes.

Applicable Housing Laws

The laws applicable to housing types were reviewed. There are no applicable housing laws relative to allowing a wider variety of housing on parcels.

Any manufactured homes and factory-built housing would have to comply with California state regulations that pertain to manufactured homes. The HCD website provides an overview of the applicable laws and regulations for manufactured and factory-built homes in the state.³

Best Practices

Refer to Section 3.1.3.A above for a combined best practices section.

Implementation Options

Implementation options to allow for an increased variety of housing types include the following:

- Allow additional or expanded building types in the C designator (multiple detached units, attached single family, duplex, triplex, quadplex, garden apartment/bungalow court, clustered units).
- Explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed.
- Establish an equivalent dwelling unit factor to count smaller units as a percentage of a full dwelling unit.
- Allow tiny homes on wheels as an accessory or primary dwelling unit.

³ California Department of Housing and Community Development. Manufactured & Factory Built Laws and Regulations. <https://www.hcd.ca.gov/building-standards/manufactured-and-factory-built/laws-and-regulations>.

Tiny Homes on Wheels

On May 24, 2023, the Board of Supervisors directed staff to develop a program where tiny homes on wheels could be considered a dwelling unit and housing for unincorporated area communities, provided that other health and safety provisions were met. Subsequently, on September 1, 2025, the County of San Diego Planning and Development Services Director reviewed the definition of a “dwelling” in the County of San Diego Zoning Ordinance. It was determined that tiny homes on wheels, modified in accordance with American National Standards Institute (ANSI) standard A119.5, could be considered a dwelling without any revisions to the Zoning Ordinance. With this policy and the requirements provided in the Director’s Determination, tiny homes on wheels will be allowed under the definition of a dwelling and could be used as a primary or an accessory dwelling. The requirements align with the California Building Code, local zoning ordinances, and state laws that apply to accessory dwelling units (ADUs) and dwellings.

Analysis

The County currently allows tiny homes on permanent foundations by allowing manufactured homes on private lots. Manufactured homes must comply with Section 6506 of the Zoning Ordinance. Per the Director’s Determination, a tiny home on wheels can classify as any type of dwelling unit, including a primary or accessory unit.

There is currently no definition of tiny home or movable tiny home in the County’s Zoning Ordinance. Zoning Ordinance amendments should add a definition, ensuring that tiny homes on wheels are differentiated from manufactured homes on a permanent foundation. The Zoning Ordinance amendments could also require the tiny homes on wheels to comply with standards regulating recreational vehicles.

Since the Director’s Determination can consider tiny homes on wheels as dwellings, the County could choose to allow tiny homes on wheels as an additional ADU beyond what is allowed by state law. Allowing tiny homes on wheels as an additional ADU option would allow additional units per lot and, as stated in the determination, movable tiny homes would be required to comply with all state ADU law if classified as an ADU by the County.

The County regulates ADUs in Section 6156.x of the Zoning Ordinance, which reflects updated state law. These requirements for ADUs would not constrain or conflict with allowing a tiny home on wheels. Additionally, any tiny homes on wheels intended for habitation must meet the requirements set forth in Section 1 of the Director’s Determination. Thus, the determination to consider a movable tiny home as an ADU or accessory use so long as it meets the construction and policy requirements in the Director’s Determination is in alignment with the recommendations herein.

Allowing tiny homes on wheels also serves as implementation of Program 3.1.1.D, which aims to encourage a variety of housing types, including movable tiny homes specifically.

Applicable Housing Laws

There are no housing laws mandating that tiny homes or tiny homes on wheels must be allowed. HCD provided an informational bulletin on tiny homes in 2016.⁴ The bulletin clarifies the applicable standards and variety of type of tiny homes. The state does not have a statutory definition of tiny home. However, as residential structures, tiny homes must receive one of several types of state or local government approvals prior to occupancy, depending on the design of the structure and the location of its installation. Tiny homes that may potentially be legal in the state of California are those that are:

- built on a chassis or axels (no permanent foundation);
- 400 square feet or less of gross floor area, excluding loft space;
- considered a recreational vehicle, camping cabin, or park trailer;
- not under HCD's jurisdiction for the design and construction of the unit; and
- the construction and occupancy of which are enforced by local enforcement agencies with appropriate jurisdiction.

If allowing tiny homes on wheels, requiring the home to meet the standards of a recreational vehicle is recommended. This would ensure that the tiny home meets standards set by the state of California and set guidelines for qualifying vehicles.

While there are no laws regulating tiny homes, there are many laws regulating ADUs. If tiny homes on wheels are intended to be considered as ADUs, they would have to comply with all applicable laws regulating ADUs. HCD provides a handbook outlining ADU requirement that was most recently updated in January 2025.⁵ The handbook does not go into depth on tiny homes and only notes that if a tiny home meets the definition of an ADU in Government Code Section 66313, then it is subject to ADU law. Generally, per Government Code Section 66313, an ADU “means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.” Manufactured homes may also be considered ADUs.

There are no ADU laws that would prohibit tiny homes on wheels from being considered ADUs in the unincorporated County. A tiny home on wheels that is placed on a foundation can qualify as an ADU.

Several state regulations would apply to movable tiny homes and should be considered in the program creation, including:

- Registration with the California Department of Motor Vehicles (DMV)

⁴ HCD Informational Bulletin 2016-01. Tiny Homes. <https://www.hcd.ca.gov/policy-research/docs/hcd-bulletin-tiny-home-ib-2016-01.pdf>.

⁵ California Department of Housing and Community Development. Accessory Dwelling Unit Handbook. January 2025. <https://www.hcd.ca.gov/sites/default/files/docs/policy-and-research/adu-handbook-update.pdf>.

- Title 25, Housing and Community Development, of the California Code of Regulations
- Title 24, Housing and Urban Development, of the Code of Federal Regulations
- National Fire Protection Association (NFPA) 1192 Standards on Recreational Vehicles
- ANSI A119.5 Park Model Recreational Vehicle Standards
- Transportation Permits from the County and State of California

The County could also choose to allow tiny homes on wheels as a primary or accessory unit rather than an ADU. As provided in the Draft Tiny Homes on Wheels Director's Determination, tiny homes on wheels can currently be allowed without revisions to the County's Zoning Ordinance. The tiny homes on wheels requirements set forth in the Director's Determination are compliant with state ADU law described above as well as with the California Building Code. Subsequent amendments to the Zoning Ordinance to codify this determination should base definitions off of the building code.

Best Practices

Two jurisdictions that allow tiny homes on wheels, the City of San Diego and the City of San Luis Obispo, were reviewed. These jurisdictions were selected as they have recent and clear tiny home on wheel ordinances. Both jurisdictions allow tiny homes as an ADU in single-family zones. The City of San Diego requires a one-time permit for the placement of a movable tiny home, while the City of San Luis Obispo requires renewal every three to five years. Both jurisdictions mandate that movable tiny homes comply with standards that are applicable to recreational vehicles.

The specific ordinance and requirements for each jurisdiction are summarized below.

City of San Diego

The City of San Diego adopted amendments to the Municipal Code to allow movable tiny homes in August 2020. Movable tiny homes are allowed as a separately regulated residential use within the existing companion unit and junior unit regulations.⁶ Movable tiny homes are considered an ADU.

Movable tiny homes are required to register with the California DMV and comply with standards applicable to recreational vehicles. Additionally, movable tiny homes are required to comply with certain locational standards (placement on lots), building standards (NFPA 1192 or ANSI A119.5 regulating recreational vehicles, sprinkler systems), and have additional requirements, including supplying fire sprinklers in the very high fire hazard severity zone, utility requirements, and design elements. Movable tiny homes are exempt from parking regulations.

⁶ City of San Diego. Movable Tiny House Information Bulletin 403. October 2020. <https://www.sandiego.gov/sites/default/files/dsdib403.pdf>.

City of San Luis Obispo

The City of San Luis Obispo allows tiny homes on wheels as outlined in Section 17.86.210 of the city's Municipal Code.⁷ The ordinance allows recreational vehicles to be used as tiny houses in residential zones. Tiny homes on wheels (recreational vehicles) are not considered ADUs. Tiny homes on wheels must remain on wheels and shall not be placed on a permanent foundation.

The following standards and requirements apply:

- No more than one tiny home per property (property must be owner-occupied).
- Tiny homes meet all development standards of the applicable zone.
- Tiny homes are only permitted for a period of three to five years with opportunity for renewals (upon inspection of continued compliance with standards).
- Located toward the rear of the property and not block or remove required parking for the primary residence.
- Property shall provide adequate connection to utilities and services (water, sewer, and electricity); a building permit will be required to establish adequate and safe utility connections.
- Tiny homes shall be no larger than 400 square feet (excluding loft area).
- The design shall resemble the general appearance, siding, and roofing of a traditional home, with mechanical equipment incorporated into the structure (excluding solar panels).
- Documentation of DMV registration.
- The tiny home must have ANSI certification. The application shall exceed ANSI energy standards by either providing insulation of R13 for the walls and R19 for the floor and ceiling; or ensure that the stud/joist/rafter space in the walls, floors, and ceiling are completely filled with insulation.

Implementation Options

- Adopt Zoning Ordinance amendments allowing tiny home as primary or accessory units.
- Adopt Zoning Ordinance amendments allowing tiny homes on wheels as ADUs.
- Adopt Zoning Ordinance amendments allowing tiny homes on wheels as an accessory use separate from an ADU or in addition to existing allowed ADUs.

⁷ City of San Luis Obispo. Municipal Code Section 17.86.210 – Recreation Vehicles: Use as Dwelling, Parked on a Private Lot.

<https://www.slocity.org/home/showpublisheddocument/22740/636880922987700000>

Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.C, Zoning Ordinance Amendments to Achieve Maximum Density, includes the following action:

Amend the Zoning Ordinance by early 2023 to facilitate development on sites identified in the Sites Inventory for the 6th Cycle RHNA. Specifically, establish minimum densities for multi-family districts at 70 percent of the maximum allowable densities, with the goal of achieving an average development density at 80 percent of the maximum allowable density.

Analysis

Housing Element Project 3.1.1.C includes establishing a minimum density for multi-family districts at 70 percent of the maximum density.

Since the 2011 General Plan Update, there has been 14 multi-family housing projects on land zoned for 15 dwelling units per acre or more. These projects have achieved 83% of the General Plan density including density bonus projects, and 72% of General Plan density excluding density bonus projects. Three of these projects were located on Regional Housing Needs Allocation (RHNA) sites. Two of the RHNA site projects were density bonus projects and achieved over 100% of the density. The one RHNA site project that did not utilize the density bonus achieved 92% of the maximum density. This illustrates that multi-family development trends are achieving the Housing Element projection of 70 percent of the maximum density, especially on RHNA sites.

Table 17 below shows the County's multi-family General Plan land use designations, the maximum density of the district, and what 70 and 80 percent of the maximum density would be. Since the County does not have traditional multi-family districts, for this analysis, a density of 10.9 and higher was used. Note that the County does not have any minimum densities for its land use designations. The County has a process for applying and establishing minimum densities in Section 4110.c of the Zoning Code, which allows the County to require a minimum level of residential development when development is undertaken on a parcel. Some minimum density could be added for the multi-family zones, per the County's preference, as there is currently no minimum density on the RHNA sites.

Table 17: Multi-family Land Use Designations and Densities

Multi-family District	Maximum Density	Minimum Density	70% of Maximum	80% of Maximum
Village Residential (VR-30)	30	0	21	24
Village Residential (VR-24)	24	0	16.8	19.2
Village Residential (VR-20)	20	0	14	16
Village Residential (VR-15)	15	0	10.5	12
Village Residential (VR-10.9)	10.9	0	7.6	8.7
Village Core Mixed Use (VCMU)	30	0	21	24

Applying the 70 percent minimum density to 6th Cycle RHNA sites would apply to the sites in the 6th Cycle Housing Element, shown in each multi-family district in Table 17. There are 184 RHNA sites in multi-family zones, totaling 3,803 units. Note that the RHNA projections used a calibration factor of 0.7, which is generally 70 percent of the maximum density. This helps to account for land dedicated to right-of-way, open space, parking, and setbacks for each site. The RHNA projections subtract existing units, which may show a yield that appears to be lower than 70 percent of the maximum density. Setting a minimum density of 70 percent of the maximum would ensure all 6th Cycle RHNA sites meet the projections in the Housing Element.

Table 18: RHNA Sites and Yields by Multi-family District

Multi-family District	Number of RHNA Sites	Acres	RHNA Projection	Maximum Allowable Units	70% of Max Density (du/ac)	# of Units to achieve 70% of the Max. Density
Village Residential (VR-30)	26	57.1	1,094	1,713	21	1,120
Village Residential (VR-24)	30	39.2	625	940	16.8	658
Village Residential (VR-20)	30	115.7	1,021	2,314	14	1,620
Village Residential (VR-15)	58	79.0	746	1,185	10.5	830
Village Residential (VR-10.9)	5	6.5	44	70	7.6	49
Village Core Mixed Use (VCMU)	35	17.8	273	534	21	374
Total	184		3,803	6,756		

Note that applying a 70 percent minimum to all multi-family zones would effectively be raising the minimum density on all parcels. The County should consider if the end goal of this program is to apply it to only RHNA sites or to all multi-family zones. Not all parcels may be able to be developed at the maximum density, and requiring development at 70 percent of the maximum density may not achieve the goal of unlocking more housing, particularly on sites that have not been evaluated thoroughly for their development potential. If the County would like to apply a minimum density, it does not have to be at 70 percent of the minimum but could be set at an appropriate range that both allows a variety of housing and encourages multi-family development. The County could require a lower minimum density for districts or areas around the RHNA sites, which would still be applying different standards to RHNA and non-RHNA sites. Conversely, applying the minimum only to RHNA sites may be considered spot zoning where

effectively identical properties would have vastly different rights, responsibilities, and potential impacts.

We recommend that the 70 percent minimum density requirement be applied to all multi-family zones as opposed to only RHNA sites. That avoids creation of inequities between similar or identical sites and avoids concerns and liabilities with spot zoning. However, in the event that some properties are heavily constrained and are not able to achieve the minimum 70 percent of the allowable density, this requirement could effectively deter any development. Therefore, we recommend that this requirement include a provision for reasonable relief to avoid denial of development due to constraints beyond the control of the owner. In this manner, a heavily constrained property could be allowed to be developed at less than 70% (e.g., 50%) as opposed to no development at all.

Applicable Housing Laws

Under Housing Element law, various requirements apply to different types of sites identified in the County's Housing Element. Per HCD's default density documentation, the density at which housing can be allocated to lower income units in the County is 30 du/ac.

Program 3.1.1.C in the County's Housing Element goes beyond Housing Element law requirements by increasing the minimum density requirement on certain multi-family-zoned parcels. This program requires a minimum density yield of 70 percent of the maximum allowed units for residential projects. The threshold of 70 percent minimum density was calculated using County project trends and observed yields for multi-family development. Housing Element law does guide certain requirements for lower-income sites. Requirements for RHNA sites are outlined in Section 65583.2 of the Government Code. These requirements do not conflict with setting a minimum density on RHNA sites. Certain sites (those reused in consecutive Housing Elements) are required to allow affordable housing projects by right if the project includes a minimum of 20 percent affordable housing units. Reuse sites are vacant sites that have been reused in two past consecutive cycles (4th and 5th) and non-vacant sites that have been reused in one past cycle (5th).

Best Practices

The 6th Cycle Housing Element programs of several jurisdictions were thoroughly reviewed to find similar programs to present as best practices. The survey began by identifying jurisdictions with a similar regional context to San Diego County and whether, and how, their identified housing programs have been implemented.

Two jurisdictions, the City of Los Angeles and the City of Escondido, were identified as having adopted zoning amendments that increase the minimum density; one is specifically targeted at RHNA sites through the implementation of Housing Element programs and the other is part of implementation of a General Plan update.

City of Los Angeles

The Los Angeles Minimum Density Ordinance requires a minimum density of 20 du/ac for projects on Lower Income Rezoning Housing Element Sites, including ADUs. In Los Angeles, the city uses a density equivalency of square footage, which equates to 2,178 square feet of lot

area per dwelling unit. The density ordinance sets forth provisions to meet the minimum density of 20 du/ac and extends the minimum density requirement beyond Housing Element law to 2,000 square feet per dwelling unit in all R3 (multiple dwelling: 800 sf – 500 sf/guest room per dwelling unit) or less restrictive zones citywide, as well as RD1.5 and RD2 (restricted density multiple dwelling: 1,500 sf – 2,000 sf minimum area per dwelling unit) zones in higher market areas. Additionally, the minimum density calculation is rounded up to ensure the standard is met. The city applied the minimum to all R3 zones, not solely the RHNA sites.

City of Escondido

In 2017, the City of Escondido adopted zoning amendments to implement many of its General Plan goals and policies. The zoning amendments included the adoption of a new residential zoning district (R-5), planned for in the General Plan to implement the Urban V designation under the High Density Multi-Family Residential category to permit a density of 30 du/ac. As part of the zoning amendments to implement the General Plan, Residential Development Policy 3.4 also requires that properties in the Urban III medium density multi-family (12.6 - 18 du/ac), Urban IV (16.8 – 24 du/ac), and Urban V (21 – 30 du/ac) high density multi-family residential designations be developed at a minimum 70 percent of their permitted densities. The zoning amendments implemented by this provision apply to the R-3, R-4, and R-5 multi-family residential zones. Within these zones, no vacant or underdeveloped lot or parcel can be developed at a density below 70 percent of the maximum permitted density.

Additionally, the City of Escondido adopted a small lot development ordinance with the purpose of promoting development and redevelopment opportunities in certain multi-family zones. The ordinance establishes development standards, one of them being that in the R-3 zone, a minimum density of 70 percent of the maximum permitted density of the zone shall be met. Other development standards include flexible side and rear setbacks and smaller minimum lot requirements.

Implementation Options

- Adopt Zoning Ordinance amendments requiring minimum densities for 6th Cycle RHNA sites in multi-family districts of 70 percent of the maximum density.
- Adopt Zoning Ordinance amendments requiring minimum densities for multi-family districts of 70 percent of the maximum density.
- Adopt Zoning Ordinance amendments requiring 70 percent of the maximum on only parcels in multi-family districts that meet certain requirements (RHNA sites, infill areas, urban areas, smart growth sites, VMT efficient areas, etc.).

Program 3.3.2.A – Group Homes for Seven or More

As provided in the County's 6th Cycle Housing Element, Program 3.3.2.A, Group Homes for Seven or More, includes the following action:

In 2022, the County will review its Zoning provisions for large group homes (7+ persons) and will implement mitigating strategies to remove potential constraints and to facilitate objectivity in review and approval in the development of large group homes.

Analysis

Housing Element Program 3.3.2.A concerns only large group homes, which are those that house seven or more persons. Group homes are defined by the state as “housing shared by unrelated persons with disabilities that provide peer and other support for their residents’ disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities.”⁸

The County Zoning Ordinance distinguishes between several types of care facilities. For the purposes of meeting state law relative to group homes, both group residential and group care facilities are considered. A transitional or supportive housing project for seven or more persons that does not require a state care license and does not have individual kitchens would be considered group residential housing. Group care includes services provided in facilities and authorized, certified or licensed by the State to provide board, room and personal care to seven or more persons or dependent and neglected children or in facilities authorized to provide day care services but excluding those uses classified under Child Care Center or Major Impact Services and Utilities.

The County currently requires a major use permit for group homes for seven or more persons.

Group care is permitted in RC, C31, C34, C35, C37, and C46 zones, and with a major use permit in the RS, RD, RM, RV, RU, RMH, RR, A70, A72, S90, and S92 zones. Group residential housing is allowed in RU, RC, C31, and C34 zones and with a Major Use Permit in RR, RRO, C36, C37, A70, A72, S90, and S92 zones

While both group care and group residential are permitted in several zones, requiring a major use permit for large group homes in other zones could be considered a constraint to their development. To remove the constraint, the County could remove or reduce the permit required for those zones. The County could also choose to allow family care institutions with or without a permit in a wider variety of zones, including those that typically see multi-family uses, which includes the RS, RD, RM, RV, and RU zones.

Currently, the major use permit adds to the cost and length of time of the permitting process. The County currently waives fees for group residential projects that serve up to 14 individuals.

⁸ California Department of Housing and Community Development. December 2022. Group Home Technical Advisory. <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf>.

