

DIVISION 4

GENERAL DESIGN AND DEVELOPMENT REGULATIONS

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CHAPTER 18-40 GENERAL STANDARDS

18.40.010	Purpose
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18.40.010 PURPOSE

This chapter expands upon the standards of Chapter 2 by addressing details of site planning, building design, landscaping, parking and loading, outdoor lighting, and signs and outdoor advertising displays. These standards are intended to ensure that all development produces an environment of stable and desirable character, is compatible with existing and future development, and protects the use and enjoyment of neighboring properties, consistent with the General Plan.

18.40.020 APPLICABILITY

The requirements of this chapter shall apply to existing and new development and land uses and shall be considered in combination with the standards for the applicable zone in Chapter 2 and Specific Use Regulations in Chapter 3. If there is conflict, the standards in Chapter 3 shall control.

18.40.030 PERFORMANCE STANDARDS FOR ALL DEVELOPMENT AND LAND USES

A. Purpose

This section provides performance standards that are designed to minimize various potential operational impacts of land uses and development within the city, and promote compatibility with adjoining areas and land uses.

B. Applicability

The provisions of this section apply to all new and existing land uses, in all zones, unless an exemption

is specifically provided.

C. Noise

No use shall be established nor any activity conducted which violates the standards of the Noise Control Ordinance--Title 12 of the Municipal Code.

D. Air emissions

Other than as permitted by the County of San Diego Air Pollution Control District, no visible dust, gasses, or smoke shall be emitted.

E. Combustibles and explosives

The use, handling, storage, and transportation of combustibles and explosives shall comply with the Uniform Fire Code and California Code of Regulations Title 19.

F. Dust

1. Activities that may generate dust emissions (e.g., construction, grading, commercial gardening, and similar operations) shall be conducted to limit the emissions beyond the site boundary to the maximum extent feasible. Appropriate methods of dust management shall include the following, subject to approval by the Building Division.
 - a. Standards for all construction activities. The Building Official may require the following control measures for construction activities when necessary:
 - i. Water all active construction areas twice per day and use erosion control measures to prevent water runoff containing silt and debris from entering the streets and storm drain system;
 - ii. Cover trucks hauling soil, sand, and other loose material;
 - iii. Pave, water, or apply non-toxic soil stabilizers on unpaved access roads and parking areas;
 - iv. Sweep and collect (i.e., vacuum) paved access roads and parking areas daily; and
 - v. Sweep and collect (i.e., vacuum) streets daily if visible material is carried onto adjacent public streets.
 - b. Additional standards for large construction sites. When construction is proposed on a site of four acres or larger, the following measures will be required in addition to those above when determined by the Building Official to be necessary:
 - i. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas;
 - ii. Enclose, cover, water, or apply non-toxic soil binders to open materials stockpiles;
 - iii. Limit traffic speeds to 15 mph on unpaved access roads;
 - iv. Install erosion control measures to prevent silt runoff onto public roadways;
 - v. Replant vegetation in disturbed areas within ten days after project completion;
 - vi. Install wheel washers for exiting trucks, or wash all equipment leaving site;
 - vii. Install wind breaks, or plant trees/vegetation at windward sides of construction areas, or avoid removing existing vegetation which acts as a windbreak;
 - viii. Suspend excavation and grading activity when winds exceed 25 mph; and,
 - ix. Limit area subject to excavation, grading, and other construction activities at any one time.

G. Ground vibration

No ground vibration shall be generated that is perceptible without instruments by a reasonable person at the property lines of the site, except for vibrations from temporary construction or demolition activities, and motor vehicle operations.

H. Light and glare

1. Outdoor lighting shall comply with the requirements of Chapter 18-46 (Outdoor Lighting).
2. Any operation or activity producing glare shall be conducted or shielded so as not to cause illumination in residential zones in excess of five-tenths footcandles. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in residential zones.
3. Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the Illuminating Engineering Society of North America (IESNA).

I. Liquid waste

No liquid shall be discharged into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the Regional Water Quality Control Board.

J. Odor

1. No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site. For mixed-use buildings, commercial uses that emit odors, such as restaurants and nail salons, shall be properly ventilated to as not to impact adjoining residential uses.
2. No use shall be established nor any activity conducted which violates the standards of the Odor Control Ordinance--Title 7.08—Environmental Conditions of the Municipal Code.

K. Radioactivity, electrical disturbance or electromagnetic interference

None of the following shall be emitted:

1. Radioactivity, in a manner that does not comply with all applicable State and Federal regulations; or
2. Electrical disturbance or electromagnetic interference that interferes with normal radio or television reception or with the function of other electronic equipment beyond the property line of the site; or that does not comply with all applicable Federal Communications Commission (FCC) and other applicable State and Federal regulations.

CHAPTER 18-41 – SITE PLANNING STANDARDS

18.41.010	Purpose
18.41.020	Non-Residential Site Planning Standards
18.41.030	Multi-Unit Residential Site Planning Standards
18.41.040	Common Usable Open Space Requirements

18.41.010 PURPOSE

The purpose of this Chapter is to provide guidance and standards for site planning for nonresidential and multi-unit residential development in order to enhance safety, convenience and attractiveness for walking, transit use and bicycling; provide safe access to businesses and minimize pedestrian conflicts; and foster an attractive, quality environment to foster community pride and attract desired development and uses.

18.41.020 NON-RESIDENTIAL SITE PLANNING STANDARDS

These standards apply to those areas in the city that will be developed as commercial use without a residential component (mixed-use) or areas where only a commercial use is permitted. This section considers two basic types of development: freestanding buildings and multi-tenant strip developments including mini-malls.

A. Shopping Center Development

1. When shopping centers are set back from the street with parking in front, 30% of the street frontage shall be lined with buildings.
2. Parking lots for shopping centers should provide vehicular connections to adjacent commercial projects.
3. Pedestrian walkways for shopping centers should provide pedestrian connections to adjacent uses.
4. Access drives for commercial centers should be located at least 200 feet apart and at least 100 feet from any major intersection. Access drives should be located a minimum of ten feet from property lines unless a shared drive is provided.
5. For neighborhood-serving and convenience retail centers and office and institutional developments, the first row of parking which is perpendicular to an access drive from a street shall be set back at least 40 feet from the sidewalk to provide adequate queuing distance from the street and for pedestrian safety. Larger community or regional retail centers may require significantly more setback area as determined by the Engineering Division.

B. Freestanding or “Pad” Buildings

1. Except for drive-through/drive-in establishments, parking for freestanding retail or “pad” buildings fronting a public street shall be located a maximum of 20 feet from the property line. Freestanding buildings adjacent to a public street are discouraged from being separated from the sidewalk with parking.
2. The building entry shall be accentuated with architectural details and landscaping.
3. Freestanding restaurants may provide outdoor seating at the building entry.

C. Drive-Through Businesses

1. Minimum vehicular queuing distance shall be established through the conditional use permit process.
2. Drive through business aisles shall have a minimum interior turning radius of 25 feet for any curves.
3. A drive-through window or lane shall not be placed between the right-of-way or internal drive and the associated building unless a ten foot wide landscape strip extending the entire length of the drive-through queuing is installed and maintained with a minimum three foot height continuous hedge and ornamental trees spaced a minimum of 20 feet on center.

D. Industrial Site Planning Standards

Planning standards for industrial buildings and business parks include the following:

1. Services areas shall be located at the sides or rear of buildings. Service areas located at the exterior side of buildings shall be screened from view by a combination of screen walls, landscaping, and/or portions of the building.
2. Loading areas must be designed so that trucks will not need to back in from the public street onto the site.
3. Parking for visitors shall be convenient to the main entrance.
4. Emphasis shall be placed on the building entry.
5. Buildings should be oriented so as to provide space for plazas and courtyards.
6. Outdoor storage and equipment shall be screened from public right-of-ways.

E. Pedestrian Walkways

1. A pedestrian walkway within a retail center, office, industrial or institutional development shall be a minimum of five feet wide. Pedestrian walkways immediately adjacent to and perpendicular to parking stalls shall be a minimum of six feet wide.
2. Materials for pedestrian walkways may include concrete, concrete pavers, brick, stone or combination thereof or materials as approved by the Planning Division.
3. A pedestrian walkway shall provide direct pedestrian access from peripheral sidewalks to the sidewalks that front on-site buildings and building entrances.

18.41.030 MULTI-UNIT RESIDENTIAL SITE PLANNING STANDARDS

A. Pedestrian Access

1. Unit entries adjacent to a street. Multi-unit projects should be designed with each unit adjacent to a street having its primary pedestrian entrance from the street sidewalk, or as forecourt projects with at least the primary building entrance having access to the street sidewalk. Where individual units have access to the street sidewalk, private “front yard” outdoor space may be differentiated from the public right-of-way by a porch, or small yard (i.e., patio) enclosed by a low wall or fence not to exceed 42 inches in height.
2. Pedestrian walkways shall be provided to every unit entry.
3. Notwithstanding the provisions of Section 4450, et seq., of Chapter 7 of Title 1 of the Municipal Code, containing requirements for facilities necessary to assure access and usability for the physically handicapped, in all multi-unit residential projects the following provisions shall apply:
 - a. Safe, convenient, well-drained pedestrian access to dwelling units, parking lots, and service areas, by provision of walks, steps or stepped ramps, so constructed as to assure reasonable durability and economy of maintenance, shall be required.
 - b. Pedestrian walkways shall be a minimum of 36 inches in width.
 - c. Pedestrian walkways shall be graded or ramped to no steeper than a one-to-twelve slope.

18.41.040 COMMON USABLE OPEN SPACE REQUIREMENTS

A. Purpose

The purpose of this section is to prescribe standards for the development of open space areas provided for the exclusive use of the occupants of a multi-unit residential building.

B. Definitions

1. “Private usable open space” refers to any areas with a minimum area of 60 square feet and devoted to the following private uses: patio, porch, balcony, or private deck.
2. “Common usable open space” refers to active or passive recreational open space for use of the residents and their guests of a multi-unit residential development. Common usable open space may include gardens, playgrounds, courtyards, swimming pools, sitting areas, court games (indoor or outdoor), recreation rooms, exercise rooms or gyms, spas, community rooms, lawn/turf used for open play, ponds, fountains, atriums, picnic areas, rooftop gardens or green roofs, or similar passive or active recreational/leisure uses or facilities that are not used for enclosed dwelling unit floor area or commercial use space.

C. Standards

1. For projects of three units or more, common usable open space shall be required in a minimum amount of 300 square feet per dwelling unit.
2. Private usable open space may be substituted for such common usable open space but may not exceed 100 square feet per unit. Each square foot of private usable open space shall be considered equivalent to two square feet of required common usable open space, and may be so substituted, subject to the minimum requirements for actual common usable open space. All units shall be provided with at least 60 square feet of private usable open space.
3. Both common and private usable open space provided at ground level may be provided in the interior side yard and rear yard setback areas, within courts, and within exterior side yard setback areas to within five feet of the property line.
4. Private usable open space provided above the first floor may be located in the front setback area to within 12 feet of the front property line.
5. Up to a maximum of 40 percent of the required common usable open space may be provided indoors.

6. Common usable open space areas shall be provided with minimum length and width dimensions of 20 feet.
7. See the Westside Specific Plan for other open space requirements related to the MCR-1 and MCR-2 zones.

CHAPTER 18-42 – BUILDING DESIGN STANDARDS

18.42.010	Purpose
18.42.020	Projections into Setbacks and Courts
18.42.030	Accessory Structures
18.42.040	Screening Mechanical Equipment and Elevator Housing
18.42.050	Commercial and Institutional Building Design Standards
18.42.060	Industrial Building Design Standards
18.42.070	Residential Building Design Standards

18.42.010 PURPOSE

The purpose of standards for building design and materials is to focus efforts on good design in order to create a quality image for the city, making new buildings and building additions compatible with their surroundings, encourage reinvestment, and improve the city's economic vitality. These standards apply to those areas in the city that will be developed as a commercial or institutional use without a residential component (mixed-use) or areas where only a commercial or institutional use is permitted.

18.42.020 PROJECTIONS INTO SETBACKS AND COURTS

A. Requirements -- General

Every required front, side, and rear setback shall be open and unobstructed from the ground to the sky, unless otherwise provided. In addition to permitted accessory buildings and structures, the following structures may be erected or projected into any required setback:

1. Fences and walls may be erected or projected into any required setback as provided in this section.
2. Cornices, belt courses, sills, eaves, or other similar architectural features (other than bay windows or vertical projections) may project into a required interior side setback not more than two inches for each one foot of width of such side setback, and may project into any other required setback, passageway or other open space not more than 30 inches, provided the width of an exterior side setback is not reduced to less than three feet.
3. Eaves may project into a required interior side setback not more than four inches for each one foot of width of such side setback, provided the width of such side setback is not reduced to less than two and one-half feet. Eaves may also project into any other required setback, passageway or other open space not more than 30 inches, provided the width of an exterior side setback is not reduced to less than two and one-half feet.
4. Chimneys may project into a required setback, passageway or other required open space not more than two feet, provided the width of any required side setback is not reduced to less than three feet.
5. Fire escapes may project into any setback not more than four feet.
6. Open unenclosed stairways or balconies, not covered by a roof or canopy, may project into a required rear setback not more than four feet, and into a required front setback, exterior side setback side or other required open space not more than 30 inches, provided the width of an exterior side setback is not reduced to less than two and one-half feet.
7. Open, unenclosed porches, platforms or landing places, including access stairways, not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may project into any required setback passageway or other open space not more than four feet, provided that in no event shall any such porch, platform or landing place be more than four feet above the adjacent natural ground level.
8. A one-story unenclosed breezeway, not over five feet in width, extending from a main residential building to an accessory parking or other accessory structure, may project into a required rear or exterior side yard setback a distance not to exceed the required setback of the accessory structure.

9. Awnings or canopies without enclosing walls or screening may be attached to the exterior walls of a residential structure provided that:
 - a. Such awnings or canopies do not extend more than four feet into a required front setback and have no vertical support within the setback or space;
 - b. Such awnings or canopies do not extend more than 30 inches into a required side setback, rear setback, or other required open space, but in no event nearer than 30 inches to an interior lot line;
 - c. Where such awnings or canopies project into a required front or side setback or other required open space, they may extend only over the windows or doors to be protected and for 12 inches on each side thereof.
10. Entry arbors, either freestanding or as part of a fence as provided for in this section.

18.42.030 ACCESSORY STRUCTURES

A. Conditions

Accessory structures and uses may be developed as permitted in this title, provided they are located on the same lot or parcel of land, and are incidental to and do not substantially alter the character of the principal permitted use.

B. Alteration

No accessory structure shall be structurally altered, converted, enlarged or maintained for the purpose of providing a second dwelling units unless such accessory structures are made to conform to all regulations of this title for new structures.

C. Westside Specific Plan

Accessory structures in the RS-4 Zone shall maintain a three foot setback from the side lot line and the rear lot line and a minimum of six feet between structures, but shall not be located in the front yard setback required except as provided by this title.

18.42.040 SCREENING MECHANICAL EQUIPMENT AND ELEVATOR HOUSING

A. Standards Applicable to All Zones

1. All mechanical equipment located at ground level shall be enclosed within a permanent noncombustible enclosure subject to the approval of the building official, and subject to all yard and setback regulations.
2. All elevator housing and mechanical equipment located on the roof of any building shall be screened from adjacent views and contained within a completely enclosed penthouse or portion of the same building having walls and roofs with construction and appearance similar to the building served by the equipment and other appurtenances.

18.42.050 COMMERCIAL AND INSTITUTIONAL BUILDING DESIGN STANDARDS

A. Applicability

This section provides standards for commercial buildings including retail, service, office, and institutional buildings in any zone where they are permitted.

B. Commercial Retail Buildings

1. Large format retail or anchor stores.
 - a. Ground floor facades that face public streets shall have arcades, pergolas or galleries; display windows, accentuated entries or entry pavilions; awnings; raised planters; or special corner

- b. Facades greater than 120 feet in length measured horizontally shall incorporate wall plane projections or recesses having a depth of at least two percent of the length of the façade and extending at least 25 percent of the length of the façade.
 - c. A minimum of 25 percent transparency (clear vision glass) is required on the ground floor of a large format retail or anchor store.
2. Freestanding or “pad” buildings.
 - a. Freestanding retail buildings fronting a sidewalk shall be provided with sufficient display windows meeting the transparency requirements identified in Subsection E below.
 - b. Freestanding retail or “pad” buildings within centers (multi-tenant strip developments) that do not front on a public street shall exhibit a minimum of a 50 percent window to 50 percent wall on at least three building facades.
 3. Retail shops/multi-tenant development.
 - a. Buildings facades within a multi-tenant development must provide a repeating pattern that shall include at least one of the following elements at horizontal intervals of no more than 30 feet:
 - i. Color change;
 - ii. Texture change;
 - iii. Material change; or
 - iv. Structural bay expression through a change in plane no less than 12 inches in width such as an offset, reveal, or project rib.
 - b. Retail storefronts set back from a street with parking in front shall provide a minimum 60 percent transparency through the use of clear vision windows and doors when located along a sidewalk, building arcade or gallery.
 - c. Doors and windows mounted flush with the wall surface shall not be used unless in conjunction with an arcade or covered walkway. Doors and windows shall be set back in their wall openings to reveal the thickness of the wall when an arcade or covered walkway is not provided.

C. Building Aesthetics and Materials

1. Articulation is required to reduce the mass and scale of large monolithic commercial buildings. Articulation is required on at least three sides of a building’s façade by use of color, changes in materials, arrangement of façade elements (such as insets, offsets or varying setbacks, canopies, window recesses, arches, arcades or colonnades, varied roof planes, vertical projections, and fenestration). The service side of a building’s façade shall not require the same articulation unless it is visible from an adjacent street, park or open space or residential/residentially-zoned area.
2. Any side of an office, commercial and institutional building visible from or adjacent to residential areas or residentially zoned lands shall be treated in the same manner as the street facing façade.
3. For buildings that front on a public right-of-way, internal private street or private drive intended to function as a street, the following minimum standards for transparency or clear vision glass are required:
 - a. Ground floor retail: 60 percent.
 - b. Upper story retail: 40 percent.
 - c. Ground floor office or institutional: 50 percent.
 - d. Second floor office or institutional: 35 percent.
4. Rooflines.
 - a. Both single and multi-tenant buildings shall have variations in the rooflines and roof features that are consistent with the buildings mass and scale. Roofs shall meet at least two of the following requirements:
 - i. Decorative parapets that are a minimum of three feet in height.
 - ii. A three-dimensional cornice treatment a minimum of 12 inches in height.
 - iii. Overhanging eaves that extend at least two feet beyond the building façade.
 - iv. Three or more roof planes.

- v. Any other treatment that in the opinion of the Planning Division, meets the intent of this section.
5. Exterior facades of new buildings should be constructed of materials which will withstand the abuses of weathering and possible defacing due to vandalism. These materials should be easily maintained and attractive from any distance. In the commercial and mixed-use zones, the exteriors of all buildings or accessory structures shall be constructed of stucco, masonry, architectural concrete masonry units, pre-cast concrete, rock, and/or wood or wood simulated siding; provided, however, that all buildings or structures shall have an integrated color or painted exterior.
 - a. Metal for use as a primary exterior building material is not permitted. The use of metal is permitted only as an accent material and may not exceed ten percent of each building façade face.
 - b. Building fronts shall incorporate and present either a finished parapet or overhang to the street.
 - c. All roof edges shall be finished with fascia and/or combination fascia gutter.
 - d. Finished soffits are required.
 - e. The use of decorative materials to enhance the aesthetic appearance of the building or structure shall be required on any portion of the building or structure abutting upon a public street.
 6. The exterior walls of all buildings or structures constructed within the commercial and mixed-use zones shall be of new material; provided, however, that quality used materials such as rock, red brick, or decorative masonry may be permissible. Other forms of architectural treatment of used materials may be approved by the Planning Division.
 7. Color.
 - a. The use of colors on the exterior of a building shall be limited to an appropriate and complementary palette.
 - b. Large areas of intense white color shall be avoided except on rooftops.
 - c. The color palette chosen for a building should be compatible with the colors of adjacent buildings except where existing buildings strongly diverge from these standards.
 - d. Fluorescent or neon colors shall be avoided.
 8. Accessory structures shall have compatible architectural details, design elements, and roof designs as the primary structure.
 9. Trash and recycling enclosures.
 - a. Standards for trash enclosures are found in Title 7, Section 7.10.080 (Enclosures required).
 - b. Trash enclosures shall be provided with receptacles for both rubbish and recyclable materials.

D. Prohibited Exterior Wall Materials

The following materials are prohibited as a primary exterior wall material:

1. Unfinished concrete and concrete block, except split-face concrete block or slump block.
2. Corrugated metal, standing seam metal, or other metal wall materials.
3. Reflective mirror-type glass.
4. Plywood, including T-11 or similar wood products.
5. Imitation "rock work" veneer.
6. Corrugated fiberglass.
7. Asphalt shingles.
8. Plastic or plastic laminates.

E. Prohibited Roofing Materials

The following materials are prohibited for use as a roofing material:

1. Corrugated metal.
2. High contrast or brightly colored glazed tile, except where desirable for accent purposes.
3. Highly reflective surfaces.
4. Aluminum sheet metal.

