



City Council
Mayor John W. Minto
Vice Mayor Ronn Hall
Council Member Laura Koval
Council Member Rob McNelis
Council Member Dustin Trotter

CITY OF SANTEE REGULAR MEETING AGENDA Santee City Council

City Manager | Marlene D. Best
City Attorney | Shawn D. Hagerty
City Clerk | Annette Fagan Ortiz

MEETING INFORMATION

Wednesday, October 26, 2022

6:30 p.m.

Council Chambers | Building 2

10601 Magnolia Ave • Santee, CA 92071

Staff

Assistant to the City Manager | Kathy Valverde
Community Services Director | Nicolas Chavez
Finance Director/Treasurer | Heather Jennings
Fire & Life Safety Director/Fire Chief | John Garlow
Human Resources Director | Matt Rankin
Law Enforcement | Captain Michael McNeill

TO WATCH LIVE:

AT&T U-verse channel 99 (SD Market) | Cox channel 117 (SD County)

www.cityofsanteca.gov

IN-PERSON ATTENDANCE

Please be advised that current public health orders recommend that attendees wear face coverings while inside the Council Chambers.

LIVE PUBLIC COMMENT

Members of the public who wish to comment on matters on the City Council agenda or during Non-Agenda Public Comment may appear in person and submit a speaker slip, before the item is called. Your name will be called when it is time to speak.

PLEASE NOTE: Public Comment will be limited to 3 minutes and speaker slips will only be accepted until the item is called. The timer will begin when the participant begins speaking.



The City Council also sits as the Community Development Commission Successor Agency and the Santee Public Financing Authority. Any actions taken by these agencies are separate from the actions taken by City Council. For questions regarding this agenda, please contact the City Clerk's Office at (619) 258-4100 x114

ROLL CALL: Mayor John W. Minto
Vice Mayor Ronn Hall
Council Members Laura Koval, Rob McNelis and Dustin Trotter

LEGISLATIVE INVOCATION: Pathways Community Church – Phil Herrington

PLEDGE OF ALLEGIANCE

PROCLAMATION: Retirement of Finance Director and Treasurer Tim McDermott

CONSENT CALENDAR:

PLEASE NOTE: Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. The public, staff or Council Members may request specific items be removed from the Consent Calendar for separate discussion or action. Speaker slips for this category must be presented to the City Clerk at the start of the meeting. Speakers are limited to 3 minutes.

- (1) **Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances and Resolutions on the Agenda. (City Clerk – Ortiz)**
- (2) **Approval of Payment of Demands as Presented. (Finance – Jennings)**
- (3) **Approval of the Expenditure of \$121,240.08 for September 2022 Legal Services and Reimbursable Costs. (Finance – Jennings)**

NON-AGENDA PUBLIC COMMENT (15 minutes):

Persons wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda. This first Non-Agenda Public Comment period is limited to a total of 15 minutes. Additional Non-Agenda Public Comment is received prior to Council Reports.

PUBLIC HEARING:

- (4) **A Resolution Approving Tentative Parcel Map 2022-1 (TPM2022-1) to Divide a 5.72-Acre Parcel of Land into Two Parcels, Located at 200 Lantern Crest Way (APNs: 384-142-25 & -37) and Finding the Project Exempt from the California Environmental Quality Act (CEQA). (Development Services – Planning)**

Recommendation:

1. Conduct and close the Public Hearing; and
2. Find Tentative Parcel Map (TPM2022-1) Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines and authorize the filing of a Notice of Exemption; and
3. Adopt the Resolution approving Tentative Parcel Map (TPM2022-1).



CONTINUED BUSINESS:

- (5) **Second Reading and Adoption of Ordinances Amending the Zoning District Map in Accordance with Rezone R2021-2 and Amending Title 13 (“Zoning Ordinance”) of the City of Santee Municipal Code in Accordance with Zoning Ordinance Amendment ZOA2021-2, Related to the Housing Element Rezone Program Implementation Project. (Development Services – Planning)**

Recommendation:

1. Present Rezone Ordinance R2021-2 for Second Reading by title only and adopt; and
2. Present Zoning Amendment Ordinance ZOA2021-2 for Second Reading by title only and adopt.

NEW BUSINESS:

- (6) **Introduce and Set for Public Hearing an Ordinance Rescinding Chapters 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, and 11.26 of Title 11 of the Santee Municipal Code Entitled “Buildings and Construction”, in their Entirety and Adopting by Reference the 2022 California Building Standards Code, Including the 2022 California Administrative Code, the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Electrical Code, the 2022 California Mechanical Code, the 2022 California Plumbing Code, the 2022 California Energy Code, the 2022 California Historical Building Code, the 2022 California Fire Code, the 2022 California Existing Building Code, the 2022 California Green Building Standards Code, and the California Referenced Standards Code, Together with Modifications, Additions, and Deletions Thereto. (Development Services – Building)**

Recommendation:

1. Introduce Ordinance for adoption at First Reading; and
2. Set the Public Hearing for Second Reading on November 9, 2022.

- (7) **Authorize Award of Contract to TD Sports Group, LLC for Synthetic Turf Repairs at Town Center Community Park East. (Community Services – Chavez)**

Recommendation:

Authorize award of contract to TD Sports Group, LLC not to exceed \$27,277.00.



NON-AGENDA PUBLIC COMMENT (Continued):

All public comment not presented within the first Non-Agenda Public Comment period above will be heard at this time.

CITY COUNCIL REPORTS:

CITY MANAGER REPORTS:

CITY ATTORNEY REPORTS:

CLOSED SESSION:

- (8) Conference with Legal Counsel—Anticipated Litigation**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One case.

ADJOURNMENT:





**BOARDS, COMMISSIONS & COMMITTEES
OCTOBER & NOVEMBER MEETINGS**

Oct	06	SPARC	Council Chamber
Oct	10	Community Oriented Policing Committee	Council Chamber
Oct	12	Council Meeting	Council Chamber
Oct	26	Council Meeting	Council Chamber
Nov	03	SPARC	Council Chamber
Nov	09	Council Meeting	Council Chamber
Nov	14	Community Oriented Policing Committee	Council Chamber

The Santee City Council welcomes you and encourages your continued interest and involvement in the City’s decision-making process.

For your convenience, a complete Agenda Packet is available for public review at City Hall and on the City’s website at www.CityofSanteeCA.gov.

The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 12132 of the American with Disabilities Act of 1990 (42 USC § 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk’s Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.





COUNCIL AGENDA STATEMENT

CITY OF SANTEE

Proclamation

MEETING DATE October 26, 2022

ITEM TITLE PROCLAMATION: RETIREMENT OF FINANCE DIRECTOR AND
TREASURER TIM MCDERMOTT

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

Finance Director and Treasurer Tim McDermott officially retired from the City of Santee on September 14, 2022, after 21 years of loyal and dedicated service.

The City honors Tim's distinguished accomplishments and service to the City of Santee.

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION

Recognize retirement of Tim McDermott.

ATTACHMENT

None



MEETING DATE October 26, 2022

ITEM TITLE **APPROVAL OF READING BY TITLE ONLY AND WAIVER OF READING IN FULL OF ORDINANCES AND RESOLUTIONS ON THE AGENDA.**

DIRECTOR/DEPARTMENT Annette Ortiz, CMC, City Clerk

SUMMARY

This Item asks the City Council to waive the reading in full of all Ordinances on the Agenda (if any) and approve their reading by title only. The purpose of this Item is to help streamline the City Council meeting process, to avoid unnecessary delay and to allow more time for substantive discussion of Items on the agenda.

State law requires that all Ordinances be read in full either at the time of introduction or at the time of passage, unless a motion waiving further reading is adopted by a majority of the City Council. (Gov. Code, § 36934). This means that each word in each Ordinance would have to be read aloud unless such reading is waived. Such reading could substantially delay the meeting and limit the time available for discussion of substantive Items. Adoption of this waiver streamlines the procedure for adopting the Ordinances on tonight's Agenda (if any), because it allows the City Council to approve Ordinances by reading aloud only the title of the Ordinance instead of reading aloud every word of the Ordinance.

The procedures for adopting Resolutions are not as strict as the procedures for adopting Ordinances. For example, Resolutions do not require two readings for passage, need not be read in full or even by title, are effective immediately unless otherwise specified, do not need to be in any particular format unless expressly required, and, with the exception of fixing tax rates or revenue amounts, do not require publication. However, like Ordinances, all Resolutions require a recorded majority vote of the total membership of the City Council. (Gov. Code § 36936).

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION

It is recommended that the Council waive the reading of all Ordinances and Resolutions in their entirety and read by title only.

ATTACHMENT

None



MEETING DATE October 26, 2022

ITEM TITLE PAYMENT OF DEMANDS

DIRECTOR/DEPARTMENT Heather Jennings, Finance *HJ*

SUMMARY

A listing of checks that have been disbursed since the last Council meeting is submitted herewith for approval by the City Council.

FINANCIAL STATEMENT

Adequate budgeted funds are available for the Payment of Demands per the attached listing.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approve the Payment of Demands as presented.

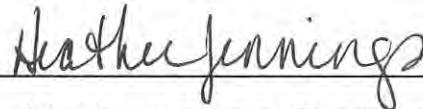
ATTACHMENT

- 1) Summary of Payments Issued
- 2) Voucher Lists

Payment of Demands
Summary of Payments Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
10/03/22	Accounts Payable	\$ 5,567.00
10/05/22	Accounts Payable	289,696.62
10/05/22	Accounts Payable	135,617.61
10/06/22	Accounts Payable	207,950.88
10/06/22	Payroll	430,564.43
10/07/22	Accounts Payable	59,491.82
10/11/22	Accounts Payable	121,972.00
10/12/22	Accounts Payable	<u>258,773.27</u>
	TOTAL	<u>\$1,509,633.63</u>

I hereby certify to the best of my knowledge and belief that the foregoing demands listing is correct, just, conforms to the approved budget, and funds are available to pay said demands.



Heather Jennings, Director of Finance

EARNINGS SECTION					DEDUCTIONS SECTION			LEAVE SECTION					
Type	Hours/units	Rate	Amount	Src	Plan	Base Wages	Deduction	Benefit/Cont	LvPlan	Accrued	Taken	Banked	Lost
Grand Totals					Employees: 32								
reth			5,824.00		catax	5,824.00	46.00						
					fedtax	5,824.00	211.00						
Grand Totals	0.00		5,824.00				257.00	0.00					

Gross:	5,824.00
Net:	5,567.00

<< No Errors / No Warnings >>

EB

Retiree Health
October
Transfer

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131687	10/5/2022	10292 ALL STAR FIRE EQUIPMENT INC	242500	54035	SAFETY EQUIPMENT	5,680.58
Total :						5,680.58
131688	10/5/2022	10412 AT&T	301053963-OCT22		MAST PARK	90.95
Total :						90.95
131689	10/5/2022	10262 AUSTIN, ROY	10012022		RETIREE HEALTH INSURANCE	1,511.25
Total :						1,511.25
131690	10/5/2022	10516 AWARDS BY NAVAJO	0922170 0922177	53864	NAMETAGS ENGRAVING ON PENS MISS SANTEE	23.71 59.85
Total :						83.56
131691	10/5/2022	13292 BORDER TIRE	8034005	53865	VEHICLE SUPPLIES	1,519.51
Total :						1,519.51
131692	10/5/2022	10008 BPI PLUMBING	S-31912 S-31924	53952 53952	PLUMBING SERVICES PLUMBING SERVICES	502.40 466.98
Total :						969.38
131693	10/5/2022	10299 CARQUEST AUTO PARTS	11102-567739	53869	VEHICLE REPAIR PARTS	26.92
Total :						26.92
131694	10/5/2022	11190 CDCE INC	140397		VEHICLE SUPPLIES	134.69
Total :						134.69
131695	10/5/2022	10032 CINTAS CORPORATION #694	4130629604 4131239192	53959 53959	STATION SUPPLIES MISC. SHOP RENTAL SERVICE	46.80 65.10
Total :						111.90
131696	10/5/2022	10486 COUNTY OF SAN DIEGO	202200691		RECORDED DOC FEES	75.00
Total :						75.00
131697	10/5/2022	13129 DAVID TURCH AND ASSOCIATES	09092022	53975	HIGHWAY 52 COALITION SUPPORT	5,000.00
Total :						5,000.00
131698	10/5/2022	10795 DO, AARON	100222		EMPLOYEE REIMBURSEMENT	250.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131698	10/5/2022	10795 10795 DO, AARON	(Continued)			Total : 250.00
131699	10/5/2022	11295 DOKKEN ENGINEERING	41840	52440	SANTEE LAKES STORM DRAIN	2,340.00
						Total : 2,340.00
131700	10/5/2022	11716 ESPINOLA, TANYA	5014069		EMPLOYEE REIMBURSEMENT	50.00
						Total : 50.00
131701	10/5/2022	10251 FEDERAL EXPRESS	7-899-98977		SHIPPING CHARGES	31.25
						Total : 31.25
131702	10/5/2022	12760 FOCUS PSYCHOLOGICAL	SANTEE2022-8	53922	PSYCHOLOGICAL SERVICES	800.00
						Total : 800.00
131703	10/5/2022	13072 GOVERNMENT TRAINING AGENCY	16635		CCPA CONSORTIUM FEES	1,764.00
						Total : 1,764.00
131704	10/5/2022	12009 HARDIN, DAVID	09032022 09042022 9272022		OES PREPOSITION REIMBURSEME MILL FIRE REIMBURSEMENT MOSQUITO FIRE REIMBURSEMENT	57.96 393.73 768.41
						Total : 1,220.10
131705	10/5/2022	10490 HARRIS & ASSOCIATES INC	54240	53791	ESSENTIAL HOUSING PROJECT	30,625.00
						Total : 30,625.00
131706	10/5/2022	11807 IMPERIAL SPRINKLER SUPPLY	5256474-00 5270622-00 5291959-00	54042 54042 54042	IRRIGATION PARTS IRRIGATION PARTS IRRIGATION PARTS	1,721.71 106.76 160.53
						Total : 1,989.00
131707	10/5/2022	10272 JENKINS, CARROLL	10012022		RETIREE HEALTH INSURANCE	3,406.56
						Total : 3,406.56
131708	10/5/2022	13247 JOHNSON, DOUGLAS	10012022		RETIREE HEALTH INSURANCE	1,020.60
						Total : 1,020.60
131709	10/5/2022	10300 LANGUAGE LINK	168332		TRANSLATION SERVICE	114.50

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131709	10/5/2022	10300 10300 LANGUAGE LINK	(Continued)			Total : 114.50
131710	10/5/2022	10204 LIFE ASSIST INC	1248896	53891	EMS SUPPLIES	576.06
			1249419	53891	EMS SUPPLIES	1,932.00
			1250181	53891	EMS SUPPLIES	446.52
					Total :	2,954.58
131711	10/5/2022	14470 M.W STEEL GROUP, INC	2200-07	53741	SANTEE ART & ENTERTAINMENT D	21,123.75
					Total :	21,123.75
131712	10/5/2022	11358 MILTCO INC	GRD1231A		REFUNDABLE DEPOSIT	439.16
					Total :	439.16
131713	10/5/2022	10507 MITEL LEASING	903912067		MONTHLY RENTAL 122670	1,878.80
			903912087		MONTHLY RENTAL 124690	312.66
			903912125		MONTHLY RENTAL 130737	276.33
			903912128		MONTHLY RENTAL 131413	266.16
					Total :	2,733.95
131714	10/5/2022	12715 MORGAN, JEFF	10/03/2022		TRAFFIC SUPPLIES REIMBURSEME	51.16
					Total :	51.16
131715	10/5/2022	10239 MORRISON, ANNE	100122		CASH ADVANCE TWILIGHT BREWS	500.00
					Total :	500.00
131716	10/5/2022	10083 MUNICIPAL EMERGENCY SERVICES	IN1761519	53926	SAFETY APPAREL	147.30
					Total :	147.30
131717	10/5/2022	10308 O'REILLY AUTO PARTS	2968-108602	53896	VEHICLE SUPPLIES	54.92
					Total :	54.92
131718	10/5/2022	14614 PARADIGM MECHANICAL CORP	4999	53951	HVAC MAINT & REPAIRS	507.68
			5013	53951	HVAC MAINT & REPAIRS	1,600.28
					Total :	2,107.96
131719	10/5/2022	11901 PECK'S HEAVY FRICTION INC	298968	53897	VEHICLE REPAIR PARTS	1,234.47
					Total :	1,234.47

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131720	10/5/2022	10241 PETTY CASH - CAROLINE SUCH	09292022		PETTY CASH REIMB - CSD	145.00
					Total :	145.00
131721	10/5/2022	12062 PURETEC INDUSTRIAL WATER	2012683	54000	DEIONIZED WATER SERVICE	68.29
					Total :	68.29
131722	10/5/2022	10095 RASA	5649 - C	54062	MAP CHECK	1,945.00
					Total :	1,945.00
131723	10/5/2022	12994 RINCON CONSULTANTS, INC	42095	53171	FANITA RANCH PHASE II CULTURA	622.50
					Total :	622.50
131724	10/5/2022	10097 ROMAINE ELECTRIC CORPORATION	12-057223	53980	VEHICLE REPAIR PARTS	2,351.89
					Total :	2,351.89
131725	10/5/2022	10108 SAN DIEGO ASSOC OF GOVERNMENTS	AR174693		ARJIS JPA MEMBER FEES	35,506.00
					Total :	35,506.00
131726	10/5/2022	10407 SAN DIEGO GAS & ELECTRIC	04229703218-SEPT22 22373580042-SEPT22 34223805628-SEP22 43940205509-SEP22 79900685777-SEP22		STREET LIGHTS TRAFFIC SIGNALS ROW / GAS LMD PARKS	42,227.47 2,193.73 -458.07 1,083.95 24,869.76
					Total :	69,916.84
131727	10/5/2022	13061 SAN DIEGO HUMANE SOCIETY &	AUG-22	54002	ANIMAL CONTROL SERVICES	36,794.00
					Total :	36,794.00
131728	10/5/2022	13171 SC COMMERCIAL, LLC	2219441-IN 2221826-IN 2222658-IN	53902 53902 53902	DELIVERED FUEL DELIVERED FUEL DELIVERED FUEL	1,414.29 826.82 186.15
					Total :	2,427.26
131729	10/5/2022	13554 SC FUELS	0602914-DEF 0602914-F	54029 53947	DIESEL EXHAUST FLUID FLEET CARD FUELING	11.12 2,904.76
					Total :	2,915.88
131730	10/5/2022	14284 SDI PRESENCE LLC	10544	53800	SANTEE LMS PROCUREMENT	16,800.00

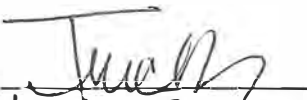
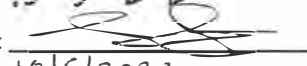
Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131730	10/5/2022	14284 14284 SDI PRESENCE LLC	(Continued)			Total : 16,800.00
131731	10/5/2022	13206 SHARP BUSINESS SYSTEMS	9003983951	54016	SHARP MAINT/COPIES 2022/09	932.80
						Total : 932.80
131732	10/5/2022	12223 SITEONE LANDSCAPE SUPPLY LLC	122917344-002	54055	IRRIGATION PARTS	1,788.85
			123008985-001	54055	IRRIGATION PARTS	513.83
			123352154-002	54055	IRRIGATION PARTS	257.16
			123585640-001	54055	IRRIGATION PARTS	227.91
						Total : 2,787.75
131733	10/5/2022	11341 SRM CONTRACTING & PAVING	#2R		RETENTION	-484.93
			PAYMENT #2	53779	CUYAMACA STREET RESURFACIN	9,698.53
						Total : 9,213.60
131734	10/5/2022	10217 STAPLES ADVANTAGE	3517652848	53936	OFFICE SUPPLIES	153.46
						Total : 153.46
131735	10/5/2022	10572 SUNBELT RENTALS INC	130328120-0001	54009	EQUIPMENT RENTAL	725.98
						Total : 725.98
131736	10/5/2022	14629 THE NEW CATILLACS	549028	54076	BREWS & BITES ENTERTAINMENT	1,300.00
						Total : 1,300.00
131737	10/5/2022	10165 TRAD AM ENTERPRISES INC	110		INSTRUCTOR PAYMENT	351.00
						Total : 351.00
131738	10/5/2022	10257 TYLER TECHNOLOGIES INC	045-389425	53803	PERMITTING SOFTWARE IMPLEME	3,198.90
						Total : 3,198.90
131739	10/5/2022	10136 WEST COAST ARBORISTS INC	189676	53939	URBAN FORESTRY MANAGEMENT	1,963.70
			189677	53939	URBAN FORESTRY MANAGEMENT	614.25
			190028	53939	URBAN FORESTRY MANAGEMENT	3,466.80
			190029	53939	URBAN FORESTRY MANAGEMENT	3,623.65
			190030	53939	URBAN FORESTRY MANAGEMENT	1,664.56
						Total : 11,332.96
131740	10/5/2022	10537 WETMORE'S	06P43398	53916	VEHICLE REPAIR PARTS	35.51



Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131740	10/5/2022	10537	10537 WETMORE'S		(Continued)	Total : 35.51
54 Vouchers for bank code : ubgen						Bank total : 289,686.62
54 Vouchers in this report						Total vouchers : 289,686.62

Prepared by: 
Date: 10-5-22
Approved by: 
Date: 10/5/2022

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
51668	10/5/2022	10955 DEPARTMENT OF THE TREASURY	October 22 Retirees PPE 09/28/22		FEDERAL WITHHOLDING TAX FED WITHHOLD & MEDICARE	211.00 101,883.59
Total :						102,094.59
51686	10/5/2022	10956 FRANCHISE TAX BOARD	October 22 Retirees PPE 09/28/22		CA STATE TAX WITHHELD CA STATE TAX WITHHELD	46.00 33,477.02
Total :						33,523.02
2 Vouchers for bank code : ubgen						Bank total : 135,617.61
2 Vouchers in this report						Total vouchers : 135,617.61

Prepared by: 
Date: 10-6-22
Approved by: 
Date: 10/6/2022

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131741	10/6/2022	12903 AMERICAN FIDELITY ASSURANCE CO	6061970		FLEXIBLE SPENDING ACCOUNT	1,955.06
Total :						1,955.06
131742	10/6/2022	10208 ANTHEM EAP	046586885230		EMPLOYEE ASSISTANCE PROGRAM	284.16
Total :						284.16
131743	10/6/2022	10334 CHLIC	3070962		HEALTH INSURANCE	187,308.84
Total :						187,308.84
131744	10/6/2022	12876 FUN 4 KIDS ENTERTAINMENT	10082022	54094	FIRE STATION OPEN HOUSE	400.00
Total :						400.00
131745	10/6/2022	14458 METROPOLITAN LIFE INSURANCE	73999054		DENTAL INSURANCE	12,222.94
Total :						12,222.94
131746	10/6/2022	10785 RELIANCE STANDARD LIFE	October 22		VOLUNTARY LIFE INSURANCE	468.26
Total :						468.26
131747	10/6/2022	10424 SANTEE FIREFIGHTERS	PPE 09/28/22		DUES/PEC/BENEVOLENT/BC EXP	3,122.79
Total :						3,122.79
131748	10/6/2022	10776 STATE OF CALIFORNIA	PPE 09/28/22		WITHHOLDING ORDER	449.53
Total :						449.53
131749	10/6/2022	10001 US BANK	PPE 09/28/22		PARS RETIREMENT	987.46
Total :						987.46
131750	10/6/2022	14600 WASHINGTON STATE SUPPORT	PPE 09/28/22		WITHHOLDING ORDER	751.84
Total :						751.84
10 Vouchers for bank code : ubgen						Bank total : 207,950.88
10 Vouchers in this report						Total vouchers : 207,950.88

EARNINGS SECTION					DEDUCTIONS SECTION				LEAVE SECTION				
Type	Hours/units	Rate	Amount	Src	Plan	Base Wages	Deduction	Benefit/Cont	LvPlan	Accrued	Taken	Banked	Lost
tech			350.00		sb-1		71.61						
tiller	144.00		138.36		sb-3		50.22						
tillot	168.00		6,303.66		sffa		2,583.45						
tup			255.32		sffapc		410.40						
unif			700.00		st1cs3	93,995.61	2,819.88	-2,819.88					
unifp			500.00		st2cs3	13,514.40	405.43	-405.43					
vacp	552.63		53,474.63		texlif		55.19						
vtkn	330.00		15,657.56		vaccpr		558.35						
wcnt	48.00		1,507.30		vaccpt		261.03						
wctx	1.50		65.91		vcanpr		411.61						
wellne			102.29		vcanpt		151.05						
					vgcipt		88.81						
					vision		495.21						
					voladd		33.79						
					voldis		234.94						
					vollad			234.12					
					vollif		234.14						
Grand Totals	15,883.44		687,791.35				257,226.92	255,074.91					

Gross:	687,791.35
Net:	430,564.43

<< No Errors / 22 Warnings >>

J. Manser

PPE 9/28/22

Pay Date 10/6/22

HJ

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
827030	10/7/2022	10959 VANTAGE TRANSFER AGENT/457	PPE 09/28/22		ICMA - 457	55,368.82
					Total :	55,368.82
827041	10/7/2022	10782 VANTAGEPOINT TRNSFR AGT/801801	PPE 09/28/22		RETIREE HSA	4,123.00
					Total :	4,123.00
2 Vouchers for bank code : ubgen						Bank total : 59,491.82
2 Vouchers in this report						Total vouchers : 59,491.82

Prepared by: J. Smith
Date: 10-7-22
Approved by: E. Bull
Date: 10-10-22

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
9224	10/11/2022	10353 PERS	09 22 4		RETIREMENT PAYMENT	121,972.00	
						Total :	121,972.00
1 Vouchers for bank code : ubgen						Bank total :	121,972.00
1 Vouchers in this report						Total vouchers :	121,972.00

Prepared by: J. Tucker
Date: 10/11/22
Approved by: E. Bull
Date: 10/11/22

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131751	10/12/2022	11859 AIRGAS USA LLC	9129123620	53857	EQUIPMENT REPAIR PART	127.12
					Total :	127.12
131752	10/12/2022	10010 ALLIANT INSURANCE SERVICES INC	2098561		BREWS AND BITES INSURANCE	3,245.00
					Total :	3,245.00
131753	10/12/2022	14544 ANTON'S SERVICE INC	24017 24017R	53815	WESTON PARK IMPROVEMENTS RETENTION	138,882.00 -6,944.10
					Total :	131,937.90
131754	10/12/2022	13292 BORDER TIRE	8034068 8034230	53865 53865	VEHICLE SUPPLIES VEHICLE SUPPLIES	2,763.10 729.38
					Total :	3,492.48
131755	10/12/2022	12118 CAMERON BROTHERS	BC19002A		REFUNDABLE DEPOSIT	23.85
					Total :	23.85
131756	10/12/2022	11402 CARROLL, JUDI	10012022-96		MEADOWBROOK HARDSHIP PROC	77.66
					Total :	77.66
131757	10/12/2022	10032 CINTAS CORPORATION #694	4131950037	53959	MISC. SHOP RENTAL SERVICE	65.10
					Total :	65.10
131758	10/12/2022	10979 CITY OF LA MESA	24568 24570		FINGERPRINTING FINGERPRINTING	100.00 120.00
					Total :	220.00
131759	10/12/2022	10035 COMPETITIVE METALS INC	453031	54045	METAL SUPPLIES & SERVICES	57.47
					Total :	57.47
131760	10/12/2022	10171 COUNTY OF SAN DIEGO AUDITOR &	09/2022 AGENCY REV 09/2022 DMV REVENUE 09/2022 PHOENIX REV		09/2022 AGENCY PARK CITE REPT 09/2022 DMV PARK CITE REPT 09/2022 PHOENIX CITE REV REPT	211.00 197.25 810.50
					Total :	1,218.75
131761	10/12/2022	10486 COUNTY OF SAN DIEGO	100422		HOUSING ELEMENT REZONE - NOI	3,589.25

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131761	10/12/2022	10486 10486 COUNTY OF SAN DIEGO	(Continued)			Total : 3,589.25
131762	10/12/2022	10333 COX COMMUNICATIONS	038997401-OCT22 094486701-OCT22		10601 N MAGNOLIA AVE APT 8 CITY HALL GROUP BILL	57.00 3,406.37 Total : 3,463.37
131763	10/12/2022	11168 CTE INC CLARK TELECOM AND	3136 3137	54027 54027	STREET LIGHT REPAIRS DIG ALERTS MARK OUTS	162.74 2,126.40 Total : 2,289.14
131764	10/12/2022	14598 CUYAMACA PROSPECT, LLC	GRD1328A		REFUNDABLE DEPOSIT	749.67 Total : 749.67
131765	10/12/2022	13275 DOCHTERMAN, LINDA	09152022LD		COMMISSIONER STIPEND	50.00 Total : 50.00
131766	10/12/2022	14446 ENTERPRISE FM TRUST	STMT 2708		VEHICLE LEASING PROGRAM	2,498.38 Total : 2,498.38
131767	10/12/2022	13274 GRANBOIS, DARCY	09152022DG		COMMISSIONER STIPEND	50.00 Total : 50.00
131768	10/12/2022	14689 HELIX ENVIROMENTAL	GRD1035A		REFUNDABLE DEPOSIT	450.52 Total : 450.52
131769	10/12/2022	14459 HMC GROUP	164389	53747	SANTEE COMMUNITY CENTER	66,717.20 Total : 66,717.20
131770	10/12/2022	14700 KUUBIX GLOBAL	Ref000082278		REFUND - DUPLICATE APPLICATIO	99.00 Total : 99.00
131771	10/12/2022	10204 LIFE ASSIST INC	1250745	53891	EMS SUPPLIES	3,053.16 Total : 3,053.16
131772	10/12/2022	14703 MAVEN BOOKKEEPING	Ref000082311		CORRECTED LICENSE TYPE REFU	46.00 Total : 46.00
131773	10/12/2022	10306 MOTOROLA SOLUTIONS INC	8281462832	53807	APX 8000 RADIO	171.57

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131773	10/12/2022	10306 10306 MOTOROLA SOLUTIONS INC	(Continued)			Total : 171.57
131774	10/12/2022	10218 OFFICE DEPOT	267181067001	53928	OFFICE SUPPLIES	358.29
						Total : 358.29
131775	10/12/2022	13117 ORTIZ, ANNETTE	09062022		EMPLOYEE REIMBURSEMENT	136.88
						Total : 136.88
131776	10/12/2022	10344 PADRE DAM MUNICIPAL WATER DIST	29700015-OCT22		CONSTRUCTION METER	251.50
						Total : 251.50
131777	10/12/2022	14266 PATCH, LILI	09152022LP		COMMISSIONER STIPEND	50.00
						Total : 50.00
131778	10/12/2022	11888 PENSKE FORD	198247	54082	VEHICLE REPAIR	2,370.51
						Total : 2,370.51
131779	10/12/2022	12062 PURETEC INDUSTRIAL WATER	2014085	54000	DEIONIZED WATER SERVICE	131.08
						Total : 131.08
131780	10/12/2022	14537 RANKIN, MATT	10052022		EMPLOYEE REIMBURSEMENT	178.75
						Total : 178.75
131781	10/12/2022	10606 S.D. COUNTY SHERIFF'S DEPT.	08222022	54097	CAL-ID PROGRAM	5,035.00
						Total : 5,035.00
131782	10/12/2022	10212 SANTEE SCHOOL DISTRICT	9270	53965	TEEN CENTER TRANSPORTATION	65.04
			9271	53965	TEEN CENTER TRANSPORTATION	625.00
						Total : 690.04
131783	10/12/2022	10768 SANTEE SCHOOL DISTRICT	9268	53964	CHET HARRITT SPORTS LIGHTS	77.25
			9269	54003	JOINT USE FIELDS - RIO SECO	1,072.59
						Total : 1,149.84
131784	10/12/2022	13171 SC COMMERCIAL, LLC	2224970-IN	53902	DELIVERED FUEL	598.13
			2227196-IN	53902	DELIVERED FUEL	1,188.98
						Total : 1,787.11

Voucher List
 CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
131785	10/12/2022	13554 SC FUELS	0608482-DEF 0608482-F	54029 53947	DIESEL FUEL ADDITIVE FLEET CARD FUELING	15.99 3,004.71 Total : 3,020.70
131786	10/12/2022	14630 SNAP-ON INDUSTRIAL	ARV-54443248	54063	SCAN TOOL SOFTWARE	1,253.79 Total : 1,253.79
131787	10/12/2022	10314 SOUTH COAST EMERGENCY VEHICLE	509587 509612	53907 53907	VEHICLE REPAIR PART VEHICLE REPAIR PART	1,598.11 387.35 Total : 1,985.46
131788	10/12/2022	10217 STAPLES ADVANTAGE	3518003156 3518144513 3518144514 3518269817 3518342635	53981 53981 53908 53935 53935	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES	4.48 134.15 48.27 25.05 200.59 Total : 412.54
131789	10/12/2022	14354 TRILOGY MEDWASTE WEST, LLC	1202725 1202726		BIOMEDICAL WASTE DISPOSAL BIOMEDICAL WASTE DISPOSAL	242.49 125.49 Total : 367.98
131790	10/12/2022	10338 VANDIVER, EDDIE	09152022EV		COMMISSIONER STIPEND	50.00 Total : 50.00
131791	10/12/2022	10799 VOSBURGH, TODD	220930		WORK BOOTS REIMBURSEMENT	184.01 Total : 184.01
131792	10/12/2022	10136 WEST COAST ARBORISTS INC	190544 190545	53939 53939	URBAN FORESTRY MANAGEMENT URBAN FORESTRY MANAGEMENT	13,248.00 2,419.20 Total : 15,667.20
42 Vouchers for bank code : ubgen						Bank total : 258,773.27
42 Vouchers in this report						Total vouchers : 258,773.27

Bank code : ubqen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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Prepared by: Juc M
Date: 10.12.22
Approved by: [Signature]
Date: 10/12/2022

MEETING DATE October 26, 2022

ITEM TITLE **APPROVAL OF THE EXPENDITURE OF \$121,240.08 FOR SEPTEMBER 2022 LEGAL SERVICES AND REIMBURSABLE COSTS**

DIRECTOR/DEPARTMENT Heather Jennings, Finance *HJ*

SUMMARY

Legal services invoices proposed for payment for the month of September 2022 total \$121,240.08 as follows:

1) General Retainer Services	\$ 16,530.00
2) Labor & Employment	1,096.50
3) Litigation & Claims	22,374.38
4) Special Projects - General Fund	33,417.65
5) Special Projects – Other Funds	5,063.75
6) Third-Party Reimbursable Projects	<u>42,757.80</u>
Total	<u>\$ 121,240.08</u>

FINANCIAL STATEMENT

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Adopted Budget	\$ 731,360.00	
Revised Budget	731,360.00	
Prior Expenditures	(127,988.58)	
Current Request	(73,418.53)	\$ 529,952.89
Other Funds (excluding third-party reimbursable items):		
Adopted Budget	\$ 90,000.00	
Revised Budget	90,000.00	
Prior Expenditures	(8,110.56)	
Current Request	(5,063.75)	\$ 76,825.69

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approve the expenditure of \$121,240.08 for September 2022 legal services and reimbursable costs.

