



**City Council**  
Mayor John W. Minto  
Vice Mayor Laura Koval  
Council Member Ronn Hall  
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, May 24, 2023**

**6:30 p.m.**

**Council Chambers | Building 2**

**10601 Magnolia Ave • Santee, CA 92071**

### TO WATCH LIVE:

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

[www.cityofsanteeca.gov](http://www.cityofsanteeca.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 Laura Koval – District 3  
Council Member Rob McNelis – District 1  
Council Member Ronn Hall – District 2  
Council Member Dustin Trotter – District 4

**LEGISLATIVE INVOCATION:** First Lutheran Church of El Cajon – Pastor James Huenink

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:** Proclamation of the City Council Declaring May 21-27, 2023 as Public Works Week in the City of Santee

**RECOGNITION:** Presentation of a Certificate of Recognition to Girl Scout Troop 5400 for their Planting of a Butterfly Pollinator Garden at the City of Santee Operations Center

**PRESENTATION:** San Diego County Fair 2023

**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 \$76,743.60 for April 2023 Legal Services. (Finance – Jennings)**
- (4) **Adoption of a Resolution Acknowledging Receipt of a Report Made by the Fire Chief in Accordance with Section 13146.4 of the California Health and Safety Code (Annual Fire Inspection Compliance Report). (Fire – Matsushita)**
- (5) **Adoption of Resolutions Approving the Engineer’s Report and Declaring the City Council’s Intention to Levy Assessments and Setting a Public Hearing for the FY 2023-24 Santee Roadway Lighting District Annual Levy of Assessments. (Finance – Jennings)**



- (6) Adoption of Resolutions Approving the Engineer's Report, and Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing for the FY 2023-24 Santee Landscape Maintenance District Annual Levy of Assessments. (Finance – Jennings)
- (7) Adoption of Resolutions Approving the Engineer's Report and Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing for the FY 2023-24 Town Center Landscape Maintenance District Annual Levy of Assessments. (Finance – Jennings)
- (8) Adoption of a Resolution Awarding a Professional Services Agreement to Harris & Associates, Inc. for the Preparation of a Comprehensive Development Impact Fee Study per RFP #22/23-40029 and Finding the Agreement Exempt from the California Environmental Quality Act ("CEQA") Pursuant to State CEQA Guidelines Sections 15262 and 15306. (Finance – Jennings)
- (9) Adoption of a Resolution Adopting a List of Projects for Fiscal Year 2023-24 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017. (Engineering – Schmitz)
- (10) Adoption of a Resolution for Specified Grant Funds from Budget Act 2022/23, AB179, Chapter 249, Control Section 19.56, Item 3790-101-0001(K) Other Community Services, (16) \$4,500,000.00 to the City of Santee for the Completion of the New Santee Community Center. (Community Services – Chavez)
- (11) Adoption of a Resolution to Extend Contract with Life-Assist, Inc. for the Purchase of Emergency Medical Services Supplies on an As-Needed Basis per National Purchasing Partners DBA NPPGOV Contract #PS20180. (Fire – Matsushita)
- (12) Adoption of a Resolution Authorizing the Purchase of Network Switches, Firewalls, Related Peripheral Equipment, Software and Licensing; and Authorizing the City Manager to Enter into a Professional Services Agreement for Configuration and Installation Services to Upgrade the City's Information Technology Infrastructure to Improve Cybersecurity Protection, and Enhance Network Speed and Performance. (City Manager – Valverde)

**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:**

- (13) Public Hearing on a Resolution Vacating a 35-Foot-Wide Corridor Open Space Easement (VAC 2023-01); Excepting and Reserving Easements and Rights for Existing Drainage Facilities; and Finding the Action is Not a Project Subject to the California Environmental Quality Act (“CEQA”) or is Otherwise Exempt Pursuant to State CEQA Guidelines Section 15061(B)(3). (Engineering – Schmitz)**

Recommendation:

1. Conduct and close the Public Hearing; and
2. Adopt the Resolution Vacating a 35-Foot-Wide Corridor Open Space Easement (Vac 2023-01); Excepting and Reserving Easements and Rights for Existing Drainage Facilities; Finding the Action is Not a Project Subject to the California Environmental Quality Act (“CEQA”) or is Otherwise Exempt Pursuant to State CEQA Guidelines Section 15301(b)(3); and directing the City Clerk to record the Resolution together with Exhibit “A” attached thereto.

**CONTINUED BUSINESS:**

- (14) Second Reading and Adoption of an Ordinance Amending Santee Municipal Code (“SMC”) Title 13, “Zoning” (Case File: Za2023-1), and of an Ordinance Amending SMC Title 1, “General Provisions,” Title 2, “Administration and Personnel,” Title 3, “Purchasing,” Title 4, “Business Licenses, Taxes and Regulations,” Title 5, “Health and Safety,” Title 8, “Streets, Sidewalks and Public Property,” Title 9, “Public Services,” Title 10, “Vehicles and Traffic,” Title 11, “Buildings and Construction,” and Title 12, “Subdivision of Land, Development Fees, and Dedications” and Finding that the Action is Exempt from Environmental Review Under the California Environmental Quality Act (CEQA). (City Attorney – Hagerty)**

Recommendation:

1. Conduct the Second Reading of and Adopt the Ordinance Amending Title 13; and
2. Conduct the Second Reading of and Adopt the Ordinance Amending Titles 1, 2, 3, 4, 5, 8, 9, 10, 11, and 12.



**NEW BUSINESS:****(15) Presentation of the Proposed Capital Improvement Program for Fiscal Years 2024-2028. (City Manager/Finance – Best/Jennings)**Recommendation:

Review and discuss the Proposed Capital Improvement Program for Fiscal Years 2024-2028 and provide direction to staff as necessary.

**(16) Resolution Awarding the Construction Contract for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) Project and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act (“CEQA”) per State CEQA Guidelines Section 15301(c). (Engineering – Schmitz)**Recommendation:

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) Project to Pavement Coatings Co. for a total amount of \$3,691,633.87; and
2. Authorizing the City Manager to execute all necessary documents to execute the contract on behalf of the City; and
3. Authorizing the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$920,000.00; and
4. Determining this action is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines.



**(17) Resolution Awarding the Construction Contract for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act (“CEQA”) per State CEQA Guidelines Section 15301(c). (Engineering – Schmitz)**

Recommendation:

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project to Hazard Construction Engr for a total amount of \$1,048,690.45; and
2. Authorizing the City Manager to execute all necessary documents to execute the contract on behalf of the City; and
3. Authorizing the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$262,172.00; and
4. Determining this action is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines.

**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:**

- (18) Conference with Labor Negotiators**  
(Gov. Code Section 54957.6)  
City Designated Representative: City Manager  
Employee Organization: Santee Firefighters Association
- (19) Conference with Legal Counsel – Anticipated Litigation**  
(Gov. Code §54956.9(d)(2))  
Significant Exposure to Litigation: One case

**ADJOURNMENT:**



**BOARDS, COMMISSIONS & COMMITTEES  
MAY & JUNE MEETINGS**

|     |    |  |                 |
|-----|----|--|-----------------|
| May | 04 | SPARC  | Council Chamber |
| May | 08 | Community Oriented Policing Committee                      | Council Chamber |
| May | 08 | City Council & Santee School District Conference Committee | School District |
| May | 10 | Council Meeting  | Council Chamber |
| May | 24 | Council Meeting  | Council Chamber |
|     |    |  |                 |
| Jun | 01 | SPARC  | Council Chamber |
| Jun | 12 | Community Oriented Policing Committee                      | Council Chamber |
| Jun | 14 | Council Meeting  | Council Chamber |
| Jun | 28 | Council Meeting  | 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](http://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.*



**MEETING DATE** May 24, 2023

**ITEM TITLE** PROCLAMATION OF THE CITY COUNCIL DECLARING MAY 21-27, 2023 AS PUBLIC WORKS WEEK IN THE CITY OF SANTEE

**DIRECTOR/DEPARTMENT** John Minto, Mayor

**SUMMARY**

The American Public Works Association will be celebrating National Public Works Week, May 21-27, 2023. The theme of the American Public Works Association's effort this year is "Connecting the World Through Public Works Week".

From providing clean water to disposing of solid waste, to building roads and bridges or planning for and implementing mass transit, to removing snow on roadways or devising emergency management strategies to meet natural or manmade disasters, public works services determine a society's quality of life.

The City of Santee proudly salutes and thanks the tens of thousands of public works professionals who work tirelessly every day to strengthen the bond that keeps us all connected.

The attached proclamation has been prepared heralding National Public Works Week and will be accepted by Chris Gooden, Public Works Supervisor for the City of Santee.

**FINANCIAL STATEMENT**

N/A

**CITY ATTORNEY REVIEW**  N/A  Completed

**RECOMMENDATION**

Present the proclamation

**ATTACHMENTS**

Proclamation







# | Proclamation

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Santee, California; and,

**WHEREAS**, these infrastructures, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

**WHEREAS**, it is in the public interest for the citizens, civic leaders, and children in Santee, California to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

**WHEREAS**, all citizens are urged to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals and to recognize the substantial contributions they make to protect our health, safety, and quality of life; and,

**WHEREAS**, the year 2023 marks the 63<sup>rd</sup> annual National Public Works Week sponsored by the American Public Works Association.

**NOW, THEREFORE**, I, John Minto, Mayor of the city of Santee, on behalf of the City Council, do hereby proclaim May 21-27, 2023, as

## **“Public Works Week”**

in the city of Santee and encourage residents to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of May, two thousand twenty-three, and have caused the Official Seal of the city of Santee to be affixed.

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Mayor John Minto

**MEETING DATE** May 24, 2023

**ITEM TITLE** PRESENTATION OF A CERTIFICATE OF RECOGNITION TO GIRL SCOUT TROOP 5400 FOR THEIR PLANTING OF A BUTTERFLY POLLINATOR GARDEN AT THE CITY OF SANTEE OPERATIONS CENTER

**DIRECTOR/DEPARTMENT** John Minto, Mayor  
Dustin Trotter, Council Member

**SUMMARY**

On April 25, 2023, Girl Scout Troop 5400 planted 68 host plants, totaling a 161 square foot area, for Monarch caterpillars and nectar plants for Monarch butterflies at the City of Santee's Operations Center. The girls earned their pollinator badge by learning about the life cycle of butterflies, planting a new habitat garden, and painted rocks with images of pollinators to add to the garden.

This new butterfly garden will be registered as an official Monarch Waystation with MonarchWatch.org. Monarch Waystations are places that provide the necessary resources for monarch butterflies to produce successive generations and sustain their migration. These efforts will help ensure the preservation of the species and the continuation of the spectacular monarch migration phenomenon.

Girl Scouts have been blazing trails and redefining what's possible for girls everywhere since 1912. Every Girl Scout has their own curiosity, dreams, and talents – combined the sky's the limit.

All plant materials were donated by Steven Smith Landscaping, Inc.

**FINANCIAL STATEMENT**

There is no fiscal impact with this action.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION**

Present Certificate of Recognition to Girl Scout Troop 5400, thanking them for their donation of time, kindness and hard work to help establish a butterfly garden in the City of Santee.

**ATTACHMENT**

Certificate

# City of Santee

# Certificate of Recognition

*presented to*

**Girl Scout Troop 5400**

*Congratulations on the establishment of a Monarch Waystation to help  
Create, Conserve & Protect Monarch Habitats.  
Your hard work for the City of Santee is greatly  
appreciated and your efforts will last many years.*

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Mayor John W. Minto  
May 24, 2023



**MEETING DATE** May 24, 2023

**ITEM TITLE** PRESENTATION – SAN DIEGO COUNTY FAIR 2023

**DIRECTOR/DEPARTMENT** John W. Minto, Mayor

**SUMMARY**

Luis Valdivia, Marketing Specialist along with Tristan Hallman, Chief Communications Officer from the San Diego County Fair outreach team, will present a PowerPoint presentation to the City Council, with an update regarding the events for the San Diego County Fair occurring June 7, 2023, through July 4, 2023.

**FINANCIAL STATEMENT**

N/A

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION**

Receive the presentation.

**ATTACHMENT**

None.

**MEETING DATE**      May 24, 2023

**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** May 24, 2023

**ITEM TITLE** APPROVAL OF 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.

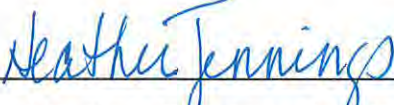
**ATTACHMENT**

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

Payment of Demands  
Summary of Payments Issued

| <u>Date</u> | <u>Description</u> | <u>Amount</u>         |
|-------------|--------------------|-----------------------|
| 05/03/23    | Accounts Payable   | \$ 257,362.45         |
| 05/04/23    | Accounts Payable   | 228,446.70            |
| 05/04/23    | Payroll            | 405,376.00            |
| 05/05/23    | Accounts Payable   | 47,456.67             |
| 05/08/23    | Accounts Payable   | 118,716.67            |
| 05/09/23    | Accounts Payable   | 120,035.37            |
| 05/11/23    | Accounts Payable   | <u>407,699.56</u>     |
|             | TOTAL              | <u>\$1,585,093.42</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

Voucher List  
CITY OF SANTEE

Bank code : ubgen

| Voucher        | Date     | Vendor                        | Invoice          | PO #  | Description/Account           | Amount          |
|----------------|----------|-------------------------------|------------------|-------|-------------------------------|-----------------|
| 133379         | 5/3/2023 | 13287 ANIXTER                 | 18K636550        | 54200 | TRAFFIC SIGNAL CABINET LOCK C | 1,206.29        |
| <b>Total :</b> |          |                               |                  |       |                               | <b>1,206.29</b> |
| 133380         | 5/3/2023 | 12951 BERRY, BONNIE F.        | May 1, 2023      |       | RETIREE HEALTH PAYMENTS       | 91.00           |
| <b>Total :</b> |          |                               |                  |       |                               | <b>91.00</b>    |
| 133381         | 5/3/2023 | 13130 BURNS, CHRIS            | 102023           |       | SENIOR PROGRAM - PERFORMAN    | 100.00          |
| <b>Total :</b> |          |                               |                  |       |                               | <b>100.00</b>   |
| 133382         | 5/3/2023 | 10299 CARQUEST AUTO PARTS     | 11102-583396     | 53869 | VEHICLE REPAIR PARTS          | 160.73          |
|                |          |                               | 11102-583401     | 53869 | VEHICLE REPAIR PARTS          | 6.36            |
|                |          |                               | 11102-583507     | 53869 | VEHICLE REPAIR PARTS          | 145.28          |
| <b>Total :</b> |          |                               |                  |       |                               | <b>312.37</b>   |
| 133383         | 5/3/2023 | 10032 CINTAS CORPORATION #694 | 4152137484       | 53959 | MISC SHOP RENTAL SERVICE      | 79.71           |
| <b>Total :</b> |          |                               |                  |       |                               | <b>79.71</b>    |
| 133384         | 5/3/2023 | 10268 COOPER, JACKIE          | May 1, 2023      |       | RETIREE HEALTH PAYMENT        | 91.00           |
| <b>Total :</b> |          |                               |                  |       |                               | <b>91.00</b>    |
| 133385         | 5/3/2023 | 10711 COUNTY OF SAN DIEGO     | SDR_IO-032       |       | SD RIVER INVESTIGATIVE ORDER  | 2,528.00        |
| <b>Total :</b> |          |                               |                  |       |                               | <b>2,528.00</b> |
| 133386         | 5/3/2023 | 10333 COX COMMUNICATIONS      | 063453006; APR23 |       | 9534 VIA ZAPADOR              | 95.53           |
| <b>Total :</b> |          |                               |                  |       |                               | <b>95.53</b>    |
| 133387         | 5/3/2023 | 14188 COYNE, MICHAEL          | 04052023         |       | MAILING REIMBURSEMENT         | 991.98          |
| <b>Total :</b> |          |                               |                  |       |                               | <b>991.98</b>   |
| 133388         | 5/3/2023 | 10142 CSA SAN DIEGO COUNTY    | 821              | 54021 | CDBG SUBRECIPIENT             | 4,819.94        |
| <b>Total :</b> |          |                               |                  |       |                               | <b>4,819.94</b> |
| 133389         | 5/3/2023 | 14875 DUELL CONSULTING GROUP  | Ref000086151     |       | DUPLICATE APPLICATION REFUND  | 99.00           |
| <b>Total :</b> |          |                               |                  |       |                               | <b>99.00</b>    |
| 133390         | 5/3/2023 | 10054 ELDERHELP OF SAN DIEGO  | 03312023         | 53993 | CDBG SUBRECIPIENT             | 1,782.75        |



Voucher List  
CITY OF SANTEE

Bank code : ubgen

| Voucher | Date     | Vendor                               | Invoice         | PO #  | Description/Account           | Amount           |
|---------|----------|--------------------------------------|-----------------|-------|-------------------------------|------------------|
| 133390  | 5/3/2023 | 10054 10054 ELDERHELP OF SAN DIEGO   | (Continued)     |       | <b>Total :</b>                | <b>1,782.75</b>  |
| 133391  | 5/3/2023 | 12120 GEOCON INCORPORATED            | 123030135       | 53284 | GEOTECHNICAL REVIEW - SLOPE   | 370.00           |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>370.00</b>    |
| 133392  | 5/3/2023 | 11875 HALL, RONN                     | 4102023         |       | PER DIEM FOR SMART CITIES COI | 276.50           |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>276.50</b>    |
| 133393  | 5/3/2023 | 14167 HOME START, INC.               | 5710-03312023   | 54095 | CDBG-CV RENTAL ASSISTANCE (3  | 19,351.05        |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>19,351.05</b> |
| 133394  | 5/3/2023 | 11724 ICF JONES & STOKES INC         | INV-00000055502 | 53609 | MSCP SUBAREA PLAN             | 7,057.50         |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>7,057.50</b>  |
| 133395  | 5/3/2023 | 14871 INNIS, JACK                    | 1025            |       | SENIOR LUNCHEON SPEAKER       | 100.00           |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>100.00</b>    |
| 133396  | 5/3/2023 | 13558 KIFER HYDRAULICS CO, INC       | 80313           | 53887 | VEHICLE REPAIR PARTS          | 84.44            |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>84.44</b>     |
| 133397  | 5/3/2023 | 10306 MOTOROLA SOLUTIONS INC         | 8281602003      | 54056 | RADIO SUPPLIES                | 343.14           |
|         |          |                                      | 8281602006      | 54085 | RADIO SUPPLIES                | 171.57           |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>514.71</b>    |
| 133398  | 5/3/2023 | 10308 O'REILLY AUTO PARTS            | 2968-148191     | 53896 | VEHICLE REPAIR PARTS          | 18.10            |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>18.10</b>     |
| 133399  | 5/3/2023 | 10344 PADRE DAM MUNICIPAL WATER DIST | 90000367; APR23 |       | GROUP BILL                    | 10,920.38        |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>10,920.38</b> |
| 133400  | 5/3/2023 | 10442 PAYCO SPECIALTIES              | 1768-03-2023    | 54288 | STREET STRIPING MAINTENANCE   | 50,362.47        |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>50,362.47</b> |
| 133401  | 5/3/2023 | 14874 PHILLIPS RANCH PHARMACY        | Ref000086150    |       | OVERPAYMENT REFUND            | 60.00            |
|         |          |                                      |                 |       | <b>Total :</b>                | <b>60.00</b>     |
| 133402  | 5/3/2023 | 13669 PORTILLO CONCRETE, INC         | 1R-CIP2023-07   |       | RETENTION #1 CIP 2023-07      | -3,975.00        |
|         |          |                                      | 2208-2820       | 54266 | PROGRESS PAYMENT #1 CIP 2023- | 79,500.00        |