18.42.060 INDUSTRIAL BUILDING DESIGN STANDARDS

A. Building Aesthetics and Materials

1. Long unbroken building facades shall be avoided. Facades with varied front setbacks shall be required.
2. Warehouses shall avoid blank front and exterior side wall elevations on street frontages through the use of building indentations and architectural details.
3. Building entrances to industrial use buildings shall be enhanced with architectural elements and landscaping for emphasis.
4. Materials.
 - a. All buildings and structures shall be constructed of stucco, masonry, architectural concrete masonry units, pre-cast concrete, rock, and/or wood or wood simulated siding, and shall have an integrated color or painted exterior.
 - b. 30 percent, including doors, of the gross area, to a 12 foot height, of any building or structure abutting on the front or exterior side yard of a lot shall be constructed of, or surfaced with, glass, stone, wood, brick, and/or decorative masonry as architectural treatment to increase the aesthetic appearance of the building. On a corner lot, if the treatment required on the exterior side yard is concentrated on the corner of the building or structure and is located nearest the corner of the intersecting streets, the percentage of required area for decorative purposes may be reduced on the exterior side yard to ten percent.
 - c. Where the end use of any building or structure prohibits the use of decorative materials in either the front or exterior side of any building or structure or it is not economically feasible to use decorative materials, a color combination of the exterior surface of integrated or painted finish may be permitted, subject to site plan review.
 - d. The exterior walls of all buildings or structures in the industrial zones shall be of new material; provided, however, that quality used materials such as rock, red brick, or decorative masonry may be permissible. Other forms of architectural treatment of used materials may be approved by the Planning Division.
 - e. Metal for use as a primary exterior building material is not permitted. The use of metal is permitted only as an accent material and may not exceed 10% of each building façade face.
5. Trash and Recycling Enclosures
 - a. Standards for trash enclosures are found in Title 7, Section 7.10.080 (Enclosures required).
 - b. Trash enclosures shall be provided with receptacles for both rubbish and recyclable materials.

18.42.070 RESIDENTIAL BUILDING DESIGN STANDARDS

A. Multi-Unit Residential Building Design Standards

1. The exterior design, height, and bulk of multi-unit projects should not negatively impact adjacent lower density residential areas.
2. Façade and roof articulation. A structure with three or more attached units should incorporate wall and roof articulation to reduce apparent scale. Changes in wall planes and roof heights, and elements such as balconies, porches, arcades, dormers, and cross gables can avoid a barracks-like quality. Long flat walls and roofs shall be avoided. Secondary hipped or gabled roofs covering the entire mass of a building are preferred.
3. Scale. Because multi-unit projects are usually taller than one story, their bulk can be imposing on surrounding uses. Structures with greater height may require additional setbacks at the ground floor level and/or upper levels.
4. Balconies porches or patios as part of multi-unit structures are required. These elements shall be used to break up large wall masses, offset floor setbacks, and add human scale to structures, and increase neighborhood safety by providing opportunities for “eyes on the street”. Individual unit entrances within a multi-unit project shall have individual covered porches.
5. Trash and recycling enclosures.
 - a. Standards for trash enclosures are found in Title 7, Section 7.10.080 (Enclosures required).

- b. Trash enclosures shall be provided with receptacles for both rubbish and recyclable materials.
- 6. Laundry facilities.
For multi-unit residential projects containing nine units or more that do not provide a washer and dryer for each unit, the following laundry facilities shall be provided: one washer and one dryer for each 20 dwelling units. The minimum requirement shall be one washer plus one dryer for multi-unit residential projects containing nine to 20 dwelling units.
- 7. Storage space.
In all multi-unit residential projects, a storage space of not less than 150 cubic feet for each unit plus 50 cubic feet for each additional bedroom more than one. The cubic feet utilized by mechanical equipment (e.g., water heater, furnace, etc.) may not be included in the cubic footage requirement. A bedroom closet shall not be included in the cubic footage requirement.

B. Mobile Homes / Factory-Built Housing

- 1. Definition. Factory-built housing includes modular housing and residential structures certified under the National Mobile Home Construction and Safety Standards Act of 1974 and as defined in 798.3 of the Civil Code. All factory-built housing and the lot on which it is placed shall comply with all applicable provisions of Title 18 of the National City Municipal Code and the Design Guidelines.
- 2. Eligibility. A mobile home shall not be located on a permanent foundation, on a private lot, unless it:
 - a. Was constructed after September 15, 1971, and was issued an insignia of approval by the California Department of Housing and Community Development or was constructed after July 1, 1976, and was issued an insignia of approval by the U.S. Department of Housing and Urban Development; and,
 - b. Has not been altered in violation of applicable codes.
- 3. Criteria. Mobile homes placed on a permanent foundation system, on a private lot, shall:
 - a. Be occupied only as a residential use type;
 - b. Meet all requirements for the zone in which located;
 - c. Be attached to a foundation system in compliance with all applicable building regulations and Section 18551 of the Health and Safety Code;
 - d. Have a minimum width of 20 feet;
 - e. Be covered with an exterior material customarily used on conventional dwellings and approved by the planning division pursuant to site plan review. 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;
 - f. Have a roof consisting of shingles or other material customarily used on conventional dwellings;
 - g. A mobile home may be required to have a porch, eaves or roof with eaves when it is determined, pursuant to site plan review, it is necessary to have it compatible with the dwellings in the area.
- 4. Foundation system. The most recently adopted California Building Code specifies regulations for the mobile home foundation system. These regulations provide:
 - a. Foundation system definition. A "foundation system" is an assembly of material constructed below, or partly below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external natural forces;
 - b. That mobile home foundation systems be designed in accordance with the provisions of the most recently adopted California Building Code, and local soil conditions. Design conditions for roof, wind, and seismic loads applicable to permanent building foundations shall be applicable to the mobile home foundation system;
 - c. The mobile home shall be installed in accordance with installation instructions provided by:
 - d. The manufacturer of the mobile home, or,
 - e. A California-licensed architect or engineer for an individual mobile home where manufacturer's installation instructions are not available;
 - f. That both the foundation system and connection of the mobile home to the foundation system shall be capable of withstanding the design loads and concentrated loads identified in the installation instructions;
 - g. A foundation system plan shall be provided in addition to the installation instructions. The foundation system plan may be:

- i. Provided by the mobile home manufacturer either as a part of, or separate from, the installation instructions,
 - ii. Provided by the installation contractor,
 - iii. Required to be signed by a California-licensed architect or engineer;
 - iv. A foundation system plan approved by the California Department of Housing and Community Development will be accepted.
5. Utility connections. The mobile home electrical, gas, water and drain connections shall be made permanent in a manner applicable to permanent buildings. Gas shut-off valves, meters and regulators shall not be located beneath the mobile homes.
6. Surrender of registration. Prior to occupancy, the owner shall request a certification from the Planning Division that a certificate of occupancy be issued pursuant to Section 18551 (b) (2) of the California Health and Safety Code. Thereafter, for an existing mobile home, any vehicle license plate, certificate of ownership and certificate of registration issued by a state agency is to be surrendered to the appropriate state agencies.
7. Park and school fees. Mobile homes placed on a permanent foundation shall be subject to local park and school fees in the same manner as conventional single-family dwellings.
8. Modification of criteria. Modification of the criteria set forth in this section may be granted by the Planning Division if the site plan review finds that such modification will not be detrimental to the public interest or surrounding residents or properties. No such modification may be granted from Subsections 3a, 3b, and 3c of this section.
9. Additions. Additions to a mobile home placed on a permanent foundation shall be made in accordance with all applicable laws, codes, and ordinances enforced by the City, and installation instructions provided by (site plan review required):
 - a. The manufacturer of the mobile home; or,
 - b. A California-licensed architect or engineer; or,
 - c. A building addition plan approved by the California Department of Housing and Community Development.

C. Single Family Infill Standards

1. Architectural considerations.
 - a. New single family projects should incorporate the distinctive architectural characteristics of surrounding development, for example: window and door detailing, decoration, materials, roof style and pitch, finished-floor height, porches, bay windows, dormers, chimneys, balconies, shutters, decorative molding, and similar architectural details.
 - b. Rooflines of building additions should be constructed to integrate the addition with the existing building. Contrasting rooflines which emphasize the separate construction of the addition, such as shed roofs extending from the wall of a structure with a hip or gable roof, should be avoided.
 - c. Exterior materials, window details, and colors of building additions should match those of existing structures.
 - d. Roof pitches in common use in the residential neighborhood are gable and hip. New residential construction and additions should incorporate roofs which are compatible with the existing neighborhood style. Minimize the use of flat roofs unless the surrounding context suggests their use, or the structure being added on to has a flat roof.
 - e. Walls should be of either wood or simulated wood clapboard or stucco where the style and context would allow it. Brick or stone is recommended as an accent material. Clay tile is also a very suitable material for roofs and accents, but very shiny glazed roof tile should be avoided.
 - f. If concrete block is used for exterior wall construction, it shall receive a finish coat of stucco.
 - g. While two-story construction is considered acceptable in single-story neighborhoods, the structure should incorporate both vertical and horizontal variations in the wall planes in order to reduce the overall bulk of the project and develop a smaller scale to be compatible with adjacent single story structures.
 - h. The use of any roof mounted equipment is highly discouraged for single family units. If alternatives are not feasible, equipment must be screened from view in a manner which blends with the architectural style of the house, including use of materials and colors.

2. Site design considerations.
 - a. New development should continue the functional, on-site relationships of the surrounding neighborhood. For example, in many older neighborhoods, common patterns that should be continued are entries facing the street, front porches, and parking at the rear.
 - b. Front setbacks for new single family development in existing neighborhoods should be either:
 - i. Equal to the average setback of all residences and buildings on both sides of public streets within 100 feet of the property lines of the new project or
 - ii. Equal to the average of the two immediate adjacent buildings.
 - c. In cases where averaging between two adjacent existing buildings is chosen, the new building may be averaged in a stepping pattern.
 - d. Side yard setbacks in the neighborhood create a certain rhythm along the street. New projects or additions should be respectful of the open space pattern created by these setbacks.

CHAPTER 18-43 -- FENCES AND WALLS

18.43.010	Purpose
18.43.020	Screening Requirements
18.43.030	Parking Lots
18.43.040	Materials, Construction, and Maintenance
18.43.050	Maximum Height
18.43.060	Prohibited Fences
18.43.070	Entry Arbors
18.43.080	Openings in View-Obscuring Fences
18.43.090	Special Fences
18.43.100	Traffic Visibility Triangles

18.43.010 PURPOSE

The purpose of this Chapter is to establish regulations for fences and walls. The intent is to enhance the aesthetic appearance of property by providing standards relating to the quality of design materials; to create buffers between different land uses; and to protect the public health, safety, and welfare.

18.43.020 SCREENING REQUIREMENTS

A. Between Land Uses

1. Where the side or rear setback of a commercial or industrial use abuts a residential zone, those side or rear setbacks of the commercial or industrial use shall be screened from the residential zone by an opaque fence or wall with a minimum six feet and a maximum height not to exceed eight feet.
2. Where the side or rear setback of a multi-family residential use abuts a single family residential zone, those side or rear setbacks of the multi-family residential use shall be screened from the single-family residential zone by an opaque fence or wall with a minimum six feet and a maximum height not to exceed eight feet.

18.43.030 PARKING LOTS

A. Screening

1. Parking lots shall be screened from adjacent residential zones and adjacent streets with a five- to six-foot high fence or wall within a five foot wide landscape buffer.
2. The screening requirements for parking lots may be waived when the parking lot serves the structure or use to which the parking is accessory.
3. Required screening shall be continuous, broken only for access driveways and walkways.

18.43.040 MATERIALS, CONSTRUCTION, AND MAINTENANCE

A. Fences and Walls

1. All fences and walls shall be constructed of new or good used material, and all fences and walls shall be kept in good repair and adequately maintained. Any dilapidated, dangerous, or unsightly fences or walls shall be removed, unless otherwise required, or repaired.
2. All masonry walls shall conform to the requirements of the California Building Code. All masonry walls require a building permit.
3. Wood fencing must be constructed using pressure-treated wood posts set in concrete footings.
4. Vinyl fencing is permitted
5. Chain link fences. Chain link fencing of minimum nine-gauge wire and three and one-half inch by five inch mesh with two and one-half inch by five-sixteenths inch redwood slats may be used in screening residential or industrial areas.

18.43.050 MAXIMUM HEIGHT

A. Fences and Walls

1. Fences and walls not exceeding eight feet in height and hedges may be located in setback areas; provided, that if located in any front setback or exterior side setback of any corner lot, they shall not exceed four feet in height, except that a residentially developed property in a residential zone may have a fence, wall or hedge not exceeding six feet in height within the exterior side setback of a corner lot.
2. Fences, walls and hedges over four feet in height shall not be permitted in the rear setback area of a reversed corner lot where such reverse corner lot abuts a front setback of the key lot at the rear.
3. The height of retaining walls contributes to the allowable height of fences and walls; provided, that within interior side setbacks and rear setbacks, the required height of screens or protective fences shall not be inhibited by the height of a retaining wall. The height of such protective fences shall be measured from the top of the retaining wall above or upon which the protective fence is placed.
4. Masonry walls shall not exceed a height of eight feet. Masonry walls that include a retaining wall shall not exceed a maximum height of six feet for the masonry wall and two feet eight inches for the retaining wall.
5. Up to 30 percent of the length of a fence may exceed the height limits specified in this section by up to six inches.

18.43.060 PROHIBITED FENCES

A. Materials

1. The use of barbed wire, electrified fence, concertina or razor wire fence in conjunction with any fence, wall, or hedge, or by itself within any zoning district, is prohibited in residential and commercial zones unless required by law or regulation of the City, the State, or the Federal Government.
2. The use of barbed wire above six feet in height is only allowed in industrial zones except for front and exterior side yards.
3. In the Westside Specific Plan area, the use of chain link, barbed wire and razor wire fencing shall be prohibited.

18.43.070 ENTRY ARBORS

A. Requirements

Arbors may be placed freestanding, or at entrances along fences within required front and exterior side setbacks, subject to the following standards:

1. The height of the arbor shall not exceed ten feet.
2. The width of the arbor shall not exceed six feet between centerlines of the supports.

3. A maximum two-foot overhang is permitted on each side of the center of the supports.
4. The depth of the arbor shall be no more than two feet six inches.
5. A minimum six-foot eight-inch vertical clearance above grade is required.
6. Supports shall not exceed six inches by six inches (horizontal dimensions).
7. The arbor shall not be enclosed on any side other than where attached to a building or by an entry gate that is part of an allowed fence.
8. Arbors may encroach into the entire width of the required front or exterior side setback.

18.43.080 OPENINGS IN VIEW-OBSCURING FENCES

A. When Allowed

1. With the approval of a site plan, the Planning Division may allow view-obscuring fences to have visual openings, for security surveillance. Such openings shall not exceed 24 inches in width and the aggregate of openings shall not exceed 15 percent of the linear length of the fence along any side of an enclosed area.
2. Upon recommendation of the chief of police, the Planning Division or Building Division may require that security openings be provided in view-obscuring fences constructed after the effective date of the ordinance codified in this section.

18.43.090 SPECIAL FENCES

A. Conditions and Restrictions

Special fences are subject to review and approval by the Planning Division. Staff may impose reasonable conditions or restrictions including, but not limited to, neighbor notification, setbacks and landscape screening as staff deems necessary to secure the purpose of this title and to assure compatibility of the special fence with adjoining properties and those in the general vicinity, and may require guarantees and evidence that such conditions are being, or will be, complied with.

B. Types

Special fences include, but are not limited to the following:

1. Recreation area fence. Fences not to exceed 12 feet in height may be located near or around tennis courts, badminton courts, batting cages, golf courses/driving ranges, basketball or volleyball courts and similar play areas, providing that all parts of the fence over six feet are made of open-wire construction or other corrosion-resistant material;
2. Security fences. Fences not to exceed eight feet in height may be located near and around industrial, industrial or research uses where required for security purposes, screening, or containing and protecting hazardous materials;
3. Swimming pool fences. Fences required for swimming pools are governed by Chapter 15.40 of the Municipal Code. Swimming pool fences are subject to Building Official approval.
4. Wood fence posts greater than eight inches in width or depth;
5. Front yard fence posts with more than two attached lights. In no event shall such posts exceed four feet in height plus a two-foot-high light fixture;
6. Chain link fencing in residential areas is permitted in the side and rear yards with vinyl-coating and landscape screening. Chain link fencing shall not exceed six feet in height in these areas. Chain link fencing in front yards in residential areas is not permitted;
7. Gates exceeding four feet in width for pedestrian use or 14 feet in width for driveway use;
8. Other structures which in the opinion of the review authority are of a similar nature.

18.43.100 TRAFFIC VISIBILITY TRIANGLES

A. Sight Requirements

1. Also known as a “Sight Visibility Triangle”, each corner or reversed corner lot in the commercial and industrial zones shall maintain a yard area conforming to the traffic visibility triangle requirements as defined in Table 18.43.100, except that a single supporting column, for a cantilevered roof or second story, having a diameter of eight inches or less may be located in the triangle area.
2. A visibility triangle is the area encompassed by the triangle formed by projecting lines of a specified distance from the point of intersection of the front and side street edges of pavement and a straight line connecting the termini of said projected lines. Within the area comprising the triangle, no tree, fence, wall, shrub, or other physical obstruction higher than three feet above the official grade lot line shall be permitted.
3. The following traffic visibility triangles shall be established for the following intersection types as identified in Table 18.43.100 below:

**TABLE 18.43.100
Traffic Visibility Triangles**

Classification of Intersection Types	Distance Measurements from Point of Intersection of Front and Side Lot Lines
Driveway or Alley with any street	As provided by Caltrans and AASHTO stopping sight distance criteria
Local -- Local	25'
Local -- Collector	25'
Driveway – Collector or Arterial Street	30'
Collector -- Arterial	30'
Arterial -- Arterial	30'

CHAPTER 18-44 – LANDSCAPING

- 18.44.010 Purpose
- 18.44.020 Applicability
- 18.44.030 Definitions
- 18.44.040 Landscape Plan
- 18.44.050 Requirements
- 18.44.060 Plant Materials
- 18.44.070 Turf Lawn
- 18.44.080 Soils and Mulching
- 18.44.090 Minimum Percentage of Net Lot Area to be Landscaped
- 18.44.100 Statuary Structures and Other Lawn Art
- 18.44.110 Landscape Location Requirements
- 18.44.120 Tree Preservation
- 18.44.130 Landscaping Work Included in Building Permit Inspections
- 18.44.140 Traffic Visibility Triangles
- 18.44.150 Maintenance Required
- 18.44.160 Certain Trees a Public Nuisance
- 18.44.170 Nonconforming Landscaping
- 18.44.180 Public Utilities
- 18.44.190 Water Efficient Landscape Regulations

18.44.010 PURPOSE

The purpose of this Chapter is to provide property owners with standards in landscaping their properties. These standards will be used by the Planning Division, Planning Commission, and City Council when reviewing plans for landscaped areas. These standards are also intended to provide direction for the design, installation, and maintenance of water efficient landscaping as directed by California State law.

18.44.020 APPLICABILITY

These standards shall be used when preparing landscape and irrigation plans for all multi-family residential, commercial, industrial, and institutional projects. Projects with a total landscaped area of 500 square feet or less, private yard areas for single-family dwellings, and registered historic sites shall be exempt from requirements for water efficiency identified in this Chapter. These standards shall not apply to revegetation plans that will be reviewed individually by staff and all appropriate State and Federal agencies.

18.44.030 DEFINITIONS

A. Definitions Used in this Chapter

1. "Landscaping" means the use of architectural and horticultural materials to provide control of erosion, dust, weeds, and accumulation of litter in a manner complementary to the purpose of adding natural environmental quality to the premises. "Landscaping" includes the planting and maintenance of some combination of trees, shrubs, ground cover, vines, flowers, lawns or other planting materials, other than weeds, providing shade, visual screening, aesthetic enhancement, soil conservation, and the removal or reduction of fire hazards, rodent harborages, vermin, and disease-bearing creatures. In addition, the combination or design may include natural features such as rock and stone and structural features such as pools, artwork, screens, walls, fences, and benches. See also "fence," defined in Glossary, and "screening," defined in the Glossary.
2. "Landscaping maintenance" includes sufficient irrigation, fertilization, pruning, trimming and training, and all other reasonable acts necessary to keep plants in a healthy vigorous condition. "Maintenance" also includes removal of weeds, dead materials and accumulated litter, rubble or other foreign substances; and reseeding, and replacement of dead plants and planting where necessary to restore a landscaped area to the level of coverage required of a new installation.

18.44.040 LANDSCAPE PLAN

A. Requirements

A detailed landscape plan shall be submitted as part of a site plan review. The landscape plan shall include, but not be limited to, the following items:

1. The landscape plan shall be drawn at the same scale as the plot or site plan or at a minimum scale of one inch to 20 feet.
2. The landscape plan shall locate and identify existing and proposed buildings, walls, fences, walks, drives, utilities, etc.
3. Proposed plant location, spacing, size, species (common and botanical name).
4. Existing and proposed contours on-site and 100 feet beyond the site at intervals not to exceed two feet.
5. Height and type of construction of wall or fence, including footings.
6. Provide the types and amounts of soil amendments (additives mixed with the soil) used per 1,000 square feet.
7. Significant site details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain existing natural drainage patterns.
8. Planting and staking details in drawing form to ensure proper installation and establishment of proposed materials.

