

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

Chapter 21.45 PLANNED DEVELOPMENTS*

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* **Prior ordinance history:** Ord. Nos. NS-612, NS-662, NS-633, NS-675, and NS-718.

21.45.010 Intent and purpose.

A. The purpose of the planned development ordinance is to:

1. Recognize the need for a diversity of housing and product types;
2. Provide a method for clustered property development that recognizes that the impacts of environmentally and topographically constrained land preclude the full development of a site as a standard single-family subdivision;
3. Establish a process to approve the following:
 - a. One-family dwellings and twin-homes on individual lots of less than seven thousand five hundred square feet in size or as otherwise allowed by the underlying zone;
 - b. Condominium projects consisting of two-family and multiple-family dwellings, as well as one-family dwellings developed as two or more detached dwellings on one lot;
 - c. Condominium conversions; and
 - d. Private streets;
4. Encourage and allow more creative and imaginative design by including relief from compliance with standard residential zoning regulations. To offset this flexibility in development standards, planned developments are required to incorporate amenities and features not normally required of standard residential developments. (Ord. NS-834 § II, 2007)

21.45.020 Applicability.

- A. A planned development permit is required for the development of one-family dwellings or twin-homes on lots of less than seven thousand five hundred square feet or as otherwise allowed by the underlying zone, attached or detached condominiums, condominium conversions, and private streets.
- B. These regulations do not apply to attached residential units proposed for inclusion as part of a commercial development project.

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- C. Any application for a planned development permit that was deemed complete prior to the effective date of the ordinance reenacting this chapter, shall not be subject to the amended provisions of this chapter but shall be processed and approved or disapproved pursuant to the ordinance superseded by the ordinance codified in this chapter.
- D. If there is a conflict between the regulations of this chapter and any regulations approved as part of the city's certified local coastal program, a redevelopment plan, master plan or specific plan, the regulations of the local coastal program, redevelopment plan, master plan or specific plan shall prevail.
- E. A planned development permit shall apply to residential projects only, as specified in Table A, Permitted Residential Uses, of this chapter.
- F. A planned development permit shall be required for the development of a private street within a residential development that is not otherwise subject to the requirements of this chapter. Such residential development shall not be subject to any development standard of this chapter, except the private street standards. (Ord. NS-834 § II, 2007)

21.45.030 Definitions.

- A. Whenever the following terms are used in this chapter, they shall have the meaning established by this section:
 - 1. "Condominium project" means a common interest development defined by Section 4100 of the California Civil Code, and which consists of two or more attached or detached dwelling units on one lot.
 - 2. "Drive-aisle" means an improved surface on private property intended for shared vehicular access (serving two or more residential units, attached or detached) from a public/private street to a driveway(s) or open/enclosed parking.
 - 3. "Driveway" means an improved surface on private property intended for exclusive vehicular access from a public/private street or drive-aisle to open/enclosed parking for a single residential unit (attached or detached).
 - 4. "Net pad area" means the building pad of a lot excluding all natural or manufactured slopes greater than 3 feet in height except intervening manufactured slopes between split-level pads on a single lot.
 - 5. "Planned development" means a form of development usually characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, recreation and streets.
 - 6. "Twin-home" means two dwellings attached by a common wall where each dwelling is on a separate lot that allows for separate ownership. (Ord. CS-242 § 1, 2014; Ord. NS-834 § II, 2007)

21.45.040 Permitted zones and uses.

Table A, Permitted Residential Uses, specifies the types of residential uses, and the zones where such uses are permitted, subject to the approval of a planned development permit. The uses specified in Table A are in addition to any principal use, accessory use, transitional use or conditional use permitted in the underlying zone.

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Table A
Permitted Residential Uses

Legend:

P = Permitted.

(#) Number within parentheses = Permitted only in certain circumstances.

X = Not permitted.

Zone	Residential Use	
	One-Family Dwelling or Twin-Home on Small Lots (one unit per lot)	Condominium Project
R-1	(1) or (4)	One-family dwellings - (3) or (4)
		Two-family dwellings - (1) or (4)
		Multiple-family dwellings - (4)
R-2	P	One-family or two-family dwellings - P
		Multiple-family dwellings - (2) or (4)
R-3	P	P
RD-M	P (5)	P
R-W	X	P
R-P	(56)	(67)
RMHP	P	P
P-C	(78)	(78)
V-B	(89)	(89)
Accessory Uses	(910)	(910)

Notes:

- (1) Permitted when the project site is contiguous to a higher intensity land use designation or zone, or an existing project of comparable or higher density.
- (2) Permitted when the proposed project site is contiguous to a lot or lots zone R-3, R-T, R-P, C-1, C-2, C-M or M, but in no case shall the project site consist of more than one lot nor be more than 90 feet in width, whichever is less.
- (3) Permitted when developed as two or more detached units on one lot.
- (4) Permitted when the project site contains sensitive biological resources as identified in the Carlsbad Habitat Management Plan. In the case of a condominium project, attached or detached units may be permitted when the site contains sensitive biological resources.
- (5) One-family dwellings or twin-homes on small lots (one unit per lot) are not permitted in the RD-M Zone when it implements the R-35 or R-40 land use designation.
- (6) Permitted when the R-P zone implements the **RMH-R-15** land use designation.
- (7) Permitted when the R-P zone implements the **RMH-R-15** or **RH-R-23** land use designations.
- (8) Permitted uses shall be consistent with the master plan.
- (9) Refer to the Village and Barrio master plan for permitted uses.
- (10) Refer to Table F for permitted accessory uses.