Voucher List  
CITY OF SANTEE

Bank code : ubgen

| Voucher | Date     | Vendor                             | Invoice  | PO #           | Description/Account   | Amount   |
|---------|----------|------------------------------------|--|----------------|---|--|
| 133402  | 5/3/2023 | 13669 13669 PORTILLO CONCRETE, INC | (Continued)  |                |   | <b>Total : 75,525.00</b>   |
| 133403  | 5/3/2023 | 10221 QUALITY CODE PUBLISHING LLC  | GC0010325  | 54038          | MUNICIPAL CODE CODIFICATION   | 2,277.50<br><b>Total : 2,277.50</b>                                      |
| 133404  | 5/3/2023 | 10095 RASA                         | 5707   | 54062          | MAP CHECK - LANTERN CREST PH  | 825.00<br><b>Total : 825.00</b>  |
| 133405  | 5/3/2023 | 12237 RAYON, KYLE                  | May 1, 2023  |                | RETIREE HEALTH PAYMENT  | 91.00<br><b>Total : 91.00</b>  |
| 133406  | 5/3/2023 | 12828 RICK ENGINEERING COMPANY     | 0093846  | 53946          | MASTER DRAINAGE STUDY   | 24,927.00<br><b>Total : 24,927.00</b>                                    |
| 133407  | 5/3/2023 | 10407 SAN DIEGO GAS & ELECTRIC     | 34223805628; APR23<br>43940205509; APR23<br>79900685777; APR23<br>85097421694; APR23 |                | ROW / MEDIANS (GAS)<br>LMD<br>BALLFIELDS; FACILITIES; PARKS<br>CITY HALL GROUP BILL | 265.15<br>1,923.96<br>19,946.19<br>11,943.08<br><b>Total : 34,078.38</b> |
| 133408  | 5/3/2023 | 10677 SANTEE CHAMBER OF COMMERCE   | 3191   |                | SANTEE CHAMBER HEROES EVEN  | 750.00<br><b>Total : 750.00</b>  |
| 133409  | 5/3/2023 | 13171 SC COMMERCIAL, LLC           | 2359565-IN<br>2362379-IN   | 53902<br>53902 | DELIVERED FUEL<br>DELIVERED FUEL  | 382.56<br>463.68<br><b>Total : 846.24</b>                                |
| 133410  | 5/3/2023 | 14284 SDI PRESENCE LLC             | 12278  | 53800          | SANTEE LMS PROCUREMENT  | 1,137.50<br><b>Total : 1,137.50</b>                                      |
| 133411  | 5/3/2023 | 10110 SECTRAN SECURITY INC         | 23040546   | 54148          | FY 22/23 ARMORED CAR TRANSPC  | 155.84<br><b>Total : 155.84</b>  |
| 133412  | 5/3/2023 | 10217 STAPLES ADVANTAGE            | 3535137471   | 53936          | OFFICE SUPPLIES   | 46.17<br><b>Total : 46.17</b>  |
| 133413  | 5/3/2023 | 10250 THE EAST COUNTY              | 00129646<br>129690   |                | NOTICE OF INTENT TO ADOPT MN<br>CONSOLIDATED STMT POSTING                           | 255.50<br>178.50   |

Bank code : ubgen

| Voucher                                  | Date     | Vendor                       | Invoice     | PO #  | Description/Account         | Amount                             |
|--|----------|------------------------------|-------------|-------|-----------------------------|------------------------------------|
| 133413                                   | 5/3/2023 | 10250 10250 THE EAST COUNTY  | (Continued) |       |                             | <b>Total : 434.00</b>              |
| 133414                                   | 5/3/2023 | 10257 TYLER TECHNOLOGIES INC | 045-414843  | 53803 | PERMITTING SOFTWARE IMPLEME | 12,925.00                          |
|  |          |                              |             |       |                             | <b>Total : 12,925.00</b>           |
| 133415                                   | 5/3/2023 | 10475 VERIZON WIRELESS       | 9000312298  | 54275 | BLS IPADS                   | 1,909.10                           |
|  |          |                              |             |       |                             | <b>Total : 1,909.10</b>            |
| 133416                                   | 5/3/2023 | 12930 WILLIAMS, ROCHELLE M.  | May 1, 2023 |       | RETIREE HEALTH PAYMENT      | 91.00                              |
|  |          |                              |             |       |                             | <b>Total : 91.00</b>               |
| 133417                                   | 5/3/2023 | 12641 WITTORFF, VICKY DENISE | May 1, 2023 |       | RETIREE HEALTH PAYMENT      | 31.00                              |
|  |          |                              |             |       |                             | <b>Total : 31.00</b>               |
| <b>39 Vouchers for bank code : ubgen</b> |          |                              |             |       |                             | <b>Bank total : 257,362.45</b>     |
| <b>39 Vouchers in this report</b>        |          |                              |             |       |                             | <b>Total vouchers : 257,362.45</b> |

Prepared by: Jue M  
Date: 5/3/23  
Approved by: [Signature]  
Date: 5/3/23

Bank code : ubgen

| Voucher                                  | Date     | Vendor   | Invoice      | PO # | Description/Account        | Amount                             |
|--|----------|--|--------------|------|----------------------------|------------------------------------|
| 133418                                   | 5/4/2023 | 12903 AMERICAN FIDELITY ASSURANCE CO           | 2216903A     |      | FLEXIBLE SPENDING ACCOUNT  | 2,449.28                           |
|  |          |  |              |      | <b>Total :</b>             | <b>2,449.28</b>                    |
| 133419                                   | 5/4/2023 | 10334 CHLIC                                    | 3175176      |      | HEALTH INSURANCE           | 206,521.09                         |
|  |          |  |              |      | <b>Total :</b>             | <b>206,521.09</b>                  |
| 133420                                   | 5/4/2023 | 14793 CONTROLLING INS COST IN CA, SCHOO 2023-5 |              |      | EMPLOYEE ASSISTANCE PROGRA | 333.24                             |
|  |          |  |              |      | <b>Total :</b>             | <b>333.24</b>                      |
| 133421                                   | 5/4/2023 | 14458 METROPOLITAN LIFE INSURANCE              | 76832391     |      | DENTAL INSURANCE           | 12,795.65                          |
|  |          |  |              |      | <b>Total :</b>             | <b>12,795.65</b>                   |
| 133422                                   | 5/4/2023 | 10785 RELIANCE STANDARD LIFE                   | May 23       |      | VOLUNTARY LIFE INSURANCE   | 435.98                             |
|  |          |  |              |      | <b>Total :</b>             | <b>435.98</b>                      |
| 133423                                   | 5/4/2023 | 10424 SANTEE FIREFIGHTERS                      | PPE 04/26/23 |      | DUES/PEC/BENEVOLENT/BC EXP | 3,736.58                           |
|  |          |  |              |      | <b>Total :</b>             | <b>3,736.58</b>                    |
| 133424                                   | 5/4/2023 | 10776 STATE OF CALIFORNIA                      | PPE 04/26/23 |      | WITHHOLDING ORDER          | 449.53                             |
|  |          |  |              |      | <b>Total :</b>             | <b>449.53</b>                      |
| 133425                                   | 5/4/2023 | 10776 STATE OF CALIFORNIA                      | PPE 04/26/23 |      | WITHHOLDING ORDER          | 225.23                             |
|  |          |  |              |      | <b>Total :</b>             | <b>225.23</b>                      |
| 133426                                   | 5/4/2023 | 10001 US BANK                                  | PPE 04/26/23 |      | PARS RETIREMENT            | 748.28                             |
|  |          |  |              |      | <b>Total :</b>             | <b>748.28</b>                      |
| 133427                                   | 5/4/2023 | 14600 WASHINGTON STATE SUPPORT                 | PPE 04/26/23 |      | WITHHOLDING ORDER          | 751.84                             |
|  |          |  |              |      | <b>Total :</b>             | <b>751.84</b>                      |
| <b>10 Vouchers for bank code : ubgen</b> |          |  |              |      |                            | <b>Bank total : 228,446.70</b>     |
| <b>10 Vouchers in this report</b>        |          |  |              |      |                            | <b>Total vouchers : 228,446.70</b> |

Bank code : ubgen

| <u>Voucher</u> | <u>Date</u> | <u>Vendor</u> | <u>Invoice</u> | <u>PO #</u> | <u>Description/Account</u> | <u>Amount</u> |
|----------------|-------------|---------------|----------------|-------------|----------------------------|---------------|
|----------------|-------------|---------------|----------------|-------------|----------------------------|---------------|

Prepared by: *J. Smith*  
Date: 5-4-23  
Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

| EARNINGS SECTION    |             |      |            |     | DEDUCTIONS SECTION |            |            | LEAVE SECTION |        |         |       |        |      |
|---------------------|-------------|------|------------|-----|--------------------|------------|------------|---------------|--------|---------|-------|--------|------|
| Type                | Hours/units | Rate | Amount     | Src | Plan               | Base Wages | Deduction  | Benefit/Cont  | LvPlan | Accrued | Taken | Banked | Lost |
|                     |             |      |            |     | roth               | 48,883.32  | 6,323.06   |               |        |         |       |        |      |
|                     |             |      |            |     | sb-1               |            | 77.19      |               |        |         |       |        |      |
|                     |             |      |            |     | sb-3               |            | 48.36      |               |        |         |       |        |      |
|                     |             |      |            |     | sffa               |            | 3,174.38   |               |        |         |       |        |      |
|                     |             |      |            |     | sffapc             |            | 428.64     |               |        |         |       |        |      |
|                     |             |      |            |     | st1cs3             | 80,862.63  | 2,425.91   | -2,425.91     |        |         |       |        |      |
|                     |             |      |            |     | st2cs3             | 13,974.51  | 419.24     | -419.24       |        |         |       |        |      |
|                     |             |      |            |     | texlif             |            | 55.19      |               |        |         |       |        |      |
|                     |             |      |            |     | vaccpr             |            | 506.25     |               |        |         |       |        |      |
|                     |             |      |            |     | vaccpt             |            | 217.66     |               |        |         |       |        |      |
|                     |             |      |            |     | vcanpr             |            | 328.21     |               |        |         |       |        |      |
|                     |             |      |            |     | vcanpt             |            | 116.75     |               |        |         |       |        |      |
|                     |             |      |            |     | vgcipt             |            | 79.44      |               |        |         |       |        |      |
|                     |             |      |            |     | vision             |            | 520.70     |               |        |         |       |        |      |
|                     |             |      |            |     | voladd             |            | 31.26      |               |        |         |       |        |      |
|                     |             |      |            |     | voldis             |            | 234.94     |               |        |         |       |        |      |
|                     |             |      |            |     | vollad             |            |            | 232.47        |        |         |       |        |      |
|                     |             |      |            |     | vollif             |            | 232.47     |               |        |         |       |        |      |
| <b>Grand Totals</b> | 15,173.51   |      | 636,503.10 |     |                    |            | 231,127.10 | 263,146.49    |        |         |       |        |      |

|               |            |
|---------------|------------|
| <b>Gross:</b> | 636,503.10 |
| <b>Net:</b>   | 405,376.00 |

<< No Errors / 16 Warnings >>

*E Bull*  
5/2/23

*PPE 4/26/23*  
*Pay date 5/4/23*

Bank code : ubgen

| <u>Voucher</u>                          | <u>Date</u> | <u>Vendor</u>           | <u>Invoice</u> | <u>PO #</u> | <u>Description/Account</u> | <u>Amount</u>                     |
|---|-------------|-------------------------|----------------|-------------|----------------------------|-----------------------------------|
| 6279775                                 | 5/5/2023    | 14704 457 MISSIONSQUARE | PPE 04/26/23   |             | ICMA - 457                 | 36,441.85                         |
|   |             |                         |                |             | <b>Total :</b>             | <b>36,441.85</b>                  |
| 6749169                                 | 5/5/2023    | 14705 RHS MISSIONSQUARE | PPE 04/26/23   |             | RETIREE HSA                | 11,014.82                         |
|   |             |                         |                |             | <b>Total :</b>             | <b>11,014.82</b>                  |
| <b>2 Vouchers for bank code : ubgen</b> |             |                         |                |             |                            | <b>Bank total : 47,456.67</b>     |
| <b>2 Vouchers in this report</b>        |             |                         |                |             |                            | <b>Total vouchers : 47,456.67</b> |

Prepared by: Juech  
Date: 5-5-23  
Approved by: E-Bul  
Date: 5-10-23

Bank code : ubgen

| Voucher                                 | Date     | Vendor                           | Invoice                        | PO # | Description/Account                                | Amount                             |
|---|----------|----------------------------------|--------------------------------|------|--|------------------------------------|
| 31416                                   | 5/8/2023 | 10955 DEPARTMENT OF THE TREASURY | May 23 Retiree<br>PPE 04/26/23 |      | FEDERAL WITHHOLDING TAX<br>FED WITHHOLD & MEDICARE | 211.00<br>88,982.99                |
|   |          |                                  |                                |      | <b>Total :</b>                                     | <b>89,193.99</b>                   |
| 31447                                   | 5/8/2023 | 10956 FRANCHISE TAX BOARD        | May 23 Retiree<br>PPE 04/26/23 |      | CA STATE TAX WITHHELD<br>CA STATE TAX WITHHELD     | 46.00<br>29,476.68                 |
|   |          |                                  |                                |      | <b>Total :</b>                                     | <b>29,522.68</b>                   |
| <b>2 Vouchers for bank code : ubgen</b> |          |                                  |                                |      |  | <b>Bank total : 118,716.67</b>     |
| <b>2 Vouchers in this report</b>        |          |                                  |                                |      |  | <b>Total vouchers : 118,716.67</b> |

Prepared by: Jueh  
Date: 5-8-23  
Approved by: E Bull  
Date: 5-10-23



Bank code : ubgen

| <u>Voucher</u>                   | <u>Date</u> | <u>Vendor</u> | <u>Invoice</u> | <u>PO #</u> | <u>Description/Account</u> | <u>Amount</u>           |                   |
|----------------------------------|-------------|---------------|----------------|-------------|----------------------------|-------------------------|-------------------|
| 5233                             | 5/9/2023    | 10353 PERS    | 05 23 3        |             | RETIRMENT PAYMENT          | 120,035.37              |                   |
|                                  |             |               |                |             |                            | <b>Total :</b>          | <b>120,035.37</b> |
| 1 Vouchers for bank code : ubgen |             |               |                |             |                            | <b>Bank total :</b>     | <b>120,035.37</b> |
| 1 Vouchers in this report        |             |               |                |             |                            | <b>Total vouchers :</b> | <b>120,035.37</b> |

Prepared by: J. Welch  
Date: 5-9-23  
Approved by: [Signature]  
Date: 5-10-23

Bank code : ubqen

| Voucher        | Date      | Vendor                           | Invoice  | PO #                             | Description/Account  | Amount                            |
|----------------|-----------|----------------------------------|--|----------------------------------|--|-----------------------------------|
| 133428         | 5/11/2023 | 14590 AP TRITON, LLC             | 2023-141   | 53850                            | RISK&SRVC DELIVERY ANALYSIS  | 1,753.40                          |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>1,753.40</b>                   |
| 133429         | 5/11/2023 | 10412 AT&T                       | 301053963; MAY23   |                                  | MAST PARK  | 107.00                            |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>107.00</b>                     |
| 133430         | 5/11/2023 | 14890 AUSTINS POOL SERVICE       | Ref000086289   |                                  | CORRECTED LICENSE TYPE REFL  | 46.00                             |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>46.00</b>                      |
| 133431         | 5/11/2023 | 12506 BEST, MARLENE              | 052023-1   |                                  | PER DIEM FOR ICSC CONFERENC  | 241.50                            |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>241.50</b>                     |
| 133432         | 5/11/2023 | 10022 BRAUN NORTHWEST INC        | 34327  | 54188                            | AMBULANCE REMOUNT  | 172,661.16                        |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>172,661.16</b>                 |
| 133433         | 5/11/2023 | 10023 BUILDERS FENCE COMPANY INC | 1950741<br>1954607   | 54044<br>54044                   | FENCING MATERIALS & SUPPLIES<br>FENCING MATERIALS & SUPPLIES                                 | 2,095.01<br>32.78                 |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>2,127.79</b>                   |
| 133434         | 5/11/2023 | 13990 C.P. RICHARDS SIGNS, INC.  | 61854<br>62035   | 54255<br>53868                   | AMBULANCE GRAPHICS<br>VEHICLE DECALS   | 1,636.87<br>196.80                |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>1,833.67</b>                   |
| 133435         | 5/11/2023 | 10299 CARQUEST AUTO PARTS        | 11102-583562<br>11102-583867<br>11102-583887<br>11102-583984 | 53869<br>53869<br>53869<br>53869 | VEHICLE REPAIR PARTS<br>VEHICLE REPAIR PART<br>VEHICLE REPAIR PARTS<br>VEHICLE REPAIR PARTS  | 35.05<br>22.39<br>330.60<br>17.43 |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>405.47</b>                     |
| 133436         | 5/11/2023 | 10031 CDW GOVERNMENT LLC         | JB24996<br>JB25003<br>JB71771                                | 54281<br>54282<br>54153          | ADOBE ACROBAT & E-SIGN SOFTV<br>ADOBE CREATIVE CLOUD SOFTW,<br>CITY HALL FIBER OPTIC PROJECT | 8,070.00<br>7,560.00<br>1,970.08  |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>17,600.08</b>                  |
| 133437         | 5/11/2023 | 12349 CHOICE LOCKSMITHING        | 011023FS4  | 53988                            | LOCKSMITH SERVICES   | 95.00                             |
| <b>Total :</b> |           |                                  |  |                                  |  | <b>95.00</b>                      |