ATTACHMENTS

1. Legal Services Billing Summary September 2022
2. Legal Services Billing Recap FY 2022-23



**LEGAL SERVICES BILLING SUMMARY
SEPTEMBER 2022**

Attachment 1

DESCRIPTION	CURRENT AMOUNT	INVOICE NUMBER	NOTES
Retainer 1001.00.1201.51020	\$ 16,530.00 16,530.00	947615	
Labor & Employment 1001.00.1201.51020	1,096.50 1,096.50	947579	
Litigation & Claims:			
Litigation & Claims	2,167.50	947580	
Affordable Housing Coalition of San Diego County	206.50	947583	
Parcel 4 Litigation	1,267.10	947609	
Brooks Receivership	92.80	947595	
Sky Ranch Potential Homeowner/HOA Litigation 1001.00.1201.51020	18,640.48 22,374.38	947596	
Special Projects (General Fund):			
Community Oriented Policing	10,638.75	947581	
CEQA Special Advice	714.00	947589	
Water Quality	561.00	947584	
General Elections	51.00	947585	
Prop 218	1,530.00	947586	
Parcel 4 Hotel	4,277.60	947594	
Housing Element	102.00	947592	
Advanced Records Center Services for PRA	1,546.60	947593	
Cannabis	3,289.50	947588	
General Telecommunications Work 1001.00.1201.51020	612.00 23,322.45	947597	
Special Projects - CSA 69 (General Fund)			
CSA 69 Dissolution 1001.03.2203.51020	10,095.20	947614	
Special Projects (Other Funds):			
Cuyamaca Street Right-of-Way Acquisition	5,063.75 5,063.75	947606	cip71402.30.05
Third-Party Reimbursable:			
Lantern Crest	673.20	947587	mjr2101a.20.05
HomeFed Project	40,999.80	947590	tm22001a.10.05
Walker Trails	688.80	947591	grd1313a.20.05
Redevelopment of Carlton Oaks Golf Course	118.80	947607	cup1906a.10.05
Tyler St. Subdivision	277.20 42,757.80	947598	tm17001a.10.05
Total	\$ 121,240.08		

**LEGAL SERVICES BILLING RECAP
FY 2022-23**

Attachment 2

<u>Category</u>	<u>Adopted Budget</u>	<u>Revised Budget</u>	<u>Previously Spent Year to Date</u>	<u>Available Balance</u>	<u>Current Request Mo./Yr.</u>	<u>Amount</u>
General Fund:						
General / Retainer	\$ 200,360.00	\$ 200,360.00	\$ 33,175.33	\$ 167,184.67	Aug-22	\$ 16,530.00
Labor & Employment	60,000.00	60,000.00	3,568.20	56,431.80	Aug-22	1,096.50
Litigation & Claims	90,000.00	90,000.00	16,281.71	73,718.29	Aug-22	22,374.38
Special Projects	381,000.00	381,000.00	74,963.34	306,036.66	Aug-22	33,417.65
Total	<u>\$ 731,360.00</u>	<u>\$ 731,360.00</u>	<u>\$ 127,988.58</u>	<u>\$ 603,371.42</u>		<u>\$ 73,418.53</u>
Other City Funds:						
MHFP Commission	\$ 12,000.00	\$ 12,000.00	\$ 892.50	\$ 11,107.50	Aug-22	\$ -
Capital Projects	75,000.00	75,000.00	7,218.06	67,781.94	Aug-22	5,063.75
Highway 52 Coalition	3,000.00	3,000.00	-	3,000.00	Aug-22	-
Total	<u>\$ 90,000.00</u>	<u>\$ 90,000.00</u>	<u>\$ 8,110.56</u>	<u>\$ 81,889.44</u>		<u>\$ 5,063.75</u>
Third-Party Reimbursable:						
Total			<u>\$ 78,899.10</u>			<u>\$ 42,757.80</u>

Total Previously Spent to Date FY 2022-23	
General Fund	\$ 127,988.58
Other City Funds	8,110.56
Applicant Deposits or Grants	<u>78,899.10</u>
Total	<u>\$ 214,998.24</u>

Total Proposed for Payment	
General Fund	\$ 73,418.53
Other City Funds	5,063.75
Applicant Deposits or Grants	<u>42,757.80</u>
Total	<u>\$ 121,240.08</u>

MEETING DATE October 26, 2022

ITEM TITLE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING TENTATIVE PARCEL MAP 2022-1 (TPM2022-1) TO DIVIDE A 5.72-ACRE PARCEL OF LAND INTO TWO PARCELS, LOCATED AT 200 LANTERN CREST WAY (APNs: 384-142-25 & -37) AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DIRECTOR/DEPARTMENT Chris Jacobs, Principal Planner *CJ*

SUMMARY

The Santee Senior Retirement Communities (Michael Grant) (“Applicant”) is requesting the approval of a Tentative Parcel Map (TPM2022-1), which proposes the division of a 5.72-acre parcel of land into two separate parcels of land, respectively 3.74 acres and 1.98 acres in size, on property located within the Lantern Crest congregate care facility at 200 Lantern Crest Way (APNs 384-142-25 & -37) in the R-22 (High Density Residential) Zone. The proposal would subdivide Phases 4 and 5 of the 360-unit Lantern Crest congregate care facility, which was approved by the City Council on August 27, 2008 as Conditional Use Permit P07-12 by Resolution 069-2008. Except interior roadway and parking improvements, both Phases 4 and 5 are primarily undeveloped. The proposed land division is strictly for financing purposes only and does not authorize any changes to previously approved plans or conditions of project approval.

The Tentative Parcel Map has been reviewed by the Department of Development Services and found to be in substantial conformance with the requirements of Conditional Use Permit P07-12, the Santee Municipal Code, and the Subdivision Map Act.

ENVIRONMENTAL REVIEW

The subject project is exempt from environmental review per Section 15315, Class 15 (Minor Land Division) of the California Environmental Quality Act (CEQA) guidelines, as projects which involve the division of property into four or fewer parcels are exempt from environmental review.

FINANCIAL STATEMENT *H*

Staff costs for application processing are paid through a pre-funded deposit account on a cost recovery basis

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

1. Conduct and close the Public Hearing; and
2. Find Tentative Parcel Map (TPM2022-1) Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines and authorize the filing of a Notice of Exemption; and
3. Adopt the attached Resolution approving Tentative Parcel Map (TPM2022-1).



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING TENTATIVE PARCEL MAP 2022-1 (TPM2022-1) TO DIVIDE A 5.72-ACRE PARCEL OF LAND INTO TWO PARCELS, LOCATED AT 200 LANTERN CREST WAY (APNS: 384-142-25 & -37) AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**APPLICANT: SANTEE SENIOR RETIREMENT COMMUNITIES (MICHAEL GRANT)
APN 384-142-25 & -37**

WHEREAS, pursuant to Chapter 12.06 of the Santee Municipal Code (“SMC”), on October 7, 2022, Santee Senior Retirement Communities, LLC (Michael Grant) submitted an application for Tentative Parcel Map TPM2022-1 to subdivide a 5.72-acre parcel of land into two separate parcels, respectively 3.74 acres and 1.98 acres in size, on property located within the Lantern Crest congregate care facility at 200 Lantern Crest Way (APNs: 384-142-25 & -37), in the R-22 (High Density Residential) Zone, as shown in Exhibit A, attached hereto; and

WHEREAS, Tentative Parcel Map 2022-1 (“TPM2022-1”) would subdivide undeveloped Phases 4 and 5 of the 360-unit Lantern Crest congregate care facility, which was approved by the City Council on August 27, 2008 as Conditional Use Permit P07-12 by Resolution 069-2008; and

WHEREAS, the proposed land division is for financing purposes only and does not authorize any changes to previously approved plans or conditions of project approval; and

WHEREAS, approval of TPM2022-1 is Categorically Exempt from the provisions of the California Environmental Quality Act, pursuant to Article 19, Section 15315, Class 15 Exemption; and

WHEREAS, the Director of Development Services scheduled TPM2022-1 for public hearing on October 26, 2022; and

WHEREAS, on October 26, 2022 the City Council held a duly advertised public hearing on TPM2022-1; and

WHEREAS, the City Council considered the Staff Report, and considered all recommendations by staff and public testimony.

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows.

SECTION 1: TPM2022-1 is Categorically Exempt from the provisions of the California Environmental Quality Act, pursuant to Article 19, Section 15315, Class 15 Exemption because the project is the subdivision of land into two parcels within in an urbanized area of the City of Santee, zoned for residential use. The project is consistent with the General Plan and Zoning Code; no variances or exceptions are required; all services and access to the proposed parcels are available; the parcel was not involved in a division of a larger parcel within the previous two years; and the parcel has an average

RESOLUTION NO. _____

slope of less than twenty (20) percent. Therefore, the City Council finds that the project is exempt from further environmental review under CEQA and authorizes the Department of Development Services to file a Notice of Exemption for the project.

SECTION 2: The findings, in accordance with Section 12.06.050 of the SMC for TPM2022-1, are made as follows:

- A. The map is not within a specific plan and is consistent with the City's General Plan as it facilitates construction of Phases 4 and 5 of the Lantern Crest congregate care facility previously approved under Conditional Use Permit P07-12, found to be consistent with the R-22 (High Density Residential) land use designation; and
- B. The site is not identified as a Residential Inventory site in the 6th Cycle Housing Element of the City's General Plan; and
- C. The design and improvement of the proposed subdivision is consistent with approved Conditional Use Permit P07-12 and the City's General Plan; and
- D. The site is physically suitable for Phases 4 and 5 of the Lantern Crest congregate care facility; and
- E. The site is physically suitable for the density approved for the Lantern Crest congregate care facility; and
- F. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat as all of the wildlife conservation and mitigation measures are being met under the Mitigation Monitoring and Reporting Program adopted for the Lantern Crest congregate care facility pursuant to City Council Resolution No. 068-2008; and
- G. The design of the subdivision or type of improvements are not likely to cause serious public health problems as the property has full municipal services, including sewer and water services provided by Padre Dam Municipal Water District;
- H. The design of the subdivision provides alternate easements for access through and use of property within the proposed subdivision substantially equivalent to ones previously acquired by the public; and
- I. The design of a subdivision does not affect the placement of buildings as shown in approved project plans for Conditional Use Permit P07-12, allowing for future passive, natural heating and cooling opportunities in the subdivision.

SECTION 3: TPM2022-1, dated August 9, 2022, consisting of the subdivision of a 5.72-acre parcel of land into two separate parcels, 3.74 acres and 1.98 acres respectively, located on property located within the Lantern Crest congregate care facility at 200 Lantern Crest Way (APNs: 384-142-25 & -37) in a R-22 Zone, as shown in Exhibit A, attached, is hereby approved, subject to the following conditions:

RESOLUTION NO. _____

- A. The Parcel Map shall be substantially compliant with approved project plans for Conditional Use Permit P07-12 adopted pursuant to City Council Resolution 069-2008, as determined by the City Engineer.
- B. Prior to approval of the Parcel Map, the subdivider shall have plans submitted and approved, agreements executed and securities posted in accordance with SMC Title 12 and with the conditions of approval of Conditional Use Permit P07-12, as adopted pursuant to City Council Resolution 069-2008.

SECTION 4: The terms and conditions of the Tentative Parcel Map approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to this Tentative Parcel Map and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5: Chapter 1.14 of the SMC, provides for the issuance of Administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Tentative Parcel Map or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

SECTION 6: The approval of TPM2022-1 expires on October 26, 2025 at 5:00 p.m. The Parcel Map conforming to this conditionally approved TPM2022-1 shall be filed with the City Council in time so that City Council may approve the Parcel Map before this approval expires unless a time extension for obtaining such approval of the Parcel Map is approved as provided by the Santee Subdivision Ordinance. The City Council expressly grants to the Director of Development Services the authority to extend the expiration date of this approval pursuant to Section 13.04.090.B of the SMC, when a request for an extension is filed 60 days prior to the original expiration date.

SECTION 7: Pursuant to Government Code Section 66020, the 90-day approval period in which the applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on October 27, 2022.

SECTION 8: The applicant shall defend (with counsel of City's choice, subject to reasonable approval by the applicant) the City of Santee and its officers, employees and agents from any claim, action, or proceeding against the City and/or its officers, employees or agents to attack, or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval, and further agrees to indemnify and hold harmless from all costs and expenses (including attorney's fees) associated with any such defense.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 26th day of October, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED

JOHN W. MINTO, MAYOR

ATTEST

ANNETTE ORTIZ, CMC, CITY CLERK

RESOLUTION NO. _____

**Exhibit A
Tentative Parcel Map**

[following this page]

TENTATIVE MAP LANTERN CREST – PHASE 4 & 5

LEGAL DESCRIPTION

PARCEL B OF CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 05, 2018 AS INSTRUMENT NO. 2018-0046327 OF OFFICIAL RECORDS

SITE ADDRESS

8549 GRAVES AVENUE
SANTEE, CA 92071

SITE COVERAGE PH IV

	NET AREA	BLDGS., DWYS., PVT. STS.	SITE COVERAGE
SITE	162,867 SF	86,712 SF	53.2%

FLOOR-AREA RATIO PH IV

	NET AREA	FLOOR AREA (sf)	FLOOR-AREA RATIO
SITE	162,867 SF	25,784 SF	15.8%

SITE COVERAGE PH V

	NET AREA	BLDGS., DWYS., PVT. STS.	SITE COVERAGE
SITE	86,121 SF	20,563 SF	23.9%

FLOOR-AREA RATIO PH V

	NET AREA	FLOOR AREA (sf)	FLOOR-AREA RATIO
SITE	86,121 SF	N/A	

GRADING QUANTITIES

CUT 6,400 CY
FILL 1,700 CY
EXPORT 4,700 CY

EASEMENT NOTES

5. AN EASEMENT TO THE CITY OF SANTEE, FOR THE PURPOSE OF CONSERVATION, RECORDED FEBRUARY 10, 2006, AS INSTRUMENT/ FILE NO. 2006-0100586 OF OFFICIAL RECORDS.
 6. A DOCUMENT ENTITLED "EASEMENT TERMINATION AND GRANT OF NEW NON-EXCLUSIVE EASEMENT" DATED MARCH 1, 2006, EXECUTED BY LANTERN CREST, LLC AND SANTEE RANCH PARTNERS, LLC, RECORDED APRIL 21, 2006 AS INSTRUMENT NO. 2006-0281522 OF OFFICIAL RECORDS.
 7. AN EASEMENT TO SANTEE RANCH PARTNERS, LLC, FOR THE PURPOSE OF PRIVATE STREET, RECORDED APRIL 21, 2006, AS INSTRUMENT/FILE NO. 2006-0281522 OF OFFICIAL RECORDS.
 8. A DOCUMENT ENTITLED "EXCLUSIVE EASEMENT AGREEMENT" DATED, JULY 5, 2006, EXECUTED BY LANTERN CREST, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND WILLIAM ROBERT JEWETT AND JOLYNN TERESA JEWETT, HUSBAND AND WIFE, AS JOINT TENANTS, RECORDED JULY 6, 2006 AS INSTRUMENT NO. 2006-0477456 OF OFFICIAL RECORDS.
 12. EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SHOWN OR AS OFFERED FOR DEDICATION ON THE RECORDED MAP SHOWN BELOW: PARCEL MAP NO. 200538
 - A. EASEMENT PURPOSE: FIRE AND EMERGENCY VEHICLE ACCESS
 - B. EASEMENT PURPOSE: PROPOSED PRIVATE ROAD AND UTILITY
 15. EASEMENT AND MEMORANDUM OF AGREEMENT; DATED JUNE 13, 2011, BY AND BETWEEN SANTEE SENIOR RETIREMENT COMMUNITIES, LLC AND COXCOM, LLC DBA COX COMMUNICATIONS, RECORDED DECEMBER 29, 2011 AS INSTRUMENT NO. 2011-0704546 OF OFFICIAL RECORDS.
 20. EASEMENT AND MEMORANDUM OF AGREEMENT; DATED JUNE 13, 2011, BY AND BETWEEN SANTEE SENIOR RETIREMENT COMMUNITIES, LLC AND COXCOM, LLC DBA COX COMMUNICATIONS, RECORDED DECEMBER 29, 2011 AS INSTRUMENT NO. 2011-0704546 OF OFFICIAL RECORDS.
 21. THE MATTERS CONTAINED IN AN INSTRUMENT ENTITLED "AGREEMENT TO PERFORM STORM WATER FACILITIES MAINTENANCE", BY AND BETWEEN DEVELOPMENT CONTRACTORS INC. AND THE CITY OF SANTEE UPON THE TERMS THEREIN PROVIDED RECORDED DECEMBER 9, 2014 AS INSTR. NO. 2014-0540361, OF OFFICIAL RECORDS.
 23. MATTERS CONTAINED IN DOCUMENT ENTITLED "EASEMENT AGREEMENT" BY AND BETWEEN SANTEE SENIOR RETIREMENT COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND MICHAEL AND CASSANDRA KENT, RECORDED APRIL 12, 2018 AS INSTRUMENT NO. 2018-0145174 OF OFFICIAL RECORDS.
 24. EASEMENT AND RIGHTS INCIDENTAL THERETO FOR PUBLIC UTILITIES EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY, A CORPORATION, AS SET FORTH IN A DOCUMENT RECORDED JUNE 29, 2018 AS INSTRUMENT NO. 2018-0265826 OF OFFICIAL RECORDS.
 25. EASEMENT AND RIGHTS INCIDENTAL THERETO FOR INGRESS AND EGRESS, AS SET FORTH IN A DOCUMENT RECORDED APRIL 29, 2019 AS INSTRUMENT NO. 2019-0156474 OF OFFICIAL RECORDS.
- ▲ PROPOSED EASEMENT FOR FIRE AND EMERGENCY VEHICLE ACCESS AND PROPOSED PRIVATE ROAD AND UTILITIES

ASSESSOR'S PARCEL NUMBER

384-142-25, 384-142-37

DEVELOPMENT SUMMARY

1. GROSS PROJECT AREA: 5.72 AC
2. NUMBER OF EXISTING LOTS: 1
3. NUMBER OF PROPOSED LOTS: 2
4. EXISTING ZONING: R-22 (HIGH DENSITY RESIDENTIAL)
5. PROPOSED ZONING: R-22 (HIGH DENSITY RESIDENTIAL)
6. GENERAL PLAN LAND USE DESIGNATION: RESIDENTIAL
7. EXISTING LAND USE: VACANT - PARKING LOT
8. PROPOSED LAND USE: MULTI-FAMILY RESIDENTIAL
9. NUMBER OF UNITS: 98 RESIDENTIAL UNITS
10. SETBACKS:

FRONT	10 FEET
EXT. STREET SIDE YARD	10 FEET
INTERIOR SIDE YARD	10 FEET
REAR	10 FEET
11. PARKING PROVIDED: (SEE SHEET 2)

STANDARD PARKING SPACE	91
ACCESSIBLE PARKING SPACE	7
TOTAL PARKING COUNT	98

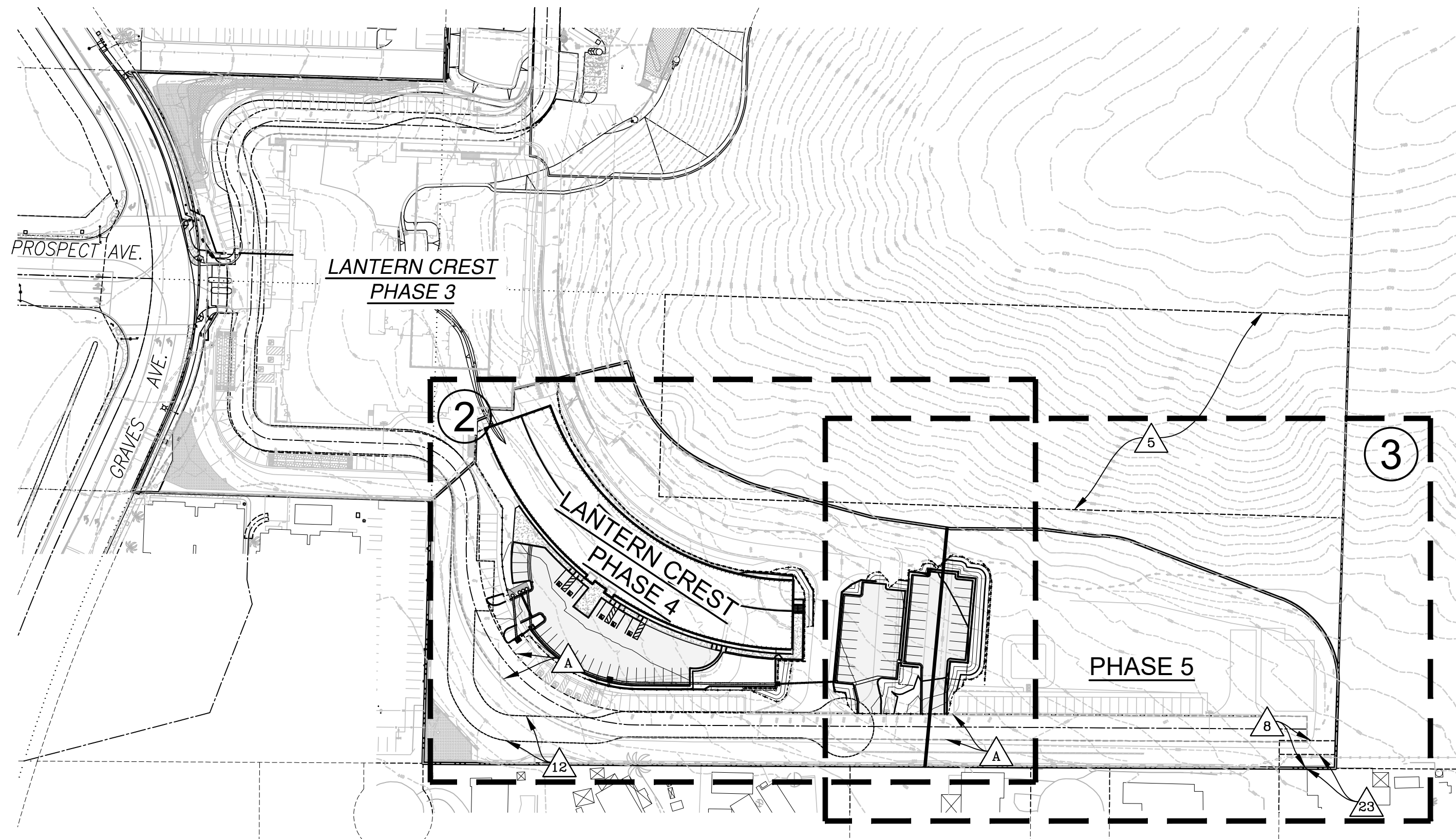
(98 REQUIRED)

PROJECT NOTES

1. TOPOGRAPHY PER AERIAL SURVEY BY KAPPA SURVEYING, FLOWN ON MARCH 31, 2015 (DATUM: NGVD 29).
2. FINISH FLOOR ELEVATIONS ARE 8" ABOVE PAD ELEVATIONS.
3. SURFACES NOT IDENTIFIED AS STREETS, SIDEWALKS, DRIVEWAYS OR HOUSES SHALL BE LANDSCAPED.
4. ALL NEW STORM DRAIN FACILITIES PROPOSED WITH THIS SUBDIVISION SHALL BE PRIVATE AND BE MAINTAINED BY THE LANTERN CREST MANAGEMENT ASSOCIATION.
5. ALL ROOF DRAINS TO DISCHARGE THROUGH SITE BMP'S AND LANDSCAPING PRIOR TO ENTERING THE PUBLIC STORM DRAIN SYSTEM

DISTRICT SERVICE

FIRE:	CITY OF SANTEE
WATER:	PADRE DAM MWD
SEWER:	LANTERN CREST (PRIVATE)
HIGH SCHOOL:	GROSSMONT UNION H.S.D.
ELEMENTARY SCHOOL:	SANTEE UNIFIED S.D.
STREET LIGHTING:	LANTERN CREST (PRIVATE)
LANDSCAPE MAINTENANCE:	LANTERN CREST (PRIVATE)

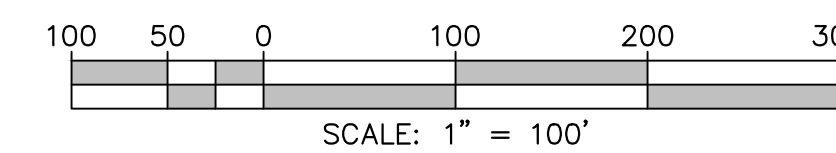


KEY MAP LEGEND

- GRADING PLAN SHEET LIMITS
- ② GRADING PLAN SHEET NO.