9. Identification of existing trees proposed to be saved including individual tree caliper size and species. Clearly reference on the plan the total number of trees proposed to be preserved, caliper of tree saved, and number of trees requested for credit consideration.
10. Identification of tree protection method for trees proposed to be preserved.
11. Identification of existing trees over two-and-one-half inch caliper proposed to be removed.
12. Identification of grass and other groundcover or proposed seed mix and the amount in pounds to be used per 1,000 square feet and method of planting.
13. Prepare calculations for the total number of parking spaces and number of parking lot shade canopy trees required to be placed within the interior of the parking area.
14. Prepare calculations for the square footage of the 20 percent landscape area requirement. The 20 percent required landscape area shall be clearly denoted on the landscape plan.
15. For sites with existing buildings and parking that are proposed for expansion, label the net percent increase and calculated landscape requirement.
16. An irrigation and planting plan shall be submitted that meets the requirements of the Water Efficient Landscape Regulations of this Chapter.
17. Each landscape plan shall be prepared by a California licensed landscape architect, licensed landscape contractor, certified nurseryman, or other professional determined by the City to be qualified.

18.44.050 REQUIREMENTS

A. General

1. Where on-site landscaping is required by this Chapter as part of a project, all landscaping work shall be included in such permit. Such landscaping shall not be considered complete until approved by the Planning Division.
2. Notwithstanding other provisions of this title requiring on-site landscaping, all buildings erected hereafter shall have the surrounding courts, yard areas, open-space areas, and public street parkways, that are otherwise unimproved, landscaped in accordance with Section 18.54.030. This shall include centrally controlled mechanical irrigation systems.
3. New single-family and two-family residences shall be landscaped with a minimum of:
 - a. Complete landscaping of all slopes steeper than 3:1;
 - b. Turf or suitable ground cover on all other ground area lying between the curb, or edge of roadway, within adjoining streets and the rear line of the rearmost main building and the area between the main building and the rear property line on reversed corner lots;
 - c. This required landscaping shall include irrigation systems meeting the guidelines of this Chapter. All street parkways and slopes more than three feet in height shall have permanent centrally controlled mechanical irrigation systems.
4. All street parkways and slopes more than three feet in height shall have permanent centrally controlled mechanical irrigation systems.
5. Street trees shall be installed within the parkway of public streets at a ratio of one per 30 linear feet of frontage and may not interfere with effective street lighting. Tree selection and tree location shall be approved by the Planning Division.

18.44.060 PLANT MATERIALS

A. Requirements

1. Landscaping shall include a variety of trees, shrubs, and groundcover.
2. Plant materials shall conform to or exceed the plant quality standards of the latest edition of American Standard for Nursery Stock published by the American Association of Nurserymen, or the equivalent.
3. Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a 15-gallon container for trees, five gallon container for specimen shrubs, and six inch pots for mass planting, unless otherwise approved by the regulating authority.

4. Plant materials shall be selected for low water demand and drought tolerance; use of appropriate native species; adaptability to the National City environment; the geological and topographical conditions of the site; ability to provide shade; and, soil retention capability.
5. Plants having similar water use shall be grouped together in distinct hydrozones.
6. Deciduous trees shall be used to shade buildings and parking lots in summer and allow for passive solar heating of buildings in winter.
7. Street trees shall be planted at a rate of one tree for every 30 linear feet of right-of-way. The review authority may modify this requirement depending on the chosen tree species and its typical spread at maturity.
8. Shrubs. A minimum of two, five gallon shrubs shall be provided for every six feet of distance along street frontages.

18.44.070 TURF LAWN

A. Restrictions

1. Turf lawn is the landscape element which requires the most water and maintenance; therefore, the use of turf must be limited to functional areas such as playgrounds, entertainment areas, picnic areas, employee areas, play areas, etc.
2. Turf shall not exceed 20 percent of the total landscaped area. Decorative cool season turf shall not exceed 15 percent of the landscaped area.
3. Turf shall not be used in parking lot islands or strips.
4. Turf may not be planted in areas with a width of less than six feet.

18.44.080 SOILS AND MULCHING

A. Requirements

1. A minimum of one-foot depth of uncompacted soil shall be provided for water absorption and root growth in each planted area.
2. Soil shall be prepared and/or amended to be suitable for the landscaping to be installed.
3. A minimum of two to three inches of mulch such as ground bark or other composted organic material shall be added in each non-turf area to the soil surface after planting. Any plant type that is intolerant to mulch shall be excluded from this requirement.
4. If a weed control barrier is needed, only porous fabrics shall be used under mulches.
5. Gravel or crushed rock for use as mulching is not permitted.

18.44.090 MINIMUM PERCENTAGE OF NET LOT AREA TO BE LANDSCAPED

The minimum area of each site to be landscaped with trees, shrubs, groundcover, or turf lawn shall be twenty percent of the net site area, except for a reduction approved by the City Manager or his/her designee due to lot size, sites with existing development, or for lots with zero setback requirements.

18.44.100 STATUARY STRUCTURES AND OTHER LAWN ART

Statuary structures and other lawn art shall be limited to a maximum of three structures and shall not exceed four feet in height and two feet in depth unless otherwise determined by the Planning Division. Staff may impose reasonable conditions or restrictions including, but not limited to, neighbor notification, setbacks and landscape screening as staff deems necessary to secure the purpose of this title and to assure compatibility of the statuary structures and other lawn art with adjoining properties and those in the general vicinity, and may require guarantees and evidence that such conditions are being, or will be, complied with.

18.44.110 LANDSCAPE LOCATION REQUIREMENTS

A. Provisions

Landscaping shall be provided in all areas of a site subject to development with structures, grading, or the removal of natural vegetation, as follows:

1. Setbacks. The setback and open space areas required by this Land Use Code, and easements for utilities and drainage courses shall be landscaped except where:
 - a. Occupied by approved structures or paving
 - b. A required single family dwelling residential setback is screened from public view; or
 - c. They are retained in their natural state, and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.
2. Unused areas. Any area of a project site not intended for a specific use, including a commercial pad site intended for future development, shall be landscaped unless retained in the natural state, and the review authority determines that landscaping is not necessary to achieve the purposes of this Chapter.
3. Areas adjacent to side or rear property lines. A parking area for a nonresidential use or multi-unit residential project shall provide a perimeter landscape strip at least eight feet wide where the parking area adjoins a side or rear property line. The requirement for a landscape strip may be satisfied by a setback or buffer area that is otherwise required to be eight feet or greater. Trees shall be provided within the landscape strip at the rate of one for each 30 linear feet of landscaped area.
4. Areas adjacent to buildings. When a parking area is located adjacent to a nonresidential structure, a minimum eight-foot wide landscape strip shall be provided adjacent to the structure, exclusive of any building entries, or areas immediately adjacent to the wall of the structure that serves as pedestrian accessways. Landscape strips shall be planted with a combination of canopy trees, ornamental trees, shrubs, perennials, ornamental grasses, and groundcover.
5. Areas adjacent to residential use. A parking area for a nonresidential use or multi-unit residential project adjoining a residential use in an RS Zone shall provide a landscaped buffer with a minimum ten foot width between the parking area and the common property line bordering the residential use. A solid, continuous decorative masonry wall or fence and landscape buffer shall be provided along the property line, except for approved access points, to address land use compatibility issues (e.g., nuisance noise and light/glare), as determined by the review authority to be necessary. Trees shall be provided at the rate of one for each 30 linear feet of landscaped area.
6. Parking lot landscape requirements.
 - a. A minimum of one shade canopy tree shall be required for every seven parking spaces in a parking lot for all zones.
 - b. All of the required parking lot trees shall be placed within the parking lot envelope, described as the area including the parking lot surface and extending a minimum of eight to ten feet from the edge of the parking lot.
 - c. Landscape areas within the parking lot island shall be planted with a combination of required canopy trees, ornamental trees, shrubs, perennials, ornamental grasses, and groundcover.
 - d. A minimum of two thirds of the required trees shall be placed within the interior of the parking area. A maximum of one third may be placed within the ten foot landscape area that surrounds a parking lot.
 - e. A parking area for a nonresidential use adjacent to a public street shall be designed to provide a minimum ten foot wide landscape planting strip between the street right-of-way and the parking lot.
 - f. A parking area for a residential use except for dwelling or duplex, shall be designed to provide a landscaped planting strip between the street right-of-way and parking area equal in depth to the setback required by the applicable zoning district.
 - g. The landscaping shall be designed and maintained to screen vehicles from view from the street to a minimum height of three feet, but shall not exceed any applicable height limit for landscaping within a setback or traffic visibility triangle. Screening materials may include a combination of plant materials, earth berms, solid decorative masonry walls, raised planters, or other screening devices which meet the intent of this requirement.

- h. All landscaping including canopy tree placement shall be dispersed throughout the parking lot in order to balance and soften the large areas of pavement and help direct traffic flow within the lot.
- i. A permanent underground irrigation system shall be provided for all landscaped areas.

18.44.120 TREE PRESERVATION

A. Site Plan Requirements, Maintenance, and Credits

1. All trees over eight inches caliper shall be identified on the site plan and landscape plan with notations of trees to be preserved and trees to be removed.
2. Trees intended to be preserved shall be noted with a unique symbol on the site plan and be protected during construction through the use of construction fencing at or beyond the drip line of the tree or trees to be preserved.
3. Trees to be preserved shall be considered for credit only if they are located on the developed portion of the site. To obtain credit consideration, the preserved trees shall be of a high quality and at least two-and-one-half inches caliper.
4. The following credits will be considered for high quality trees that are preserved:
 - a. 2-1/2" to 7.99 inches: one tree
 - b. 8-inches to 11.99 inches: two trees
 - c. 12 inches and over: three trees
5. To protect and encourage the continued health and vitality of the preserved trees, the ground within the drip line shall be maintained in the existing natural state. Storage of soils, construction equipment or other materials during or after construction within the tree dripline is prohibited.
6. If preserved trees die within three years after construction, the property owner shall replace with the number of trees that would have been required had the tree preservation credit not been provided. Said trees shall be replaced within 30 days of written notice from the City or within an extended time period as specified in said notice.
7. The minimum number of required trees shall not be reduced by less than 50 percent through the use of approved tree credits, unless the Planning Commission determines that during the site plan review existing vegetation intended to be preserved would provide adequate landscaping, shading, buffering or screening comparable to that required under this Chapter.

18.44.130 LANDSCAPING WORK INCLUDED IN BUILDING PERMIT INSPECTIONS

Where on-site landscaping is required by this title as part of a project for which a building permit is also required, all landscaping work shall be included in such permit. Such landscaping shall not be considered complete until inspected, certified for compliance, and approved by the Planning Division. The City Fire Department is authorized to annually inspect all properties for adequacy of landscaping maintenance as a part of its annual weed abatement program. Conditions of inadequate landscaping maintenance that cannot be abated pursuant to the weed abatement provisions of the California Health and Safety Code, which nonetheless constitute unsightly or otherwise detrimental conditions, shall be reported to code enforcement for enforcement under this title.

18.44.140 TRAFFIC VISIBILITY TRIANGLE

Refer to Table 18.43.100, Traffic Visibility Triangle, for regulations on landscaping.

18.44.150 MAINTENANCE REQUIRED

A. Property Owner Responsibilities

1. It shall be the responsibility of each property owner to adequately maintain the landscaping of private property and the adjoining public street parkway landscaped, except street trees. All landscaping shall be properly maintained. Trees located within public street parkways will be pruned and trimmed by City forces and not by private property owners.
2. All trees, shrubs, plants, and other landscaping of parking lots, including interior landscaped areas, setbacks, and parkways shall be periodically and systematically watered, weeded, fertilized, and

3. Landscaping--pruning or trimming. All growth in landscaped areas should be controlled by pruning, trimming or otherwise so that:
 - a. It will not interfere with the maintenance or repair of any public utility;
 - b. It will not restrict pedestrian or vehicular access;
 - c. It will not constitute a traffic hazard because of reduced visibility.

18.44.160 CERTAIN TREES A PUBLIC NUISANCE

Any tree or shrub growing or standing on private property in such a manner that any portion thereof interferes with utility poles, lines, wires or electroliers lawfully erected, constructed or maintained along any public street, sidewalk, or intersection or with any person or persons lawfully using the same, or any such tree which has become diseased or weakened in such a manner as to be dangerous to persons lawfully using the streets or sidewalks, or any such tree which has roots that pose a hazard to pedestrians using a sidewalk constitutes a public nuisance. The Public Works Department shall cause notice to be served upon such property owner directing that such public nuisance be abated or removed within seven days after said notice is served. The Public Works Department is authorized to abate or cause to be abated such public nuisance by trimming, pruning, cutting or removing all or such portion of such tree, shrub or plant as may be necessary to eliminate such interference, obstruction or condition. Whenever it is necessary for the Public Works Department to direct the use of City employees to abate, remove, or cause to be abated or removed, public nuisances as contained in this section, he/she shall determine the cost of the work performed by City employees and bill the property owner the cost of the work performed.

18.44.170 NONCONFORMING LANDSCAPING

All properties, now landscaped, which are inadequately maintained shall be brought into compliance with this Chapter upon not less than 90 days' from the date of a written notice from the City. All properties not now landscaped shall be landscaped whenever a building permit for structures valued \$10,000 or more is issued for the site. All other properties or portions of properties, not landscaped shall be kept free of rubbish, litter, debris, unused merchandise, unused building materials, machinery or vehicular paraphernalia not essential to the occupancy of the premises.

18.44.180 PUBLIC UTILITIES

No species of trees or large shrubs shall be planted under overhead lines or over underground utilities if its growth might interfere with the installation or maintenance of any public utilities.

18.44.190 WATER EFFICIENT LANDSCAPE REGULATIONS

A. Purpose

The purpose of this section is to provide property owners with standards in landscaping their properties. These standards will be used by the Planning Division, Planning Commission, and Director of Parks and Recreation when reviewing plans for landscaped areas. These standards are also intended to provide direction for the design, installation, and maintenance of water efficient landscaping as directed by California State law.

1. Promote the values and benefits of landscapes while recognizing the need to utilize water and other resources as efficiently as possible.
2. Establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes.
3. Promote the use, when available, of tertiary treated recycled water, for irrigating landscaping.
4. Use water efficiently without waste by setting a maximum applied water allowance (MAWA) as an upper limit for water use and reduce water use to the lowest practical amount.
5. Encourage water users of existing landscapes to use water efficiently and without waste.

B. Definitions

The following definitions shall apply to this section:

1. "Automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers shall schedule irrigation events using either evapotranspiration (ETo) (weather-based) or moisture sensor data.
2. "Building permit" means a permit to engage in a certain type of construction at a specific location.
3. "Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization, or other accredited certification program.
4. "Developer" means a person who seeks or receives permits for or who undertakes land development activities who is not a single-family homeowner. Developer includes a developer's partner, associate, employee, consultant, trustee, or agent.
5. "Director" means the development services director or anyone to whom the director has designated or hired to administer or enforce this section.
6. "Discretionary permit" means any permit requiring a decision-making body to exercise judgment prior to its approval, conditional approval, or denial.
7. "Estimated total water use" (ETWU) means the estimated total water use in gallons per year for a landscaped area.
8. "ET adjustment factor" (ETAF) means a factor that when applied to reference ETo, adjusts for plant water requirements and irrigation efficiency, two major influences on the amount of water that is required for a healthy landscape.
9. "Evapotranspiration" (ETo) means the quantity of water evaporated from adjacent soil and other surfaces, and transpired by plants during a specified time period.
10. "Reference evapotranspiration" means a standard measurement of environmental parameters which affect the water use of plants. ETo is given in inches per day, month, or year and is an estimate of the ETo of a large field of four-inches to seven-inch tall, cool season turf that is well watered. Reference ETo is used as the basis of determining the MAWA so that regional differences in climate can be accommodated.
11. "Grading" means any importation, excavation, movement, loosening, or compaction of soil or rock.
12. "Hardscape" means any durable surface material, pervious, or non-pervious.
13. "Homeowner-provided landscaping" means landscaping installed either by a private individual for a single-family residence or installed by a California licensed contractor hired by a homeowner.
14. "Hydrozone" means a portion of the landscape area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
15. "Invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and may damage environmental or economic resources.
16. "Irrigation audit" includes an in depth evaluation of the performance of an irrigation system conducted by a certified landscape irrigation auditor. An irrigation audit may include, but is not limited to, inspection, system tune up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.
17. "Irrigation efficiency" means the measurement of the amount of water beneficially used divided by the water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.
18. "Landscaped area" means an area with outdoor plants, turf, and other vegetation. A landscaped area may include a water feature either in an area with vegetation or that stands alone. A landscaped area may also include design features adjacent to an area with vegetation. A landscaped area does not include the footprint of a building, decks, patio, sidewalk, driveway, parking lot, or other hardscape. A landscaped area also does not include an area without irrigation designated for non-development such as designated open space or area with existing native vegetation and areas dedicated for food production.
19. "Landscape Manual" means the Water Efficient Landscape Design Manual, approved by the City of National City that establishes specific design criteria and guidance to implement the requirements of this section.

20. "Low head drainage" means a sprinkler head or other irrigation device that continues to emit water after the water to the zone in which the device is located has shut off.
21. "Low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low volume emitters such as drip lines or bubblers.
22. "Maximum applied water allowance" (MAWA) means the maximum allowed annual water use for a specific landscaped area based on the square footage of the area, the ETAF, and the reference ETo.
23. "Mulch" means an organic material such as leaves, bark, straw, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface to reduce evaporation, suppress weeds, moderate soil temperature, or prevent soil erosion.
24. "Overspray" means the water from irrigation that is delivered outside an area targeted for the irrigation and makes contact with a surface not intended to be irrigated.
25. "Pervious" means any surface or material that allows the passage of water through the material and into underlying soil.
26. "Plant factor" means a factor when multiplied by the ETo, estimates the amount of water a plant needs.
27. "Recycled water" means waste water that has been treated at the highest level required by the California Department of Public Health for water not intended for human consumption.
28. "Recreational areas" means areas of active play or recreation, such as parks, playgrounds, sports fields, golf courses, school yards, picnic grounds, or other areas where turf provides a playing surface or serves other recreational purposes.
29. "Runoff" means water that is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area.
30. "Special landscaped area" means an area of the landscape dedicated to edible plants, an area irrigated with recycled water, or an area dedicated as turf area within a park, sports field, or golf course where turf provides a passive or active recreational surface.
31. "Standard Urban Storm Water Mitigation Plan" (SUSMP) means a plan designed to reduce pollutants and runoff flows from new development and significant redevelopment.
32. "SUSMP Manual" means the manual prepared for implementation of SUSMP requirements, and available for reference at the City's Development Services Department and on the City's website.
33. "Storm Water Management and Discharge Control" means regulations contained in Chapter 14.22 of the Municipal Code enacted to reduce the effects of polluted discharge on water of the state, to secure benefits from the use of storm water as a resource, to ensure compliance with the San Diego Regional Water Quality Control Board (RWQCB) and applicable state and federal law.
34. "Subsurface irrigation" means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.
35. "Tertiary treated recycled water," means water that has been through three levels of wastewater treatment including filtration and disinfection, but not intended for human consumption.
36. "Transitional area" means a portion of a landscaped area that is adjacent to a natural or undisturbed area and is designated to ensure that the natural area remains unaffected by plantings and irrigation installed on the property.
37. "Turf" means a groundcover surface of mowed grass.
38. "Water feature" means a design element where open water performs an aesthetic or recreational function. A water feature includes a pond, lake, waterfall, fountain, artificial streams, spa, and swimming pool. Constructed wetlands used for onsite wastewater treatment or storm water best management practices are not water features.
39. "WUCOLS III" means Water Use Classification of Landscape Species and refers to the Department of Water Resources 1999 publication or the most current version.

C. Applicability

1. All new industrial, commercial, institutional, or multi-family residential development with a total landscaped area less than 2,500 square feet shall provide the following:
 - a. Install on-site landscaping and below grade automatic irrigation system in accordance with the landscape manual.

- b. Landscaping shall be installed in all areas not utilized for structures, parking, drainage, and hardscape.
 - c. Drought tolerant landscaping and water efficiency in accordance with this section and the landscape manual is encouraged.
 - d. Parkways, between the curb and the sidewalk, bordering the development shall be provided with ground cover, shrubs, and at a minimum one 15 gallon street tree every 40 linear feet.
2. All new single-family and two-family residences with a total landscaped area less than 5,000 square feet shall provide the following:
 - a. Install on-site landscaping and below grade automatic irrigation systems in accordance with the landscape manual.
 - b. Landscaping shall be installed on all areas not used for structures, driveways, drainage, and hardscape.
 - c. Drought tolerant landscaping and water efficiency for all new landscaping consistent with this section is encouraged.
 - d. Parkways, between the curb and the sidewalk, bordering the development shall be provided with groundcover, shrubs, and at a minimum one 15 gallon street tree every 40 linear feet.
 3. For all other projects that exceed the landscape area identified in 18.44.190(C)(1) and (C)(2) of this section shall apply to the following projects when a building permit or a discretionary permit is required:
 - a. A project for an industrial, commercial, institutional, or multi-family residential use with a total landscaped area equal to or greater than 2,500 square feet.
 - b. Developer installed residential and common area landscapes where the total landscaped area for the development is equal to or greater than two thousand five hundred square feet.
 - c. A new single-family residence with homeowner provided landscaping, where the landscaped area is equal to or greater than 5,000 square feet.
 - d. A model home that includes a landscaped area.
 - e. A public agency project that contains a landscaped area equal to or greater than 2,500 square feet.
 - f. A rehabilitated landscape for an existing industrial, commercial, institutional, public agency, or multi-family use where a building permit or discretionary permit is being issued, and the applicant is installing or modifying two thousand five hundred square feet or more of landscaping.
 4. This section shall not apply to the following:
 - a. A registered local, state, or federal historical site.
 - b. An ecological restoration project that does not require a permanent irrigation system.
 - c. A mined land reclamation project that does not require a permanent irrigation system.
 - d. A botanical garden or arboretum, open to the public.
 - e. Any single-family residence that is being rebuilt after it was destroyed due to a natural disaster, such as a fire, earthquake, or hurricane.