The County could carve out allowances for family care institutions to be allowed with a minor use permit or administrative use permit in certain zones where the major use permit is currently required. The County could also choose to entirely remove the use permit requirement for family care institutions and allow them by right; however, such project types may still have standards or impacts that can be appropriately regulated through a discretionary permit process. This can ensure the needs of residents, concerns of the community, and requirements of state law can all be met.

Changing the permit requirement from a major use permit to a minor or administrative use permit would reduce some of the constraints to the applicant while still allowing the County discretionary review for large group home facilities. This would lower the level of approval from the Planning Commission to the Director. If determined appropriate by the administering agency or requested by the applicant or other affected person, a hearing could still be held pursuant to Section 7060 of the County's Zoning Ordinance.

Applicable Housing Laws

California Government Code Section 65583 requires a jurisdiction's housing element to include a review of constraints on housing for persons with disabilities. Part of this requisite analysis includes a review of policies and procedures related to group homes, specifically group homes with more than six residents.⁹ To address a potential constraint on group homes of seven or more persons, the state considers conditions or restrictions on licensed homes with seven or more persons as well as the permitting requirements and processes for group homes. The state views stricter zoning requirements (conditional use permit [CUP], MUP, etc.) for group homes with seven or more persons as a constraint on housing development for persons with disabilities and directs jurisdictions to address this through their housing element programs.

HCD published a Group Home Technical Advisory in December 2022.¹⁰ The Technical Advisory includes an overview of applicable state laws regarding group homes and provides best practices for ensuring there are no constraints for group home development.

The Technical Advisory identifies common issues in local ordinances that regulate group homes, which include the following:

- Definitions of single housekeeping units of single-family homes that are non-inclusive of group home residents
- Requirements that all group homes with more than six residents must obtain permits to locate in single-family zones
- Retroactive compliance
- Spacing requirements

⁹ California Department of Housing and Community Development. Constraints for People with Disabilities. <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/constraints-people-disabilities>.

¹⁰ California Department of Housing and Community Development. December 2022. Group Home Technical Advisory. <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf>.

- Occupancy limits and building, fire, or other health and safety code requirements
- Requirements for operators and residents
- Civil actions for operating without a required state license

The County generally adheres to the best practices outlined in HCD's memo for group homes of six or less, including the definition of family and spacing requirements in the Zoning Code.

As provided in the Technical Advisory, jurisdictions may subject group homes operating as single-family residences that provide licensable services to more than six residents to conditional use or other discretionary approval processes. Thus, the major use permit requirement is allowed in alignment with state guidance from the HCD Technical Advisory, but still may serve as a constraint to development. The Technical Advisory continues to note that jurisdictions still must provide reasonable accommodation procedures for group homes and that some requests for exceptions to permitting processes should be resolved through reasonable accommodation rather than conditional use procedures. The County recently resolved a group home for more than 6 persons using the County's reasonable accommodation procedure, illustrating the existing process to review group homes administratively.

Best Practices

Michael Baker reviewed several jurisdictions to survey how large group homes of seven or more were permitted but decided to present two due to staff interest, similar context, and size. These jurisdictions were Los Angeles County and the City of San Diego.

Los Angeles County

Los Angeles County refers to group homes as a "care facility," which is defined as a facility that provides long-term residential care to individuals requiring assistance with personal care or medical needs. The county permits this use with a CUP in all residential zones; findings and conditions of approval are dependent on the project.

City of San Diego

The City of San Diego refers to group homes as "residential care facilities" and has varied allowances depending on the zone. Residential care facilities are defined as providing 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.

The RS, RX, and RT zones are permitted with a CUP subject to the following regulations:

- Residential care facilities are not permitted in agricultural zones in Proposition A lands.
- Residential care facilities are not permitted within 500 feet of another residential care facility, measured from property line to property line.
- The facility shall provide at least 70 square feet of sleeping space for each resident, not including closet or storage space, multipurpose rooms, bathrooms, dining rooms, and halls.
- Sleeping areas shall not be used as a public or general passageway to another room, bath, or toilet.

- The facility shall provide at least 5 square feet of living area per bed, not including sleeping space, dining, and kitchen areas.
- The facility shall provide at least 8 square feet of storage area (closet or drawers) per bed.
- The facility shall provide one full bathroom including sink, toilet, and shower or bathtub for every seven beds.
- Conversion of an existing garage or reduction in the amount of off-street parking to provide a residential care facility is not permitted.

The RM-1, -2, -3, -4, and -5 zones are permitted as a limited use and may be located on the same premises as a child care facility or on a premises adjacent to a child care facility and shall not be required to obtain a CUP if the residential care facility and child care facility are operated by the same permit holder. Additionally, residential care facilities permitted with limitations within 500 feet, measured by a walking distance along a pedestrian path of travel from property line to property line, from a school, playground, or child care facility may be permitted with a CUP.

Implementation Options

- Allow group homes for seven or more persons (group care/group residential) with a minor use permit.
- Allow group homes for seven or more persons (group care/group residential) with an administrative use permit.
- Remove the major use permit requirement for group homes for seven or more persons (group care/group residential) for some or all zones where it is currently required.
- Establish and advertise a reasonable accommodation procedure for group homes of seven or more persons (group care/group residential) that does not require a major use permit.
- Establish special use development and operational standards to accompany any of the approval options.

Program 3.1.1.K – Expand Eligibility of Checklist Exemptions

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.K, Expand Eligibility of Checklist Exemptions, includes the following action:

Develop additional checklists for site plan applications. Site plans that can be waived or exempted are currently indicated with a zoning designation (i.e., requirement in zoning box) for a design review. Work with Community Planning and Sponsor Groups and obtain public input prior to developing new checklist exemptions.

Analysis

The Special Area designator B (Community Design Review Area) applies to certain parcels in communities with a design review program. The County currently has Site Plan Design Review Exemption Checklists that exempt qualifying properties from the Site Plan Permit Process. The existing Design Review Checklists were created in 2013 for the nine communities (Alpine, Bonsall, Fallbrook, Lakeside, Ramona, Spring Valley, Sweetwater, Valley Center, I-15 Corridor) that have community design guidelines and were updated to comply with state law regarding objective design standards. Site plan exemptions are outlined in Section 5757 of the County's Zoning Ordinance. Typically, the checklists are limited to the properties that allow industrial, commercial, and multi-family housing.

The B designator applies to 12,153 parcels in the County. While the majority of these parcels (89%) are in areas with a Design Review Checklist, there are 1,324 parcels (11%) located in other community planning areas. Some parcels in these other community planning areas fall within the I-15 Corridor design review checklist (Rainbow, Fallbrook, Bonsall, Valley Center, North County Metro). Planning areas that do not fall in the I-15 Corridor or are in a planning area with a Design Review Checklist are Central Mountain, County Islands, Desert, Mountain Empire, Otay, and Valle De Oro (306 total parcels),.. The County could remove the B designators from the 306 parcels that are located in areas without community design guidelines.

Table 19: Location of Special Area B Designator By Community Planning Area

Community Planning Areas	Parcels with Special Designator B	Design Review Checklist?	Overlaps with I-15 Corridor?
Alpine	607	Yes	No
Bonsall	380	Yes	No
Central Mountain	1	No	No
County Islands	4	No	No
Desert	133	No	No
Fallbrook	3,728	Yes	Yes
Lakeside	1,519	Yes	No
Mountain Empire	8	No	No
North County Metro	622	No	Yes
Otay	123	No	No
Rainbow	396	No	Yes
Ramona	1,229	Yes	No
Spring Valley	2,108	Yes	No

Community Planning Areas	Parcels with Special Designator B	Design Review Checklist?	Overlaps with I-15 Corridor?
Sweetwater	47	Yes	No
Valle De Oro	37	No	No
Valley Center	1,211	Yes	Yes
Total	12,153	-	

The County could expand the properties that have the B designators and review the parcels that have the D designator to determine if more properties could be eligible for the Design Review Checklists.

The community design guidelines are both subjective and objective and still apply to the communities. The Design Review Checklists were created to include only the objective design standards. Any subsequently created Community Design Guidelines and Design Review Checklists should be objective in nature.

The County could choose to create new exemption checklists for other communities. However, each exemption checklist would have to be created specifically for that community. The existing checklists for the nine communities could not be uniformly brought to other community planning areas; while there are overlaps and similarities between the checklists, each was designed to be unique, with the specific community in mind. However, existing checklists could be used as a starting point or adapted to additional communities. If a community planning group wanted an objective design review checklist or exemption process, community design guidelines and/or a checklist could be created and adopted.

If a community planning group wanted to create a streamlined approval process for site plan exemptions, community design guidelines should be created first. Then a checklist can be created based on the community design guidelines to facilitate the streamlined review process. As the checklists were created as a complementary and streamlining tool based on the adopted community design guidelines, it would be difficult to create a stand-alone checklist without also adopting community design guidelines. This would be a larger effort outside the scope of this project but could be pursued on a community-by-community basis.

Projects must meet a number of prerequisites to qualify for a Design Review Checklist Exemption. All of the existing prerequisites were reviewed as a part of this analysis and changes are not recommended, with the exception of open code cases being resolved, as discussed below. Each of the prerequisites serve a purpose and removing them is unlikely to create additional housing potential without causing environmental or other concerns.

Two prerequisites were brought up in the working group meetings as potential items for change.

- **D Designator:** The D Designator (Design Review Regulator) is outlined in Section 5900 of the County Zoning Ordinance. Properties that have a D designator are not eligible for Checklist Exemptions. They are eligible for exemption where the Planning Director makes certain findings. The Zoning Ordinance notes that the D designator is applied by ordinance to individual properties and shall contain a statement of objectives and standards for each property. Because of this, amending the D designator for properties

would require a site-by-site review of the ordinance and standards for each property. As noted in the working group meeting, this means each D designator would have different fee requirements, regulations, and requirements. The parcel-specific nature of the D designator makes it difficult to amend or change on a large-scale basis. Furthermore, as noted in the working group meetings, the D designator applications are often a management and political decision, which adds to the complexity in the amendment process. There are 6,237 parcels (3.8% of the total County parcels) with a D designator in the County, geographically dispersed as shown in Table 20 below. Given the small percentage of parcels and specific nature of the D designator, amending the D designator will not likely be effective in unlocking a large number of units.

Table 20: Parcels with Special Area D Designator

Community Planning Area	Parcels with Special Designator D
Alpine	53
Bonsall	95
Central Mountain	30
Crest-Dehesa	126
Desert	18
Fallbrook	179
Jamul-Dulzura	55
Julian	76
Lakeside	72
Mountain Empire	78
North County Metro	469
North Mountain	18
Pala-Pauma	5
Pendleton-De Luz	39
Ramona	822
San Dieguito	2,453
Spring Valley	1,071
Sweetwater	6
Valle De Oro	608
Grand Total	6,273

Table 21 below lists the parcels with a Special Area D designator by their General Plan land use designation. There are 6,273 total parcels with the Special Area D designator. Of these, 1,627 are located in the Village Residential areas, which are likely to allow residential use types. If the County wanted to evaluate the Special Area D designator with the intent of removing it, these would be the priority parcels that would require a closer look.

Table 21: Special Area D Designators

General Plan Land Use Designation	Parcels with Special Designator D
GENERAL COMMERCIAL	380
HIGH IMPACT INDUSTRIAL	5
LIMITED IMPACT INDUSTRIAL	46
MEDIUM IMPACT INDUSTRIAL	48
NEIGHBORHOOD COMMERCIAL	1
OFFICE PROFESSIONAL	12
OPEN SPACE (CONSERVATION)	31
OPEN SPACE (RECREATION)	11
PUBLIC AGENCY LANDS	68
PUBLIC/SEMI-PUBLIC FACILITIES	56
RURAL COMMERCIAL	61
RURAL LANDS (RL-20)	35
RURAL LANDS (RL-40)	122
SEMI-RURAL RESIDENTIAL (SR-0.5)	36
SEMI-RURAL RESIDENTIAL (SR-1)	145
SEMI-RURAL RESIDENTIAL (SR-10)	24
SEMI-RURAL RESIDENTIAL (SR-2)	208
SEMI-RURAL RESIDENTIAL (SR-4)	95
SPECIFIC PLAN AREA	3,262
VILLAGE CORE MIXED USE	33
VILLAGE RESIDENTIAL (VR-10.9)	86
VILLAGE RESIDENTIAL (VR-15)	438
VILLAGE RESIDENTIAL (VR-2)	163
VILLAGE RESIDENTIAL (VR-2.9)	2
VILLAGE RESIDENTIAL (VR-20)	39
VILLAGE RESIDENTIAL (VR-24)	169
VILLAGE RESIDENTIAL (VR-30)	2
VILLAGE RESIDENTIAL (VR-4.3)	213
VILLAGE RESIDENTIAL (VR-7.3)	482
Total	6,273

- Open Code Cases:** Currently, properties with an open code case are not allowed a site plan exemption checklist. This could be revised to allow a site plan exemption checklist for properties with open code cases under certain conditions. The conditions could be certain types of violations, size of the violation, or based on Director determination. Additionally, the process could be revised to allow a property owner to address the code compliance case and process the site plan exemption simultaneously. Exemptions could be allowed for certain cases that are contingent on the property owner resolving the case while processing the exemption and prior to permit approval..

Section 5015.d of the County Zoning Ordinance lists project types that are exempt from Special Area Regulators that require a discretionary review, which includes low barrier navigation centers, emergency shelters, supportive housing projects, and housing

development projects that require ministerial approval pursuant to state law. Should the County want to exempt certain types of housing projects or units, more could be added to this list.

Applicable Housing Laws

There are no recent laws requiring checklists or site plan exemptions. Michael Baker conducted a review of housing laws applicable to removing constraints to and providing incentives for housing development, and none are applicable to program implementation.

Any newly developed checklists would have to be compliant with SB 330, which relate to objective design standards. SB 330 prohibits jurisdictions from imposing or enforcing new design standards established on or after January 1, 2020, that are not objective in nature.

Best Practices

Michael Baker reviewed several jurisdictions to identify an example of site plan review that can be waived or exempted if processed with a checklist. The survey of jurisdictions began with reviewing jurisdictions with Prohousing Designations and jurisdictions that have a positive reputation with the building community, based on Michael Baker's expertise and experience and having streamlined permit processing procedures.

What was identified was that most jurisdictions either used a list and process of minor exemptions in the municipal code or utilized objective design standards to review eligible projects against the existing standards. The following two examples represent each of these processes.

San Mateo County

San Mateo County provides an application for Design Review Exemption if the project is determined eligible using an exemption checklist and staff confirmation, exemptions apply to projects minor in nature that will not have an adverse effect on compliance with design standards or guideline or zoning regulations applicable to the property or structure in question. The project can qualify for an over-the-counter exemption or an applicant can apply for a formal exemption from the full design review process. According to the county website,¹¹ the formal exemption process takes about two weeks with fees approximated at \$720. For approval, the Community Development Director must determine that this project is minor in nature and complies with all applicable regulations, including the required findings that the project conforms to the standards and guidelines for design review and the zoning regulations applicable to the location of the project.

¹¹ County of San Mateo Design Review Formal Exemption. <https://www.smcgov.org/planning/design-review-formal-exemption>.

City of Sacramento

The City of Sacramento provides a comprehensive list of planning forms, applications, and guideline checklists used to review projects against during the Site Plan and Design Review process to streamline the production of housing.¹²

Applications

There are a series of applications that apply to ministerial housing and/or state legislation requirements. This is unique to Sacramento as no other jurisdiction Michael Baker reviewed provided specific applications that comprehensively addressed several of the Senate and Assembly bills related to housing. Each application provides instructions and the purpose of the application and describes how it implements California housing law, this level of detail for permit applications is uncommon for many jurisdictions. An example of one of the applications, the ministerial approval of infill housing development projects application, is described below. The city provides applications and direction for the following types of projects, which include a clear process and requirements that contribute to planning approval streamlining and accelerating multi-family housing production.

- **Ministerial Housing Application.** The purpose of the City of Sacramento Ministerial Approval of Infill Housing Development Projects permit is to provide a non-discretionary, Planning-approval-only process to streamline the production of housing. A residential or mixed-use project must be consistent with the Citywide Infill Housing Design Standards and the development standards outlined in the Sacramento City Code. The plan exhibit requirements, processing procedure, and objective requirements are all included in the application form.
- **SB 330 (Housing Crisis Act of 2019) Preliminary Application**
- **SB 9 (Two Residential Units & Urban Lot Splits)**
- **SB 35 Application (Affordable Housing: Streamlined Approvals)**
- **SB 35 Notice of Intent (Affordable Housing: Streamlined Approvals)**
- **AB 2011 (Affordable Housing and High Roads Jobs Act of 2022)**
- **SB 6 (Middle Class Housing Act of 2022)**
- **AB 1490 (Extremely Affordable Adaptive Reuse Projects)**
- **SB 4 (Affordable Housing on Faith and Higher Educations Lands Act)**
- **Density Bonus Supplemental Application**
- **Low Barrier Navigation Center Administrative Permit**
- **Supportive Housing Administrative Permit**
- **[SB684 Eligibility & Objective Standards Checklist](#)**

Guideline Checklists

Additionally, the city uses design guideline checklists to review a project for specific areas of the city. If the project falls within these boundaries, applicants are required to fill out the checklists.

¹² City of Sacramento Planning Forms. <https://www.cityofsacramento.gov/community-development/planning/planning-forms>.

The checklists are based on design guidelines and not standards; however, checklists assist staff when reviewing a project that requires deviation(s) from the guidelines.

Implementation Options

Implementation options may include:

- Pursue additional checklist exemptions on a community by community basis.
- Adjust prerequisites for exemptions:
 - Allowing exemptions for properties with certain types of open code cases to resolve the case while pursuing an exemption.
- Expand or create checklists for additional community planning areas with B designators with no design review parcel and/or with no B designators and no design review guidelines.
- Remove B designator from parcels in community planning areas with no Design Review Guidelines.
- Market and/or highlight the County's existing maps and checklists.
- Incorporate the objective design standards from the existing checklists into objective design standards that would be implemented as part of the standard discretionary Site Development Plan review process.
- No further action.