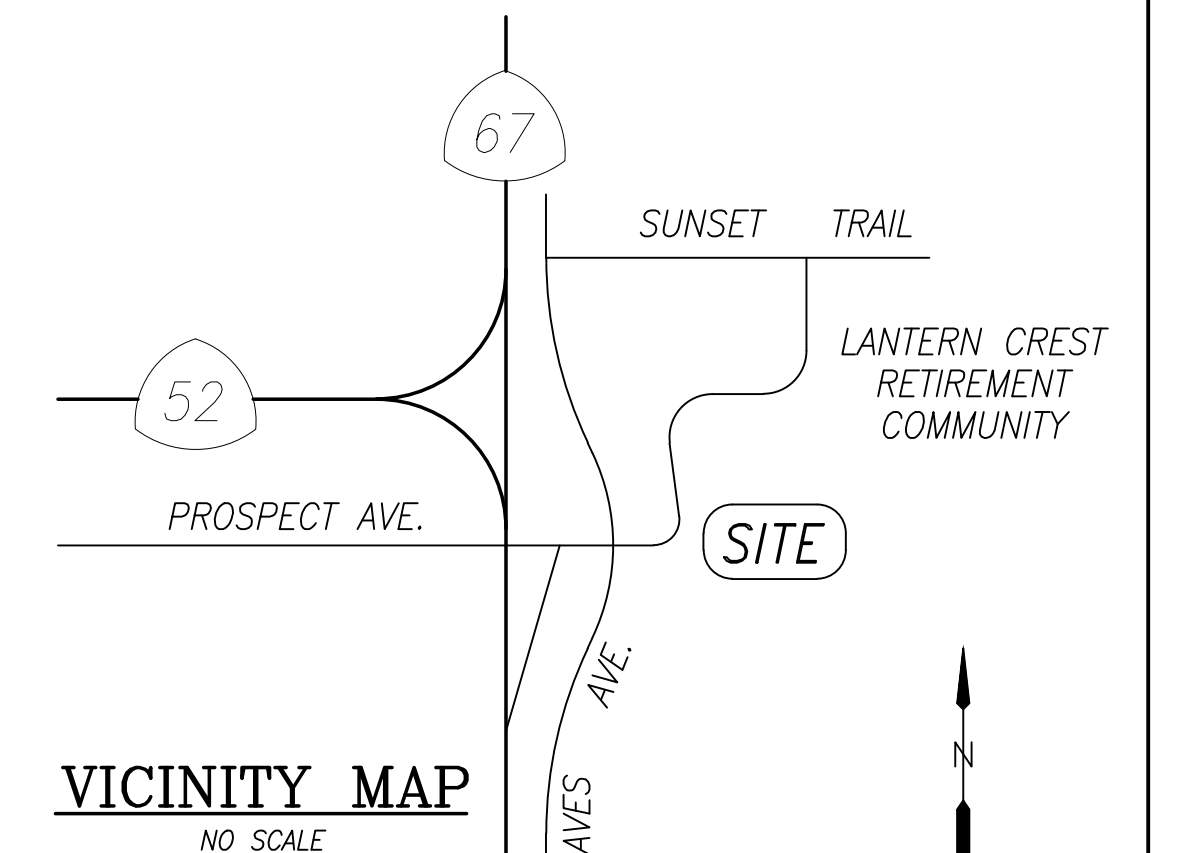
KEY MAP

SCALE: 1" = 100'



LEGEND

SYMBOL	DESCRIPTION
—	EXISTING RIGHT OF WAY
---	EXISTING LOT LINE
- - -	EXISTING EASEMENT
— W —	EXISTING WATER MAIN
— S —	EXISTING SEWER MAIN
—	EXISTING STORM DRAIN
—	EXISTING CURB
—	EXISTING BUILDING
—	EXISTING FENCE
—	EXISTING FIRE HYDRANT
—	EXISTING POWER POLE
—	PROPOSED CURB
—	PROPOSED STORM DRAIN
—	PROPOSED BUILDING
—	PROPOSED CONCRETE PAVING
—	PROPOSED BIOFILTRATION AREA (2,150 SF)
—	PROPOSED RETAINING WALL (VERTICAL STRAIGHT FACE TAN OR EQUAL) (POST AND CABLE RAILING SYSTEM TO BE INSTALLED ON TOP OF EACH WALL)
—	SAW CUT LINE
—	PROPOSED SLOPE (2:1 U.O.N.)
—	PROPOSED FINISH FLOOR ELEVATION
—	PROPOSED PAD ELEVATION
—	TYPE "B" CURB INLET
—	TYPE "F" INLET



VICINITY MAP

NO SCALE

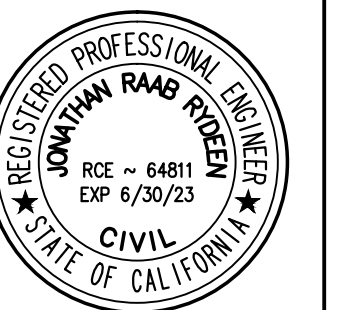
OWNER/SUBDIVIDER

DEVELOPMENT CONTRACTOR, INC.
NAME: MICHAEL GRANT
ADDRESS: 8510 RAILROAD AVENUE
SANTEE, CA 92071
PHONE: (619) 449-0249

MICHAEL GRANT DATE
FOR: SANTEE SENIOR RETIREMENT COMMUNITIES III, LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY

ENGINEER OF WORK

REC CONSULTANTS, INC.
2442 SECOND AVENUE
SAN DIEGO, CA 92101
(619)232-9200 (619)232-9210 FAX



JONATHAN RAAB RYDEEN DATE
R.C.E. 64811 EXP. 6-30-23

August 9, 2022

SHEET 1 CITY OF SANTEE OF 3 SHEETS

TENTATIVE MAP
LANTERN CREST – PHASE 4 & 5

CONSTRUCTION NOTES

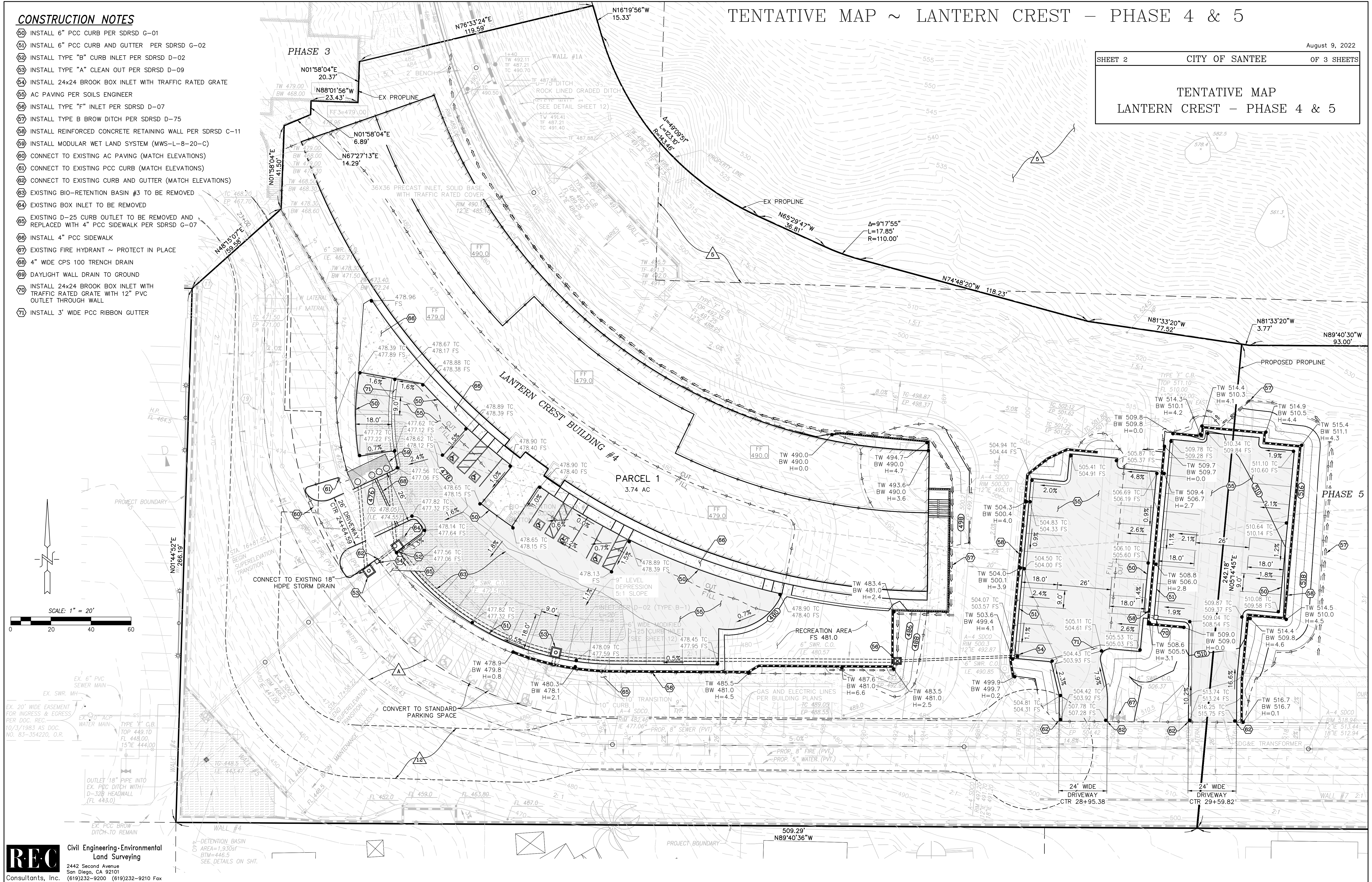
- 60 INSTALL 6" PCC CURB PER SDRSD G-01
- 61 INSTALL 6" PCC CURB AND GUTTER PER SDRSD G-02
- 62 INSTALL TYPE "B" CURB INLET PER SDRSD D-02
- 63 INSTALL TYPE "A" CLEAN OUT PER SDRSD D-09
- 64 INSTALL 24x24 BROOK BOX INLET WITH TRAFFIC RATED GRATE
- 65 AC PAVING PER SOILS ENGINEER
- 66 INSTALL TYPE "F" INLET PER SDRSD D-07
- 67 INSTALL TYPE B BROW DITCH PER SDRSD D-75
- 68 INSTALL REINFORCED CONCRETE RETAINING WALL PER SDRSD C-11
- 69 INSTALL MODULAR WET LAND SYSTEM (MWS-L-8-20-C)
- 70 CONNECT TO EXISTING AC PAVING (MATCH ELEVATIONS)
- 71 CONNECT TO EXISTING PCC CURB (MATCH ELEVATIONS)
- 72 CONNECT TO EXISTING CURB AND GUTTER (MATCH ELEVATIONS)
- 73 EXISTING BIO-RETENTION BASIN #3 TO BE REMOVED
- 74 EXISTING BOX INLET TO BE REMOVED
- 75 EXISTING D-25 CURB OUTLET TO BE REMOVED AND REPLACED WITH 4" PCC SIDEWALK PER SDRSD G-07
- 76 INSTALL 4" PCC SIDEWALK
- 77 EXISTING FIRE HYDRANT ~ PROTECT IN PLACE
- 78 4" WIDE CPS 100 TRENCH DRAIN
- 79 DAYLIGHT WALL DRAIN TO GROUND
- 80 INSTALL 24x24 BROOK BOX INLET WITH TRAFFIC RATED GRATE WITH 12" PVC OUTLET THROUGH WALL
- 81 INSTALL 3" WIDE PCC RIBBON GUTTER

TENTATIVE MAP ~ LANTERN CREST - PHASE 4 & 5

August 9, 2022

SHEET 2 CITY OF SANTEE OF 3 SHEETS

TENTATIVE MAP
LANTERN CREST - PHASE 4 & 5



REC Civil Engineering-Environmental
Land Surveying
2442 Second Avenue
San Diego, CA 92101
Consultants, Inc. (619)232-9200 (619)232-9210 Fax

TENTATIVE MAP ~ LANTERN CREST - PHASE 4 & 5

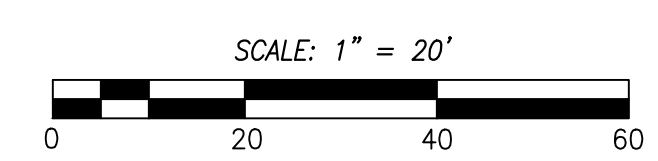
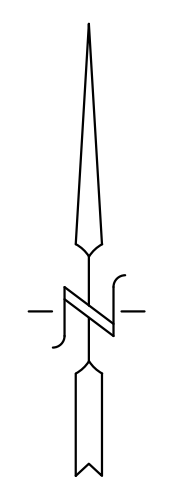
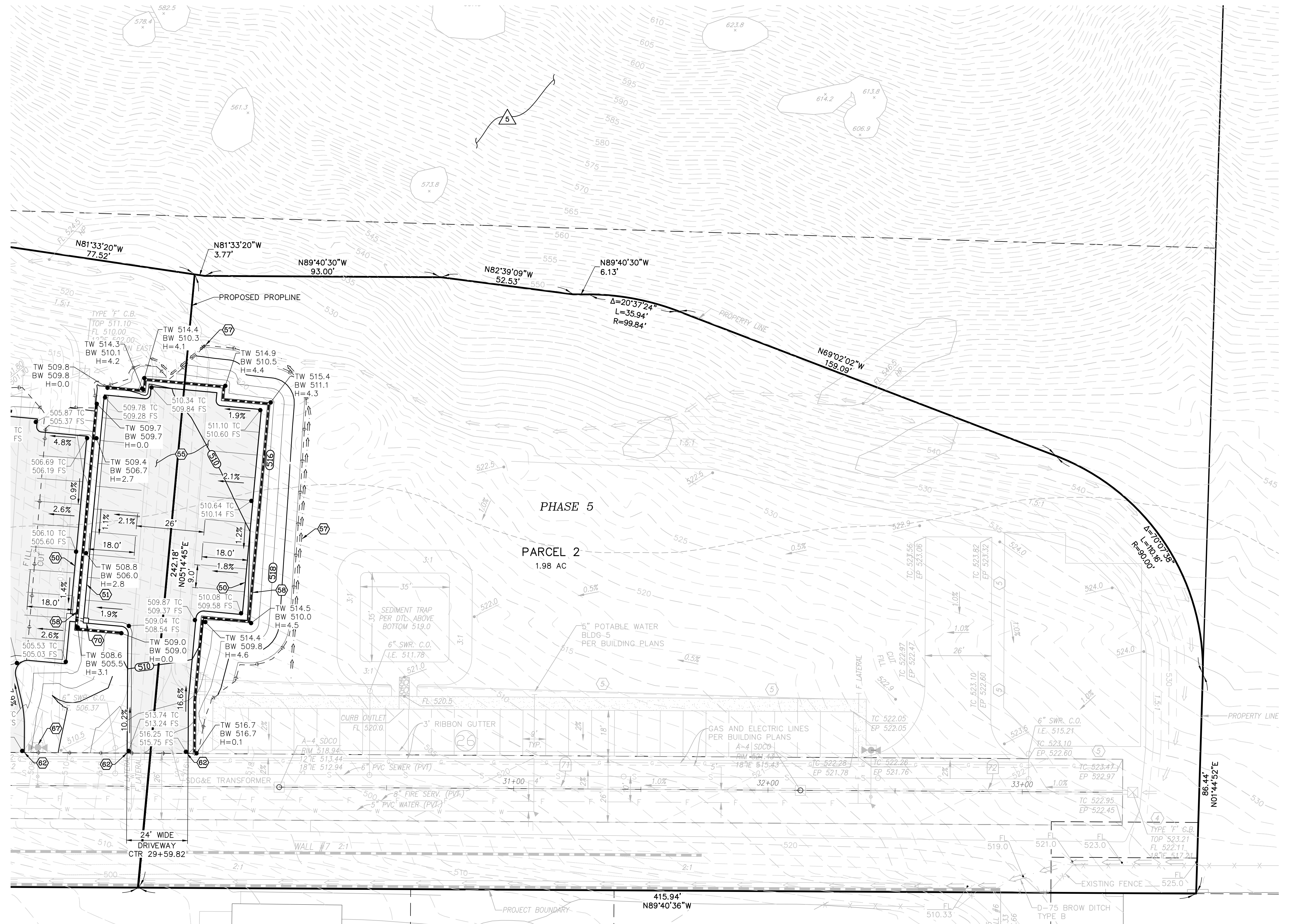
August 9, 2022

SHEET 3 CITY OF SANTEE OF 3 SHEETS

TENTATIVE MAP LANTERN CREST - PHASE 4 & 5

CONSTRUCTION NOTES

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Land Surveying
2442 Second Avenue
San Diego, CA 92101
Consultants, Inc. (619)232-9200 (619)232-9210 Fax

MEETING DATE October 26, 2022

ITEM TITLE SECOND READING AND ADOPTION OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AMENDING THE ZONING DISTRICT MAP IN ACCORDANCE WITH REZONE R2021-2 AND AMENDING TITLE 13 (“ZONING ORDINANCE”) OF THE CITY OF SANTEE MUNICIPAL CODE IN ACCORDANCE WITH ZONING ORDINANCE AMENDMENT ZOA2021-2, RELATED TO THE HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION PROJECT

DIRECTOR/DEPARTMENT Chris Jacobs, Development Services ↵

SUMMARY

On October 12, 2022, the City Council approved the Housing Element Rezone Program Implementation Project (“Project”), which implements Programs 9 and 10 of the adopted 6th Cycle Housing Element and results in adequate housing capacity to accommodate the City’s State-mandated Regional Housing Needs Allocation (RHNA) and meets the City’s overarching goal of meeting the housing needs of all economic segments of the community. The Project approval included the introduction and First Reading of two ordinances: one ordinance amends the Zoning District Map to rezone 19 properties throughout the City in accordance with the adopted Housing Element Sites Inventory; and the other ordinance amends Title 13 of the Santee Municipal Code to establish a new By-Right Housing chapter, modify provisions of the Mixed Use District Overlay, and add a density range of 30 to 36 dwelling units per acre to the R-30 (Urban Residential) Zone. Project sites within the Town Center are not part of this item, as they were reclassified as part of Town Center Specific Plan Amendment TCSPA2021-2, approved by City Council Resolution No. 127-2022 on October 12, 2022. The Ordinances are now presented for Second Reading by title only, and adoption.

ENVIRONMENTAL REVIEW

On October 12, 2022, the City Council adopted Resolution No. 125-2022, certifying the Final Program Environmental Impact Report (“EIR”) (SCH #2021100263) for the Project adopting Findings of Fact and a Statement of Overriding Considerations under the California Environmental Quality Act, and adopting a Mitigation Monitoring and Reporting Program.

FINANCIAL STATEMENT HS

The total project cost is \$222,805.00, which is funded by a \$150,000.00 Local Early Action Program (LEAP) Grant from the State of California and a previous appropriation of \$72,805.00 from the General Fund Reserve. The total project cost reflects a not-to-exceed consultant cost of \$172,805.00 and out-of-contract costs of \$50,000.00 for legal review.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION MSB

1. Present Rezone Ordinance R2021-2 for Second Reading by title only and adopt; and
2. Present Zoning Amendment Ordinance ZOA2021-2 for Second Reading by title only and adopt.

ATTACHMENTS

Staff Report
Ordinances



SECOND READING AND ADOPTION OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AMENDING THE ZONING DISTRICT MAP IN ACCORDANCE WITH REZONE R2021-2 AND AMENDING TITLE 13 (“ZONING ORDINANCE”) OF THE CITY OF SANTEE MUNICIPAL CODE IN ACCORDANCE WITH ZONING ORDINANCE AMENDMENT ZOA2021-2, RELATED TO THE HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION PROJECT

CITY COUNCIL MEETING

October 26, 2022

STAFF REPORT

BACKGROUND

Housing Element

The City’s current Housing Element was adopted by the City Council on May 11, 2022 and covers the Sixth Cycle planning period from April 15, 2021 to April 15, 2029. The Housing Element is a mandatory element of the City’s General Plan and in accordance with California Government Code Section 65585 must be certified by the California Department of Housing and Community Development (HCD) as meeting strict statutory requirements. A primary purpose of the housing element is to “make adequate provision for the housing needs of all economic segments of the community.” [California Government Code §65580(d)]. The housing element must include a program with a “schedule of actions” that the jurisdiction will undertake to implement the housing element’s policies and achieve its goals and objectives (§ 65583(c)¹.) The program must identify adequate sites for a variety of housing types and accommodate the Regional Housing Needs Allocation (RHNA) for all income levels. (§ 65583(c).) As part of the Housing Element, the City also has the duty to Affirmatively Further Fair Housing ((§§ 8899.50, 12900, et seq.). The adopted 6th Cycle Housing Element meets all of these statutory requirements.

Through the Sites Inventory, the Housing Element identifies sites that can accommodate housing for all economic segments of the community. The Sites Inventory was crafted to allow a diversity in housing types with a range of densities from seven dwelling units per acre to 36 dwelling units per acre. The Sites Inventory also identifies housing sites in high opportunity areas as part of the City’s commitment to affirmatively further fair housing. As part of the preparation of the 6th Cycle Housing Element Sites Inventory, City Staff also evaluated the appropriateness and effectiveness of the 5th Cycle Housing Element Sites Inventory in contributing to the attainment of the State housing goal and in the attainment of the community’s housing goals and objectives in accordance with Government Code Section 65588(a). For this reason, two sites along Graves Avenue, which were on the 5th Cycle Sites Inventory, were proposed for rezoning as Staff was aware that the sites were difficult to develop, and remained undeveloped in the 5th Housing Element Cycle, due to airport land use constraints. In addition, R-22 and R-30 sites in the Town Center north of the river were difficult to develop in the 5th Housing Element Cycle due to the high-density

¹ All references to the California Government Code unless otherwise noted.

requirements and No Net Loss Issues under Senate Bill 166, as presented to the City Council on January 23, 2019. As a result of downzoning these properties, HCD required the City to identify and commit to rezoning 25 acres of land that could accommodate by-right housing at a target density of 30 dwelling units per acre. In addition, developers had difficulty developing a housing product in the R-30 zone at its prescribed density of exactly 30 dwelling units per acre. As such, these sites were proposed for downzone with the 6th Cycle Housing Element Sites Inventory and a density range of 30 to 36 dwelling units was proposed to make housing development in the R-30 Zone more viable.

Sites along Summit Avenue were selected because they are already developed by single-family residences, are highly disturbed, are in a high opportunity area, and because they have the potential to foster the development of small lot, single-family housing to meet the need for this housing product, as most of the housing product identified in the Housing Element Sites Inventory is for much higher density multifamily residential housing. Absent these sites, the Housing Element would not support a diversity of housing types for ALL economic segments of the community.

While the goal in crafting the Housing Element Sites Inventory was to meet the RHNA, the City also had an obligation under State Housing law to ensure that the Sites Inventory would result in a realistic housing capacity (§ 65583) and support residential development to meet the needs of all economic segments of the community. In the 5th Cycle Housing Element planning period, the City became aware that solely meeting the RHNA was not sufficient to support housing production, especially in light of Senate Bill 166. In the 5th Cycle period, predating No Net Loss requirements under Senate Bill 166, many sites identified for low income and moderate income housing capacity were developed with market-rate or above moderate income housing. During the 5th Housing Element Cycle, of the 3,660-unit RHNA requirement, 1,369 above moderate units were built and only 113 moderate income and 53 low income units were built, despite the City having rezoned properties with higher densities to support moderate and lower income housing.

Although the State prescribes a default density and property size that can support moderate and low income housing, the City cannot mandate the construction of low or moderate income on such sites, and as has been the case for the City, most of these sites have been developed with above moderate income housing. As such, the 6th Cycle Housing Element Sites Inventory was created anticipating that not all sites identified for low or moderate income capacity would be developed with low or moderate income housing. Merely meeting the RHNA of 1,219 units would not result in the City's overarching goal of meeting the housing needs of all economic segments of the community. Therefore, sites were assessed not solely for how they would contribute to RHNA, but how they would support housing production throughout the Housing Element planning period and support other Housing Element goals, such as providing future households with access to transit, schools, parks, and jobs. Many of the higher density rezone sites are in the City's Town Center, with easy access to these resources. As a result of these factors, the Housing Element Sites Inventory resulted in 2,110 dwelling units, which meets the City's RHNA, but also supports other goals and objectives of the Housing Element.

The Housing Element was transmitted to HCD for review and approval on May 12, 2022. After review by HCD, the adopted Housing Element was determined to be substantially compliant with State Housing Law. HCD had previously vetted and approved the Housing Element Sites Inventory and corresponding rezones program as part of this review and previous reviews as detailed in letters dated March 29, 2021, October 18, 2021 and April 14, 2022. However, as outlined in HCD's review letter dated July 12, 2022, full certification of the Housing Element is contingent upon implementation of the subject Housing Element Rezone Program, which would result in the rezoning of 25 properties identified in the Housing Element Sites Inventory.

The rezones would allow the City to meet its Housing Element goals and objectives. Under Assembly Bill 1398, the statutory deadline for adoption of these rezones is April 15, 2022. Hence, the City is already several months past its statutory deadline to adopt these rezones. Further delay would have severe implications for the City. Assembly Bill 101 establishes a detailed framework for enforcement actions against cities when HCD finds the jurisdiction's housing element to be noncompliant with State law. After notification by HCD of a noncompliant housing element, the Attorney General may request a court order directing compliance by the city, with fines of up to \$100,000 per month levied against the City. Not achieving certification would also result in the City not qualifying for many State grants. Therefore, these rezones are required to comply with State Housing Law and to avoid these adverse implications to the City.

Measure N

Measure N passed in November 2020 requires voter approval for development actions that would increase residential density or intensify land use over that currently permitted by the General Plan; however, an express exception is contained in the text of the Measure for actions related to the adoption and implementation of the Housing Element, as without this exception, the Measure would create conflict with State housing law and goals. More specifically, the Measure provides that the voter approval requirement "shall not apply where the General Plan amendment is necessary to comply with state or federal law governing the provision of housing, including, but not limited to affordable housing requirements." To trigger this exception in the Measure, the City Council must make certain findings, which it made at its meeting on October 12, 2022 and which are proposed for adoption again with this action. As explained below, there is substantial evidence in the record for these findings since the Housing Element and corresponding rezones are required in order to comply with State housing law and facilitate the City's overarching goal of fostering the development of housing for all economic segments of the community. Therefore, Measure N does not apply to the adoption of the Housing Element and the Housing Element Rezone Program Implementation Project.

Specifically, as set forth above, the adoption of Housing Element Rezone Program is necessary to comply with State law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. The adoption of the City's Housing

Element, which occurred on May 11, 2022, creates a mandatory duty to take the actions mandated in the Element. Rezone Ordinance R2021-2 and Zoning Amendment Ordinance ZA2021-2 are necessary to comply with State law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

The Housing Element Rezone Program permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. To satisfy SB 166 No Net Loss requirements, the 6th Cycle Sites Inventory includes a 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Sites do not typically develop at their maximum allowed density or at their targeted income levels, and other sites may not develop at all. Therefore, to actually meet the City's RHNA numbers in good faith, the proposed rezones are necessary and legally required.

The City's Site Inventory has also been approved by HCD. Sites included in a housing element must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation, have been selected in accordance with State law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy State housing law.

Because the proposed rezones are required to meet State Housing Law, as confirmed by HCD, Measure N, by its express terms, does not apply to this action. Formal findings required by Measure N are contained in the proposed actions before the Council.

Public Notification

The public and affected property owners had numerous opportunities to provide input on the draft Sites Inventory as part of the update to the Housing Element, with the first City Council workshop evaluating potential housing sites being held on March 11, 2020. Early in the update process potentially affected property owners were mailed letters apprising them of the City's interest in their properties as housing sites, with the first set of letters sent via certified mail on July 17, 2019. Notices, newspaper publications, and website postings were completed as part of the Housing Element update process, which included the preparation of the Sites Inventory and corresponding rezone program.

RECOMMENDATION

1. Present Rezone Ordinance R2021-2 for Second Reading by title only and adopt; and
2. Present Zoning Amendment Ordinance ZA2021-2 for Second Reading by title only and adopt.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING REZONE R2021-2 TO AMEND THE ZONING DISTRICT MAP IN
ACCORDANCE WITH THE HOUSING ELEMENT REZONE PROGRAM
IMPLEMENTATION PROJECT**

(APPLICANT: CITY OF SANTEE)

**APNs: 378-190-01, 378-180-10, 378-180-09, 378-180-08, 378-180-07, 378-180-29,
378-210-21, 378-210-20, 378-180-28, 378-180-20, 381-031-07, 381-690-28,
384-162-04, 384-020-07, 384-020-12, 386-300-31, 386-300-09, 386-300-10,
379-030-31, 387-061-11, & 387-061-12**

RELATED CASE FILES: TCSPA2021-2, GPA2021-2, ZA2021-2, AEIS2021-3

WHEREAS, on May 11, 2022 the City Council adopted the Sixth Cycle Housing Element (“Housing Element”), a mandatory element of the City’s General Plan and the City’s main housing policy and planning document that identifies housing needs and constraints, sets forth goals, policies and programs that address these needs and constraints, and plans for projected housing needs for all income levels based on the City’s assigned Regional Housing Needs Allocation (RHNA); and

WHEREAS, the Housing Element includes a Sites Inventory, which identifies 34 suitable sites throughout the City that can adequately accommodate the required housing capacity set forth by the City’s RHNA which for the 2021-2029 6th Cycle planning period is 1,219 housing units; and

WHEREAS, of the 34 sites identified in the Housing Element Sites Inventory, 25 require rezones in order to achieve the City’s required RHNA capacity; and

WHEREAS, of the 25 sites requiring rezones, eight are located within the Town Center Specific Plan are not a part of this Ordinance; and

WHEREAS, of the 25 sites requiring rezones, 17 sites require Zoning District Map amendments to various residential zoning classifications to maintain consistency between the General Plan and Zoning Ordinance and are identified as Sites 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 24, 25, 29, 30, and 35 in the Housing Element Sites Inventory and further identified by Assessor’s Parcel Numbers (APNs) 378-190-01, 378-180-10, 378-180-09, 378-180-08, 378-180-07, 378-180-29, 378-210-21, 378-210-20, 378-180-28, 378-180-20, 381-031-07, 381-690-28, 384-162-04, 384-020-07, 384-020-12, 386-300-31, 386-300-09, 386-300-10, 379-030-31; and

WHEREAS, two additional sites along Graves Avenue, identified by APNs 387-061-11, & 387-061-12 also require Zoning District Map amendments from the R-14 Zone to the General Commercial Zone as part of the Housing Element Rezone Program Implementation Project (“Project”) in order to remove them from consideration as housing sites due to airport land use constraints; and

ORDINANCE NO. _____

WHEREAS, Programs 9 and 10 of the Housing Element are collectively referred to as the Housing Element Rezone Program; and

WHEREAS, Program 9 of the Housing Element requires the City to rezone these sites within one year of Housing Element adoption to achieve adequate housing capacity as mandated by the State and in order to achieve certification of the adopted Housing Element by the California Department of Housing and Community Development (HCD); and

WHEREAS, as part of the Housing Element Rezone Program, a Zoning District Map amendment is required to modify the land uses throughout the City as reflected in the Housing Element Sites Inventory; and

WHEREAS, upon adoption of the Housing Element, the City has endeavored to implement the Housing Element Rezone Program in a timely manner; and

WHEREAS, the Project was assessed for potential environmental impacts on a programmatic level and a Program Environmental Impact Report (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) has been prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Program Environmental Impact Report (Program EIR) identifies all potential impacts that would result from Project implementation at a programmatic level and identifies mitigation measures that future development would implement to reduce identified potentially significant effects; and

WHEREAS, the Program EIR identifies potential impacts that would remain significant and unavoidable with Project implementation for issue areas including Air Quality, Greenhouse Gas Emissions, Land Use & Planning, Noise, and Transportation; and

WHEREAS, the Draft Program EIR was circulated for a 45-day public review and comment period from June 17, 2022 to August 1, 2022 during which time one comment letter was received, which did not identify any new environmental issues requiring substantial revisions to the Program EIR or further environmental review; and

WHEREAS, a Final Program EIR has been prepared with responses to comments received on the Draft Program EIR, a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations; and

WHEREAS, on September 30, 2022 a notice of public hearing on the Project was published in the East County Californian Newspaper and mailed to property owners, agencies, and other interested parties; and

WHEREAS, on October 12, 2022, the City Council held a duly advertised public hearing on the Project, consisting of Rezone R2021-2 and the related case files; and

ORDINANCE NO. _____

WHEREAS, the City Council considered the staff report, all recommendations by staff, the Final Revised EIR, the entire record, and all public testimony; and

WHEREAS, the City Council has certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act for the Project and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project. The City Council hereby incorporates by reference, as if fully set forth herein, the Resolution certifying the Final Program EIR and adopting the Findings of Fact, and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

SECTION 1: The Zoning District Map is hereby amended to change the zoning classifications of Sites 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 24, 25, 29, 30, and 35 as listed and described in the Housing Element Sites Inventory and as depicted in Exhibits A through M, attached hereto and incorporated herein. The amended zoning classifications are compatible with adjacent land uses and the goals of the General Plan, specifically Goal 6.0 of the Land Use Element to promote development of a well-balanced and functional mix of residential, commercial, open space, recreation, and civic uses that will create and maintain a high quality environment and Objective 5.0 of the Housing Element to encourage the provision of a wide range of housing by location, type of unit, and price to meet the existing and future needs of Santee residents to the maximum extent possible.

SECTION 2: The Zoning District Map is hereby amended to change the zoning classification of two sites along Graves Avenue, identified by APNs 387-061-11 & 387-061-12, respectively 3.69 and 2.26 acres in size, from the R-14 Zone to the General Commercial Zone, as depicted in Exhibits A, N & O, attached hereto and incorporated herein. Both sites were identified in the 5th Cycle Housing Element Sites Inventory, but due to difficulty in developing homes on the sites due to airport land use constraints, remain undeveloped and, as such, the sites are proposed for re-designation to the more appropriate General Commercial land use designation which would allow uses more compatible with the Gillespie Field Airport Land Use Compatibility Plan.

SECTION 3: The Rezone R2021-2 furthers the State-wide goal of providing additional housing and is consistent with the adopted Housing Element of the General Plan. In the current 6th Housing Element cycle (2021-2029), Santee is required to provide capacity to add 1,219 housing units serving a variety of income levels. To achieve this, vacant and underutilized properties are identified in the Housing Element for potential residential development. The change in Zoning District Map zoning classifications would provide the capacity for approximately 498 additional housing units which assists the City in achieving the State-mandated housing targets.