(Ord. CS-334 § 10, 2018; Ord. CS-099 § II, 2010; Ord. NS-834 § II, 2007)

21.45.050 Application and permit.

A. Application and Fee.

1. An application for a planned development permit may be made by the owner of the property affected or the authorized agent of the owner. The application shall:

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- a. Be made in writing on a form provided by the city planner;
 - b. State fully the circumstances and conditions relied upon as grounds for the application; and
 - c. Be accompanied by adequate plans, a legal description of the property involved and all other materials as specified by the city planner.
 - d. A planned development permit application for a small-lot subdivision (intended to be developed with one dwelling per lot) may be approved without architecture and plotting; in which case, approval of a major planned development permit amendment will be required at a later date to authorize the proposed structures and their placement.
 - e. A planned development permit application for a condominium project shall require approval of architecture and plotting concurrent with the approval of the condominium subdivision.
 - f. The application for a planned development permit shall state the proposed method of land division (i.e., small lots, or air-space condominiums).
2. At the time of filing the application, the applicant shall pay the application fee contained in the most recent fee schedule adopted by the city council.

B. Processing Procedures. Table B, Processing Procedures, identifies required procedures for minor (four or fewer dwelling units) and major (five or more dwelling units) planned development permits.

Table B
Processing Procedures

Topic	Minor Planned Development Permit	Major Planned Development Permit
Decision-Making Authority	City Planner	Planning Commission (PC)
Map Required	Minor Subdivision Map (See Title 20, Chapter 20.24)	Major Subdivision Map (See Title 20, Chapter 20.12)
Required Findings	See Section 21.45.050.C	See Section 21.45.050.C
Notices and Hearings	See Chapter 21.54, Sections 21.54.060.B and 21.54.061	See Chapter 21.54, Sections 21.54.060.A and 21.54.061
Announcement of Decision and Findings of Fact	See Chapter 21.54, Section 21.54.120	See Chapter 21.54, Section 21.54.120
Effective Date and Appeals	See Chapter 21.54, Section 21.54.140	See Chapter 21.54, Section 21.54.150
Expiration and Extensions	See Chapter 21.58, Sections 21.58.030 and 21.58.040	See Chapter 21.58, Sections 21.58.030 and 21.58.040
Amendments	See Section 21.45.100	See Section 21.45.100

C. Findings of Fact.

1. The decision-making authority shall approve or conditionally approve a planned development permit only if the following findings are made:
 - a. The proposed project is consistent with the general plan, and complies with all applicable provisions of this chapter, and all other applicable provisions of this code.
 - b. The proposed project will not be detrimental to existing uses, or to uses specifically permitted in the area in which the proposed use is to be located, and will not adversely impact the site, surroundings, or traffic.
 - c. The project will not adversely affect the public health, safety, or general welfare.
 - d. The project's design, including architecture, streets, and site layout:
 - i. Contributes to the community's overall aesthetic quality;

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- ii. Includes the use of harmonious materials and colors, and the appropriate use of landscaping; and
- iii. Achieves continuity among all elements of the project.

D. Modifications to Development Standards.

1. The decision-making authority may approve a modification to the development standards specified in this chapter if all of the following findings are made in writing:
 - a. The proposed planned development designed with the modified development standard(s) is consistent with the purpose and intent of this chapter; and
 - b. The proposed modification(s) will result in the preservation of natural habitat as required by the Carlsbad Habitat Management Plan (HMP); and
 - c. The amount of natural habitat preservation required by the HMP could not be achieved by strict adherence to the development standards of this chapter; and
 - d. The proposed modification(s) will not adversely affect the public health, safety, or general welfare; and
 - e. If the project is located within the coastal zone, the modification is consistent with all local coastal program policies and standards for the protection of coastal resources.
2. Any application for a planned development permit that involves a request for a modification to the development standards of this chapter shall include documentation that clearly demonstrates the modification is necessary to implement the natural habitat preservation requirements of the HMP.
3. The decision-making authority may modify the plan, or impose such conditions or requirements that are more restrictive than the development standards specified in this chapter, the underlying zone or elsewhere in this code, as deemed necessary to protect the public health, safety and general welfare, or to insure conformity with the general plan and other adopted policies, goals or objectives of the city. (Ord. CS-178 § LXXVIII, 2012; Ord. CS-164 §§ 10, 11, 2011; Ord. NS-834 § II, 2007)

21.45.060 General development standards.

- A. All planned developments shall comply with the general development standards specified in Table C below. Specific standards applicable to one-family dwellings and twin-homes on small-lots can be found in Table D; and standards applicable to condominium projects can be found in Table E.
- B. In addition to the provisions of this chapter, a planned development project shall be subject to the development standards of the project site's underlying zone.
- C. If there is a conflict between the development standards of this chapter and the development standards applicable to the project site's underlying zone, the standards of this chapter shall prevail. Exception: the development standards specified in the city's local coastal program, a redevelopment plan, master plan or specific plan shall prevail if such standards conflict with the standards of this chapter.
- D. When approved, a planned development permit shall become a part of the zoning regulations applicable to the subject property.