Table of Contents

Table of Contents.....	52
Purpose and Organization	55
Program 3.1.3.A– Zoning Ordinance Cleanups and Building Types and Development	
Designators.....	57
Summary of Zoning Density Constraints.....	58
Implementation Options	58
Option 1: Zoning density refers to General Plan for maximum density.....	58
Option 2: Remove zoning density.....	59
Summary of Height Constraints	59
Implementation Options	60
Option 1: Remove the limit on stories	60
Option 2: Amend the G designator to allow three stories	61
Option 3: Expand the administrative permit process for an additional story	62
Summary of Use Constraints	62
Implementation Options	62
Option 1: Expand the allowance of residential uses as a secondary use	62
Summary of Building Type Constraints.....	63
Option 1: Allow additional building types or flexible standards in the C designator	63
Option 2: Eliminate the building type designator	65
Summary of Setback Constraints	66
Implementation Options	66
Option 1: Base setbacks on minimum lot size.....	66
Option 2: Allow a reduction for setbacks between main buildings on a project site	67
Summary of Minimum Lot Size Constraints	68
Summary of Maximum Floor Area Ratio Constraints	68
Implementation Options	68
Option 1: Remove or exempt FAR from residential development.....	68
Option 2: Exempt accessory structures from FAR	69
Summary of Open Space Constraints.....	69
Implementation Options	70
Option 1: Reduce open space requirements for the G designator.....	70
Option 2: Allow open space on rooftops or in setback areas.....	70
Summary of Planned Development P Designator Constraints	71
Implementation Options	71

Option 1: Allow modification of open space and height requirements	71
Option 2: Reduce open space requirements in Section 6648	72
Option 3: Allow open space on rooftop or in setback areas	72
Option 4: Allow projects with P Designator requirements through a minor use permit or administrative use permit.....	73
Overall Implementation Options	73
Option 1: Fully revise the zoning to have base zones with standardized development standards similar to other jurisdictions	74
Option 2: Change one or more of the designators of existing parcels	74
Option 3: Create new designators customized to unique or limited circumstances	75
Option 4: Develop an administrative process for deviating from designators	75
Program 3.1.1.D – Diversity of Land Use Designation and Building Type	76
Implementation Options	76
Option 1: Allow additional building types or flexible standards in the C designator	76
Option 2: Explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed	76
Option 3: Establish an equivalent dwelling unit factor to count smaller units as a percentage of a full dwelling unit	77
Option 4: Allow tiny homes on wheels as an accessory or primary dwelling unit.....	78
Tiny Homes on Wheels (Board Directive).....	78
Summary	78
Implementation Options	78
Option 1: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as a primary or accessory use	78
Option 2: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as ADUs	79
Option 3: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as an accessory use separate from an ADU or in addition to existing allowed ADUs	79
Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density	80
Summary	80
Implementation Options	81
Option 1: Adopt Zoning Ordinance amendments requiring minimum densities for 6 th Cycle RHNA sites in zoning designations that allow multifamily at 70 percent of the maximum density	81
Option 2: Adopt Zoning Ordinance amendments requiring minimum densities in zoning designations that allow multifamily at 70 percent of the maximum density	81

Option 3: Adopt Zoning Ordinance amendments requiring 70 percent of the maximum density on only parcels with zoning designations that allow multifamily that meet certain criteria (RHNA sites, infill areas, urban areas, smart growth sites, VMT efficient areas, etc.)	82
Program 3.3.2.A – Group Homes for Seven or More	82
Summary	82
Implementation Options	82
Option 1: Allow group homes for seven or more persons with a minor use permit or administrative use permit	82
Option 2: Remove the major use permit requirement for group homes for seven or more persons for some or all zones where it is currently required	83
Option 3: Establish and advertise a reasonable accommodation procedure for group homes of seven or more persons that does not require a major use permit	84
Program 3.1.1.K – Expand Eligibility of Checklist Exemptions	84
Summary	84
Implementation Options	85
Option 1: Pursue additional checklist exemptions on a community by community basis	85
Option 2: Expand or create new exemption checklists for additional Community Planning Sponsor Group areas	85
Option 3: Adjust prerequisites to allow exemptions for properties with certain types of open code enforcement cases	86
Option 4: Remove B designator from parcels in community planning areas with no Design Review Guidelines	86
Option 5: Market and/or highlight the County’s existing maps and checklists	87
Option 6: No further action	87
Appendix A: Options Comparative Matrix	88

Purpose and Organization

This memorandum expands upon the identified implementation options previously provided in the Analysis, Housing Laws, and Best Practice Research Memo. This memorandum is intended to help identify the final implementation options for the next phase of the project.

This memorandum includes an assessment of the implementation options to assist the County in evaluating the implementation options based on impact and feasibility. This includes a review of the level of effort, implementation methodology, advantages and disadvantages, and an estimated priority level for each implementation option. A summary of the relevant analysis is provided as appropriate. All implementation options provided are viable and serve to address an identified constraint, Housing Element program, or other County priority. For each implementation option, the following are included:

- **Level of Effort:** Each implementation option has been determined to have a low, medium, or high level of effort required. This is a general consideration of time, staff effort, required resources, and impact on County processes.
- **Implementation Methodology:** A summary of approach to implementation for each option is included (zoning code amendment, fact sheets and fliers, etc.)
- **Advantages and Disadvantages:** Possible advantages and disadvantages are summarized in this section. General considerations here include how effectively the option implements the Housing Element program and aligns with Board Directives and County priorities.
- **CEQA:** For the purposes of this analysis, the majority of programs would only require a single addendum to the General Plan EIR. Items that would require their own additional environmental analysis separate from this method are noted.
- **Quick Wins:** Implementation options that are quick wins are identified. Quick wins are options that require low effort. Not all quick wins have a significant impact on addressing constraints, but many provide more immediate fixes to address current issues.
- **Recommended Option:** Implementation options that are recommended are identified. Not all recommended options will be pursued as part of this project but may be recommended for future implementation dependent on availability of resources.

Potential quick wins and recommended options are identified throughout. Note that some programs may have multiple implementation options identified as recommended. In some cases, these can be implemented together, though that is not necessary for their effectiveness. Not all options that are identified as recommended need to be pursued for implementation of the program. Recommended options are highlighted based on their potential for effectively addressing constraints, implementing programs, and unlocking units with consideration to the complexity and effort level needed for that option. Options that are not identified as the recommended option may still address constraints or implement Housing Element programs but are not the preferred option or approach. Priority levels are subject to change based on County and stakeholder input. Options that unlock more units or directly address Housing Element program implementation are given higher priority. Options that have less impact regarding

unlocking units are given lower priority. Options that are not identified as a recommended option are not given a priority level.

A preliminary review of the programs identified herein has been conducted to identify the anticipated level of California Environmental Quality Act (CEQA) review. Because the proposed programs would not result in an increase in housing units, density, or distribution, beyond what was analyzed in the 2011 General Plan Program Environmental Impact Report (EIR), an addendum to that EIR appears appropriate for the majority of programs identified.

Certain programs may also be considered exempt from CEQA and could be processed via a Notice of Exemption. It is important to note that programs carried forward for implementation should be evaluated as a whole, rather than in a piecemeal fashion, to comport with CEQA mandates.

Note, too, that certain programs may involve modifications that would require further evaluation to determine whether new or more severe impacts may occur, as compared to those identified in the General Plan EIR. Should the potential for new or more severe impacts be identified, preparation of a subsequent CEQA document such as a Mitigated Negative Declaration or EIR would be required.

The implementation options are evaluated based upon a variety of factors, including demonstrated success, relevance and applicability to San Diego, enforceability, feasibility, and impact on housing construction and housing affordability. Input received from County subject matter experts and initial stakeholder outreach has been included in this memo for consideration and is noted in the relevant implementation option. Finally, as stated, all implementation options are summarized in a comparative matrix in Appendix A.

The following Housing Element Update programs and Board of Supervisors directive are included:

- 1) Program 3.1.3.A – Zoning Ordinance Cleanups and Building Types and Development Designators
- 2) Program 3.1.1.D – Diversity of Land Use Designation and Building Type
- 3) Tiny Homes on Wheels (Board Directive)
- 4) Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density
- 5) Program 3.3.2.A – Group Homes for Seven or More
- 6) Program 3.1.1.K – Expand Eligibility of Checklist Exemptions

Program 3.1.3.A– Zoning Ordinance Cleanups and Building Types and Development Designators

As provided in the County's 6th Cycle Housing Element, Program 3.1.3.A, Zoning Ordinance Cleanups and Building Types and Development Designators, includes the following action:

Review the development designators in the Zoning Ordinance and amend Code by the end of 2022 as necessary and appropriate to ensure that a range of housing types and densities can be achieved, and that the designators facilitate development at the maximum density allowed by the General Plan.

For each parcel where the density permitted by the specified designator was less than the density permitted by the General Plan, the difference in permitted density yielded a specific number of "locked units." Locked units are units that would be allowable by the maximum General Plan density but would be difficult to achieve under the current designator standards. These units were calculated by taking the difference between the maximum General Plan density and the maximum allowable density by the specified designator and multiplying the difference in density by the acreage of the specified parcel. In cases where the density allowable by the specified designator was greater than the maximum General Plan density, the number of locked units was considered to be zero.

For example, if the General Plan Land Use designation on a 1-acre parcel was VR-30, allowing 30 dwelling units per acre (du/ac), and the parcel had a height designator of B, which would allow 2 stories or approximately 20 du/ac, the difference in density would be 10 du/ac. For a 1-acre parcel, this would yield 10 locked units. In the event that the number of locked units yielded was not a whole number, the number of units would be rounded up if the digit in the tenths place was greater than or equal to 0.5 (e.g., 13.5 = 14); if less than 0.5, the number of units was rounded down to the nearest whole number (13.4 = 13). For parcels yielding less than 0.5 locked units overall due to small size, zero locked units were noted.

The table below summarizes the initial estimate of number and acreage of parcels with a constraint caused by a designator not allowing that parcel to meet the maximum General Plan density and the resulting number of locked units for each designator. Parcels that have constraints due to more than one designator in the table are included in each applicable row. For parcels with multiple constraints, locked units may not be made fully developable by a change in only one designator. For example, removing constraints caused by the height designator would not necessarily unlock 6,451 new potential units. However, approximately 6,451 units would no longer be constrained by specifically the height designator. For this reason, the number of parcels and locked units in Table 1 cannot be accurately totaled. Note that these numbers are subject to change as the final analysis is completed.

Table 1: Designator Constraint Summary

Designator	Number of Parcels with a Constraint Caused by the Designator	Acreage	Locked Units
Zoning Density	387	4,655	9,166
Height	1,290	977	6,451
Use	3,332	6,189	13,244 ¹
Building Type (Where Buildings are Allowed)	953	360	2,993
Setbacks	204	29	310

¹ Note that for the use designator, these units are not locked units, but rather a noted number of units that are incompatible between the use designator and the General Plan designation.

Summary of Zoning Density Constraints

There are 387 parcels in which the allowable density is constrained by the zoning density. These are parcels where the zoning density permit less than what is allowed by the General Plan. This constraint results in approximately 9,166 units that are locked or unattainable by the maximum density allowed by the zoning density designator (i.e., units that would be achievable at the General Plan allowable density). The majority of these locked units are in the Village Residential-15 units per acre (VR-15) (4,962) and Village Core Mixed Use (C-5) (2,399) land use designations.

County subject matter experts indicated that the most common applications where zoning density constrains General Plan density potential are in mixed-use or commercial zones, in which the General Plan allows some residential density, but the zoning density limits residential development on these parcels.

Both Option 1 and Option 2 address the same constraints and would be utilized exclusively of each other. Each option would unlock any constraints on the 387 identified parcels caused by the zoning density designator.

Implementation Options

Option 1: Zoning density refers to General Plan for maximum density



This option consists of revising parcels with a zoning density less than the maximum density allowed by the General Plan to refer directly to the General Plan, rather than having a specifically prescribed zoning density via a zoning density designator. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4100. These changes would not include those General Plan Designations that point to the zone box for any intended mixed use density, per General Plan Table LU-1 (Commercial, Office Professional, Neighborhood Commercial, Limited Impact Industrial).

Level of Effort

This would be a medium effort option to address the variation between the General Plan and zoning densities. It would be implemented by revising the County's parcel layer and replacing specified zoning densities with a dash, which is used to refer to the General Plan density.

Alternatively, this could be implemented by adding a provision to the zoning code allowing any parcel with a zoning density less than the maximum General Plan density to develop up to the

maximum General Plan density without requiring a rezone. However, subject matter experts note that, in many cases, the zoning density was specifically noted for the intended use of the site, so some effort would be needed to ensure any revisions being made are in line with the intended uses of the parcel. Thus, additional analysis would be needed to determine if all parcels with a constraint to General Plan density should be revised.

Advantages and Disadvantages

Employing this cross-referencing system would eliminate variation between the two densities, in many cases. However, it would remove some flexibility in allowing a zone to implement only some of the General Plan density. There may have been a reason when these densities were established that they are lower than that allowed by the General Plan, which would need some further analysis should this option be pursued. If the County wanted to pursue revising the zoning density, this would be the recommended option of the two, with a low priority. If pursued, this implementation option would need further analysis to determine if the CEQA documentation required is an Addendum to the General Plan EIR or if it would need its own EIR. If the program could not be covered with an Addendum, pursuing an EIR for this effort would be a disadvantage to this program.

Option 2: Remove zoning density

Stakeholders have indicated that removing the zoning density designators altogether would eliminate all variation between the zoning density and the General Plan density. This would be implemented through a set of Zoning Ordinance amendments, including the removal of Section 4100.

Level of Effort

Eliminating the designator in its entirety would require low effort, as the removal would require no revision to the standards of the designator.

Advantages and Disadvantages

In many cases, the zoning designator density is higher than the maximum density permitted by the General Plan. Eliminating this designator would result in reduced opportunity for residential development as these higher densities would then refer directly to the General Plan. The zoning density designator is also utilized to apply the density to commercial zones, so it should not be removed from those parcels.

Additionally, in many cases, the zoning designator density was specifically noted for the intended use of the site. Removing the zoning density entirely is a broad strokes option that is likely not nuanced enough to address only the parcels with density constraints. Thus, this is not a recommended option.

Summary of Height Constraints

The height designator for the County regulates both building height in feet and number of stories for a parcel. A common convention recommended by the California Department of Housing and Community Development (HCD) is that the minimum height to implement a certain density is one story or 10 feet of height for every 10 du/ac or portion thereof (ex: a parcel allowing 30 du/ac requires a height of at least 3 stories or 30 feet in order to reach the full density potential).

This standard was used as the basis of analysis for the height designator. There are 1,290 parcels with a maximum height that would likely not allow full implementation of the allowed density, as follows:

- 1,286 parcels have a height designation of G, which allows a maximum height of 35 feet and 2 maximum stories with a density of either 24 du/ac or 30 du/ac.
- Two parcels allow a density of 24 du/ac but have a height designation of C, which allows a maximum height of 25 feet or 2 stories.
- One parcel allows a density of 30 du/ac but has a height designation of A, which allows a maximum height of 15 feet and 1 story.
- One parcel allows a density of 24 du/ac but has a height designation of B, which allows a maximum height of 20 feet and 2 stories.

There are three identified implementation options for addressing constraints to the General Plan density caused by the height designator. They are all relatively low effort.

Pursuing Option 1 would negate the need to pursue Options 2 or 3. Options 2 and 3 could be pursued separately or together. Option 1 would address constraints on 1,288 of the 1,290 identified parcels with constraints and would prevent further constraints to density caused by the story limits. Option 2 would address 1,286 of the 1,290 parcels identified as potentially constrained by the height designator. Option 3 would provide some flexibility to address constraints, but is more of a process to address existing constraints rather than an approach to remove constraints on a specified number of sites.

Implementation Options

Option 1: Remove the limit on stories

Of the 1,290 parcels with a variation between the maximum allowable General Plan density and the density able to be achieved under the current height designator, 1,288 of the parcels would be able to achieve the maximum density under the designated maximum height in feet, and only the story limit is restricting development. Removal of the story limit and allowing the height designator to regulate only the overall number of feet in height would address almost all variations in achievable density and would unlock a potential 6,440 units. The County already allows an additional story in a residential building under specific conditions, provided that the building is within the permitted height in feet. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4600.

Discussions with County subject matter experts identified two situations where stories have been limiting to development, including multifamily structures that want three stories. Removing the story limit would help directly address this occurrence.

Level of Effort

This option can be achieved by a Zoning Ordinance amendment to Section 4600. This amendment would be a low level of effort. The Zoning Ordinance would need to be reviewed and any reference to allowed stories would need to be revised.



Discussions with County subject matter experts indicated that the number of stories were initially implemented as a way to limit intensity of use for properties and not just as a visual component for a maximum height in feet. Should this option be pursued, additional research into this would be necessary. A review of prior CEQA documentation relying on stories may be needed to address an expansion of use if the number of stories is removed.

Advantages and Disadvantages

This option has minimal disadvantages. It would not affect other zoning standards. The overall visual height impact will remain the same as the maximum amount of allowed feet would remain unchanged. Removing the story limit would allow flexibility within the same overall height. Thus, this is a potential quick win and the recommended option with a medium priority level.

Option 2: Amend the G designator to allow three stories



The G designator currently allows 35 feet in height and 2 maximum stories.

Of the 1,290 parcels with a variation between the maximum allowable General Plan density and the density able to be achieved under the current height designator, 1,286 of the parcels would be able to achieve the maximum density if the G designator maintained the same maximum height in feet and increased the maximum number of stories allowed from 2 stories to 3. This would essentially be combining the G and H designators, as the H designator currently allows 35 feet and 3 stories in height. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4600. A similar result could be implemented through combining designators with the same maximum height in feet and increasing the maximum stories permitted to the most allowed by other designators of the same height. For example, designators G, H, and I all permit 35 feet in height, but allow 2, 3, and 4 stories respectively. These designators could all permit up to 4 stories without any change to the visual impact, as the 35-foot height limit would be maintained.

Level of Effort

This option can be achieved by a Zoning Ordinance amendment to Section 4600. This amendment would be a low level of effort.

Advantages and Disadvantages

This option has minimal disadvantages. It would not affect other zoning standards. The overall visual height impact will remain the same for G designated parcels, since the maximum amount of allowed feet would remain unchanged. Increasing the story limit would allow flexibility within the same overall height. One potential disadvantage is the impact that removing the stories would have in other places where that metric is used, if there is anywhere where the standard of stories was utilized to limit intensity of use, not just height. The CEQA documentation for this effort may need to address an expansion of use if the number of stories is revised. This is the recommended option with a high priority level.

Option 3: Expand the administrative permit process for an additional story

QUICK WIN

RECOMMENDED
OPTION

Per the existing County Code section 4615(b), an additional story may be permitted in a main dwelling with a primary residential use upon issuance of an administrative permit, provided that in no case shall the main dwelling have a height measured in feet greater than that permitted by the applicable height designator. This provision currently applies only to single-family main dwelling units. This process could be expanded to permit an additional story for multifamily structures.

Level of Effort

This option can be achieved by a Zoning Ordinance amendment to Section 4600. This amendment would be relatively discreet, would be a low level of effort, and could be implemented as a quick win.

Advantages and Disadvantages

This option has minimal disadvantages. It would not affect other zoning standards. This process is already being implemented in the County and expanding its applicability should have minimal effect on processes. It could have the disadvantage of adding cost, time, complexity and uncertainty to multifamily development applications where height is a critical factor in developing an assessment of project feasibility. However, the existing limitation and the discretionary review process to achieve a third story for over 1,200 properties could also deter any application and may never be subject to the discretionary option. Therefore, this is a quick win and the recommended action with a low priority level.

Summary of Use Constraints

The County's use designators note which General Plan land use designations are considered compatible with the parcel. Variations were determined based on whether the highest-density compatible use designator allows less density than the General Plan density for each parcel.

The A70 (Limited Agricultural Use Regulations) and RR (Rural Residential) designators serve to reinforce the General Plan and community plans. These two use designators are largely in agricultural, rural, or semi-rural areas. Though they have variations in allowable units, these rural areas may not be the most suitable or realistic for unlocking housing in line with project and larger County goals. Initial analysis showed there are 13,244 locked units on 3,332 parcels.

As the use designator is implemented in a different manner than the other designators, revisions will not remove parcel constraints or unlock units in the same manner. As only one implementation option is proposed, this option could be pursued independently or together with future proposed strategies.

Implementation Options***Option 1: Expand the allowance of residential uses as a secondary use***

Expanding the allowance of residential uses as a secondary use may address some discrepancies among use designators of neighboring properties, which would align with zoning

best practices. However, as stakeholders indicated, the use designator is not a known limiting factor.

In practice, the use designator compatibility is not a primary issue and is only applied if a developer submits a Zone Reclassification/Rezone or General Plan Amendment.

Level of Effort

This amendment would be a high level of effort to implement and is not recommended due to the lack of concern regarding the use designator.

Advantages and Disadvantages

As variations between the use compatibility and General Plan density are often intentional, and the use designator is not a known limiting factor to residential development, there is little advantage to pursuing this implementation option. Additionally, relative to CEQA, this option may require additional analysis (e.g., in the form of a Supplemental EIR) to evaluate potential environmental effects.

Summary of Building Type Constraints

The building type constraint analysis reviewed each designator to determine if the building type permitting the highest density was able to implement the allowed density on the parcels with that designator. Note that the designators with the most locked units were the “A” and “dash” designators, which allow no building types; however, these areas are typically not suitable for residential development and may not be appropriate for increasing density, for example in areas designated for open space and/or conservation, or without existing or planned access to infrastructure. Parcels with a “dash” may also refer to areas with form-based codes. These were reviewed for constraints and no issues were found. Additionally, there are 337 parcels with an A designator that appear to allow no building types and have a conflict, but many have mobile home park uses currently. This indicated a potential error with the A designator on these parcels. There are 2,993 locked units on 953 parcels in zones that do allow buildings.

The C designator was identified as having the highest number of locked units of designators that allow some type of building. There are 2,564 locked units on 658 parcels with this designator. The C designator allows only detached, single-family building types. The C designator was identified as a constraint in conversation with County subject matter experts and in initial stakeholder conversations with developers. The first implementation option focuses on providing flexibility in areas with the C designator.

Pursuing Option 1 has the potential to address constraints caused by the building type designator on 658 parcels. Option 2 would negate the need for Option 1, so they would be pursued independently.