ORDINANCE NO. _____

SECTION 4: On October 12, 2022, the City Council certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed Project to the extent feasible, including the Rezone contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

SECTION 5: Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element; and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

B. The City Council finds that this Resolution permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. Government Code section 65863 (SB 166 or No Net Loss) requires that cities must maintain adequate sites throughout the eight-year Housing Element planning period so that if a site is developed for another use, the city will have to find new sites to ensure there is an ongoing supply of sites available to accommodate the portion of the RHNA that has not yet been built. To satisfy No Net Loss requirements, the 6th Cycle Sites Inventory includes an 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Accordingly, no greater density is permitted beyond what is necessary to accommodate the required housing, accounting for No Net Loss pursuant to Government Code section 65863.

C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element must be real, developable, and

ORDINANCE NO. _____

adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 12th day of October, 2022, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 26th day of October, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

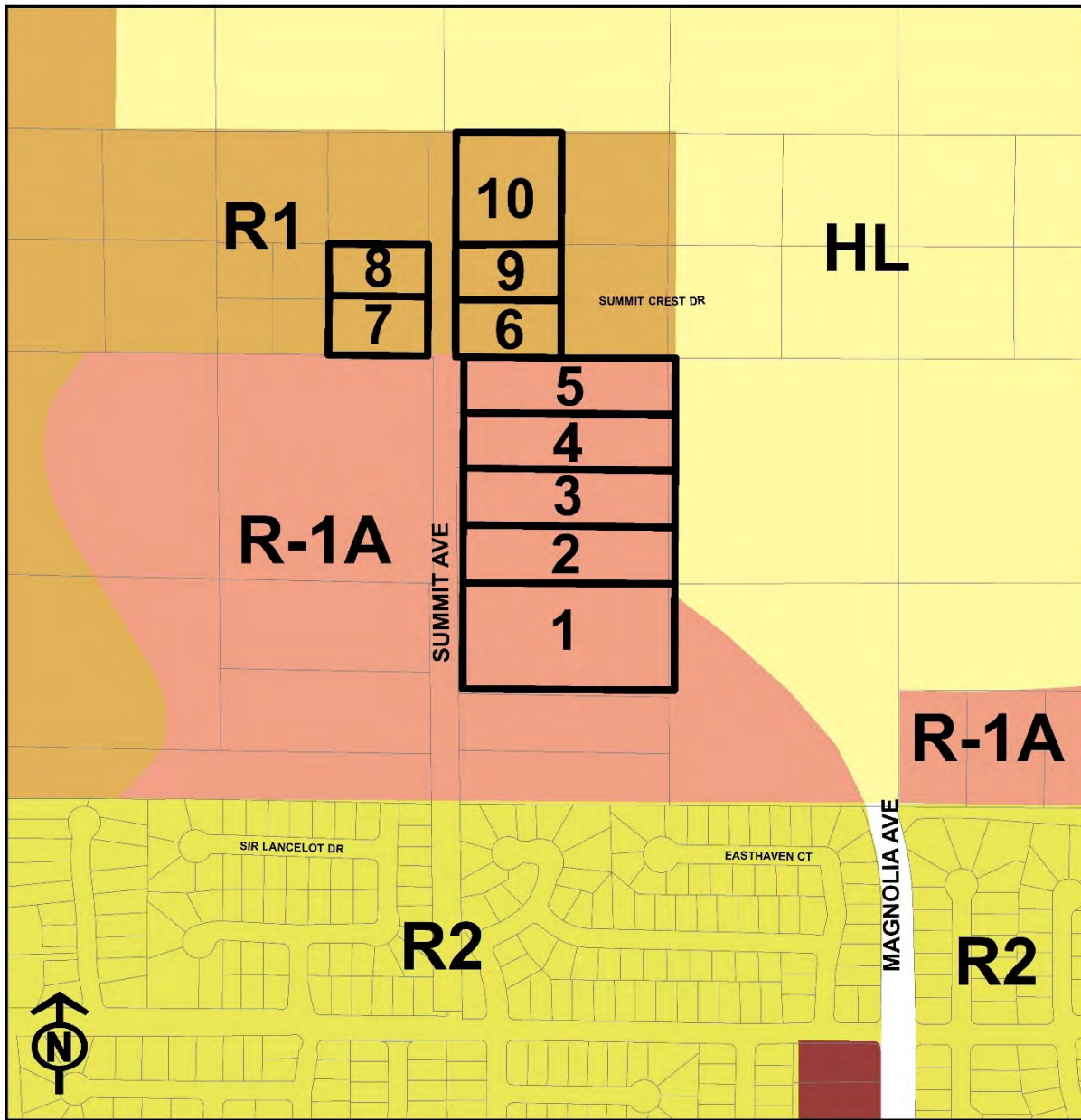
ATTACHMENTS

Exhibit A: Zoning District Map Amendments List
Exhibits B through O: Existing Zones and
Proposed Zones

EXHIBIT A: ZONING DISTRICT MAP AMENDMENTS LIST

Site Map ID #	APN	Address	Lot Size (Acres)	Current Zone	Proposed Zone
1	378-190-01	10939 Summit Ave	4.65	R-1A	R-7
2	378-180-10	11009 Summit Ave	2.32	R-1A	R-7
3	378-180-09	11025 Summit Ave	2.32	R-1A	R-7
4	378-180-08	11041 Summit Ave	2.32	R-1A	R-7
5	378-180-07	11059 Summit Ave	2.32	R-1A	R-7
6	378-180-29	10215 Summit Crest	1.16	R-1	R-7
7	378-210-21	11010 Summit Ave	1.15	R-1	R-7
8	378-210-20	11020 Summit Ave	1.02	R-1	R-7
9	378-180-28	11115 Summit Ave	1.16	R-1	R-7
10	378-180-20	11129 Summit Ave	2.32	R-1	R-7
11	381-031-07	9945 Conejo Rd	1.19	R-2	R-7
12	381-690-28	9960 Conejo Rd	0.86	R-2	R-7
24	384-162-04	9953 Buena Vista	4.80	R-2	R-22
25	384-020-07 & -12	8801 Olive Ln	2.93	IL	R-14
29	386-300-31	7737 Mission Gorge	3.25	GC	R-22
30	386-300-09 & -10	8714 Starpine Dr	1.30	R-7/GC	R-22
35	379-030-31	Mast Blvd	47.45	POS/R-2/IL	POS/R-7
X1	387-061-11	Graves Ave	3.69	R-14	GC
X2	387-061-12	Graves Ave	2.26	R-14	GC

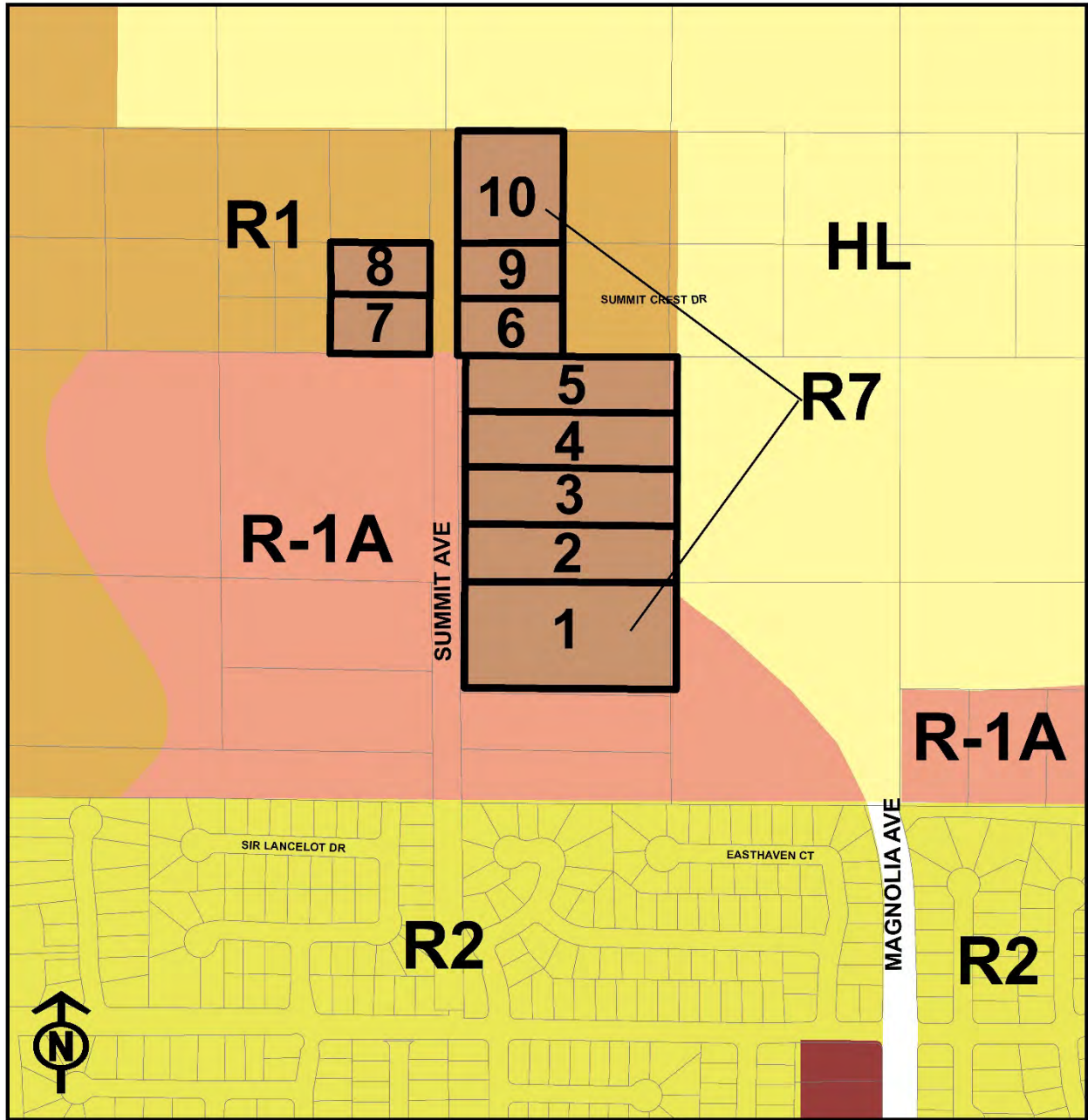
EXHIBIT B: EXISTING ZONING CLASSIFICATIONS



- Subject Sites
- HL (Hillside/Limited Residential)
- R1 (Low Density Residential)
- R-1A (Low Density Residential)
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)

Site Map ID #	APN	Address
1	378-190-01	10939 Summit Ave
2	378-180-10	11009 Summit Ave
3	378-180-09	11025 Summit Ave
4	378-180-08	11041 Summit Ave
5	378-180-07	11059 Summit Ave
6	378-180-29	10215 Summit Crest
7	378-210-21	11010 Summit Ave
8	378-210-20	11020 Summit Ave
9	378-180-28	11115 Summit Ave
10	378-180-20	11129 Summit Ave

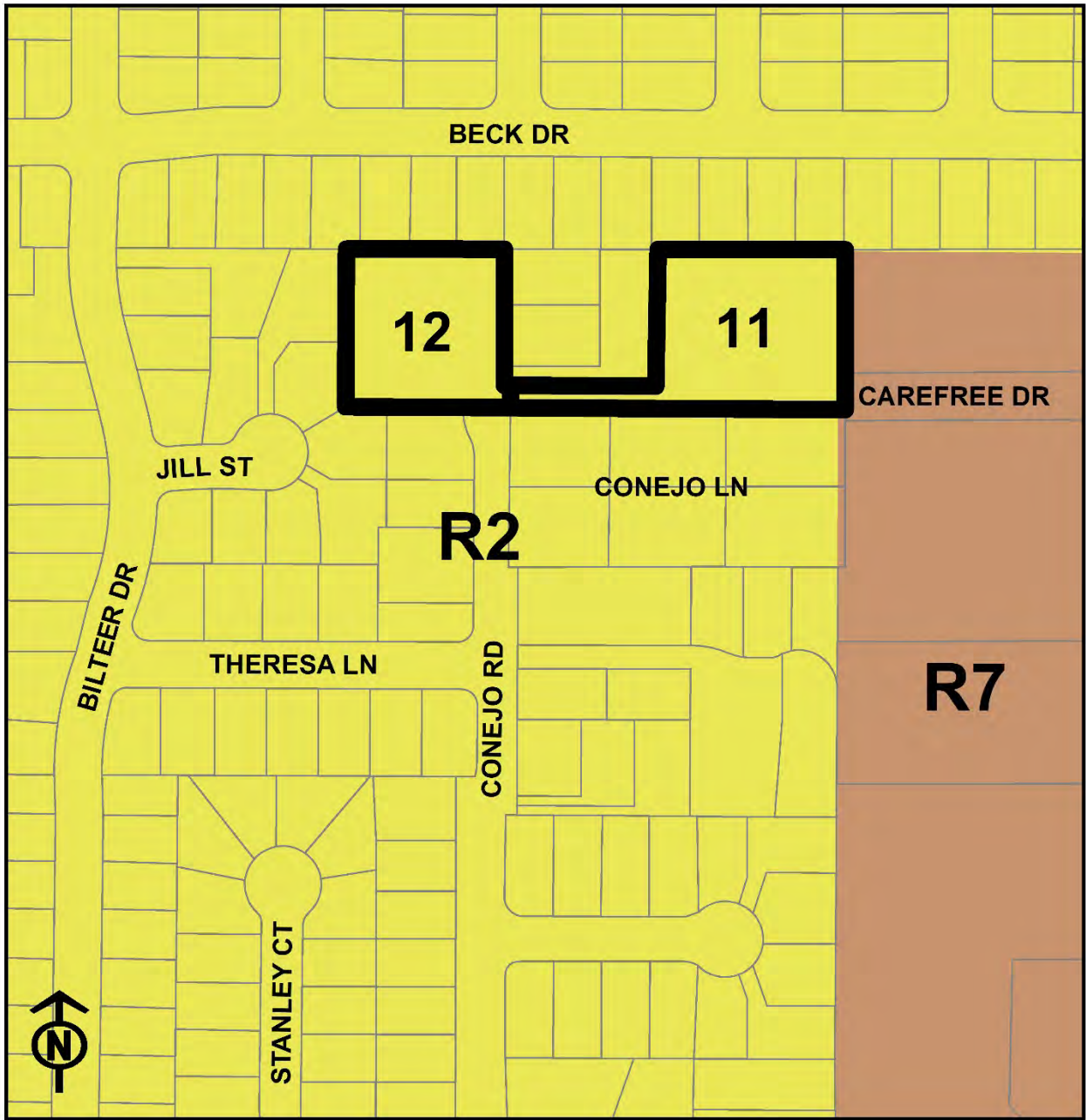
EXHIBIT C: PROPOSED ZONING CLASSIFICATIONS



- Subject Sites
- HL (Hillside/Limited Residential)
- R1 (Low Density Residential)
- R-1A (Low Density Residential)
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)

Site Map ID #	APN	Address
1	378-190-01	10939 Summit Ave
2	378-180-10	11009 Summit Ave
3	378-180-09	11025 Summit Ave
4	378-180-08	11041 Summit Ave
5	378-180-07	11059 Summit Ave
6	378-180-29	10215 Summit Crest
7	378-210-21	11010 Summit Ave
8	378-210-20	11020 Summit Ave
9	378-180-28	11115 Summit Ave
10	378-180-20	11129 Summit Ave

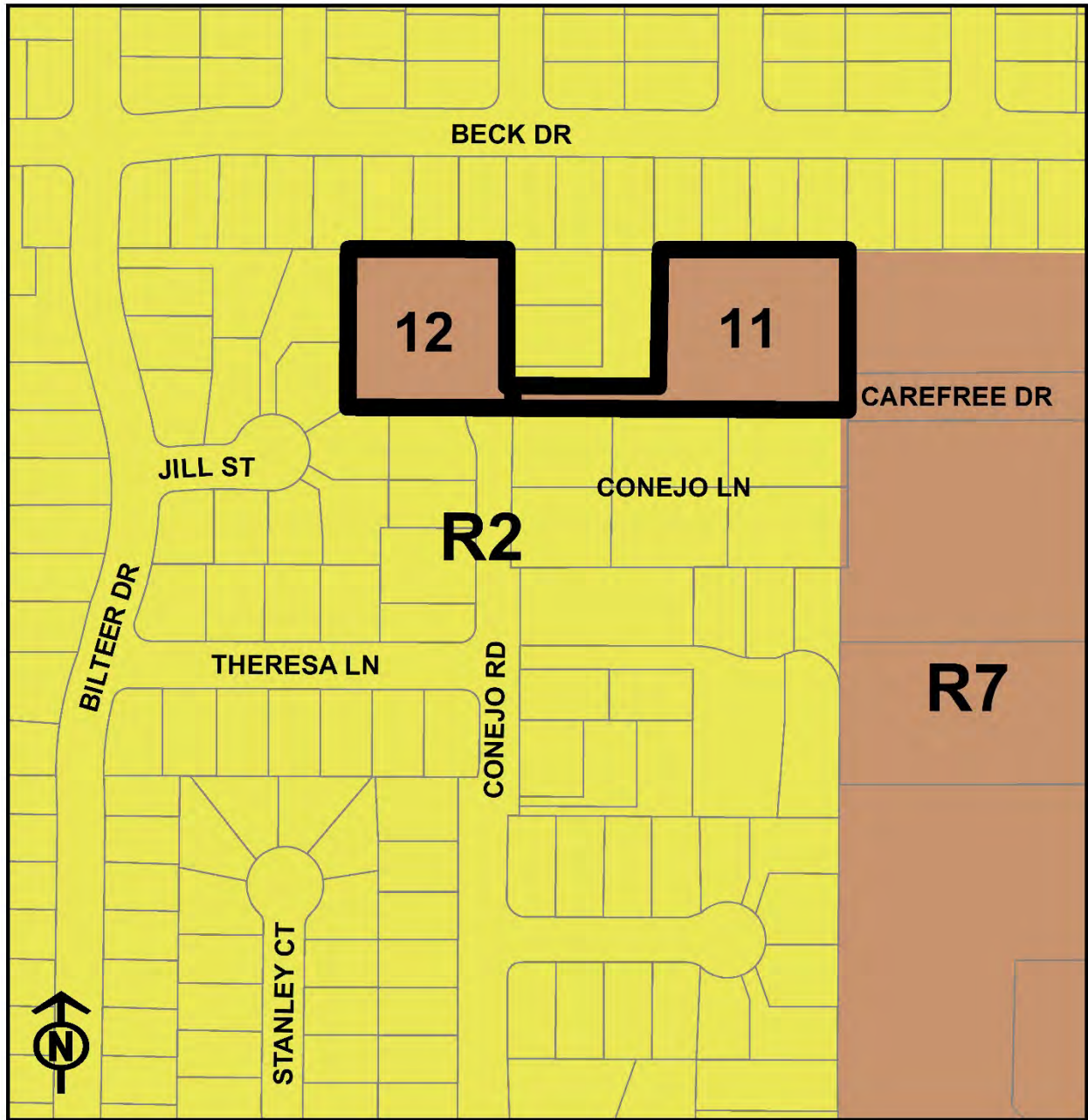
EXHIBIT D: EXISTING ZONING CLASSIFICATIONS



- Subject Sites
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)

Site Map ID #	APN	Address
11	381-031-07	9945 Conejo Rd
12	381-690-28	9960 Conejo Rd

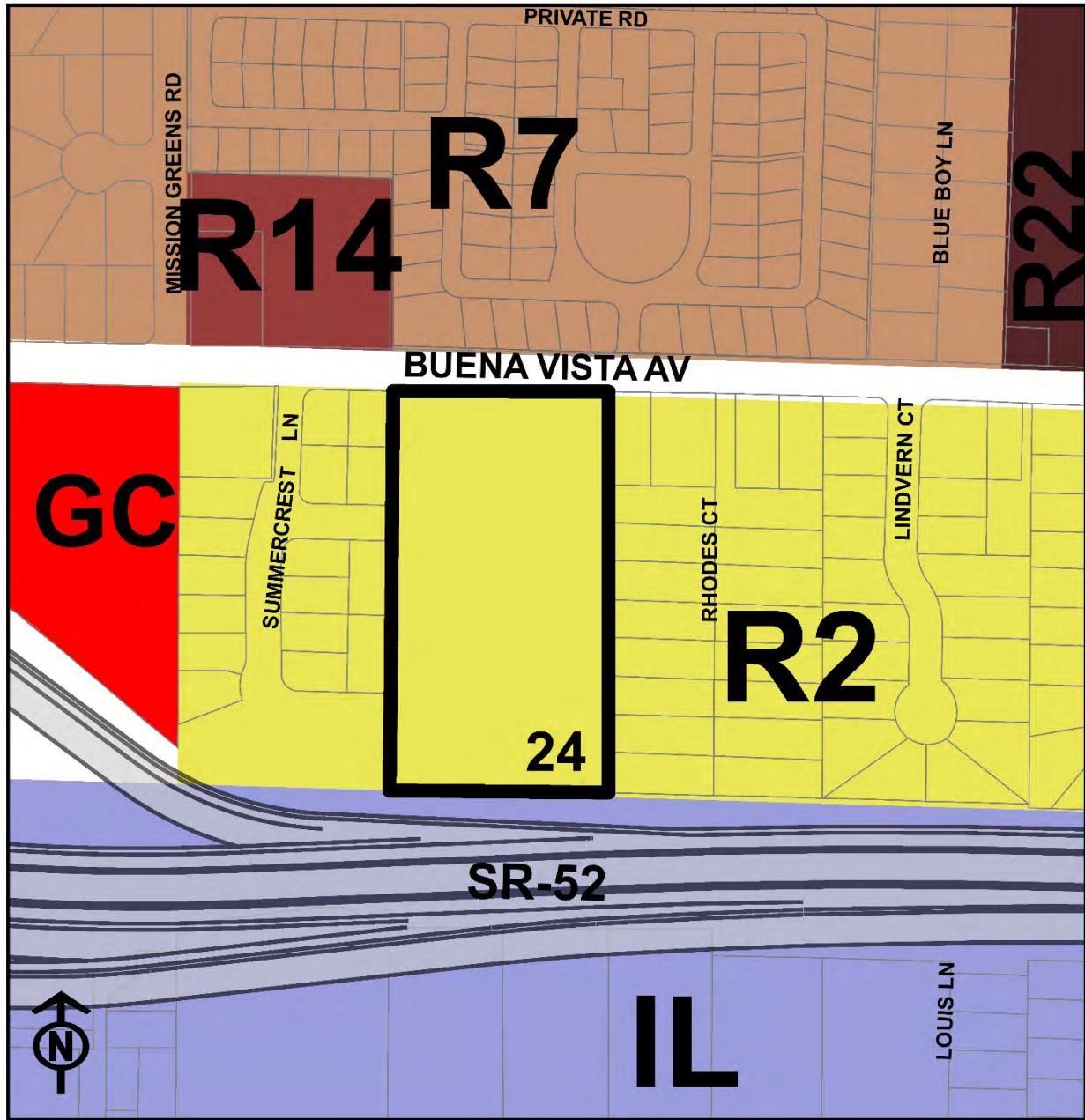
EXHIBIT E: PROPOSED ZONING CLASSIFICATIONS



- Subject Sites
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)

Site Map ID #	APN	Address
11	381-031-07	9945 Conejo Rd
12	381-690-28	9960 Conejo Rd

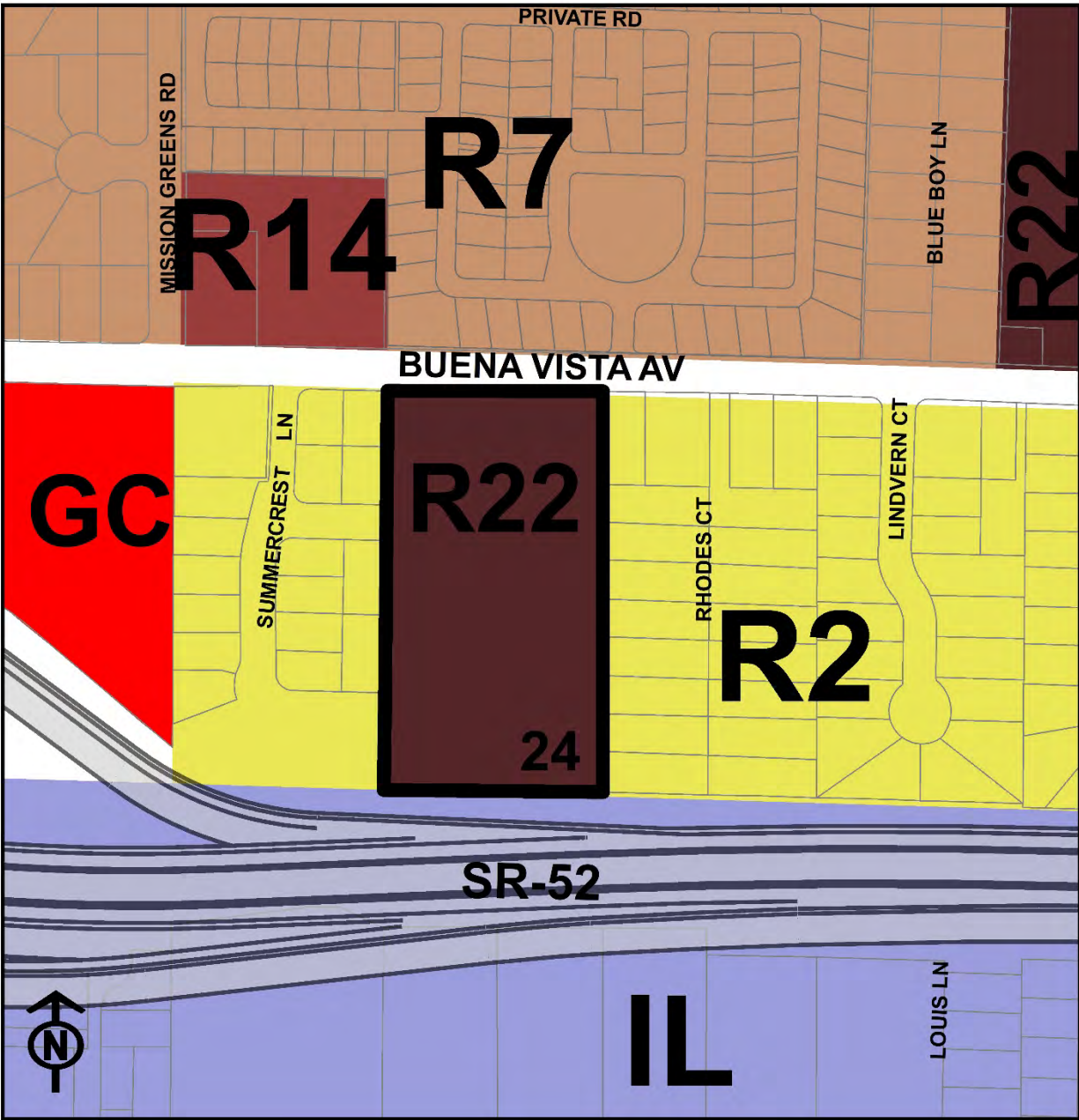
EXHIBIT F: EXISTING ZONING CLASSIFICATIONS



-  Subject Site
-  R2 (Low-Medium Density Residential)
-  R7 (Medium Density Residential)
-  R14 (Medium-High Density Residential)
-  R22 (High Density Residential)
-  GC (General Commercial)
-  IL (Light Industrial)

Site Map ID #	APN	Address
24	384-162-04	9953 Buena Vista

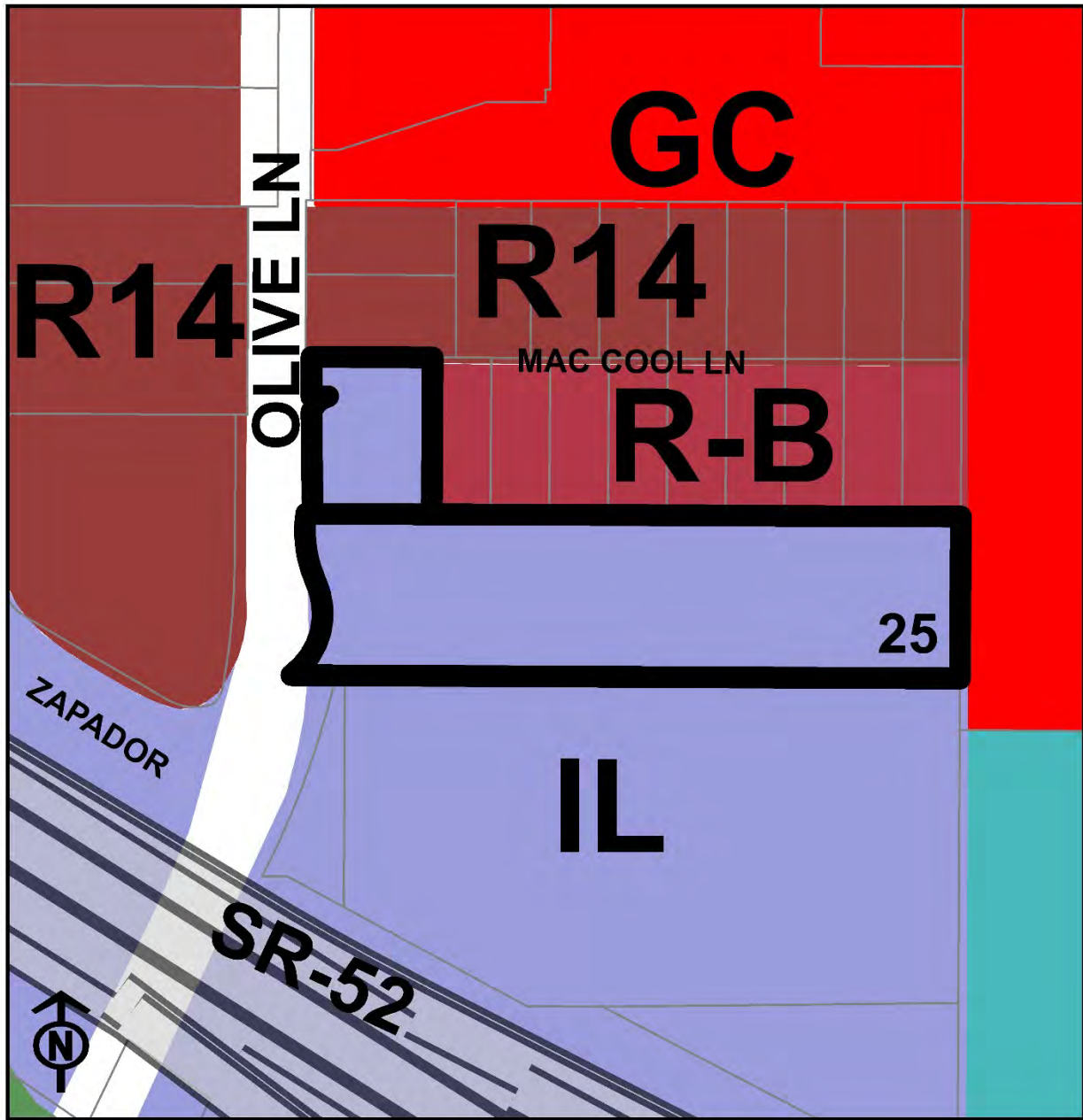
EXHIBIT G: PROPOSED ZONING CLASSIFICATIONS



- Subject Site
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)
- R14 (Medium-High Density Residential)
- R22 (High Density Residential)
- GC (General Commercial)
- IL (Light Industrial)