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**Table C
General Development Standards**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD			
C.1	Density	Per the underlying General Plan designation. When two or more general plan land use designations exist within a planned development, the density may be transferred from one general plan designation to another with a general plan amendment.			
C.2	Arterial Setbacks	All dwelling units adjacent to any arterial road shown on the Circulation Element of the General Plan shall maintain the following minimum setbacks from the right-of-way: Prime Arterial: 50 feet; Major Arterial: 40 feet; Secondary Arterial: 30 feet; Carlsbad Boulevard: 20 feet			
		Half (50%) of the required arterial setback area located closest to the arterial shall be fully landscaped to enhance the streetscene and buffer homes from traffic on adjacent arterials, and <ul style="list-style-type: none"> • Shall contain a minimum of one 24" box tree for every 30 lineal feet of street frontage; and • Shall be commonly owned and maintained 			
		Project perimeter walls greater than 42 inches in height shall not be located in the required landscaped portion of the arterial setback, except noise attenuation walls that <ul style="list-style-type: none"> • Are required by a noise study, and • Due to topography, are necessary to be placed within the required landscaped portion of the arterial setback 			
C.3	Permitted Intrusions into Setbacks/Building Separation	Permitted intrusions into required building setbacks shall be the same as specified in Section 21.46.120 of this code. The same intrusions specified in Section 21.46.120 shall be permitted into required building separation.			
C.4	Streets	Private	Minimum right-of-way width	56 feet	
			Minimum curb-to-curb width	34 feet	
			Minimum parkway width (curb adjacent)	5.5 feet, including curb	
			Minimum sidewalk width	5 feet (setback 6 inches from property line)	
		Public	Minimum right-of-way width	60 feet	
			Minimum curb-to-curb width	34 feet	
			Minimum parkway width (curb adjacent)	7.5 feet, including curb	
			Minimum sidewalk width	5 feet (setback 6 inches from property line)	
		Street trees within parkways	One-family dwellings and twin homes on small lots	A minimum of one street tree (24-inch box) per lot is required to be planted in the parkway along all streets	
			Condominium projects	Street trees shall be spaced no further apart than 30 feet on center within the parkway	
Tree species should be selected to create a unified image for the street, provide an effective canopy, avoid sidewalk damage and minimize water consumption					

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
C.5	Drive-aisles	3 or fewer dwelling units	Minimum 12 feet wide when the drive-aisle is not required for emergency vehicle access, as determined by the Fire Chief. If the drive-aisle is required for emergency vehicle access, it shall be a minimum of 20 feet wide.
		4 or more dwelling units	Minimum 20 feet wide.
		All projects	No parking shall be permitted within the minimum required width of a drive-aisle.
			A minimum 24-foot vehicle back-up/maneuvering area shall be provided in front of garages, carports or uncovered parking spaces (this may include driveway area, drive-aisles, and streets).
			Additional width may be required for vehicle/emergency vehicle maneuvering area.
			Parkways and/or sidewalks may be required.
			No more than 24 dwelling units shall be located along a single-entry drive-aisle.
All drive-aisles shall be enhanced with decorative pavement.			
C.6	Number of Visitor Parking Spaces Required ⁽¹⁾	Projects with 10 units or fewer	0.30 space per each unit
		Projects 11 units or more	0.25 space per each unit
		When calculating the required number of visitor parking spaces, if the calculation results in a fractional parking space, the required number of visitor parking spaces shall always be rounded up to the nearest whole number.	
C.7	Location of Visitor Parking	On private/public streets	On-street visitor parking is permitted on private/public streets, subject to the following: <ul style="list-style-type: none"> • The private/public street is a minimum 34-foot wide (curb-to-curb) • There are no restrictions that would prohibit on-street parking where the visitor parking is proposed • The visitor parking spaces may be located: <ul style="list-style-type: none"> ◊ Along one or both sides of any private/public street(s) located within the project boundary, and ◊ Along the abutting side and portion of any existing public/private street(s) that is contiguous to the project boundary
			In parking bays along public/private streets within the project boundary, provided the parking bays are outside the minimum required street right-of-way width.
			When visitor parking is provided as on-street parallel parking, not less than 24 lineal feet per space, exclusive of driveway/drive-aisle entrances and aprons, shall be provided for each parking space, except where parallel parking spaces are located immediately adjacent to driveway/drive-aisle aprons, then 20 lineal feet may be provided.
			Within the Beach Area Overlay Zone, on-street parking shall not count toward meeting the visitor parking requirement.
		On drive-aisles	Visitor parking must be provided in parking bays that are located outside the required minimum drive-aisle width.
On a driveway	Outside the Beach Area Overlay Zone	One required visitor parking space may be credited for	

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
			<p>each driveway in a project that has a depth of 40 feet or more.</p> <p>For projects with 10 or fewer units, all required visitor parking may be located within driveways (located in front of a unit's garage), provided that all dwelling units in the project have driveways with a depth of 20 feet or more.</p> <p>Within the Beach Area Overlay Zone</p> <p>One required visitor parking space may be credited for each driveway in a project that has a depth of 40 feet or more.</p>
			<p>If the streets within and/or adjacent to the project allow for on-street parking on both sides of the street, then visitor parking may be located in a driveway, subject to the following:</p> <ul style="list-style-type: none"> • All required visitor parking may be located within driveways (located in front of a unit's garage), provided that all dwelling units in the project have driveways with a depth of 20 feet or more. • If less than 100% of the driveways in a project have a depth of 20 feet or more, then a 0.25 visitor parking space will be credited for each driveway in a project that has a depth of 20 feet or more (calculations resulting in a fractional parking space credit shall always be rounded down to the nearest whole number). <p>All projects</p> <p>The minimum driveway depth required for visitor parking (20 feet or 40 feet) applies to driveways for front or side-loaded garages, and is measured from the property line, back of sidewalk, or from the edge of the drive-aisle, whichever is closest to the structure.</p>