Voucher List  
CITY OF SANTEE

Bank code : ubqen

| Voucher        | Date      | Vendor                            | Invoice                  | PO #           | Description/Account  | Amount           |
|----------------|-----------|-----------------------------------|--------------------------|----------------|--|------------------|
| 133438         | 5/11/2023 | 10032 CINTAS CORPORATION #694     | 4152863816<br>4152991232 | 53959<br>53959 | MISC SHOP RENTAL SERVICE<br>STATION 4 SUPPLIES             | 65.10<br>46.80   |
| <b>Total :</b> |           |                                   |                          |                |  | <b>111.90</b>    |
| 133439         | 5/11/2023 | 12328 CINTAS CORP. #2             | 5154423131               | 53989          | FIRST-AID KIT SERVICE                                      | 227.52           |
| <b>Total :</b> |           |                                   |                          |                |  | <b>227.52</b>    |
| 133440         | 5/11/2023 | 14782 COSCO FIRE PROTECTION, INC. | 1000602123               | 54190          | BACKFLOW REPAIRS   | 1,800.00         |
| <b>Total :</b> |           |                                   |                          |                |  | <b>1,800.00</b>  |
| 133441         | 5/11/2023 | 10358 COUNTY OF SAN DIEGO         | 23CTOFSASN10             | 53941          | 800 MHZ RADIO ACCESS                                       | 1,909.50         |
| <b>Total :</b> |           |                                   |                          |                |  | <b>1,909.50</b>  |
| 133442         | 5/11/2023 | 10486 COUNTY OF SAN DIEGO         | CIP 72306<br>CIP72305    |                | ENVIRONMENTAL POST FOR CITY<br>ENVIRONMENTAL POSTING CITYM | 50.00<br>50.00   |
| <b>Total :</b> |           |                                   |                          |                |  | <b>100.00</b>    |
| 133443         | 5/11/2023 | 10333 COX COMMUNICATIONS          | 112256001; APR23         |                | 9130 CARLTON OAKS DR                                       | 94.68            |
| <b>Total :</b> |           |                                   |                          |                |  | <b>94.68</b>     |
| 133444         | 5/11/2023 | 10608 CRISIS HOUSE                | 757                      | 53991          | CDBG SUBRECIPIENT  | 617.20           |
| <b>Total :</b> |           |                                   |                          |                |  | <b>617.20</b>    |
| 133445         | 5/11/2023 | 14811 DIGITECH COMPUTER LLC       | 60003349                 | 54274          | SLEMSA BILLING CONTRACT SERV                               | 10,051.71        |
| <b>Total :</b> |           |                                   |                          |                |  | <b>10,051.71</b> |
| 133446         | 5/11/2023 | 14675 EAST COUNTY TRANSITIONAL    | 20230407C                | 54081          | CDBG-CV SUBRECIPIENT - ECTLC                               | 8,100.00         |
| <b>Total :</b> |           |                                   |                          |                |  | <b>8,100.00</b>  |
| 133447         | 5/11/2023 | 14446 ENTERPRISE FM TRUST         | STMT 2723                |                | VEHICLE LEASING PROGRAM                                    | 5,726.63         |
| <b>Total :</b> |           |                                   |                          |                |  | <b>5,726.63</b>  |
| 133448         | 5/11/2023 | 13565 FAILSAFE TESTING LLC        | 12785                    | 54248          | AERIAL LADDER TESTING                                      | 1,400.00         |
| <b>Total :</b> |           |                                   |                          |                |  | <b>1,400.00</b>  |
| 133449         | 5/11/2023 | 10251 FEDERAL EXPRESS             | 8-122-07146              |                | FEDEX SHIPPING CHARGES                                     | 50.87            |
| <b>Total :</b> |           |                                   |                          |                |  | <b>50.87</b>     |

Bank code : ubgen

| Voucher | Date      | Vendor                           | Invoice         | PO #  | Description/Account          | Amount           |
|---------|-----------|----------------------------------|-----------------|-------|------------------------------|------------------|
| 133450  | 5/11/2023 | 10009 FIRE ETC                   | 178721          | 54252 | SCBA EQUIPMENT               | 2,478.25         |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>2,478.25</b>  |
| 133451  | 5/11/2023 | 10066 GLOBALSTAR USA LLC         | 000000049250331 |       | SATELLITE PHONE SERVICE      | 102.39           |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>102.39</b>    |
| 133452  | 5/11/2023 | 11875 HALL, RONN                 | 05202023-2      |       | PER DIEM FOR ICSC CONFERENC  | 241.50           |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>241.50</b>    |
| 133453  | 5/11/2023 | 14459 HMC GROUP                  | 167932          | 53747 | SANTEE COMMUNITY CENTER      | 58,060.21        |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>58,060.21</b> |
| 133454  | 5/11/2023 | 10256 HOME DEPOT CREDIT SERVICES | 9154107         | 53923 | STATION SUPPLIES             | 74.34            |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>74.34</b>     |
| 133455  | 5/11/2023 | 12642 HOMEFED FANITA RANCHO, LLC | TM2021-1        |       | REFUNDABLE DEPOSIT TM21001A  | 1,366.44         |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>1,366.44</b>  |
| 133456  | 5/11/2023 | 11391 HUMPHREY, BREANNE          | 52023           |       | PER DIEM FOR ICSC CONFERENC  | 241.50           |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>241.50</b>    |
| 133457  | 5/11/2023 | 11807 IMPERIAL SPRINKLER SUPPLY  | 0009476193-002  | 54042 | IRRIGATION PARTS             | 298.90           |
|         |           |                                  | 0010419032-001  | 54042 | IRRIGATION PARTS             | 561.55           |
|         |           |                                  | 0010458755-001  | 54042 | IRRIGATION PARTS             | 365.60           |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>1,226.05</b>  |
| 133458  | 5/11/2023 | 11807 IMPERIAL SPRINKLER SUPPLY  | 5316116-00      | 54042 | IRRIGATION PARTS             | 135.84           |
|         |           |                                  | 5324805-00      | 54042 | IRRIGATION PARTS             | 356.90           |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>492.74</b>    |
| 133459  | 5/11/2023 | 10204 LIFE ASSIST INC            | 1311225         | 53891 | EMS SUPPLIES                 | 1,275.73         |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>1,275.73</b>  |
| 133460  | 5/11/2023 | 13155 LIFETIME DOG TRAINING, LLC | 5004            |       | WINTER 2023 DOG TRAINING CLA | 5,427.00         |
|         |           |                                  |                 |       | <b>Total :</b>               | <b>5,427.00</b>  |
| 133461  | 5/11/2023 | 13346 MAXEY, NICK                | 2012228         |       | PRESCRIPTION SAFETY GLASSES  | 299.09           |

Bank code : ubqen

| Voucher | Date      | Vendor                             | Invoice      | PO #  | Description/Account           | Amount                  |
|---------|-----------|------------------------------------|--------------|-------|-------------------------------|-------------------------|
| 133461  | 5/11/2023 | 13346 13346 MAXEY, NICK            | (Continued)  |       |                               | <b>Total : 299.09</b>   |
| 133462  | 5/11/2023 | 14898 MERA LOPEZ                   | Ref000086443 |       | CORRECTED LICENSE TYPE REFL   | 46.00                   |
|         |           |                                    |              |       |                               | <b>Total : 46.00</b>    |
| 133463  | 5/11/2023 | 11140 MICHEL, VICTOR               | 160741       |       | WEARING APPAREL               | 161.60                  |
|         |           |                                    |              |       |                               | <b>Total : 161.60</b>   |
| 133464  | 5/11/2023 | 11783 MINTO, JOHN                  | 05202023-3   |       | PER DIEM FOR ICSC CONFERENC   | 241.50                  |
|         |           |                                    |              |       |                               | <b>Total : 241.50</b>   |
| 133465  | 5/11/2023 | 14894 MISHA KUTZMAN                | Ref000086335 |       | CORRECTED LICENSE TYPE REFL   | 46.00                   |
|         |           |                                    |              |       |                               | <b>Total : 46.00</b>    |
| 133466  | 5/11/2023 | 14759 MSC INDUSTRIAL SUPPLY CO.    | 28041457     | 54257 | COLD PATCH                    | 3,688.28                |
|         |           |                                    |              |       |                               | <b>Total : 3,688.28</b> |
| 133467  | 5/11/2023 | 10083 MUNICIPAL EMERGENCY SERVICES | IN1857779    | 54250 | SAFETY APPAREL                | 2,723.75                |
|         |           |                                    |              |       |                               | <b>Total : 2,723.75</b> |
| 133468  | 5/11/2023 | 13127 MYERS, CHRIS                 | 114921       |       | WEARING APPAREL               | 200.00                  |
|         |           |                                    |              |       |                               | <b>Total : 200.00</b>   |
| 133469  | 5/11/2023 | 10620 NATIONAL RECREATION AND PARK | 77868A       |       | NRPA YEARLY MEMBERSHIP        | 700.00                  |
|         |           |                                    |              |       |                               | <b>Total : 700.00</b>   |
| 133470  | 5/11/2023 | 10218 OFFICE DEPOT                 | 303204090001 | 53979 | OFFICE SUPPLIES - DDS         | 337.23                  |
|         |           |                                    |              |       |                               | <b>Total : 337.23</b>   |
| 133471  | 5/11/2023 | 10805 OHD INC                      | 88478        | 54262 | EQUIPMENT CALIBRATION         | 860.00                  |
|         |           |                                    |              |       |                               | <b>Total : 860.00</b>   |
| 133472  | 5/11/2023 | 10308 O'REILLY AUTO PARTS          | 2968-149680  | 53896 | VEHICLE REPAIR PART           | 12.90                   |
|         |           |                                    | 2968-149877  | 53896 | VEHICLE SUPPLIES              | 13.78                   |
|         |           |                                    |              |       |                               | <b>Total : 26.68</b>    |
| 133473  | 5/11/2023 | 14899 PRECISION AIR INC            | Ref000086485 |       | DUPLICATE BUSINESS LICENSE RI | 99.00                   |
|         |           |                                    |              |       |                               | <b>Total : 99.00</b>    |

Bank code : ubqen

| Voucher | Date      | Vendor                             | Invoice                                  | PO #           | Description/Account                                | Amount                |
|---------|-----------|------------------------------------|--|----------------|--|-----------------------|
| 133474  | 5/11/2023 | 14883 RICKETTS, CHRISTIAN          | 031623                                   |                | PARKING CITATION REFUND                            | 31.00                 |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>31.00</b>          |
| 133475  | 5/11/2023 | 10097 ROMAINE ELECTRIC CORPORATION | 12-058711                                | 53980          | VEHICLE SUPPLIES                                   | 191.30                |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>191.30</b>         |
| 133476  | 5/11/2023 | 10407 SAN DIEGO GAS & ELECTRIC     | 04229703218; APR23<br>22373580042; APR23 |                | STREET LIGHTS<br>TRAFFIC SIGNALS                   | 26,107.02<br>7,839.73 |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>33,946.75</b>      |
| 133477  | 5/11/2023 | 10212 SANTEE SCHOOL DISTRICT       | 9385                                     | 53965          | TRANSPORTATION TO TEEN CENT                        | 260.16                |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>260.16</b>         |
| 133478  | 5/11/2023 | 10768 SANTEE SCHOOL DISTRICT       | 9387                                     | 53964          | BALLFIELD LIGHTS MARCH 2023                        | 1,387.65              |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>1,387.65</b>       |
| 133479  | 5/11/2023 | 13171 SC COMMERCIAL, LLC           | 2367744-IN                               | 53902          | DELIVERED FUEL                                     | 662.88                |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>662.88</b>         |
| 133480  | 5/11/2023 | 14284 SDI PRESENCE LLC             | 12521                                    | 53800          | SANTEE LMS PROCUREMENT                             | 350.00                |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>350.00</b>         |
| 133481  | 5/11/2023 | 14630 SNAP-ON INDUSTRIAL           | ARV/56997960                             | 54130          | VEHICLE LIFT                                       | 8,512.25              |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>8,512.25</b>       |
| 133482  | 5/11/2023 | 10217 STAPLES ADVANTAGE            | 3535554832<br>3535708356                 | 53936<br>53936 | STAPLES OFFICE SUPPLIES<br>STAPLES OFFICE SUPPLIES | 79.68<br>33.93        |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>113.61</b>         |
| 133483  | 5/11/2023 | 14903 STELMAN, STEVEN              | 1630                                     |                | FINGERPRINT REIMBURSEMENT                          | 30.00                 |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>30.00</b>          |
| 133484  | 5/11/2023 | 10692 UNITED PARCEL SERVICE        | 000006150X133                            |                | SHIPPING CHARGE                                    | 86.90                 |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>86.90</b>          |
| 133485  | 5/11/2023 | 12480 UNITED SITE SERVICES         | INV-01557244                             | 53950          | RIO SECO PORTABLE TOILET AND                       | 135.38                |
|         |           |                                    |  |                | <b>Total :</b>                                     | <b>135.38</b>         |

Bank code : ubgen

| Voucher | Date      | Vendor                         | Invoice    | PO #  | Description/Account       | Amount                  |
|---------|-----------|--------------------------------|------------|-------|---------------------------|-------------------------|
| 133486  | 5/11/2023 | 10475 VERIZON WIRELESS         | 9932211617 |       | WIFI SERVICE              | 1,262.74                |
|         |           |                                |            |       |                           | <b>Total :</b>          |
| 133487  | 5/11/2023 | 14097 VOICES FOR CHILDREN      | 3-2023     | 54007 | CDBG SUBRECIPIENT         | 1,313.13                |
|         |           |                                |            |       |                           | <b>Total :</b>          |
| 133488  | 5/11/2023 | 10136 WEST COAST ARBORISTS INC | 197977     | 53939 | URBAN FORESTRY MANAGEMENT | 4,521.40                |
|         |           |                                | 197978     | 53939 | URBAN FORESTRY MANAGEMENT | 35,528.55               |
|         |           |                                | 198193     | 53939 | URBAN FORESTRY MANAGEMENT | 10,731.00               |
|         |           |                                |            |       |                           | <b>Total :</b>          |
| 133489  | 5/11/2023 | 10537 WETMORE'S                | 06P56733   | 53916 | VEHICLE REPAIR PARTS      | 79.02                   |
|         |           |                                | 06P56833   | 53916 | VEHICLE REPAIR PART       | 40.43                   |
|         |           |                                |            |       |                           | <b>Total :</b>          |
| 133490  | 5/11/2023 | 10318 ZOLL MEDICAL CORPORATION | 3693739    | 53917 | EMS SUPPLIES              | 1,039.05                |
|         |           |                                |            |       |                           | <b>Total :</b>          |
|         |           |                                |            |       |                           | <b>Bank total :</b>     |
|         |           |                                |            |       |                           | <b>407,699.56</b>       |
|         |           |                                |            |       |                           | <b>Total vouchers :</b> |
|         |           |                                |            |       |                           | <b>407,699.56</b>       |

63 Vouchers for bank code : ubgen

63 Vouchers in this report

Prepared by: *[Signature]*  
 Date: 5-11-23  
 Approved by: *[Signature]*  
 Date: 5/11/23

**MEETING DATE** May 24, 2023

**ITEM TITLE** APPROVAL OF THE EXPENDITURE OF \$76,743.60 FOR APRIL 2023 LEGAL SERVICES

**DIRECTOR/DEPARTMENT** Heather Jennings, Finance *HJ*

**SUMMARY**

Legal services invoices proposed for payment for the month of April 2023 total \$76,743.60 as follows:

|                                      |                     |
|--------------------------------------|---------------------|
| 1) General Retainer Services         | \$ 16,530.00        |
| 2) Labor & Employment                | 4,336.13            |
| 3) Litigation & Claims               | 16,259.00           |
| 4) Special Projects - General Fund   | 34,190.68           |
| 5) Special Projects – Other Funds    | 1,912.59            |
| 6) Third-Party Reimbursable Projects | <u>3,515.20</u>     |
| Total                                | <u>\$ 76,743.60</u> |

**FINANCIAL STATEMENT** *HJ*

Account Description: Legal Services

|   | <u>AMOUNT</u> | <u>BALANCE</u> |
|---|---------------|----------------|
| General Fund:   |               |                |
| Adopted Budget  | \$ 691,360.00 |                |
| Revised Budget  | 821,360.00    |                |
| Prior Expenditures                                      | (628,677.36)  |                |
| Current Request   | (71,315.81)   | \$ 121,366.83  |
| Other Funds (excluding third-party reimbursable items): |               |                |
| Adopted Budget  | \$ 150,000.00 |                |
| Revised Budget  | 150,000.00    |                |
| Prior Expenditures                                      | (95,261.70)   |                |
| Current Request   | (1,912.59)    | \$ 52,825.71   |

**CITY ATTORNEY REVIEW**  N/A  Completed

**RECOMMENDATION** *MJB*

Approve the expenditure of \$76,743.60 for April 2023 legal services and reimbursable costs.