Site Map ID #	APN	Address
24	384-162-04	9953 Buena Vista

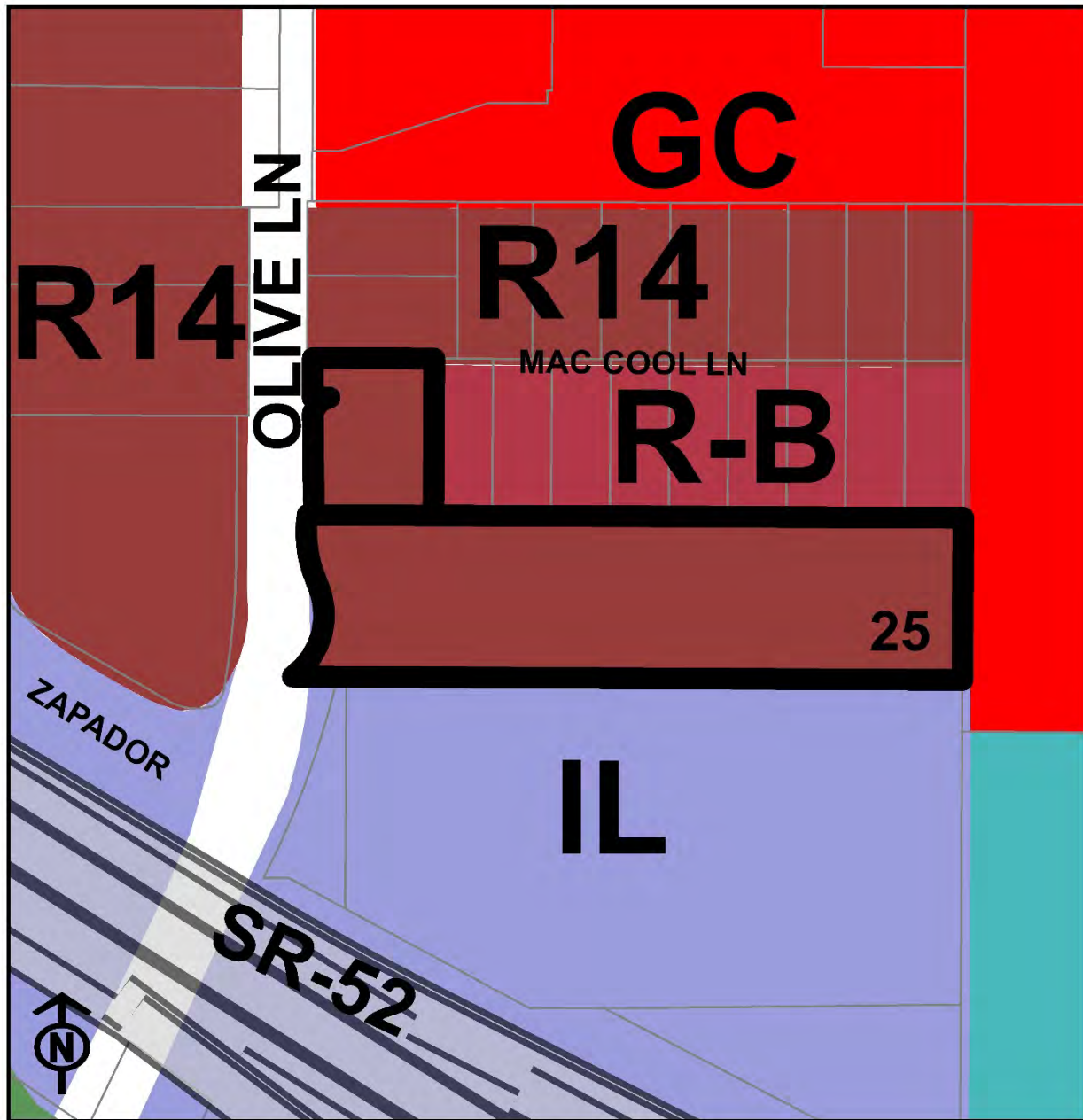
EXHIBIT H: EXISTING ZONING CLASSIFICATIONS



-  Subject Site
-  R14 (Medium-High Density Residential)
-  IL (Light Industrial)
-  GC (General Commercial)
-  R-B (Residential Business)

Site Map ID #	APN	Address
25	384-020-07 & -12	8801 Olive Ln

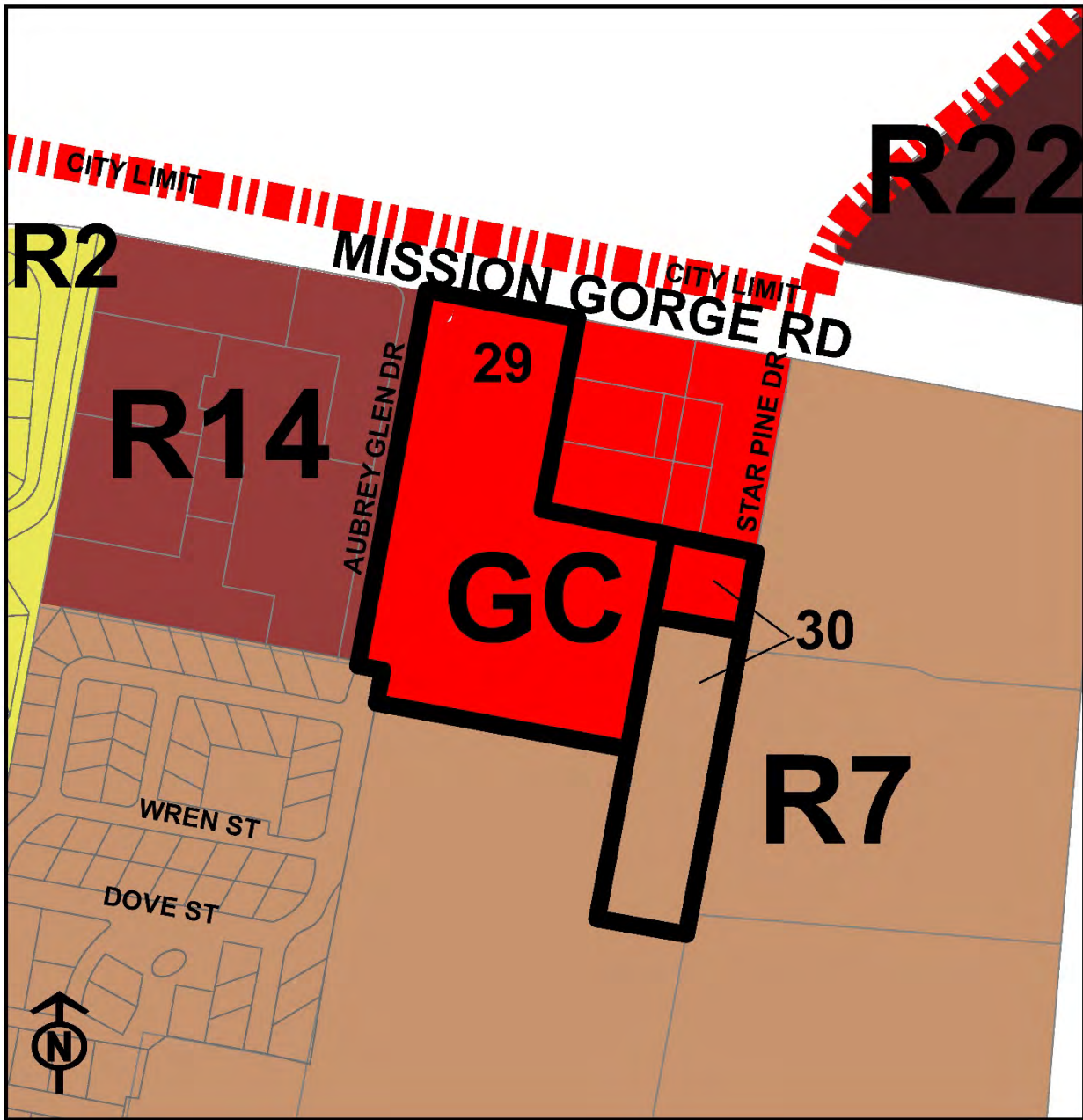
EXHIBIT I: EXISTING ZONING CLASSIFICATIONS



-  Subject Site
-  R14 (Medium-High Density Residential)
-  IL (Light Industrial)
-  GC (General Commercial)
-  R-B (Residential Business)

Site Map ID #	APN	Address
25	384-020-07 & -12	8801 Olive Ln

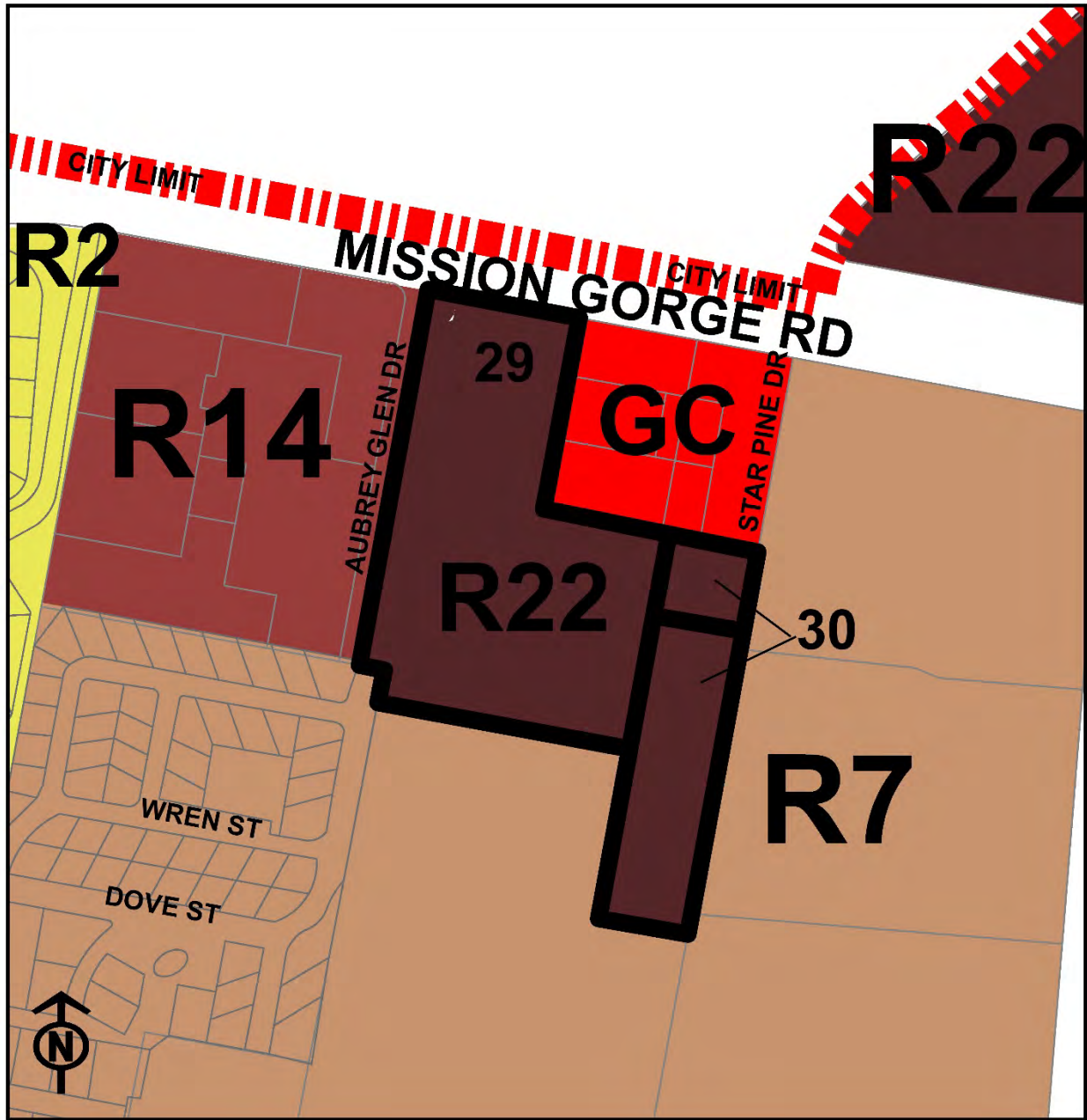
EXHIBIT J: EXISTING ZONING CLASSIFICATIONS



- Subject Sites
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)
- R14 (Medium-High Density Residential)
- R22 (High Density Residential)
- GC (General Commercial)

Site Map ID #	APN	Address
29	386-300-31	7737 Mission Gorge
30	386-300-09 & -10	8714 Starpine Dr

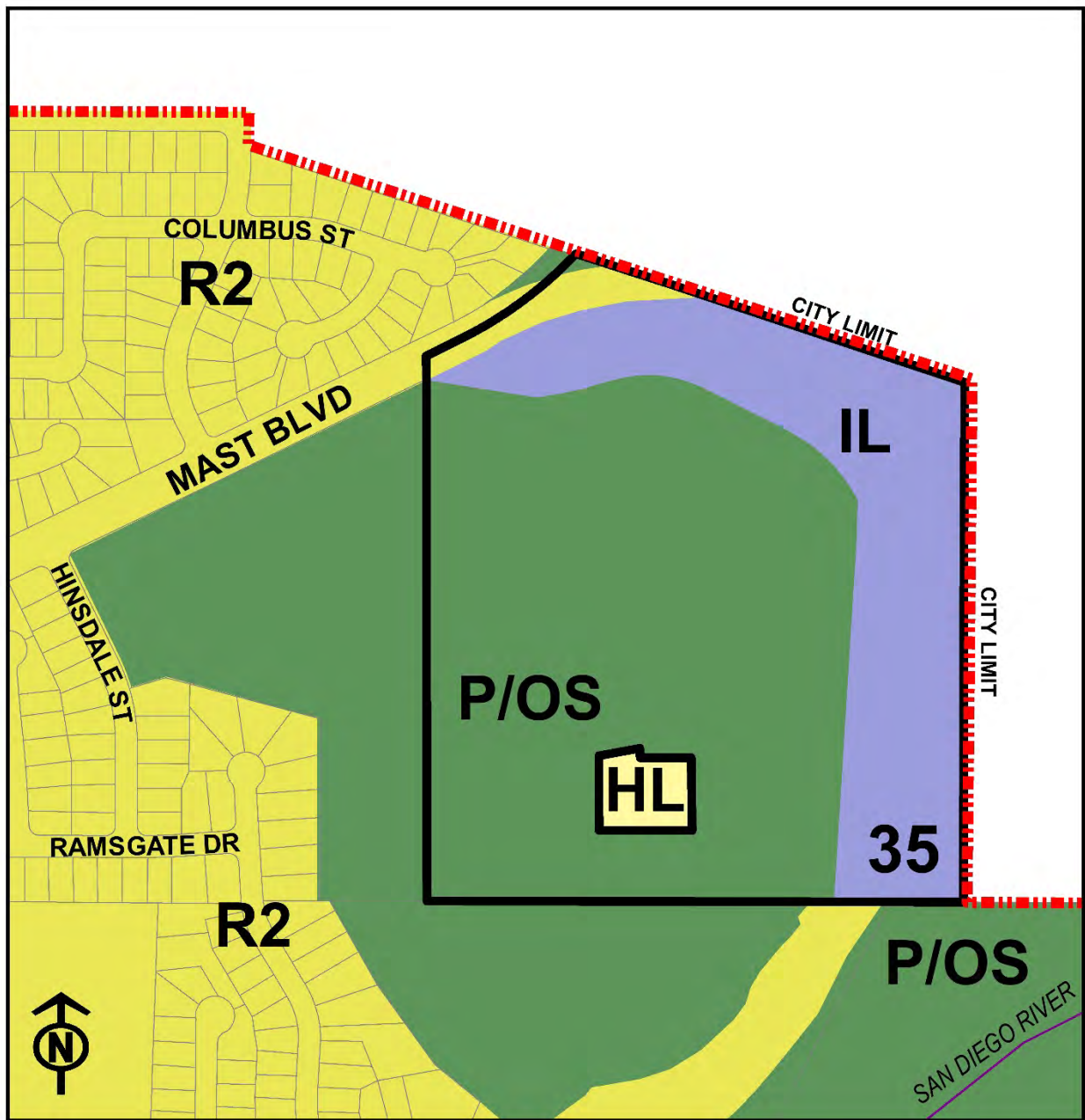
EXHIBIT K: PROPOSED ZONING CLASSIFICATIONS



-  Subject Sites
-  R2 (Low-Medium Density Residential)
-  R7 (Medium Density Residential)
-  R14 (Medium-High Density Residential)
-  R22 (High Density Residential)
-  GC (General Commercial)

Site Map ID #	APN	Address
29	386-300-31	7737 Mission Gorge
30	386-300-09 & -10	8714 Starpine Dr

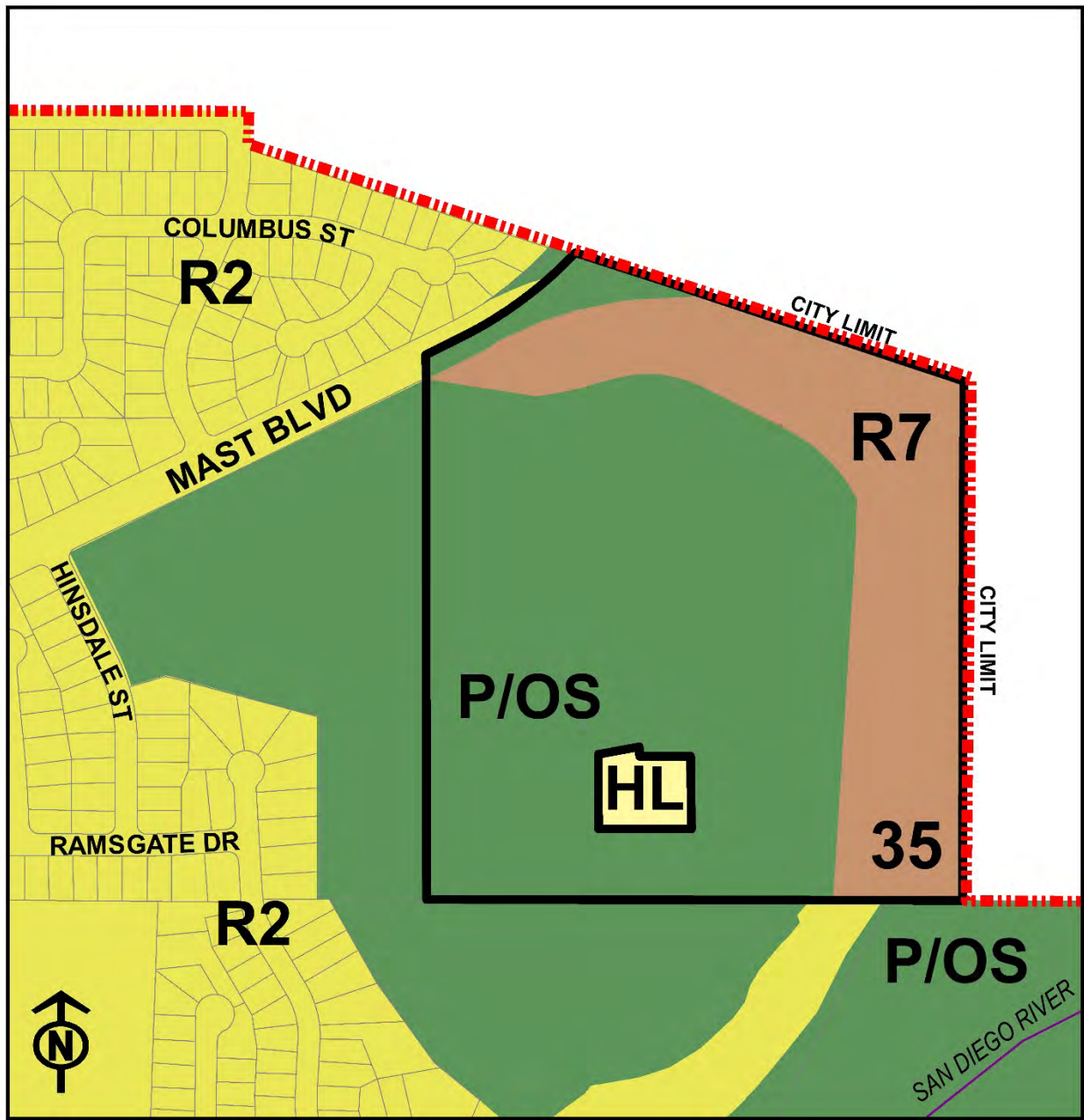
EXHIBIT L: EXISTING ZONING CLASSIFICATIONS



- Subject Site
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)
- IL (Light Industrial)
- P/OS (Park/Open Space)

Site Map ID #	APN	Address
35	379-030-31	Mast Blvd

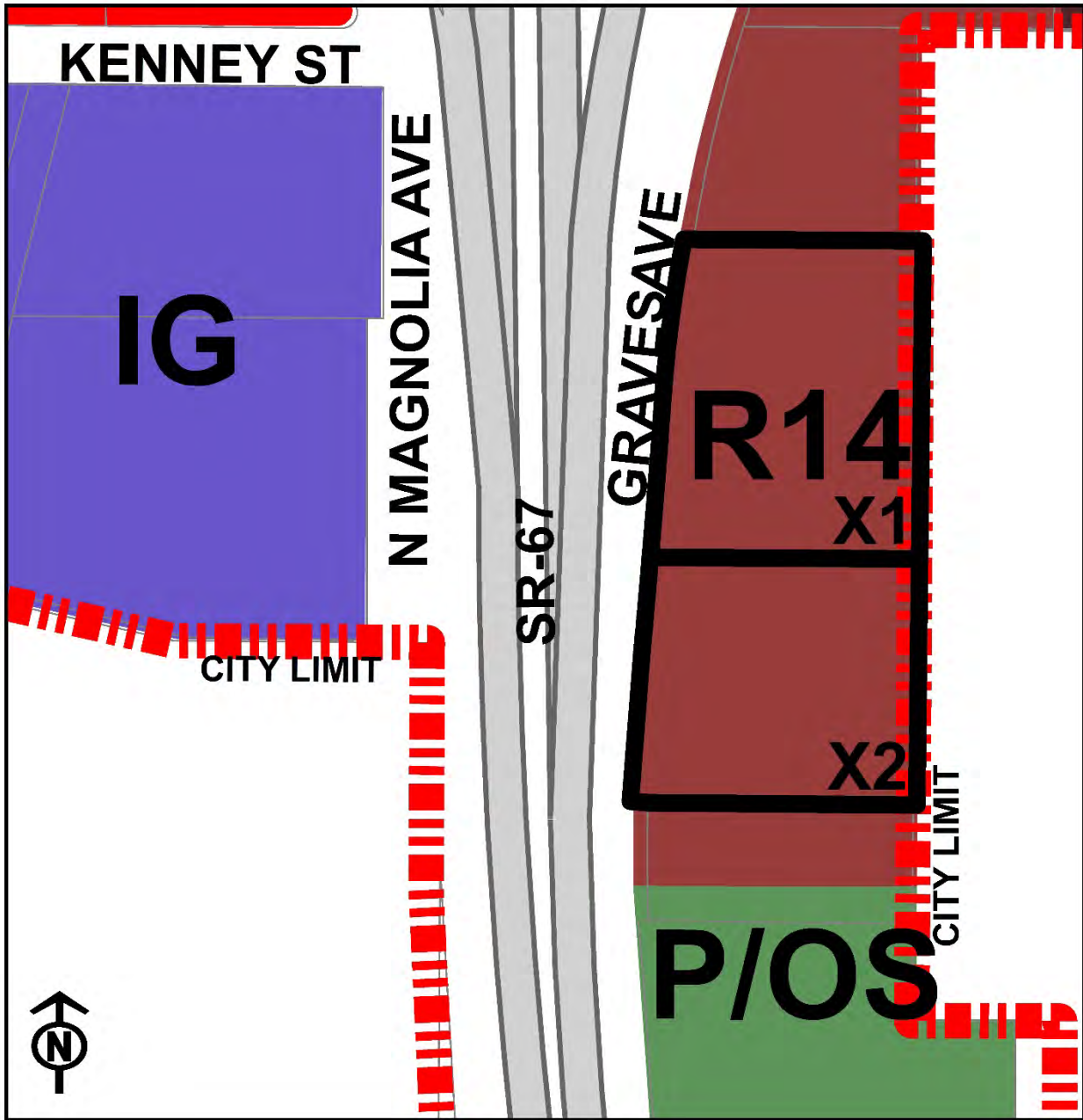
EXHIBIT M: PROPOSED ZONING CLASSIFICATIONS



- Subject Site
- R2 (Low-Medium Density Residential)
- R7 (Medium Density Residential)
- IL (Light Industrial)
- P/OS (Park/Open Space)

Site Map ID #	APN	Address
35	379-030-31	Mast Blvd

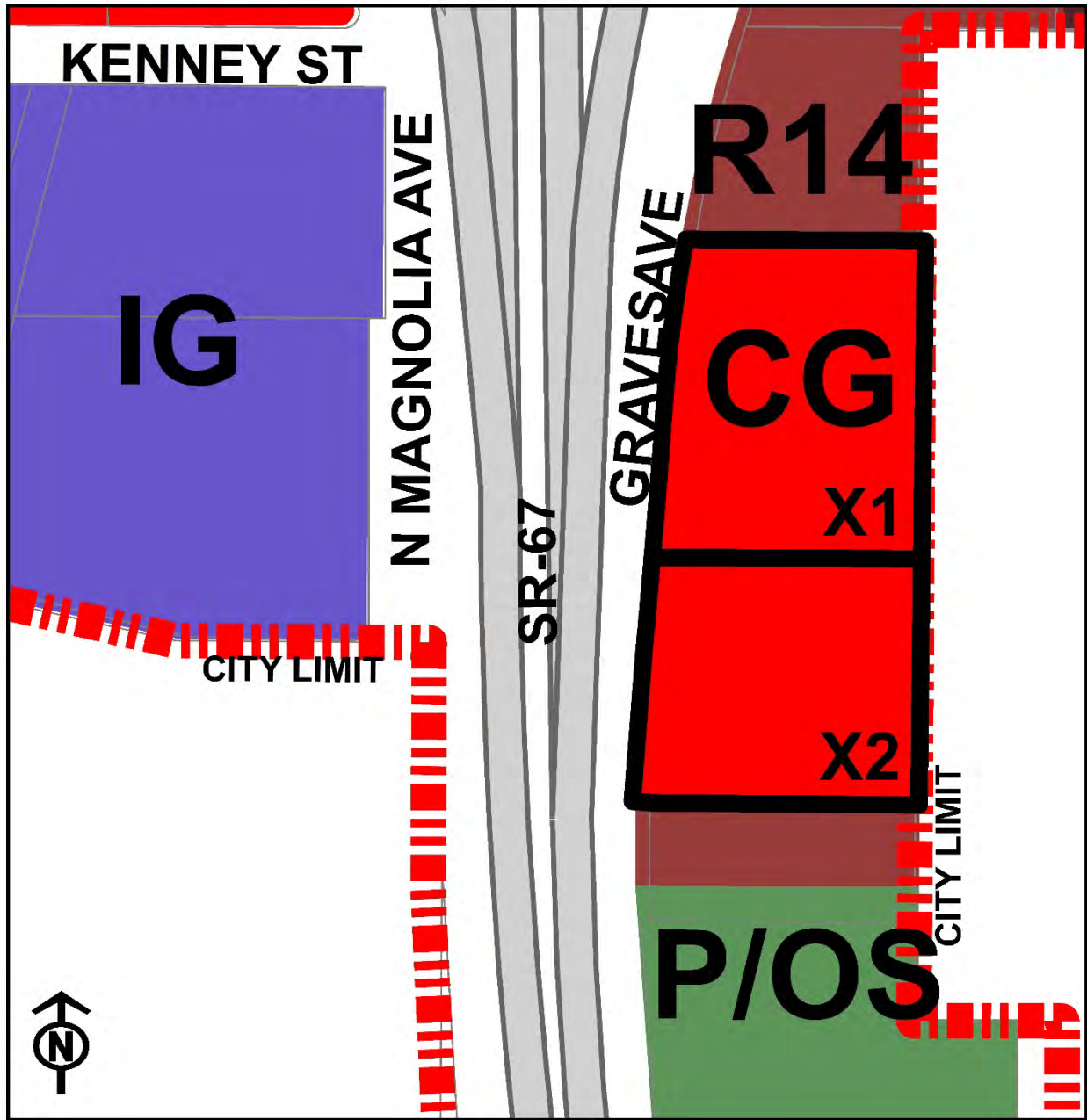
EXHIBIT N: EXISTING ZONING CLASSIFICATIONS



-  Subject Sites
-  R14 (Medium-High Density Residential)
-  GC (General Commercial)
-  IG (General Industrial)
-  P/OS (Park/Open Space)

Site Map ID #	APN	Address
X1	387-061-11	Graves Ave
X2	387-061-12	Graves Ave

EXHIBIT O: PROPOSED ZONING CLASSIFICATIONS



-  Subject Sites
-  R14 (Medium-High Density Residential)
-  GC (General Commercial)
-  IG (General Industrial)
-  P/OS (Park/Open Space)

Site Map ID #	APN	Address
X1	387-061-11	Graves Ave
X2	387-061-12	Graves Ave

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
AMENDING TITLE 13 (“ZONING ORDINANCE”) OF THE CITY OF SANTEE
MUNICIPAL CODE (CASE FILE: ZOA 2021-2)**

WHEREAS, on May 11, 2022 the City Council adopted the Sixth Cycle Housing Element (“Housing Element”), a mandatory element of the City’s General Plan and the City’s main housing policy and planning document that identifies housing needs and constraints, sets forth goals, policies and programs that address these needs and constraints, and plans for projected housing needs for all income levels based on the City’s assigned Regional Housing Needs Allocation (RHNA); and

WHEREAS, Program 10 of the Housing Element requires the City to amend the Zoning Ordinance (Title 13 of the Santee Municipal Code) within one year of Housing Element adoption to allow for by-right approval of qualifying affordable housing projects; and

WHEREAS, it is necessary to amend Title 13 of the Santee Municipal Code to implement the Sixth Cycle Housing Element and to achieve the goals and objectives of the General Plan; and

WHEREAS, the amendments to Title 13 (“Zoning Ordinance”) of the Santee Municipal Code include amending Section 13.10.020 (“Residential consistency districts”) and Section 13.10.040 (“Site development criteria”) to add a density range to the R-30 zone; and

WHEREAS, the amendments to Title 13 include adding Chapter 13.11 (“By-Right Housing Projects”) to establish objective design criteria for by-right housing projects; and

WHEREAS, the amendments to Title 13 include amending Section 13.12.030 (“Commercial and office use regulations”), Table 13.12.030.A, (“Use Regulations for Commercial/Office Districts”), to add subsection B.10(g) to allow recreational vehicle storage facilities in the General Commercial District as a conditionally permitted use; and

WHEREAS, the amendments to Title 13 include amending Section 13.22.060 (“Mixed use overlay district”) to allow mixed land uses in the R-7, R-14, R-22, and R-30 zones, and provide an incentive for affordable housing production, and making minor clerical revisions; and

WHEREAS, the proposed amendments to Title 13 of the Santee Municipal Code are consistent with Goal 6.0 of the Land Use Element of the General Plan to promote development of a well-balanced and functional mix of residential, commercial, industrial, open space, recreation, and civic uses that will create and maintain a high-quality environment; and

ORDINANCE NO. _____

WHEREAS, the proposed amendments to Title 13 of the Santee Municipal Code are a component of Housing Element Rezones Program Implement Project (“Project”); and

WHEREAS, the Project was assessed for potential environmental impacts on a programmatic level and a Program Environmental Impact Report (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) has been prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Program Environmental Impact Report (Program EIR) identifies all potential impacts that would result from Project implementation at a programmatic level and identifies mitigation measures that future development would implement to reduce identified potentially significant effects; and

WHEREAS, the Program EIR identifies potential impacts that would remain significant and unavoidable with Project implementation for issue areas including Air Quality, Greenhouse Gas Emissions, Land Use & Planning, Noise, and Transportation; and

WHEREAS, the Draft Program EIR was circulated for a 45-day public review and comment period from June 17, 2022 to August 1, 2022 during which time one comment letter was received, which did not identify any new environmental issues requiring substantial revisions to the Program EIR or further environmental review; and

WHEREAS, a Final Program EIR has been prepared with responses to comments received on the Draft Program EIR, a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations; and

WHEREAS, on September 30, 2022 a notice of public hearing on the Project was published in the East County Californian newspaper and mailed to property owners, agencies, and other interested parties; and

WHEREAS, on October 12, 2022, the City Council held a duly advertised public hearing on the Project, consisting of Zoning Ordinance Amendment ZOA2021-2 and the related case files; and

WHEREAS, the City Council considered the staff report, all recommendations by staff, the Final Revised EIR, the entire record, and all public testimony; and

WHEREAS, the City Council has certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act for the Project and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project. The City Council hereby incorporates by reference, as if fully set forth herein, the Resolution certifying the Final Program EIR and adopting the Findings of Fact, and

ORDINANCE NO. _____

Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

NOW, THEREFORE, the City Council of the City of Santee, California, does ordain as follows:

SECTION 1. Findings Related to State Housing Law.