D. Administration and Enforcement

1. The director shall administer and enforce this section.
2. The director shall provide guidance to applicants on how to comply with the requirements of this section.

E. Landscape Documentation Package

1. Building permit applications for projects shall submit and have approved a landscape documentation package to the development services department prior to issuance of a building permit. A minimum of three percent of the construction cost to install the landscaping and irrigation improvements shall be submitted as a deposit to review the landscape documentation package. The developer shall be billed for actual costs incurred by the City, including actual labor charges and consultant fees, less the amount of the deposit. In addition to the fee, the landscape documentation package shall contain the following.
 - a. A soils management report and plan that complies with Subsection F.
 - b. Planting and irrigation plans that comply with Subsection G.

- c. A water efficient landscape worksheet that complies with Subsection H.
- d. A grading plan that complies with Subsection I, below, and Chapters 14.22 (Storm Water Management and Discharge Control) and 15.70 (Grading) of the Municipal Code.

F. Soils Management Report

1. The soils management report as required by Section 18.44.190 (E)(1)(a), above shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional appropriately licensed by the state, and shall contain the following information:
 - a. An analysis of the soil for the proposed landscaped areas of the project that includes information about the soil texture, soil infiltration rate, pH, total soluble salts, sodium, and percent organic matter.
 - b. Recommendations about soil amendments that may be necessary to foster plant growth and plant survival in the landscaped area using efficient irrigation techniques.
 - c. Proposed soil amendments and mulch as follows:
 - i. The report shall identify the type and amount of mulch for each area where mulch is applied. Mulch shall be used as follows:
 - A minimum two-inch layer of mulch shall be applied on all exposed soil surfaces in each landscaped area except in turf areas, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated.
 - Stabilizing mulch shall be applied on slopes.
 - The mulching portion of seed/mulch slurry in hydro-seeded applications shall comply with Subsection F(1), above.
 - Highly flammable mulch material shall not be used.
 - The report shall identify any soil amendments and their type and quantity.
2. When a project involves mass grading of a site, the soils report shall be submitted with the certificate of completion required by Subsection S.

G. Planting and Irrigation Plan

1. The planting and irrigation plans required shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional appropriately licensed by the state. The plans shall:
 - a. Include the MAWA for the plans, including the calculations used to determine the MAWA. The calculations shall be based on the formula in Subsection K.
 - b. Include the ETWU for the plans, including the calculations used to determine the ETWU. The calculations shall be based on the formula in Subsection L.
 - c. Include a statement signed under penalty of perjury by the person who prepared the plan that provides, "I am familiar with the requirements for landscape and irrigation plans contained in the City of National City Water Efficient Landscape Regulations (LUC Chapter 4 Section 18.44.190). I have prepared this plan in compliance with those regulations. I certify that the plan implements those regulations to provide efficient use of water."
 - d. Demonstrate compliance with best management practices identified in Municipal Code Chapter 14.22, including the Storm Water Management, Discharge Control Ordinance and Standard Urban Stormwater Mitigation Plan (SUSMP).
 - e. Demonstrate compliance with state and City requirements for defensible space around buildings and structures, and avoid the use of fire prone vegetation.
2. The planting plan shall meet the following requirements:
 - a. The plan shall include a list of all vegetation by common and botanical plant name, which exists in the proposed landscaped area. The plan shall state what vegetation will be retained and what will be removed.
 - b. The plan shall include a list of all vegetation by common and botanical plant name which will be added to each landscaped area. Invasive plant species shall not be added to a landscaped area. The plan shall include the total quantities by container size and species. If the applicant intends to plant seeds, the plan shall describe the seed mixes and applicable purity and germination specifications.

- c. The plan shall include a detailed description of each water feature, including the type and surface area of all water features that will be included in the landscaped area. The water feature shall utilize a recirculating water system.
 - d. The plan shall be accompanied by a drawing showing the specific location of all vegetation, retained or planted, the plant spacing and plant size, natural features, water features, and hardscape areas. The drawing shall include a legend listing the common and botanical plant name of each plant shown on the drawing.
 - e. All plants shall be grouped in hydrozones, and the irrigation shall be designed to deliver water to hydrozones based on the moisture requirements of the plant grouping. A hydrozone may mix plants of moderate and low water use or mix plants of high water use with plants of moderate water use. No high water use plants shall be allowed in a low water use hydrozone. The plan shall also demonstrate how the plant groupings accomplish the most efficient use of water.
 - f. The plan shall identify areas permanently and solely dedicated to edible plants.
 - g. The plan shall demonstrate that landscaping when installed and at maturity will be positioned to avoid obstructing motorists' views of pedestrian crossings, driveways, roadways, and other vehicular travel ways. If the landscaping will require maintenance to avoid obstructing motorist's views, the plan shall describe the maintenance and the frequency of the proposed maintenance.
 - h. The plan shall avoid the use of landscaping with known surface root problems adjacent to a paved area, unless the plan provides for installation of root control barriers or other appropriate devices to control surface roots.
 - i. Plants in a transitional area shall consist of a combination of site adaptive and compatible native and/or non-native species. Invasive species shall not be introduced or tolerated in a transitional area. The irrigation in a transitional area shall be designed so that no overspray or runoff shall enter an adjacent area that is not irrigated.
 - j. Where applicable, the plan shall identify passive and active recreational areas.
 - k. Parkways, between the curb and the sidewalk, bordering the development shall be provided with ground cover, shrubs, and at a minimum one 15 gallon street tree every 40 linear feet.
3. The irrigation plan shall meet the following requirements:
- a. The plan shall show the location, type, and size of all components of the irrigation system that will provide water to the landscaped area, including the controller, water lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices.
 - b. The plan shall show the static water pressure at the point of connection to the public water supply and the flow rate in gallons, the application rate in inches per hour, and the design operating pressure in pressure per square inch for each station.
 - c. The irrigation system shall be designed to prevent runoff, overspray, low-head drainage and other similar conditions where irrigation water flows or sprays onto areas not intended for irrigation. The plan shall also demonstrate how grading and drainage techniques promote healthy plant growth and prevent erosion and runoff.
 - d. The plan shall identify each area irrigated with recycled water.
 - e. The plan shall provide that any slope greater than 25 percent will be irrigated with an irrigation system with a precipitation rate of seventy-five hundredths inches per hour or less to prevent runoff and erosion. As used in this section, 25 percent grade means one foot of vertical elevation change for every four feet of horizontal length. An applicant may employ an alternative design if the plan demonstrates that no runoff or erosion will occur.
 - f. The plan shall provide that all wiring and piping under a paved area that a vehicle may use, such as a parking area, driveway or roadway, will be installed inside a PVC conduit.
 - g. The plan shall provide that irrigation piping and irrigation devices that deliver water, such as sprinkler heads, shall be installed below grade if they are within 24 inches of a vehicle or pedestrian use area. The director may allow on-grade piping where landform constraints make below grade piping infeasible.
 - h. The plan shall provide that only low volume irrigation shall be used to irrigate any vegetation within 24 inches of an impermeable surface unless the adjacent impermeable surfaces are designed and constructed to cause water to drain entirely into a landscaped area.

- i. The irrigation system shall provide for the installation of a manual shutoff valve as close as possible to the water supply. Additional manual shutoff valves shall be installed between each zone of the irrigation system and the water supply.
- j. The irrigation system shall provide that irrigation for any landscaped area will be regulated by an automatic irrigation controller using either evapotranspiration or soil moisture sensor data.
- k. The irrigation system shall be designed with a landscape irrigation efficiency necessary to meet the MAWA.
- l. The plan shall describe each automatic irrigation controller the system uses to regulate the irrigation schedule, and whether it is a weather-based system or moisture detection system. The plan shall depict the location of electrical service for the automatic irrigation controller or describe the use of batteries or solar power that will power valves or an irrigation controller.
- m. Parkways, between the curb and the sidewalk, bordering the development shall be provided below grade irrigation.

H. Water Efficient Landscape Worksheet

The water efficient landscape worksheet required by section 18.44.190(E)(1)(c) shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect, or other landscape professional appropriately licensed by the state, and shall contain the following:

1. A hydrozone information table that contains a list of each hydrozone in the landscaped area of the project and complies with the following requirements:
 - a. For each hydrozone listed, the table shall identify the plant types and water features in the hydrozone, the irrigation methods used, the square footage, and the percentage of the total landscaped area of the project that the hydrozone represents.
 - b. The plant types shall be categorized as turf, high water use, moderate water use, or low water use.
2. Water budget calculations, which shall meet the following requirements:
 - a. The plant factor used shall be from WUCOLS III. A plan that mixes plants in a hydrozone that requires a different amount of water shall use the plant factor for the highest water using plant in the hydrozone.
 - b. Temporarily irrigated areas shall be included in the low water use hydrozone. Temporarily irrigated as used in this section means the period of time when plantings only receive water until they become established.
 - c. The surface area of a water feature, including swimming pools, shall be included in a high water use hydrozone.
 - d. The calculations shall use the formula for the MAWA in Subsection K and for the ETWU in Subsection L.
 - e. Each special landscaped area shall be identified on the worksheet and the area's water use calculated using an ETAF of 1.0.

I. Grading Plan

The required grading plan shall comply with the Municipal Code Chapters 14.22 (Storm Water Management and Discharge Control) and 15.70 (Grading). See the SUSMP Manual for implementation guidelines for Chapter 14.22 to reduce runoff and the discharge of pollutants. The grading plan shall be prepared by a California licensed civil engineer, and shall comply with following requirements:

1. The grading on the project site shall be designed for the efficient use of water by minimizing soil erosion, runoff, and water waste, resulting from precipitation and irrigation.
2. The plan shall show the finished configurations and elevations of each landscaped area including the height of graded slopes, the drainage pattern, pad elevations, finish grade, and any storm water retention improvements.

J. Irrigation Schedule

The irrigation schedule shall be prepared by a licensed landscape architect, licensed civil engineer, licensed architect or other landscape professional appropriately licensed by the State, and shall provide the following information:

1. A description of the automatic irrigation system that will be used for the project.
2. The irrigation schedule shall consider irrigation run times, emission device, flow rate, and current reference evapotranspiration so that applied water meets the estimated total water use. Total annual applied water shall be less than or equal to maximum applied water allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data or soil moisture sensor data.
3. Overhead irrigation will be scheduled between 4:00 p.m. and 9:00 a.m., unless weather conditions prevent it. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
4. The parameters used for setting the irrigation system controller for watering times for:
 - a. The plant establishment period.
 - b. Different seasons during the year.
 - c. Established landscaping and temporarily irrigated areas.
 - d. Irrigation uniformity or efficiency setting.
5. The consideration used for each station based on the following factors:
 - a. The days between irrigation.
 - b. Stations run time in minutes for each irrigation event, designed to avoid runoff.
 - c. Number of cycle starts required for each irrigation event, designed to avoid runoff.
 - d. Amount of water to be applied on a monthly basis.
 - e. The root depth setting.
 - f. The plant type setting.
 - g. The soil type.
 - h. The slope factor.
 - i. The shade factor.
 - j. Application rate setting.
 - k. Irrigation uniformity or efficiency setting.

K. Maximum Applied Water Use

1. A landscape project subject to this section shall not exceed the MAWA. The MAWA for a landscape project shall be determined by the following calculation: $MAWA = (ET_o)(0.62)[0.7 \times LA + 0.3 \times SLA]$.
2. The abbreviations used in the equation have the following meanings:
 - a. MAWA = Maximum Applied Water Allowance in gallons per year.
 - b. ET_o = Evapotranspiration in inches per year.
 - c. 0.62 = Conversion factor to gallons per square foot.
 - d. 0.7 = ET adjustment factor for plant factors and irrigation efficiency.
 - e. LA = Landscaped area includes special landscaped area in square feet.
 - f. 0.3 = the additional ET adjustment factor for a special landscaped area ($1.0 - 0.7 = 0.3$).
 - g. SLA = Portion of the landscaped area identified as a special landscaped area in square feet.

L. Estimated Total Water Use

1. An applicant for a project subject to Section 18.44.190 shall calculate the ETWU for each landscaped area and the entire project using the following equation: $ETWU = (ET_o)(0.62)(PF \times HA/IE + SLA)$.
2. The abbreviations used in the equation have the following meanings:
 - a. ETWU = Estimated total water use in gallons per year.
 - b. ET_o = Evapotranspiration in inches per year.
 - c. 0.62 = Conversion factor to gallons per square foot.
 - d. PF = Plant factor from WUCOLS.
 - e. HA = Hydrozone Area in square feet. Each HA shall be classified based upon the data included in the landscape and irrigation plan as high, medium, or low water use.
 - f. IE = Irrigation Efficiency of the irrigation method used in the hydrozone.
 - g. SLA = Special landscaped area in square feet.

3. The ETWU for a proposed project shall not exceed the MAWA.

M. Adjustment to Landscaped Area for Non-Vegetated Area

Rock and stone or pervious design features, such as decomposed granite ground cover that are adjacent to a vegetated area may be included in the calculation of the MAWA and ETWU provided the features are integrated into the design of the landscape area and the primary purpose of the feature is decorative.

N. Regulations Applicable to Use of Turf on Landscaped Areas

The following regulations shall apply to the use of turf on a project subject to Section 18.44.190:

1. Only low volume or subsurface irrigation shall be used for turf in a landscaped area when either of the following occurs:
 - a. On a slope greater than 25 percent grade where the toe of the slope is adjacent to an impermeable hardscape.
 - b. Where any dimension of the landscaped area is less than eight feet wide.
2. On a roadway improvement project, commercial, industrial, institutional, or multi-family project, no turf shall be allowed on a center island median strip or on a parking lot island.
3. A ball field, park, golf course, cemetery, and other similar use shall be designed to limit turf in any portion of a landscaped area not essential for the operation of the facility.
4. No turf shall be allowed in a landscaped area that cannot be efficiently irrigated to avoid runoff or overspray.

O. Projects with Model Homes

A person who obtains a permit to construct a single family residential development that contains a model home or homes shall provide a summary of this section to each adult visitor that visits a model home. If an adult visitor is accompanied by one or more adults during the visit only one set of written materials is required to be provided. Each model home shall provide an educational sign in the front yard of the model home visible and readable from the roadway that the home faces that states in capital black lettering at least two inches high on a white sign, "THIS MODEL HOME USES WATER EFFICIENT LANDSCAPING AND IRRIGATION."

P. Recycled Water

1. A person who obtains a permit for a project that is subject to this section shall use recycled water for irrigation and decorative water features when tertiary treated recycled water is available from the water purveyor who supplies water to the property.
2. A person using recycled water shall install a dual distribution system for water received from the water purveyor. Pipes carrying recycled water shall be purple.
3. A person who uses recycled water under this section shall be entitled to an ETAF of 1.0.
4. This section does not excuse a person using recycled water from complying with all state and local laws and regulations related to recycled water use.

Q. Landscaping and Irrigation Installation

A person issued a landscape approval for a project shall install the approved landscaping and irrigation system before final inspection of the project.

R. Landscaping and Irrigation Maintenance

1. A property owner using water on property subject to a landscape approval shall prepare a maintenance schedule for the landscaping and irrigation system on the project. The schedule shall provide for (1) routine inspection to guard against runoff and erosion and detect plant or irrigation system failure; (2) replacement of dead, dying and diseased vegetation; (3) eradication of invasive species; (4) repairing the irrigation system and its components; (5) replenishing mulch; (6) soil

2. After approval of a landscape plan, the owner is required to:
 - a. Maintain and operate the landscaping and irrigation system on the property consistent with the MAWA.
 - b. Maintain the irrigation system to achieve efficiency that meets or exceeds the MAWA.
 - c. Replace broken or malfunctioning irrigation system components with components of the same materials and specifications, their equivalent or better.
 - d. Ensure that when vegetation is replaced, replacement plantings are representative of the hydrozone in which the plants were removed, and are typical of the water use requirements of the plants removed, provided that the replaced vegetation does not result in mixing high-water use plants with low-water use plants in the same hydrozone.

S. Certificate of Completion

Each person issued a landscape approval shall submit:

1. A signed certificate of completion, under penalty of perjury, on a form provided by the City of National City within ten days after installation, that includes the following:
 - a. A statement verifying that the landscaping and irrigation were installed as allowed in the approved landscape and irrigation plan, all recommended approved soil amendments identified in the soil management report were implemented, the installed irrigation system is functioning as designed and approved, the irrigation control system was properly programmed in accordance with the irrigation schedule, and the person operating the system has received all required maintenance and irrigation plans.
 - b. "As-built" plans submitted by the landscape design professional of record showing the changes when there have been significant changes to the landscape plan during the installation of landscaping or irrigation devices or irrigation system components.
 - c. Signature by the landscape design professional of record.
2. An irrigation schedule that complies with Subsection J that describes the irrigation times and water usage for the project.
3. A landscaping and irrigation system maintenance schedule that complies with Subsection R.
4. A soil management report that complies with Subsection F if the applicant did not submit the report with the landscape documentation package.

T. Waste Water Prevention

No person shall use water for irrigation that results in runoff, low head drainage, overspray or other similar condition, water flows onto adjacent property, non-irrigated areas, structures, walkways, roadways, or other paved areas.

CHAPTER 18-45 – OFF-STREET PARKING AND LOADING

18.45.010	Purpose
18.45.020	Requirements, General
18.454.030	Offsite Facilities
18.45.040	Site Plan Review Required
18.45.050	Off-Street Parking Requirement by Land Use
18.45.060	Westside Specific Plan Parking Requirements
18.45.070	Parking for Commercial Vehicles
18.45.080	Opportunities for Reduced Parking
18.45.090	Parking for Disabled Persons
18.45.100	Parking Lot Design Standards
18.45.110	Loading Requirements
18.45.120	Bicycle Parking

18.45.010 PURPOSE

A. Intent of this Chapter

1. Provide for the establishment of accessory off-street parking and loading facilities incidental to new uses and to major alterations and enlargements of existing uses, in order to prevent or to progressively alleviate traffic congestion and shortage of curb space;
2. Prescribe minimum off-street parking and loading requirements for the various structures and uses irrespective of the districts in which they occur;
3. Ensure that off-street parking and loading facilities are designed, developed and maintained in a manner that will assure their usefulness, provide for public safety, and, where appropriate, insulate surrounding uses from their impact.

18.45.020 REQUIREMENTS – GENERAL

For any structure or use hereafter constructed, established, substantially altered, increased in intensity of use, or changed in, off-street parking and loading facilities conforming to the requirements of this Chapter shall be provided on the same lot as the main building or structure or on contiguous property.

A. Required for New or Moved Structures

Parking and loading facilities shall be provided for all structures and uses hereafter constructed, established, or moved to new sites.

B. Additional Facilities for Altered Structures – Requirements

1. Additional parking and loading facilities need not be provided where any structure is renovated or repaired, provided said structure is not increased in intensity of use or changed to a use requiring additional facilities.
2. Parking and loading facilities shall be provided in accordance with the requirements for an equivalent new structure where any such structure is in any way structurally altered to the extent of more than twice the latest assessed valuation prior to the alteration. (This provision applies to existing structures which, upon the effective date of the National City Land Use Code, are nonconforming as to parking and loading. The "latest assessed valuation" requirement is identical to the requirement for all nonconforming structures under the nonconforming provisions.)

C. Increase in Intensity of Use

1. For the purpose of this Chapter, an increase in the intensity of use of any structure or premises shall mean the addition of dwelling units, employees, gross floor area, seating capacity, or any other unit of measurement specified in this title as a basis for determining required parking and loading facilities.
2. When the intensity of use of any structure or premises, excluding single-family detached dwellings, is increased by less than 50 percent, parking and loading facilities shall be provided for the increase but not for any existing deficiency in such facilities.
3. When the intensity of use is increased by more than 50 percent, excluding single-family detached dwellings, parking and loading facilities shall be provided for the entire structure or premises.
4. When consecutive increases in intensity of use amount to a total increase of more than 50 percent, parking and loading facilities shall be provided for the entire structure or premises. Consecutive increases shall be figured from the effective date of the National City Land Use Code or from the time of the initial construction or establishment, whichever is more recent.
5. When a single-family detached dwelling is increased or expanded to more than 2,500 square feet of floor area and/or more than four bedrooms, off-street parking facilities shall be provided for the increase but not for any existing deficiency in such facilities. Parking facilities required as a result of this Chapter may be provided in a garage, carport, or surface space.

D. Change in Use

When the use of any structure or premises is changed to a different use, parking and loading facilities shall be provided for the different use, in compliance with the provisions of this section for increase in intensity of use.

E. Permitted Facilities

Any off-street parking or loading facility which is permitted but not required by this title shall comply with all regulations in this Chapter governing the location, design, improvement, operation and maintenance of such facilities.

F. Reduction of Existing Facilities

Accessory parking and loading facilities in existence on the effective date of the National City Land Use Code, or authorized and subsequently established under a building permit issued prior to said effective date, shall not be reduced below, or if already less than, shall not be further reduced below, the requirements for an equivalent new structure or use. All such facilities shall be continued for as long as the structure or use served is continued, or until equivalent facilities are substituted in conformance with the requirements of this title. In no case, however, shall it be necessary to continue parking or loading facilities in excess of those required by this title for equivalent new structures or uses.