**ATTACHMENTS**

1. Legal Services Billing Summary April 2023
2. Legal Services Billing Recap FY 2022-23





**LEGAL SERVICES BILLING SUMMARY  
APRIL 2023**

Attachment 1

| DESCRIPTION   | CURRENT<br>AMOUNT                          | INVOICE<br>NUMBER | NOTES                         |
|---|--|-------------------|-------------------------------|
| Retainer<br><b>1001.00.1201.51020</b>   | \$ 16,530.00<br><u>16,530.00</u>           | 964674            |                               |
| Labor & Employment:<br>Labor & Employment<br><b>1001.00.1201.51020</b>          | <br>4,336.13<br><u>4,336.13</u>            | <br>964646        |                               |
| Litigation & Claims:<br>Litigation & Claims                                     | 12,597.00                                  | 964647            |                               |
| Affordable Housing Coalition of San Diego County                                | 569.40                                     | 964649            |                               |
| Climate Action Plan (CAP) Litigation  | 714.00                                     | 964650            |                               |
| Parcel 4 Litigation<br><b>1001.00.1201.51020</b>                                | <u>2,378.60</u><br><u>16,259.00</u>        | 964654            |                               |
| Special Projects (General Fund):<br>Community Oriented Policing                 | 8,571.53                                   | 964659            |                               |
| Annual Municipal Code Update  | 12,452.30                                  | 964663            |                               |
| CEQA Special Advice   | 561.00                                     | 964668            |                               |
| Water Quality   | 127.50                                     | 964651            |                               |
| Community Choice Aggregation  | 127.50                                     | 964652            |                               |
| Prop 218  | 2,670.00                                   | 964661            |                               |
| Parcel 4 Hotel  | 5,049.00                                   | 964662            |                               |
| Housing Element   | 127.50                                     | 964653            |                               |
| Advanced Records Center Services for PRA  | 1,673.85                                   | 964656            |                               |
| COVID-19 Related (ARPA)   | 2,320.50                                   | 964675            |                               |
| General Telecommunications Work   | 484.50                                     | 964657            |                               |
| Safety-Environ Justice Element<br><b>1001.00.1201.51020</b>                     | <u>25.50</u><br><u>34,190.68</u>           | 964665            |                               |
| Special Projects (Other Funds):<br>Mobile Home Rent Control Commission          | 280.50                                     | 964648            | <b>2901.04.4106.51020</b>     |
| Cuyamaca Street Right-of-Way Acquisition  | 369.50                                     | 964655            | <b>cip71402.30.05</b>         |
| CSA 69 Dissolution/SLEMSA JPA<br><u>1,262.59</u><br><u>1,912.59</u>             | <br><br><u>1,912.59</u>                    | <br>964664        | <br><b>5505.00.1901.51020</b> |
| Third-Party Reimbursable:<br>Castlerock (Weston)                                | 831.60                                     | 964666            | <b>spp0801a.10.05</b>         |
| MSCP Subarea Plan   | 39.60                                      | 964667            | <b>spp2101a.94.05</b>         |
| Redevelopment of Carlton Oaks Golf Course<br><u>2,644.00</u><br><u>3,515.20</u> | <br><br><u>2,644.00</u><br><u>3,515.20</u> | <br>964669        | <br><b>cup1906a.10.05</b>     |
| <b>Total</b>  | <b>\$ 76,743.60</b>                        |                   |                               |

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

Attachment 2


| Category                         | Adopted Budget       | Revised Budget       | Previously Spent Year to Date | Available Balance    | Current Request |                     |
|----------------------------------|----------------------|----------------------|-------------------------------|----------------------|-----------------|---------------------|
|                                  |                      |                      |                               |                      | Mo./Yr.         | Amount              |
| <b>General Fund:</b>             |                      |                      |                               |                      |                 |                     |
| General / Retainer               | \$ 200,360.00        | \$ 200,360.00        | \$ 148,928.85                 | \$ 51,431.15         | Apr-23          | \$ 16,530.00        |
| Labor & Employment               | 60,000.00            | 110,000.00           | 63,838.90                     | 46,161.10            | Apr-23          | 4,336.13            |
| Litigation & Claims              | 90,000.00            | 90,000.00            | 126,022.51                    | (36,022.51)          | Apr-23          | 16,259.00           |
| Special Projects                 | 341,000.00           | 421,000.00           | 289,887.10                    | 131,112.90           | Apr-23          | 34,190.68           |
| <b>Total</b>                     | <b>\$ 691,360.00</b> | <b>\$ 821,360.00</b> | <b>\$ 628,677.36</b>          | <b>\$ 192,682.64</b> |                 | <b>\$ 71,315.81</b> |
| <b>Other City Funds:</b>         |                      |                      |                               |                      |                 |                     |
| MHFP Commission                  | \$ 12,000.00         | \$ 12,000.00         | \$ 12,775.50                  | \$ (775.50)          | Apr-23          | \$ 280.50           |
| Capital Projects                 | 75,000.00            | 75,000.00            | 30,476.85                     | 44,523.15            | Apr-23          | 369.50              |
| SLEMSA JPA                       | 60,000.00            | 60,000.00            | 52,009.35                     | 7,990.65             | Apr-23          | 1,262.59            |
| Highway 52 Coalition             | 3,000.00             | 3,000.00             | -                             | 3,000.00             | Apr-23          | -                   |
| <b>Total</b>                     | <b>\$ 150,000.00</b> | <b>\$ 150,000.00</b> | <b>\$ 95,261.70</b>           | <b>\$ 54,738.30</b>  |                 | <b>\$ 1,912.59</b>  |
| <b>Third-Party Reimbursable:</b> |                      |                      |                               |                      |                 |                     |
| <b>Total</b>                     |                      |                      | <b>\$ 176,970.18</b>          |                      |                 | <b>\$ 3,515.20</b>  |

| Total Previously Spent to Date<br>FY 2022-23 |                      |
|--|----------------------|
| General Fund                                 | \$ 628,677.36        |
| Other City Funds                             | 95,261.70            |
| Applicant Deposits or Grants                 | 176,970.18           |
| <b>Total</b>                                 | <b>\$ 900,909.24</b> |

| Total Proposed for Payment   |                     |
|------------------------------|---------------------|
| General Fund                 | \$ 71,315.81        |
| Other City Funds             | 1,912.59            |
| Applicant Deposits or Grants | 3,515.20            |
| <b>Total</b>                 | <b>\$ 76,743.60</b> |

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTION OF THE CITY COUNCIL ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF IN ACCORDANCE WITH SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY CODE (ANNUAL FIRE INSPECTION COMPLIANCE REPORT)

**DIRECTOR/DEPARTMENT** Justin Matsushita, Fire Chief 

**SUMMARY**

Senate Bill (SB) 1205, Fire Protection Services, Inspections, Compliance Reporting, was passed in 2018, and section 13146.4 was added to the California Health & Safety Code, which requires every city or county fire department to inspect apartment buildings and condominiums, hotels and motels, and all public and private schools for compliance with building standards and other regulations created by the State Fire Marshal that focus on preventing fires, escaping fires and containing fires. Fire inspections include, but are not limited to: accessing emergency access buildings, evaluating water supply, maintenance of fire protection equipment and systems such as fire alarm systems, automatic fire sprinkler systems and fixed fire suppression systems, proper egress, electrical systems and identifying other potential fire hazards. Health and Safety Code section 13146.4 also requires City Council to acknowledge receipt of the annual compliance report that is provided below in the form of a resolution.

Therefore, in accordance with SB1205 and California Health and Safety Code section 13146.4, the Calendar Year 2022 report below includes the types of occupancies in the city of Santee that require an annual fire and life safety inspection and the number of inspections conducted.

| Calendar Year 2022 State Mandated Inspection Compliance |                    |                    |                   |
|---|--------------------|--------------------|-------------------|
| Occupancy Type  | No. of Occupancies | No. of Inspections | Percent Completed |
| Educational (E):<br>Public/Private Schools              | 18                 | 9                  | 50%               |
| Residential (R1):<br>Hotel/Motel                        | 3                  | 2                  | 66%               |
| Residential (R2, R3):<br>Apartments/Condos              | 89                 | 42                 | 47%               |

In accordance with Health and Safety Code section 13146.4, a Resolution expressly acknowledging receipt of the above report is attached for City Council to review and adopt.

**FINANCIAL STATEMENT** N/A 

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION**   
Adopt the attached Resolution.

**ATTACHMENT**  
Resolution



**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE SANTEE FIRE DEPARTMENT IN ACCORDANCE WITH SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY CODE**

**WHEREAS**, California Health and Safety Code section 13146.4 was added in 2018 and became effective on January 1, 2019; and,

**WHEREAS**, California Health and Safety Code sections 13146.2 and 13146.3 require all fire departments that provide fire protection services to perform annual inspections in all apartment buildings and condominiums, hotels and motels, and all public and private schools for compliance with building standards and other regulations created by the State Fire Marshal, as provided; and,

**WHEREAS**, California Health and Safety Code section 13146.4(a) requires all fire departments that provide fire protection services to report annually to the administering authority its compliance with sections 13146.2 and 13146.3; and,

**WHEREAS**, the City Council of the City of Santee intends this Resolution to fulfill the requirements of section 13146.4 of the California Health and Safety Code regarding acknowledgement of the Santee Fire Department's compliance with California Health and Safety Code sections 13146.2 and 13146.3.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee that it expressly acknowledges receipt of the report for calendar year 2022 made by the Fire Chief of the Santee Fire Department in accordance with section 13146.4 of the California Health and Safety Code regarding sections 13146.2 and 13146.3 of the California Health and Safety Code which require annual inspections in all apartment buildings and condominiums, hotels and motels, and all public and private schools.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 24th day of May 2023, by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTIONS APPROVING THE ENGINEER'S REPORT AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2023-24 SANTEE ROADWAY LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

**DIRECTOR/DEPARTMENT** Heather Jennings, Finance

**SUMMARY**

The Santee Roadway Lighting District ("SRLD") has two zones, each with separate funding sources. Zone A is contiguous with the City's boundaries; i.e., all properties in the City are within Zone A. Zone B comprises numerous areas throughout the City, and contains street lights defined as primarily having special benefit.

The funding of street light energy, maintenance and administrative costs for Zone A and Zone B is obtained from two sources: a portion of the ad valorem property tax designated for street lighting purposes (Zone A), and a special benefit assessment (Zone B). It is estimated that 50 new lights will be added within the SRLD in FY 2023-24.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 26, 2023 when the City Council formally initiated proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 12, 2023 the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The proposed assessment in Zone B will increase from \$15.00 to \$16.00, the maximum assessment amount, per household/benefit unit in FY 2023-24, based on projected increases in the cost of electricity, repairs and maintenance. There will continue to be no assessment in Zone A.

**FINANCIAL STATEMENT** *MSB*

SRLD's FY 2023-24 operating budget totals \$732,760. The budget will be funded primarily by Zone A ad valorem property tax revenues of \$384,100 and Zone B assessments of \$411,530. The decrease in Zone A reserves during FY 2023-24 will be used to fund a Capital Improvement project which will replace existing streetlight fixtures on arterial residential streets with more energy efficient LED lighting. Remaining reserve balances in both Zone A and Zone B will be used for future capital projects.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION** *MSB*

Adopt two Resolutions: 1) Approving the engineer's report and 2) Declaring intention to levy assessments and setting a public hearing for July 12, 2023.

**ATTACHMENTS** Resolutions (Preliminary Engineer's Report and Assessment Diagram)



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA  
APPROVING THE ENGINEER'S REPORT FOR THE  
ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023-24  
FOR THE SANTEE ROADWAY LIGHTING DISTRICT**

**WHEREAS**, the City Council of the City of Santee, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D, section 4 of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did, by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the cost, a diagram, and an assessment relating to what is known and designated as: **SANTEE ROADWAY LIGHTING DISTRICT** (hereinafter referred to as "District"); and

**WHEREAS**, the FY 2023-24 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

**WHEREAS**, this City Council has now carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** The above recitals are all true and correct.

**SECTION 2.** The Report as presented, consisting of:

- A. Plans and specifications of the improvements to be maintained and/or improved for the Fiscal Year;
- B. A cost estimate of the improvements to be maintained and/or improved;
- C. A method of apportionment of assessment showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the District;

**RESOLUTION NO. \_\_\_\_\_**

- D. Assessment rolls showing the proportionate amount of the assessment to be charged in proportion to the benefits by each lot or parcel within the boundaries of the District;
- E. Diagrams of the District showing the exterior boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels, which shall govern for all details concerning such lines and dimensions.

is hereby approved on a preliminary basis, attached to this Resolution, and on file in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JOHN W. MINTO, MAYOR**

**ATTEST:**

---

**ANNETTE ORTIZ, CMC, CITY CLERK**

Exhibit A: Engineer's Report

# CITY OF SANTEE

## Santee Roadway Lighting District



FISCAL YEAR 2023-24

PRELIMINARY ENGINEER'S REPORT



SPICER CONSULTING  
GROUP



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AGENCY: CITY OF SANTEE  
 PROJECT: SANTEE ROADWAY LIGHTING DISTRICT  
 TO: CITY COUNCIL  
 CITY OF SANTEE  
 STATE OF CALIFORNIA

#### REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council, submitted herewith is the Engineer's Report (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscape and Lighting Act of 1972," as amended, commencing with Section 22500, and which is in accordance with Resolution No. \_\_\_-2023 adopted by the City of Santee City Council, San Diego County, California ordering preparation of the Engineer's Report for Santee Roadway Lighting District (the "District"). This "Report" is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2023, to June 30, 2024. Please note that Spicer Consulting Group, LLC provides engineering advice and related consulting engineering services.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the interior boundaries of the District.
- Section 4** **ASSESSMENT ROLL** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram.
- Section 5** The **ASSESSMENT DIAGRAM** of the District. Said Diagram shall show the exterior boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagram can be found in Appendix A.

## Description of the Boundaries and Improvement Services of Santee Town Center Maintenance District

The City of Santee (the "City") formed the Santee Roadway Lighting District (the "District") on May 24, 1982. The District is an Assessment District formed for the purpose of installing, operating, and maintaining public lighting facilities within the City. The boundaries of the District are coterminous with the boundaries of the City.

## Description of the Boundaries of Santee Roadway Lighting District

### *Benefit Zone A*

- ◆ Properties located within Zone A are located throughout the City. Zone A funds generally pays for street lights located on major roadways (streets in the city's Mobility Element network). Within Zone A, there are five major roadway classifications (listed in Section 3 of this report) with street lights of both general benefit and special benefit. No assessment is proposed for Zone A for the general benefit portion of the costs of street light operation and maintenance as this benefit is financed by ad valorem taxes. The special benefit attributable from Zone A streetlights have been included with the Zone B costs and include all streetlights along streets classified by the City of Santee General Plan as prime arterial, major arterials, parkways, collectors, and industrials. A description of the Zone A streets is shown on page 4.

### *Benefit Zone B*

- ◆ Properties located within Zone B are presently served by street lights of special benefit. There is a portion of Zone B benefit attributable to Zone A streetlights. Zone B consists of all parcels that have street lighting on the block (including intersections) of the street to which the parcel has frontage. These streets include not only local streets, but also include collectors, parkways, prime arterials, major arterials, residential collectors and industrial streets. This local lighting is of benefit as it increases property protection, personal safety, visibility, traffic safety, and specifically enhances those areas fronting upon the illuminated streets. Prior to the passage of Proposition 218, the maximum assessment was established at \$16.00 per benefit unit.

The areas in Zones A and B that contain the existing street lighting system consists of lights owned by both San Diego Gas and Electric Company and the District. There are a total of 3,358 lights in the Santee Roadway Lighting District with 1,177 owned by San Diego Gas and Electric Company, and 2,181 owned by the City.

## Description of Improvements and Services for Santee Roadway Lighting District

The improvements include the construction, operation, maintenance and servicing of all Street Lighting within the District.

## District Financing

The City has two sources of revenue to pay for the costs associated with streetlights within the City boundaries. The streetlights of special benefit are funded through the Assessment District; the streetlights of general benefit are funded through the ad valorem property tax collected on all properties throughout the City. Prior to the passage of Proposition 13, an ad valorem tax was established designating property tax revenues for the installation, operation, and maintenance of streetlights including funding the expenses of public streetlights within the City of Santee.

The general benefit portion of the lights in Zone A is financed from ad valorem tax revenues estimated at \$384,100. The special benefit portion of lights in Zone B is financed from a benefit assessment of \$411,532. As in prior years, for Fiscal Year 2023-24, no benefit assessment will be levied for the general benefit portion of Zone A street lighting

It is recommended that the Zone B street lighting benefit assessment for a single family home be \$16.00 per year; i.e., one (1) Benefit Unit equals \$16.00 for Fiscal Year 2023-24. The benefit assessment will increase to \$16.00 from the prior Fiscal Year and is in accordance with the original methodology. A detail listing of these costs is included in Section 2 of this report.

The cost of servicing, maintaining, repairing and replacing the actual improvements as described in the Plans and Specifications are summarized as follows:

*Table 2-1  
Benefit Zone A and Zone B Budget*

| Description                                   | Zone A              | Zone B              | Fiscal Year 2023-24   |
|---|---------------------|---------------------|-----------------------|
| <b>Estimated Revenue</b>                      |                     |                     |                       |
| Property Tax (Ad Valorem)                     | \$384,100.00        | \$0.00              | \$384,100.00          |
| Assessment                                    | \$0.00              | \$411,532.40        | \$411,532.40          |
| Cost Recovery - Subrogation                   | \$0.00              | \$0.00              | \$0.00                |
| Interest                                      | \$8,750.00          | \$4,430.00          | \$13,180.00           |
| <b>Total Estimated Revenue</b>                | <b>\$392,850.00</b> | <b>\$415,962.40</b> | <b>\$808,812.40</b>   |
| <b>Estimated Expenditures</b>                 |                     |                     |                       |
| Gas and Electricity                           | \$167,000.00        | \$436,000.00        | \$603,000.00          |
| Repairs and Maintenance                       | \$60,000.00         | \$40,000.00         | \$100,000.00          |
| Administration                                | \$3,000.00          | \$6,290.00          | \$9,290.00            |
| Advertising                                   | \$0.00              | \$470.00            | \$470.00              |
| Debt Service Principal                        | \$0.00              | \$0.00              | \$0.00                |
| Internal Service Charges                      | \$20,000.00         | \$0.00              | \$20,000.00           |
| <b>Total Estimated Operating Expenditures</b> | <b>\$250,000.00</b> | <b>\$482,760.00</b> | <b>\$732,760.00</b>   |
| Reserve Collection/(Contribution)             | \$142,850.00        | (\$66,797.60)       | \$76,052.40           |
| Capital Improvement Program Transfer          | (\$1,136,000.00)    | \$0.00              | (\$1,136,000.00)      |
| Beginning Reserve Balance                     | \$1,914,033.46      | \$622,032.64        | \$2,536,066.10        |
| <b>Total End of Year Reserves</b>             | <b>\$920,883.46</b> | <b>\$555,235.04</b> | <b>\$1,476,118.50</b> |
| End of Year Operation Reserves                | \$125,000.00        | \$241,380.00        | \$366,380.00          |
| End of Year Capital Improvement Reserve       | \$795,883.46        | \$313,855.04        | \$1,109,738.50        |
| <b>Total End of Year Reserve Allocation</b>   | <b>\$920,883.46</b> | <b>\$555,235.04</b> | <b>\$1,476,118.50</b> |

### Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218, the so-called "Right to Vote on Taxes Act." Proposition 218 amended the California Constitution by adding Articles XIII C and XIII D ("Article XIII D"), which affect the ability of local governments to levy and collect existing and future taxes, assessments, and property-related fees and charges. Article XIII D, Section 4 established new majority ballot protest procedural requirements for levying any new or increasing any existing assessments and placed substantive limitations on the use of the revenues collected from assessments. Pursuant to Article XIII D, Section 5, however, any assessment existing on November 6, 1996, that falls within one of four exceptions is exempt from these majority ballot protest procedures. The four exceptions are as follows.

