

**ORDINANCE NO. 615**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE AMENDING TITLE 13 OF THE SANTEE MUNICIPAL CODE, "ZONING" (CASE FILE ZOA-2024-0002) AND FINDING THAT THE ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**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**, in 2019, the City completed a comprehensive update to the Santee Municipal Code ("Code"); and

**WHEREAS**, the City desires to conduct annual updates to ensure the Code remains consistent with current law and City practice; and

**WHEREAS**, City staff and the City Attorney have reviewed the Code and have determined that certain updates to the Code are required and appropriate; and

**WHEREAS**, proposed revisions to the City's zoning ordinance set forth in Title 13 of the Code are detailed in the Staff Report; and

**WHEREAS**, the City Council conducted a properly noticed public hearing and first reading of the proposed revisions to Title 13 on June 12, 2024; and

**WHEREAS**, the City Council scheduled and held a second reading of proposed revisions to Title 13 on June 26, 2024.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Recitals Incorporated.** The Recitals set forth above are true and correct and are incorporated into this Ordinance.

**SECTION 2. Amendments.** Title 13 of the Santee Municipal Code is amended as follows:

**Section 13.04.020(C)(8)** shall be added and read as follows:

8. The provisions of this title do not apply to the development, use, or improvement of property or facilities owned, operated, or financed by the City, including but not limited to City Parks (active or passive parks), City Libraries, Fire Stations, or Sheriff Stations, or to property or facilities leased to a third-party for the provision of public services and public health services such as Transitional and Supportive Housing.

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**Section 13.060.070(D(6))** shall be added and read as follows:

6. The use shall end by midnight.

**Section 13.08.020(A)(1)** shall be amended to read as follows:

1. New commercial, industrial, institutional, or multiple family residential construction on vacant property.

**Section 13.08.020(A)(3)** shall be amended to read as follows:

3. Reconstruction or alteration of existing commercial, industrial, institutional, or multiple family residential buildings on sites when the alteration significantly affects the exterior appearance of the building or traffic circulation of the site. Exceptions are maintenance or improvement of landscaping, parking, exterior re-painting or other common building and property maintenance activities.

**Section 13.10.040(H)** shall be amended to read as follows:

- H. Storage Space. In the R-22 district, a minimum of 150 cubic feet of lockable enclosed storage per unit shall be provided in an easily accessible location for all residents (garages, carports, private patios). Storage area shall be in addition to any minimum size requirements for garages, carports, private patios or other areas. In the R-30 district, development projects shall provide a minimum of 200 cubic feet of lockable enclosed storage space for residents which may be located in common areas. Substitutions meeting the intent of this requirement may be approved.

**Section 13.10.040(I)(1)(d), (e), (f) and (g)** shall be amended to read as follows:

- d. The trash enclosures shall be properly sized to include all containers for trash, recyclable organic waste, and renderings and shall be easily accessible.
- e. The trash enclosures shall not be located within any required street setback or landscape area and shall be set back a minimum of ten feet from side and rear property lines.
- f. The trash enclosures shall not block any required parking area or driveway.
- g. Anti-graffiti surfaces shall be provided pursuant to Section 7.16.120 of this code.

**Section 13.10.040(K)(2)(a)** shall be amended to read as follows:

- a. A new single-family home or a new detached accessory dwelling unit shall include at least a two kilowatt (kW) PV system.

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**Section 13.10.045(D)(6)** shall be amended to read as follows:

- 6. Owner Occupancy.
  - a. An ADU is not subject to an owner-occupancy requirement.

**Section 13.10.050(A)(1)(b) and (c)** shall be amended to read as follows:

- 1. Attached and detached residential accessory structures (including, but not limited to, unenclosed patio covers, cabanas, garages, carports, and storage buildings) may encroach in a required interior side yard or rear yard, except as required in Table 13.10.040A, subject to the following limitations:
  - ...
    - b. Rear Yard Setback. Attached or detached residential accessory structures or additions may be located five feet from the rear property line, excluding eave overhang.
    - c. Side Yard Setback. Attached or detached residential accessory structures may be located five feet from the side interior property line, excluding eave overhang. Attached and detached residential accessory structures may not encroach into required exterior side yard setbacks.

**Section 13.12.030(G)(1)(i)** shall be amended to read as follows:

- i. Outdoor eating areas with more than 16 chairs (are subject to a minor conditional use permit); and

**Table 13.12.030A** shall be amended as follows:

Use	OP	NC	GC
...			
<b>B. General Commercial Uses</b>			
...			
9. Auction house (conducted completely within an enclosed building and subject to the provisions contained in Title 4 of this code)	—	—	P
10. Automotive services including automobiles, trucks, motorcycles, boats, trailers, mopeds, recreational vehicles or other similar vehicles as determined by the Director			
...			
c. Repairs including painting, body work and services	—	—	C
...			
<b>C. Public and Semi-Public Uses</b>			
...			
13. Public buildings and facilities	P	P	P

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**Table 13.14.030A** shall be amended as follows:

Use	IL	IG
...		
<b>B. Storage Trades</b>		
...		
3. Equipment sale/rentals	MC	MC
...		
<b>D. Public and Semi-Public Uses</b>		
...		
13. Public buildings and facilities	P	P

**Section 13.24.030(A)(11)** shall be added as follows:

11. Dead end drive aisles shall provide a minimum 3-foot indentation in the perimeter landscaping to facilitate the backing up of vehicles from the last parking stalls.