18.45.030 OFFSITE FACILITIES

A. Offsite Facilities – Recorded Agreements

1. Where required parking or loading facilities are provided on a lot other than the lot on which the structure or use served is located, as a prerequisite to the issuance of a building permit or certificate of occupancy, the property owners for which the facilities are required to be provided shall record an agreement, approved by the City Attorney as to form and content, in the Office of the County Recorder as a covenant running with the land for the benefit of the city. The agreement shall provide that said facilities shall be continued so long as the structure or use they intended to serve is continued.
2. Said agreement shall remain in effect until satisfactory evidence has been submitted to the Planning Division either that other parking or loading facilities meeting the requirements of this title have been provided or that the structure or use served has been removed or changed so as to no longer require said facilities. Upon submission of such evidence, the Planning Division shall remove the restriction from the property.

B. Offsite Facilities – Certificate of Occupancy for Building or Structure Being Served

1. Any certificate of occupancy for the structure or use referred to in Section 18.43.030(A) shall be valid only while such parking facilities are continued and shall bear a notation to that effect.
2. Each such certificate shall be continuously displayed in a conspicuous place in the building, or, if there is no building, on the premises. The City Manager or his/her designee shall keep a record of each off-site parking or loading facility and shall periodically inspect such facilities to ensure their continuation.
3. If such facilities are not continued, the certificate of occupancy for the structure or use served by the facilities shall be automatically canceled. The Building Official shall notify the person having custody of said structure or use of the cancellation of the certificate and the reasons therefore. The structure or use shall not thereafter be occupied or used until the required facilities are again provided in accordance with the provisions of this title and a new certificate is issued.

C. Requirements --General

Where there is a combination of structures or uses on a lot, the total number of parking stalls and loading facilities required shall be the sum of the individual requirements of the various structures or uses on the premises.

D. Unspecified Uses – Determination of Parking Requirements

Parking requirements for structures and uses not specified in Section 18.45.050 shall be determined by the Planning Commission based on the requirements for the most comparable structure or use specified.

18.45.040 SITE PLAN REVIEW REQUIRED

All parking facility improvements shall comply with the provisions of Chapter 1 Section 18.12.070 (Site Plan Review). Improvements subject to review include, but are not limited to, driveways, access to streets and alleys, arrangement of parking stalls, aisles and maneuvering areas, signs and traffic-control devices, striping, surfacing, lighting, landscaping, screening, pedestrian walkways, fire access ways, obstructions, traffic flow and protective barriers.

18.45.050 OFF-STREET PARKING REQUIREMENTS BY LAND USE

The off-street parking and loading spaces as required by this section shall be completed and made available for use, including curb break and driveway installed to the established grade of the street, prior to the occupancy of the building served.

A. Off-Street Parking Schedule

The following is the schedule of off-street parking requirements for residential use. Each land use shall be provided the number of parking spaces required as determined in Table 18.45.050. In addition, the following information shall be used to determine off-street parking requirements.

1. Floor area. Where Table 18.45.050 establishes a parking requirement based on the floor area of a use in a specified number of square feet (e.g., 1 space per 250 square feet), the floor area shall be construed to mean gross floor area.
2. Fractions. Where application of the requirements in Table 18.45.050 results in a fractional requirement, a fraction of 0.5 or greater shall be increased to the next higher number and a fraction of less than 0.5 shall be reduced to the next lower number.

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TABLE 18.45.050
Schedule of Off-Street Parking Requirements by Land Use

Uses and Structures	Minimum Parking Spaces Required (Unless Otherwise Specified)
Residential Uses	
Dwelling, single detached (RS-1 zone)	2 spaces within a garage or carport for dwellings 2,500 square feet or less. 3 spaces, including 2 spaces within a garage or carport, for dwellings greater than 2,500 square feet.
Dwelling, single detached (all other RS and RM zones, except within the Westside Specific Plan area)	2 spaces, including 1 space in a garage or carport, for dwellings 2,500 square feet or less. 3 spaces, including 2 within a garage or carport, for dwellings greater than 2,500 square feet.
Dwelling, single attached	1.5 spaces per dwelling unit in a garage or carport
Dwelling, multiple	1.3 spaces per 1-bedroom dwelling unit plus 1.5 spaces per 2-bedroom or more unit, and conveniently located guest parking of ½ space per unit for 20 units or less, plus ¼ space for each unit over 20. Half of the required guest parking spaces may include parallel curb parking spaces on dedicated public streets contiguous to the site.
Fraternity, Sorority House, or Dormitory	1.5 spaces for each sleeping room
Mobile Home Parks	2 spaces per unit
Rectory	1 garage space per bedroom
Rooming or boarding house	1 space per guest room
Second dwelling unit	1 space in addition to primary residence parking requirements
Senior Housing	1 space per unit plus 1 guest space for each 10 units
RS-4 (Westside Specific Plan): Units greater than 1,200 square feet	2 spaces per unit
RS-4 (Westside Specific Plan): Units less than 1,200 square feet	1.7 spaces per unit
Commercial and Office Uses	
Banks and financial institutions	3 spaces per 1,000 square feet floor area
Offices, administrative, clerical, and professional <ul style="list-style-type: none"> • First 5,000 square feet • 5,000 to 10,000 square feet • 10,000 to 30,000 square feet • 30,000 to 100,000 square feet • Over 100,000 square feet 	Number of required parking spaces varies depending on the amount of floor area as identified in the column to the left. <ul style="list-style-type: none"> • 1 space per 200 square feet floor area • 1 space per 250 square feet floor area • 1 space per 300 square feet floor area • 1 space per 350 square feet floor area • 1 space per 400 square feet floor area
Offices, medical/dental office or outpatient clinic, veterinary hospitals and clinics	1 space per 300 square feet floor area
Lodging – Hotel, motel, bed and breakfast inn	1 for each guest bedroom, plus 1 for the manager's unit
Restaurant, bar, nightclub, pool hall, bowling alley, or similar establishment	10 spaces per 1,000 square feet floor area
Gasoline service station	1 space per 1,000 square feet of lot area; less the footprint of any convenience store area, plus 3.3 spaces per 1,000 square feet of convenience store area
Commercial recreation, indoor	2.5 spaces per 1,000 square feet floor area
Retail sales	1 for each 250 square feet of floor area
Personal services	1 space per 300 square feet of floor area
Shopping centers with multiple tenants	1 space per 200 square feet floor area
Vehicle repair or service, including car wash	1 space per 500 square feet floor area
Vehicle sales or rental (new and used)	1 space per 500 square feet floor area plus one per every 2,500 square feet outdoor display area
Theater/auditorium, stadium/sports arena	1 space per 5 seats
Mausoleum/crematory	25 spaces per 1,000 square feet of seating area
CL zone (Westside Specific Plan): Office	2.9 spaces per 1,000 square feet floor area
CL zone (Westside Specific Plan): Retail	3.6 spaces per 1,000 square feet floor area
CL zone (Westside Specific Plan): Industrial	2 spaces per 1,000 square feet floor area

Mixed-Uses	
MXD-1 and MXD-2 (Non-residential uses)	Minimum: 2 spaces per 1,000 square feet floor area; Maximum: 4 spaces per 1,000 square feet floor area
MXC-1 and MXC-2 (Non-residential uses)	Minimum: None; Maximum: 3 spaces per 1,000 square feet floor area
MXD and MXC zones: Residential – studio, 1 bedroom, and 2 bedroom units	Minimum: 1 space per unit; Maximum: None
MXD and MXC zones: Residential – 3 or more bedroom units	Minimum: 1.5 spaces per unit; Maximum: None
MCR-1 and MCR-2 (Westside Specific Plan): Residential units greater than 1200 square feet	1.5 spaces per unit
MCR-1 and MCR-2 (Westside Specific Plan): Residential units less than 1200 square feet	1 space per unit
MCR-1 and MCR-2 (Westside Specific Plan): Office uses	2.9 spaces per 1,000 square feet floor area
MCR-1 and MCR-2 (Westside Specific Plan): Retail uses	3.6 spaces per 1,000 square feet floor area
MCR-1 and MCR-2 (Westside Specific Plan): Industrial uses	2 spaces per 1,000 square feet floor area
Industrial Uses	
Industrial manufacturing and processing uses, waterfront related industry, wholesaling, warehousing, and distribution	1 space for each 1,000 square feet of floor area
Industrial/building supplies and equipment, sales and rentals	1 space per 800 square feet floor area
Research and development	1 space per 400 square feet of floor area
Recycling facilities	2 spaces per 1,000 square feet floor area
Animal boarding/kennel	1 space per 500 square feet floor area
Trucking and transportation terminal	2 spaces per 1,000 square feet floor area plus 1 space for every 2 fleet vehicles
Institutional Uses	
Hospital or other inpatient medical institution	1 space per 3 beds, excluding bassinets
Civic, fraternal, community, and cultural facilities	1 space per every 200 square feet of floor space open to the public plus 1 space per each 300 square feet of administrative office area
Public/religious assembly, fraternal lodge or club, banquet hall/facilities, and similar establishments	1 space for every 35 square feet of seating area
Convention center	1 space per 50 square feet floor area
Child day care center, preschool, or nursery school	2 spaces per 1,000 square feet floor area
Schools, elementary and middle	1.5 spaces per classroom plus area one space for each 300 square feet of office area
Schools, high	1 space per each 150 square feet of classroom area plus one space for each 300 square feet office area
Schools, trade, college/university, business, adult education	1 space per 40 square feet of classroom area plus 1 space per 300 square feet of office area
Open Space/Agriculture	
Neighborhood and community farms	Minimum 2 parking spaces, plus one additional space for every acre of garden site lot area over 2 acres. Each garden site that includes a farm stand shall provide 1 additional space for every 250 feet of floor area and outdoor display space.

18.45.060 WESTSIDE SPECIFIC AREA PLAN PARKING REQUIREMENTS

A. Shared parking for mixed use in MCR-1 and MCR-2 zones

Shared parking may be considered where 50 percent of the parking may be shared between daytime uses (commercial and office) and nighttime uses (residential).

B. Joint parking arrangements

Joint parking arrangements may be developed on-site or within an off-site parking lot or parking structure located within 500 feet of the property line of the development.

C. Tandem parking

1. Two-car tandem garages are permitted within the RS-4 zone. A two-car tandem garage shall measure a minimum of ten feet wide by 38 feet long. A tandem parking space within a parking structure shall be a minimum of 8.5-feet wide by 36-feet long.
2. A maximum of 25 percent of multi-family development may be provided with tandem parking spaces.
3. Tandem parking is permitted when a mechanical lift parking device is used. See subsection 18.45.100.G.

18.45.070 PARKING FOR COMMERCIAL VEHICLES

In addition to the parking spaces required by Table 18.45.050, for owners, occupants, employees, customers, or visitors of structures and uses, one parking space shall be provided for each commercial vehicle used in connection with the operation of any structure or use. Parking spaces for accessory vehicles shall be provided within an open or enclosed parking facility on the same lot as the structure or use to which the vehicles are accessory.

18.45.080 OPPORTUNITIES FOR REDUCED PARKING

A. Transportation Demand Management Program (TDM)

The Planning Commission, appealable to City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that, due to the TDM program, that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A TDM program shall include, at a minimum, the following components:

1. A projected reduction in parking demand expressed as a percentage of overall parking demand and the basis for such reduction;
2. The TDM program actions to be taken by the applicant to reduce the parking demand;
3. A requirement by the applicant to periodically monitor whether the projected reductions are being achieved; and
4. A commitment and plan whereby the applicant shall provide additional parking spaces in an amount equivalent to the reduction should the TDM program not result in the projected reduction in parking demand.

B. Proximity to Transit

The Planning Commission, appealable to City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions that it deems appropriate, when the subject development is conveniently accessible to a transit station. The transit station must either exist or is programmed for completion within the same time frame as the completion of the subject development. In addition, the subject development shall be located within a quarter-mile radius (1,320 feet) of the transit station. Such reduction may be approved when the applicant has proven

that the parking spaces proposed to be eliminated are unnecessary based on the projected parking demand resulting from the proximity to the transit station and such reduction in parking spaces will not adversely affect the site or the adjacent area. Parking may be reduced to no more than two parking spaces per 1,000 square feet of commercial floor area and multi-unit residential parking requirements may be reduced to no more than space for studio, one-bedroom, and two-bedroom units and two spaces for three-bedroom units.

C. Shared Parking

The Planning Commission, appealable to City Council, encourages parking lots for different structures or uses, or for mixed-uses, to be shared. At the applicant's request, a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the review authority's satisfaction that, due to the shared parking approach, that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. Uses that are sharing the parking facility shall be a maximum of 500 feet from the closest parking space in a lot providing the shared spaces.

D. Adjacent On-Street Parking

The Planning Commission, appealable to City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A reduction in parking spaces will only be allowed for adjacent on-street parking when said spaces are located along the public street frontage shared with the building's façade. For example, if a building fronting a public street measures 100 linear feet and four parking spaces are located adjacent to the 100 linear feet of frontage, the parking reduction may be four spaces. Fractions of spaces will not be permitted to count towards the reduction allowance.

E. Car-sharing

The Planning Commission, appealable to City Council, may approve a reduction in off-street parking spaces otherwise required by the strict application of this section, subject to conditions it deems appropriate, when the applicant has demonstrated to the City's satisfaction that the spaces proposed to be eliminated for the subject development are unnecessary and that the reduction will not adversely affect the site or the adjacent area. A reduction of one parking space for each car sharing vehicle space leased by a car sharing program may be allowed for every 60 dwelling units in a multi-unit residential development.

F. Motorcycle Parking Spaces

Parking lots with 40 or more spaces may replace regular spaces with motorcycle spaces. One regular space may be replaced for each 40 required spaces. Motorcycle spaces shall be a minimum size of four feet by eight feet. Although more spaces may be provided, a maximum of two-and-one-half percent of the total parking space requirement based on the strict application of this section may be motorcycle parking spaces provided in lieu of automobile parking space. Motorcycle parking spaces shall be located within 100 feet of a building entry.

18.45.090 PARKING FOR DISABLED PERSONS

A. California Vehicle Code

Properly posted and identified off-street parking stalls reserved for disabled persons shall be provided pursuant to California Vehicle Code Section 21107.8 et seq. or the most recently adopted Chapter 11 of

the California Building Code. Such parking stalls shall be included in the minimum number of parking stalls required by this Chapter.

18.45.100 PARKING LOT DESIGN STANDARDS

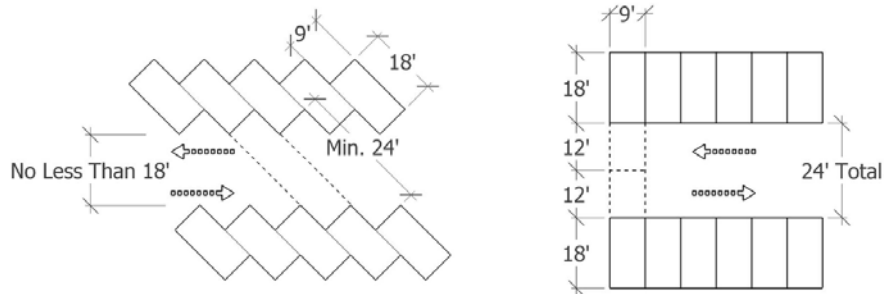
A. Setbacks

1. Parking facilities may occupy any portion of a lot, except and as provided by this section.
2. Parking facilities shall not extend into any required yard that adjoins a street lot line.
3. Where a parking facility is on a lot not in a residential zone but which adjoins a residential zone along the same street, the parking facility shall not be located closer to the street lot line than would be permitted on the adjoining residential zone lot or 20 feet, whichever is less. The street setback provided by this provision shall extend for a distance of at least 50 feet from the adjoining residential zone.
4. All required yards separating off-street parking areas from street lot lines shall be landscaped in accordance with this chapter, except multi-unit residential projects of eight units or less.
5. All parking stalls in an open parking facility shall be setback from any dwelling unit wall on the same lot if the wall contains doors or windows which are on the same or approximately the same level as the parking facility. The setback shall be at least ten feet in width, at least one-half the width of which shall be unpaved.

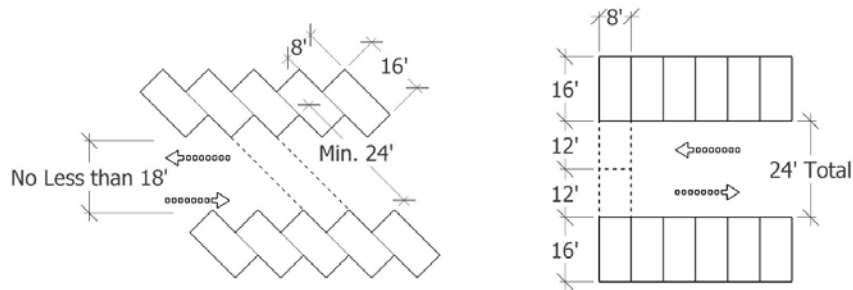
B. Minimum Dimensions: Stalls, Back-Up Areas, and Aisles

All parking stalls for a standard size car shall measure no less than nine feet wide and 18 feet long. All two-way aisles providing access to parking stalls, including compact parking spaces, shall provide a minimum back-up and maneuvering distance of 12 feet for each space. In no instance may a two-way aisle measure less than 18 feet in width. All one-way aisles providing access to parking stalls, including compact parking spaces, shall provide a minimum back-up and maneuvering distance of 12 feet for each space, but in no instance may a one-way aisle measure less than 12 feet width. The following diagrams illustrate the minimum layout of parking stalls, back-up space, and drive aisles. The minimum back-up area for two-way aisles is 24-feet. All aisles shall be adequate to provide safe and efficient access to and from parking spaces, based on minimum standards administered by the City Traffic Engineer. Two feet shall be added to the width of the stall for stalls abutting a building, fence, or other obstruction.

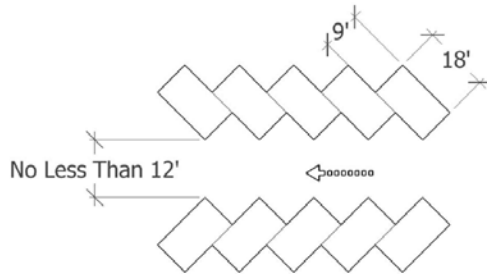
Parking Lot Design Standards Dimensions



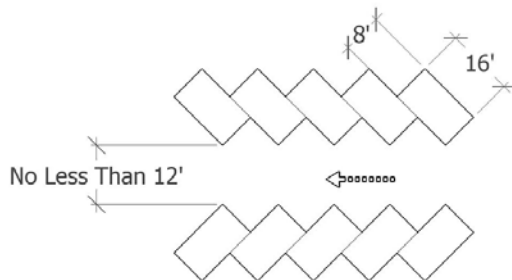
Standard Size Car
Minimum Stall, Back-Up, and Two-Way Aisle Dimensions



Compact Size Car
Minimum Stall, Back-Up, and Two-Way Aisle Dimensions



Standard Size Car
Minimum Stall, Back-Up, and One-Way Aisle Dimensions



Compact Size Car
Minimum Stall, Back-Up, and One-Way Aisle Dimensions

C. Parking Stalls – General Provisions

1. Parking stalls--openings. All parking stalls shall open directly on a maneuvering or turnaround area, an access driveway, or an aisle leading to an access driveway, and shall be individually and continuously accessible.
2. Parking stalls--location. All parking stalls shall be so located and free of obstructions that parking can be accomplished in a continuous forward movement and unparking can be accomplished with not more than one backing movement and one forward movement.
3. Vertical clearance. Each parking space shall have a vertical clearance of at least seven feet.

D. Driveways and Aisles – General Provisions

1. Access to streets or alleys.
 - a. Access driveways shall be provided between each parking facility and a public street or alley. Lots should not have access from predominantly residential streets, except when the lot is serving a residential use. Residential driveways shall be permitted only on an arterial street where no other access to the property exists.
 - b. One-way driveways and driveways serving a single-family residence shall have a minimum width of 12 feet; except for driveways leading to a single car garage or parking space where the City Manager or his/her designee may authorize a lesser width.
 - c. Two-way driveways between a street and private parking facilities shall have a minimum width of 18 feet. Two-way driveways between a street and public parking facilities shall have a minimum width of 24 feet. Two-way driveways within a parking facility connecting separated areas of parking spaces shall have a minimum width of 18 feet, or as otherwise required by this section.
 - d. Where access is available from any adjoining or abutting alley to any lot proposed for residential or mixed use development in the commercial zones, access to the required residential parking facility shall be from that alley when appropriate to avoid access to commercial collector or arterial streets.
2. Internal circulation--generally. All parking facilities, except those serving not more than two dwelling units, shall be arranged so that:
 - a. Any vehicle entering a public street can do so traveling in a forward motion;
 - b. A vehicle entering the parking facility shall not be required to enter a street to move from one location to any other location within the parking facility or premises.
3. Internal circulation--serving not more than two dwelling units. Parking facilities serving not more than two dwelling units shall be arranged so that any vehicle entering a street can do so traveling in a forward motion where:
 - a. The parking facility is served by a single access driveway that is less than 20 feet in width and more than 100 feet in length;
 - b. The access driveway opens upon an arterial street.
4. Vehicle maneuver restrictions. All parking facilities, except those serving not more than two dwelling units, shall be arranged so that parking maneuvers can be accomplished without driving, maneuvering, or encroaching into or upon any public right-of-way, walkway, or unpaved landscaped area within or adjoining the parking facility.
5. Parking facilities--Driveway vertical clearance. The minimum vertical clearance for driveways shall be 13 feet six inches to allow for the passage of emergency vehicles, or as required by the City Fire Department, whichever is greater.
6. Parking facilities--aisles, approach lanes, and maneuvering areas for two-way traffic. For two-way traffic within parking facilities, all aisles, approach lanes and maneuvering areas shall have a minimum width as specified in this section or as required by the City Fire Department for emergency access, whichever is greater.
7. Parking facilities--one-way aisles--width. One-way aisles shall have a minimum width of 12 feet or as specified in this section, whichever is greater.
8. Parking facilities--one-way aisles--directional markings. One-way aisles shall have directional markings to indicate one-way circulation.