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
		Compact parking	For projects of more than 25 units, up to 25% of visitor parking may be provided as compact spaces (8 feet by 15 feet). No overhang is permitted into any required setback area or over sidewalks less than 6 feet wide.
			For all projects within the Beach Area Overlay Zone, up to 55% of the visitor parking may be provided as compact spaces (8 feet by 15 feet).
		Distance from unit	Visitor parking spaces must be located no more than 300 feet as measured in a logical walking path from the entrance of the unit it could be considered to serve.
C.8	Screening of Parking Areas	Open parking areas should be screened from adjacent residences and public rights-of-way by either a view-obscuring wall, landscaped berm, or landscaping, except parking located within a driveway.	
C.9	Community Recreational Space ⁽¹⁾	Community recreational space shall be provided for all projects of 11 or more dwelling units, as follows:	
	Minimum community recreational space required	Project is NOT within RH-R-23 , R-30, R-35 or R-40 general plan designations	200 square feet per unit
		Project IS within RH-R-23 , R-30, R-35 or R-40 general plan designation	150 square feet per unit
	Projects with 11 to 25 dwelling units	Community recreational space shall be provided as either (or both) passive or active recreation facilities.	
	Projects with 26 or more dwelling units	Community recreational space shall be provided as both passive and active recreational facilities with a minimum of 75% of the area allocated for active facilities.	
	Projects with 50 or more dwelling units	Community recreational space shall be provided as both passive and active recreational facilities for a variety of age groups (a minimum of 75% of the area allocated for active facilities). For projects consisting of one-family dwellings or twin homes on small-lots, at least 25% of the community recreation space must be provided as pocket parks. <ul style="list-style-type: none"> • Pocket park lots must have a minimum width of 50 feet and be located at strategic locations such as street intersections (especially "T-intersections") and where open space vistas may be achieved. 	
	All projects (with 11 or more dwelling units)	Community recreational space shall be located and designed so as to be functional, usable, and easily accessible from the units it is intended to serve. Credit for indoor recreation facilities shall not exceed 25% of the required community recreation area. Required community recreation areas shall not be located in any required front yard and may not include any streets, drive-aisles, driveways, parking areas, storage areas, slopes of 5% or greater, or walkways (except those walkways that are clearly integral to the design of the recreation area).	

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
		Recreation Area Parking	<p>In addition to required resident and visitor parking, recreation area parking shall be provided, as follows: 1 space for each 15 residential units, or fraction thereof, for units located more than 1,000 feet from a community recreation area.</p> <p>The location of recreation area parking shall be subject to the same location requirements as for visitor parking, except that required recreation area parking shall not be located within a driveway(s).</p>
		Examples of recreation facilities include, but are not limited to, the following:	
		Active	<p>Swimming pool area</p> <p>Children's playground equipment</p> <p>Spa</p> <p>Courts (tennis, racquetball, volleyball, basketball)</p> <p>Recreation rooms or buildings</p> <p>Horseshoe pits</p> <p>Pitch and putt</p> <p>Grassy play areas with a slope of less than 5% (minimum area of 5,000 square feet and a minimum dimension of 50 feet)</p> <p>Any other facility deemed by the city planner to satisfy the intent of providing active recreational facilities.</p>
		Passive	<p>Benches</p> <p>Barbecues</p> <p>Community gardens</p> <p>Grassy play areas with a slope of less than 5%.</p>
C.10	Lighting	Lighting adequate for pedestrian and vehicular safety shall be provided.	
C.11	Reserved		
C.12	Recreational Vehicle (RV) Storage ⁽¹⁾	<p>Required for projects with 100 or more units, or a master or specific plan with 100 or more planned development units. Exception: RV storage is not required for projects located within the R-15RMH or R-23-RH, R-30, R-35 or R-40 land use designations.</p> <p>20 square feet per unit, not to include area required for driveways and approaches.</p> <p>Developments located within master plans or residential specific plans may have this requirement met by the common RV storage area provided by the master plan or residential specific plan.</p> <p>RV storage areas shall be designed to accommodate recreational vehicles of various sizes (i.e. motorhomes, campers, boats, personal watercraft, etc.).</p> <p>The storage of recreational vehicles shall be prohibited in the front yard setback and on any public or private streets or any other area visible to the public. A provision containing this restriction shall be included in the covenants, conditions and restrictions for the project. All RV storage areas shall be screened from adjacent residences and public rights-of-way by a view-obscuring wall and landscaping.</p>	
C.13	Storage Space	<p>480 cubic feet of separate storage space per unit.</p> <p>If all storage for each unit is located in one area, the space may be reduced to 392 cubic feet.</p> <p>Required storage space shall be separately enclosed for each unit and be conveniently accessible to the outdoors.</p>	

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		Required storage space may be designed as an enlargement of a covered parking structure provided it does not extend into the area of the required parking stall, and does not impede the ability to utilize the parking stall (for vehicle parking).
		A garage (12' x 20' one-car, 20' x 20' two-car, or larger) satisfies the required storage space per unit.
		This requirement is in addition to closets and other indoor storage areas.

Note:

⁽¹⁾ This standard does not apply to housing for senior citizens (see Chapter 21.84 of this code).

(Ord. CS-164 § 10, 2011; Ord. CS-026 § 1, 2009; Ord. NS-834 § II, 2007)

21.45.070 Development standards for one-family dwellings and twin-homes on small lots.

- A. In addition to the general development standards found in Table C, planned developments that include one-family dwellings or twin-homes on small lots shall comply with the following development standards found in Table D, One-Family Dwellings and Twin-Homes on Small Lots.