- 1) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- 2) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- 3) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.
- 4) Any assessment that previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4.

In *Howard Jarvis Taxpayers Association v. City of Riverside*, 73 Cal. App. 4th 679, 685-86 (1999), the court of appeals concluded that street lights fall within the definition of "streets" for purposes of Article XIII D, Section 5(a), which exempts an assessment imposed solely for "street purposes."

As previously noted, the District was formed in 1982, prior to the adoption of Proposition 218, and assessments are imposed for the purpose of operating and maintaining streetlights. Pursuant to Government Code Section 53753.5, because the assessments levied within the District fall within the first exception identified above, the assessments imposed within the District are not subject to the procedural and substantive requirements of Article XIII D, Section 4 in subsequent fiscal years unless: (1) the assessment methodology is changed to increase the assessment; or (2) the amount of the assessments are proposed to exceed an assessment formula or range of assessments adopted by the City in accordance with Article XIII D, Section 4 or Government Code Section 53753.

The City is not proposing to change the assessment methodology and the assessments are not proposed to exceed the assessment formula or range of assessment as adopted by the City prior to November 6, 1996. Based on the forgoing, the assessments to be imposed in Fiscal Year 2023-24 are not subject to Article XIII D, Section 4.

### Method of Apportionment

As previously stated the District was formed in 1982 for the purpose of installing, operating, and maintaining public lighting facilities within the City of Santee. The benefit charge formula established the amount of the estimated assessment on each lot or parcel of land in the District in proportion to the estimated benefit to be received by each such lot or parcel of land from the use of the streets and their appurtenances, such as street lights. An evaluation of the major roadways consistent with the method of apportionment of the District was conducted to determine the portion of general and special benefit conferred on real property within the City. Each lot or parcel of land in the District has been determined to have a specific land use by the City of Santee Department of Development Services. The use or benefit of a public street is best determined by the use of the land adjacent to the public street. Each type of actual land use was assigned a land use factor derived from trip generation rates, developed by the Transportation Planning Division of the City of San Diego's Planning Department. These factors are based on a compilation of trip generation studies done in San Diego and other Western U.S. locations. Please refer to Appendix B for the assigned land use factors.

Previously, the streetlights were split into Zones with streetlights being designated as either general benefit or special benefit. However, the majority of streetlights provide both general and special benefit. Therefore, based on the results of a traffic study completed in 2014 and on file with the City of Santee Department of Development Services, the percent of special benefit is estimated by taking the total measured Average Daily Traffic (ADT) volumes and comparing this amount to the estimated ADT volumes

generated from the parcels fronting the roadway. The percentage of traffic that is from the parcels fronting the roadway is defined to be the percentage of local benefit. The percentage of traffic that is not from the parcels fronting the roadway is considered to be general benefit. All properties within the District are being assessed the estimated benefit received from the public lighting facilities within the City of Santee.

In 2017, the City updated the General Plan's Mobility Element which was intended to provide a framework for the development of the City's transportation network through the year 2035 and to comply with current state laws and codes. As a result of these changes, a new traffic study was needed which affected the classification of the roadways within the City as well as the special benefit and general benefit provided by each roadway classification. The information below reflects the changes determined by the traffic study completed July 2019.

The streetlights along major roadways provide both general and special benefit. Based on the City's 2017 Mobility Element and the July 2019 traffic study, the streets below have been classified as prime arterials, collectors, major arterials, parkways, or industrial.

**Prime Arterials**

1. Cuyamaca Street
2. Mission Gorge Road
3. Magnolia Avenue

**Major Arterials**

1. Mission Gorge Road
2. Woodside Avenue
3. Mast Boulevard
4. Carlton Hills Boulevard
5. Cuyamaca Street
6. Magnolia Avenue
7. Fanta Drive

**Parkways**

1. Town Center Parkway
2. Riverview Parkway
3. Park Center Drive
4. Fanita Parkway

**Industrial**

1. Railroad Avenue
2. Buena Vista Avenue
3. Pathway Street
4. Hartley Road
5. Isaac Street
6. Abraham Way
7. Wheatlands Avenue
8. Wheatlands Court
9. Wheatlands Road

**Collectors**

1. Fanita Parkway
2. Carlton Oaks Drive
3. Halberns Boulevard
4. El Nopal
5. Mesa Road
6. Prospect Avenue
7. Olive Lane
8. Cottonwood Avenue
9. Graves Avenue
10. Carlton Hills Boulevard
11. N. Woodside Avenue
12. S. Woodside Avenue
13. Mast Boulevard

The distinction between special benefit and general benefit for each road classification, as shown in the table below, is utilized by the City to determine the cost breakdown for electricity and repairs associated with each light.

**Special and General Benefit for each Roadway Classification**

| Road Classification | % Special Benefit | % General Benefit |
|---------------------|-------------------|-------------------|
| Prime               | 27%               | 73%               |
| Major               | 16%               | 84%               |
| Parkway             | 34%               | 66%               |
| Collector           | 37%               | 63%               |
| Industrial          | 89%               | 11%               |

Each property subject to the District assessment is assigned a land use factor. The land use factor is multiplied by the number of dwelling units for parcels classified as residential, or the number of acres for other land use classifications. The product of this multiplication is the number of benefit units for each lot or parcel of land to be assessed. The amount per benefit unit is then multiplied by the number of benefit units for each of the lots or parcels of land to establish the benefit charge for that lot or parcel of land.

This local lighting is of benefit to abutting parcels as it provides increased property protection, personal safety, visibility, traffic safety, and specifically enhances those areas fronting upon the illuminated street, in addition to providing the appearance of a progressive and illuminated city.

The recommended assessment this year is \$16.00 per Benefit Unit for parcels in Zone B. The benefit assessment will increase to \$16.00 from the prior Fiscal Year and is in accordance with the original methodology. The latest Assessor's information related to parcel size and parcel number (available in mid-July 2023) will be used to determine the final assessment.

### Land Use Factors

1. Each parcel of land in the lighting district was determined to have a specific land use by the City of Santee Department of Development Services.
2. Each type of land use was assigned a land use factor determined by trip generation rates by land use as they relate to a single-family residential land use. The trip generation rates by land use were prepared by the City of San Diego Transportation, Planning Division and are a compilation of trip generation studies done in San Diego and other western U.S. locations.
3. If a land use was not included in the study, the City of Santee Department of Development Services made a determination as to its probable trip generation compared to single family residential and assigned a land use factor on that basis.
4. Single family residential land use was assigned a land use factor of 1.0, notwithstanding its size. The theory is that all single-family residences, notwithstanding parcel size, generate approximately the same number of trips, and therefore, receive the same benefit from the use of the streets, and their appurtenances such as street lights.
5. Determination of the land use factors other than single family residential are based upon the average number of trips generated per acre or per dwelling unit for a specific land use divided by the average number of trips generated per acre or per dwelling unit for a single-family residential dwelling.

A complete listing of these land use factors can be found in Appendix B.

Whereas, on April 26, 2023, a Resolution of the City Council of the City of Santee, California, Initiating Proceedings and Ordering the Preparation of an Engineer’s Report for the FY 2023-24 Santee Roadway Lighting District Annual Levy of Assessments was adopted;

Whereas, the Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report directed Spicer Consulting Group, LLC, to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City of Santee Roadway Lighting District for the referenced Fiscal Year, a diagram for the District showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, assessing the net amount upon all assessable lots and-or parcels within the District in proportion to the special benefit received;

Whereas, on May 24, 2023, the City Council of the City of Santee, State of California, under the Landscaping and Lighting Act of 1972, plans to adopt its Resolution of Intention for the Annual Levy of Assessments declaring its intention to levy assessments for the Santee Roadway Lighting District and provide notice of the public hearing;

Now Therefore, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

**Summary of Assessments by Zone**

*Table 3-1  
Summary of Assessments*

| Description  | Fiscal Year<br>2023-24 |
|--------------|------------------------|
| Zone A       | \$0                    |
| Zone B       | \$411,532              |
| <b>Total</b> | <b>\$411,532</b>       |



Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2023.



\_\_\_\_\_  
FRANCISCO MARTINEZ JR  
PROFESSIONAL CIVIL ENGINEER NO. 84640  
ENGINEER OF WORK  
CITY OF SANTEE  
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment Diagram thereto attached, was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by adoption of Resolution No. \_\_\_\_-2023 by City Council.

\_\_\_\_\_  
CITY CLERK  
CITY OF SANTEE  
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
CITY CLERK  
CITY OF SANTEE  
STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2023-24 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed under separate cover. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

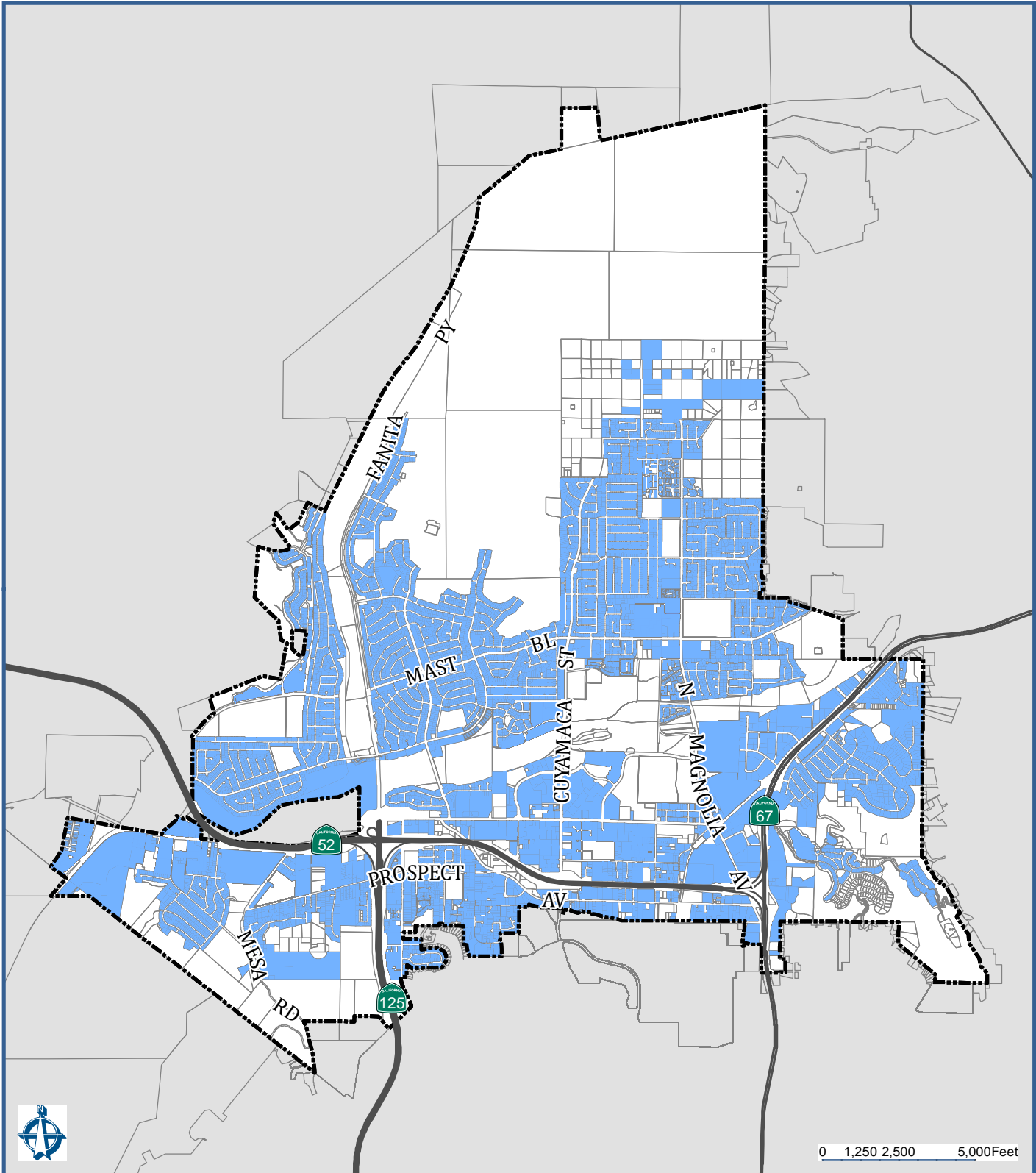
An Assessment Diagram for Santee Roadway Lighting District has been submitted to and is on file with the City Clerk in the format required under the provision of the Act.

# APPENDIX A

## Assessment Diagram





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# CITY OF SANTEE ASSESSMENT DIAGRAM

## SANTEE ROADWAY LIGHTING DISTRICT

 SANTEE CITY BOUNDARY (ZONE A)
  LEVIED (ZONE B)

Zone B - Includes approximately 79% of all parcels throughout the City



# APPENDIX B

## Land Use Factors



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# CITY OF SANTEE

## BENEFIT UNITS / LAND USE CODES

| BENEFIT<br>UNITS | LAND<br>USE<br>CODE | DESCRIPTION                                  | BENEFIT<br>UNITS | LAND<br>USE<br>CODE | DESCRIPTION                             |
|------------------|---------------------|--|------------------|---------------------|---|
| 0.0              | 00                  | Unzoned                                      | 1.0              | 46                  | Small automotive garages                |
| 0.1              | 07                  | Timeshare                                    | 2.0              | 47                  | Industrial condominiums                 |
| 0.0              | 09                  | Mobilehome (Force)                           | 2.0              | 49                  | Special/misc. industrial                |
| 0.0              | 10                  | Vacant Residential                           | 0.0              | 50                  | Vacant irrigated                        |
| 1.0              | 11                  | Single Family Residence                      | 0.1              | 51                  | Citrus                                  |
| 1.0              | 12                  | Duplex or Double                             | 0.1              | 52                  | Avocados                                |
| 1.0              | 13                  | Residential 2-4 Units/2 Houses               | 0.2              | 53                  | Vines                                   |
| 1.0              | 14                  | Residential 5-15 Units                       | 0.1              | 54                  | Miscellaneous trees                     |
| 1.0              | 15                  | Residential 16-60 Units                      | 0.1              | 55                  | Livestock                               |
| 1.0              | 16                  | Residential 61 units and up                  | 0.1              | 56                  | Poultry                                 |
| 1.0              | 17                  | Condominium                                  | 0.1              | 57                  | Misc. irrigated crops                   |
| 1.0              | 18                  | Co-op  | 0.1              | 58                  | Growing houses                          |
| 1.0              | 19                  | Miscellaneous residential                    | 0.1              | 59                  | Special/misc. irrigated                 |
| 0.0              | 20                  | Vacant commercial                            | 0.1              | 61                  | Non-irrigated 1-10 Ac.                  |
| 10.0             | 21                  | 1-3 story misc. store buildings              | 0.1              | 62                  | Non-irrigated 11-40 Ac.                 |
| 10.0             | 22                  | 4 story & up office/store buildings          | 0.1              | 63                  | Non-irrigated 41-160 Ac.                |
| 14.0             | 23                  | Regional shopping center                     | 0.1              | 64                  | Non-irrigated 161-360 Ac.               |
| 22.0             | 24                  | Community shopping center                    | 0.1              | 65                  | Non-irrigated 361 Ac. & up              |
| 33.0             | 25                  | Neighborhood shopping center                 | 0.0              | 70                  | Vacant Institutional                    |
| 22.0             | 26                  | Hotel, motel                                 | 2.0              | 71                  | Church                                  |
| 33.0             | 27                  | Service station                              | 1.0              | 72                  | Church parking/related                  |
| 25.0             | 28                  | Medical, dental, animal hospital             | 0.1              | 73                  | Cemetery                                |
| 6.0              | 29                  | Conv. Hospital, rest home                    | 0.1              | 74                  | Mausoleum                               |
| 10.0             | 30                  | Office condominiums                          | 0.1              | 75                  | Mortuary                                |
| 22.0             | 31                  | Parking lot, garage, used car lot            | 1.0              | 76                  | Public building (fire, school, library) |
| 0.5              | 32                  | Trailer park (Force # spaces)                | 6.0              | 77                  | Hospital                                |
| 22.0             | 33                  | Theater                                      | 1.0              | 79                  | Special/misc. institutional             |
| 22.0             | 34                  | Bowling alley                                | 0.0              | 80                  | Vacant recreational                     |
| 22.0             | 35                  | Restaurant                                   | 2.0              | 81                  | Meeting hall, gym                       |
| 22.0             | 36                  | Car wash                                     | 0.2              | 82                  | Golf course                             |
| 22.0             | 37                  | Large chain grocery/drug store               | 0.4              | 83                  | Marina, dock                            |
| 11.0             | 38                  | Auto sales & service agency                  | 1.0              | 84                  | Recreational camps                      |
| 11.0             | 39                  | Misc. commercial, radio station, bank, et al | 0.0              | 85                  | Non-tax recreational                    |
| 0.0              | 40                  | Vacant industrial                            | 0.0              | 86                  | Open space easements                    |
| 1.0              | 41                  | Factory - light manufacturing                | 0.1              | 87                  | Agr. preserve (no contract)             |
| 3.0              | 42                  | Factory - heavy manufacturing                | 0.1              | 88                  | Agr. preserve (contract)                |
| 2.0              | 43                  | Warehouse - process or storage               | 1.0              | 89                  | Special/misc. recreational              |
| 2.0              | 44                  | Bulk Storage (tanks, etc.)                   | 0.0              | 90                  | Vacant taxable government property      |
| 3.0              | 45                  | Extractive & Mining                          | 1.0              | 91                  | Improved taxable government property    |

# APPENDIX C

## Capital Improvement Plan



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# Street Light LED Upgrades

## CIP 2023-02 • Circulation Project



Project Location: Citywide

**Description:** Replace existing street light fixtures on arterial and residential streets, as well as walkway lights along roadways, with more energy efficient LED lighting.

**Justification:** The City-owned street lights were replaced ten years ago to energy saving induction lights, which have a service life of 10 to 15 years. However, after 10 years the light output has decreased. In addition, induction fixtures are no longer available and there are no replacement parts. The current standard of street lighting is the use of light emitting diodes (LED), which are more energy efficient and produce more uniform lighting with a longer service life of 15 to 20 years. This project is consistent with the Sustainable Santee Plan.