**Section 13.24.030(B)(1)(b)** shall be amended to read as follows:

- b. One car garages for single-family or multifamily dwellings shall have a minimum interior dimension of 12 feet in width and 20 feet in depth of unobstructed area provided for parking purposes. In the high density residential (R-22 and R-30 zones), an enclosed single-car garage shall be a minimum of 10 feet in width, and 20 feet in length. Each enclosed garage shall provide a minimum vertical clearance of seven feet.

**Section 13.24.030(B)(4)** shall be added and **(4) – (8)** shall be renumbered as follows:

4. When a driveway is provided to a dwelling unit's garage, the driveway shall be a minimum length of 20 feet.
5. Notwithstanding subdivisions 2 and 3 of this subsection, all driveways and access way widths and designs must be approved by the Santee Fire Department for purposes of emergency accessibility.
6. No property owner shall sublease, sublet or otherwise make available to residents of other properties, the off-street parking spaces required by this section.
7. All required covered off-street parking spaces shall be located conveniently accessible to the dwelling unit served by such parking space.
8. Residential developments which provide private streets shall be planned, designed and constructed to meet minimum City engineering and Santee Fire Department requirements for private streets.
9. The following design standards shall apply to parking garages:

A new **section 13.24.040(B)(1)(c)** is added and current (B)(1)(c) is re-designated as **(B)(1)(d)** to read as follows:

- c. Retail uses: one off-street parking space for each 250 square feet of gross floor area.
- d. For new or redeveloped shopping centers within one-quarter mile of the Santee Light Rail Transit station, parking space requirements shall be reduced by 10% from the current parking requirements.

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Current **section 13.24.040(B)(1)(d)** is deleted.

Current **section 13.24.040(B)(1)(f)** is deleted.

**Sections 13.24.040(B)(8)(f) and (g)** are added as follows:

- f. Caretaker's residence: two-car garage with a minimum interior dimension of 20 feet in width and 20 feet in depth of unobstructed area provided for parking purposes.
- g. Other uses not listed: as determined by a parking demand study approved by the Director of Planning and Building.

**Section 13.30.020(D)** shall be amended to read as follows:

- D. Auxiliary Structures. Auxiliary structures shall meet all of the setback requirements for main buildings unless otherwise specified within this code. Height of auxiliary structures shall be a maximum of 16 feet. Carports in the commercial or industrial zones shall be a maximum of 25 feet high and are subject to the parking setback requirements.

**Section 13.30.020(J)(4)** shall be amended to read as follows:

- 4. The trash enclosures:
  - a. Shall be properly sized to include all containers for trash, recyclable, and organic waste, and be easily accessible;
  - b. Shall not be located within any required street yards, shall be setback a minimum of 5 feet to side and rear property lines when adjacent to non-residential zones, 10 feet when adjacent to a residential zones and shall not be located within a landscape area; and
  - c. Shall not block any required parking area or driveway.

**SECTION 3. CEQA.** Based upon the whole of the administrative record before it, the City Council hereby finds that the amendments to the Code set forth in this Ordinance constitute an organizational or administrative activity of the City that will not result in direct or indirect physical changes in the environment and, therefore, do not qualify as a "project" subject to environmental review under the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.). as defined by the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061(b)(3)). Council further finds that approval of these amendments and adoption of this Ordinance qualify for "the common sense exemption" from CEQA because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment" (14 CCR § 15378(b)(5)). Accordingly, the adoption of this Ordinance is either not governed by or is exempt from CEQA. Staff is hereby directed to prepare, execute and file with the San Diego County Clerk a CEQA Notice of Exemption within five (5) working days after the adoption of this Ordinance.

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**SECTION 4. Codification.** The City has adopted the “City of Santee Municipal Code Editorial Guidelines,” and, except as otherwise provided herein, authorizes Quality Code Publishing to make technical, non-substantive changes to conform the codified Ordinance to the guidelines. In the event a substantive conflict arises on the basis of the changes authorized by this Section, the language adopted by this Ordinance prevails. The City Clerk is authorized to provide certified copies and notice of this Ordinance or any part of this Ordinance required or advised by the law or any regulation.

**SECTION 5. Severability.** If any provision of this Ordinance is ever held to be unconstitutional or unenforceable, such holding will not affect the validity of the remainder of this Ordinance. The City Council of the City of Santee hereby declares that it would have passed each provision on its own, irrespective of the fact that another provision might be declared unconstitutional or unenforceable.

**SECTION 6. Effective Date.** This Ordinance shall become effective thirty (30) days after its adoption.

**SECTION 7. Publication.** The City Clerk is hereby directed to certify the adoption of this Ordinance and cause a summary or 1/4 page advertisement of the same to be published as required by law.

**INTRODUCED AND FIRST READ** at a Public Hearing held at a Regular Meeting of the City Council of the City of Santee, California, on the 12th day of June 2024, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 26th day of June 2024, by the following vote to wit:

**AYES: HALL, KOVAL, MCNELIS, MINTO, TROTTER**

**NOES: NONE**

**ABSENT: NONE**

**APPROVED:**

  
\_\_\_\_\_  
**JOHN W. MINTO, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**ANNETTE FAGAN ORTIZ, CMC, CITY CLERK**