Option 1: Allow additional building types or flexible standards in the C designator

Suggestions for improvements to reduce inconsistencies between the designator and the General Plan density include changing the C designator to allow multiple single-family dwellings per parcel without a subdivision.

Potential solutions also include allowing a variety of housing types on larger parcels, including



structures that look like single-family residences but are multifamily (e.g., duplex, triplex, quadplex units), or allowing more than one unit per parcel without subdivision.

This implementation option would be focused on multifamily areas, those with General Plan densities above 10.9 or 15 dwelling units per acre, the exact number to be determined during program implementation. This would align with the vision of the General Plan.

Level of Effort

Adjusting the building type in the C designator would be a medium to high effort. It would require a set of Zoning Ordinance amendments to Section 4300. Additional analysis regarding determination of appropriate building types or standards would be required prior to program implementation. There are several options for building types (attached single-family, clustered detached units, duplexes, garden court apartments, etc.) and it would be possible to combine the C designator with the standards of another designator to reduce the number of type designators. For example, the implementation of this option could consist of adding an exception to building type for condominium projects that are proposed as single-family dwellings on a single lot. This sort of project is visually the same as detached single-family units but is not allowed in areas with a C designator. The visual similarity would help maintain consistency with surrounding single-family properties and may have overlap with any applicable design review and standards.

The analysis needs to consider the potential effect of allowing what are currently considered multifamily uses in single-family zones. Changes in allowed building type would have to be carefully implemented to ensure consistency with certain state laws that are applicable to multifamily zones (Senate Bills 1123 and 684).

Large-scale changes to the building designators may require consideration regarding whether the General Plan EIR provides sufficient analysis or additional environmental review is required. The County's General Plan EIR analyzed parcels at the highest General Plan density at a reasonably foreseeable buildout, so modifying the building type designators that would result in future development consistent with the densities allowed by the General Plan would therefore not trigger additional environmental review. However, other considerations (e.g., consistency with General Plan Mobility Element; compliance with requirements for provision of adequate public roadway right-of-way and adherence to required setbacks from centerline may require further evaluation of potential environmental effects. If this option is pursued, the definitions would also have to be reviewed and updated to make sure there is consistency and no other constraints that limit the number of dwellings on the site. This is a recommended option with a medium/high priority level, because this change would make the most meaningful impact, unlocking the greatest number of housing units and aligning with County and Board of Supervisors goals and strategic initiatives.

Advantages and Disadvantages

Adjusting the C designator to allow additional building types would help address several concerns from County subject matter experts and initial stakeholder discussions with developers, including constraints stemming from minimum lot size and setbacks. This would also help address constraints from the subdivision process by allowing more units on a single

parcel without the need for a subdivision. Adjusting the building type would allow flexibility in development and help address constraints holistically, thereby reducing constraints to realizing General Plan densities as required by Housing Element Program 3.1.3.A.

One disadvantage to this program is that it can be challenging and controversial to revise existing single-family zoned areas to allow more housing. This implementation option will likely yield concern and pushback from members of the public who feel it is eliminating single-family zoning. Additionally, other considerations (e.g., consistency with General Plan Mobility Element; Centerline Review for provision of adequate public roadway right-of-way and adherence to required setbacks from centerline) may require further evaluation of potential environmental effects beyond that provided in the General Plan EIR.

Option 2: Eliminate the building type designator

Eliminating the building type designator would allow project types to be determined by the density permitted on each parcel and the other development designators. This would eliminate constraints caused by the building type designator. This is common practice in other communities. Design standards can provide development flexibility while regulating the visual impact of the projects. This may require additional creation of or revision to objective design standards in certain areas.

Level of Effort

This option can be achieved by a Zoning Ordinance amendment to Section 4300. The Zoning Ordinance would need to be reviewed and any reference to allowed building types would need to be revised.

Including further revisions to increase design standards as a replacement to regulating permitted building types would require a medium level of effort. Several communities in the County have existing design standards. The existing design standards would be expanded upon to include other relevant areas of the County. Revisions to the design standards would not be required to implement this option, but they would be recommended, depending on the intent of the current building type designator.

Advantages and Disadvantages

Eliminating the building type designator would remove any constraints caused by the existing requirements. The building types would allow the maximum General Plan density to be reached, with style and type of building regulated depending on the community's design standards. This would provide development flexibility and address constraints holistically, while providing alternatives to maintain the intent of the building type designator where appropriate.

One disadvantage to this program is that it can be challenging and controversial to revise existing single-family zoned areas to allow more housing. This implementation option will likely yield concern and pushback from members of the public who feel it is eliminating single-family zoning.

Eliminating the building type designator would effectively eliminate single-family exclusive zoning in the County, due to how the designator implements the permitted use on each parcel. This would essentially permit multifamily uses on every parcel with residential density and thus

affect implementation of several state laws that apply to only multifamily zones, including those regulating various types of supportive housing, such as emergency shelters and low barrier navigation centers. Due to the subsequent effects of eliminating all regulation of building type, this option is not recommended without further analysis and refinement, including an evaluation by County Counsel. Additionally, further evaluation of potential environmental effects beyond that identified in the General Plan EIR may be required in the form of a Supplemental EIR.

Summary of Setback Constraints

Generally, minimum setbacks are not a constraint on achieving permitted densities for single-family lots. They are a constraint on small lots where the setbacks make up a larger proportion of the total lot area and result in a small building envelope. All parcels with constraints to meeting the maximum General Plan density caused by the setback designator were under 2 acres, indicating that the individual parcel's size posed more of a constraint than the setback designator itself. The analysis determined that the minimum setback requirements were constraints to achieving multifamily densities (generally 10.9 du/ac and greater) on lots less than 1 or 2 acres. Both County subject matter experts and initial stakeholder conversations with developers indicated that setbacks served as a constraint to flexibility in development and meeting the maximum General Plan density on parcels.

The County currently has setback reductions for constrained lots, including lots where the size and configuration make development challenging. Specific criteria that need to be met for a parcel to qualify for these reductions may be found in Zoning Ordinance Section 4822. Other ministerial setback reductions can be found in the 4800 Section of the Zoning Ordinance.

Option 1 and Option 2 address different constraints caused by setback requirements and could be pursued together or independently. The number of parcels affected, or number of new potential units permitted by pursuing either option, would be dependent on parcel-specific conditions such as size and dimensions. This would also depend on what the revised standards would be determined to be and cannot be accurately estimated.

Implementation Options

Option 1: Base setbacks on minimum lot size



Applicants have expressed that having 23 different sets of setbacks may be a constraint to development, and simplifying to have fewer setback designators would reduce uncertainty for applicants. The following was a suggestion derived from a stakeholder working group meeting:

- For lots under 10,000 square feet, a 10-foot front yard setback from the edge of the street, and a 5-foot rear and side yard setback from the property line.
- For lots between 10,000 square feet and 0.5 acres, a 10-foot front yard setback from the edge of the street but increase the rear and side yard setbacks to 7 feet.
- For lots between 0.5 acres and 1 acre, a 15-foot front yard setback from the edge of the street, and a 10-foot rear and side yard setback from the property line.

- For lots over 1 acre, a 20-foot front yard setback from the edge of the street, and a 15-foot rear and side yard setback from the property line.

This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4800.

Level of Effort

This solution could be applied to all parcels and would greatly simplify the setback designator. It is identified as a medium level of effort. Revising the method of measurement for setbacks would require a more significant code amendment effort than some of the more acute code amendments. However, it should be noted that in the County, some existing setbacks are measured from the center line of the road at maximum buildout provided in the County's Mobility Element, which would have to be considered in the revisions. Where necessary, measurement from the property line and street center line can be done without too much additional effort, as was recently done for the Fallbrook Subarea Plan.

This can be confusing for applicants, as the streets are not necessarily at full buildout and many properties are on private roads and easements. Section 4816 of the code could be revised to measure setbacks from the property line or whichever is greater, except where otherwise required, such as for planned rights-of-ways in the Mobility Element. This section is already inclusive of more restrictive setback standards for larger roads.

Advantages and Disadvantages

Basing setback standards on minimum lot size would greatly simplify the process for applicants. Given the identification of setbacks as an issue by subject matter experts and initial stakeholder conversations, this is a recommended option to pursue with a medium/high priority level.

Option 2: Allow a reduction for setbacks between main buildings on a project site



The County currently has minimum setback requirements between the main buildings on a project site. A potential solution to reduce restrictions to development would be to allow a reduction in setbacks between main buildings on a project site based on fire access requirements. Alternatively, setbacks between buildings could be regulated solely by the building code and could be removed as an additional requirement in the zoning code. This would be implemented through a set of Zoning Ordinance amendments, primarily to Sections 4840 through 4842.

Level of Effort

This option would be a shorter-term, low-effort opportunity to address minor restrictions caused by setback requirements. This option is a potential quick win.

Advantages and Disadvantages

Setbacks do not pose a significant constraint to residential development, so any implementation option should weigh the advantage of the effort and the potential for units to be unlocked. This option would be an opportunity to ease residential development constraints and increase site

potential with less effort. Therefore, this is a recommended action and a quick win with a low priority level.

Summary of Minimum Lot Size Constraints

The minimum lot size is generally not a constraint on the ability to achieve the maximum permissible density for multi-family developments. This is because the lot size is relative to the development, not the dwelling unit. Therefore, as stated in Section 4210 of the County Zoning Code, the minimum lot area “regulates the minimum area that lots or building sites must have before they may be developed.” Subject matter experts noted that the lot size designator is not applied to any projects that are proposed as condominium developments, so multi-family developments can be built as condominiums without the application of the lot size designator.

For multi-family developments, a very large minimum lot size (e.g., greater than 10 acres) increases the initial land costs and the size of any development to achieve per unit efficiency. Therefore, a large minimum lot size can potentially be a constraint for multi-family developments. However, the maximum minimum lot size for areas designated for multi-family densities of 10.9 du/ac or greater is 2.0 acres. Therefore, there is no existing constraint.

As there are no known constraints for multifamily development due to minimum lot size, no implementation options are necessary or recommended. Implementation options to mitigate constraints caused by the setback designator may be implemented in coordination with minimum lot size.

Summary of Maximum Floor Area Ratio Constraints

There are 498 residential parcels in the County with a maximum floor area ratio (FAR) designator. Almost half (227, 45%) of these parcels have densities under 1 du/ac, in which case the FAR would not restrict the ability to reach the maximum density. Very few parcels in the County use FAR to regulate residential density and, as such, changes to the standard are unlikely to unlock additional units and density.

Pursuing Option 1 would negate the need to pursue Option 2 and they do not need to be pursued together. Very few parcels in the County use FAR to regulate residential density and, as such, changes pursuing these options are unlikely to unlock additional units and density.

Implementation Options

Option 1: Remove or exempt FAR from residential development

As very few of the parcels in the County use FAR to regulate residential density, the FAR requirement could be removed from residential development altogether. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4800.



Level of Effort

Removing this designator from residential development would require low effort, as the removal would require no revision to the standards of the designator. Creating an exemption for residential developments would require a greater effort as the conditions upon which a site may be exempt would need to be determined and additional analysis may be warranted.

Advantages and Disadvantages

As very few of the parcels in the County use FAR to regulate residential density, changes to the standard are unlikely to unlock a significant amount of additional units and density. For this reason, removing this designator or creating an exemption for residential development would likely not result in a significant amount of opportunities for further residential development. This is a recommended option of low priority.

Option 2: Exempt accessory structures from FAR

To address constraints created by the FAR designator, a Zoning Ordinance amendment could be implemented to Section 4500 to exempt certain non-habitable accessory structures from inclusion in the FAR calculation, for example carports, residential garages, and/or storage buildings. This option could be modified to exempt all residential garages or only basement, underground or otherwise unseen (wrapped) parking.



Level of Effort

Creating this exemption would be a low level of effort, as it would not require a comprehensive revision to the standards for the FAR designator.

Advantages and Disadvantages

As very few of the parcels in the County use FAR to regulate residential density, changes to the standard are unlikely to unlock a significant amount of additional units and density. Creating an exemption for residential garages would likely not result in a significant amount of opportunities for further residential development. However, it would be a lower-effort opportunity to address potential constraints caused by FAR on the few affected properties and could be implemented as a quick win with a low priority level.

Summary of Open Space Constraints

The open space designator for the County regulates the private and group required open space for each parcel. The open space designator G's minimum 500 square foot/du appears to be a significant constraint on achieving density by requiring 46 percent of the lot area (for the General Plan maximum of 40 du/ac) on a 1-acre test lot for common usable open space. The further constraint is that to qualify as "usable" the land must be on less than 10 percent slopes, so it effectively uses the least constrained lands for open space instead of for higher-density housing. This constraint can be moderated by the permitted use of up to 20 percent of the minimum required group open space area on a rooftop. Currently, rooftop open space may be counted toward private open space.

Option 1 and Option 2 could be pursued together or exclusively. Pursuing both options together would result in longer term and more thorough constraint reduction. Quantifying the amount of parcels that may have constraints removed by pursuing these options would be on a project- or parcel-specific basis and cannot be quantified as part of this analysis. Ultimately, it can be assumed that all parcels, especially those with the G open space designator, would have more development potential and with added flexibility in open space standards.

Implementation of these program options should consider if any open space from these requirements is counted toward meeting any requirements for other County initiatives, such as the Climate Action Plan and Multiple Species Conservation Plan, and account for such with any reductions in open space requirements.

Implementation Options

Option 1: Reduce open space requirements for the G designator



As the G designator poses the greatest constraint to achieving the maximum General Plan density due to high open space requirements, reducing the minimum 500 square foot/du requirement would increase the potential for additional residential units. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 4900.

Level of Effort

Reducing this requirement would be a medium level of effort, as the degree to which this requirement would be reduced and the impact of the reduction would need to be analyzed to determine the resulting standard.

Advantages and Disadvantages

Reducing the open space requirements would likely address the constraints on market-rate housing development caused by the large requirement. It would need to be ensured that the resulting standard is not also a constraint to achieving maximum density. This is a recommended action with medium/high priority that may take some more significant effort. A disadvantage to this option is that there may be public pushback regarding a perceived reduction in open space.

Option 2: Allow open space on rooftops or in setback areas



The open space designator can be modified to permit use of up to a certain, determined percentage of the minimum required group open space area on a rooftop. Currently, rooftop open space may be counted toward private open space. The added flexibility could be codified in the Group and Private Open Space Standards of the Zoning Ordinance in Sections 4915 and 4917. Alternatively, additional options could be explored for shared open space between adjacent developments or alternative open spaces, such as courtyards or green pathways in setback areas.

Level of Effort

Modifying this requirement would require a low level of effort, as rooftop space may already be counted toward private open space, so allowing this flexibility for group open space as well would require a minor addition to the code. This option could also allow a certain percentage of open space to be allowed in setback areas.

Advantages and Disadvantages

As “usable” open space land must be on slopes of less than 10 percent, the least constrained lands are currently being used for open space rather than higher-density housing. Permitting the use of up to a certain percentage of the minimum required group open space area on a rooftop

or in setbacks would allow more of the less sloped land to be utilized for residential development. A disadvantage to this option is that there may be public pushback regarding a perceived reduction in open space. This is a recommended action that aligns with the County's code. This is identified as a quick win and recommended option with medium priority.

Summary of Planned Development P Designator Constraints

The planned development (P) designator is applied to 5,435 parcels in the County. This designator is intended to preserve land with unique characteristics and permit creative and imaginative design for development. The P designator provides its own set of development standards that are largely more permissive than the applicable designators and thus typically do not cause a constraint in reaching the maximum General Plan density.

The exception to this is the open space requirement. This was identified as a potential constraint in the working group meetings. The open space requirements are not eligible to be modified, as described in Section 6678 of the County Zoning Ordinance. Note that this restriction does not preclude applicants from utilizing a density bonus request to eliminate or adjust the open space requirements. The open space requirement is regulated per lot.

All options could be pursued together or exclusively. Pursuing options together would result in longer term and more thorough constraint reduction. Quantifying the amount of parcels that may have constraints removed by pursuing these options would be on a project- or parcel-specific basis and cannot be quantified as part of this analysis. Ultimately, it can be assumed that all parcels with the P designator would have more development potential and flexibility with added flexibility in open space standards.

Implementation Options

Option 1: Allow modification of open space and height requirements

Zoning Ordinance Sections 6630 through 6648 include a list of the exceptions that can currently be requested. A Zoning Ordinance amendment to Section 6678 to allow an exception to the open space standards would alleviate any constraints, especially to small lot subdivisions, caused by this standard. Height requirements are allowed to be modified up to 15 percent if allowed by the approving authority. As outlined in Section 6636 of the Zoning Ordinance, this includes an exception within 100 feet of any external boundary of the planned development adjacent to land in any residential or agricultural zone. To allow for more flexibility with the height requirements, this exception can be removed, allowing the height increase closer to the external boundary of the planned development.



Level of Effort

This implementation option is a low-medium level of effort. As several other exceptions to the P designator are already permitted, including the open space requirement as an allowed exception would be a quick win. Modifying the height exception would be a low level of effort and a quick win.

Advantages and Disadvantages

The P designators were applied to properties to allow increased design flexibility to respond to unique site characteristics and constraints, subject to level of review and consideration by the community when these areas increased in General Plan density. A disadvantage to this option is that there may be public pushback regarding a perceived reduction in open space or in height close to property lines.

The P designator already allows exceptions to the other standards, so allowing an exception to the open space requirement would maintain the existing goals and reach of the P designator requirements while allowing more flexibility in order to encourage residential development. This is a quick win and a recommended action with medium priority.

Option 2: Reduce open space requirements in Section 6648



Reducing the minimum open space requirement would increase the potential for additional market-rate residential units. This would be implemented through a set of Zoning Ordinance amendments, primarily to Section 5800. The County could implement this option by allowing deviations from the standard requirements, provided that certain findings are met, such as identification that the deviation is appropriate for the location and will result in a more desirable project than achieved in strict conformance with the existing standards. This strategy would allow flexibility to easily reduce the requirements for projects.

Level of Effort

Reducing this requirement would be a medium level of effort, as the degree to which this requirement would be reduced and the impact of the reduction would need to be analyzed to determine the resulting standard.

Advantages and Disadvantages

Reducing the open space requirements would likely address the constraints on development caused by the large requirement. It would need to be ensured that the resulting standard is not also a constraint to achieving maximum density. Additionally, there may be impacts on the intended effect of the quantity of open space. It is noted that the benefits of open space can be achieved in small spaces. This is a recommended action with medium priority and would require additional consideration to determine the new standards and findings.

Option 3: Allow open space on rooftop or in setback areas



The open space requirement can be modified to permit use of a determined percentage of the minimum required group open space area on a rooftop. Currently, rooftop open space may be counted toward private open space. The added flexibility could be added to Zoning Ordinance Section 5800.

Level of Effort

Modifying this requirement would require a low level of effort, as rooftop space may already be counted toward private open space, so allowing this flexibility for group open space as well would require a minor addition to the code. This option could also allow a certain percentage of open space to be allowed in setback areas. This implementation option is a potential quick win.

Advantages and Disadvantages

As “usable” open space land must be on slopes of less than 10 percent, the least constrained lands are currently being used for open space rather than higher-density housing. Permitting use of up to a certain, determined percentage of the minimum required group open space area on a rooftop or in setbacks would allow more of the less sloped land to be utilized for residential development. This is a recommended action with a low priority that aligns with the County’s code.

Option 4: Allow projects with P Designator requirements through a minor use permit or administrative use permit

Summary and Level of Effort

This option would reduce the level of permitting for projects subject to P designator requirements from a major use permit to either a minor use permit or administrative use permit.

This implementation option would complement options amendments to the P designator development designator standards (above) and amend the P designator permitting requirements. Housing projects subject to P designator requirements could be streamlined through the development process. This option could allow housing projects subject to P designator requirements to be processed through a minor or administrative use permit, similar to that which is being proposed for group homes.

This could also be limited to apply to smaller or less complex housing projects. Additional analysis during the implementation phase would help determine the appropriate level of permitting between minor use permit or administrative use permit. Implementation would consist of a Zoning Ordinance amendment to revise the required permit level. Forms would be updated as applicable.

Level of Effort

This program would be a medium level of effort. The housing projects currently subject to the P designator could be processed through an administrative or minor use permit rather than a major use permit, per feedback from County subject matter experts.