**Operating Impact:** Cost savings of \$55,000 is expected annually due to energy savings and a reduction in maintenance cost.

|                           | Prior Year       |                     |             |             |             |             |                     |
|---------------------------|------------------|---------------------|-------------|-------------|-------------|-------------|---------------------|
|                           | Expenditures     | FY 2023-24          | FY 2024-25  | FY 2025-26  | FY 2026-27  | FY 2027-28  | Total               |
| <b>Expenditures:</b>      |                  |                     |             |             |             |             |                     |
| Planning/Design           | \$ 8,000         | \$ 76,000           | \$ -        | \$ -        | \$ -        | \$ -        | \$ 84,000           |
| Construction              | 30,000           | 1,060,000           | -           | -           | -           | -           | 1,090,000           |
| <b>Total</b>              | <b>\$ 38,000</b> | <b>\$ 1,136,000</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 1,174,000</b> |
| <b>Source of Funds:</b>   |                  |                     |             |             |             |             |                     |
| Roadway Lighting District | \$ 38,000        | \$ 1,136,000        | \$ -        | \$ -        | \$ -        | \$ -        | \$ 1,174,000        |
| <b>Total</b>              | <b>\$ 38,000</b> | <b>\$ 1,136,000</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 1,174,000</b> |



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**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA  
DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND  
COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE IN AN  
EXISTING DISTRICT, AND SETTING A TIME AND PLACE FOR A  
PUBLIC HEARING THEREON FOR THE FY 2023-24  
SANTEE ROADWAY LIGHTING DISTRICT**

**WHEREAS**, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE ROADWAY LIGHTING DISTRICT** ("District"); and

**WHEREAS**, at this time, the District contains two zones, as set forth in the Engineer's Report ("Report"), Zone A containing all the street lights of primarily general benefit located within the City limits of Santee, and Zone B containing street lights defined as primarily having special benefit to the assessed properties located in various areas throughout the City; and

**WHEREAS**, at this time, this City Council desires to take proceedings to set the annual levy of assessments for the ensuing fiscal year, to provide for the costs and expenses necessary for the continued maintenance of improvements within said District; and

**WHEREAS**, at this time there has been presented and approved by this City Council a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** The above recitals are all true and correct.

**SECTION 2.** The Report regarding the annual levy for said District, which Report is for maintenance of certain improvements for Fiscal Year 2023-24 that has been previously approved is directed to be filed in the Office of the City Clerk. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

## RESOLUTION NO.

**SECTION 3.** The public interest and convenience requires, and it is the intention of this City Council to order, the annual assessment levy for the District as set forth and described in the Report, and it is further determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of the maintenance of the improvements as estimated in said Report.

**SECTION 4.** The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

**SECTION 5.** The proposed assessment in Zone B will increase from \$15.00 to \$16.00 per household/benefit unit in FY 2023-24, based on projected increases in the cost of electricity, repairs and maintenance. There will continue to be no assessment in Zone A.

**SECTION 6.** It is estimated that 50 new lights will be added within the District in Fiscal Year 2023-24.

**SECTION 7.** The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

**SECTION 8.** All monies collected shall be deposited in a special fund known as: "**SPECIAL FUND - SANTEE ROADWAY LIGHTING DISTRICT.**" Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the execution of the maintenance, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

**SECTION 9.** Said maintenance work is, in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

**SECTION 10.** Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

**RESOLUTION NO.**

**SECTION 11.** Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., Wednesday on July 12, 2023, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained within this resolution. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a written protest with the City Clerk prior to the time set and scheduled for said public hearing.

**SECTION 12.** The Finance Department is hereby authorized and directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication and be not less than ten (10) days before the date set for said Public Hearing.

**SECTION 13.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023 by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JOHN W. MINTO, MAYOR**

**ATTEST:**

---

**ANNETTE ORTIZ, CMC, CITY CLERK**

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTIONS APPROVING THE ENGINEER'S REPORT, AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2023-24 SANTEE LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

**DIRECTOR/DEPARTMENT** Heather Jennings, Finance *HJ*

**SUMMARY**

Santee Landscape Maintenance District ("SLMD") is a City-wide district and is comprised of 18 zones, ten of which are assessed and maintained by the City. A combination of contract maintenance and City forces maintain the zones. Maps depicting each zone and the areas of maintenance are attached.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 26, 2023 when the City Council formally initiated proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to either approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 12, 2023 the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The attached Assessment Summary reflects SLMD assessments and costs for FY 2023-24. The assessment for Zone 1- El Nopal Estates reflects a 3.5% CPI increase from \$240.84 to \$249.27. All other zones will have the same assessments in FY 2023-24 as they had last fiscal year. Due to inflationary cost increases, FY 2023-24 Maintenance and Administration budgets will exceed FY 2023-24 assessment revenues in all but one of the ten maintenance zones in the District. Zones 3, 4, 8, 9, 13, and 14 are currently being assessed at the maximum approved assessment amount allowed and are therefore expected to operate at a deficit.

**FINANCIAL STATEMENT** *HJ*

A total of \$115,351 is proposed to be assessed on property owners within ten existing zones of SLMD in FY 2023-24 for the cost of maintenance and administration.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION** *MSB*

Adopt two Resolutions: 1) Approving the engineer's report, and 2) Declaring intention to levy assessments and setting a public hearing for July 12, 2023.

**ATTACHMENT**

Assessment Summary and Resolutions (Preliminary Engineer's Report and Assessment Diagrams)



**FY 2023-24 SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ASSESSMENT SUMMARY FOR ZONES PROPOSED TO BE ASSESSED**

| ZONE | ZONE NAME                       | NUMBER OF UNITS | FY 2023-24 MAINTENANCE & ADMINISTRATION | RESERVES 7/1/23 | FY 2023-24 TOTAL ASSESSMENT | FY 2023-24 ASSESSMENT RATE/UNIT | FY 2022-23 ASSESSMENT RATE/UNIT | MAXIMUM APPROVED ASSESSMENT |
|------|---------------------------------|-----------------|---|-----------------|-----------------------------|---------------------------------|---------------------------------|-----------------------------|
| 1    | EL NOPAL ESTATES <sup>(1)</sup> | 45              | \$ 10,480.00                            | \$ 6,414.00     | \$ 11,217.00                | \$ 249.27                       | \$ 240.84                       | \$ 249.27                   |
| 3    | COUNTRY SCENES                  | 14              | \$ 2,440.00                             | \$ 4,162.00     | \$ 2,067.00                 | \$ 147.64                       | \$ 147.64                       | \$ 147.64                   |
| 4    | CAMELOT HEIGHTS                 | 10              | \$ 1,650.00                             | \$ 867.00       | \$ 1,385.00                 | \$ 138.50                       | \$ 138.50                       | \$ 138.50                   |
| 8    | SILVER COUNTRY ESTATES          | 153             | \$ 82,250.00                            | \$ 100,310.00   | \$ 75,735.00                | \$ 495.00                       | \$ 495.00                       | \$ 495.00                   |
| 9    | MATTAZARO/<br>TIMBERLANE        | 34              | \$ 2,210.00                             | \$ 1,372.00     | \$ 1,529.00                 | \$ 44.98                        | \$ 44.98                        | \$ 44.98                    |
| 12   | THE HEIGHTS                     | 60              | \$ 10,600.00                            | \$ 21,524.00    | \$ 8,757.00                 | \$ 145.95                       | \$ 145.95                       | \$ 375.00                   |
| 13   | PROSPECT HILLS                  | 43              | \$ 4,900.00                             | \$ 6,656.00     | \$ 3,225.00                 | \$ 75.00                        | \$ 75.00                        | \$ 75.00                    |
| 14   | MITCHELL RANCH                  | 16              | \$ 3,710.00                             | \$ 8,070.00     | \$ 2,690.00                 | \$ 168.14                       | \$ 168.14                       | \$ 168.14                   |
| 17   | DAKOTA RANCH <sup>(2)</sup>     | 20              | \$ 7,240.00                             | \$ 21,905.00    | \$ 4,826.00                 | \$ 241.30                       | \$ 241.30                       | \$ 410.48                   |
| 18   | ALLOS <sup>(2)</sup>            | 6               | \$ 4,950.00                             | \$ 10,043.00    | \$ 3,920.00                 | \$ 653.34                       | \$ 653.34                       | \$ 789.35                   |

(1) Zone 1 - Each fiscal year, beginning Fiscal Year 2020/21, the Maximum Approved Assessment may be increased by the percentage increase calculated for the period between January of the previous calendar year and January of the current calendar year in the San Diego Consumer Price Index All Items for all Urban Consumers (CPI-U), not to exceed 3.5% per fiscal year.

(2) Zone 17 and Zone 18- reflect an allowable 2% increase in the maximum approved assessment for FY 2023-24.

TABLE 1

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL  
LEVY OF ASSESSMENTS FOR FY 2023-24 FOR THE  
SANTEE LANDSCAPE MAINTENANCE DISTRICT**

**WHEREAS**, the City Council of the City of Santee, pursuant to the provisions of "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the costs, a diagram of the district, and an assessment of the costs relating to what is known and designated as: **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

**WHEREAS**, the FY 2023-24 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

**WHEREAS**, this City Council has examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That the Report as presented, consisting of:

- A. plans and specifications of the maintenance of the improvements to be performed;
- B. estimates of the cost of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefit to be conferred by such maintenance of the improvements on the parcels within the District;
- C. a diagram of the District, which shows (i) the exterior boundaries of the District; (ii) the boundaries of zones within the District; and (iii) the lines and dimensions of each parcel of land within the District; provided, however, such diagram may refer to the county assessor's maps for a detailed description of such lines and dimensions, in which case such maps shall govern for all details concerning such lines and dimensions;



**RESOLUTION NO.**

- D. a description of the maintenance of the improvements to be performed; and
- E. the assessment of the total amount of the costs and expenses of the maintenance of the improvements upon the several divisions of land in the District in proportion to the estimated special benefits to be conferred on such subdivisions, respectively, by such maintenance;

is hereby approved as filed, attached, and on file in the Office of the City Clerk as a permanent record and is to remain open to public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

Exhibit A: Preliminary Engineer's Report

# CITY OF SANTEE

Santee Landscape Maintenance District



FISCAL YEAR 2023-24

PRELIMINARY ENGINEER'S REPORT



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AGENCY: CITY OF SANTEE  
PROJECT: SANTEE LANDSCAPING MAINTENANCE DISTRICT  
TO: CITY COUNCIL  
CITY OF SANTEE  
STATE OF CALIFORNIA

#### REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council (the "City Council") of the City of Santee (the "City"), State of California, submitted herewith is the Engineer's Report for Santee Landscaping Maintenance District (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscaping and Lighting Act of 1972", as amended, commencing with Section 22500, and which is in accordance with Resolution No. \_\_\_\_-2023 adopted by the City of Santee City Council, San Diego County, California ordering preparation of the Report for Santee Landscaping Maintenance District (the "SLMD" or the "District"). This Report is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2023, to June 30, 2024.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** calculates the receipt of special benefit and the general benefit derived from the installation and maintenance and servicing of the respective improvements located throughout the District, and the methodology used to apportion the total assessment to the properties within the District.
- Section 4** **ASSESSMENT ROLLS** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram. The Assessment Rolls can be found in Appendix A.
- Section 5** The **ASSESSMENT DIAGRAMS** of the District. Said Diagrams shall show the boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagrams can be found in Appendix B.

The District is comprised of 18 separate zones of maintenance. For FY 2023-24 the District will have the following Zones.

| Zone | Zone Name                      | Tract/Map   | Units | Total FY 2023-24 Assessment | Per Unit Assessment <sup>1</sup> |
|------|--------------------------------|-------------|-------|-----------------------------|----------------------------------|
| 1    | El Nopal Estates               | 88-04       | 45    | \$11,217.33                 | \$249.27                         |
| 3    | Country Scenes                 | 89-01       | 14    | \$2,066.96                  | \$147.64                         |
| 4    | Camelot Heights                | 89-02       | 10    | \$1,385.00                  | \$138.50                         |
| 5    | Mesa Heights <sup>2</sup>      | 88-08       | 44    | \$0.00                      | \$0.00                           |
| 6    | Prospect Point <sup>2</sup>    | 89-05       | 9     | \$0.00                      | \$0.00                           |
| 7    | Treviso <sup>2</sup>           | 03-01       | 186   | \$0.00                      | \$0.00                           |
| 8    | Silver Country Estates         | 93-02       | 153   | \$75,735.00                 | \$495.00                         |
| 9    | Mattazaro/Timberlane           | 88-07/92-03 | 34    | \$1,529.32                  | \$44.98                          |
| 10   | Lakes West Condos <sup>2</sup> | 90-02       | 78    | \$0.00                      | \$0.00                           |
| 11   | Padre Hills <sup>3</sup>       | 89-04       | 35    | \$0.00                      | \$0.00                           |
| 12   | The Heights                    | 96-01       | 60    | \$8,757.00                  | \$145.95                         |
| 13   | Prospect Hills                 | 96-02       | 43    | \$3,225.00                  | \$75.00                          |
| 14   | Mitchell Ranch                 | 92-04       | 16    | \$2,690.24                  | \$168.14                         |
| 15   | Vista Este <sup>2</sup>        | 00-03       | 33    | \$0.00                      | \$0.00                           |
| 16   | Prospect Glen <sup>2</sup>     | 01-01       | 48    | \$0.00                      | \$0.00                           |
| 17   | Dakota Ranch                   | 01-02       | 20    | \$4,826.00                  | \$241.30                         |
| 18   | Allos                          | 98-02       | 6     | \$3,920.04                  | \$653.34                         |
| 19   | Sky Ranch <sup>2</sup>         | 04-08       | 371   | \$0.00                      | \$0.00                           |

Ten of the existing zones – Zones 1, 3, 4, 8, 9, 12, 13, 14, 17, and 18 – will be active, and will be assessed and their improvements maintained by City or contract forces. Zones 5, 6, 7, 10, 11, 15, 16, and 19 have been annexed to the District, but have no assessment because they are responsible for their own maintenance; if not maintained to City standards, the City will assume maintenance and levy assessments. Further details are provided in the body of this Engineer's Report.

## Background

The City Council of the City of Santee approved the formation of Santee Landscaping Maintenance District in FY 1989-90. The District was formed pursuant to the requirements of the Landscaping and Lighting Act of 1972 (the "72 Act").

The District was formed to provide a source of funds for the operation, servicing, maintenance and repair of landscaping within public streets, right-of-way, easements, and appurtenant facilities within the District. The Report sets forth the methodology to be used in apportioning the assessment to the different land use types and benefit zones within the City based upon the benefit they receive.

The original District was formed in FY 1989-90, then several "benefit zones" were annexed into the District in the following years. These benefit zones were established to ensure a source of funds for the ongoing maintenance of public landscaping which are of local benefit to the parcels within the benefit zone. Currently there are eighteen (18) Zones of Benefit that have been annexed into the District (see Appendix C – Assessment Diagrams).

Parcels within these special benefit zones are assessed their proportionate share of the cost for the maintenance of local improvements including, but not limited to, landscaping and appurtenant facilities. These improvements provide a special benefit to those parcels due to their nature and location.

<sup>1</sup> The actual assessment roll might have a minimal variance due to rounding.

<sup>2</sup> Maintenance responsibilities assumed by homeowners' association or property owners.

<sup>3</sup> Assessment not approved by property owners.

## Effects of Proposition 218 Legislation

In November 1996, Prop 218 - the "Right to Vote on Taxes Act" – added Article XIII D to the State Constitution. The amendment created new substantive and procedural requirements for '72 Act districts. Now, when a new or increased levy is proposed for a district or a zone therein the local agency must mail a notice and "ballot" to each property owner of record affected by the new or increased assessment. The ballot procedure enables property owners to approve or disapprove the proposed new or increased assessment. The vote is determined by the weighted proportional financial obligation of the ballots returned. A "majority protest" exists if ballots submitted in opposition exceed ballots in favor of the new or increased levy. If a majority protest exists for a new assessment, the local agency cannot levy the assessment. If a majority protest exists for an increase in an existing assessment, the increase cannot be collected but, the base amount (the amount levied last fiscal year) can continue to be levied.

The '72 Act enables the governing body to adjust assessment rates as it directs at the approval stage or the public hearings. Therefore, the rates shown herein are proposed but are not confirmed until approved by the City Council. Once the Engineer's Report has been approved by the City Council, the ballots tabulated (if applicable), and the public hearing(s) completed, final assessment information will be provided to the County of San Diego for inclusion on the appropriate property tax bills.

## Current Annual Administration

As required by the '72 Act, the Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) an estimated budget for the District, and (3) a listing of the proposed Fiscal Year 2023-24 assessments to be levied upon each assessable lot or parcel within the District.

The City of Santee will hold a Public Hearing on July 12, 2023, regarding the District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

## District Description

The District will be divided into 18 separate zones of benefit, as described below. Dimensions of each parcel are shown on Assessor's maps located in the County of San Diego Administration Building, 1600 Pacific Highway, San Diego, CA 92101. As provided in the '72 Act, the boundaries may be adjusted in the future by annexations to this District. The boundary for each zone is depicted on the Assessment Diagrams in Appendix C.

### Active Zones

In FY 2023-24, the SLMD consists of 18 separate zones of benefit. The 18 zones are comprised of both active and inactive zones. "Active" means the zones will have maintenance activities during FY 2023-24. Maintenance activities are comprised of both contract and City forces. The ten active zones are:

#### *ZONE 1 - EL NOPAL ESTATES (TM88-04)*

Assessor's Parcel Numbers (the "APNs") 381-221-10 through 381-221-42, inclusive, and 381-221-44, -45, -46, and -47, and 381-221-58 through -65, inclusive. Established in FY 1989-90, this was the first subdivision in the District and was originally comprised of two zones. Zone 2 was eliminated in FY 1997-98 because its maintenance was subsumed under Zone 1 to be consistent with current assessment district laws.

#### *ZONE 3 - COUNTRY SCENES (TM89-01)*

APNs 381-260-49 through 381-260-62, inclusive. This 14-unit single-family subdivision located near Conejo and Mast Blvd. was annexed in FY 1992-93.

#### *ZONE 4 - CAMELOT HEIGHTS (TM89-02)*

APNs 378-420-46 through 378-420-55, inclusive. Annexed in FY 1993-94, this subdivision's ten single-family homes located off Princess Joanne Rd. share maintenance costs.