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**Table D
One-Family Dwellings and Twin-Homes on Small Lots**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
D.1	Livable Neighborhood Policy	Must comply with city council Policy 66, Principles for the Development of Livable Neighborhoods.	
D.2	Architectural Requirements	Must comply with city council Policy 44, Neighborhood Architectural Design Guidelines.	
D.3	Minimum Lot Area	One-family dwellings	5,000 square feet (one dwelling per lot)
		Twin-homes	3,750 square feet (one dwelling per lot)
		Exception	3,500 square feet (one-family or twin-home - one dwelling per lot) when either: 1. The project site contains sensitive biological resources as identified in the Carlsbad habitat management plan; or 2. The site has a general plan designation of RMHR-15 and unique circumstances such as one of the following exists: a. The project is for lower income or senior citizen housing; b. The site is located west of Interstate 5; c. The dwelling units are designed with alley-loaded garages; or d. The site is either located contiguous to a Circulation Element roadway or within 1,200 feet of a commuter rail/transit center, commercial center or employment center.
D.4	Maximum Lot Coverage	1 story homes	60% of the net pad area
		Homes with 2 or more stories	45% of the net pad area for all lots in a project, if the minimum lot area in the project is 5,000 square feet or greater.
			50% of the net pad area for all lots in a project, if the minimum lot area in the project is less than 5,000 square feet.
Porches with no livable space above the porch, and porte-cocheres no more than 20 feet in width and 6 feet in depth are exempt from lot coverage requirements.			
D.5	Minimum Lot Width ⁽¹⁾	One-family dwellings on lots equal to or greater than 5,000 square feet	50 feet (35 feet when a lot is located on a cul-de-sac, or the curved portion of a sharply curved street/drive-aisle)
		One-family dwellings on lots less than 5,000 square feet	40 feet (35 feet when a lot is located on a cul-de-sac, or the curved portion of a sharply curved street/drive-aisle)
		Twin-homes	35 feet
D.6	Minimum Street/Drive-Aisle Frontage	Lots located on the curved portion of sharply curved streets/drive-aisles or cul-de-sacs: 25 feet.	
D.7	Minimum Setback from a Private or Public Street ^{(2), (3)}	Residential structure	10 feet
		Direct entry garage	20 feet
D.8	Minimum Setback from a Drive-Aisle ⁽⁴⁾	Residential structure	5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)
		Garage	3 feet
			Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
		0 feet (residential structure and garage)	

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD				
		Projects of 25 units or less within the RMH-R-15 and R-23RH general plan designations	Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.			
D.9	Minimum Interior Side Yard Setback	One-family dwellings	Option 1	Residential structure	Each interior side yard setback shall be a minimum of 10% of the lot width; provided that each side yard setback is not less than 5 feet, and need not exceed 10 feet.	
				Garage	Located on the front half of the lot	Same as required for residence.
					Located on the rear half of the lot	Need not exceed 5 feet
				Any living space above a garage shall observe the same interior side yard setback required for the residence.		
			Option 2	Residential structure and garage	One interior side yard setback may be reduced to 0 feet (zero lot line); provided the other side yard setback is a minimum of 20% of the lot width, and need not exceed 20 feet.	
		Twin-homes	One side yard - 0 feet (the side yard where the dwellings on each lot are attached). The other side yard setback shall be a minimum of 20% of the lot width, and need not exceed 20 feet.			
D.10	Minimum Rear Yard Setback (where the rear property line does not front on a street or drive-aisle)	Residential structure	20% of lot width, provided the rear yard setback is not less than 10 feet, and need not exceed 20 feet.			
		Garage (located on the rear half of the lot)	5 feet from rear property line			
			Any living space above a garage shall observe the same rear yard setback required for "residence," above.			
D.11	Maximum Building Height/Number of Stories	Same as required by the underlying zone, and not to exceed three stories ^{(5), (8)}				

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
D.12	Private Recreational Space	Minimum total area per unit	400 square feet (may consist of more than one recreational space)
		Minimum dimension of recreational space	15 feet
		Required private recreational space shall be located at ground level and designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve, and shall not have a slope gradient greater than 5%.	
		Required private recreational space shall not be located within front yard setback areas, and may not include any driveways, parking areas, storage areas, or walkways (except those walkways that are clearly integral to the design of the recreation area).	
		Open or lattice-top patio covers may be located within the required private recreation space (provided the patio cover complies with all applicable standards, including the required setbacks specified in Section 21.45.090).	
		Attached solid patio covers and decks/balconies may project into a required private recreational space, subject to the following: <ul style="list-style-type: none"> • The depth of the projection shall not exceed 6 feet (measured from the wall of the dwelling that is contiguous to the patio/deck/balcony). • The length of the projection shall not be limited, except as required by any setback or lot coverage standards. • The patio cover/deck/balcony shall comply with all applicable standards, including the required setbacks specified in Section 21.45.090. 	
D.13	Resident Parking	2 spaces per unit, provided as either: ⁽⁶⁾	a two-car garage (minimum 20 feet x 20 feet), or 2 separate one-car garages (minimum 12 feet x 20 feet each)
D.14	Garages for 3 or more cars-in-a-row	No more than 20% of the total project units may include garages with doors for 3 or more cars-in-a-row that directly face the street, including garages constructed as 3 one-car garages located adjacent to each other, or constructed as a two-car garage separated from a one-car garage with all garage doors directly parallel to the street.	
		Garages that are recessed 20 feet or more back from the forward-most plane of the house shall not be subject to the 20% 3-car garage limitation stated above.	
		Garages with doors for 3 or more cars in-a-row shall not be permitted on lots less than 5,000 square feet in area.	
D.15	Driveways	Driveways for side-loaded garages must be enhanced with decorative pavement to improve appearance.	

Notes:

- (1) Lot width is measured 20' behind the front property line.
- (2) See Table C in Section 21.45.060 for required setbacks from an arterial street.
- (3) Building setbacks shall be measured from one of the following (whichever is closest to the building): a) property line; or b) the outside edge of the required street right-of-way width.
- (4) Building setbacks shall be measured from one of the following (whichever is closest to the building): a) property line; b) the outside edge of the required drive-aisle width; c) the back of sidewalk; or d) the nearest side of a parking bay located contiguous to a drive-aisle (excluding parking located in a driveway in front of a unit's garage).
- (5) If a project is located within the Beach Area Overlay Zone, building height shall be subject to the requirements of Chapter 21.82 of this code.
- (6) The required resident parking within the R-W zone shall be 2 spaces/unit, 1 of which must be covered. Any uncovered required parking space in the R-W zone may be located within a required front yard setback and may be tandem.
- (7) Garage location standards do not apply to projects where all garages are alley loaded.
- (8) Protrusions above the height limit shall be allowed pursuant to Section 21.46.020 of this code. Such protrusions include protective barriers for balconies and roof decks.