Advantages and Disadvantages

This option would help expedite and provide flexibility for housing projects, aligning with Housing Element goals. There are no major disadvantages to this option.

Overall Implementation Options

Pursuing Option 1 would negate the need to pursue Option 2, Option 3, or Option 4 as it would eliminate the designators, at least in the way they are currently applied. Option 2, Option 3, and Option 4 could be pursued together or separately. Depending on their application, Option 2 and Option 3 have the potential to address all parcels with existing constraints. However, they do not prevent future conflict to the same degree as some other options would. Option 4 would offer some flexibility in the ability to achieve the maximum General Plan density on all parcels with constraints without revising current designators but would not be a direct removal of the constraints themselves.

Option 1: Fully revise the zoning to have base zones with standardized development standards similar to other jurisdictions



In an effort to streamline the zoning standards, the County could adopt a more typical zoning structure, with specific base zones with set standards that do not have as many variations or parcel-specific standards as the County's existing structure. This would require a comprehensive Zoning Ordinance update, as well as a General Plan amendment. There are over 6,500 unique combinations of zoning designators that result in the equivalent of unique zones. Most municipalities of similar complexity as the County of San Diego would have a total of 20 to 30 zones.

An EIR would likely be the appropriate CEQA documentation for this implementation option. This effort would potentially revise the densities of parcels beyond that which was determined by the General Plan EIR due to the consolidation and creation of new standards. It is likely that densities of parcels would change as standards are consolidated into a set of base standards.

Level of Effort

Adopting a more typical Zoning Ordinance structure would require a high level of effort, although investing time into such an update would prevent further constraining standards and would provide a longer-term solution.

Advantages and Disadvantages

This comprehensive Zoning Ordinance update could significantly prevent future instances of zoning standards restricting the achievable maximum density. However, this would require a significant amount of time and effort and would dramatically change the way zoning is implemented within the County. The time and financial commitment for such an effort outweighs the benefit, especially in light of development constraints that could be reduced or eliminated with the easier, quicker Zoning Ordinance amendments discussed throughout this memo. This is a recommended action with a medium/high priority, but requires further discussion.

Option 2: Change one or more of the designators of existing parcels

Rather than a revision to the standards of the designators themselves, the designators causing variation between the potential density and the maximum General Plan density can be revised on a parcel-by-parcel basis. This would require no changes to the Zoning Ordinance but would require revisions on a parcel level to the specific applied standards.

Level of Effort

This option would require a high level of effort to make changes to each specific parcel for the over 800,000 parcels in the County. This would also require analysis to determine how each individual revision would affect the other standards and developability of the parcel. It would require further parcel-by-parcel analysis to determine which parcels and standards to revise. Additional outreach could be pursued but significant outreach would not be anticipated. This option would not change the maximum density as evaluated under the General Plan EIR. However, additional analysis may be required beyond that provided in the General Plan EIR to evaluate potential environmental effects of changing the special area designators at an individual level.

Advantages and Disadvantages

This option would require a significant amount of analysis and labor, and would ultimately be a temporary fix to unlock housing, rather than a more substantial solution to the Zoning Ordinance constraints. Should standards change in the future, these revisions would need to continue to be repeated. Therefore, this is not a recommended action.

Option 3: Create new designators customized to unique or limited circumstances

In an effort to address constraints to residential development, additional designators can be drafted and added to various sections in the Zoning Ordinance that may be applied to parcels in order to address more parcel-specific standards.

Level of Effort

This would require a high level of effort to make changes to each specific parcel for the over 800,000 parcels in the County. This would also require analysis to determine how each new designator would affect the other standards and developability of the parcel.

Advantages and Disadvantages

This option would require a significant amount of analysis and labor. This would require additional parcel-by-parcel analysis to identify and amend the designators on each parcel. Similar to Option 1, the time and commitment for such an effort outweighs the benefit, especially in light of development constraints that could be reduced or eliminated with the easier, quicker Zoning Ordinance amendments discussed throughout this memo. As one goal of the County is to streamline residential development through improvements to the designators, adding additional standards would create more complex standard combinations and is not in line with the overall goals of this project. Should standards change in the future, standards would need to continue to be revised or added. Therefore, this is not a recommended action.

Option 4: Develop an administrative process for deviating from designators



The County could develop an administrative process for parcels that allows deviation from the designators for the purpose of meeting the General Plan density. This could be a ministerial process, potentially similar to a Zoning Verification Permit, that allows for a ministerial deviation of up to a certain percentage for designators, including height, setbacks, open space, or building type. The specific percentage and designators it applies to would be determined during the implementation process. The program should be created with applicant cost in mind to minimize the cost to applicants as much as possible. This is a recommended option due to the comparative level of effort (medium) and potential applicability to any parcel in the County. It is a high priority.

Level of Effort

This option would require a medium level of effort. It would require additional decisions on the avenue for the ministerial process, percentage allowed of deviation, and designators it applies to.

Advantages and Disadvantages

This option would help implement a blanket solution rather than individually editing standards or parcels. It would directly implement the Housing Element program and provide an avenue for easy revisions of the standards without an additional parcel-by-parcel analysis. Further, this option would provide an additional ministerial process without changing the designators' outreach. However, relative to CEQA, this option may require additional analysis (e.g., in the form of a Supplemental EIR) beyond that provided in the General Plan to evaluate potential environmental effects. This option may also generate speculation as to whether a designator would restrict a parcel from achieving maximum density as allowed by the General Plan, and as a ministerial action, would avoid any public noticing or review requirements, thus limiting the opportunity for public comment.

Program 3.1.1.D – Diversity of Land Use Designation and Building Type

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.D, Diversity of Land Use Designation and Building Type, includes the following action:

Maintain a mixture of residential land use designations and development regulations that accommodate various building types and styles, including but not limited to: small lot single-family homes; tiny homes; detached condominium Projects; townhomes; duplex/triplex/multiplex; courtyard apartments; bungalow courts; live/work units; mixed-use projects; moveable tiny homes; 3D printed homes; and new prefab housing types that meet state and local building code standards. Continue to explore innovative building types and housing options that can be implemented through the County's Zoning Ordinance by reviewing development designators and designations and amend the Ordinance as appropriate (in coordination with action 3.1.3.A).

Implementation options for Program 3.1.1.D focus on allowing a variety of housing types and are expanded upon below. Any of these options can be pursued together.

Implementation Options

Option 1: Allow additional building types or flexible standards in the C designator

Analysis for this implementation option is described in the building type section above.



Option 2: Explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed



Summary and Level of Effort



This implementation option is a low level of effort. Currently, a mobile or manufactured home is permitted on a private lot wherever a single detached residential building is permitted. This implementation option would consist of a Zoning Ordinance amendment to explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed. This option

can also include and promote other innovative housing types that meet local and state standards as currently allowed.

It is identified as a recommended option with a low/medium priority.

Advantages and Disadvantages

There are no major disadvantages to this implementation option. Advantages include that this is a quick win and low level of effort to allow a variety of new and innovative housing types. Additionally, advantages include directly implementing the Housing Element program and aligning with Board strategic initiatives to provide housing that meets the needs of the community.

Option 3: Establish an equivalent dwelling unit factor to count smaller units as a percentage of a full dwelling unit

The intent and advantage of the equivalent dwelling unit factor is to create more absolute units, but with roughly the same total number of bedrooms and persons and per capita impacts without increasing the density or impacts assumed in the General Plan and studied in the EIR. This concept should be limited to multifamily zones. This would allow, remove the deterrent, and potentially incentivize the construction of smaller, less costly, more affordable units, and less impactful units without increasing the net impacts on traffic, parking, utilities, or schools. This would also increase the variety of housing sizes to meet a wider range of household needs and result in a net increase in the number of individual dwelling units. The mechanism can be adjusted or used to favor units that the County needs but the marketplace is not providing.

This option would involve a new defined term and new standards for the purposes of calculating permissible number of units. The existing definition of dwelling unit would remain intact and in alignment with state definitions. The new term and accompanying development standards would be clear and objective so that it does not cause confusion, aligns with state definitions, and provides clarity on how to track for General Plan Annual Progress Reports (APR). A short informational FAQ or guidance bulletin would likely accompany the new definition to facilitate a short transition to its use.

With respect to impact on the County's need or goals to encourage any particular type of units, the new definition would help, not hurt, the County achieve its goals. It is intended to level the playing field and eliminate unintended biases, constraints and incentives between different size units. The development standards, and the new "EDU" definition, would then be adjusted to encourage or deter any particular unit types directly and transparently.

Summary and Level of Effort

This program is a high level of effort. It would consist of additional analysis and determination of the dwelling unit factor. It is an innovative program to allow dwelling units per site within the existing use and density limitations of the General Plan. It would be implemented through Zoning Ordinance amendments, fact sheets, and outreach.

Advantages and Disadvantages

This program implementation is complex and has the potential to be controversial. There is potential for program implementation to cause confusion, misalignment with state definitions, and difficulty with tracking units. Implementation would have to be done carefully to ensure compliance with all state laws.

Option 4: Allow tiny homes on wheels as an accessory or primary dwelling unit

Tiny homes on wheel implementation options are expanded upon in the section below.



Tiny Homes on Wheels (Board Directive)

On May 24, 2023, the Board of Supervisors directed staff to develop a program where tiny homes on wheels could be considered dwelling units and housing for unincorporated area communities, provided that other health and safety provisions were met. On September 1, 2025, the County of San Diego Planning and Development Services Director reviewed the definition of a “dwelling” in the County of San Diego Zoning Ordinance. It was determined that a tiny home on wheels, modified in accordance with American National Standards Institute (ANSI) standard A119.5, could be considered a dwelling without any revisions to the Zoning Ordinance. With this policy and the requirements provided in the Director’s Determination, tiny homes on wheels will be allowed under the definition of a dwelling and could be used as a primary or an accessory dwelling. The requirements align with the California Building Code, local zoning ordinances, and state laws that apply to accessory dwelling units (ADUs) and dwellings.

Summary

There are three identified implementation options for allowing tiny homes on wheels. All three options would be implemented through a Zoning Ordinance amendment and all would serve as implementation of Housing Element Program 3.1.1.D. Option 1 would codify the Director’s Determination and is thus the recommended option.

Implementation Options

Option 1: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as a primary or accessory use

Summary and Level of Effort

This option would be implemented through a Zoning Ordinance amendment codifying that a tiny home on wheels can be classified as either a primary or accessory dwelling unit. The amendment would add a set of requirements that tiny homes on wheels must adhere to in order to be classified as a dwelling or accessory dwelling. Amendments would adhere to the Director’s Determination. This is classified as a low level of effort and a potential quick win option.



Advantages and Disadvantages

The option has no major disadvantages. It aligns with the recent Director's Determination and implements Housing Element Program 3.1.1.D. It is the recommended implementation option with a high priority.

Option 2: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as ADUs



Summary and Level of Effort

This option would be facilitated by amendments to Section 6156 of the Zoning Ordinance, which regulates ADUs. The amendments would allow tiny homes on wheels as a type of accessory use only, but not as a primary use. This is classified as a low level of effort and a potential quick win option.

Advantages and Disadvantages

This option has minimal disadvantages; however, it does not align with the recent Director's Determination that a tiny home on wheels can be considered as a primary or accessory dwelling. For that reason, this implementation option is not recommended.

Option 3: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as an accessory use separate from an ADU or in addition to existing allowed ADUs

Summary and Level of Effort

This option would be implemented through a set of Zoning Ordinance amendments to allow tiny homes on wheels as an allowable use in addition to the number of existing allowed ADUs or units on a lot. This would go above and beyond state law requirements. Additional analysis or research would be required to quantify the scale and impact of allowing additional units on single-family parcels specifically. Due to this additional analysis, this would be a medium-high level of effort compared to the first two implementation options.

Advantages and Disadvantages

This option does implement Housing Element Program 3.1.1.D; however, this option also has greater potential disadvantages than the first two implementation options. It may garner resistance or objections from members of the public who do not want to allow additional units on single-family zoned parcels. This option also does not directly align with the Board direction regarding tiny homes on wheels. For these reasons, this is not a recommended implementation option.

Program 3.1.1.C – Zoning Ordinance Amendments to Achieve Maximum Density

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.C, Zoning Ordinance Amendments to Achieve Maximum Density, includes the following action:

Amend the Zoning Ordinance by early 2023 to facilitate development on sites identified in the Sites Inventory for the 6th Cycle RHNA. Specifically, establish minimum densities for multi-family districts at 70 percent of the maximum allowable densities, with the goal of achieving an average development density at 80 percent of the maximum allowable density

Summary

Implementation options include a Zoning Ordinance amendment to Section 4100 of the Zoning Ordinance to set a minimum density for development in multifamily districts. All three options are classified as relatively easy and low effort with few or minor disadvantages. Note that only one of the three options can be pursued for this program. In determining the final implementation option, the County should consider if the end goal of this program is to apply it to only Regional Housing Needs Allocation (RHNA) sites or to entire multifamily zones. Not all parcels may be able to be developed at the maximum density; further, requiring development to achieve at least 70 percent of the maximum density may not achieve the goal of unlocking more housing, particularly on sites that have not been evaluated thoroughly for their development potential. The inability or difficulty in achieving a minimum density could constrain or deter development of such properties entirely, at least until market demands and project economics are more favorable for higher-density projects.

Note that based on data provided by the County, the average yield of multifamily housing projects is 83 percent of the maximum General Plan density. For three RHNA sites that have been developed, the yields were all above 90 percent of the maximum General Plan density. Interviews with representatives of the development community indicated that the minimums are not a concern for lower- and moderate-density development but may be a challenge for the higher densities (e.g., 30 du/ac or greater). Further analysis on this topic is available in the County's Development Feasibility Analysis.

In the event that some properties are heavily constrained and not able to achieve the minimum 70 percent of the allowable density, this requirement could effectively prohibit any development. Therefore, it is recommended that this requirement include a provision for reasonable relief to avoid denial of development due to constraints beyond the control of the owner. In this manner, a heavily constrained property could be allowed to be developed at less than 70 percent of the gross maximum permitted density determined by the gross acreage multiplied by the maximum permissible density (e.g., 50 percent) as opposed to no development at all. Alternatively, the maximum permissible density could be based on development potential based on a net lot area excluding constrained lot areas such as easements, rights-of-ways, steep slopes, and regulated wetlands and waterbodies. This is recommended for all three implementation options.

Implementation Options**Option 1: Adopt Zoning Ordinance amendments requiring minimum densities for 6th Cycle RHNA sites in zoning designations that allow multifamily at 70 percent of the maximum density****Summary and Level of Effort**

This implementation option is low effort. Implementation would consist of a Zoning Ordinance amendment to set the minimum density on RHNA sites. The revisions would be minor and could be implemented in Section 4100 of the Zoning Ordinance.

Advantages and Disadvantages

Generally, this implementation option has few risks or disadvantages. Applying the minimum only to RHNA sites may be considered spot zoning, where effectively identical properties would have different rights, responsibilities, and potential impacts as it relates to density requirements. County counsel should review this option prior to implementation to ensure there are no concerns of potential spot zoning.

Option 2: Adopt Zoning Ordinance amendments requiring minimum densities in zoning designations that allow multifamily at 70 percent of the maximum density**Summary and Level of Effort**

This implementation option is low effort. Implementation would consist of a Zoning Ordinance amendment to set a minimum density for zoning designations that allow multifamily that is 70 percent of the maximum density allowed by the existing zone. The revisions would be minor and could be implemented in Section 4100 of the Zoning Ordinance.

Advantages and Disadvantages

It is recommended that the 70 percent minimum density requirement be applied to all zoning designations that allow for multifamily uses as opposed to only RHNA sites. That avoids creation of inequities between similar or identical sites and avoids concerns and liabilities with spot zoning.

Potential disadvantages for this implementation option are related to applying a minimum density to multifamily zoned sites that are not RHNA sites. Applying a 70 percent minimum to all multifamily zones would effectively be raising the minimum density on all parcels. This may not be optimal for all parcels and could be considered a constraint, especially in the highest density zones. A provision for reasonable relief to avoid denial of development due to constraints beyond the control of the owner would address this potential constraint. This is identified as a quick win and recommended option with a high priority.

Option 3: Adopt Zoning Ordinance amendments requiring 70 percent of the maximum density on only parcels with zoning designations that allow multifamily that meet certain criteria (RHNA sites, infill areas, urban areas, smart growth sites, VMT efficient areas, etc.)

Summary and Level of Effort

This implementation option is a low work effort. Compared to the first two options, this option would require additional analysis to select the qualification requirements and rationale for sites that will have the minimum density. Additional considerations for implementing this option include a tiered approach, with different minimum densities applied to different parcels, depending on the criteria they meet. For example, it could be based on density, designators, location, and/or project size (i.e., projects of 10 or more units). The revisions would be minor and could be implemented in Section 4100 of the Zoning Ordinance.



Advantages and Disadvantages

This option provides flexibility between the first two implementation options by using criteria (beyond just RHNA sites) to select sites for the minimum density requirement. This option would have similar risks to Option 1 in regard to any potential spot zoning issue, depending on the criteria used to select the sites.

Program 3.3.2.A – Group Homes for Seven or More

As provided in the County's 6th Cycle Housing Element, Program 3.3.2.A, Group Homes for Seven or More, includes the following action:

In 2022, the County will review its Zoning provisions for large group homes (7+ persons) and will implement mitigating strategies to remove potential constraints and to facilitate objectivity in review and approval in the development of large group homes.

Summary

There are three potential implementation options selected for Program 3.3.2.A. The first two involve lowering or removing the level of use permit required for group homes for seven or more persons. Option 3 focuses on utilizing the existing reasonable accommodations procedure for large group homes. Option 3 could be implemented in coordination with the Option 1 or Option 2 and may be identified as a quick win. In addition to these options, the County should be sure to note its fee waiver for group residential projects that have up to 14 units.

Implementation Options

Option 1: Allow group homes for seven or more persons with a minor use permit or administrative use permit



Summary and Level of Effort

This option would reduce the level of permitting from major use permit to either a minor use permit or administrative use permit. This would be a medium level of effort.

Additional analysis during the implementation phase would help determine the appropriate level of permitting between minor use permit or administrative use permit. Implementation would consist of a Zoning Ordinance amendment to revise the required permit level. Forms would be updated as applicable.

Advantages and Disadvantages

The advantage of this program is that it clearly implements the Housing Element program to reduce constraints to group homes while maintaining County control and an avenue for public input. Changing the permit requirement from a major use permit to a minor or administrative use permit would reduce some of the constraints to the applicant while still giving the County the opportunity to apply conditions of approval and ensure minimum operational requirements are met for large group home facilities. This would lower the level of approval from the Planning Commission to the Director of Planning and Development Services. If determined to be appropriate by the administering agency or requested by the applicant or other affected person, a hearing could still be held pursuant to Section 7060 of the County's Zoning Ordinance. This implementation option balances the intent of the program with allowing for discretionary review for potentially controversial projects and is the recommended option with a high priority. Note that this option may require some coordination with HCD to inform the agency of the rationale behind keeping some level of use permit requirement and not removing a use permit entirely.

Option 2: Remove the major use permit requirement for group homes for seven or more persons for some or all zones where it is currently required

Summary and Level of Effort

This program is a low level of effort for implementation. It would consist of a Zoning Ordinance amendment to remove the major use permit requirement for group homes of seven or more persons, as defined by the state.

Advantages and Disadvantages

An advantage of this implementation is that it aligns with state guidance for removing use permits for group homes of seven or more. Typically, HCD requests that jurisdictions remove all use permits for group homes for seven or more persons. This implementation option would remove County control and all discretionary review. Such project types may still have standards or impacts that can be appropriately regulated through a permit process. Group home projects can be controversial and complex and thus removing a discretionary permit entirely is not the recommended implementation option; further, as a ministerial action, this option would avoid any public noticing or review requirements, thus limiting opportunities for public comment. . Additionally, relative to CEQA, this option may also require additional analysis (in the form of a Mitigated Negative Declaration or Supplemental EIR) beyond that provided in the General Plan EIR to evaluate potential environmental effects.

Option 3: Establish and advertise a reasonable accommodation procedure for group homes of seven or more persons that does not require a major use permit



QUICK WIN

RECOMMENDED
OPTION

Summary and Level of Effort

This implementation option would establish and advertise the reasonable accommodation procedure for group homes of seven or more persons. There is an existing reasonable accommodations procedure in Section 86.801 of the Zoning Ordinance. This procedure does not currently specifically apply to group homes of seven or more persons.