#### *ZONE 8 - SILVER COUNTRY ESTATES (TM93-02)*

APNs 378-440-01 through -29, inclusive, 378-441-01 through -26, inclusive, 378-441-29 through -41, inclusive, 378-441-44 and -45, 378-450-01 through -20, inclusive, 378-450-22 through -53, inclusive, 378-450-55, and 381-710-01 through -30, inclusive. 153 Single-family homes make up this subdivision at the north end of Cuyamaca St. The first unit was annexed in FY 1995-96, but the improvements were not accepted so there was no assessment. Once the project was completed, property owners cast ballots regarding assessments in FY 1998-99, and the affirmative vote set an initial assessment and maximum rate.

#### *ZONE 9 - TIMBERLANE/MATTAZARO (TM88-07/TM92-03)*

APNs 381-690-02 through -12, inclusive, 381-690-15 through -26, inclusive, 381-690-34 through -40, inclusive, 381-690-47 through -49, inclusive, and 381-690-51. Due to their physical proximity, improvements for the 25-unit single-family home development called "Timberlane" and the nine-unit "Mattazaro" single-family home project were combined into one zone. Zone 9 had no assessment in its first year because the improvements were not accepted before the start of FY 1996-97. In FY 1997-98, improvements were accepted and an affirmative majority vote was made for the initial and maximum assessment rates.

#### *ZONE 12 - THE HEIGHTS (TM96-01)*

APNs 378-460-01 through -06, inclusive, 378-460-09 through -40, inclusive, 378-460-43 and -44, and 378-461-01 through -06, inclusive, 378-461-09 through -20, inclusive, and 378-460-21 and -22. Annexed in FY 1998-99, this 60-unit single-family project is at the northwest end of Magnolia Ave. Maintenance was assumed by the City in FY 2002-03. The project had affirmative assessment ballot proceedings establishing initial and maximum assessments rates.

#### *ZONE 13 - PROSPECT HILLS (TM96-02)*

APNs 386-680-01 through -20, inclusive. Also annexed in FY 1998-99, the 43 single-family homes off Prospect Ave. east of Holden Rd. share in the cost of landscaping fronting the project on Prospect Ave. The zone also had an affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

### *ZONE 14 - MITCHELL RANCH (TM92-04)*

APNs 381-720-01 through -16, inclusive. This 16-unit single-family subdivision is at the southwest corner of Magnolia Ave. and El Nopal. An affirmative assessment ballot proceeding setting initial and maximum assessment rates was undertaken prior to its FY 2000-01 annexation.

### *ZONE 17 - DAKOTA RANCH (TM01-02)*

APNs 378-420-56 through -75, inclusive. This 20-unit single family home development located at Dakota Ranch Rd. off Princess Joann was annexed in FY 2004-05. This zone also had affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

### *ZONE 18 - ALLOS (TM98-02)*

APNs 386-280-50 through -55, inclusive. Also annexed in FY 2004-05, the six single-family homes are on Prospect Ct. adjacent to Prospect Ave. near Mesa Rd. Improvements were reduced from originally approved plans to provide a reasonable assessment. The project had affirmative assessment ballot proceedings establishing initial and maximum assessment rates.

### *Inactive Zones*

Eight of the 18 zones are "inactive", i.e., there is no assessment and they are responsible for their own maintenance. These zones are:

### *ZONE 5 - MESA HEIGHTS (TM88-08)*

APNs 386-670-01 through 386-670-44, inclusive. This zone was originally annexed in 1993-94. Due to the rising costs, in FY 1997-98, the Mesa Heights HOA assumed maintenance responsibilities for their 44-unit single-family subdivision's landscaped improvements.

### *ZONE 6 - PROSPECT POINT (TM89-05)*

APNs 386-250-07, -11, -12, -13, -14, -17, -19, -22, and -24. Nine single-family homes comprise this zone located off Prospect Ave. This zone has had no assessments since FY 1996-97.

### *ZONE 7 - TREVISO (TM03-01)*

APNs 383-061-07-01 through -28, inclusive, 383-061-08-01 through -36, inclusive, 383-061-09-01 through -32, inclusive, 383-061-10-01 through -32, inclusive, 383-061-11-01 through -30, inclusive, and 383-061-12-01 through -28, inclusive. Formerly commercially-zoned, the 186-unit multi-family Treviso property carries out its own maintenance, so there is no assessment.

### *ZONE 10 - LAKES WEST (TM90-02)*

APN 386-300-58. The Navy-owned 78-unit condominium project is located on Mission Gorge Rd. at Simeon Dr. and Bushy Hill Dr. It is responsible for its own maintenance and has not been assessed since its FY 1996-97 annexation.

### *ZONE 11 - PADRE HILLS (TM89-04)*

APNs 386-270-53 through -63, inclusive, and 386-270-70 through -93, inclusive. A 35-unit single-family home subdivision located off Prospect Ave., Padre Hills underwent an unsuccessful assessment ballot proceeding upon its FY 1997-98 annexation. Consequently, the subdivision is responsible for maintaining its landscaping and is not assessed.

### *ZONE 15 - VISTA ESTE (TM00-03)*

APNs 386-690-01 through -33, inclusive. The 33 attached homes included in this zone are responsible for their own maintenance through a homeowners' association and was annexed in FY 2004-05. The subdivision is located off Fanita Dr. at Watson Pl.

### *ZONE 16 - PROSPECT GLEN (TM01-01)*

APNs 383-490-01 through -48, inclusive. The development's homeowners' association takes care of the maintenance for the 48 single-family homes in this project, which was annexed in FY 2004-05. The project is located on the northwest corner of Prospect Ave. and Fanita Dr.

### *ZONE 19 - SKY RANCH (TM04-08)*

APNs 385-430-01 through -22, inclusive, 385-431-01 through -08, inclusive, and 385-432-01 through -03, inclusive. The development's homeowners' association takes care of the maintenance for the 223 single-family and 148 multi-family homes in this project, which was annexed in FY 2007-08. The project is located off Graves Ave. and Sevilla St.



## Description of Improvements

Facilities or improvements include landscaping within public streets, rights-of-way, easements, and their appurtenances and the costs of installing, operating, and maintaining them. Improvements to be maintained generally comprise frontage landscaping and hardscaping. Maintenance includes, but not limited to, weeding, fertilizing, trimming, cleaning, energy, water, materials, personnel/equipment costs, contract services and other items needed to deliver these services. Zones responsible for their own maintenance are not included in the following section. The following describes zones that will be assessed and/or maintained by the District in FY 2023-24.

*Zone 1* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping, walks and retaining wall faces on El Nopal St. and Julio Pl.

*Zone 3* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping, walks, and entry monument faces on Conejo Rd. and Country Scenes Ct.

*Zone 4* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and retaining wall face on Princess Joann Rd. adjacent to subdivision.

*Zone 8* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of retaining walls along Cuyamaca St., El Nopal, Woodglen Vista Dr., and Cardoza Dr. adjacent to the site.

*Zone 9* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of block retaining walls along Bilteer Dr. and Theresa Ln. adjacent to the subdivision.

*Zone 12* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping along Magnolia Avenue and along the pedestrian trail adjacent to the site.

*Zone 13* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of privacy wall along Prospect Ave. and on Holden Rd. adjacent to the subdivision.

*Zone 14* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of block retaining walls on El Nopal and Magnolia Ave. adjacent to the site.

*Zone 17* - The facilities within the public right-of-way that are to be maintained and serviced include landscaping on Princess Joann Rd. and Dakota Ranch Rd. adjacent to the site and entrance to the Dakota Ranch project.

*Zone 18* - The facilities within the public right-of-way that are to be maintained and serviced include parkway and slope landscaping between Prospect Ave. and Lot #1 of Allos; ten foot wide landscaped strip along the west side of Prospect Ct.

## General

The '72 Act provides that the total cost of installation, construction, maintenance, and servicing of the public landscaping and hardscaping facilities can be recovered by the District. Maintenance may include the repair and/or replacement of existing facilities. Servicing may include electrical, water, and public utility costs. Incidental expenses, including administration of the District, data processing fees, annual Engineer's Report, engineering fees, legal fees, printing, posting, mailing of notices, and all other costs associated with the maintenance of the District may also be included.

## Budget

Estimated FY 2023-24 expenditures are shown in the table located in Appendix A. Budgets for Zones 1, 3, 4, 8, 9, 12, 13, 14, 17, and 18 are covered. There are no budgets for Zones 5, 6, 7, 10, 11, 15, 16, and 19 because the respective property owners are directly responsible for maintenance.

## Basic Data

Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review by Community Services Department staff.

## Findings

Individual parcels within a district receive benefits based on land use, size and location of landscaping improvements to be installed or maintained. In the Santee Landscape Maintenance District, all parcels are zoned for residential uses.

*Table 2-1  
Benefit Zones by Land Use, Size, and Location*

| Zone | Name                   | Tract/Map # | Assessable Units     | Zoning      |
|------|------------------------|-------------|----------------------|-------------|
| 1    | El Nopal Estates       | 88-04       | 45                   | Residential |
| 3    | Country Scenes         | 89-01       | 14                   | Residential |
| 4    | Camelot Heights        | 89-02       | 10                   | Residential |
| 5    | Mesa Heights           | 88-08       | 44                   | Residential |
| 6    | Prospect Point         | 89-05       | 9                    | Residential |
| 7    | Treviso                | 03-01       | 186                  | Residential |
| 8    | Silver Country Estates | 93-02       | 153                  | Residential |
| 9    | Mattazaro / Timberlane | 88-07/92-03 | 34                   | Residential |
| 10   | Lakes West Condos      | 90-02       | 1 (78 Condo Parcels) | Residential |
| 11   | Padre Hills            | 89-04       | 35                   | Residential |
| 12   | The Heights            | 96-01       | 60                   | Residential |
| 13   | Prospect Hills         | 96-02       | 43                   | Residential |
| 14   | Mitchell Ranch         | 92-04       | 16                   | Residential |
| 15   | Vista Este             | 00-03       | 33                   | Residential |
| 16   | Prospect Glen          | 01-01       | 48                   | Residential |
| 17   | Dakota Ranch           | 01-02       | 20                   | Residential |
| 18   | Allos                  | 98-02       | 6                    | Residential |
| 19   | Sky Ranch              | 04-08       | 371                  | Residential |

## General

The '72 Act permits the establishment of assessment districts by cities for the purpose of providing and maintaining certain public improvements. The '72 Act requires that assessments be levied according to the benefit received rather than assessed value. Section 22573 states:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The '72 Act also permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22574). Thus, the '72 Act requires the levy of a true "assessment" rather than a "special tax." Excepted from the assessment are the areas of all public streets, avenues, lanes, roads, drives, courts, and alleys; public parks, greenbelts, and parkways; and public-school property, other public property, and zoned agricultural open space.

Article XIII D of the California Constitution also requires that the Engineer's Report identify all parcels receiving a special benefit, and identify the extent of the special benefit conferred. It defines "special benefit" as: "...a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute 'special benefit.'" Article XIII D then states:

*"An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of...the maintenance and operation expenses of a public improvement. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportionate special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Article XIII D requirements for assessments are similar to those of traditional assessment district law, including the '72 Act. The purpose of the above cited section is to allow assessments to be used, again, as a legitimate financing mechanism and not as a means to impose a "flat rate parcel tax." Thus, while a benefit determination is still made, the Engineer's Report is now required to draw a stronger relationship, or nexus, between the property, the benefit received and the subsequent assessment.

## Assessment Methodology

One of Article XIII D's most significant changes is the "calculation requirement." Local agencies must now determine whether or not property owners would receive a "special benefit" from services financed by the assessment. An Engineer's Report is required to estimate the special benefit and general benefit property owners would receive. This step is needed because Article XIII D allows only the recoupment of the proportionate share of costs of the special benefit. Individual levies must be set so that no property owner pays over the proportional share of the total cost. The Jarvis-Gann Group, in Prop 218's "Statement of Drafter's Intent," notes that:

*"What constitutes a special benefit will depend on the nature of the... service being provided. It must be more than a mere increase in the value of the property because, arguably, the availability of any public service could provide additional value. It must be a direct and special benefit conferred on the property that exceeds the benefit conferred on the public at large or even to other similar properties."*

Clearly an additional level of analysis is required; however, this additional analysis parallels the analyses presented in prior Engineer's Reports which were prepared in compliance with the '72 Act. It differs only in the determination of special vs. general benefit. This requires establishing the facts surrounding each subdivision included or proposed to be included in a district, and requires that these facts support the conferral of the special benefit.

All residential subdivisions included in the Santee Landscape Maintenance District have improvements directly associated with the exterior entrances and internal circulation elements of each particular subdivision. These improvements are features of each subdivision's overall design, are consistent with the City of Santee General Plan Development Standards and Subdivision Ordinance, and were included as a component of each project's Tentative Map approval.

No improvements included within each zone's maintenance responsibility are located outside the boundaries of each subdivision's Tentative Map, or outside the limits of the improvements that fulfill the requirements of project approval. Improvements were installed as part of subdivision construction. If each subdivision had not been built, the improvements associated with each subdivision would not have been installed nor provided later. Thus, the existence of the improvements is a direct function of the construction of each subdivision, and the special benefit of the associated improvements therefore inures to each subdivision. No general benefit is assigned because the improvements would not have been installed without the subdivision.

The approval of each subdivision's landscaping plan is part of the approval of each subdivision's Tentative Map. Thus, construction could not have proceeded without an approved Tentative Map, of which the landscaping plan is an integral part. Similarly, occupancy would not have occurred without fulfilling the conditions of development approval, which includes the installation of the improvements. Therefore, the special benefits of the improvements accrue directly to each home in each subdivision.

The method of assessment spread remains unchanged from prior fiscal years. Assessment spreads are based upon a single-family home being equal to one benefit unit. Total assessment costs are divided by the total benefit units to determine a per benefit unit cost. The portion of the District addressed by this Engineer's Report is split into zones representing different levels of benefit. Developments with no assessment determination are not described in the "Assessment Determination" section.

## Annual Assessment Rate Increases

Per Article XIII D, the levy of maximum rates is contingent on obtaining a majority approval of property owners. The maximum assessment rate per unit for Zone 1 may be increased annually by the percentage increase in the San Diego Consumer Price Index for All Urban Consumers (CPI-U), in an amount not to exceed 3.5%. Based on an analysis of maintenance costs and the repayment of capital costs for a recent renovation, the CPI adjustment was applied and the rate per unit increased to \$249.27. The maximum assessment rates per unit in Zones 17 and 18 may be increased by up to 2% annually by City Council action. Based on an analysis of the projected maintenance costs associated with existing public improvements, the maximum cap per unit have been established as \$410.48 in Zone 17, \$789.35 in Zone 18. Please note that all proposed assessments for FY 2023-24 are at or below the approved maximum, fulfilling Article XIII D requirements.

## Assessment Determination

Proposed FY 2023-24 assessments are based on the previous methodology and use data available from subdivisions' plans and Assessor's information. Maintenance costs are developed by the Community Services Department. The Finance Department believes the data to be accurate. Final assessments will be based upon these preliminary assessments and any changes made due to Council action and/or input received during the public hearings.

Assessment

**Zone 1 - El Nopal Estates**

|  |                 |
|--|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:                             | \$11,217.33     |
| Assessment Formula: [45 parcels (1 unit/parcel)], $\$11,217.33/45 \text{ Units} = \$249.27 \text{ Per Unit}$ |                 |
| <b>Zone 1 - El Nopal Estates Single-Family Parcel Cost Per Year:</b>   | <b>\$249.27</b> |
| <b>Maximum Assessment:</b>   | <b>\$249.27</b> |

**Zone 3 - Country Scenes**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:                            | \$2,066.96      |
| Assessment Formula: [14 parcels (1 unit/parcel)], $\$2,066.96/14 \text{ Units} = \$147.64 \text{ Per Unit}$ |                 |
| <b>Zone 3 - Country Scenes Single-Family Parcel Cost Per Year:</b>  | <b>\$147.64</b> |
| <b>Maximum Assessment:</b>  | <b>\$147.64</b> |

**Zone 4 - Camelot Heights**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:                            | \$1,385.00      |
| Assessment Formula: [10 parcels (1 unit/parcel)], $\$1,385.00/10 \text{ Units} = \$138.50 \text{ Per Unit}$ |                 |
| <b>Zone 4 - Camelot Heights Single-Family Parcel Cost Per Year:</b>   | <b>\$138.50</b> |
| <b>Maximum Assessment:</b>  | <b>\$138.50</b> |

**Zone 8 - Silver Country Estates**

|  |                 |
|--|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:                               | \$75,735.00     |
| Assessment Formula: [153 parcels (1 unit/parcel)], $\$75,735.00/153 \text{ Units} = \$495.00 \text{ Per Unit}$ |                 |
| <b>Zone 8 - Silver Country Estates Single-Family Parcel Cost Per Year:</b>                                     | <b>\$495.00</b> |
| <b>Maximum Assessment:</b>   | <b>\$495.00</b> |

**Zone 9 - Mattazaro/Timberlane**

|  |                |
|--|----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:                           | \$1,529.32     |
| Assessment Formula: [34 parcels (1 unit/parcel)], $\$1,529.32/34 \text{ Units} = \$44.98 \text{ Per Unit}$ |                |
| <b>Zone 9 - Mattazaro/Timberlane Single-Family Parcel Cost Per Year:</b>                                   | <b>\$44.98</b> |
| <b>Maximum Assessment:</b>   | <b>\$44.98</b> |

**Zone 12 - The Heights**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:            | \$8,757.00      |
| Assessment Formula: [60 parcels (1 unit/parcel)], $\$8,757.00/60$ Units = \$145.95 Per Unit |                 |
| <b>Zone 12 - The Heights Single-Family Parcel Cost Per Year:</b>                            | <b>\$145.95</b> |
| <b>Maximum Assessment:</b>  | <b>\$375.00</b> |

**Zone 13 - Prospect Hills**

|  |                |
|--|----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:           | \$3,225.00     |
| Assessment Formula: [43 parcels (1 unit/parcel)], $\$3,225.00/43$ Units = \$75.00 Per Unit |                |
| <b>Zone 13 - Prospect Hills Single-Family Parcel Cost Per Year:</b>                        | <b>\$75.00</b> |
| <b>Maximum Assessment:</b>   | <b>\$75.00</b> |

**Zone 14 - Mitchell Ranch**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:            | \$2,690.24      |
| Assessment Formula: [16 parcels (1 unit/parcel)], $\$2,690.24/16$ Units = \$168.14 Per Unit |                 |
| <b>Zone 14 - Mitchell Ranch Single-Family Parcel Cost Per Year:</b>                         | <b>\$168.14</b> |
| <b>Maximum Assessment:</b>  | <b>\$168.14</b> |

**Zone 17 - Dakota Ranch**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:            | \$4,826.00      |
| Assessment Formula: [20 parcels (1 unit/parcel)], $\$4,826.00/20$ Units = \$241.30 Per Unit |                 |
| <b>Zone 17 - Dakota Ranch Single-Family Parcel Cost Per Year:</b>                           | <b>\$241.30</b> |
| <b>Maximum Assessment:</b>  | <b>\$410.48</b> |

**Zone 18 - Allos**

|   |                 |
|---|-----------------|
| Operations, Maintenance, Administration and Engineering, net of total available:          | \$3,920.04      |
| Assessment Formula: [6 parcels (1 unit/parcel)], $\$3,920.04/6$ Units = \$653.34 Per Unit |                 |
| <b>Zone 18 - Allos Single-Family Parcel Cost Per Year:</b>                                | <b>\$653.34</b> |
| <b>Maximum Assessment:</b>  | <b>\$789.35</b> |

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.