9. Parking facilities--entrances and exits.
 - a. The location and design of all street or alley entrances and exits for off-street parking facilities shall be subject to the approval of the City Engineer, to insure traffic safety.
 - b. Each exit to a parking lot shall be constructed and maintained so that any vehicle leaving the parking lot shall be clearly visible to a person reaching a point ten feet from the edge of the approach to the driveway nearest to him, when the vehicle is at a point distant ten feet from the property line within the parking lot. Exits from parking lots shall be clearly posted with stop signs. Appropriate bumper guards, entrance and exit signs, and directional signs shall be maintained where needed. Upon a finding that parking facilities cause imminent hazard upon adjoining public streets, the City Engineer may order the placement and maintenance of such guards and signs. Failure to comply with any such order may be grounds for a finding of a public nuisance.
10. Vertical clearance. The minimum vertical clearance for driveways shall be 13 feet six inches to allow for the passage of emergency vehicles, or as required by the City Fire Department, whichever is greater.

E. Compact Car Parking

1. In the industrial, institutional zones, commercial, and mixed-use zones (except retail uses) 25 percent of the parking stalls required by the schedules set out in this section may be allocated to compact car spaces. No compact parking spaces shall be permitted for retail uses and guest and visitor parking.
2. For residential multifamily use, one parking space may be compact in size for every ten parking spaces required.
3. All parking spaces provided in excess of the number required by Table 18.45.050 set out in this section may be allocated to compact car spaces.
4. All parking facilities constructed, installed or modified to incorporate compact car spaces shall comply with the provisions of this section. Design features subject to review shall include, but are not limited to, specific findings of good circulation, adaptability to balance of parking lot, easy identification and adequate signs and pavement markings. The design of such signs and markings shall be subject to approval of the Planning Division.
5. Maintenance of parking facilities pursuant to this section shall also include maintenance of all special compact car signs and pavement markings shown on approved site plans or otherwise required by this section.
6. The dimensions of compact car parking stalls, back-up areas, and drive aisles shall be as indicated in the diagrams in Section 18.45.100(B).

F. Dimensions for Garage or Carport Areas and Openings

1. A one-car garage or carport shall contain an unobstructed interior parking area of a minimum of 11 feet wide by 19 feet deep. A two-car garage or carport shall contain an unobstructed interior parking area of a minimum of twenty feet wide by nineteen feet deep.
2. A garage for more than two cars shall contain a minimum area of nine feet by 18 feet for each additional car.
3. A single-car garage door or opening to a single space carport shall be a minimum of eight feet wide; a two-car garage door or opening to a two-space carport shall be a minimum of 16 feet wide. For larger parking garages or carports serving multifamily residential or nonresidential development, openings shall be increased in width by at least one foot if a column, post, or similar obstruction is located within at least three-and-one-half feet of the opening to the stall.

G. Mechanical Lift Parking

Mechanical lifts for vertical storage of vehicles are permitted in the Downtown and Westside Specific Plan areas. Each vertically stacked space shall count as one space. Mechanical lifts shall be completely enclosed or fully screened from street view and adjacent residential zones. Vertically stacked vehicles are exempt from the seven foot vertical clearance requirement. All mechanical parking equipment must be designed, installed, constructed, and maintained so as to be reasonably safe to life, limb, and adjoining

property and must be reviewed by the City Manager or his/her designee prior to installation or construction.

H. Motorcycle Parking

Each motorcycle parking space shall measure at least four feet wide and 32 square feet in total area. Motorcycle parking spaces shall be located within 100 feet of a building entry.

I. Pedestrian Walkways

1. All parking facilities shall have safe, unobstructed, convenient, well-drained pedestrian access by provision of walks, steps or stepped ramps, so constructed as to assure reasonable durability and economy of maintenance.
2. Pedestrian walkways shall be a minimum of five feet in width. Pedestrian walkways located immediately adjacent to and perpendicular to a parking stall shall be a minimum of six feet.
3. The preferred gradient for pedestrian walkways is no greater than five percent. Pedestrian walkways shall not exceed a gradient of 12 percent. Pedestrian walkways between five percent and 12 percent gradients shall be provided with handrails.

18.45.110 LOADING REQUIREMENTS

A. General Provisions

1. On the same premises with every building, structure or part erected and occupied in the commercial or industrial zones, there shall be provided and maintained, on the lot, adequate space for standing, loading and unloading services, in order to avoid undue interference with public use of the streets or alleys.
2. Such space, unless otherwise adequately provided for, shall include one 12 foot by 50 foot loading space with a 14 foot height clearance for every 20,000 square feet or fraction thereof of building floor area, or for every 20,000 square feet or fraction thereof of land use.
3. All loading facilities shall be improved in accordance with the requirements established for parking facilities by this section.
4. Required loading facilities shall be used exclusively for the loading and unloading of vehicles concerned with the transportation of goods or materials. Loading facilities shall not be used to satisfy the stall requirements for parking facilities, nor shall they be used for the sale, display, rental or repair of motor vehicles.
5. Loading facilities shall be screened as provided in this section except that all loading berths exceeding 25 feet in length which are located within 50 feet of a residential zone shall be enclosed or screened from the residential zone by a solid masonry wall not less than six feet nor more than eight feet in height.
6. No interior landscaping of loading areas shall be required.
7. All loading facilities shall be arranged so that any vehicle utilizing the facility may enter a street traveling in a forward motion.
8. Each loading berth shall open directly upon a maneuvering or turnaround area, an access driveway, an aisle leading to an access driveway, or an alley, and shall be easily accessible.
9. All access driveways serving loading facilities shall conform to the requirements established in this section for parking facility access driveways, but in addition shall be located so that any street entrance or exit to or from the loading facility is at a point at least 50 feet from the nearest point of intersection of any two streets and at least 30 feet from any lot in a residential district.

B. Number of Spaces Required

The following loading and unloading spaces shall be provided and maintained as specified below for the use to which the property is devoted. Fractional requirements are omitted. Encroachment of the loading space on a public right-of-way is not permitted.

1. Retail and wholesale markets, warehouses, hotels, hospitals, laundry and dry cleaning establishments and other places where large amounts of goods are received and shipped, no loading space is required for a building less than 10,000 square feet in gross floor area.
2. For such buildings with 10,000 to 40,000 square feet in gross floor area, one off-street loading space shall be required.
3. For such buildings with greater than 40,000 square feet in gross floor area, one off-street loading space is required for each 40,000 square feet in total gross floor area.

18.45.120 BICYCLE PARKING

A. Number of Spaces Required

The following minimum off-street bicycle parking facilities shall be required for all new or expanded developments. Calculation of bicycle parking facilities shall be based on the off-street vehicle parking spaces required prior to consideration of any vehicle parking reduction measures. Fractional requirements up to one-half shall be omitted. One-half or over shall require one space. Calculation of bicycle parking facilities for mixed use land uses shall be based on the individual use as identified in Table 18.45.120A, below.

**TABLE 18.45.120A
Bicycle Parking Requirements by Land Use**

Use	Required Number of Bicycle Parking Spaces
Multi-family Residential	1 for every 10 vehicle parking spaces
Senior Housing	1 space for every 20 dwelling units
Health Care Facilities	1 space for every 10 vehicle parking spaces
Retail Commercial, Public and Civic	1 space for every 20 vehicle parking spaces
Public Assembly, Health Clubs, Hotels, Private Clubs and Lodges	1 space for every 10 vehicle parking spaces
Business, professional, and corporate office	1 space for every 10 vehicle parking spaces
Industrial	1 space for every 10 vehicle parking spaces

B. Bicycle Parking Design

1. Bicycle parking facilities shall be installed in a manner which allows adequate spacing for access to the bicycle and the locking device when the facilities are occupied. Space allowances shall be 30 inches wide and six feet long per bicycle and include a five foot maneuvering space behind the bicycle. At least seven feet of vertical clearance is required.
2. The facilities shall be located on a hard dust-free surface, such as asphalt or a concrete slab.
3. Bicycle parking facilities shall be located in view of building entrances or in view of windows and/or security personnel stations. At least 50 percent of required bicycle parking must be located within 50 feet of a customer entrance, and the remainder must be located within 100 feet of any entrance.
4. Bicycle spaces shall be separated from sidewalks, motor vehicle parking spaces or aisles by a fence, wall, or curb, or by at least five feet of open area, marked to prohibit motor vehicle parking.

C. Required Shower Facilities

All news buildings and additions to existing buildings that result in a total floor area as shown in the following table are encouraged to provide employee showers and dressing areas for each gender as shown in the following Table 18.45.120B

**TABLE 18.45.120B
Required Number of Showers**

Land Use	Number of Showers Required for Specified Building Floor Area	
	1 Shower for Each Gender	1 Additional Shower for Each Gender
Office Use (Business, professional)	50,000 to 149,000 square feet	Each 100,000 square feet over 150,000
Retail trade and services	100,000 to 299,999 square feet	Each 200,000 square feet over 300,000
Industrial/Manufacturing	50,000 square feet or more	N/A

CHAPTER 18-46 – OUTDOOR LIGHTING

- 18.46.010 Purpose
- 18.46.020 Applicability
- 18.46.030 General Standards
- 18.46.040 Lighting Plan Requirements
- 18.46.050 Security Lighting
- 18.46.060 Accent Lighting
- 18.46.070 Lighting Standards for Uses with 50 Feet of Residential Zones
- 18.46.080 Parking Lot Lighting
- 18.46.090 Lighting of Outdoor Performance Sport and Recreational Facilities
- 18.46.100 Lighting for Multi Unit Attached Residential Projects
- 18.46.110 Standards for Single Family Residential Uses

18.46.010 PURPOSE

A. Intent and Purpose of this Chapter

1. To provide reasonable restrictions and limitations upon the use of lighting in or near the residential zones of the City so as to prevent lighting from creating a nuisance to residents within said residential zones. It is recognized that lighting is widely used in commercial or industrial zones for the purpose of advertising and security and that such lighting is essential to the conduct of many commercial or industrial enterprises.
2. The City acknowledges that protective security lighting in residential zones constitutes a deterrent to crime and an aid in law enforcement and contributes generally to the safety of those persons residing in such residential zones. It is further accepted that properly controlled lighting in residential areas used for landscaping and highlighting of architectural features of buildings and structures enhances and promotes the aesthetic condition of the property and the general welfare of the area.
3. It is equally recognized that lighting, by virtue of its intensity, brightness, direction, duration and hours of operation, can constitute a nuisance to adjacent residential dwellers. The purpose and intent of this section is to establish outdoor lighting standards that reduce the impacts of glare, light trespass, overlighting, skyglow, and poorly shielded or inappropriately directed lighting fixtures and that promote safety and energy conservation.
4. It is the intent of the City to adopt this section to encourage the continued and appropriate use of lighting for the purposes set forth in this section, but to require that said lighting be regulated and controlled in a manner so as to avoid the creation of a public nuisance in residential areas. All outdoor lighting in National City shall be regulated by this Land Use Code and by the State of California Title 24 Energy Efficiency Standards for outdoor lighting requirements.

18.46.020 APPLICABILITY

A. New Uses, Buildings, and Additions

Unless specifically exempted elsewhere in this Chapter, the provisions of this Chapter shall apply to all outdoor lighting for proposed new land uses, developments, buildings, structures, or building additions that require a permit.

B. Non-Conforming Uses, Structures, or Lots

Whenever a nonconforming use, structure or lot is abandoned for a period of one year and then recommenced or changed to a new use, then any existing outdoor lighting shall be reviewed and brought into compliance with the provisions of this Chapter as necessary for the entire building, structure or premises, to the maximum extent possible as determined by the Planning Division.

18.46.030 GENERAL STANDARDS

A. Outdoor Lighting Fixtures

All outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not produce glare onto adjacent properties or roadways. Parking lot light fixtures and light fixtures on buildings shall be full cut-off fixtures.

B. Street Lighting

Street lighting shall be provided in accordance with the requirements of the National City Standards Manual.

C. Prohibited Lighting

Flashing, revolving, intermittent exterior lighting or internally illuminated signs are prohibited. High intensity light beams, such as, but not limited to, outdoor searchlights, lasers, or strobe lights shall be prohibited.

D. Lighting for Safety

In all multiple family residential, commercial, or industrial developments, all sites shall be well lit so as to provide safe pedestrian and vehicular access and to eliminate dark areas.

18.46.040 LIGHTING PLAN REQUIREMENTS

A. Exterior Lighting Plan

The applicant shall submit to the Planning Division sufficient information, in the form of an overall exterior lighting plan, to enable the director to determine that the applicable provisions will be satisfied. The exterior lighting plan shall include, at a minimum, the following information:

1. Manufacturer specification sheets, cut sheets or other manufacturer provided information for all proposed lighting fixtures.
2. The proposed location, mounting height, and aiming point of all exterior lighting fixtures.
3. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the luminance levels of the elevations, and the aiming point for any remote light fixture. If only architectural lighting below five foot-candles is proposed, this section or any portion of it may be waived by the director.
4. A brief written narrative which describes the objectives of the lighting.

5. Photometric data, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information of the fixtures, and, if applicable or required, designation as Illuminating Engineering Society of North America (IESNA) "cut-off" fixtures.
6. A computer generated photometric grid showing foot-candle readings every ten feet within the property or site, and ten feet beyond the property lines at a scale specified by the director. Iso foot-candle contour line style plans may be substituted for the photometric grid.
7. For exterior lighting installations within 50 feet of upper level living units, horizontal and vertical projection of photometric data is required.
8. If needed to review proposed exterior lighting installations, the director may require additional information following the initial lighting plan submittal, including but not limited to:
 - a. Landscaping information that indicates mature tree size;
 - b. Shrubbery and other vegetation in order to evaluate the long-term and seasonal effectiveness of lighting or screening of lighting.

18.46.050 SECURITY LIGHTING

A. Defined

For the purposes of this section, security lighting is defined to include the following: lighting intended to reduce the risk (real or perceived) of personal attack and lighting intended to discourage intruders, vandals, or burglars, and to protect property.

B. Shielded and Aimed

All security lighting fixtures shall be shielded and aimed so that illumination is directed only within the owner's property boundaries and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways. The use of general floodlighting fixtures shall be prohibited unless it meets the shielding requirements of this section.

C. Vertical Surfaces

Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level eight feet above grade or eight feet above the bottoms of doorways or entries, whichever is greater.

D. Pole-Mounted

Security lighting fixtures may be mounted on poles located no less than ten feet from the perimeter of the property boundary.

E. Site Perimeters

Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by an intruder located within five feet of the perimeter. The zone of activation sensors must be within the property boundaries of the property wishing to be illuminated.

F. Timers and Photocells

Security lights shall combine timers with dusk-to-dawn photocells to ensure lights are on only when it is dark.

G. Requirements

In addition to the application materials set forth in the general provisions of this section, applications for security lighting installations shall include a written description of the need for and purposes of the security lighting, a site plan showing the area to be secured and the location of all security lighting

fixtures, specifications of all fixtures, the horizontal and vertical angles in which light will be directed, and adequate cross-sections showing how light will be directed only onto the area to be secured.

18.46.060 ACCENT LIGHTING

Architectural features may be illuminated by uplighting, provided that the light is effectively contained by the structure, the lamps are low intensity to produce a subtle lighting effect, and no glare or light trespass is produced. For national flags, statues, public art, or other objects that cannot be illuminated with down lighting, upward lighting may only be used in the form of two narrow-cone spotlights that confine the illumination to the object of interest.

18.46.070 LIGHTING STANDARDS FOR USES WITHIN 50 FEET OF RESIDENTIAL ZONES

A. For Uses within 50 Feet of Residential Zones

1. Lighting poles shall be no taller than 20 feet.
2. Lighting fixtures shall be aimed and shielded in a manner that shall not direct illumination on adjacent residential zones. Fixtures shall be of a type or adequately shielded to prevent glare from normal viewing angles.
3. At the discretion of the review authority and, where feasible, additional landscaping may be used to provide light screening between commercial zones and residential zones to help prevent light trespass. Where landscaping is used for light screening, the director shall take into consideration the applicable landscaping standards, the design standards, the creation of excessive shadows or dark spaces, and views into and out of a site.

18.46.080 PARKING LOT LIGHTING

A. Standards

1. Parking lots shall comply with the standards of this Chapter in addition to the other requirements of this title.
2. Parking lot lighting shall be designed to provide for uniform lighting throughout the facility with no dark patches or pockets.
3. Parking lot lighting shall be designed to provide sufficient lighting to identify parking features and provide pedestrian safety.
4. In order to direct light downward and minimize the amount of light spilled into the dark night sky, all lighting fixtures serving parking lots, shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA).
5. The maximum permissible mounting height of all parking lot lighting shall be 30 feet unless otherwise specified in this Chapter.

18.46.090 LIGHTING OF OUTDOOR PERFORMANCE, SPORT AND RECREATIONAL FACILITIES

A. Events and Special Activities

1. Lighting levels and pole heights for outdoor performance, sports, and recreation facilities shall not exceed by more than five percent of the Illuminating Engineering Society of North America published standards for the proposed activity.
2. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, aimed and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
3. The main lighting shall be turned off as soon as possible following the end of the event. The main lighting shall not remain on longer than 30 minutes following the end of the event. Where feasible, a low level lighting system shall be used to facilitate patrons leaving the facility, cleanup, nighttime

18.46.100 LIGHTING FOR MULTI-UNIT ATTACHED RESIDENTIAL PROJECTS

In all multi-unit attached residential developments, light fixtures for walks, steps, parking areas, driveways, onsite streets, and other facilities shall be provided in keeping with the type of development and at locations to assure safe and convenient nighttime use. Fixtures shall be designed in keeping with the project and shall be properly shaded to screen the windows of habitable rooms from the direct rays of light. All outdoor lighting shall be so shielded and adjusted that the light is directed to fall only on the same premises upon which the light source is located. All outdoor security and safety lighting shall be installed in accordance with the standards in this Chapter.

18.46.110 STANDARDS FOR SINGLE FAMILY RESIDENTIAL USES

A. Standards

1. Protective security lighting, landscape lighting or architectural highlighting, properly directed and shielded, may be operated at all hours of the night.
2. Luminaires providing outdoor lighting and permanently mounted to a residential building or to other buildings on the same lot are allowed.
3. Motion sensors with integral photo-control area and high-efficacy dust-to-dawn lighting are encouraged.
4. Permanently installed luminaires in or around swimming pools, water features, or other locations subject to Article 680 of the California Electrical Code need not be high-efficacy luminaires.
5. Lighting for single family residential uses shall be directed to fall only on the same premises upon which the light source is located.
6. Floodlighting is discouraged, and if used, must be shielded to prevent:
 - a. Disability glare for drivers or pedestrians;
 - b. Light trespass beyond the property line; and
 - c. Light above a horizontal plane. 'Wallpack' type fixtures are not permitted.

CHAPTER 18-47 – SIGNS AND OUTDOOR ADVERTISING DISPLAYS

18.47.010	Purpose
18.47.020	Site Plan Review and/or Sign Permit Required
18.47.030	Unlawful Display of Signs or Banners Prohibited
18.47.040	Definitions
18.47.050	Design and Maintenance
18.47.060	Permanent Signs Permitted in all Zones
18.47.070	Large Permanent Signs in Commercial, Industrial, Mixed-Use, and Institutional Zones
18.47.080	Large Permanent Signs in Shopping Centers
18.47.090	Small Permanent Signs in Commercial, Industrial, Institutional, Mixed-Use, and Multi-Family Zones
18.47.100	Pole-Mounted or Freestanding Signs in Commercial, Industrial, Mixed-Use, and Institutional Zones
18.47.110	Roof-Mounted Signs
18.47.120	Revolving Signs in Commercial and Industrial Zones
18.47.130	Temporary Signs Permitted in All Zones
18.47.140	Projecting Signs in Commercial, Industrial, Mixed-Use, and Institutional Zones
18.47.150	Vehicle Signs
18.47.160	Public Assembly Use Signs
18.47.170	Mural Type Signs in Commercial and Mixed-Use Zones
18.47.180	Digital Advertising Display (DAD) Signs

18.47.190	Flags, Banners, and Pennants
18.47.200	Signs Prohibited in All Zones
18.47.210	Master Sign Program
18.47.220	Removal from Abandoned Site or Building
18.47.230	Nonconforming Signs
18.47.240	Constitutional Severability
18.47.250	Non-Commercial Speech
18.47.260	Sign Regulations by Zone and Type

18.47.010 PURPOSE

The purposes of this Chapter are to: aid in the identification of properties, land uses, and enterprises; improve traffic safety by reducing visual distractions and physical obstructions and hazards; enhance the general appearance and aesthetics of the urban environment; and protect the natural beauty of the city's open space.

18.47.020 SITE PLAN REVIEW AND/OR SIGN PERMIT REQUIRED

A. Site Plan Review and/or Sign Permit Approval

Signs allowed by this Chapter may not be installed until a site plan review and/or sign permit is conducted and approved (see Chapter 1 Section 18.12.100) and a finding of compliance is made with the design criteria identified in this Chapter by the Planning Division. Signs that are not consistent with the design criteria outlined in this Chapter may not be installed. This determination may be appealed pursuant to the provisions of Section 18.12.060.