(Ord. CS-026 § 1, 2009; Ord. NS-834 § II, 2007)

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

21.45.080 Development standards for condominium projects.

In addition to the general development standards found in Table C, condominium projects shall comply with the following development standards listed in Table E, Condominium Projects.

**Table E
Condominium Projects**

REF. NO.	SUBJECT	DEVELOPMENT STANDARD	
E.1	Livable Neighborhood Policy	Must comply with city council Policy 66, Principles for the Development of Livable Neighborhoods.	
E.2	Architectural Requirements	One-family and two-family dwellings	Must comply with city council Policy 44, Neighborhood Architectural Design Guidelines
		Multiple-family dwellings	<p>There shall be at least three separate building planes on all building elevations. The minimum offset in planes shall be 18 inches and shall include, but not be limited to, building walls, windows, and roofs.</p> <p>All building elevations shall incorporate a minimum of four complimentary design elements, including but not limited to:</p> <ul style="list-style-type: none"> • A variety of roof planes; • Windows and doors recessed a minimum of 2 inches; • Decorative window or door frames; • Exposed roof rafter tails; • Dormers; • Columns; • Arched elements; • Varied window shapes; • Exterior wood elements; • Accent materials such as brick, stone, shingles, wood, or siding; • Knee braces; and • Towers.
E.3	Maximum Coverage	60% of total project net developable acreage.	
E.4	Maximum Building Height	Same as required by the underlying zone, and not to exceed three stories ^{(1), (7)}	
		Projects within the RH-R-23 and R-30 general plan designations ^{(1), (7)}	40 feet, if roof pitch is 3:12 or greater
			35 feet, if roof pitch is less than 3:12
		Building height shall not exceed three stories	
	Projects within the R-35 and R-40 designations ⁽⁷⁾	45 feet, if roof pitch is 3:12 or greater	
		40 feet, if roof pitch is less than 3:12	
		Building height shall not exceed four stories	

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD		
E.5	Minimum Building Setbacks	From a private or public street ^{(2), (3)}	Residential structure 10 feet	
			Direct entry garage 20 feet	
		From a drive-aisle ⁽⁴⁾	Residential structure (except as specified below)	5 feet, fully landscaped (walkways providing access to dwelling entryways may be located within required landscaped area)
			Residential structure directly above a garage	0 feet when projecting over the front of a garage.
		Garage		3 feet Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
			Projects of 25 units or less within the RMH-R-15 , and RH R-23 , R-30, R-35, and R-40 general plan designations	0 feet (residential structure and garage) Garages facing directly onto a drive-aisle shall be equipped with an automatic garage door opener.
			Balconies/decks (unenclosed and uncovered)	0 feet May cantilever over a drive-aisle, provided the balcony/deck does not impede access and complies with all other applicable requirements, such as: <ul style="list-style-type: none"> • Setbacks from property lines • Building separation • Fire and Engineering Department requirements
		From the perimeter property lines of the project site (not adjacent to a public/private street)	The building setback from an interior side or rear perimeter property line shall be the same as required by the underlying zone for an interior side or rear yard setback.	
E.6	Minimum Building Separation	10 feet		
E.7	Resident Parking ⁽⁶⁾	All dwelling types	If a project is located within the RH-R-23 , R-30, R-35 or R-40 general plan designations, resident parking shall be provided as specified below, and may also be provided as follows: <ul style="list-style-type: none"> • 25% of the units in the project may include a tandem two-car garage (minimum 12 feet x 40 feet). • Calculations for this provision resulting in a fractional unit may be rounded up to the next whole number. 	
		One-family and two-family dwellings	2 spaces per unit, provided as either: <ul style="list-style-type: none"> • a two-car garage (minimum 20 feet x 20 feet), or • 2 separate one-car garages (minimum 12 feet x 20 feet each) • In the R-W Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space⁽⁵⁾ 	

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

REF. NO.	SUBJECT	DEVELOPMENT STANDARD				
		Multiple-family dwellings	Studio and one-bedroom units	1.5 spaces per unit, 1 of which must be covered ⁽⁵⁾ When calculating the required number of parking spaces, if the calculation results in a fractional parking space, the required number of parking spaces shall always be rounded up to the nearest whole number.		
			Units with two or more bedrooms	2 spaces per unit, provided as either: <ul style="list-style-type: none"> • a one-car garage (12 feet x 20 feet) and 1 covered or uncovered space; or⁽⁵⁾ • a two-car garage (minimum 20 feet x 20 feet), or • 2 separate one-car garages (minimum 12 feet x 20 feet each) • In the R-W Zone and the Beach Area Overlay Zone, the 2 required parking spaces may be provided as 1 covered space and 1 uncovered space⁽⁵⁾ 		
				Required parking may be provided within an enclosed parking garage with multiple, open parking spaces, subject to the following: <ul style="list-style-type: none"> • Each parking space shall maintain a standard stall size of 8.5 feet by 20 feet, exclusive of supporting columns; and • A backup distance of 24 feet shall be maintained in addition to a minimum 5 feet turning bump-out located at the end of any stall series. 		
				Required resident parking spaces shall be located no more than 150 feet as measured in a logical walking path from the entrance of the units it could be considered to serve.		
E.8	Private Recreational Space		One-family, two-family, and multiple-family dwellings	Required private recreational space shall be designed so as to be functional, usable, and easily accessible from the dwelling it is intended to serve.		
		Required private recreational space shall be located adjacent to the unit the area is intended to serve.				
		Required private recreational space shall not be located within any required front yard setback area, and may not include any driveways, parking areas, storage areas, or common walkways.				
		One-family and two-family dwellings	Minimum total area per unit	Projects not within the RMH-R-15 or RH-R-23 or R-30 general plan designations	400 square feet	
				Projects within the RMH-R-15 or R-23 or R-30-RH general plan designations	200 square feet	
			May consist of more than one recreational space.			
			May be provided at ground level and/or as a deck/balcony or roof deck.			
If provided at ground level	Minimum dimension	Not within the RMH-R-15 or RHR-23 or R-30 general plan designations	15 feet			