A. The City Council finds that the adoption of this Resolution is necessary to comply with state law governing the provision of housing and is necessary for HCD certification of the City's Housing Element. In compliance with Government Code section 65588, the City Council adopted the 6th Cycle Housing Element on July 14, 2021 and revised on May 11, 2022, which covers the planning period from April 15, 2021 to April 15, 2029. Pursuant to Government Code section 65583, the City's Housing Element is required to contain a Sites Inventory. With the adoption of the 6th Cycle Housing Element, the City adopted two separate programs related to the Sites Inventory: Program 9, which requires the City to complete the rezones of the 25 sites identified for rezoning in Sites Inventory within 12 months of adoption of the Housing Element; and Program 10, which requires the City to update the Zoning Ordinance to allow by-right approval of housing development on qualifying sites where the project proponent voluntarily includes 20 percent of the units as affordable to lower income households. The adoption of the City's Housing Element creates a mandatory duty to take the actions mandated in the Element. This resolution is necessary to comply with state law, including but not limited to Government Code section 65583, by implementing Housing Element Programs 9 and 10.

B. The City Council finds that this Resolution permits no greater density than is necessary to accommodate the required housing, including affordable housing requirements. Government Code section 65863 (SB 166 or No Net Loss) requires that cities must maintain adequate sites throughout the eight-year Housing Element planning period so that if a site is developed for another use, the city will have to find new sites to ensure there is an ongoing supply of sites available to accommodate the portion of the RHNA that has not yet been built. To satisfy No Net Loss requirements, the 6th Cycle Sites Inventory includes an 891 housing unit buffer, particularly in the low income category. This buffer would allow development to proceed in the City, while maintaining the City's compliance in meeting its RHNA obligation. Accordingly, no greater density is permitted beyond what is necessary to accommodate the required housing, accounting for No Net Loss pursuant to Government Code section 65863.

C. The City Council finds that the Sites Inventory, including the sites designated for rezoning pursuant to the Housing Element Rezone Program Implementation project, have been selected in accordance with state law, including but not limited to Government Code sections 65583, 65583.2, and 65584.09, and alternative sites are not available to satisfy state housing law. Sites included in a housing element must be real, developable, and adequate for housing. In formulating the Sites Inventory for the 6th Cycle Housing

ORDINANCE NO. _____

Element, the City conducted public outreach and evaluated vacant or underdeveloped sites throughout the City that could accommodate residential development in accordance with the City's RHNA of 1,219 dwelling units. The City also evaluated undeveloped sites from the 5th Cycle Housing Element Sites Inventory and to plan for laws that affect residential development such as the No Net Loss Law.

SECTION 2. On October 12, 2022, the City Council certified the Final Program EIR (AEIS2021-3; State Clearinghouse Number SCH# 2021100263) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed Project to the extent feasible, including the Zoning Ordinance Amendment contemplated in this Ordinance. No further environmental review is required for the City to adopt this Ordinance.

SECTION 3. The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

SECTION 4. Section 13.10.020 ("Residential consistency districts") and Section 13.10.040 ("Site development criteria") of Title 13 ("Zoning Ordinance") of the Santee Municipal Code are hereby amended to add a density range to the R-30 zone as follows (additions shown in underlined text):

Subsection 13.10.020.H:

13.10.020 Residential consistency districts.

...

H. Urban Residential (R-30) — (30 to 36 Dwelling Units/Gross Acre). This designation is intended for residential development characterized by mid-rise apartment and condominium development typical of urban development at higher densities than R-22. This designation is intended for architecturally designed residential development, up to four stories, with parking facilities integrated in the building design. Areas developed under this designation would be located in close proximity to major community facilities, commercial and business centers and streets of at least major capacity. Development amenities would include on-site business centers, fitness and community rooms, and indoor and outdoor recreation facilities. Site design would implement pedestrian-friendly design concepts, including separated sidewalks, landscaped parkways, traffic calming measures, and enhanced access to transit facilities and services. Measures that reduce energy and water consumption are required. New development in this zone is required to meet the minimum density of the zone.

Subsection 13.10.040:

13.10.040 Site development criteria.

...

ORDINANCE NO. _____

Table 13.10.040A
Basic Development Standards—Residential

	HL	R-1	R-1A	R-2	R-7	R-14	R-22	R-30
2. Density Ranges (in du/gross acre)	0-1	1-2	2-4	2-5	7-14	14-22	22-30	<u>30-36</u>

SECTION 5. Title 13 (“Zoning Ordinance”) of the Santee Municipal Code is hereby amended to add Chapter 13.11 (“By-Right Housing Projects”) to read as follows (additions shown in underlined text):

Chapter 13.11 – By-Right Housing Projects

- A. Purpose. The purpose of this Chapter is to establish a ministerial procedure for processing qualifying by-right housing projects and corresponding objective design standards that provide the public, building and design professionals, and the City with objective criteria for eligible multifamily and mixed-use development in the City. The intent is to provide a clear process that allows for the streamlining of eligible projects while ensuring high-quality development with design criteria that enhances an area’s unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment.
- B. Applicability. The provisions of this Chapter apply to all eligible by-right housing projects that qualify for streamlined, ministerial processing under Government Code section 65583.2 and which meet the definition of “housing development projects” under California Government Code §65589.5(h)(2). These include multifamily housing project with two or more units, and mixed-use projects with a minimum of two-thirds of the project dedicated to residential square footage. Such projects may include a tentative map or tentative parcel map. Eligible residential projects are those meeting the criteria set forth in the Housing Element, including 20% affordability to low-income households, and proposed on by-right sites as identified in the Housing Element Sites Inventory. Eligible residential projects shall comply with all objective development standards of this Chapter and all applicable design, performance, improvement and development standards of the Santee Municipal Code, Santee Town Center Specific Plan, applicable Mitigation Monitoring and Reporting Programs and the Santee General Plan. Where applicable, projects shall obtain regulatory permits and/or clearances as required by state or Federal law, including, but not limited from agencies such as the Federal Emergency Management Agency (FEMA), the Federal Aviation Administration (FAA), the United States Fish and Wildlife Agency, the California Department of Fish and Wildlife, the San Diego Airport Land Use Commission (ALUC), and the State Water Resources Control Board.
1. Conflicting Standards. Projects must meet objective development standards in this Chapter, in addition to all pertinent sections of the Santee Municipal Code and the California Building Code (CBC). If there is any

ORDINANCE NO. _____

conflict between these objective standards and existing City and/or State requirements, the more restrictive objective standard applicable to the project shall apply.

2. Severability. In the event that a development standard is found to be unenforceable, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter, and all other development standards will remain enforceable.

C. Definitions.

By-Right means that the project is subject to ministerial processing and not subject to discretionary review by the City and no review is required under the California Environmental Quality Act (CEQA) per Cal. Gov. Code, § 65583.2(i). By-Right projects do not require a public hearing.

Discretionary review means a process for project entitlement where the City has the discretion to approve, modify or deny a project based on personal judgment. Projects subject to discretionary review are subject to CEQA and the discretionary review process for multifamily projects typically requires a public hearing.

Ministerial processing means a process for project approval involving little or no personal judgment by the City as to the wisdom or manner of carrying out the project. The City merely ensures that the proposed development meets all objective standards without using special discretion or judgment.

Mixed-use means a development consisting of residential and non-residential uses (e.g., commercial retail, retail service, office, civic, and institutional) with at least two-thirds of the square footage designated for residential use. For purposes of this Chapter a mixed-use development may be classified as a By-Right Housing Project.

Multifamily housing means a development containing two or more residential dwelling units, each of which is for the occupancy by one or more persons, including duplexes, triplexes, fourplexes, apartments, condominiums, and townhouses.

- D. By-Right Housing Application and Procedure. An application made to the Department of Development Services shall be required for a proposed multifamily housing or mixed use project to move forward as a by-right housing project. The application shall include all information necessary for the City to determine the eligibility of a proposed multifamily housing or mixed-use development as a by-right housing project. The application shall include all necessary information and plans to ensure that a proposal complies with all objective development standards in this Chapter and all applicable design, performance, improvement and development standards of the Santee Municipal Code and the Santee General Plan and, where applicable, that the project has obtained all regulatory permits

ORDINANCE NO. _____

and/or clearances as required by state or Federal law. Upon submittal of a By-Right Housing Application the City shall make a determination on the completeness of the application within 30 days in accordance with the provisions of the Permit Streamlining Act (California Government Code § 65920 et seq.). Once a By-Right Housing Application has been deemed complete, the Director of Development Services shall issue a written determination within 30 days of the project being deemed complete, denying or approving the proposed multifamily or mixed-use development as a By-Right Housing Project with a list of requirements for moving the project forward through the grading permit and building permit process. A tentative map or tentative parcel map application associated with a By-Right Housing Project application shall follow the procedures set forth in Title 12. The tentative map or tentative parcel map application shall be processed concurrently with the By-Right Housing Application. A public hearing shall not be required for approval of a tentative map or tentative parcel map associated with a By-Right Housing Project. An application for a tentative map or tentative parcel map for a By-Right Housing Project shall be approved or denied ministerially, by the City Engineer, without discretionary review. The final map or final parcel map associated with the By-Right Housing Project shall be approved ministerially by the City Engineer, as well, but not until all applicable requirements for filing of a final map or final parcel map are met.

E. Objective Design Standards.

1. Architectural elements. To create a sense of place with buildings that are cohesive, well-crafted, and enhance the public's experience, buildings shall be designed to meet the following objective criteria
 - a. Corner buildings that are two stories in height shall include at least one of the following features within 15 feet from each edge of the building corner. Buildings that are three or more stories in height shall incorporate a minimum of two of the following features within 15 feet from each edge of the building corner:
 - i. change in primary wall material and color;
 - ii. change in height of more than four feet;
 - iii. change in wall plane of a minimum depth of two feet;
 - iv. entry to ground floor retail or primary building entrance;
 - v. different fenestration pattern from the primary façade;
 - vi. open space with a minimum dimension of 16 feet and minimum area of 450 square feet, which accommodates

ORDINANCE NO. _____

either a publicly accessible courtyard/plaza, or outdoor seating for public dining.

- b. End units shall include the following features on their side elevations: a minimum of 15 percent fenestration area, and at least one facade modulation with a minimum depth of 18 inches and a minimum width of two feet.
 - c. All ground floor residential units and a minimum of 51 percent of the upper floor residential units shall include a balcony, patio, porch, or stoop, and this feature shall be a minimum 48 square feet in area. Fractional calculations shall be rounded up. Balconies shall be enclosed by a balustrade, such as wrought-iron or glass balustrades. Solid walls as balcony balustrades shall be prohibited.
 - d. At least 60 percent of the ground floor, street facing walls of non-residential units shall include transparent window or door glazing. Where it is infeasible to provide glazing, such as a parking garage, trash room, mechanical room, or electrical room, landscaping with a minimum dimension of 18-inches in depth and a width equivalent to 70 percent of the wall shall be provided to soften the appearance of a blank wall on the ground floor. Architectural exterior reveals shall be required.
 - e. Windows and doors shall either be trimmed or recessed. When trimmed, the trim material shall not be less than 3.5" in width by ¾" in depth when protruding from the wall. Foam trim molding is prohibited on the ground floor. When recessed, the building primary siding material (masonry or stucco) shall cover the recessed edge faces and wrap toward the interior face of the window glazing or door face by not less than 3" in depth.
 - f. Utilities and utility vaults, and all mechanical equipment shall be screened or hidden from view from the ground level.
 - g. Trash enclosures shall be constructed of the same primary wall material and color as the most adjacent building within the development.
2. Colors and materials. To ensure that buildings include a variety of color palettes and textures with durable and attractive materials that contribute to the aesthetic quality of the development and the neighborhood, buildings shall be designed to meet the following objective criteria:
- a. The primary wall finish material shall be wood, stone, brick, stucco, fiber cement or other cementitious material, or stone.

ORDINANCE NO. _____

- b. Structures shall incorporate a minimum of two building materials on each building elevation. Trim does not count as the second material.
 - c. Structures shall have a color palette that consists of at least two body colors and two accent colors (not including roof color). Projects with two or more residential structures shall include a minimum of two-color palettes and shall not use a single palette on more than 70 percent of the residential structures. Stone materials shall not be painted.
 - d. Chain link fences, wooden fences and unfinished freestanding or retaining cinderblock walls shall be prohibited.
 - e. Carports shall be painted with the approved color palette for the project.
3. Massing and articulation. To create a human-scale environment and buildings that are compatible with and enhance the surrounding area, building design shall meet the following objective criteria:
- a. Buildings shall have major massing breaks at least every 56 feet along any street frontage or publicly visible area, by incorporating at least one of the following features:
 - i. stepping back at least 51 percent of the upper floors by a minimum of 10 feet for at least 70 percent of the facade;
 - ii. recessed or projected covered entries with a minimum area of 24 square feet;
 - iii. exterior arcades or other ground floor building recessions that provide sheltered walkways within the building footprint with a minimum width of eight feet;
 - iv. ground floor courtyards within the building footprint with a minimum area of 48 square feet; or
 - v. architectural features that are at least four feet wide and extend a minimum of one floor in height.
 - b. Buildings shall have minor massing breaks at least every 30 feet along any elevation, by incorporating at least one of the following features:
 - i. doors and windows recessed by a minimum of four inches;

ORDINANCE NO. _____

- ii. variations in wall plane (projection or recess) by a minimum of two feet in depth for at least 30 percent of the facade;
 - iii. vertical elements, such as pilasters, that protrude a minimum of one foot from the wall surface and extend the full height of the structure; or
 - iv. Any of the major massing breaks noted above can be double counted as a minor massing break, so long as it is located within the 30-foot section.
- c. Rooflines shall be vertically articulated at least every 48-feet along the street frontage through one of the following techniques:
- i. A change in wall or roof height of a minimum four feet;
 - ii. A change in roof pitch or form; or
 - iii. The inclusion of dormers, gables, parapets, and/or varying cornices.
- d. Buildings three stories or taller and wider than 30 feet shall be designed to differentiate the ground floor, middle body, and top floor or cornice/parapet cap. Each of these elements shall be distinguished from one another through use of one of the following techniques:
- i. Variation in building modulation for a minimum 70 percent of the length of the façade, through changes in wall planes that protrude and/or recess with a minimum dimension of four feet;
 - ii. Balconies or habitable projections with a minimum two feet in depth for a minimum 25 percent of the length of the façade;
 - iii. Variation in façade articulation, through horizontal and/or vertical recesses or projections; (minimum four inches in depth) such as shading and weather protection devices, decorative architectural details, or a pattern or grouping of windows, panels, or bay windows;
 - iv. Variation in fenestration, through at least two of the following: size, proportion or pattern; or
 - v. Variation in façade material, through at least two of the following: size, texture, pattern, or color.

ORDINANCE NO. _____

4. Building entries, stairwells, and garages. To create an attractive, welcoming, safe, and active interface between private development and the public realm, buildings and site design shall meet the following objective criteria:
- a. Residential units that are not adjacent to the street shall have front entries that are oriented to common areas such as paseos, courtyards, parking areas, and active landscape areas.
 - b. Exterior stairwells shall not be oriented to the street. For safety and security, exterior stairwells shall face interior spaces, such as plazas and gathering areas, parking areas, and pedestrian pathways and shall not be separated from these areas by landscaping, fences, or walls taller than three feet.
 - c. Gated, fenced, or underground parking facilities, and gated exterior stairwells shall incorporate access control technology (e.g., access card or key).
 - d. Buildings positioned along the street shall orient front entries to the street. Street facing residential units shall have covered front entries with a minimum recess or projection of 48 square feet in area.
 - e. Street facing entries shall be accentuated by a minimum of one of the following: a change in roof pitch or form, such as a gable, that extends a minimum of one foot past the sides of the door jamb.
 - i. an increase in roof height of at least one foot to accentuate the entry.
 - ii. wood, stone, tile, or brick accent materials covering a minimum of 30 percent of the entryway wall surface area, inclusive of windows and doors.
 - f. For projects containing five or more units, garage doors shall not face a public street(s) but may be oriented toward an alley or a private street/driveway that is internal to the project. All garage doors shall be recessed a minimum of six inches from the surrounding building wall and shall include trim of at least one and a half inches in depth.
 - g. Commercial/Office unit entrances in a mixed-use development shall face the street, a parking area, or an interior common space.

ORDINANCE NO. _____

- h. Residential units in a mixed-use development shall be located on the upper floors of any elevation that faces a public street with residential access provided through a separate entry along each street frontage or a single entry at the corner.
- 5. Circulation. To provide pedestrians, vehicles, and cyclists with safe and efficient site access and circulation, site design shall meet the following objective criteria:

 - a. All structures, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways. Pedestrian pathways shall connect to the public sidewalk along each street frontage. Pedestrian pathways shall be separated from roads and parking areas by a physical barrier, such as a grade-separation, of six inches or more or a raised planting strip.
 - b. All parking areas shall be internally connected and shall use shared driveways within the development.
 - c. Parking shall not be located between the building frontage and a public sidewalk.
 - d. Uncovered parking areas shall include a landscaped break with one tree and a minimum planter width of five feet at intervals of at least every five parking stalls.
- 6. Open space and common areas. To ensure that residents and visitors have access to usable open space and common facilities that provide recreational opportunities, promote a safe environment, and enhance the pedestrian experience, common area and open space design shall meet the following objective criteria:

 - a. Landscaping shall be located in all outdoor areas that are not specifically used for parking, driveways, walkways, patios, or other outdoor amenities as described below.
 - b. Paved areas shall not exceed 50 percent of the required front or street side setback area.
 - c. Internal courtyards and common areas shall be visible from the street, parking areas, pedestrian pathways, and/or interior building entries.

SECTION 6. Title 13 (“Zoning Ordinance”), Section 13.12.030 (“Commercial and office use regulations”), Table 13.12.030.A (“Use Regulations for Commercial/Office Districts”), is hereby amended to add subsection B.10(g) to allow recreational vehicle storage

facilities in the General Commercial District as conditionally permitted uses as follows (additions shown in underlined text, deletions shown in strike-through text):

Table 13.12.030A

Use Regulations for Commercial/Office Districts

B. General Commercial Uses	OP	NC	GC
...			
10. Automotive services including automobiles, trucks, motorcycles, boats, trailers, mopeds, recreational vehicles or other similar vehicles as determined by the Director ...			
<u>g. Recreational vehicle storage facility</u>	=	=	<u>C</u>

SECTION 7. Title 13 (“Zoning Ordinance”) of the Santee Municipal Code is hereby amended with the following additions to Section 13.22.060 (“Mixed Use Overlay District”) to read as follows (additions shown in underlined text, deletions shown in strike-through text):

13.22.060 Mixed use overlay district.

A. Purpose. The purpose of the mixed use overlay district is to provide the option to include complementary ground level commercial uses in conjunction with R-30—Urban residential development. The mixed-use overlay encourages innovative and attractive development to promote smart growth principles through the vertical integration of complementary land uses which can take advantage of mutual site planning and public service requirements, and which increases the economic viability of development. Complementary commercial uses include professional and personal services.

B. Establishment. The mixed use overlay district is applied to the following zones: Medium Density (R-7), Medium-High Density (R-14), High Density (R-22) and Urban Residential (R-30) ~~may be applied in combination with the urban residential (R-30) zone pursuant to Chapter 13.10.~~ A mixed use overlay district shall be indicated on the zoning district map by the letters “MU” after the reference number identifying the base district.

C. Mixed Use Requirement. A minimum of twenty-five percent of a mixed use development’s gross square footage must be dedicated as commercial space, with a maximum of thirty-three percent. A minimum of two-thirds of the gross floor area in any mixed use development shall be devoted to residential use.

ORDINANCE NO. _____

D. Affordability Incentive. As an incentive for the provision of affordable housing on mixed use development sites, the percentage of commercial development required in Section 13.22.060.C is reduced as shown on Table 13.22.060.A:

Table 13.22.060.A

Affordability Incentive

<u>Affordability Percentage (Low Income)</u>	<u>Commercial use requirement</u>
0%	25%
20%	20%
40%	15%
60%	10%
80%	5%
100%	0%

GE. Use Regulations. Uses listed in Table 13.22.060A shall be allowable. Where indicated with the letter “P,” the use shall be a permitted use in that district. Where indicated with the letter “C,” the use shall be a conditional use subject to a conditional use permit in that district. Where indicated with the letters “MC,” the use shall be a conditional use subject to a minor conditional use permit in that district. Where indicated with a dash “—”, or if the use is not specifically listed in Table 13.22.060A and is not subject to the use determination procedures contained in Section [13.04.040](#), the use shall not be permitted in that district. This section shall not be construed to supersede more restrictive use regulations contained in the conditions, covenants, and restrictions of any property. In the event a given use cannot be categorized in one of the districts by the Director, the use determination procedure outlined in Section [13.04.040](#) shall be followed.

Table 13.22.060.A-B

Use Regulations for Mixed Use Overlay District

USE	MU District
A. Offices and Related Uses.	
1. Administrative and executive offices	P
2. Bail bonds office	--
3. Clerical and professional offices	P
4. Financial services and institutions	P
5. Medical, dental and related health administrative and professional office services (non-animal related) including laboratories and clinics; only the sale of articles clearing incidental to the services provided shall be permitted	P
6. Accessory commercial uses when incidental to an office building or complex (blueprinting, stationary, quick copy, etc.)	P
B. General Commercial Uses.	

ORDINANCE NO. _____

USE	MU District
1. Antique shops	--
2. Animal care facility, small animal only (animal hospital, veterinarian, commercial kennel, grooming)	
a. Excluding exterior kennel, pens or runs	MC
b. Including exterior kennel, pens or runs	--
3. Apparel stores	P
4. Art, music and photographic studies and/or supply stores	P
a. With class instruction	MC
5. Appliance repair and incidental sales including, but not limited to, small household appliances, computers and vending machines, and provided all work activities and storage occurs entirely within an enclosed building	P
6. Arcades, more than amusement devices (see special requirements per Section 13.12.030(F)); also subject to the provisions contained in Title 4 of this code	--
7. Athletic and health clubs	P
8. Auction house (conducted completely within an enclosed building and subject to the provisions contained in Title 4 of this code)	--
9. Automotive services including automobiles, trucks, motorcycles, boats, trailers, mopeds, recreational vehicles or other similar vehicles as determined by the Director	
a. Sales	--
b. Rentals	--
c. Repairs including painting, body work and services	--
d. Washing (coin and automatic)	--
e. Service or gasoline dispensing stations including mini-marts, accessory car washes, and minor repair services accessory to the gasoline sales	--
f. Parts and supplies excluding auto recycling or wrecking	--
10. Bakeries	P
11. Barber and beauty shops and/or supplies	P
12. Bicycle sales and shops (nonmotorized)	P
13. Blueprint and photocopy services	P
14. Book, gift and stationary stores (other than adult related material)	P
15. Candy stores and confectioneries	P
16. Catering establishments (excluding mobile catering trucks)	--
17. Cleaning and pressing establishments, retail	P
18. Cemeteries	--
19. Commercial recreation facilities	
a. Indoor public uses including, but not limited to, bowling lanes, <u>community</u> theaters and billiard parlors	-- P
b. Outdoor drive-in theaters	--

ORDINANCE NO. _____

USE	MU District
20. Contractor (all storage of material, equipment within an enclosed building)	--
21. Dairy products store	P
22. Department stores	--
23. Drive-in or drive-through business (excluding theaters and fast food restaurants)	--
24. Drug stores and pharmacies	P
25. Equipment sales / rental yards (light equipment only)	--
26. Farmer's market	--
27. Feed and tack stores (all supplies and materials within an enclosed building)	--
28. Florist shops	P
29. Food and beverage sales or service	
a. A. Cocktail lounge, bar, tavern or winery	--
i. Not accessory to a restaurant and with or without entertainment, other than adult related	<u>P</u>
ii. Accessory to a restaurant, coffee shop and with or without entertainment, other than adult related	<u>P</u>
b. Nightclubs or dance halls, not including adult related entertainment	<u>P</u>
c. Snack bars, delicatessens, or refreshment stands, take-out only, and accessory to an office use	P
d. Fast food restaurants with drive-in or drive-through service	--
e. Restaurants or coffee shops, other than fast food with or without alcoholic beverages and without entertainment	P
f. Supermarkets (including the sale of alcoholic beverages)	<u>C</u> <u>P</u>
g. Convenience markets	P
h. Liquor stores	C
i. Clubs and lodges with alcoholic beverage service	--
30. Furniture stores, repair and upholstery	--
31. General retail stores	P
32. Hardware stores	P
33. Home improvement centers	
a. Material stored and sold within enclosed buildings	--
b. Outdoor storage of material such as lumber and building supplies	--
34. Hotels and motels	--
35. Interior decorating service	P
36. Janitorial services and supplies	--
37. Jewelry stores	P

ORDINANCE NO. _____

USE	MU District
38. Kiosks for general retail and food sales, key shops, film drops, automatic teller machines, etc. in parking lots	MC
39. Laundry, self-service	P
40. Limousine service (limousines shall not be stored in any required parking spaces)	--
41. Locksmith shop	P
42. Mining	--
43. Mobile homes sales	--
44. Mortuaries, excluding crematoriums	--
45. Newspaper and magazine stores	P
46. Nightclub, teenage	--
47. Nurseries (excluding horticultural nurseries) and garden supply stores; provided all equipment, supplies and material are kept within an enclosed building	--
a. With outdoor storage and supplies	--
48. Office and business machine stores and sales	--
49. Parking facilities (commercial) where fees are charged	--
50. Pawnshop	--
51. Parcel delivery service (excluding on-site truck storage and truck terminals)	--
52. Political or philanthropic headquarters	P
53. Pet <u>supply shop</u> and <u>pet grooming</u>	P
54. Plumbing shop and supplies (all material stored within an enclosed building)	P
55. Printing and publishing	--
56. School, business or trade (all activities occurring within an enclosed building)	C
57. School, commercial (all activities occurring within an enclosed building)	C
58. Second hand store or thrift shop	--
59. Shoe stores, sales and repair	P
60. Shopping center	--
61. Small collection facility	P
62. Spiritualist readings or astrology forecasting	--
63. Sporting goods stores	P
64. Stamp and coin shops	P
65. Swimming pool or spa sales and/or supplies	--
66. Tailor or seamstress	P
67. Tanning salon	P
68. Tattoo parlor or body piercing salon	--
69. Taxidermist	--
70. Television, radio sales and service	P
71. Tire sales and installation, not including retreading and recapping	--

ORDINANCE NO. _____

USE	MU District
72. Toy stores	P
73. Travel agencies	P
74. Transportation facilities (trains, bus, taxi, depots)	--
75. Variety stores	P
C. Public and Semi-Public Uses.	
1. Ambulance service	--
2. Art galleries and museums, public or private	P
3. Biological habitat preserves (unless otherwise approved by another entitlement)	
a. Mitigation for projects inside City boundaries	MC
b. Mitigation for projects outside City boundaries	C
4. Religious institutions	C
5. Clubs and lodges, including YMCA, YWCA and similar group uses without alcoholic beverage sales (clubs and lodges serving or selling alcoholic beverages shall come under the provisions of Section 13.12.030 (B)(3029) of this title)	--
6. Convalescent facilities and hospitals	C
7. Day care center facilities	C P
8. Detention facility	--
9. Educational facilities, excluding business or trade schools and commercial schools	C
10. Library	MC P
11. Parks and recreation facilities, public or private (excluding commercial recreation facilities)	--
12. Post office (private)	P
13. Public buildings and facilities, <u>other than a library</u>	--
14. Radio or television broadcast studio	--
D. Accessory Uses.	
1. Parking garage structures and other auxiliary structures and accessory uses customarily incidental to a permitted use and contained on the same site.	P
2. Caregiver's living quarters only when incidental to and on the same site as a permitted or conditionally permitted use.	--
3. Amusement devices, per Section 13.12.030(F)	--
4. <u>Live-work spaces accessory to dwelling units</u>	<u>P</u>
E. Temporary Uses.	
1. Temporary uses subject to the provisions contained in Section 13.06.070	P

F. Special Use Regulations.

ORDINANCE NO. _____

1. Outdoor Displays and Sales of Merchandise. All businesses shall be conducted completely within an enclosed building. The following outdoor sales and commercial activities may be permitted to operate outdoors, subject to any required reviews and permits:
 - a. Outdoor display of merchandise as accessory to a current on-site business (subsection (F)(2));
 - b. Parking lot and sidewalk sales (subject to Section [13.06.070](#), Temporary uses);
 - c. Accessory outdoor eating areas in conjunction with a food establishment that features take-out service; see subsection (F)(3); and
 - d. Other activities and uses similar to those above as determined by the Director.

2. Outdoor Display of Merchandise Accessory to Current On-Site Business. Any outdoor display must be done in conjunction with the business being conducted within the building and shall comply with the following regulations:
 - a. The aggregate display area shall not exceed 24 square feet;
 - b. No item, or any portion thereof, shall be displayed on public property; unless, an encroachment permit has first been obtained from the City;
 - c. Items shall be displayed only during the hours that the business conducted inside the building on the premises is open for business;
 - d. No item shall be displayed in a manner that causes a safety hazard; obstructs the entrance to any building; interferes with, or impedes the flow of pedestrian or vehicle traffic; is unsightly or creates any other condition that is detrimental to the public health, safety or welfare or causes a public nuisance.

3. Accessory Eating Areas Permitted. For the purpose of determining required parking, the accessory eating areas shall not count toward this determination. The seating may be provided indoors or outdoors. The following performance standards shall apply to outdoor eating:

ORDINANCE NO. _____

- a. The outdoor eating area shall be arranged in such a way that it does not create a hazard to pedestrians or encroach on a required building exit;
- b. The outdoor eating area cannot be located in any driveway, parking space, landscaped area, or required setback;
- c. The outdoor eating area must be maintained so that it is not unsightly and does not create a condition that is detrimental to the appearance of the premises or surrounding property;
- d. Signage may not be placed on the outdoor furniture or umbrellas, which advertise the business, service or use, or any product unless otherwise permitted by the sign ordinance.