B. Considerations

Site plan review and/or a sign permit shall be limited to considerations of the location, installation or placement, size, public safety and sight distance, view blockage, and comparable matters, and not to the content of the message conveyed by the sign or banner, except when the publication of such message is unlawful.

C. Exempt Signs

Site plan review and sign permits are not required for exempt signs pursuant to Section 18.12.100 (c).

18.47.030 UNLAWFUL DISPLAY OF SIGNS OR BANNERS PROHIBITED

- A. Except as provided in this Chapter and in Section 18.12.100, it is unlawful for any person or entity to install, maintain, or allow the installation or maintenance of a sign or banner as defined in this Chapter in any zone.
- B. The reference to a specific prohibition in this Chapter shall not affect the validity and effect of the general prohibition set forth in this Chapter or its application regulating the uses of property outlined throughout the remainder of the Land Use Code, nor shall it affect Chapter 10.54 prohibiting the maintenance of graffiti as a public nuisance.
- C. This Chapter shall not apply to any governmental agency or to any regulatory sign prescribed or required by federal or State law or local ordinance.
- D. Nothing in this Chapter is intended to authorize the installation of a sign or banner without the permission of the owner or occupant of that property.
- E. Within this Chapter, all regulations shall refer and apply only to "on-site" displays of signs and banners. When a regulation is made applicable to an "off-site" display, it shall be so designated. Unless so designated, off-site displays are prohibited. Off-site displays include "sign spinners".

18.47.040 DEFINITIONS

- A. As used in this Chapter, and in addition to the definitions in the Glossary, the following definitions or concepts shall be applicable:
1. "Banner" is any flexible material, such as cloth, plastic, vinyl, paper, cardboard or thin metal, with or without a "message", attached outdoors to a building, structure or mounting device, or attached indoors to a building, structure or mounting device so as to be visible from the exterior of a building, or structure. The term "banner" includes a pennant, flag, or bunting.
 2. "Billboard" means a sign which directs attention to a business, community service or entertainment not exclusively related to the premises where such sign is located.
 3. "Bunting" is a form of banner that is typically presented and displayed in a folded or gathered fashion or combination. It may include a display in combination with a flag or banner. Depending on the format of the display, the term may be synonymous with banner.
 4. "Business premises" refers to specific business occupancy within a building or upon a parcel of land, typically having a specific address and discrete entrance(s) and exit(s) so as to maintain a specific business identity and location.
 5. "Changeable copy sign" refers to a sign displaying a "message" that is changed by means of moveable letters, slats, lights, light emitting diodes, or moveable background material.
 6. "Directional sign" is any individual sign used to provide directions to pedestrians and vehicular traffic. It shall not include a grouping or mosaic of individual signs that are arranged in such a manner as to constitute a larger sign.
 7. "Flag" is a form of "banner" that is mounted and displayed outdoors on a pole.
 8. "Freestanding sign" means a sign which is permanently supported on the ground by one or more uprights, braces, poles, or other similar structural components that are not attached to any building. This category includes both monument and pole signs.
 9. "Frontage" when used as a measurement reference of a building or business premises, shall refer to the distance between the two most distant corners of a building measured in a straight line along the building face bordering the adjoining street. See Glossary pertaining to frontage when made applicable to a parcel of land. It shall also refer to the elevation of a building that abuts or adjoins a private or public right-of-way or parking lot.
 10. "Height" means the distance measured vertically from grade to the highest point or portion of the object to be measured or height limited.
 11. "Illuminated sign" means a sign whose message is made readable by internal or external lights or light emitting diodes, typically during hours of darkness.
 12. "Install" or "installation" includes but is not limited to the act by which a sign is constructed or placed on land or a structure, or the act of attaching, painting, printing, producing, or reproducing, or using any other method or process by which a visual message is presented or placed upon a surface.
 13. "Message" means any form of visual communication presented on any type of media. It is not material whether the communication has any logical, practical, literary, or artistic significance or not. It includes any form or combination of letters, graphics, symbols or designs. The term is not intended to include mono-color paint applied to the exterior, trim, fascia, or other architectural elements of a building for protection against the elements.
 14. "Monument sign" means a low-profile freestanding sign supported by a structural base or other solid structural features other than support poles and may contain signage on more than one side.
 15. "Mural" or "mural-type sign" means a sign painted on the exterior wall of a building consisting of graphics or images, either alone or in combination with letters.
 16. "Off-site" or "off-site sign" refers to a sign or banner that promotes or advertises goods, services or activities located or offered on a business premises or parcel that is separate from the parcel where the sign is located, even if the two sites or parcels are contiguous to each other.
 17. "On-site" or "on-site sign" refers to a sign or banner that promotes or advertises goods, services, or activity located or offered on the business premises or parcel of property where the sign is located.
 18. "Outdoors" means a location on undeveloped property or to the exterior of a building or structure.
 19. "Outdoor advertising" refers to the placement of a message on signs or banners located outdoors, or located indoors in a manner such that the message is visible from the exterior of a building or structure.

20. "Parcels" or "property" or similar references or descriptions shall refer to parcels defined or delineated by assessor parcel numbers maintained by the County tax assessor or as defined in the Glossary of this Code.
21. "Pennant" is a banner with three sides.
22. "Permanent sign" means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. See also "temporary sign."
23. "Pole sign" means a permanently mounted, freestanding sign which is supported above the ground by one or more uprights, braces, poles, or other similar structural components.
24. "Projecting sign" is any sign which projects beyond a building face and uses a wall or vertical element of a building as its main source of support. A projecting sign includes a double-faced sign that is installed more or less perpendicular to the face of a building so as to allow a message to be viewable from either side. A projecting sign does not include signs that are installed along the face of a building and that are completely attached to the face of a building.
25. "Rooftop or roof-mounted sign" means a sign that extends above the ridgeline of the roof of a building or a sign attached to any portion of the roof of a building.
26. "Shopping center" shall mean a group of commercial buildings as defined in the Glossary.
27. "Sign" as used in this Chapter, shall generically refer to any medium through which a message is conveyed which is placed outdoors in any zone or is visible to the exterior of a commercial or industrial building or structure. It shall include a banner and any of the following:
 - a. Any advertising display defined in Section 9.32.010.
 - b. Any message painted, printed, or otherwise produced or affixed on or to:
 - c. The exterior of a building or structure;
 - d. A rigid or semi-rigid material or surface, such as wood, metal, or plastic, attached to a building, structure, or pole or which is itself free-standing; or
 - e. An inflatable balloon or other three-dimensional object that is tethered or fastened to a building, structure, pole, or the ground.
28. "Temporary sign" means a sign that is easily moveable and which is not attached to a building, structure, or the ground in such a manner as to be rendered a permanent sign.
29. "Visible to the exterior" refers to the placement of a sign or banner within the interior first eight feet of a commercial or industrial building or structure in such a manner so that it or its message is readily visible on an immediately contiguous public right-of-way, parking lot, or parcel. To be visible does not require that the message be understandable or readable.

18.47.050 DESIGN AND MAINTENANCE

A. Uniform Building, Electrical and Mechanical Code compliance--Required

No sign shall be installed that does not comply with the applicable Uniform Building, Mechanical and Electrical Codes adopted by the City. Permits for installation shall be obtained, when required, prior to any installation, from the director of building and safety.

B. Maintenance

All signs and their supporting structures and components shall be maintained in a state of safe condition and good repair. Signs shall be "face washed" at least once a year. Electrically energized components must bear the seal of approval of an approved testing laboratory. Broken faces and burned-out lamps, bulbs, or tubes must be replaced within thirty days from the date of notification from the City.

18.47.060 PERMANENT SIGNS PERMITTED IN ALL ZONES

The following signs shall be permitted in all zones. Site plan review shall not be required.

A. Permanent Signs

1. Size. The display on any parcel of any single sign, flag, or banner that is less than six square feet in area is permitted, except when a home occupation permit has been issued for a residential parcel, this exemption shall not apply, and that property shall be subject to all the requirements of this Chapter.
2. Restrictions. No signs shall be placed in the public right-of-way nor shall they obstruct the free flow of traffic.

B. Directional Signs

Directional signs which do not exceed a total of three square feet in size per sign and total area combined does not exceed nine square feet.

C. Freestanding or Monument Signs.

A maximum of two freestanding or monument signs not to exceed a total of one hundred square feet, are permitted for single-family subdivisions, multi-family developments, or mobile home parks.

D. Official Flags

Up to three official flags of the United States, the State of California, or other states of the nation, counties, municipalities, and official flags of sovereign nations. Proposals for more than three flags require a sign permit and site plan review. If flags are to be displayed on vertical flagpoles, these poles shall be permanently installed with appropriate building permits. Flags of nationally or internationally recognized organizations and corporate or business flags are only permitted if displayed in conjunction with the United States flag. The Flag Code of the United States shall be observed at all times.

18.47.070 LARGE PERMANENT SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE AND INSTITUTIONAL ZONES

A. Specifications and Restrictions

Except in shopping centers, large permanent signs (those exceeding 25 square feet in area) may be installed on or along the face of a building in commercial, and commercial uses in a mixed-use zone, industrial or institutional zones, subject to the following specifications and restrictions:

1. Signs shall be limited to one sign per business premise per frontage along a street, freeway, or parking lot.
2. Sign area on the primary frontage shall not exceed 30 percent of the area of the building face or four square feet of sign for each linear foot of building face along that frontage, whichever is greater.
3. Sign area on a secondary frontage shall not exceed 15 percent of the area of the building face or two square feet per linear foot of secondary frontage, whichever is greater.
4. The sign face shall not be located, such as by a cabinet, deep lettering, or architectural feature, more than 18 inches from a building face unless an exception is approved pursuant to site plan review.

18.47.080 LARGE PERMANENT SIGNS IN SHOPPING CENTERS

Large permanent signs for businesses within a shopping center shall be limited to one per business premises per frontage on a common walkway, parking lot, driveway, alleyway, street, or freeway. The size and placement of these signs shall conform with the standards specified by Subsections 18.47.070 as well as standards that may be applied through any required City Council or Planning Commission approval, including but not limited to a conditional use permit, planned development permit, specific plan, or variance.

18.47.090 SMALL PERMANENT SIGNS IN COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, MIXED-USE, AND MULTI-FAMILY ZONES

A. Permanent Signs Less than 25 Square Feet

Any permanent sign measuring less than 25 square feet and not described elsewhere in this Chapter shall be considered a small permanent sign that shall only be permitted in commercial, industrial, and institutional zones and commercial uses in a mixed-use zone as follows:

1. Small permanent signs shall be permitted only in windows or along the face of a building.
2. The total area of all small permanent signs and any allowable small temporary signs combined shall not exceed ten percent of the wall or elevation on which the sign is placed.

18.47.100 POLE MOUNTED OR FREESTANDING SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITIONAL ZONES

A. Requirements

Pole-mounted or freestanding signs are permitted in the commercial and industrial zones and commercial uses in a mixed-use zone, subject to the following requirements:

1. Pole signs or freestanding signs shall be limited to one sign per frontage on street, freeway, or parking lot, and may include a cluster sign identifying individual businesses on the parcel(s).
2. The total area of any sign installed along the primary frontage shall not exceed four square feet per lineal foot of property on the primary frontage.
3. The total area of any sign installed along each secondary frontage shall not exceed two square feet per lineal foot of property on the secondary frontage.
4. Sign structures shall not be placed within the required setback area, except that projecting signs may protrude into or overhang a maximum distance of one-half of the setback.

18.47.110 ROOF MOUNTED SIGNS.

Roof-mounted signs are not permitted.

18.47.120 REVOLVING SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES

Signs that revolve shall be restricted to those that rotate 360 degrees and no more than eight revolutions per minute. Revolving signs shall be permitted only in commercial and industrial zones.

18.47.130 TEMPORARY SIGNS PERMITTED IN ALL ZONES.

A. Temporary Signs on Construction Sites

Temporary signs on construction sites having the following specifications shall be permitted in all zones:

1. The maximum total area for signs at single-family residential construction projects shall be 20 square feet per street frontage.

2. The maximum area of signage at other construction projects shall be 50 square feet per street frontage.
3. For any request for square-footage exceeding the limits set forth in Subsections A.1. and A.2., a temporary use permit is required, the granting or denial of which shall be based solely on objective criteria such as time, location, and size.
4. All signs must be removed prior to and as a condition of the final inspection and approval of the project.

B. Temporary Signs on For Sale or For Lease Property

A maximum of two temporary signs on currently for sale or for lease property may be installed on developed or undeveloped property in all zones, with the following requirements and specifications for the sign:

1. The maximum area of signage allowed by this section per parcel per street frontage in commercial, industrial, mixed-use, multi-family, or institutional zones shall be 50 square feet.
2. The maximum area of signage allowed by this section per parcel per frontage in single-family residential zones is six square feet.
3. These signs shall not be lighted.
4. Signs shall be removed within ten days following the lease or sale of the premises on which the sign is displayed.

C. Temporary Off-site Signs Prohibited

Temporary off-site signs are prohibited in all zones, unless otherwise provided herein and by State law.

D. Temporary Signs For Events

Additional temporary signs erected due to an event are permitted as follows:

1. Commercial/industrial/multi-family/mixed-use/institutional zones.
 - a. One or more temporary signs, each of which is 32 square feet or less in area, shall be permitted per parcel.
 - b. Temporary signs, except flags and banners, shall not be fastened directly to the exterior wall or face of any building. Such signs may be displayed in windows or on display boards, provided the combined total area of all signs does not exceed ten percent of the area of the building face upon which the signs are mounted. (See Section 18.47.190 for restrictions on flags and banners.)
 - c. Such signage is permitted on a temporary basis as defined hereinafter, in addition to other sign allotment per site.
2. Single-family residential zones.
 - a. One or more temporary signs, each of which is six square feet or less in area, shall be permitted per parcel.
 - b. A parcel that is a corner lot can also have up to two signs greater than six square feet or less in area, but less than or equal to 16 square feet in area per parcel.
 - c. Permission of the property owner or occupant where the sign is placed shall be required.
 - d. No temporary signs are permitted in the public right-of-way.
 - e. Removal. If the signage was erected for an event, such signage shall be removed within ten days after the event.

18.47.140 PROJECTING SIGNS IN COMMERCIAL, INDUSTRIAL, MIXED-USE, AND INSTITUTIONAL ZONES

A. Conditions

A projecting sign may be permitted in all commercial, industrial, mixed-use, and institutional zones, subject to the following conditions:

1. Projecting signs shall not project over any public right-of-way, including streets or alleys, except as provided in Subsection D below.
2. The maximum height of projecting signs shall be 12 feet, and may project above any eave or parapet of less than 12 feet in height, but may not project inward over any such eave or parapet.
3. The maximum area of a projecting sign shall be 32 square feet.
4. Projecting signs may project over street parkways and required setback areas a maximum of one-half of the street parkway or setback width. For the purpose of this section, "street parkway" is defined as that part of the public street right-of-way lying between the front property line and the edge of the roadway.
5. No more than one projecting sign shall be placed on each street frontage per business premises.
6. A projecting sign shall be permitted only in lieu of a freestanding or marquee sign, and may not be utilized in addition to a freestanding or marquee sign.
7. Projecting signs shall be supported so as to appear to be an architectural and integral part of the building. The sign shall be free of any extra bracing, angle iron, guy wires, or cables.

18.47.150 VEHICLE SIGNS

A. Permitted Vehicle Signs

1. Advertising signs on buses and taxis.
2. Signs on automobiles and trucks that are painted on or attached flat against the vehicle to identify or advertise the associated business, provided that the vehicle is primarily used for the business and not parked on public streets.

18.47.160 PUBLIC ASSEMBLY USE SIGNS

On property used for public assembly, one wall mounted sign not to exceed 20 square feet in area per street frontage or parking lot frontage, and one freestanding changeable copy directory sign not to exceed six feet in height and 20 square feet in area per street frontage or parking lot frontage shall be allowed; provided, however, that the signs shall be architecturally related to the structure to which they are appurtenant. No more than two wall-mounted signs plus no more than two freestanding signs shall be permitted.

18.47.170 MURAL TYPE SIGNS IN COMMERCIAL AND MIXED-USE ZONES

Mural-type signs not exceeding 110 square feet in area shall be allowed in commercial zones and for commercial uses in mixed-use zones in lieu of a fixed sign.

18.47.180 DIGITAL ADVERTISING DISPLAY (DAD) SIGNS

A. Purpose

The use of digital advertising display technology (also known as a message center display or electronic reader board) for on-premises advertising signage can be an enhancement to the city as a whole, provided that sufficient standards are established to regulate daytime/nighttime illumination, prohibit movement, flashing, and other animation that may distract motorists, and allow for reasonable height and size requirements that balance the need for visibility with overall city aesthetic concerns, and;

The need for establishing design and operational standards for digital advertising displays for digital advertising signage will ensure that they do not create adverse effects on adjacent uses, for motorists, or conflict with Amber light or other digital emergency response signage, and;

The Federal Highway Administration in a 2007 ruling stated that digital billboards are permissible adjacent to and visible from federal highways.

B. Applicability

Digital advertising display signs are allowed in commercial, mixed-use, and industrial zoned areas along highways and arterial roadways (as defined by the General Plan Circulation Element) with approval of a sign permit provided all the conditions identified below are met.

C. Requirements

1. The maximum height of the sign structure containing the digital advertising display shall be subject to the same height restrictions as contained in Section 18.47.260 of the Land Use Code.
2. For properties that front on arterial roadways, the electronic message display component of the sign structure shall not exceed 80 square feet in area per sign face.
3. For properties that front on highways, the electronic message display component of the sign structure shall not exceed 250 square feet in area per sign face.
4. No more than one digital advertising display sign shall be permitted on a site. The electronic message display may be single-faced or double-faced.
5. The electronic message display shall be an electronic LED (Light Emitting Diode) screen.
6. The pixel pitch of the LED electronic message display shall be no greater than 25mm; 20mm or less is preferred, especially for arterial roadways.
7. Each DAD sign shall be provided with encapsulated LED's for weather protection.
8. The DAD may be programmed to allow changeable messages, provided that any image shall be displayed for a minimum of 8 seconds, and transitions between slides shall not exceed one second. Fading in or out, or scrolling of text shall be permitted as transitions.
9. Each DAD shall include a photometric sensor that will adjust the intensity of the sign for daytime and nighttime viewing. The nighttime intensity shall be limited to 0.3-foot candles (over ambient levels) as measured at a preset distance as established by the Lewin Report as prepared for the Outdoor Advertising Association of America (OAAA). The City may modify or further restrict the intensity of any DAD display should the lighting create a distraction to drivers or an adverse effect on nearby residential property.
10. The electronic message display shall not be operated between the hours of midnight and 6:00 am.
11. The electronic message display shall not result in unacceptable light intensity and glare impacting surrounding property.
12. All new digital advertising display signs not attached to a building shall be mounted on one support column only.
13. Digital advertising display signs are permitted to be located on the wall of a building provided the sign does not obscure any of the building's windows, architectural features, or other architectural details.
14. No digital advertising display sign may be placed within one-mile of another DAD on the same side of a highway. No more than 2 DAD signs are permitted per freeway.
15. Digital advertising display signs are limited to on-premise signs only. No digital display signs may be placed within 1,000 feet of another DAD sign on the same side of an arterial roadway.
16. An existing billboard sign may be refurbished with a digital advertising display sign provided it does not exceed the area of the existing billboard and in all other respects meets the requirements of this Chapter.

17. Cabinetry shall include solid welds and voltage protection.
18. Exterior cabinetry consisting of sheet metal or fabricated metal construction is not permitted.
19. The electronic message display shall be maintained in good operating condition and external appearance at all times.
20. Solar powered DAD signs are encouraged.
21. A DAD shall be subject to all other sign face size restrictions as contained in this Chapter.

18.47.190 FLAGS, BANNERS, AND PENNANTS

A. Regulations

1. Permit required. All banners require the approval of the Planning Division. In order to obtain approval, see application and drawings required at the City Planning Division.
2. Minimum standards. Flags and banners may be displayed on automobile sales lots without time limitation or site plan review provided that:
 - a. The displays are properly maintained;
 - b. Displays are limited to the perimeter of the lot;
 - c. Displays do not exceed a height of 25 feet above the ground;
 - d. Displays may not be used in place of a permanent sign.
3. Flags, banners, and pennants may be displayed on other commercial and industrial uses for a cumulative period of 60 days within each calendar year. The time limit commences when a banner permit is issued by the planning director. The 60-day period may be divided into two occasions per calendar year, provided the total display time does not exceed 60 days per calendar year. A banner permit fee and an administrative fee in an amount representing the anticipated City enforcement costs in causing the applicant to remove flags or banners shall be paid to the City Treasurer at the time of application for site plan review. The administrative fee shall be refunded upon the verified removal of the flag or banner by the specified deadline.
4. The following shall apply to all displays of flags, banners, and pennants:
 - a. Must be removed by the owner or occupant within 15 days after a determination by the City Manager or his/her designee that the display is improperly maintained or the flag or banner is tattered or worn.
 - b. Shall not be larger than 40 square feet.
 - c. Shall not be displayed in lieu of a permanent sign.
 - d. Shall not be placed on a roof, placed in required yard areas, or landscaped areas.
 - e. Must be compatible with the primary building's appearance.
 - f. Violation of the time limits shall render the site ineligible for issuance of a permit for display of a banner for a period of one year from the date that the violation is abated.
 - g. The restrictions of this section shall also apply to signs and banners located within the first eight feet of the interior of commercial or industrial premises when such sign or banner is visible to the exterior.