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REF. NO.	SUBJECT	DEVELOPMENT STANDARD			
				Within the RMHR-15 , or RH R-23 or R-30 general plan designations	10 feet
			Shall not have a slope gradient greater than 5%.		
			Attached solid patio covers and decks/balconies may project into a required private recreational space, subject to the following:		
			<ul style="list-style-type: none"> The depth of the projection shall not exceed 6 feet (measured from the wall of the dwelling that is contiguous to the patio/deck/balcony). 		
			<ul style="list-style-type: none"> The length of the projection shall not be limited, except as required by any setback or lot coverage standards. 		
			Open or lattice-top patio covers may be located within the required private recreation space (provided the patio cover complies with all applicable standards, including the required setbacks).		
			If provided above ground level as a deck/balcony or roof deck	Minimum dimension	6 feet
				Minimum area	60 square feet
		Multiple-family dwellings	Minimum total area per unit (patio, porch, or balcony)	60 square feet	
			Minimum dimension of patio, porch or balcony	6 feet	
			Projects of 11 or more units that are within the RH R-23 , R-30, R-35, and R-40 general plan designations may opt to provide an additional 75 square feet of community recreation space per unit (subject to the standards specified in Table C of this chapter), in lieu of providing the per unit private recreational space specified above.		

Notes:

- (1) If a project is located within the Beach Area Overlay Zone, building height shall be subject to the requirements of Chapter 21.82 of this code.
- (2) See Table C in Section 21.45.060 for required setbacks from an arterial street.
- (3) Building setbacks shall be measured from the outside edge of the required street right-of-way width, whichever is closest to the building.
- (4) Building setbacks shall be measured from one of the following (whichever is closest to the building): a) the outside edge of the required drive-aisle width; b) the back of sidewalk; or c) the nearest side of a parking bay located contiguous to a drive-aisle (excluding parking located in a driveway in front of a unit's garage).
- (5) Any uncovered required parking space in the R-W zone may be located within a required front yard setback and may be tandem.
- (6) This standard does not apply to housing for senior citizens (see Chapter 21.84 of this code).
- (7) Protrusions above the height limit shall be allowed pursuant to Section 21.46.020 of this code. Such protrusions include protective barriers for balconies and roof decks.

(Ord. CS-026 §§ 5—9, 2009; Ord. NS-834 § II, 2007)

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21.45.090 Residential additions and accessory uses.

A. General.

1. Additions and accessory uses shall be subject to all applicable development standards of this chapter, unless otherwise specified in this section-
2. Additions to buildings that are legally nonconforming shall comply with the requirements of Chapter 21.48 of this code.

B. One-Family Dwellings and Twin-Homes on Small Lots.

1. Table F lists the provisions for residential additions and accessory uses to one-family dwellings and twin-homes on small lots.
2. The additions and accessory uses listed in Table F shall be subject to the approval/issuance of a building permit.

Table F

Residential Additions and Accessory Uses to One-Family Dwellings and Twin-Homes on Small Lots

Addition/Accessory Use	Minimum Front Yard Setback	Minimum Side and Rear Yard Setbacks
Attached/detached patio covers ⁽²⁾	10 feet to posts (2-foot overhang permitted)	5 feet to posts (2-foot overhang permitted)
Pool, spa	20 feet	5 feet – pool 2 feet – spa
Non-habitable detached accessory buildings/structures (e.g., garages, workshops, decks over 30 inches in height) ^{(1),(2),(3)}	20 feet	5 feet
Habitable detached accessory buildings (i.e. guest houses and accessory dwelling units) ^{(2), (3), (4)}	Same setbacks as required for the primary dwelling	
Additions to dwelling (attached)	Same setbacks as required for the dwelling	

Notes:

- (1) Maximum building height is 1 story and 14 feet with a 3:12 roof pitch or 10 feet with less than a 3:12 roof pitch.
- (2) Minimum 10-foot separation required between a habitable building and any other detached accessory building/structure.
- (3) Must be architecturally compatible with the existing structure.
- (4) Except as otherwise permitted for accessory dwelling units pursuant to Section 21.10.030.
- (4) Except as otherwise permitted for accessory dwelling units pursuant to Section 21.10.030.C. Condominium projects. Additions and accessory uses to condominium projects shall be subject to Section 21.45.100 (Amendments to permits). (Ord. CS 324 §§ 2, 23, 2017; Ord. CS-050 § IV, 2009; Ord. NS-834 § II, 2007)

21.45.100 Amendments to permits.

A. An approved planned development permit may be amended pursuant to the provisions of Section 21.54.125 of this title, except that project revisions specified in subsection B of this section shall not require an amendment.