J. Site Development Regulations.

1. Commercial or office development is permitted only in conjunction with residential development in accordance with the R-30 urban residential district.
2. For all uses allowed pursuant to Table 13.22.060A, all development standards shall be established through a development review permit, minor conditional use permit, or a conditional use permit.
3. All site development regulations shall be set forth in the R-30 urban residential base district.
4. All parking regulations shall be set forth in Chapter [13.24](#).

SECTION 8. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 9. Upon adoption of the Ordinance, the additions and deletions shown above shall be incorporated into the Zoning Ordinance.

SECTION 10. This Ordinance shall become effective thirty (30) days after its passage.

SECTION 11. The City Clerk is hereby directed to certify the adoption of this ordinance, to file a Notice of Determination, and cause the same to be published as required by law.

ORDINANCE NO. _____

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 12th day of October, 2022, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 26th day of October, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR



ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE

October 26, 2022

ITEM TITLE INTRODUCE AND SET FOR PUBLIC HEARING AN ORDINANCE RESCINDING CHAPTERS 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, AND 11.26 OF TITLE 11 OF THE SANTEE MUNICIPAL CODE ENTITLED “BUILDINGS AND CONSTRUCTION”, IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA FIRE CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO

DIRECTOR/DEPARTMENT - Aaron Sturm, Building Official 
Carisa Workman, Fire Marshal 

SUMMARY

The purpose of this Ordinance is to update the Santee Municipal Code to conform with the California Building Standards Code, which is published every three years and amends the California Code of Regulations, Title 24. These codes are commonly referred to as the California Building Code (“Codes”) and include, but are not limited to, building, plumbing, mechanical, electrical, and energy standards. The Codes includes the Fire Code.

Local jurisdictions are required, pursuant to the Health and Safety Code, to adopt and implement the Codes as the minimum standard for construction. While the City of Santee is required to adopt the Codes for building permit review and inspections, minor modifications to the Codes that account for local conditions, such as climate, topography and geology, are allowed. The Ordinance rescinds and replaces various Chapters of Title 11 “Buildings and Construction” by incorporating by reference the latest Codes, while retaining local amendments.

ENVIRONMENTAL REVIEW

This Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15308 (Class 8) because the proposed code amendments are an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant environmental effects.



CITY OF SANTEE
COUNCIL AGENDA STATEMENT

FINANCIAL STATEMENT *Hy*

The cost of implementation is expected to have no fiscal impact.

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MSB*

1. Introduce Ordinance for adoption at first reading; and
2. Set the Public Hearing for second reading on November 9, 2022.

ATTACHMENTS

Staff Report

Ordinance with Exhibit A



**STAFF REPORT
CITY COUNCIL MEETING October 26, 2022**

INTRODUCE AND SET FOR PUBLIC HEARING AN ORDINANCE RESCINDING CHAPTERS 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, AND 11.26 OF TITLE 11 OF THE SANTEE MUNICIPAL CODE ENTITLED “BUILDING AND CONSTRUCTION”, IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 CALIFORNIA FIRE CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO

A. BACKGROUND

The California Building Standards Code is published every three years and amends the California Code of Regulations, Title 24. These codes are commonly referred to as the California Building Code (“Codes”) and include, but are not limited to, building, plumbing, mechanical, electrical, and energy standards. The California Building Standards Code includes the Fire Code.

California Health and Safety Code requires that each jurisdiction in the State adopt the most recent edition of the California Building Standards Code within 180 days of publication. If not, then the Codes have the force of law 180 days after publication. The 2019 version of the Codes, which are currently in effect, were adopted locally in December of 2019.

The 2022 Codes do not include substantial modifications from the 2019 Codes. Many of the modifications include clarifications to language and details, but will not have significant impacts to building design in Santee.

When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geologic, or topographic conditions. The City of Santee (“City”) has made modifications to previous versions of the Codes, and is proposing an identical set of modifications to the 2022 Codes. No new modifications are being proposed by the City as part of this Ordinance.

The City incorporates the Codes by reference in Title 11 of the Municipal Code, titled “Building and Construction”.

B. Analysis

The following is a summary of the Codes composed by staff that have identified relevant changes to the Code that could affect future design and development within the City. The Energy Efficiency Standards and CALGreen Codes have been and continue to have the greatest impact for development. These changes reflect the State's goal to promote Zero Net Energy ("ZNE") by increasing more energy efficient buildings and to reduce greenhouse emissions by increasing requirements for development to install infrastructure for electrical vehicles, photovoltaic systems, and optional electrical connection points where gas appliances are installed. The 2022 Fire Code continues existing local amendments for community safety. The 2022 Fire Code does have several editorials changes to maintain the Codes effectiveness. The substantive changes are as follows:

2022 California Building Code (2021 International Building Code)

CCR Title 24 Part 2

- 1) Permit Expiration was updated January 1, 2019 to 1 year from 6 months with an one extension:
 - i. 105.5.1 Expiration
On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (See Health and Safety Code sections 18938.5 and 18938.6.)
- 2) Administrative section for definitions and applicability have been updated.
- 3) A definition have been added to define Mass Timber construction.
- 4) Definition for child care now defines Toddler as 18 to 36 months. It was 24 months.
- 5) Occupancy types have been updated to include the following and applicability:
 - i. Commercial amusement areas such as puzzle or escape rooms.
 - ii. Definition and code change to address a new type of uses such as a Vehicle Vending Machines that CARVANA has made well known. As such, the definitions for "fire safety" and "structure" were amended to include this type of structure and occupancy.

- iii. Winery and Distilleries activity and storage have been redefined as not exclusively a Hazardous occupancy. This will affect for the local level type businesses by reducing some fire protection regulations.
- 6) Roof Deck above a story is defined and applicability clarified when determining a building's height and number of stories. A roof deck use is required to be associated with the use below the deck.
- 7) Type IV, Heavy Timber construction, has been expanded to include Mass Timber construction. The material allows greater heights, stories and floor areas compared to the historic heavy timber construction or type V wood frame buildings (12 compared to the historic 5 story limit),
- 8) Fire safety codes have been updated to define fire separation and protection for rooms containing large energy storage systems ("ESS").
- 9) Fire safety codes have increased protection requirements for building have expanded for steel construction and attached non-structural element.

2022 California Residential Code(2021 International Residential Code)

CCR Title 24 Part 2.5

- 1) Administrative section (105.5.1) for definitions and applicability have been updated as follows:
 - i. Permit expiration is changed from 6 months to 12 months with 180-day extension form the building official.
- 2) Definitions were revise and new ones added:
 - ii. Child care now defines Toddler as 18 to 36 months was 24 months.
 - iii. New section of code '**Aging in Place Design and Fall Prevention**' has been added which has prescriptive requirement for dwellings that will reduce future cost for homeowners when elements are needed for physical safety. These elements are similar to those found in accessible housing:
 - 1. Installed backing in wall elements for citizens that need to add handrails,
 - 2. Receptacle, switches, doorbell and other controls to be place at height which are reachable, and
 - 3. Interior door sizes at bathroom(s) are 32 inches clear.
- 3) Fire safety for a duplex is clarified to require a fire separation wall between units.
- 4) Wildland Urban Interface section has been updated to increase structure protection from wildfire. This included:
 - iv. Vent criteria has changed,
 - v. Ridge vents criteria added, and

- vi. Minimum roof covering ratings increase in protection. Here, the City has adopted a more restrictive standard, as allowed by State law.
- 5) ESS, such as battery storage systems, are now required to have protection prescribed and illustrated in the Codes. The protection is required to be installed where vehicle parking occurs near these systems.
- 6) The prescriptive deck design and application section is revised to include more types of construction elements.

2022 California Electrical Code (2020 National Electrical Code)

CCR Title 24 Part 3

- 1) Exit doors are now required for rooms containing electrical service gear 800 amperes or greater.
- 2) Rooms for large ESS now require fire separation from other uses.

2022 California Mechanical Code (2020 Uniform Mechanical Code)

CCR Title 24 Part 4

- 1) Most sections were updated to reflect changes in the California Energy Codes and California Green codes.
- 2) Duct design for return ducts are modified to be consistent with energy efficiency standard's code.

2022 California Plumbing Code (2021 Uniform Plumbing Code)

CCR Title 24 Part 5

- 1) No significant changes

2022 California Energy Code

CCR Title 24 Part 6

- 1) Codes has been amended to allow more opportunity to install electrical water heating. Heat Pump water heater are now the basis of energy efficiency,
- 2) Code have been amended requiring optional power source at all gas outlets in dwelling,
- 3) Code has been amended for heating designed to meet or exceed electrical heat pump systems.

2022 California Green Building Standards Code

CCR Title 24 Part 11

- 1) Electric vehicle systems have several changes to address new technologies.
- 2) Increased in the number of facilities or infrastructure to meet State mandates by expanding the scope to include additions and alterations and includes hotels and motels.
- 3) Automatic load management system was added to acknowledge the new technology, which allows charging systems to be installed where a power source is limited or less than power source at the site.

2022 California Fire Code

CCR Title 24 Part 10

- 1) A revised Chapter 49, Wildland Urban Interface (WUI), requires the Development of Fire Protection Plans which includes:
 - a. Development of landscape plans and long-term vegetation maintenance program.
 - b. Non-fire resistive vegetation section. This requirement was amended to limit types of vegetation. Conifers, eucalyptus, cypress, junipers and pepper trees are not allowed in WUI areas in the City.

C. PUBLIC NOTICE:

Notice of tonight's public meeting was published in the East County Californian on Thursday, October 14, 2022. Two notices of public hearing to be held on November 9, 2022 will be published in the East County Californian on October 28, 2022 and November 4, 2022, per statutory requirements. Notice was mailed to the Building Industry Association on October 25, 2022.

C. ENVIRONMENTAL REVIEW

The Ordinance is exempt from the provisions of the California Environmental Quality Act under Section 15308 (Class 8) because the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment.

D. STAFF RECOMMENDATION

1. Introduce Ordinance for adoption at first reading; and
2. Set the Public Hearing and second reading for November 9, 2022.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTEE, CALIFORNIA, RESCINDING CHAPTERS 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, AND 11.26 OF TITLE 11 OF THE SANTEE MUNICIPAL CODE ENTITLED “BUILDING AND CONSTRUCTION”, IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING BUILDING CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 CALIFORNIA FIRE CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO

WHEREAS, the City of Santee, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, pursuant to article XI, section 5 of the California Constitution and Government Code section 37100, the legislative body of a city may pass ordinances not in conflict with the Constitution and laws of the State or the United States; and

WHEREAS, Government Code section 50022.10 authorizes the recodification or recompilation of any adopted and fully published code; and

WHEREAS, the City last adopted its building and fire codes in 2019; and California Health and Safety Code section 17922 requires that a jurisdiction in the State adopt the most recent edition of the California Building Standards Code, which includes the California Fire Code; and

WHEREAS, Government Code section 50022.2 *et seq.* and California Health & Safety Code section 17922 empower the City to adopt by reference the California Building Standards Code, adopting certain uniform codes, including the California Fire Code, 2022 Edition, (which incorporates and amends the International Fire Code 2021 Edition) with certain appendices and amendments; and

WHEREAS, California Health & Safety Code section 17958.5 provides, in pertinent part, that a city may make such changes or modifications to the provisions published in the California Building Standards Code and other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, topographical, or geological conditions; and

WHEREAS, the City desires to adopt the California Fire Code, 2022 Edition, which is a part of the California Building Standards Code in Title 24 of the California Code of

ORDINANCE NO. _____

Regulations (“CFC”), with necessary amendments to assure the CFC is tailored to the particular safety needs of the City as required by its unique climatic, topographical and geological conditions; and

WHEREAS, prior to making modifications permitted under California Health & Safety Code section 17958.5, the City Council is required to make express findings that such modifications or changes are needed in accordance with California Health & Safety Code section 17958.7; and

WHEREAS, California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the California Building Standards Code; and

WHEREAS, this amendment to the Santee Municipal Code has been determined to be exempt from review by the San Diego Regional Airport Authority as it would not affect Gillespie Field Airport operations nor result in land use incompatibilities with the Gillespie Field Airport Land Use Plan; and

WHEREAS, the proposed amendments to the Santee Municipal Code are exempt from the provisions of the California Environmental Quality Act (“CEQA”) pursuant to Section 15308 (Class 8) of the CEQA Guidelines because the action is being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment; and

WHEREAS, on October 26, 2022, the City Council of the City of Santee held a duly advertised public meeting to introduce the Ordinance by title only and to set the Public Hearing on this proposed ordinance for November 9, 2022; and

WHEREAS, the City published notice of the aforementioned public meeting on October 14, 2022, and thereafter published notice of the Public Hearing pursuant to California Government Code section 6066 on October 28, 2022 and November 4, 2022; and

WHEREAS, the City Council held a Public Hearing on November 9, 2022, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2022 California Building Standards Code, as amended herein; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Santee does ordain, as follows:

SECTION 1: To the extent that the following changes and modifications to the 2022 California Building Standards Code are deemed more restrictive, thus requiring that findings be made pertaining to local conditions to justify such modifications, the City

ORDINANCE NO. _____

Council hereby finds and determines that the following changes and modifications are reasonably necessary due to local climatic, topographical, and geological conditions consisting of the following:

A. Climatic Conditions:

1. The City is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. The winds prevail from the west with seasonal strong dry east winds that vary in duration and intensity. These winds can significantly enlarge wildland fires as well as cause abrupt and unpredictable changes in fire direction. Temperatures ranging between 75 and 100 degrees Fahrenheit are common throughout the year. Hot, dry foehn (i.e., Santa Ana) winds, which may reach speeds of 45 miles per hour or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger.
2. The local climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Fire Department's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County of San Diego.
3. Dry climatic conditions and winds can contribute to the rapid spread of fires. Fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal Fire Department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.
4. The water supply is limited making it necessary for fire apparatus to travel time-consuming distances to refill once their initial water supply has been utilized.

B. Topographical Conditions:

1. The City is situated in hilly, inland terrain. Approximately 50% of the area is classified as "wildland" for fire purposes, covered by native vegetation on steep and frequently inaccessible hillsides. The native ground cover is highly combustible grasses, dense brush and chaparral. Natural firebreaks in these areas are insignificant. Natural slopes of 15 percent or greater generally occur in the foothills of Santee. Several developments are currently planned for these hillsides and future development may potentially occur in such areas.
2. The topographical conditions combine to create a situation that places Fire Department response time to fire occurrences at risk and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures, such as Class B roofing material to protect occupants and property.

ORDINANCE NO. _____

3. The amount of traffic will continue to grow with regional population growth, creating an artificial obstructive topographical condition. The three major highways (Hwy. 67, Hwy. 125, and Hwy. 52) that traverse through the City support the transportation of hazardous materials. The eventual release or threatened release of hazardous materials along one of these highways is possible, given the volume transported daily. The City is also transected by a mass transit trolley line that begins in the City of San Diego and terminates in the City of Santee. The Trolley operates throughout the day and delays emergency vehicles on a daily basis. These conditions may negatively affect access and the Fire Department's ability to deliver service.

4. The potential for fire damage is great in the wildland area, as such, a fire can spread rapidly and difficult terrain and explosive vegetation can slow response time.

5. Rural roads include many narrow winding roadways, often with grades in excess of that necessary for optimal response time for large fire apparatus. An additional factor affecting response time is the distance between the two fire stations and the fire location.

C. Geological Conditions:

1. The City is situated near three major earthquake faults, each capable of generating quakes with a magnitude of up to 7.0. These faults are: the Elsinore Fault, approximately 20 miles northeast of Santee; the Rose Canyon Fault, which extends south from La Jolla Cove, through Rose Canyon and west into San Diego; and the Coronado Banks Fault, which extends from the north to south direction, just off the Southern California coastline. In as much as these faults are considered major California earthquake faults, subject to becoming active at any time, the City of Santee is particularly vulnerable to devastation requiring significant emergency response, should an earthquake of such magnitude occur.

2. According to the soil ratings devised by the National Earthquake Hazards Reduction Program (NEHRP), certain portions of the City (through the San Diego River bed) have soft soils that are subject to a risk of liquefaction in the event of an earthquake.

3. Additionally, this same low-lying portion of the City is within a "High Risk Dam Inundation" area subject to severe flooding from the San Vicente and El Capitan Reservoirs in the event of a Dam failure. The potential effects include isolating the City from the north and south due to the potential of flood through the river bed. Additional potential situations inherent in an earthquake situation include: water main breaks, broken natural gas mains causing structure and other fires, possible leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid, and other medical attention to large numbers of people.

ORDINANCE NO. _____

SECTION 2: The City Council of the City of Santee finds that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15308 (Class 8) because the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment.

SECTION 3: The City Council of the City of Santee hereby finds and declares that all of the recitals set forth above are correct and true and wishes to amend the Santee Municipal Code by rescinding and replacing various Chapters of Title 11 “Buildings and Construction”, to include various sections of the Fire Code (Section 307.4.3 with subsections, Section 503.2.1, Section 503.2.3, Section 903.4.2, Section 5607 with subsections, Section 4903, and Section 4905.2 with subsections) as set forth in this ordinance.

SECTION 4: The City Council of the City of Santee hereby:

A. Rescinds Chapters 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, and 11.26 of the Santee Municipal Code; and

B. Adopts new Chapters 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, and 11.26, as provided in Exhibit “A”, attached hereto and incorporated herein by this reference.

SECTION 5: If any provision or clause of this Ordinance or the application thereof is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, clauses, or applications of this Ordinance which can be implemented without the invalid provision, clause, or application, it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, adopted and/ or ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, and/or phrases may be declared invalid or unconstitutional.

SECTION 6: This Ordinance shall become effective thirty (30) days after its passage.

SECTION 7: The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law.

SECTION 8. The Custodian of Records for this Ordinance is City Clerk and the records comprising the administrative record for this Ordinance are located at 10601 Magnolia Avenue, Santee, California 92071.

ORDINANCE NO. _____

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee held on the 26th day of October 2022, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 9th day of November 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

ORDINANCE NO. _____

Exhibit "A"

Amendments to Municipal Code

(follows this page)

Chapter 11.02

CALIFORNIA ADMINISTRATIVE CODE

Sections:

11.02.010 Adoption.

11.02.010 The California Administrative Code Chapter, 2022 edition, Chapter 11.02 is adopted by reference without change to the Buildings and Construction Code.

Chapter 11.04

CALIFORNIA BUILDING CODE

Sections:

11.04.010 Adoption.

11.04.020 Findings.

11.04.030 Deletions, revisions and additions.

11.04.040 Table 1505.1 Amended.

11.04.050 Appendices C, H and I adopted.

11.04.010 Adoption of the 2022 California Building Code, Part 2, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City building code for the purpose of prescribing regulations in the City of Santee for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2022 California Building Code, Part 2, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code, Section 18901 et seq. which is based on the International Building Code, 2021 Edition, including those Appendix Chapters shown as adopted by this Chapter. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the City of Santee shall be in conformance with the 2022 California Building Code published by the California Building Standards Commission.

11.04.020 Findings.

The City of Santee has many large, brush-covered hillsides. The City is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The City Council specifically finds that these geographic and topographic

ORDINANCE NO. _____

conditions necessitate greater fire protection than that provided by the 2022 California Building Code. Therefore, this chapter alters the 2022 California Building Code, to require more fire-retardant roof coverings.

11.04.030 Deletions, revisions and additions to the 2022 California Building Code.

Deletions, revisions and additions to the 2022 California Building Code shall be as set forth in Sections 11.04.040 and as follows:

A. Section 104.7.1 of the California Building Code is added to read as follows:

Section 104.7.1 Permit History Survey. Upon receipt of a written request from the owner of a parcel of property for a Permit History Survey, and the payment of the fee specified in a resolution duly adopted by the City Council, the Building Official may review city records and provide a report listing those building, plumbing, electrical and mechanical permits that have been issued for a specific parcel of property.

B. Section 105.2 of the California Building Code is amended to read as follows:

Section 105.2 Exempt from permit is amended by adding the following subsections 14 through 17:

1. through 13. remain unchanged.
14. Satellite dish antenna, other than roof-mounted, in Office, Commercial, and Industrial zoning districts
15. Renewal of roof coverings on any buildings.
16. Attached open residential patio covers structures up to 120 square feet in projected roof area. These structures must be attached to an R-3 occupancy.
17. Fences not over 8 feet high, where permitted to be installed by City Zoning Code in commercial and industrial zones.
18. Installation of metal storage containers for use as temporary storage structures. This exception does not apply to any structure used as defined under 'habitable space' in section 202 of the California building Code. This exemption is intended to be applied only to prefabricated shipping and cargo containers commonly used in the shipping and trucking industries.
19. Repairs which involve only the replacement of component parts of existing work with similar materials only for the purpose of maintenance and which do not aggregate over \$750.00 in valuation and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements without limit to valuation are:
 - a. Painting
 - b. Installation of floor covering
 - c. Cabinet work

ORDINANCE NO. _____

d. Outside paving not involving restriping of disabled access parking stalls.

C. Section 105.3.1.1 of the California Building Code is added to read as follows:

Section 105.3.1.1 Permits shall not be issued for construction on a site where the City engineer determines that a grading permit or public improvements are required until the City engineer or his/her representative notifies the Building Official in writing that grading or public improvements has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City engineer determines that flooding or geologic conditions at the site may endanger the public safety or welfare.

D. Section 109 of the California Building Code shall be deleted and replaced with the following:

Section 109.1 Fees.

Section 109.2 General. Fees shall be assessed as set forth in a resolution duly adopted by the City Council.

Section 109.3 Permit Fees. The fee for each permit shall be as set forth in a resolution duly adopted by the City Council.

The determination of value or valuation under any of the provisions of these codes shall be made by the Building Official. The value to be used in computing building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. The permit fees for those projects subject to State energy code compliance and /or State disabled access regulation compliance shall be as set forth in a resolution dully adopted by the City Council.

Section 109.4 Plan Review Fees. When submittal documents are required by section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be set forth in a resolution duly adopted by the City Council. The plan review fee for electrical, mechanical, and plumbing work shall be set forth in a resolution duly adopted by the City Council. The plan review fees for State energy code compliance and/or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the City Council. The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.3 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate set forth in a resolution duly adopted by City Council.

ORDINANCE NO. _____

Section 109.5 Expiration Of Plan Review. An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not to exceed 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

Section 109.6 Investigation Fees: Work Without A Permit.

Section 109.6.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

Section 109.6.2 Fee. An investigation fee, in addition to the permit fee, shall be equal to the amount of the permit fee required by this code. The minimum fee shall be the same as the same as the minimum permit fee set forth in a resolution duly adopted by the City Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes not from any penalty prescribed by law.

Section 109.7 Fee Refunds. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid has been withdrawn or cancelled before any examination has been expended.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 109.8 Permit History Survey Fee. The fee for conducting a permit history survey for an existing structure or facility shall be as set forth in a resolution duly adopted by City Council.

Section 109.9 Demolition Permit Fee. The fee for a permit to demolish a building shall be as set forth in a resolution duly adopted by the City Council.

ORDINANCE NO. _____

Section 109.10 Fee Exceptions: the government of the United States of America, the State of California, local school districts proposing work exempt from building permits, the County of San Diego, and the City shall not be required to pay for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by City Council shall apply.

- E. Section 113.1 of the California Building Code is amended to read as follows:

Section 113.1 General. In order to hear and decide appeals or orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, the City Council shall serve as the appeals board. The applicant may appeal the order, decision, or determination of the Building Official by filing with the City Clerk a written appeal within ten days after the date of the written decision.

- F. Section 114.4 of the California Building Code shall be replaced as follows to read:

Section 114.4 Violations. Any person, firm or corporation violating any provision of this code or the technical codes shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars, or imprisoned for a period of not more than six months in the county jail, or both fine and imprisonment.

- G. Section 114.5 of the California Building Code shall be added as follows to read:

Section 114.5 Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished, equipped, used, occupied, or maintained contrary to the provisions of this code shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain a permit as required by Chapter one (1) of this code shall be prima facie evidence of the fact that the public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation, or maintenance of a building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this code or the technical codes.

- H. Add the following to the end of the first paragraph of Section 1505.1 General:

Section 1505.1 The installation of wood shingle or shake roofing material for reroofing or repair which exceeds 25 percent of the projected roof area within any 12-month period shall be as required for new roof installations or a minimum of Class B Rating.

- I. Table 1505.1 of the 2022 California Building Code and International Building Code

ORDINANCE NO. _____

is amended as follows:

11.04.040 Table 1505.1 Amended.

Table 1505.1 of the 2022 California Building Code and the International Building Code, 2021 Edition, is amended to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATION
FOR TYPE OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

J. Appendices C, H, and I are adopted as follows:

1104.050 Appendices C, H and I adopted.

Appendix C, H and I are adopted.

ORDINANCE NO. _____

Chapter 11.06

CALIFORNIA RESIDENTIAL CODE

Section 11.06.010 Adoption

11.06.010 Adoption of the 2022 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City residential code for the purpose of establishing provisions for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade the 2022 California Residential Code based on the International Residential Code, 2021 Edition. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal or demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade within the City of Santee, shall be in conformance with the 2022 California Residential Code, published by the California Building Standards Commission.

A. Section R104.7.1 of the California Residential Code is added to read as follows:

Section R104.7.1 Permit History Survey. Upon receipt of a written request from the owner of a parcel of property for a Permit History Survey, and the payment of the fee specified in a resolution duly adopted by the City Council, the Building Official may review City records and provide a report listing those building, plumbing, electrical and mechanical permits that have been issued for a specific parcel of property.

B. Section R105.2 of the California Residential Code is amended to read as follows:

Section R105.2 Exempt from permit is amended by adding the following subsections 11 through 16:

1. through 10. remains unchanged.
11. Satellite dish antenna, other than roof-mounted, in Office, Commercial, and Industrial zoning districts
12. Renewal of roof coverings on any buildings.
13. Attached open residential patio covers structures up to 120 square feet in projected roof area. These structures must be attached to an R-3 occupancy.
14. Fences not over 8 feet high, where permitted to be installed by City Zoning Code in commercial and industrial zones.
15. Installation of metal storage containers for use as temporary storage structures. This exception does not apply to any structure used as defined under 'habitable space' in section R202 of the California Residential Code. This exemption is intended to be applied only to prefabricated shipping and cargo containers commonly used I the

ORDINANCE NO. _____

shipping and trucking industries.

16. Repairs which involve only the replacement of component parts of existing work with similar materials only for the purpose of maintenance and which do not aggregate over \$750.00 in valuation and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements without limit to valuation are:
- a. Painting
 - b. Installation of floor covering
 - c. Cabinet work
 - d. Outside paving not involving restriping of disabled access parking stalls.

C. Section R105.3.1.2 of the California Residential Code is added to read as follows:

Section R105.3.1.2.1 Permits shall not be issued for construction on a site where the City engineer determines that a grading permit or public improvements are required until the City engineer or his/her representative notifies the Building Official in writing that grading or public improvements has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City engineer determines that flooding or geologic conditions at the site may endanger the public safety or welfare.

D. Section R108 of the California Building Code shall be deleted and replaced with the following:

Section R108.1 Fees.

Section R108.2 General. Fees shall be assessed as set forth in a resolution duly adopted by the City Council.

Section R108.3 Permit Fees. The fee for each permit shall be as set forth in a resolution duly adopted by the City Council.

The determination of value or valuation under any of the provisions of these codes shall be made by the Building Official. The value to be used in computing building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. The permit fees for those projects subject to State energy code compliance and /or State disabled access regulation compliance shall be as set forth in a resolution dully adopted by the city council.

Section R108.4 Plan Review Fees. When submittal documents are required by section R106, a plan review fee shall be paid at the time of submitting the

ORDINANCE NO. _____

submittal documents for plan review. Said plan review fee shall be set forth in a resolution duly adopted by the City Council. The plan review fee for electrical, mechanical, and plumbing work shall be set forth in a resolution duly adopted by the City Council. The plan review fees for State energy code compliance and /or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the City Council. The plan review fees specified in this section are separate fees form the permit fees specified in Section R108.3 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in California Building Code Section 107.3.4.1, an additional plan review fee shall be charged at the rate set forth in a resolution duly adopted by City Council.

Section R108.5 Expiration Of Plan Review. An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not to exceed 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

Section R108.6 Investigation Fees: Work Without A Permit.

Section R108.6.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

Section R108.6.2 Fee. An investigation fee, in addition to the permit fee, shall be equal to the amount of the permit fee required by this code. The minimum fee shall be the same as the same as the minimum permit fee set forth in a resolution duly adopted by the City Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes not from any penalty prescribed by law.

Section R108.7 Fee Refunds. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more that 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid has been withdrawn or cancelled before any examination has been

ORDINANCE NO. _____

expended.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R108.8 Permit History Survey Fee. The fee for conducting a permit history survey for an existing structure or facility shall be as set forth in a resolution duly adopted by City Council.

Section R108.9 Demolition Permit Fee. The fee for a permit to demolish a building shall be as set forth in a resolution duly adopted by the City Council.

Section R108.10 Fee Exceptions: the government of the United States of America, the State of California, local school districts proposing work exempt from building permits, the County of San Diego, and the City shall not be required to pay for filing an application for a building permit pursuant to this code unless city plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by City Council shall apply.

E. Section R112.1 of the California Residential Code is added to read as follows:

Section R112.1 General is amended to read as follows: In order to hear and decide appeals or orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, the City Council shall serve as the appeals board. The applicant may appeal the order, decision, or determination of the Building Official by filing with the City Clerk a written appeal within ten days after the date of the written decision.

F. Section R113.4 of the California Residential Code shall be replaced as follows to read:

Section R113.4 Violations. Any person, firm or corporation violating any provision of this code or the technical codes shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars, or imprisoned for a period of not more than six months in the county jail, or both fine and imprisonment.

G. Section R113.5 of the California Residential Code shall be added as follows to read:

Section R113.5 Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished, equipped, used, occupied, or maintained contrary to the provisions of this code shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain a

ORDINANCE NO. _____

permit as required by Chapter one (1) of this code shall be prima facie evidence of the fact that the public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation, or maintenance of a building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this code or the technical codes.

H. Section R902.1.3 of the California Residential Code is altered to read as follows:

Section R902.1.3 Roof Coverings in all other areas. Alter the class of roof coverings in R902.1.3 at the end of the paragraph from “Class C” to “Class B.”

ORDINANCE NO. _____

Chapter 11.08

CALIFORNIA ELECTRICAL CODE

Section 11.08.010 Adoption.

11.08.010 Adoption of the 2022 California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City electrical code for the purpose of prescribing regulations in the City of Santee for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2022 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code based on the National Electrical Code, 2020. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all installation, alteration or repair of electrical systems within the City of Santee shall be in conformance with 2022 California Electrical Code published by the California Building Standards Commission.

ORDINANCE NO. _____

Chapter 11.10

CALIFORNIA MECHANICAL CODE

Sections 11.10.010 Adoption.

11.10.010 Adoption of the 2022 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City mechanical code for the purpose of prescribing regulations in the City of Santee for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2022 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. based on the Uniform Mechanical Code, 2021 Edition. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances shall be in conformance with 2022 California Mechanical Code and any rules and regulations promulgated pursuant thereto, published by the California Building Standards Commission.