This would be a medium level of effort, expanding on the existing reasonable accommodation procedure that exists for other supportive housing types.

This implementation option could be done in tandem with either of the first two implementation options. Establishing and utilizing the reasonable accommodations procedure would help to reduce constraints to group homes and ensure objectivity in review and approval. If this option is selected, the County should be sure to advertise its fee waiver for group housing projects for up to 14 individuals.

Advantages and Disadvantages

This implementation option on its own may not entirely meet program goals. The advantage of this program is that it uses an existing procedure to help remove constraints to group homes for seven or more persons. It is a relatively low-effort implementation option with a medium priority that could be utilized as a quick win. However, this option may require additional evaluation (Mitigated Negative Declaration or Supplemental EIR) beyond that included in the General Plan EIR to determine potential environmental effects.

Program 3.1.1.K – Expand Eligibility of Checklist Exemptions

As provided in the County's 6th Cycle Housing Element, Program 3.1.1.K, Expand Eligibility of Checklist Exemptions, includes the following action:

Develop additional checklists for site plan applications. Site plans that can be waived or exempted are currently indicated with a zoning designation (i.e., requirement in zoning box) for a design review. Work with Community Planning and Sponsor Groups and obtain public input prior to developing new checklist exemptions.

Summary

The Special Area designator B (Community Design Review Area) applies to certain parcels in communities with a design review program. The County currently has Site Plan Design Review Exemption Checklists that exempt qualifying properties from the Site Plan Permit Process. The existing Design Review Checklists were created in 2013 for the nine communities (Alpine, Bonsall, Fallbrook, Lakeside, Ramona, Spring Valley, Sweetwater, Valley Center, I-15 Corridor) that have community design guidelines and were updated to comply with state law regarding objective design standards.

There are five implementation options identified for Program 3.1.1.K. Several of the options could be pursued together as not all are mutually exclusive. For Program 3.1.1.K, any of Options 1 through 5 could be pursued together. Option 6, no action, would not be pursued with any other options.

Implementation Options

Option 1: Pursue additional checklist exemptions on a community by community basis

Summary and Level of Effort

This option would consist of pursuing additional checklist exemptions for communities with an existing checklist. This option would require additional analysis and research into the exact exemptions that are appropriate for expansion. This option is classified as a high level of effort. Following the determination of the appropriate additional exemptions, they would be integrated into the existing checklist materials and program.

Advantages and Disadvantages

There are no major risks or concerns with developing additional checklist exemptions; however, given the level of effort required for this option coupled with the issues with the existing checklist process identified in conversations with County subject matter experts, this is not identified as a recommended option.

Option 2: Expand or create new exemption checklists for additional Community Planning Sponsor Group areas

Summary and Level of Effort

Implementation of this option would consist of creating design review checklists for communities that do not have them. This option is a high level of effort and would take time working with Community Planning Sponsor Groups and stakeholders to create an entirely new set of standards. While existing standards for other communities could be used as a starting point or as input, they are not suitable to be taken exactly as-is for new communities. This option would not be able to be pursued as a part of the Housing Unlocked scope and would have to be pursued as a separate implementation project option. This option should only be pursued if certain Community Planning Sponsor Groups want to develop their own checklists for their communities. This is not identified as a quick win or as a recommended option.

Advantages and Disadvantages

There are no major risks or concerns with developing additional checklists. County subject matter experts noted that the existing checklists are difficult to work with and not always effective, particularly due to CEQA requirements and noticing requirements. It may be beneficial to review the checklist process to ensure they are being used as intended and helping expedite development.

Option 3: Adjust prerequisites to allow exemptions for properties with certain types of open code enforcement cases



QUICK WIN

RECOMMENDED
OPTION

Summary and Level of Effort

Currently, project sites with unresolved code enforcement violations are not eligible for the Design Review Checklist Exemption. This option would identify certain types of open code enforcement cases that would not exclude project sites from qualifying for the exemption. It would consist of working with the County's code enforcement team to identify the appropriate types of code enforcement cases that should not preclude the Design Review Checklist Exemption. This option could include a policy that the applicant must have resolved the code case as a condition of final approval for the checklist and project. This option is classified as a low-medium level of effort and is a potential quick win option.

Implementation would revise the Design Review Checklist Exemption forms and website to note the updated eligibility for open code cases. This option would help to implement the Housing Element program's goals.

Advantages and Disadvantages

This option has low potential risk and no major disadvantages or risks. The advantage of this implementation option is its flexibility and ease of implementation. The County can choose as many or as few code case types to be included in the revisions. Because of this, the implementation option is flexible with low risk. This is identified as a recommended option with a medium priority level.

Option 4: Remove B designator from parcels in community planning areas with no Design Review Guidelines

Summary and Level of Effort

This implementation option is a medium level of effort. There are 1,324 parcels with a B designator that are located in community planning areas that do not have Design Review Guidelines. Additional research into these properties is recommended prior to removing the B designator to ensure that it is appropriate to remove from all properties.

Advantages and Disadvantages

One advantage of this program is that it removes the design review requirement from properties that do not have an applicable set of objective design review standards.

As noted in meetings with County subject matter experts, some properties have the B and P designator because those properties took on more density during the General Plan update and the B designator provided a way for the community to offer feedback on design. Removing the B designator from these properties would remove that avenue for community feedback.

Additionally, the County has received direction to look into creating a Community Planning Sponsor Group in some of these affected areas due to the interest in projects. If a Community Planning Sponsor Group is created, a set of objective standards could be created as well, which would help resolve the issue of a B designator in an area with no Design Review Guidelines.

Because of these disadvantages and relatively small number of parcels affected, this is not a recommended implementation option.

Option 5: Market and/or highlight the County's existing maps and checklists

Summary and Level of Effort

This implementation option consists of developing educational materials for the existing checklists; it is identified as a low level of effort. It would help to implement the Housing Element program. The option could focus on education and use of existing checklists to help applicants use the existing checklists and obtain feedback early on proposed projects.



This would build upon the work that the County recently completed to highlight and improve the use of checklists, including reformatting/adding colors to the checklists and creating the website for informational/marketing purposes. The County could also advertise and highlight other streamlining and ministerial approval opportunities for projects. If this implementation option is pursued without combination with any other options, the County should continue to work with HCD to ensure the County's efforts in improving the use of the checklists and streamlining projects fully implements Program 3.1.1.K.

Advantages and Disadvantages

This implementation option has low risk and no major disadvantages. The advantage of this option is its flexibility and ease of implementation. The County could easily implement and publish these existing maps and checklists to help fulfill the program requirements, as outlined in the Housing Element. This option received positive feedback from County subject matter experts. This is a recommended implementation option with a low priority level.

Option 6: No further action

Summary and Level of Effort

This implementation would pursue no further action on the program. This is a low level of effort.

Advantages and Disadvantages

The disadvantage to no further action is a risk with not implementing the Housing Element program. As the County has made this program commitment in the Housing Element, HCD is expecting progress toward its implementation. This is not a recommended implementation option.

Appendix A: Options Comparative Matrix

Appendix A provides a summary matrix of all options being considered. For each program, the implementation option, level of effort, and summary of advantages and disadvantages, relative to the goals and objectives of the General Plan and Housing Element Update programs, are provided. Additionally, it is noted if each implementation option aligns with General Plan/Housing Element Update objectives, can be accomplished within the Housing Unlocked scope, is a potential quick win, and is an implementation option.

Program	Implementation Option	Level of Effort	Advantages	Disadvantages	Aligns with GP/HEU Objectives + Board Direction	Within Housing Unlocked Scope?	Quick Win?	Recommended Option?	Priority Level	Initial CEQA Level Analysis (estimated)	Estimated Affected Currently Constrained Parcels
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Zoning Density)	Option 1: Zoning density refers to General Plan for maximum density	Medium	Eliminate variations in allowed density	Conflict with existing or intended uses of the parcels	Yes	Yes	No	Yes	Low	General Plan EIR Addendum, or Supplemental EIR	387
	Option 2: Remove zoning density	Low	Streamlining Eliminate variations in allowed density	Eliminate scenarios where the zoning density is higher than the General Plan density	No	Yes	No	No	N/A	General Plan EIR Addendum	387
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Height)	Option 1: Remove the limit on stories	Low	Visual height impact unchanged Allow flexibility	Changes in intended intensity; Disadvantages are minimal	Yes	Yes	Yes	Yes	Medium	General Plan EIR Addendum	1,288
	Option 2: Amend the G designator to allow three stories	Low	Visual height impact unchanged Allow flexibility	Changes in intended intensity; Disadvantages are minimal	Yes	Yes	No	Yes	High	General Plan EIR Addendum	1,286
	Option 3: Expand the administrative permit process for an additional story	Low	Minimal effect on other standards In line with existing County efforts	No major disadvantages	Yes	Yes	Yes	Yes	Low	General Plan EIR Addendum, or Supplemental EIR	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Use)	Option 1: Expand the allowance of residential uses as a secondary use	High	May address some discrepancies between neighboring properties	Not addressing a major constraint; may yield only few unlocked units	No	No	No	No	N/A	General Plan EIR Addendum, or Supplemental EIR	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Building Type)	Option 1: Allow additional building types or flexible standards in the C designator	Medium-High	Would directly implement program and address constraints Addresses constraints from other designators Addresses feedback from stakeholders	Complicated to implement with potential for public pushback	Yes	Yes	No	Yes	Medium/High	General Plan EIR Addendum, or Supplemental EIR	658

Program	Implementation Option	Level of Effort	Advantages	Disadvantages	Aligns with GP/HEU Objectives + Board Direction	Within Housing Unlocked Scope?	Quick Win?	Recommended Option?	Priority Level	Initial CEQA Level Analysis (estimated)	Estimated Affected Currently Constrained Parcels
	Option 2: Eliminate the building type designator	Medium	Removes all constraints caused by the existing requirements Provides development flexibility	Complicated to implement with potential for public pushback Eliminates single-family exclusive zoning May affect implementation of several state laws that apply to only multifamily zones	Yes		No	No		General Plan EIR Addendum, or Supplemental EIR	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Setback)	Option 1: Base setbacks on minimum lot size	Medium	Simplify process for applicants	May make some properties nonconforming May be more restrictive	Yes	Yes	No	Yes	Medium/High	General Plan EIR Addendum	N/A
	Option 2: Allow a reduction for setbacks between main buildings on a project site	Low	Increase site potential	Minimal reduction in constraints	Yes	Yes	Yes	Yes	Low	General Plan EIR Addendum	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Maximum Floor Area Ratio)	Option 1: Remove or exempt FAR from residential development	Low	Would directly address inconsistency and constraint	Would only affect a few properties	Yes	Yes	No	Yes	Low	General Plan EIR Addendum	N/A
	Option 2: Exempt residential garages from FAR	Low	Would directly address issue seen in applications	Would only affect a few properties	Yes	Yes	Yes	Yes	Low	General Plan EIR Addendum	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (Open Space)	Option 1: Reduce open space requirements for the G designator	Medium	Would directly address inconsistency and constraint	Public pushback regarding a perceived reduction in open space	Yes	Yes	No	Yes	Medium/High	General Plan EIR Addendum	N/A
	Option 2: Allow open space on rooftops or in setback area	Low	Minor fix to directly address constraints from the standard	No major disadvantages	Yes	Yes	Yes	Yes	Medium	General Plan EIR Addendum	N/A
Program 3.1.3.A: Zoning Ordinance Cleanups and Building Types and Development Designators (P Designator)	Option 1: Allow modification of open space requirements	Low/ Medium	Minor fix to directly address constraints from the standard	Public pushback regarding a perceived reduction in open space	Yes	Yes	Yes	Yes	Medium	General Plan EIR Addendum	N/A
	Option 2: Reduce open space requirements in Section 6648	Medium	Minor fix to directly address constraints from the standard	No major disadvantages	Yes	Yes	No	Yes	Medium	General Plan EIR Addendum	N/A
	Option 3: Allow open space on rooftop or in setback areas	Low	Minor fix to directly address constraints from the standard	No major disadvantages	Yes	Yes	Yes	Yes	Low	General Plan EIR Addendum	N/A
	Option 4: Exception to the P <i>designator</i> for <i>housing projects</i>	Medium	Helps expedite housing and address constraints	No major disadvantages	Yes	Yes	No	No	N/A	General Plan EIR Addendum	N/A

Program	Implementation Option	Level of Effort	Advantages	Disadvantages	Aligns with GP/HEU Objectives + Board Direction	Within Housing Unlocked Scope?	Quick Win?	Recommended Option?	Priority Level	Initial CEQA Level Analysis (estimated)	Estimated Affected Currently Constrained Parcels
Overall Implementation Options	Option 1: Fully revise the zoning to have base zones with standardized development standards similar to other jurisdictions	High	Would help simplify complexity of Zoning Ordinance Would help streamline development	High cost, effort, and time	Yes	No	No	Yes	Medium/High	EIR	N/A
	Option 2: Change one or more of the designators of existing parcels	High	Could help to resolve inconsistencies	Does not solve underlying designator issues	Yes	No	No	No	N/A	General Plan EIR Addendum	N/A
	Option 3: Create new designators customized to unique or limited circumstances	High	Could help to resolve inconsistencies	Adds additional complexity Would not help streamline projects	No	No	No	No	N/A	General Plan EIR Addendum	N/A
	Option 4: Develop an administrative process for deviating from designators	Medium	Directly addresses constraints for all parcels Balance between effort and applicability	No major disadvantages	Yes	Yes	No	Yes	High	General Plan EIR Addendum	N/A
Program 3.1.1.D: Diversity of Land Use Designation and Building Type	Option 1: Allow additional or expanded building types in the C designator	Medium/High	Flexibility in standards Resolves constraints caused by the C designator	May have public pushback	Yes	Yes	No	Yes	Medium/High	General Plan EIR Addendum	N/A
	Option 2: Explicitly define and allow newer 3D printed and prefabricated homes that meet local and state standards, similar to manufactured homes, as is currently allowed	Low	Clearly implements program	No major disadvantages	Yes	Yes	Yes	Yes	Low/Medium	General Plan EIR Addendum	N/A
	Option 3: Establish an equivalent dwelling unit factor to count smaller units as a percentage of a full dwelling unit	High	Flexible standards; allows additional dwelling units	Complicated to implement with potential for public pushback	Yes	No	No	No	N/A	General Plan EIR Addendum	N/A
	Option 4: Allow tiny homes on wheels as an accessory or primary dwelling unit	Varies – See options below	Varies – See options below	Varies – See options below	Yes	Yes	Yes	Yes	High	General Plan EIR Addendum	N/A
Tiny Homes On Wheels (Board Directive)	Option 1: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as a primary or accessory use	Low	Implements Program 3.1.1.D	No major disadvantages	Yes	Yes	Yes	Yes	High	General Plan EIR Addendum	N/A
	Option 2: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as ADUs	Low	Implements Program 3.1.1.D	Does not align with Director Determination	Yes (GP/HEU) No (Board Direction)	Yes	Yes	No	N/A	General Plan EIR Addendum	N/A

Program	Implementation Option	Level of Effort	Advantages	Disadvantages	Aligns with GP/HEU Objectives + Board Direction	Within Housing Unlocked Scope?	Quick Win?	Recommended Option?	Priority Level	Initial CEQA Level Analysis (estimated)	Estimated Affected Currently Constrained Parcels
	Option 3: Adopt Zoning Ordinance amendments allowing tiny homes on wheels as an accessory use separate from an ADU or in addition to existing allowed ADUs	Medium-High	Implements Program 3.1.1.D Allows additional housing opportunity	Potentially controversial Not needed to implement Board Direction or HE program	Yes (GP/HEU) No (Board Direction)	Yes	No	No	N/A	General Plan EIR Addendum	N/A
Program 3.1.1.C: Zoning Ordinance Amendments to Achieve Maximum Density	Option 1: Adopt Zoning Ordinance amendments requiring minimum densities for 6th Cycle RHNA sites in zoning designations that allow multifamily at 70 percent of the maximum density	Low	Implements program goals without constraining other sites	Potential spot zoning concerns	Yes	Yes	Yes	No	N/A	General Plan EIR Addendum	N/A
	Option 2: Adopt Zoning Ordinance amendments requiring minimum densities in zoning designations that allow multifamily at 70 percent of the maximum density	Low	Implements program goals without spot zoning concerns	May constrain sites that cannot reach maximum density	Yes	Yes	Yes	Yes	High	General Plan EIR Addendum	N/A
	Option 3: Adopt Zoning Ordinance amendments requiring 70 percent of the maximum density on only parcels in zoning designations that allow multifamily that meet certain criteria	Low	Implements program goals with flexibility	Potential spot zoning concerns	Yes	Yes	Yes	No	N/A	General Plan EIR Addendum	N/A
Program 3.3.2.A: Group Homes for Seven or More	Option 1: Allow group homes for seven or more persons with a minor use permit or administrative use permit	Medium	Implements program Maintains local control Maintains opportunity for public input	Potential HCD pushback	Yes	Yes	No	Yes	High	General Plan EIR Addendum	N/A
	Option 2: Remove the major use permit requirement for group homes for seven or more persons for some or all zones where it is currently required	Low	Implements program and aligns with HCD guidance	Loss of local control Loss of opportunity for public input	Yes	Yes	No	No	N/A	General Plan EIR Addendum, or Supplemental EIR	N/A
	Option 3: Establish and advertise a reasonable accommodation procedure for group homes of seven or more persons that does not require a major use permit	Medium	Flexibility; promotes existing County efforts	Does not fully implement program	Yes	Yes	Yes	Yes	Medium	General Plan EIR Addendum, or Supplemental EIR	N/A
Program 3.1.1.K: Expand Eligibility of Checklist Exemptions	Option 1: Pursue additional checklist exemptions on a community by community basis	High	New checklists for new communities; potential for more exempt properties	High level of effort for minimal benefit	Yes	No	No	No	N/A	General Plan EIR Addendum	N/A
	Option 2: Expand or create new exemption checklists for additional Community Planning Sponsor Group areas	High	New checklists for new communities; potential for more exempt properties	High level of effort for minimal benefit	Yes	No	No	No	N/A	General Plan EIR Addendum	N/A

Program	Implementation Option	Level of Effort	Advantages	Disadvantages	Aligns with GP/HEU Objectives + Board Direction	Within Housing Unlocked Scope?	Quick Win?	Recommended Option?	Priority Level	Initial CEQA Level Analysis (estimated)	Estimated Affected Currently Constrained Parcels
	Option 3: Adjust prerequisites to allow exemptions for properties with certain types of open code enforcement cases	Low-medium	Flexibility in implementation	No major disadvantages	Yes	Yes	Yes	Yes	Medium	General Plan EIR Addendum	N/A
	Option 4: Remove B designator from parcels in community planning areas with no Design Review Guidelines	Medium	Addresses potential inconsistency	May not be appropriate to remove Removes opportunity for community input	Yes	Yes	No	No	N/A	General Plan EIR Addendum	N/A
	Option 5: Market and/or highlight the County's existing maps and checklists	Low	Markets existing opportunities to assist applicants	Does not fully address program	Yes	Yes	Yes	Yes	Low	General Plan EIR Addendum	N/A
	Option 6: No further action	Low	No major advantages	Does not fully implement program Potential pushback from HCD	No	N/A	No	No	N/A	General Plan EIR Addendum	N/A

**Attachment E – Site Plan Design Review Checklist
Exemption Instructions**



County of San Diego, Planning & Development Services
**SITE PLAN DESIGN REVIEW CHECKLIST
 EXEMPTION - INSTRUCTIONS**
ZONING COUNTER

PURPOSE:

The Design Review Checklist provides an alternative to the Community Design Review Site Plan Permit process. Projects found to be consistent with the Design Review Checklist will be exempt from the Site Plan Permit process. All projects must still comply with all applicable Federal, State, and Local policies and ordinances including but not limited to the County's Watershed Protection, Landscape, Grading, and Centerline Ordinances.

DESIGN REVIEW CHECKLIST EXEMPTION PREREQUISITES:

Projects must meet all of the prerequisites listed below to qualify for a Design Review Checklist Exemption.