18.47.200 SIGNS PROHIBITED IN ALL ZONES

A. Prohibited Signs

Notwithstanding Section 18.47.030 the following signs are strictly prohibited in all zones:

1. Signs that obstruct any window, door, or opening used or required as a means of regular ingress and egress, legal light and ventilation, as a fire escape or other emergency access or escape.
2. Signs placed on public property or within the public street right-of-way.
3. Signs placed on property without permission of the property owner or occupant.
4. Signs on fences.
5. Except as provided in otherwise in this Chapter, signs on vacant or unimproved land.
6. Any sign whose intensity of illumination or size, shape, or location interferes with the safe operation of a vehicle or creates distraction to the operator of a motor vehicle on adjoining public streets.

7. Animated and flashing signs exceeding the following limits or restrictions:
 - a. Flashing signs are limited to a maximum illumination equivalent to incandescent bulbs of sixty watts per bulb maximum, and shall not flash more than sixty times per minute. "Chasers" are prohibited.
 - b. High intensity neon lights, tubes, or flashing lights exceeding sixty watts are prohibited on animated or flashing signs.
 - c. Rotating beacon-type lighting elements on signs are prohibited.
8. Temporary or permanent off-site signs, including billboards, are prohibited except where otherwise provided by State law or in Section 18.47.180.
9. Inflatable signs and displays, unless authorized pursuant to a temporary use permit.
10. Signs mounted on motor vehicles that are in violation of Section 7.20.150 or signs exceeding 25 square feet mounted on motor vehicles parked for more than eight hours in any 24-hour period on private property.
11. Off site temporary signs, mobile billboards on public streets (excepting buses, taxicabs, and business vehicles with an advertisement or display of its owner).
12. Mobile billboard advertising. Mobile billboard advertising includes any vehicle or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising. Mobile billboard advertising upon any street or other public place within the city in which the public has the right of travel is prohibited. Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner and not used merely, mainly, or primarily to display advertisements; buses; and taxicabs are exempt from this prohibition.

18.47.210 MASTER SIGN PROGRAM

A. Purpose and Applicability

The purpose of the Master Sign Program provisions is to provide a coordinated approach to signage for National City's business districts, which include the Harbor District, Downtown, Mile of Cars, and Plaza Bonita. The development of a master sign program is optional, but strongly encouraged for these areas.

B. Approval

A Master Sign Program shall require the approval of the Planning Commission and the City Council.

C. Design Standards

Master Sign Programs shall feature a unified and coordinated approach to the materials, color, size, type, placement and general design of signs proposed for a project or property.

D. Effect of Master Sign Program

All subsequent signs proposed for a development or property subject to an approved Master Sign Program shall comply with the standards and specifications included in the Master Sign Program.

18.47.220 REMOVAL FROM ABANDONED SITE OR BUILDING

When the use of any parcel or building is vacated, terminated, or abandoned for any reason for a period of more than 120 consecutive days, the owner or person in possession of the property shall be responsible for the physical removal of all signs on the property, building or wall(s), and for painting over the surface so as to obliterate any painted or printed signs on the building so that the copy is not visible, within 30 days following notice from the City. Removal, painting out, or obliteration shall be performed in a manner that does not create a blighting influence.

18.47.230 NONCONFORMING SIGNS

Any sign that is made nonconforming by enactment of Ordinance 2001-2192 may continue to be maintained or displayed subject to the provisions of 18.11.090 regarding the continuance and abatement of nonconforming signs.

18.47.240 CONSTITUTIONAL SEVERABILITY

The City Council declares that the judicial invalidity of any subsection or portion of this Chapter shall not affect the validity of any other remaining section or portion; that the City Council would have adopted each of those remaining portions, notwithstanding any later declared invalidity. If any provision determined invalid under the preceding sentence can either be judicially severed or interpreted in a way that could harmonize it with the remaining provisions, then it may be severed or interpreted and applied so as to give full purpose, meaning, and effect to the remaining provisions of this Chapter.

18.47.250 NON-COMMERCIAL SPEECH

Anywhere that commercial signage is allowed, non-commercial signage is allowed subject to the same restrictions as those set forth for commercial signage, but not in addition to such allowance.

18.47.260 SIGN REGULATIONS BY ZONE AND TYPE

The following table summarizes the types of signs that shall be permitted within the zoning designations listed below. Signs are not permitted in public rights-of-way unless otherwise noted in Table 18.47.260 below.

**TABLE 18.47.260
Sign Regulations by Zone and Type**

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
Permanent Signs less than 6SF	All (except home occupation)	--	6 square feet	--
Directional Sign	All	--	3 square feet per sign and a combined total of 9 square feet	--
Official Flags (United States, California, other state or nation, county, municipality or sovereign nation)	All	--	--	Maximum of three flags; must be on permanently installed poles; organizations, corporations and business flags prohibited
Building Mounted Greater than 25SF	Commercial, Industrial, Mixed-Use	One sign per building premises per frontage on a street, parking lot or freeway.	Primary frontage: 30% of the area of the building face or 4 square feet of sign for each linear foot of building face along the frontage, whichever is greater. Secondary Frontage: 15% of the area of the building face or 2 square feet per linear foot of secondary frontage, whichever is greater.	May not extend more than 18" from building face. Internally illuminated light box or cabinet signs not permitted.
Building Mounted Greater than 25SF	Shopping Centers, MXD-1	One sign per business premises	Primary frontage: 30% of the area of the building	May not extend more than 18" from building face.

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
	and MXD-2 (except residential buildings)	per frontage along a common walkway, parking lot, driveway, alleyway, street or freeway.	face or 4 square feet of sign for each linear foot of building face along the frontage, whichever is greater. Secondary Frontage: 15% of the area of the building face or 2 square feet per linear foot of secondary frontage, whichever is greater.	Internally illuminated light box or cabinet signs not permitted.
Building Mounted Less than 25SF	Commercial, Industrial, Mixed-Use, Institutional, Multi-Family	Windows or along the face of a building.	10% of the wall or elevation on which the sign is placed or 25SF, whichever is less.	May not extend more than 18" from building face. Internally illuminated light box or cabinet signs not permitted.
Freestanding/Pole Mounted	Commercial, Industrial, MXD-1 and MXD-2 (except residential buildings), Institutional	One sign per building premises per frontage on a street, parking lot or freeway. Not permitted in required setbacks	Primary Frontage: 4 square feet per lineal foot Secondary Frontage: 2 square feet per lineal foot	Cluster signs identifying individual businesses on a parcel are permitted.
Roof-Mounted	All zones	Not permitted.	Not permitted.	Not permitted.
Revolving	Commercial, Industrial		Same as Freestanding/Pole Mounted	360 degree rotation only and maximum of 8 revolutions per minute
Projecting Sign	Commercial, Industrial, Mixed-Use, Institutional	One sign per street frontage per business premise. May extend into or overhang no more than one half of the setback or street parkway distance. A sign may not extend beyond the street curb.	Area: 32 square feet Height: 12 feet	Permitted only in lieu of a freestanding or marquee sign. Must be an integral component of building. Decorative brackets permitted.
Public Assembly Signs	All	One wall-mounted sign per street or parking lot frontage plus one freestanding sign per street frontage.	One wall mounted sign not to exceed 20 square feet in area and one freestanding sign not to exceed 6 square feet in height and 20 square feet in area.	No more than 2 wall-mounted signs and no more than 2 freestanding signs shall be permitted.
Temporary Signs, Construction Sites	All	--	Single Family Residential, MXC-1 and MXC-2: 20 square feet per street frontage Other: 50 square feet per street frontage	Temporary use permit required. Shall be removed in ten days following sale or lease of the premises.
Temporary Signs, Event	All	Window display or display boards permitted only.	Commercial, industrial, mixed-use or multi-family, institutional: One or more each of which is 32 square feet or less in area Single Family	For commercial, industrial, mixed-use or multi-family, may not be fastened to exterior wall or building face (except flags and banners).

Sign Type	Use or Zone	Location	Maximum Size and Height	Other Regulations
			Residential: one or more limited to 6 square feet or less in area per parcel except corner lots are permitted up to two signs greater than 6 square feet or less in area per parcel, but less than or equal to 16 square feet in area per parcel.	
Temporary Off-Site Signs	Prohibited in all zones	Prohibited in all zones	Prohibited in all zones	Prohibited in all zones
Mural Signs	Commercial	--	110SF or 25% of the wall of a building, whichever is less.	Permitted in lieu of a fixed sign. Must be coated with anti-graffiti coating.
Window Signs	Commercial, Industrial, Mixed-Use	--	15% of the area of a window or 12SF, whichever is less.	--
Awning, Canopy or Marquee	Commercial, Industrial, Mixed-Use	--	Awning or canopy: 50% of the total area of the awning or canopy Marquee: 75% of the total area of the marquee	Internally illuminated or backlit awning signs not permitted
Building Arcade Hanging Sign (also known as suspended or blade sign)	Commercial, Mixed-Use	One per tenant. Must be perpendicular to face of building.	Area: 6 square feet; Width: No more than 60% of arcade. Clearance: No less than 8' above finished grade.	Internal illumination not permitted

18.47.270 SIGNS FOR SPECIAL USES

For institutional, educational, regional commercial or other large campus-style uses – including but not limited to hospitals, schools and colleges, or shopping malls – signs may exceed the design guidelines as prescribed in this chapter with the approval of the Planning Commission. Approval may be either through a discretionary development process (PD, CUP, etc) for new construction or through the Approval of Plans process for existing facilities.

CHAPTER 18-48- RESIDENTIAL DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES

18.48.010	Purpose
18.48.020	Definitions
18.48.030	Density Bonus
18.48.040	Concessions, Incentives, and Development Standards
18.48.050	Application Requirements and Review
18.48.060	Density Bonus Housing Agreement

18.48.0.010 PURPOSE

A. Intent and Purposes of Section

The intent and purposes of this Chapter are to:

1. Implement the policies of the General Plan's Housing Element for developing affordable housing for households with very low, low, and moderate incomes.

2. Encourage affordable housing units to be developed citywide and designed to be consistent with the surrounding neighborhood.
3. Implement the provisions of State Government Code Section 65915.

18.48.020 DEFINITIONS

A. Section Definitions

Within this Chapter, the following definitions shall apply:

1. "Additional incentives" means any regulatory concessions or incentives which would result in identifiable cost avoidance or reductions that are offered in addition to a density bonus, as also specified in California Government Code Subsections 65915.
2. "Density bonus" means a density increase of up to thirty-five percent over the otherwise maximum residential density allowable by the applicable zoning designation, pursuant to State Government Code Section 65915, as amended from time to time.
3. "Density bonus units" means those residential units granted pursuant to the provisions of this Chapter that exceed the otherwise allowable maximum residential density for the development site.
4. "Development standard" shall have the meaning given that term by Government Code Section 65915.
5. "Financial Pro Forma" means a financial report for density bonus projects that shall include identifiable, financially sufficient, and actual cost reductions achieved through any requested incentives or concessions, as well as evidence that the cost reduction allows the developer to provide affordable rents or affordable sales prices.
6. "Housing development" for the purpose of this Chapter means construction projects consisting of five (5) or more residential units, including single-family, multi-family, and mobile homes for sale or rent.
7. "Lower income household" means households whose income is no more than 80 percent of the area median income of San Diego County, as established and amended time to time by Section 8 of the United States Housing Act of 1937, pursuant to Section 50079.5 of the California Health and Safety Code.
8. "Maximum residential density" means the maximum number of residential units permitted by the City's General Plan Land Use Element and Land Use Code at the time of application, excluding the provisions of this Chapter. In calculating the required number of dwelling units affordable to moderate, lower, or very low income households, any decimal fraction resulting from the applicable percent of the total units shall be rounded to the next larger whole number.
9. "Moderate income household" means households whose income does not exceed 120 percent of the area median income of San Diego County, as established and amended time to time by Section 8 of the United States Housing Act of 1937, pursuant to Section 50093 of the California Health and Safety Code.
10. "Non-restricted unit" means all units within a housing development as defined in this section, excluding the target units.
11. "Target unit" means a dwelling unit within a housing development that will be reserved for sale to or rent to, and affordable to, very low, or moderate income households, or qualifying residents.
12. "Very low income household" means households whose income is no more than 50% of the area median income of San Diego County, as established and amended time to time by Section 8 of the United States Housing Act of 1937, pursuant to Section 50105 of the California Health and Safety Code.

18.48.030 DENSITY BONUS

- A. In applications for projects meeting the minimum threshold of five units or more, the density bonus provisions set forth in Government Code Section 65915, as amended from time to time, shall apply.
- B. It is the intent of this Chapter to ensure that all projects applying for the concessions and incentives of this Chapter provide for affordable housing units that are comparable in size, design, and quality to the market units in the same project. The City Manager or his/her designee, unless otherwise specified, shall have the discretion and authority to enforce this provision during the application process.

18.48.040 CONCESSIONS, INCENTIVES, AND DEVELOPMENT STANDARDS

A. Requests for Incentives and Concessions

In applications for projects meeting the minimum threshold of five units or more, concessions and incentives including reductions in site development standards, modifications of zoning code or architectural design requirements, and other incentives or concessions defined in Government Code Section 65915(1) may be requested, consistent with the parameters enumerated below.

B. Financial Pro Forma

The applicant shall provide a financial pro forma demonstrating to the City that the requested concession or incentive results in identifiable, financially sufficient, and actual cost reductions to the project pursuant to California Government Code Section 65915(l)(1).

C. Development Standards

Applicants may seek a waiver or modification of development standards that will have the effect of precluding the construction of a residential development meeting the criteria of Government Code Section 65915 at the densities or with the incentives or concessions permitted by that section.

D. Financial Incentives

Nothing in this section requires the City to provide direct financial incentives for the residential development, including but not limited to the provision of publicly owned land, waiver of fees, off-site improvements, or dedication requirements.

18.48.050 APPLICATION REQUIREMENTS AND REVIEW

A. Application Conference

Prior to submitting an application, an applicant proposing a housing development pursuant to this section shall schedule a pre-application conference with appropriate Planning and/or Housing Division staff. The applicant should provide the following information:

1. A brief description of the proposed development, including at a minimum the total number of units, total number of target units, and total number of density bonus units proposed.
2. The combined general plan/zoning designations and assessor parcel number(s) of the project site.
3. A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway and parking layout.
4. If an additional incentive(s) is requested, the application should describe why the additional incentive(s) is necessary to ensure affordability of the target units and density bonus units proposed!
5. The developer/applicant should also submit the project pro-forma, outlining revenue sources, expenses, and projected profit.

B. Application/Processing

Requests for a density bonus and/or additional incentive(s) pursuant to this section shall be submitted to the Planning Division and processed pursuant to procedures in Chapter 1 for approval of a conditional use permit and concurrently with any other application(s) required for the development. In addition, applications shall include the following:

1. A description of any requested density bonuses, incentives, concessions, waivers or modifications of development standards, or modified parking standards.
2. Identification of all affordable units qualifying for the project for a density bonus, and level of affordability of all affordable units.

3. For all incentives and concessions, a financial pro forma demonstrating that the requested incentives and concessions result in identifiable, financially sufficient, and actual cost reductions is required.
4. For waivers or modifications of development standards: evidence that the imposition of the development standards for which a waiver is requested will have the effect of precluding the construction of the residential development at the densities or with the incentives or concessions permitted by Government Code Section 65915.
5. Any financial pro forma submitted to comply with this section may not include the lost opportunity cost of any affordable units (i.e., the revenue that would have been generated had the units been rented or sold at market rate) and may include as an additional cost only those additional expenses that are required solely because of the proposed construction of the affordable units. The pro forma shall also include:
 - a. The actual cost reduction achieved through the incentive or concession; and
 - b. Evidence that the cost reduction allows the developer to provide affordable rents or affordable sales prices.
6. The City may retain a consultant to review the financial report (pro forma). The cost of the consultant shall be borne by the applicant with the following exception: if the applicant is a non profit organization, the cost of the consultant may be paid by the City upon prior approval of the City Council.

C. Findings for Approval

Before any density bonus and/or additional incentive is granted, the approving authority shall make the following findings:

1. The residential development is eligible for a density bonus and any concessions, incentives, waivers, modifications, or reduced parking standards requested.
2. The residential development conforms to all standards for affordability included in this Chapter.
3. Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation if required by conditional use permit.
4. If a waiver or modification is requested, the applicant has shown that the imposition of the development standards sought to be waived or modified will have the effect of physically precluding the construction of the development at the densities or with the incentives or concessions otherwise permitted by this Chapter.

D. Findings for Denial - Concessions, Incentives, Waivers, Modifications.

1. Concessions or incentives. The City may deny one or more requested concessions or incentives if, based on substantial evidence, the City makes either of the following findings:
 - a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Section 65915(c); or
 - b. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65598.5(d)(2), upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, low, and moderate income households.
2. Waivers and modifications. The City may deny one or more requested waivers or modifications if the City makes either of the following findings:
 - a. The waiver or modification would have a specific adverse impact, as defined in Government Code Section 65598.5(d)(2), upon public health and safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or
 - b. The waiver or modification would have a specific adverse impact on any real property that is listed in the California Register of Historical Resources.

E. Deed Covenant

Approval of a density bonus and/or additional incentive(s) pursuant to this section shall require the recordation of a deed covenant recorded against the property to ensure the target unit(s) is maintained for affordability for the time period required prior to Final Map recordation or prior to the issuance of a building permit, if no subdivision of property is involved.

F. Appeal Procedure

The decision of the Planning Commission to approve or deny a request for a density bonus, additional incentive(s), and/or waivers or modifications of development standards pursuant to this section may be appealed to the City Council pursuant to procedures for appeal of other discretionary permit applications that are concurrently considered, or if no other discretionary permit applications are concurrently considered, the decision of the Planning Commission may be appealed pursuant to procedures specified in Chapter 1 Section 18.12.110 (Conditional Use Permits) of the Land Use Code.

18.48.060 DENSITY BONUS HOUSING AGREEMENT

A. Agreement with the City

Applicants/developers requesting a density bonus shall enter into a Density Bonus Housing Agreement with the City. The terms of the draft agreement shall be approved by the Executive Director of the Community Development Commission of the City of National City or his designee.

B. Recordation

Following execution of the Agreement by all parties, the completed Density Bonus Housing Agreement, or memorandum thereof, shall be recorded with the County of San Diego Records Office, and the conditions therefore filed and recorded on the parcel or parcels designated for construction of target units and a copy of the recorded document shall be provided to the City. Recordation of the Agreement shall occur prior to recordation of a Final Map or prior to issuance of building permits, whichever occurs first. The Density Bonus Housing Agreement shall be binding to all future owners and successors in interest during the term of the Agreement, unless rescinded by the City upon completion of terms of the Agreement.

C. Provisions of Agreement

The Density Bonus Housing Agreement shall include at least the following:

1. The total number of units approved for the housing development, including the number of target units.
2. A description of the household income group to be accommodated by the housing development, as outlined in Section 18.47.050 of this chapter, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost.
3. The location, unit sizes (square feet), and number of bedrooms of target units.
4. Tenure of use restrictions for target units of at least ten or 30 years, in accordance with Section 18.47.050 of this chapter.
5. A schedule for completion and occupancy of target units.
6. A description of the density bonus, additional incentive(s) or equivalent financial incentives being provided by the City.
7. A requirement to submit to the Executive Director of the Community Development Commission of the City of National City or his designee for review and approval of an Affirmative Marketing Plan, which details the actions the developer/applicant shall take to provide information and otherwise attract eligible persons to the available housing units without regard to race, sex, sexual orientation, marital status, familial status, color, religion, national origin, ancestry, handicap, age, or any other category which may be defined by law now or in the future.

8. A description of remedies for breach of the Agreement by either party. The City may identify tenants or qualified purchasers as third party beneficiaries under the Agreement.
9. Other provisions to ensure implementation and compliance with this section.
10. Provision allowing payment of fee by applicant to the City to recover their administrative expenses.

D. For-Sale Housing Developments

In the case of for-sale housing developments, the Density Bonus Housing Agreement shall provide for the following conditions governing the initial sale and use of target units during the applicable use restriction period:

1. Target units shall, upon initial sale, be sold to eligible very low, low, or moderate income households at an affordable sales price and housing cost, or to qualified residents (i.e., maintained as senior citizen housing) as defined by this Chapter.
2. Target units shall be initially owner-occupied by eligible very low, low, or moderate households, or by qualified residents in the case of senior citizen housing.
3. Target units, if later rented by the owner, shall be made available to eligible very low, low, or moderate income households at an affordable rent or to qualified residents (i.e., senior citizens) as defined by this Chapter.
4. The initial purchaser of each target unit shall execute an instrument or agreement approved by the City restricting the sale or rental of the target unit in accordance with this Ordinance during the applicable use restriction period. Such instrument or agreement shall be recorded against the parcel containing the target unit and shall contain such provisions as the City may require to ensure continued compliance with this Chapter and the State density bonus law.

E. Rental Housing Developments

In the case of rental housing developments, the Density Bonus Housing Agreement shall provide for the following conditions governing the use of target units during the use restriction period:

1. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies, and maintaining target units for qualified tenants;
2. Property owners shall be required to verify tenant incomes on an annual basis and maintain books and records to demonstrate compliance with this Chapter.
3. Property owners shall be required to submit an annual report to the City, which includes the name, address, household size, and income of each household occupying target units, and which identifies the bedroom size and monthly rent or cost of each target unit.
4. Property owners shall be required to allow a City representative to inspect each unit annually at a minimum to ensure that units are being maintained to local Code and the Department of Housing and Urban Development (HUD) Housing Quality Standards.