ORDINANCE NO. _____

Chapter 11.12

CALIFORNIA PLUMBING CODE

Sections:

- 11.12.010 Adoption
- 11.12.020 Deletions and Additions
- 11.12.030 Appendices A, B, D, G and I Adopted

11.12.010 Adoption of the 2022 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City plumbing code for the purpose of prescribing regulations in the City of Santee for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2022 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. based on the Uniform Plumbing Code 2021 Edition. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the City of Santee shall be in conformance with 2022 California Plumbing Code, published by the California Building Standards Commission.

11.12.020 Deletions and Additions to the 2022 California Plumbing Code and the Uniform Plumbing Code, 2021 Edition.

Deletions and additions to the 2022 California Plumbing Code, shall be as set forth in Sections 11.12.020 and 11.12.030

- A. Section 104.1.1 of the California Plumbing Code is added as follows to read:

Section 104.1.1 Solar Water Heaters Pre-Plumbing And Storage Tank Space Requirement.

1. Any other provisions on this chapter to the contrary notwithstanding, no permit shall be issued by the administrative authority for a new residential building unless said building includes plumbing and adequate space for installation of a solar storage tank specifically designed to allow the later installation of a system which utilizes solar energy as the primary means of heating domestic potable water. No building permit shall be issued unless the plumbing required pursuant to this section is indicated in the building plans. Pre-plumbing and storage tank configuration shall be designed and installed to the satisfaction of the administrative authority. This section shall apply only to those new residential buildings for which a building permit was applied for after the effective date of the

ORDINANCE NO. _____

ordinance amending this section.

2. The administrative authority is hereby authorized to exempt those applications from the provisions of this section which the administrative authority determines do not have feasible solar access due to shading, building orientation, construction constraints, or configuration of the subdivision parcel.

- B. Section 104.1.2 of the California Plumbing Code is added as follows to read:

Section 104.1.2 Swimming Pool Heaters.

1. Any other provisions of this chapter to the contrary notwithstanding, no permit shall be issued for a new or replacement fossil swimming pool heater unless a solar system with a collector area a minimum of fifty percent of the surface area of the swimming pool being heated is also installed as the primary heat source for the swimming pool.

2. A fossil fuel swimming pool heater is defined as one which uses nonrenewable fuel including but not limited to natural gas, propane, diesel and electricity.

3. As used in this section a swimming pool means any confined body of water exceeding two feet in depth, greater than one hundred fifty square feet in surface area, and located either above or below the existing finished grade of the site, designed, used or intended to be used for swimming, bathing or therapeutic purposes.

EXCEPTION: A separate spa and a spa built in conjunction with a swimming pool may be heated by fossil fuels, provided the heating source cannot be used to heat the swimming pool.

4. Other provisions of this section notwithstanding, the owner of a swimming pool may request of the administrative authority a waiver of all, or a portion, of the requirements contained in this section when topographic conditions, development, or existing trees on or surrounding the swimming pool or probable location of the solar collection system preclude effective use of the solar energy system due to shading; or the swimming pool is located in a permanent, enclosed structure.

5. An applicant dissatisfied with a decision of the administrative authority relating to modification or waiver under this section may appeal said decision to the City Council by filing a written appeal with the City Clerk within ten days of the issuance of the written decision. The decision of the City Council in the case of any such appeal shall be final.

- C. 11.12.030 Appendices A, B, D, G and I Adopted as follows:

ORDINANCE NO. _____

Appendix Chapters A, B, D, G and I of the 2022 California Plumbing Code, are adopted.

ORDINANCE NO. _____

Chapter 11.14

CALIFORNIA ENERGY CODE

Sections:

11.14.010 Adoption.

11.14.010 Adoption of the 2022 California Energy Code, Part 6, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City energy code for the purpose of prescribing regulations in the City of Santee for the conservation of energy the 2022 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. and the California Energy Code, 2022 Edition. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, all construction of buildings where energy will be utilized shall be in conformance with California Energy Code and any rules and regulations promulgated pursuant thereto, including the California Energy Code, 2022 Edition, published by the California Energy Commission.

ORDINANCE NO. _____

Chapter 11.16

HISTORICAL BUILDING CODE

Sections 11.16.010 Adoption.

11.16.010 Adoption of the 2022 California Historical Building Code, Part 8, Title 24 of the California Code of Regulations.

The California Historic Building Code, 2022 edition, Chapter 11.16 is adopted by reference without change to Buildings and Construction Title 11.

ORDINANCE NO. _____

Chapter 11.18

CALIFORNIA FIRE CODE

Sections:

11.18.010 Adoption.

11.18.020 Amendments made to the California Fire Code.

11.18.030 Special regulations

11.18.040 Appeals

11.18.050 New materials, process or permits

11.18.060. Penalties

11.18.010 Adoption of the 2022 California Fire Code, Part 9, Title 24 of the California Code of Regulations, which incorporates and amends the International Fire Code 2021 edition with certain local amendments.

There is adopted and incorporated by reference herein as the City Fire Code for the purpose of enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2022 California Fire Code, Part 9, Title 24 California Code of Regulations, a portion of the California Building Standards Code and the 2021 International Code. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, planning, design, operation, construction, use and occupancy of every newly constructed building or structure shall conform with the 2022 California Green Building Code, published by the California Building Standards Commission.

- (A) There is hereby adopted by the City Council of the City of Santee for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code, including Appendix Chapters 4, B, BB, C, CC, E, F, G, H, I and J.
- (B) Published by the International Code Council, being particularly the 2021 Edition thereof and California Amendments thereto, as incorporated into California law under Title 24 of the California Code of Regulations, save and except such portions as are hereinafter deleted, modified or amended by Section 11.18.040 of this Ordinance.
- (C) No less than three copies of these codes and standards have been, and are now filed in the office of the City Fire Department with one copy on file in the office of the City Clerk per Government Code Section 50022.6, and the same are adopted and incorporated as fully as if set out at length in this Chapter. From the date on which this Chapter shall take effect, the provisions thereof shall be controlling within the boundaries of the City.

11.18.020 Amendments made to the California Fire Code.

ORDINANCE NO. _____

The following section repeals and replaces Section 11.18.020 of the Santee Municipal Code.

Section 11.18.020 The California Fire Code, 2022 Edition, is amended and changed in the following respects:

A. Chapter 3 AMENDED - General Precautions Against Fire

1. Section 307.4.3 is hereby amended to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall comply with all the following restrictions:

307.4.3.1 Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions. The use of washing machine tub fireplaces and other similar devices is prohibited within Santee City limits.

307.4.3.2 Portable outdoor fireplaces shall be constructed of steel or other approved non-combustible materials.

307.4.3.3 During operation, the portable outdoor fireplace shall be covered with a metal screen or welded or woven wire mesh spark arrestor with openings no larger than ¼ " to reduce airborne embers.

307.4.3.4 Portable outdoor fireplaces shall only be used on a non-combustible surface or bare ground, void of all vegetation.

307.4.3.5 Portable outdoor fireplaces shall be operated at least 15 feet away from all combustible materials or structures and shall not be used under eaves, patio covers or other shade structures.

307.4.3.6 Portable outdoor fireplaces shall be supervised at all times and extinguished when no longer being used.

307.4.3.7 A garden hose or 4A fire extinguisher shall be readily available at all times when the outdoor portable fireplace is in operation.

307.4.3.8 The burning of trash, rubbish or paper products is strictly prohibited.

307.4.3.9 The Fire Code Official or other Fire Department representative is authorized to order extinguishment at any time because of misuse, objectionable situation, hazardous weather, or any other safety concern.

B. Chapter 5 AMENDED - Fire Service Features

1. Section 503.2.1 is hereby amended by replacing language to read as follows:

503.2.1 Dimensions (Fire Apparatus Access Roads). Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.

ORDINANCE NO. _____

EXCEPTION: A fire apparatus access road may be reduced to an unobstructed width of not less than 16 feet (or other approved width) when in the opinion of the Fire Chief the number of vehicles using the roadway will not limit or impair adequate emergency fire department access.

2. Section 503.2.3 is hereby amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an approved paved surface. In new development, all underground utilities, hydrants, water mains, curbs, gutters and sidewalks must be installed and the drive surface shall be approved prior to combustibles being brought on site.

3. Section 503 is hereby amended by adding subsection 503.7 and 503.8 to read as follows:

503.7 Gates across fire apparatus access roads. All gates or other structures or devices which could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Fire Chief/Fire Code Official, and receive specific plan approval. Written plans shall be submitted for approval and approved prior to the installation of any gate or other similar obstruction. Gates shall be equipped with approved emergency locks or locking devices.

503.8 Automatic gates. All automatic gates across fire apparatus access roads shall be equipped with approved emergency key switches. Gates serving more than four residential dwellings or gates serving projects that, in the opinion of the Fire Chief/Fire Code Official, require a more rapid emergency response, shall also be equipped with an approved strobe activating sensor(s) to open the gate upon approach of emergency apparatus. All gates shall have a manual release device to open the gate upon power failure.

4. Section 505 is hereby amended by adding subsection 505.3 to read as follows:

505.3 Map/Directory. A lighted directory map meeting current Santee Fire Department standard may be installed at each driveway entrance or other approved location(s) to multiple unit residential projects 15 units or more and other occupancies when in the opinion of the Fire Chief the directory will enhance emergency response to the project.

C. Chapter 9 AMENDED – Fire Protection Systems

1. Section 903.2 is hereby amended adding subsections 903.2(a) and 903.2(b) to read as follows:

903.2(a) Automatic fire sprinkler system required. The installation of an approved automatic fire sprinkler system shall be required in all buildings, regardless of size or occupancy, and irrespective of any occupancy or area

ORDINANCE NO. _____

separation. Sprinklers shall also be required in all additions made to existing buildings equipped with automatic fire sprinkler system. "Fire walls" and "Area or Occupancy Separation Walls" regardless of construction rating shall not constitute separate buildings for purposes of determining fire sprinkler requirements. An approved fire sprinkler system shall be required in an existing non-sprinklered building when a change of occupancy classification occurs.

EXCEPTION: Kiosks, sheds, out-buildings, small temporary buildings and other small buildings may not need an automatic fire sprinkler system if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

903.2(b) Automatic fire sprinkler system required additions. An approved automatic fire sprinkler system shall be installed in any existing non-sprinklered buildings where structural additions are made greater than 5,000 square feet or resulting in a 50% increase in the size of the building. In this situation the entire building is required to be equipped with an approved automatic fire sprinkler system.

EXCEPTION: Group R, Division 3 occupancies.

2. Section 903.4.2 is hereby amended by replacing language to read as follows:

903.4.2 Alarms. One or more exterior approved audio/visual device(s) shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

3. Section 905 is hereby amended by adding Subsection 905.3(a) to read as follows:

905.3(a) Required installations. A wet standpipe system shall be installed in all levels of any parking structures below or above grade.

D. Chapter 23 AMENDED - Motor Fuel-Dispensing Facilities And Repair Garages

1. Section 2306.2.3 is hereby amended by replacing language for exception 3 to read as follows:

2306.2.3 Above-ground tanks located outside, above grade, exception 3.

3. Tanks containing fuels shall not exceed 1,500 gallons of Class I liquids, 12,000 gallons of Class II liquids in individual capacity and 26,000 gallons in aggregate capacity. Installations with the maximum allowable capacity shall be separated from other installations by not less than 100 feet.

ORDINANCE NO. _____

E. **Chapter 49 AMENDED – Requirements For Wildland-Urban Interface (WUI) Areas**

1. Section 4905.2 is hereby amended to read as follows:

4905.2 Construction methods and requirements within established limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,
2. California Residential Code Section R327,
3. California Reference Standards Code Chapter 12-7A
4. Santee Local Amendments
5. and applicable amendments

F. Section 4905 is hereby amended to read as follows:

4905.4 Special Fire Protection Requirements.

4905.4.1 Combustible fencing. Fencing within Fire Hazard Severity Zones and/or Wildland Urban Interface Areas shall consist of noncombustible or approved materials. The closest five (5) feet of fencing to any structure shall be approved noncombustible.

4905.4.2 Outdoor fireplaces, barbecues and grills. Outdoor fireplaces, barbecues and grills shall not be built, or installed in Fire Hazard Severity Zones and/or Wildland Urban Interface Areas without plan approval by the Fire Code Official. Portable outdoor fireplaces or other wood burning appliances shall be strictly prohibited within Fire Hazard Severity Zones and/or Wildland Urban Interface Areas.

4905.4.3 Spark arresters. Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel are used, shall be provided with a spark arrester of woven or welded wire screening of 12-gauge standard wire having openings not exceeding ¼ inch.

4905.4.4 Storage of firewood and combustible materials. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks, under eaves, canopies or other projections or overhangs and shall be stored at least 20 feet from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet.

4905.4.5 Water supply. All water systems, specifically fire hydrants and storage tanks, must be approved by the Fire Department. Fire hydrants within Fire Hazard Severity Zones or Wildland Urban Interface Areas shall be spaced every 300 feet and shall have a fire flow of 2500 gallons per minute or a fire flow approved by the Fire Chief. Developments that require new or “stand alone” water storage facilities may also be required to provide secondary or back-up

ORDINANCE NO. _____

systems, such as independently powered pumps that will ensure adequate water supply for firefighting emergencies.

4905.4.6 Wildland access. To adequately deploy resources to protect structures threatened by wildfires, emergency access to wildland areas may be required. Access may include but is not limited to, gated vehicle access points and/or personnel corridors between homes or structures. The need, number, and location of wildland access points will be determined by the Fire Code Official.

2. Section 4906.3.1.1 is hereby amended to read as follows:

4906.3.1.1 Delineation of the 50-foot (15240 mm) and 100-foot (30.5 m) fuel management zones form all structures.

3. Section 4906.4.2.1 is hereby amended to read as follows:

4906.4.2.1 Non-Fire-Resistant Vegetation. New trees not classified as fire-resistant vegetation, such as conifers, palms, pepper trees and eucalyptus species, shall not be permitted in WUI Areas.

4. Section 4907 is hereby amended adding subsections 4907.4, 4907.4.1, 4907.4.2 and 4907.4.3 as follows

4907.4. Fuel Modified Defensible Space. All new developments, subdivisions or tracts that are planned in Fire Hazard Severity Zones and/or Wildland Urban Interface Areas shall have a minimum of 100 horizontal feet of "fuel modified" defensible space between structures and wildland areas. Depending on the percentage of slope and other wildland area characteristics, the Fuel Modified Defensible Space may be increased beyond 100 feet. Fuel Modified Defensible Space shall be comprised of two distinct brush management areas referred to as, "Zone One" and "Zone Two".

4907.4.1. Fuel Modified Defensible Space, Zone One. "Zone One" is the first 50 feet measured from the structure toward the wildland. This area is the least flammable, and consists of pavement, walkways, turf and permanently landscaped, irrigated and maintained ornamental planting. This vegetation should be kept in a well-irrigated condition and cleared of dead material. This area requires year-round maintenance. Fire resistive trees are allowed if placed or trimmed so that crowns are maintained more than 10 feet from the structure. Highly flammable trees such as, but not limited to conifers, eucalyptus, cypress, junipers and pepper trees are not allowed in WUI areas. This area shall be maintained by the property owner or applicable homeowners association(s).

ORDINANCE NO. _____

4907.4.2. Fuel Modified Defensible Space, Zone Two. "Zone Two" is the second 50 feet of the 100 total feet of defensible space and is measured 50 feet from the structure to a total of 100 feet toward the wildland. Zone Two shall consist of low-growing, fire-resistant shrubs and ground covers. Average height of new plants for re-vegetation should be less than 24 inches. In this Zone, no more than 30% of the native, non-irrigated vegetation shall be retained. This area requires inspection and periodic maintenance. This area shall be maintained by the property owner or applicable homeowners association(s).

4907.4.3. Defensible space adjacent to roadways. An area of 50 feet from each side of fire apparatus access roads and driveways shall be improved to "Zone One" standards and maintained clear of all but fire-resistive vegetation. This area shall be maintained by the property owner or homeowners associations as with other defensible space areas. Defensible space adjacent to roadways may be increased to more than 50 feet on each side of a fire apparatus access road. This distance is to be determined by the approved Fire Protection Plan.

G. Chapter 56 AMENDED - Explosives And Fireworks

1. Chapter 56 is hereby amended by adding section 5607 to read as follows:

5607 Blasting

5607.16 Scope. Section 5607 is intended to regulate blasting operations within the City of Santee.

5607.17 Grading permit required. Section 5609 shall apply to any project or construction operation where a grading permit is required. A grading permit must be approved and issued by the Engineering Department of the City of Santee prior to the issuance of a blasting permit issued by the Fire Department for blasting at construction sites.

5607.18 Definitions. For the purpose of this Division the following definitions shall apply:

Approved Blaster is a blaster who has been approved by the Fire Chief to conduct blasting operations in the City of Santee and who has been placed on the list of approved blasters.

Blaster is any person, corporation, contractor or other entity who uses, ignites, or sets off an explosive device or material.

Inspector is any person who has been approved by the Fire Chief to conduct pre and post blast inspections in the City of Santee.

Blasting Operations shall mean the use of an explosive device or explosive materials to destroy, modify, obliterate, or remove any obstruction of any kind from a piece of property.

ORDINANCE NO. _____

Minor Blasting is any blasting operation associated with trenching operations, digging holes for utility poles, and other single shot operations.

Major Blasting is any other type of blasting operation.

Permit for Blasting is a written document issued by the Santee Fire Department wherein the blaster is given permission to blast within the City of Santee under specific terms and conditions for the operation.

Certificate of Insurance is a written document issued by an insurance company authorized to do business in the State of California stating that the insurance company has issued a policy of liability insurance covering property damage and bodily injuries resulting from blasting operations occurring in the City of Santee.

Explosive Permit is a written document issued by the San Diego County Sheriff's Department pursuant to Section 12000, et seq. of the California Health and Safety Code wherein the Sheriff's Department allows blasting with explosives to be done by the permittee under the conditions specified therein.

5607.19 Permit to Blast: All blasting operations within the City of Santee are prohibited unless a permitted by the Santee Fire Department.

5607.20 Prerequisites. No Permit to Blast shall be granted or obtained unless the prerequisite conditions listed below are complied with and proof provided to the satisfaction of the Fire Department.

5607.21 Explosives permit. The blaster shall obtain an explosives permit from the San Diego County Sheriff's Department and a copy thereof shall be placed on file with the Santee Fire Department.

5607.22 Santee business license. The blaster shall obtain a business license from and issued by the Finance Department of the City of Santee and a copy thereof placed on file with the Santee Fire Department.

5607.23 Liability insurance. The property owner/developer or general contractor shall obtain liability insurance covering the blaster's activities in the minimum amount of \$2,000,000 for property damage and \$1,000,000 for bodily injury. The property owner/developer or general contractor shall file a copy of the Certificate of Insurance with the Santee Fire Department. The blaster shall have liability insurance, property insurance, and bodily injury insurance in the minimum amount of \$500,000 each. A copy of the Certificate of Insurance of the blaster shall also be filed with the Santee Fire Department by the property owner/developer or general contractor. The City of Santee shall be named as Co-Insured.

5607.24 Blaster's qualifications. The blaster's qualifications shall be reviewed by the Fire Chief. Approval and placement on the list of approved blasters shall be based upon a review of the blaster's qualifications, past safety

ORDINANCE NO. _____

record, and history of complaints of job performance. Failure on the part of the blaster to comply with the terms and conditions under which approval is granted may result in suspension from the list of approved blasters for a period not exceeding one year.

5607.25 Permit to Blast - repository and renewal.

5607.26 Permit to Blast filing. A copy of the Permit to Blast shall be kept on file with the Santee Fire Department at 10601 Magnolia Ave., Santee, California 92071. A copy of the Permit to Blast shall be retained by the general contractor or property owner/developer and by the blaster and shall be available at the job site for public or official inspection at all times during blasting operations.

5607.27 Permit to Blast cancellation. A Permit to Blast is required to be cancelled with the Fire Department when a blaster completes or discontinues, for thirty (30) days, blasting operations at a construction site.

5607.28 Permit to Blast - renewal. A Permit to Blast must be renewed with the Fire Department before any blasting operations are continued or resumed.

5607.29 Blasting operation procedures. After the Permit to Blast has been issued, the blaster shall comply with the following procedures.

5607.30 Notification of blasting operation. The contractor or property owner/developer shall give reasonable notice in writing at the time of issuance of building permit, grading permit or encroachment license to all residences or businesses within 600 feet of any potential blast location. The notice shall be in a form approved by the Fire Chief.

Any resident or business receiving such notice may request of the Fire Department that the blaster give a 12 hours advance notice of impending blast. The general contractor or property owner/developer shall obtain the advanced notification list of residents and businesses from the Fire Department, and shall make every reasonable effort to contact any and all parties requesting the second advanced notice.

5607.31 Inspections. Inspections of all structures within 300 feet of the blast site shall be made before blasting operations. The person(s) inspecting shall obtain the permission of the building owner prior to conducting the inspection. The inspections shall be performed by a qualified person(s) approved by the Fire Chief, and employed by the blaster or project contractor. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable pre-existing defects or damages in any structure. Waiver of such inspection shall be in writing by owner(s), and persons who have vested interest, control, custody, lease or rental responsibility of said property or their legally recognized agent. Post blast inspections shall be required upon receipt of a complaint of property damage by the person in charge of the property. Damage must be reported to the Fire Department within one year of the completion of blasting operations.

ORDINANCE NO. _____

5607.32 Inspection report. Complete inspection reports identifying all findings or inspection waivers shall be signed by the inspector and property owners or owner's agent. Such inspection reports shall be retained by the inspecting agency, but shall be immediately available to the Fire Department and individuals directly involved in alleged damage complaints.

5607.33 Inspection waiver report. The inspector shall file with the Fire Department a summary report identifying address, occupant/owner's name, time and date of inspections, and any inspection waiver signed by property owner or owner's agent, with an explanation as to why an inspection of a specific structure was not made. This summary and waiver report shall be signed by the inspector.

5607.34 Blasting hours. Blasting shall only be permitted between the hours of 9:00 am and 4:00 pm during any weekday, Monday through Friday, unless special circumstances warrant another time of day and special approval is granted by the Fire Chief.

5607.35 Fire Department inspections. The blaster shall permit Fire Department personnel to inspect the blast site and blast materials or explosives at any reasonable time.

5607.36 Fire Department witness of blasting. If a Fire Department witness is desired by the general contractor, and or blaster, arrangements shall be made at least 12 hours prior to the blast. Confirmation shall be made to the Fire Department no less than one hour prior to the blast. The Fire Department may assign a Department member to be present and observe the blast at their discretion.

5607.37 Blast notification to Fire Department. The blasting companies are required to notify the Fire Department on the day of a tentative blasting operation, between the hours of 8:00 am and 8:30 am.

5607.38 Seismograph monitoring. All blasting operations shall be monitored by an approved seismograph located at the nearest constructed structure. All daily seismograph reports shall be forwarded to the Fire Department by the end of the blast week.

EXCEPTION: Public Utility Companies are not required to seismographically monitor minor blasting operations.

5607.39 Confiscation. Any explosives which are illegally manufactured, sold, given away, delivered, stored, used, possessed, or transported shall be subject to immediate seizure by the Fire Chief, issuing authority, or peace officer. When a permit has been revoked or has expired and is not immediately renewed, any explosive is subject to immediate seizure.

5607.40 Complaints regarding blasting operations. Post-blast inspections shall be required on all structures for which complaints, alleging blast damage, have

ORDINANCE NO. _____

been received. Such inspections shall be written within thirty (30) days of receipt of complaint.

5607.41 Fee for Permit to Blast. The blaster shall pay a fee for the Permit to Blast designated within the Fire Department Schedule of Fees. Unless otherwise designated within the approved Schedule of Fees, a Permit to Blast shall be site specific and a separate fee shall be charged to each Blast operation or for each Permit to Blast issued.

5607.42 Fire Department conditions. The Santee Fire Department may impose such additional conditions and procedures as it deems are reasonably necessary to protect the public health and safety based upon the peculiar and individual facts and circumstances of a particular blasting operation. The Fire Department shall provide the blaster with the additional conditions or procedures in writing and the blaster shall comply with those requirements until such time as the Fire Department is satisfied they are no longer required and cancels the additional requirements.

2. SECTION 11.18.030 Special Regulations. The following Section repeals and replaces Section 11.18.030 of the Santee Municipal Code as follows:

Section 11.18.030

(A) **Establishment of geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited.** The limits referred to in Section 5704.2.9.6.1 of the International Fire Code in which the storage of flammable or combustible liquids in above-ground tanks outside of buildings is prohibited are hereby established as the jurisdictional limits of the City.

The storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited in all residential zones within the City of Santee. The storage of Class I and Class II liquids in above ground tanks for motor vehicle fuel-dispensing may be allowed in commercial or industrial zones within the City, providing that applicable provisions of Chapter 23 and 57 are met, and if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

(B) **Establishment of geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited.** The limits referred to in Section 5706.2.4.4 of the International Fire Code in which the storage of flammable or combustible liquids in above-ground tanks is prohibited are hereby established as the jurisdictional limits of the City.

The storage of Class I and Class II liquids in above ground tanks is prohibited in all residential zones within the City of Santee. The storage of Class I and Class II liquids in above ground tanks for motor vehicle fuel-dispensing may be allowed in commercial or industrial zones within the City, providing that applicable

ORDINANCE NO. _____

provisions of Chapter 23 and 57 are met, and if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

(C) Establishment of geographic limits in which the storage of liquefied petroleum gases is restricted for the protection of heavily populated or congested areas. The limits referred to in Section 6104.2 of the International Fire Code, in which the storage of liquefied petroleum gas is restricted, are hereby established as the jurisdictional limits of the City.

The storage of liquefied petroleum gases are prohibited within residential zones within the City of Santee. The storage of liquefied petroleum gases are allowed within commercial or industrial zones within the City of Santee to a maximum quantity of 2,000-gallon water capacity, providing all applicable provisions of Chapter 61 are met, and in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

EXCEPTION: Liquefied Petroleum Gas may be allowed for residential use where no other gas service is provided and the quantity, location and use do not pose a significant problem.

(D) Establishment of limits of districts in which storage of explosives and blasting agents is prohibited. Limits in which storage of explosives and blasting agents is prohibited, are hereby established as the jurisdictional limits of the City.

Permanent storage of explosives and/or blasting agents shall be strictly prohibited within the City of Santee. Temporary storage may be allowed during set-up for excavation, demonstration, or other use, when proper permits have been obtained, all applicable provisions of Chapter 56 have been met, and when in the opinion of the Fire Chief, there are no significant hazards.

EXCEPTION: Small quantities of black powder and explosive materials may be stored and used when they are permitted by the applicable law enforcement agency and permitted by the Fire Department.

(E) Establishment of geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited. The limits referred to in Section 5806.2 of the International Fire Code, in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as follows:

The storage of flammable cryogenic fluids is prohibited within the City of Santee.

3. Section 11.18.040. Appeals. The following Section repeals and replaces Section 11.18.040 of the Santee Municipal Code.

Section 11.18.040 Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code have been

ORDINANCE NO. _____

misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City Council. A letter of appeal shall be submitted to the City Clerk within 30 days from the date of the decision being appealed. The appeal shall be heard by the City Council at the next available meeting.

4. **Section 11.18.050.** New Materials, Processes or Permits. The following Section repeals and replaces Section 11.18.070 of the Santee Municipal Code as follows:

Section 11.18.050 The City Manager, the Fire Chief and the Fire Marshal shall act as a committee to determine and specify, after giving affected person an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the *California Fire Code and International Fire Code*. The Fire Marshal shall post such list in a conspicuous place in the office of the City Clerk, at the bureau of fire prevention and distribute copies thereof to interested persons.

5. Section 11.18.060. Penalties. The following Section adds 11.18.060 of the Santee Municipal Code as follows:

Section 11.18.060(A) Any person who violates any provision of this Ordinance or of the code or standards adopted by reference in this Ordinance, is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

(B) The application of the above penalties shall not prevent the enforced removal of prohibited conditions.

ORDINANCE NO. _____

Chapter 11.20

CALIFORNIA EXISTING BUILDING CODE

Sections: 11.20.010 Adoption.

11.20.010 Adoption of the 2022 California Existing Building Code, Part 10, Title 24 of the California Code of Regulations.

The California Existing Building Code, 2022 edition, is adopted by reference without change.

ORDINANCE NO. _____

Chapter 11.22

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections: 11.22.010 Adoption.

11.22.010 Adoption of the 2022 California Green Building Code, Part 11, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Green Building Code for the purpose of enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2022 California Green Building Code, Part 11, Title 24 California Code of Regulations, a portion of the California Building Standards Code. Except as otherwise provided by this Chapter and Chapter 11.02 of the City of Santee Municipal Code, planning, design, operation, construction, use and occupancy of every newly constructed building or structure shall conform with the 2022 California Green Building Code, published by the California Building Standards Commission.

ORDINANCE NO. _____

Chapter 11.26

REFERENCED STANDARDS CODE

Sections:


11.26.010 Adoption.

11.26.010 Adoption of the 2022 California Referenced Standards Code, Part 11, Title 24 of the California Code of Regulations.

The California Referenced Standards Code, 2022 edition, is adopted by reference without change.

MEETING DATE October 26, 2022

ITEM TITLE AUTHORIZE AWARD OF CONTRACT TO TD SPORTS GROUP, LLC FOR SYNTHETIC TURF REPAIRS AT TOWN CENTER COMMUNITY PARK EAST

DIRECTOR/DEPARTMENT Nicolas Chavez, Community Services Director 

SUMMARY

On September 14, 2022 field 3 at Town Center Community Park East sustained damage to the turf and subbase by a lighting contractor when the scheduled warranty re-lamp job was conducted. In the interest of time and the desire to have the field returned to a safe, playable condition, we are requesting City Council's approval of a direct award to TD Sports Group, LLC for needed repairs to the synthetic turf soccer field, field 3, at Town Center Community Park East in an amount not to exceed \$27,277.00.

Staff has attempted to find other viable options for the needed repairs to be completed in a timely manner in order for the field to be returned to inventory and be available to the heavy youth sports-oriented community for permitted use, where field space is at a premium.

Santee Municipal Code ("SMC") Section 3.24.090(A)(1) requires the purchase of nonprofessional services, estimated to exceed \$25,000.00, be made by the formal bidding procedures provided in SMC Section 3.24.100. However, SMC Section 3.24.090(B) states the City Council may authorize the use of an alternative procurement method due to special circumstances, when a prescribed procurement method is impractical or impossible, or when it is in the City's best interest to do so. SMC Section 3.24.120(C) states that the purchasing agent may dispense with the requirements of formal or informal bidding "when the City Council determines that due to special circumstances, it is in the City's best interest to enter into a contract without compliance with the formal or informal bidding procedures."

In this case, we believe the prescribed procurement method is impractical due to the length of time required for the Request for Bid process. Furthermore, staff further reports there are no alternative providers in the applicable geographic area that could provide competing bids, or available cooperative contracts. Staff arrived to these conclusions after reaching out to companies that provide services in the synthetic turf repair and installation discipline. Staff believes it would be in the City's best interest to move forward with a direct award of the synthetic turf repair to return the field to playable condition, as quickly as possible.

FINANCIAL STATEMENT 

Funding for this contract is available in the adopted Fiscal Year 2022/23 Community Services Department operating budget due to savings from the abandonment of the purchase of dog park mulch. In addition, the City will pursue reimbursement from the responsible contractor or their insurance company.



CITY OF SANTEE
COUNCIL AGENDA STATEMENT

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MSB*

Authorize award of contract to TD Sports Group, LLC not to exceed \$27,277.00.

ATTACHMENT

None