- ☐ Subject parcel is zoned with a "B" Community Design Review Special Area Designator.
- ☐ Project is consistent with General Plan, Zoning Ordinance, and applicable Community Plan.
- ☐ Project is not governed by a pre-existing Site Plan Permit or other discretionary permit.
- ☐ Project does not require approval of any other discretionary permits from the County of San Diego.
- ☐ Any open code enforcement action is resolved prior to or concurrent* with the approval of the exemption, *if the permit must be approved to resolve the code enforcement action.
- ☐ Subject parcel is not zoned with a
 - ☐ "D" Design Review Special Area Designator;
 - ☐ "H" Historic/Archeological Landmark Special Area Designator; or
 - ☐ "V" Vernal Pool Special Area Designator.
- ☐ Project does not propose to impact or disturb:
 - ☐ Biological resources;
 - ☐ Floodway or 100-year floodplain;
 - ☐ Steep slopes in excess of 25%; and
 - ☐ Significant or prominent natural features.

NOTE: Projects not meeting the prerequisites above and all applicable design standards will be required to obtain a discretionary Site Plan Permit.

DESIGN REVIEW CHECKLIST EXEMPTION PROCESS:

Below is a general summary of the Design Review Checklist procedure:





County of San Diego, PDS, Zoning Counter
2-228
SITE PLAN DESIGN REVIEW CHECKLIST EXEMPTION - INSTRUCTIONS
Continued

HOW TO USE THE DESIGN REVIEW CHECKLIST:

The Design Review Checklist is separated into sections that address:

- Site Layout;
- Architecture;
- Landscaping;
- Signage;
- Lighting;
- Building Equipment and Services;
- Multifamily Residential; and
- Industrial Design Standards.

Each section is broken into two parts. The first part lists the goals that the community wishes to achieve with the design guidelines, and the second part lists the design standards that implement the goals of each section of the Community Design Guidelines.

Each design standard refers to the guideline(s) in the adopted Community Design Guidelines it implements.

The "Plot Plan Complies" column is filled in by the DRB/CPG and indicates whether the project meets the design standard or whether the design standard applies to the project. The last column should be checked if either the DRB/CPG or the applicant includes a comment or explanation about the project's compliance with a particular standard.

If a design standard does not apply to the project, the DRB/CPG will check the last column and include a comment or explanation on the Project Review Comments Page at the end of the checklist.

The applicant and the DRB/CPG Chair or other authorized member will sign the signature page in the back of the design checklist.

The applicant must then return to the County of San Diego with the signed Design Review Checklist and stamped plot plans.

**Attachment F – Reasonable Accommodations
Request Form**



REASONABLE ACCOMMODATIONS REQUEST FORM

ZONING COUNTER

REQUESTS FOR REASONABLE ACCOMMODATIONS

This County is required by the Federal Fair Housing Act and the California Fair Employment and Housing Act (Acts) to provide a procedure for consideration of requests for reasonable accommodation for persons with disabilities seeking equal access to housing in the application of zoning laws and other land use regulations, policies and procedures.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability with equal opportunity to housing of their choice. All requests for accommodation are determined on a case-by-case basis.

APPLICANT INFORMATION

Applicant Name: _____

Applicant Telephone: _____

Applicant Address: _____

PROPERTY INFORMATION

APN of Request Property: _____

Address of Request Property: _____

Current actual use of the property: _____

BASIS FOR REASONABLE ACCOMMODATION REQUEST

Identify the basis for the claim that the individual (or group of individuals, if application is made by an entity acting on behalf of a person or persons with disabilities) is considered disabled under the Acts:

Identify the Zoning Ordinance regulation, provision or policy from which reasonable accommodation is being requested:

Identify why the requested accommodation is necessary to make the specific property accessible to the individual or group of individuals:



REASONABLE ACCOMMODATIONS REQUEST FORM

ZONING COUNTER

FINDINGS AND DECISION

Requests for reasonable accommodation shall be reviewed by the Director of Planning & Development Services, or his/her designee, if no approval is sought other than the reasonable accommodation request. The Director or his/her designee shall make a written determination within forty-five (45) days. The Director's decision may be appealed to the Planning Commission.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the findings listed below. The reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the following findings:

1. Whether the housing which is the subject of the request will be used by an individual or a group of individuals considered disabled under the Acts, and that the accommodation requested is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts.
2. Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit, or if alternative accommodations would be suitable based on the circumstances of this particular case.
3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the County.
4. Whether the requested reasonable accommodation would be consistent with the general plan land use designation of the property which is the subject of the reasonable accommodation request, and with the general purpose and intent in the applicable Zoning Use Regulations.
5. Whether the requested reasonable accommodation substantially affects the physical attributes of the property.

REFERENCES

1. [County of San Diego Reasonable Accommodation Ordinance](#)

Attachment G – Public Comment Letters

July 1, 2026

Mr. Geoffrey Plagemann
5510 Overland Ave
San Diego, CA 92123

RE: Comments on Phase 1 of Housing Unlocked Phase

Dear. Mr. Plagemann

Thank you for the opportunity to comment on San Diego County's (County) proposed revisions to selected sections of the San Diego County Zoning Ordinance (Ordinance) as part of Phase 1 of the "Housing Unlocked" project (Project). As a long-standing stakeholder focused on developing highly-amenitized, context sensitive communities where residents can live, work and play, Nolen Communities (Nolen) has worked extensively on private development projects in the unincorporated County. In fact, Nolen is currently processing an application that illustrates why and Ordinance Update is necessary.

Nolen understands the Housing Unlocked Project is part of the County's ongoing efforts to implement the requirements of the Sixth Cycle Housing Element Update (HEU), adopted by the Board of Supervisors (Board) on July 14, 2021, as well as Board Direction (Tiny Homes on Wheels). Specifically, the Project addresses HEU Implementation Programs 3.1.1.C and 3.1.3.A, as summarize below:

- 3.1.1.C Zoning Ordinance Amendments to Achieve Maximum Density. **Amend the Zoning Ordinance by early 2023 to facilitate development** on sites identified in the Sites Inventory for the 6th Cycle RHNA. Specifically, establish minimum densities for multi-family districts at 70 percent of the maximum allowable densities, with the goal of achieving an average development density at 80 percent of the maximum allowable density.

- 3.1.3.A Zoning Ordinance Cleanups. Review the development designators in the Zoning Ordinance, and ***amend Code by the end of 2022*** as necessary and appropriate ***to ensure*** that a range of housing types and densities can be achieved, and ***that the designators facilitate development at the maximum density allowed by the General Plan.***

While these Actions were required to be completed within two (2) years of the Housing Element Update, we recognize the Board has given staff direction on various plans, policies and programs, including:

- Updates to the County’s Vehicle Miles Traveled (VMT) Guidelines,
- Climate Action Plan (CAP) and the CAP Supplemental EIR (SEIR),
- Removed Barriers to Housing,
- “Housing Options”
- Development Feasibility Analysis,
- VMT Mitigation,
- Inclusionary Housing Ordinance

In addition, the Board has directed additional efforts like the Sustainable Land Use Framework (SLUF) and the Grading Ordinance Update, and implementation of state legislation such as Small Lot Subdivisions (AB684/SB1123). While staff completed several tasks from the HEU Implementation Plan, Zoning Ordinance updates were not started until 2024 as staff addressed more immediate Board direction.

In November 2025, as part of the County’s long-delayed “Housing Workshop” the building industry presented the Comprehensive Housing and Implementation Plan and Strategy (CHIPS), which attempted to align the various County policy priorities and pending work efforts. Among these recommendations, the CHIPS proposal recommended the County prepare a comprehensive Zoning Update, with a focus on facilitating development in Village areas, extending the Removing Barriers to Housing processing benefits, and expanded the use of ministerial checklists. In response to industry and other stakeholder feedback, the Board has *finally* prioritized updates to the Zoning Ordinance.

We understand this is the first of a two-step update to the Zoning Ordinance. This first step (Phase 1) focuses on what staff determined are more straight forward, “clean up” changes that don’t require the same level of effort to update compared to additional, yet-to-be determined revisions that will compromise some future Phase 2 update.

Comments on Housing Element Program 3.1.3.A (Except Minimum Lot Size)

We support efforts to facilitate housing, including the proposed updates to the County's Zoning Ordinance and Development Designators.

Amending the Development Designators to provide more flexibility for product types, focusing on building height instead of number of stories, and deferring to other codes for interior building setbacks are county-wide improvements to the Ordinance. Changes to how the County calculates floor area ratio (FAR) to exempt garages follows other zoning codes and is another step in the right direction for infill / attached products. While we understand that the open space designators only apply to certain properties, the increased flexibility is appreciated and another positive change.

Comments on Housing Element Program 3.1.1.C.

Requiring RHNA sites achieve at least 70% of their maximum density is intended to promote housing on sites the County has prioritized as part of the HEU. Unfortunately, only a handful of the roughly 243 properties identified as RHNA sites have developed during the current planning period. This is partially because economic conditions which, since the HEU was adopted, have not supported higher-density development due to increasing construction costs and high financing costs. However, the Development Feasibility Analysis also provides a warning for why higher-density development has not moved forward. Simply stated, development over 20 units per acre becomes less and less feasible in County submarkets. Higher density just doesn't "pencil" due to those higher construction and financing costs combined with relatively lower rents and revenues.

Therefore, we offer the following recommendation – provide RHNA sites the ability to reduce their density below the 70% threshold. This artificial designation requiring certain properties to develop at infeasible densities based on market conditions should not prevent lower-density projects from moving forward on the same sites. Any housing on RHNA sites is better than no housing, even if it's below the County's desired density.

Comments on Minimum Lot Size

The Project proposes focused revisions to remove certain minimum lot size references in Section 4210 and 4221. The proposed revisions under Sections 4210 still require permits, such as a Planned Development Permit or Administrative Permit. And the proposed revisions under Section 4221 still subject minimum lot sizes to the "requirement minimum area prescribed by the lot area designator of the zone."

Unfortunately, these changes do not address the fact that **current minimum lot sizes** (i.e., “the requirement minimum area prescribed by the lot area designator of the zone”) **do not allow implementation of General Plan densities**. This is illegal under state law – a jurisdiction cannot use a Zoning Ordinance to restrict development under the General Plan. Specifically, Government Code 65860 which states,

“(a) County or city zoning ordinances shall be consistent with the general plan of the county or city by January 1, 1974. A zoning ordinance shall be consistent with a city or county general plan only if both of the following conditions are met:

- (1) The city or county has officially adopted a plan.
- (2) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan.”

The importance of bringing the County’s Zoning Ordinance into compliance with the General Plan cannot be understated. The Ordinance is not compatible with the General Plan because the minimum lot size requirements in the Ordinance preclude full implementation of the “general land uses” specified in the General Plan. Specifically, several village land use designations are strictly based on specific lot sizes, leaving no “room” for roadways and parkways, parks, landscape areas, etc. For instance,

- VR-2.9 land use is based on a 15,000 square foot lot size ($43,560\text{SF}/15,000\text{SF} = 2.9$);
- VR-4.3 land use is based on 10,000 square foot lots ($43,560 / 10,000$),
- VR-7.3 land use is based on 6,000 square foot lots ($43,560 / 6,000$), and
- VR-10.9 land use is based on a 4,000 square foot lot ($43,560 / 4,000$).

Existing minimum lot sizes do not provide for any area for public or private roads and right of way, parks, landscaping, slopes, etc., effectively forcing developments to request a variance or waiver to reduce the minimum lot size or preventing projects from achieving their permitted density. Nolen is currently processing a project that has a base density of 26 units, but without using Density Bonus to reduce lot sizes, we could only realize roughly 18 lots (less than 70% of our permitted density). This requires additional review and discretion, which is impermissible under the Government Code.

Requiring additional discretionary actions, such as an Administrative Permit for lot area averaging or a Planned Development Permit, conflicts with state law. The California Department of Housing and Community Development (HCD) is monitoring the County’s progress towards HEU commitments. In a letter dated January 2026, the state asked for updates on several actions, including the Zoning Ordinance update (Attachment 1).

Implementation Program 3.1.1.K. – Expanded Eligibility of Checklist Exemptions

In the same letter to the County, HCD explained that the County had notified the state that it was pursuing another HEU Implementation Program – 3.1.1.K, as part of the Housing Unlocked Project. This is another request the Industry made as part of the CHIPS proposal. At this time, there does not appear to be anything in Phase 1 related to Program 3.1.1.K. Its absence is noted and we assume it will be part of “Phase 2”.

Recommendations

Minimum Lot Sizes – As stated above, the Project should include updates to the minimum lot size to ensure projects can achieve their general plan densities – including those on RHNA sites that are subject to meeting 70% of their base zoning.

Setbacks – The Setbacks should be addressed comprehensively. Currently, the Project only considers interior setbacks, but additional setbacks including front, rear and exterior side yard setbacks have not been addressed to ensure that reduced minimum lots are even buildable. The County must update the Setback schedule as part of reducing minimum lot sizes to ensure that lots are buildable – including those on RHNA sites that are subject to meeting 70% of their base zoning.

Building Heights – The elimination of the number of stories is a positive change that provides additional flexibility for projects. However, further review and analysis should be considered. We recommend the County work with architects and builders to understand what actual building heights are necessary for two, three, and four-story product types. These changes in building heights (for instance, we built a project with a 39’ height limit instead of 35’ for three stories) would ensure flexibility in project design while also ensuring the underlying densities can be achieved – including those on RHNA sites that are subject to meeting 70% of their base zoning.

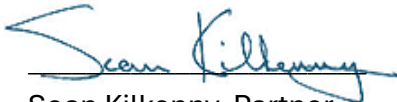
Conclusion

We are concerned that if Phase 1 is adopted, there is no guarantee the critical updates identified above (most notably, reducing minimum lot size) will move forward. We fear the County will use this “interim” update to argue it has satisfied several requirements under the Housing Element, including Program 3.1.3.A (which it has NOT with this Project) and is therefore “in compliance” with HCD requirements.

The concern stems from the County’s failure since 2011 to bring a full update to the Zoning Ordinance to ensure new housing can be built to the planned densities and land uses in the General Plan, even after repeated requests to do so. Unless and until those requests are fulfilled, we will pursue every avenue to compel compliance.

We strongly encourage the Board to commit to a firm deadline on “Phase 2” of Housing Unlocked, including mandating that Phase 2 updates include reductions to minimum lot sizes, revised setbacks and updated building heights based on consultation with the building industry and architects, and that Phase 2 considers expanded eligibility of checklist exemptions per the County’s commitment to HCD. Until such time as those commitments are made, we oppose this piece-meal approach to updating the Zoning Ordinance.

Respectfully,

A handwritten signature in blue ink that reads "Sean Kilkenny". The signature is written in a cursive, flowing style.

Sean Kilkenny, Partner
Nolen Communities, LLC

Attachments

1. HCD Letter to County of San Diego, January 28. 2026

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannon Street, Ste. 400
Sacramento, CA 95811
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



January 28, 2026

Ebony N. Shelton, Chief Administrative Officer
County of San Diego
1600 Pacific Highway, Room 209
San Diego, CA 92101

**RE: County of San Diego's 6th Cycle Housing Element Program Requirements –
Letter of Inquiry**

Dear Ebony N. Shelton:

The purpose of this letter is to inquire about the status of the County of San Diego's (County) implementation of 6th Cycle Housing Element Programs pursuant to Government Code section 65585, subdivision (i). The California Department of Housing and Community Development (HCD) sent the County a letter on November 2, 2021 finding the County's housing element in substantial compliance with Housing Element Law.¹ This was based on, among other reasons, the County's commitment to implement Programs according to specific timelines.

As the commitment date has passed for the programs listed below, HCD requests that the County provide an update on the status and accompanying documentation (e.g., ordinances, resolutions, zoning codes, etc.) as appropriate, or timeline for completion for the following:

- Program 3.1.1.C (Zoning Ordinance Amendments to Achieve Maximum Density) was due by June 1, 2023. While the County has indicated this is ongoing as part of the Housing Unlocked effort, the County should provide a clear timeline for when the program will be completed.
- Program 3.1.1.E (Low to Moderate Inclusionary Ordinance) was due by November 1, 2023. While the County has indicated this program is ongoing, the County should provide a clear overview of remaining actions and a timeline for when the program will be completed.
- Program 3.1.1.H (Housing Yields in Mixed-Use Zones) was due by December 1, 2023. The County has provided some information on efforts to implement Assembly Bill 2011 and Senate Bill 6. The County should confirm what actions have been taken and clarify how they expand beyond state law.

¹ Gov. Code, § 65580 et seq.

- Program 3.1.1.K (Expand Eligibility of Checklist Exemptions) was due November 1, 2023. While the County has indicated this is ongoing as part of the Housing Unlocked effort, the County should provide a clear timeline for when the program will be completed.
- Program 3.1.3.A (Zoning Ordinance Cleanups) was due by January 1, 2023. While the County has indicated this is ongoing as part of the Housing Unlocked effort, the County should provide a clear timeline for when the program will be completed.
- Program 3.1.4.A (Zoning Ordinance Amendments for ADUs) was due by December 1, 2022. The County has provided an updated zoning ordinance regarding ADUs from 2023. While the County took actions to address this program, it should provide updated actions to address the latest changes to state law and provide a clear timeline for implementation.
- Program 3.2.1.A (Density Bonus Ordinance Update) was due by November 1, 2023. The County has provided an updated zoning ordinance regarding State Density Bonus Law from 2023. While the County took actions to address this program, it should provide updated actions to address the latest changes to state law and provide a clear timeline for implementation.
- Program 3.3.2.A (Group Homes for Seven or More) was due by December 1, 2022. While the County has indicated this is ongoing as part of the Housing Unlocked effort, the County should provide a clear timeline for when the program will be completed.
- Program 3.6.5.A (Removal of Constraints to Multi-Family Housing in Areas of Opportunity) was due by January 1, 2025. While the county has indicated this effort is ongoing, it should provide an overview of completed actions and a clear timeline for when the program will be completed.
- Program 3.6.5.B (Enhanced Housing Choices and Affordability in Areas of Opportunity, including Rancho Santa Fe) was due by November 1, 2023. While the County has indicated this effort is ongoing, it should provide an overview of completed actions and provide an outline of remaining steps and clear timeline for when the program will be completed.
- Program 3.6.6.B (Conserved and Improved Assets in Areas of Lower Opportunity and Concentrated Poverty) was due by January 1, 2025. While the County has indicated this effort is ongoing, it should provide an overview of completed actions and provide an outline of remaining steps and clear timeline for when the program will be completed.
- Program 3.6.6.C (Negative Environmental, Neighborhood, Housing, Health Impacts, Strategy) was due by January 1, 2025. The County has indicated implementation of this program has not begun. The County should provide an outline of remaining steps and clear timeline for when the program will be completed.

- Program 3.6.6.F (Twin Oaks Community Plan Update) was due to begin implementation in 2025. The County should provide an overview of completed actions and provide an outline of remaining steps and clear timeline for when the program will be completed.
- Program 3.6.6.G (Placed-Based Strategies in Low Resource Communities and Environmental Justice Communities) was due by December 1, 2022. The County has indicated this program has not yet been initiated. The County should provide an outline of remaining steps and clear timeline for when the program will be completed.

Consequences of Failure to Implement Programs

Government Code section 65585, subdivision (i), grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or Housing Element Law. This includes failure to implement program actions included in the housing element. Failure to implement program actions described above by the statutory deadline may result in HCD revoking its finding of substantial compliance with Housing Element Law.

Various consequences may apply if the County does not have a housing element in compliance with Housing Element Law, including ineligibility or delay in receiving certain state funds, referral to the California Office of the Attorney General, court-imposed financial penalties, the loss of local land use authority to a court-appointed agent, and the application of the “builder’s remedy.”²

Conclusion

Housing elements are essential to developing a blueprint for growth and are a vital tool to address California’s prolonged housing crisis. Accordingly, state law has established clear disincentives for local jurisdictions that fail to comply with Housing Element Law. To ensure the County continues to meet the 6th cycle update requirements for a substantially compliant housing element, the County must submit any adopted ordinances, resolutions or documentation that demonstrates that housing element program commitments have been met to HCD for review.³

HCD understands that the County has many commitments and recognizes the challenges of implementation. HCD will consider any written response before taking further action authorized by Government Code section 65585, subdivision (i), including issuance of a Corrective Action Letter and removal of HCD’s finding of housing element compliance.

² Gov. Code, §§ 65585, subds. (j), (l)(1), (i); 65589.5, subd. (d)(6).(h)(11).