B. Amendment Exceptions.

1. A project revision shall not be required to obtain an amendment to an existing planned development permit if all of the following findings are made:
 - a. The proposed revision does not increase the density (i.e., the addition of units);
 - b. The proposed revision does not decrease the density by more than ten percent and provided the density is not decreased below the minimum density of the underlying residential land use designation of the general plan;

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- c. The proposed revision does not change the boundary of the subject property;
- d. The proposed revision does not involve the addition of a new land use not shown on the original permit (e.g., adding a commercial use to a residential project, replacing single-family units with attached residential units, vice versa for each example, etc.);
- e. The proposed revision does not rearrange the major land uses within the development (e.g., it does not exchange the locations of single-family units with attached units);
- f. The proposed revision does not create changes of greater than ten percent, provided that compliance will be maintained with the applicable development standards of this code as follows:
 - i. Per individual lot or structure basis: Building floor area, coverage or height (except that height reductions of more than ten percent are permitted);
 - ii. On an aggregate project basis: Parking, open space, recreation or landscaping areas;
- g. The proposed revision is architecturally compatible with existing structures within the development. (Ord. CS-178 § LXXIX, 2012; Ord. CS-164 §§ 10, 11, 2011; Ord. NS-834 § II, 2007)

21.45.110 Conversion of existing buildings to planned developments.

- A. Applicability. Any application for the conversion of existing buildings to a planned development (e.g., converting apartments to condominiums) shall be subject to all provisions of this chapter.
- B. Building Plans and Gas/Electric Plan.
 - 1. An application for conversion of an existing structure to a planned development shall include building plans indicating how the building relates to present building and zoning regulations and where modifications will be required.
 - 2. Also, the application shall include a letter from San Diego Gas and Electric explaining that the plans to connect the gas and electric system to separate systems are acceptable.
- C. Conversions within the Coastal Zone. The conversion of existing residential units within the Coastal Zone that are occupied by persons or families of low or moderate income shall be subject to the requirements of Section 65590 of the California Government Code.
- D. Notice to Tenants and Findings.
 - 1. Each prospective and existing tenant of the proposed condominium project shall be given written notice of the proposed conversion in accordance with Sections 66452.8 and 66452.9 of the California Government Code (Subdivision Map Act); and
 - 2. In addition to all other required findings for a subdivision, the city council shall make all of the findings set forth in Section 66427.1 of the California Government Code (Subdivision Map Act). (Ord. NS-834 § II, 2007)

21.45.130 Proposed common ownership land or improvements.

- A. Where a planned development contains any land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&Rs) with the final map. Such declaration shall set forth provisions for maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership.
- B. The CC&Rs shall include provisions:
 - 1. For maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership.
 - 2. Prohibiting the homeowners' association from quitclaiming land in an association easement for ownership to private property owners thus allowing the homeowners to privatize a common area for their own use.

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- C. The CC&Rs shall be reviewed by and subject to approval of the city planner. (Ord. CS-164 § 10, 2011; Ord. NS-834 § II, 2007)

21.45.140 Maintenance.

All private streets, walkways, parking areas, landscaped areas, storage areas, screening sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions acceptable to the city planner shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits. (Ord. CS-164 § 10, 2011; Ord. NS-834 § II, 2007)

21.45.150 Failure to maintain.

A. Public Nuisance.

1. All commonly-owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair.
2. Any failure to so maintain is unlawful and a public nuisance if it endangers the health, safety and general welfare of the public and is a detriment to the surrounding community.

B. Removal of Public Nuisance.

1. In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the community and economic development director or housing and neighborhood services director may, after giving notice, cause the necessary work of maintenance or repair to be done.
2. The costs thereof shall be assessed against the owner or owners of the project.

C. Notice of Maintenance Required.

1. The notice shall be in writing and mailed to:
 - a. All persons whose names appear on the last equalized assessment roll as owners of real property within the project at the address shown on the assessment roll; and
 - b. Any person known to be responsible for the maintenance or repair of the common areas and facilities of the project under an indenture or agreement.
2. At least one copy of such notice shall be posted in a conspicuous place on the premises.
3. The notice shall particularly specify:
 - a. The work required to be done; and
 - b. That the work must be commenced within thirty days after receipt of such notice, and diligently and without interruption prosecuted to completion; and
 - c. If upon the expiration of the thirty-day period, the work is not commenced and being performed with diligence, the city shall cause such work to be done; in which case, the cost and expense of such work, including incidental expenses incurred by the city, will be assessed against the property or against each separate lot and become a lien upon such property.

- D. Upon completion of such work, the community and economic development director or housing and neighborhood services director shall file a written report with the city council setting forth the fact that the work has been completed and the cost thereof, together with a legal description of the property against which the cost is to be assessed.

Note: **Highlights** indicate changes already approved by City Council Ordinance CS-432 but that are pending review by the California Coastal Commission.

1. Written notice shall be provided to all persons specified in subsection C.1 of this section of the hour and place that the city council will pass upon the written report and will hear any protests against the assessments shall be provided. Such notice shall also set forth the amount of the proposed assessment.
 - a. Upon the date and hour set for the hearing, the city council shall hear and consider the report and any protests before proceeding to confirm, modify or reject the assessments.
- E. A list of assessment as finally confirmed by the city council shall be sent to the city treasurer for collection.
 1. If any assessment is not paid within ten days after its confirmation by the city council, the city clerk shall cause to be filed in the office of the county recorder a notice of lien, in a form approved by the city attorney.
 - a. From and after the date of recordation of such notice of lien, the amount of the unpaid assessment shall be a lien on the property against which the assessment is made, and such assessment shall bear interest at the maximum rate allowed by law until paid in full.
 - b. The lien shall continue until the amount of the assessment and all interest thereon has been paid.
 - c. The lien shall have priority according to law. (Ord. CS-164 §§ 9, 14, 2011; Ord. NS-834 § II, 2007)

21.45.160 Model homes.

- A. Except for model homes, building permits for construction within the proposed planned development shall not be issued until a final subdivision map has been recorded for the project.
- B. A maximum of six model home units may be constructed prior to recordation of the final map, provided that adequate provision acceptable to the city planner and city attorney are made guaranteeing removal of such complex if the final map is not recorded. (Ord. CS-164 § 10, 2011; Ord. NS-834 § II, 2007;)

21.45.170 Restriction on reapplication for planned development permit.

The restrictions on the reapplication for a planned development permit are specified in Section 21.54.130 of this code. (Ord. NS-834 § II, 2007)