³ Gov. Code, § 65585.

Ebony N. Shelton, Chief Administrative Officer
Page 4

Please provide a written response to this inquiry by February 28, 2026. If you have any questions or would like to discuss the content of this letter, please contact Sayed Murad at Sayed.Murad@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melinda Coy', with a long, sweeping horizontal stroke extending to the right.

Melinda Coy
Housing Accountability Unit Chief



LOWER SWEETWATER FIRE PROTECTION DISTRICT

July 01, 2026

To: County of San Diego Planning & Development Services

Email: LongRangePlanning@sdcounty.ca.gov

**Re: Comments on Housing Unlocked Zoning Ordinance Amendments
– Fire, EMS, and Evacuation Implications in Contract Districts**

Dear Planning & Development Services Staff,

On behalf of the Lower Sweetwater Fire Protection District (LSFPD), thank you for the opportunity to comment on the Housing Unlocked Zoning Ordinance Amendments currently out for public review.

LSFPD serves a built-out, high-density unincorporated community with limited ingress/egress, a freeway interface, and aging infrastructure. As a contract district, LSFPD does not receive proportional development-related revenue and cannot independently expand staffing or capital capacity in response to increased residential intensity. For these reasons, zoning changes that increase occupancy or achievable build-out have direct implications for our ability to maintain safe and reliable service. These changes also raise concerns regarding consistency with the General Plan Safety Element, which requires maintaining adequate emergency response capability and evacuation performance as land-use intensity increases.

As the agency responsible for first-response fire protection and emergency medical services (EMS) within Lincoln Acres, LSFPD provides operational knowledge regarding roadway limitations, emergency access, and evacuation conditions that may not be fully reflected in County datasets. As a contract district, LSFPD cannot independently adjust tax rates or development-fee structures to offset increased service demand. Consequently, zoning changes that increase achievable occupancy or residential build-out may increase emergency response obligations without a corresponding increase in operational funding.

Based on LSFPD's review of the Housing Unlocked materials and our June 29 discussion with PDS and PDS Fire Services, we request that the County address the following issues.

General Plan Consistency

The County's General Plan Safety Element emphasizes maintaining adequate emergency response capability, evacuation planning, and public safety infrastructure as land use changes occur. LSFPD requests that the County clearly demonstrate how the Housing Unlocked amendments remain consistent with these adopted safety policies, particularly within communities characterized by constrained roadway networks, limited emergency access, and aging infrastructure.

1. SB 99 Compliance Gaps Affect Evacuation Safety

PDS Fire Services stated that the County has "completed its SB 99 requirements."

However, the County's SB 99 dataset identifies no dead-end roads in Lincoln Acres, despite the presence of multiple qualifying dead-end and narrow roads that LSFPD raised during the meeting.

During the June 29 meeting, County staff acknowledged that the identified roadway discrepancies warranted further review, despite confirming that PDS has access to the SB 99 dataset.

Because SB 99 requires identification of single-access evacuation areas, LSFPD requests that the County:

- Correct SB 99 mapping for Lincoln Acres
- Reconcile SB 99 data with actual roadway conditions
- Evaluate Housing Unlocked applicability against updated SB 99 constraints

2. AB 747 Analysis Is Required but Not Being Performed

During the June 29 meeting, PDS Fire Services stated that AB 747 applies only to new developments and therefore does not apply to Housing Unlocked. Housing Unlocked staff stated that no density changes are planned and therefore no updated AB 747 analysis is required.

While the amendments may not modify base zoning density, they increase the amount of residential development and occupancy that may be achieved through expanded height limits, setbacks, building types, and housing flexibility. From an emergency response and evacuation perspective, achievable occupancy is often more significant than zoning density alone.

LSFPD believes these changes may warrant additional evaluation under AB 747, or alternatively requests that the County explain why these changes do not require updated analysis of:

- Evacuation-route capacity
- Evacuation-route safety
- Evacuation-route viability
- Cumulative impacts

LSFPD requests that the County conduct updated AB 747 analysis for Housing Unlocked.

3. Reliance on the 2011 General Plan EIR Is No Longer Adequate

PDS stated that the 2011 General Plan EIR is the evacuation analysis used for Housing Unlocked. Staff acknowledged that the EIR predates ADUs, JADUs, SB 99, AB 747, and current roadway conditions.

Housing Unlocked staff indicated that the EIR is "sufficient" because the amendments "do not change density," but also noted that a new EIR may be in planning.

Given the acknowledged gaps, LSFPD requests:

- Updated CEQA review addressing evacuation, roadway constraints, and cumulative impacts
- Evaluation of increased achievable intensity, not just zoning-label density
- Integration of SB 99 and AB 747 requirements into environmental analysis

4. Roadway Constraints and Evacuation Performance Must Be Addressed

Dead-end and narrow roads comprised a significant portion of the June 29 discussion. LSFPD described multiple access/egress limitations in Lincoln Acres, including:

- Dead-end roads
- Narrow streets
- Evacuation bottlenecks
- Freeway-interface constraints

PDS did not dispute these conditions and acknowledged that LSFPD's concerns relate to infrastructure.

Any increase in population or residential intensity will add to evacuation load and incident-response complexity. LSFPD requests:

- Secondary access analysis for constrained areas
- Evacuation modeling for freeway-interface neighborhoods
- Mapping of Housing Unlocked applicability against known roadway constraints

Although individual Housing Unlocked projects may generate limited additional demand, the cumulative effect of increased residential intensity throughout a built-out community can significantly affect emergency medical response, fire suppression demand, roadway congestion, evacuation performance, and infrastructure capacity. LSFPD requests that these cumulative impacts be evaluated at the program level rather than solely on a project-by-project basis.

5. Hazard Scenarios Beyond Wildfire Must Be Considered

LSFPD raised chemical release and flooding as hazard scenarios affecting evacuation. PDS acknowledged these as legitimate community concerns.

Housing Unlocked does not evaluate non-wildfire hazard scenarios, despite Lincoln Acres' proximity to industrial corridors, freeway hazards, and flood-prone areas.

LSFPD requests that the County incorporate multi-hazard evacuation considerations into Housing Unlocked implementation.

6. Reduced Discretionary Review Limits LSFPD's Ability to Ensure Safe Development

Housing Unlocked expands "checklist exemptions," shifting more projects into ministerial approval. Ministerial approvals limit LSFPD's ability to apply site-specific conditions related to:

- Access
- Hydrant spacing
- Fire-flow
- Evacuation constraints

This is a significant concern in a community with narrow streets, dead-ends, and limited secondary access.

LSFPD requests that discretionary review be retained for parcels with documented access or evacuation constraints.

7. Contract-District Equity

As a contract district, LSFPD does not receive a proportional share of development-related revenue and cannot independently adjust tax rates or development-fee structures to offset increased service demand. Increased residential occupancy therefore increases emergency response obligations without a corresponding increase in operational funding, creating a structural imbalance between mandated service levels and available resources. Because EMS represents the majority of LSFPD's emergency responses, increases in residential occupancy typically elevate EMS demand before fire-suppression demand, making cumulative EMS impacts an essential component of service-level evaluation.

LSFPD requests that the County establish a mitigation mechanism to ensure contract districts receive resources proportional to increased service demand.

Emergency medical service (EMS) calls represent the majority of LSFPD's emergency responses. As residential occupancy increases, EMS demand typically increases before structure fire demand, making EMS impacts an important consideration when evaluating cumulative service needs.

Requested Actions

LSFPD respectfully requests that the County incorporate the following measures into Housing Unlocked implementation:

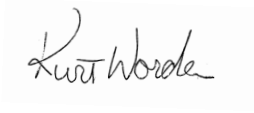
1. Correct SB 99 mapping for Lincoln Acres and integrate updated data into Housing Unlocked applicability.
2. Conduct updated AB 747 evacuation-route analysis reflecting increased achievable intensity.
3. Initiate updated CEQA review addressing evacuation, roadway constraints, and cumulative impacts.
4. Retain discretionary review for parcels with documented access, water-supply, or evacuation constraints.
5. Require LSFPD consultation for high-occupancy residential uses.
6. Establish a County-administered mitigation mechanism for contract-district service impacts.
7. Map Housing Unlocked applicability against known access, hazard, and evacuation constraints.

These recommendations are intended to help the County achieve its housing objectives while ensuring that emergency response capabilities, evacuation planning, and public safety infrastructure remain consistent with the County's adopted General Plan Safety Element and applicable state law.

Thank you for the opportunity to comment. LSFPD looks forward to continued collaboration with the County to ensure that housing goals are met without compromising public safety.

Respectfully,

Kurt Worden

A handwritten signature in black ink that reads "Kurt Worden". The signature is written in a cursive style with a large initial "K" and "W".

President, Board of Directors
Lower Sweetwater Fire Protection District

July 2, 2026



San Diego County Board of Supervisors
1600 Pacific Highway
San Diego, CA 92101

Re: Housing Unlocked Comments

Dear Chair and Members of the Board:

On behalf of the Building Industry Association of San Diego County (BIA), we appreciate the County's continued attention to addressing San Diego's housing affordability crisis through the Housing Unlocked proposal. Any effort to reduce unnecessary barriers to housing production is a step in the right direction. However, the proposal, as currently presented, reflects a delayed and limited response to a housing shortage that has grown increasingly severe over many years.

The BIA represents over 25,000 local professionals who plan, design, build, and deliver housing throughout our region. Our members are committed to creating homes, supporting economic opportunity, and helping meet San Diego's housing needs. We offer these comments based on our members' direct experience navigating the policies, regulations, and costs that affect housing production and our shared goal of increasing housing opportunities for San Diegans.

San Diego County continues to face one of the most significant housing shortages in California. Families across the region are struggling with rising housing costs, limited housing choices, and increasing barriers to homeownership and rental opportunities. Employers face workforce recruitment challenges as housing affordability drives workers farther from their jobs or out of the region altogether. The need for meaningful action has been apparent for years, yet the pace of reform has not kept pace with the magnitude of the crisis. Furthermore, the role that unincorporated San Diego County land plays in our ability to provide naturally attainable housing cannot be overstated. It is why we are so highly motivated to advocate for County reforms that truly unlock housing.

While Housing Unlocked includes several worthwhile process improvements, its overall reach remains too narrow to meaningfully increase housing production throughout the unincorporated county. Many of the proposal's provisions apply only to a limited set of projects or provide incremental administrative efficiencies without addressing the broader regulatory, permitting, and policy constraints that continue to impede new housing development. Please consider the following comments:

1. **Building Height.** The removal of the restriction on number of stories is a step in the right direction, but Housing Unlocked should also increase the height limits for the development designators. Now is the time to make that change. The current proposal includes unrealistic assumptions on how many stories can be built in a given height limit. For example, the Housing Unlocked supporting materials assume that a 3-story building is achievable within a 30-foot height limit. This is unrealistic from a design perspective. The County should increase the designators with 30-foot height limits to 36-feet to

accommodate a 3-story residential structure, and should re-examine the remainder of the height limits to ensure that the assumed number of stories can actually be built under the height limits.

2. **Building Type.** Housing Unlocked proposes a very minor change to a development regulation that needs a substantial overhaul. Allowing more duplex and triplex building types in certain designators is welcome, but the County should undertake a more meaningful change. Now is the opportunity to make meaningful reforms to the zoning ordinance. The County should eliminate the existing highly-prescriptive system of regulating building types per designator. The 7 different residential building types could be condensed into 2 categories: Single Family/Duplex and Multi-Family (3-units and above). The County should let the market decide what building typology is appropriate for a given parcel. This change would not change residential densities, but would facilitate increased housing production.
3. **Setbacks.** Similar to Housing Unlocked's proposal on building type, the setback proposal is a nearly negligible reform to an area of development regulation that needs a major overhaul. Removing interior side yard setbacks is a common-sense step, but the County should take this opportunity to also reduce minimum front, side, and rear setbacks.
4. **Minimum Lot Size.** The removal of the 3,000 sf and 6,000 sf minimum lot sizes is a step in the right direction, but this leaves in place the County's current problematic approach to lot sizes. The calculation of lot size needs to accommodate other County development requirements, such as access and parkways, in order for the minimum lot sizes to actually achieve planned General Plan densities.
5. **FAR.** The exemption of non-habitable structures from the calculation of FAR is a positive change, but the exemption should apply to all non-habitable space, not just accessory structures. This change would facilitate increased housing production while aligning the County's zoning ordinance with common-sense principles of planning. If the space in a proposed structure cannot be occupied, it should not account against FAR limits.
6. **Minimum Density for RHNA Sites.** The Housing Unlocked proposal to institute a new minimum density of 70% of General Plan densities for RHNA sites will have the opposite effect of the County's stated goals for the change. Building at the upper range of permitted density is often not financially feasible given current market conditions and circumstances outside the control of the development industry. Forcing the development industry to build at higher densities does not automatically mean that the higher density projects will materialize. It may instead deter market-rate and affordable development that the County needs to achieve its RHNA goals. When the General Plan was adopted, the County did not present its land use densities as minimums or near-minimums. Housing Unlocked should not make this change without a thorough analysis of the economic impact and potential to decrease housing production.

The County has an opportunity—and an obligation—to pursue reforms that are broader in scope and capable of producing housing at the scale necessary to meet current and future demand. Incremental changes, while beneficial, will not reverse decades of underproduction or achieve the housing goals established in the County's Housing Element. More comprehensive actions are needed to reduce permitting timelines,

2 - 251

modernize development standards, streamline environmental review where appropriate, expand opportunities for infill and mixed-use development, and provide greater certainty throughout the entitlement process.

Time is also a critical consideration. Every year that meaningful reforms are delayed compounds the housing shortage, increases development costs, and places homeownership and affordable rental opportunities further out of reach for San Diego residents. The region cannot afford additional years of incremental progress while housing demand continues to outpace supply.

The BIA encourages the County to broaden this first pass to include the areas identified during our presentation to the Board via the Housing Workshop, which we referred to as CHIPS. We urge the Board to strengthen the proposal, expand its applicability, and commit to additional policy changes that will substantially increase housing production across all income levels.

San Diego's housing challenges require urgency, bold leadership, and sustained action. We stand ready to work collaboratively with the County to implement meaningful reforms that will increase housing opportunities, improve affordability, and ensure the region remains an attainable place to live and work for current and future generations. We will remain committed to participating in an advisory role to any and all housing discussions. For further communication on this issue, please contact Stefanie Benvenuto at 714.336.6536.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Aimee Faucett". The signature is written in a cursive, flowing style.

Aimee Faucett
President & CEO
Building Industry Association of San Diego

From: Dan Silver <dsilverla@me.com>
Sent on: Thursday, July 2, 2026 10:28:15 PM
To: Long Range Planning, PDS <PDS.LongRangePlanning@sdcounty.ca.gov>;
LongRangePlanning@sdcounty.ca.gov
CC: Nicoletti, Vince <Vince.Nicoletti@sdcounty.ca.gov>; Talleh, Rami
<Rami.Talleh@sdcounty.ca.gov>; Farmer, Tyler <Tyler.Farmer@sdcounty.ca.gov>; Michael
Beck <beckehl@icloud.com>
Subject: [External] Housing Unlocked Zoning Ordinance Amendments

Follow up: Follow up
Start date: Thursday, July 2, 2026 12:00:00 AM
Due date: Thursday, July 2, 2026 12:00:00 AM

July 2, 2026

VIA ELECTRONIC MAIL

Long Range Planning
DPDS
5510 Overland Ave
San Diego CA 92123

RE: Housing Unlocked Zoning Ordinance Amendments

Gentlepersons:

Endangered Habitats League (EHL) appreciates the opportunity to comment. We are long-standing stakeholders in County planning endeavors, and served on the Steering Committee for the 2011 General Plan Update.

EHL supports the intent of these zoning code revisions. By addressing building parameters, setbacks, lot sizes, FAR, etc., the creation of more housing in intended and planned Village locations can be facilitated. If effective, these changes should produce more compact and more affordable housing products and contribute to the financial viability of nearby employment and commercial uses, which can lower vehicle miles traveled (VMT). The

requirement to achieve 70% of capacity in RHNA sites can help address shortfalls in building out the vision for Villages and assist the County in Housing Element compliance.

The question is whether the proposed minimum lot size reductions, setback reductions, and height limit increases are indeed sufficient to realize planned Village densities in a streamlined manner. Thus, these parameters should be finalized after consultation with the building industry.

Also, we understand that the County has determined that Tiny Homes on Wheels to be legal housing units. But rather than contributing to realization of Villages, their use is likely to instead lead to more dispersed patterns of residential use, particularly on a transient basis, with more people in remote rural locations with concomitant fire risk and high VMT.

Acknowledge of receipt is requested and appreciated.

Thank you for your consideration.

Sincerely,
Dan Silver

NOTE NEW MAILING ADDRESS

Dan Silver, Executive Director
Endangered Habitats League
505 S Flower St #71001
PO Box 71001
Los Angeles CA 90071

213-804-2750
dsilverla@me.com
<https://ehleague.org>

July 4, 2026

To: County of San Diego Planning & Development Services

Email: LongRangePlanning@sdcounty.ca.gov

Re: Housing Unlocked Zoning Ordinance Amendments follow up meeting June 29, 2026

Dear Planning & Development Services,

Thank you again for the meeting on June 29, 2026 as it allowed for further discussion that identified an important fact that Lincoln Acres was overlooked in identifying the important **Safety Element: Emergency Evacuation Routes** as Amends the Law on November 18, 2019 through SB 99 General plans.

Community interest within unincorporated County areas are represented by Community Sponsor Groups (CSG) and Community Planning Groups (CPG).

The 6th Cycle Housing Element Update had done Community Outreaches with the CSG/CPG between December 1, 2020 thru May 5, 2021. The Lincoln Acres Community Sponsor Group was not established until October 22, 2025. I would not be serving the community of Lincoln Acres by not advocating for the same opportunities given to and received by other CSG/CPG within the County of San Diego.

I have been in touch with Tyler Farmer with the County of San Diego Planning and Development Services for the need of creating a community plan for Lincoln Acres. Lincoln Acres cannot be deprived of a Community Plan that includes a **Safety Element**. He stated he will be in contact with council.

While I wait for his response, I would like to cite some VERY crucial CA GOV Codes as they pertain to the safety of the Lincoln Acres Community.

SECTION 1. Section 65302 of the Government Code is amended to read:

“The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

65302 (D)(5) Upon the next revision of the housing element on or after January 1, 2020, the safety element shall be reviewed and updated as necessary to identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes.

This section addresses the importance of needed Community Plan specific to Lincoln Acres because it would identity all the single-access “dead-end” roads that are GREATER

than 800' that do not have an additional emergency exit. Lincoln Acres has 9* single-access "dead-end" roads totaling at **MINIMUM** 8,996 feet. A safety goal needs to identify and minimize those elements within the natural and social environments which pose a clear and significant threat to life or property.

*(Gated community located in adjacent jurisdiction).

65302(a)(2) *Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace. Much of the lower section of Lincoln Acres is in the "underlying designated military aviation routes and airspace."*

65302(2)(E) *The conservation element may also cover all of the following: Protection of watersheds. Lincoln Acres is within the sensitive Sweetwater River watershed area.*

65302(4)(A)(i) *A vulnerability assessment that identifies the risks that climate change poses to the local jurisdiction and the geographic areas at risk from climate change impacts, including, but not limited to, an assessment of how climate change may affect the risks addressed pursuant to paragraphs (2) and (3).*

(III) *Information from local agencies on the types of assets, resources, and populations that will be sensitive to various climate change exposures.*

(IV) *Information from local agencies on their current ability to deal with the impacts of climate change. The Flood Control Advisory Committee has confirmed that a Super El Nino will hit San Diego County starting November 2026 -2027. The lower sections of Lincoln Acres are vulnerable since it is near the Sweetwater River. With global warming the ocean level rise of the water table is going to naturally increase liquefaction zones even when there is not an earthquake. These are going to intensify with climate change.*

These are some of the existing conditions that are unsafe and supports the need for further study and analysis of the evacuation hazards and constraints in Lincoln Acres and to correct the mapping to include Lincoln Acres for evacuation planning as adopted and amended by state law: CA GOV § 65302.

Respectfully,

Alisha Morrison
Resident of Lincoln Acres
President, Lincoln Acres Civic Association
Seat 1, Lincoln Acres Community Sponsor Group