\_\_\_\_\_  
 FRANCISCO MARTINEZ JR  
 PROFESSIONAL CIVIL ENGINEER NO. 84640  
 ENGINEER OF WORK  
 CITY OF SANTEE  
 STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagrams thereto attached, was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by adoption of Resolution No. \_\_\_\_\_ by City Council.

\_\_\_\_\_  
 CITY CLERK  
 CITY OF SANTEE  
 STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagrams thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 CITY CLERK  
 CITY OF SANTEE  
 STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2023-24 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix B of this Report. The description of each lot or parcel is part of the records of the County Assessor of the County of San Diego and such records are, by reference, made part of this Report.

The total assessment for the Fiscal Year 2023-24 is **\$115,351.89<sup>4</sup>**.

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<sup>4</sup> The actual assessment roll amount might have a minimal variance due to rounding.



The assessment diagrams showing the boundaries of the District and the zones addressed by this Engineer's Report and which will be assessed in FY 2023-24 are on file in the offices of the City Clerk and the Director of Finance. Copies of each diagram are included in this report in Appendix C. For exact details of parcels and dimensions, please refer to the Assessor's maps located in the office of the San Diego County Recorder.

Appendix A Budget Detail

SLMD Budget Detail

| Description                     | Zone 1<br>El Nopal<br>Estates | Zone 3<br>Country<br>Scenes | Zone 4<br>Camelot<br>Heights | Zone 8<br>Silver<br>Country | Zone 9<br>Timberlane | Zone 12<br>The<br>Heights | Zone 13<br>Prospect<br>Hills | Zone 14<br>Mitchell<br>Ranch | Zone 17<br>Dakota<br>Ranch | Zone 18<br>Allos | Grand<br>Total   |
|---------------------------------|-------------------------------|-----------------------------|------------------------------|-----------------------------|----------------------|---------------------------|------------------------------|------------------------------|----------------------------|------------------|------------------|
| Fund Balance, beginning         | \$6,414                       | \$4,162                     | \$867                        | \$100,310                   | \$1,372              | \$21,524                  | \$6,656                      | \$8,070                      | \$21,905                   | \$10,043         | \$181,323        |
| <b>Estimated Revenues:</b>      |                               |                             |                              |                             |                      |                           |                              |                              |                            |                  |                  |
| Assessments                     | \$11,220                      | \$2,070                     | \$1,390                      | \$75,740                    | \$1,530              | \$8,760                   | \$3,230                      | \$2,690                      | \$4,830                    | \$3,920          | \$115,380        |
| Interest                        | \$50                          | \$30                        | \$10                         | \$740                       | \$10                 | \$180                     | \$60                         | \$50                         | \$150                      | \$60             | \$1,340          |
| <b>Total Estimated Revenues</b> | <b>\$11,270</b>               | <b>\$2,100</b>              | <b>\$1,400</b>               | <b>\$76,480</b>             | <b>\$1,540</b>       | <b>\$8,940</b>            | <b>\$3,290</b>               | <b>\$2,740</b>               | <b>\$4,980</b>             | <b>\$3,980</b>   | <b>\$116,720</b> |
| <b>Expenditures</b>             |                               |                             |                              |                             |                      |                           |                              |                              |                            |                  |                  |
| Administration                  | \$720                         | \$210                       | \$170                        | \$2,390                     | \$550                | \$930                     | \$680                        | \$260                        | \$340                      | \$90             | \$6,340          |
| Advertising                     | \$50                          | \$10                        | \$10                         | \$320                       | \$10                 | \$40                      | \$20                         | \$20                         | \$20                       | \$20             | \$520            |
| Electricity & Gas – Grounds     | \$140                         | \$190                       | \$160                        | \$1,540                     | \$0                  | \$0                       | \$0                          | \$0                          | \$150                      | \$140            | \$2,320          |
| Water & Sewer – Grounds         | \$1,710                       | \$1,010                     | \$840                        | \$22,220                    | \$1,080              | \$6,800                   | \$2,400                      | \$830                        | \$2,990                    | \$1,860          | \$41,740         |
| Repair/Maintenance – Grounds    | \$4,690                       | \$960                       | \$470                        | \$54,280                    | \$570                | \$2,220                   | \$1,740                      | \$2,140                      | \$3,740                    | \$2,640          | \$73,450         |
| Internal Service Charges        | \$400                         | \$60                        | \$0                          | \$1,500                     | \$0                  | \$610                     | \$60                         | \$460                        | \$0                        | \$200            | \$3,290          |
| General Fund Repayment          | \$2,770                       | \$0                         | \$0                          | \$0                         | \$0                  | \$0                       | \$0                          | \$0                          | \$0                        | \$0              | \$2,770          |
| <b>Total Budget</b>             | <b>\$10,480</b>               | <b>\$2,440</b>              | <b>\$1,650</b>               | <b>\$82,250</b>             | <b>\$2,210</b>       | <b>\$10,600</b>           | <b>\$4,900</b>               | <b>\$3,710</b>               | <b>\$7,240</b>             | <b>\$4,950</b>   | <b>\$130,430</b> |
| Fund Balance, ending            | \$7,204                       | \$3,822                     | \$617                        | \$94,540                    | \$702                | \$19,864                  | \$5,046                      | \$7,100                      | \$19,646                   | \$9,073          | \$167,614        |

# APPENDIX A

## SLMD Budget Detail



SPICER CONSULTING  
G R O U P

Appendix A Budget Detail

SLMD Budget Detail

| Description                     | Zone 1<br>El Nopal<br>Estates | Zone 3<br>Country<br>Scenes | Zone 4<br>Camelot<br>Heights | Zone 8<br>Silver<br>Country | Zone 9<br>Timberlane | Zone 12<br>The<br>Heights | Zone 13<br>Prospect<br>Hills | Zone 14<br>Mitchell<br>Ranch | Zone 17<br>Dakota<br>Ranch | Zone 18<br>Allos | Grand<br>Total   |
|---------------------------------|-------------------------------|-----------------------------|------------------------------|-----------------------------|----------------------|---------------------------|------------------------------|------------------------------|----------------------------|------------------|------------------|
| Fund Balance, beginning         | \$6,414                       | \$4,162                     | \$867                        | \$100,310                   | \$1,372              | \$21,524                  | \$6,656                      | \$8,070                      | \$21,905                   | \$10,043         | \$181,323        |
| <b>Estimated Revenues:</b>      |                               |                             |                              |                             |                      |                           |                              |                              |                            |                  |                  |
| Assessments                     | \$11,220                      | \$2,070                     | \$1,390                      | \$75,740                    | \$1,530              | \$8,760                   | \$3,230                      | \$2,690                      | \$4,830                    | \$3,920          | \$115,380        |
| Interest                        | \$50                          | \$30                        | \$10                         | \$740                       | \$10                 | \$180                     | \$60                         | \$50                         | \$150                      | \$60             | \$1,340          |
| <b>Total Estimated Revenues</b> | <b>\$11,270</b>               | <b>\$2,100</b>              | <b>\$1,400</b>               | <b>\$76,480</b>             | <b>\$1,540</b>       | <b>\$8,940</b>            | <b>\$3,290</b>               | <b>\$2,740</b>               | <b>\$4,980</b>             | <b>\$3,980</b>   | <b>\$116,720</b> |
| <b>Expenditures</b>             |                               |                             |                              |                             |                      |                           |                              |                              |                            |                  |                  |
| Administration                  | \$720                         | \$210                       | \$170                        | \$2,390                     | \$550                | \$930                     | \$680                        | \$260                        | \$340                      | \$90             | \$6,340          |
| Advertising                     | \$50                          | \$10                        | \$10                         | \$320                       | \$10                 | \$40                      | \$20                         | \$20                         | \$20                       | \$20             | \$520            |
| Electricity & Gas – Grounds     | \$140                         | \$190                       | \$160                        | \$1,540                     | \$0                  | \$0                       | \$0                          | \$0                          | \$150                      | \$140            | \$2,320          |
| Water & Sewer – Grounds         | \$1,710                       | \$1,010                     | \$840                        | \$22,220                    | \$1,080              | \$6,800                   | \$2,400                      | \$830                        | \$2,990                    | \$1,860          | \$41,740         |
| Repair/Maintenance – Grounds    | \$4,690                       | \$960                       | \$470                        | \$54,280                    | \$570                | \$2,220                   | \$1,740                      | \$2,140                      | \$3,740                    | \$2,640          | \$73,450         |
| Internal Service Charges        | \$400                         | \$60                        | \$0                          | \$1,500                     | \$0                  | \$610                     | \$60                         | \$460                        | \$0                        | \$200            | \$3,290          |
| General Fund Repayment          | \$2,770                       | \$0                         | \$0                          | \$0                         | \$0                  | \$0                       | \$0                          | \$0                          | \$0                        | \$0              | \$2,770          |
| <b>Total Budget</b>             | <b>\$10,480</b>               | <b>\$2,440</b>              | <b>\$1,650</b>               | <b>\$82,250</b>             | <b>\$2,210</b>       | <b>\$10,600</b>           | <b>\$4,900</b>               | <b>\$3,710</b>               | <b>\$7,240</b>             | <b>\$4,950</b>   | <b>\$130,430</b> |
| Fund Balance, ending            | \$7,204                       | \$3,822                     | \$617                        | \$94,540                    | \$702                | \$19,864                  | \$5,046                      | \$7,100                      | \$19,646                   | \$9,073          | \$167,614        |

# APPENDIX B

## Assessment Rolls



SPICER CONSULTING  
GROUP

**Assessment Roll**  
 6091-16 - SLMD Zone 1  
 Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                    | APN        | Levy     |
|---------------|----------|-------------------|-------------------------|------------|----------|
| 3812230100    | \$249.26 | 3812230200        | \$249.26                | 3812230300 | \$249.26 |
| 3812230400    | \$249.26 | 3812230500        | \$249.26                | 3812230600 | \$249.26 |
| 3812230700    | \$249.26 | 3812230800        | \$249.26                | 3812230900 | \$249.26 |
| 3812231000    | \$249.26 | 3812231100        | \$249.26                | 3812231200 | \$249.26 |
| 3812231300    | \$249.26 | 3812231400        | \$249.26                | 3812231500 | \$249.26 |
| 3812231600    | \$249.26 | 3812231700        | \$249.26                | 3812231800 | \$249.26 |
| 3812231900    | \$249.26 | 3812232000        | \$249.26                | 3812232100 | \$249.26 |
| 3812232200    | \$249.26 | 3812232300        | \$249.26                | 3812232400 | \$249.26 |
| 3812232500    | \$249.26 | 3812232600        | \$249.26                | 3812232700 | \$249.26 |
| 3812232800    | \$249.26 | 3812232900        | \$249.26                | 3812233000 | \$249.26 |
| 3812233100    | \$249.26 | 3812233200        | \$249.26                | 3812233300 | \$249.26 |
| 3812233400    | \$249.26 | 3812233500        | \$249.26                | 3812233600 | \$249.26 |
| 3812233700    | \$249.26 | 3812233800        | \$249.26                | 3812233900 | \$249.26 |
| 3812234000    | \$249.26 | 3812234100        | \$249.26                | 3812234200 | \$249.26 |
| 3812234300    | \$249.26 | 3812234400        | \$249.26                | 3812234500 | \$249.26 |
| <b>Totals</b> |          | <b>Parcels 45</b> | <b>Levy \$11,216.70</b> |            |          |

\*The County of San Diego only allows even numbered dollar amount to be submitted on the Tax Rolls so the Dollar amounts shown will be slightly different from what is stated in the Assessment section of this Report.

**Assessment Roll**  
 6091-24 - SLMD Zone 3  
 Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                   | APN        | Levy     |
|---------------|----------|-------------------|------------------------|------------|----------|
| 3812604900    | \$147.64 | 3812605000        | \$147.64               | 3812605100 | \$147.64 |
| 3812605200    | \$147.64 | 3812605300        | \$147.64               | 3812605400 | \$147.64 |
| 3812605500    | \$147.64 | 3812605600        | \$147.64               | 3812605700 | \$147.64 |
| 3812605800    | \$147.64 | 3812605900        | \$147.64               | 3812606000 | \$147.64 |
| 3812606100    | \$147.64 | 3812606200        | \$147.64               |            |          |
| <b>Totals</b> |          | <b>Parcels 14</b> | <b>Levy \$2,066.96</b> |            |          |

**Assessment Roll**  
 6091-25 - SLMD Zone 4  
 Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                   | APN        | Levy     |
|---------------|----------|-------------------|------------------------|------------|----------|
| 3784204600    | \$138.50 | 3784204700        | \$138.50               | 3784204800 | \$138.50 |
| 3784204900    | \$138.50 | 3784205000        | \$138.50               | 3784205100 | \$138.50 |
| 3784205200    | \$138.50 | 3784205300        | \$138.50               |            |          |
| 3784205400    | \$138.50 | 3784205500        | \$138.50               |            |          |
| <b>Totals</b> |          | <b>Parcels 10</b> | <b>Levy \$1,385.00</b> |            |          |



Assessment Roll  
6091-29 - SLMD Zone 8  
Fiscal Year 2023-24



| APN        | Levy     | APN        | Levy     | APN        | Levy     |
|------------|----------|------------|----------|------------|----------|
| 3784400100 | \$495.00 | 3784400200 | \$495.00 | 3784400300 | \$495.00 |
| 3784400400 | \$495.00 | 3784400700 | \$495.00 | 3784400800 | \$495.00 |
| 3784400900 | \$495.00 | 3784401000 | \$495.00 | 3784401100 | \$495.00 |
| 3784401200 | \$495.00 | 3784401300 | \$495.00 | 3784401400 | \$495.00 |
| 3784401500 | \$495.00 | 3784401600 | \$495.00 | 3784401700 | \$495.00 |
| 3784401800 | \$495.00 | 3784401900 | \$495.00 | 3784402000 | \$495.00 |
| 3784402100 | \$495.00 | 3784402200 | \$495.00 | 3784402300 | \$495.00 |
| 3784402400 | \$495.00 | 3784402500 | \$495.00 | 3784402600 | \$495.00 |
| 3784402700 | \$495.00 | 3784402800 | \$495.00 | 3784402900 | \$495.00 |
| 3784403200 | \$495.00 | 3784403300 | \$495.00 | 3784410100 | \$495.00 |
| 3784410200 | \$495.00 | 3784410300 | \$495.00 | 3784410400 | \$495.00 |
| 3784410500 | \$495.00 | 3784410600 | \$495.00 | 3784410700 | \$495.00 |
| 3784410800 | \$495.00 | 3784410900 | \$495.00 | 3784411000 | \$495.00 |
| 3784411100 | \$495.00 | 3784411200 | \$495.00 | 3784411300 | \$495.00 |
| 3784411400 | \$495.00 | 3784411500 | \$495.00 | 3784411600 | \$495.00 |
| 3784411700 | \$495.00 | 3784411800 | \$495.00 | 3784412100 | \$495.00 |
| 3784412200 | \$495.00 | 3784412300 | \$495.00 | 3784412400 | \$495.00 |
| 3784412500 | \$495.00 | 3784412600 | \$495.00 | 3784412900 | \$495.00 |
| 3784413000 | \$495.00 | 3784413100 | \$495.00 | 3784413200 | \$495.00 |
| 3784413300 | \$495.00 | 3784413400 | \$495.00 | 3784413500 | \$495.00 |
| 3784413600 | \$495.00 | 3784413700 | \$495.00 | 3784413800 | \$495.00 |
| 3784413900 | \$495.00 | 3784414000 | \$495.00 | 3784414100 | \$495.00 |
| 3784414400 | \$495.00 | 3784414500 | \$495.00 | 3784414700 | \$495.00 |
| 3784414900 | \$495.00 | 3784500100 | \$495.00 | 3784500200 | \$495.00 |
| 3784500300 | \$495.00 | 3784500400 | \$495.00 | 3784500500 | \$495.00 |
| 3784500600 | \$495.00 | 3784500700 | \$495.00 | 3784500800 | \$495.00 |
| 3784500900 | \$495.00 | 3784501000 | \$495.00 | 3784501100 | \$495.00 |
| 3784501200 | \$495.00 | 3784501300 | \$495.00 | 3784501400 | \$495.00 |
| 3784501500 | \$495.00 | 3784501600 | \$495.00 | 3784501700 | \$495.00 |
| 3784501800 | \$495.00 | 3784501900 | \$495.00 | 3784502000 | \$495.00 |
| 3784502200 | \$495.00 | 3784502300 | \$495.00 | 3784502400 | \$495.00 |
| 3784502500 | \$495.00 | 3784502600 | \$495.00 | 3784502700 | \$495.00 |
| 3784502800 | \$495.00 | 3784502900 | \$495.00 | 3784503000 | \$495.00 |
| 3784503100 | \$495.00 | 3784503200 | \$495.00 | 3784503300 | \$495.00 |
| 3784503400 | \$495.00 | 3784503500 | \$495.00 | 3784503600 | \$495.00 |
| 3784503700 | \$495.00 | 3784503800 | \$495.00 | 3784503900 | \$495.00 |
| 3784504000 | \$495.00 | 3784504100 | \$495.00 | 3784504200 | \$495.00 |
| 3784504300 | \$495.00 | 3784504400 | \$495.00 | 3784504500 | \$495.00 |
| 3784504600 | \$495.00 | 3784504700 | \$495.00 | 3784504800 | \$495.00 |
| 3784504900 | \$495.00 | 3784505000 | \$495.00 | 3784505100 | \$495.00 |
| 3784505200 | \$495.00 | 3784505300 | \$495.00 | 3784505500 | \$495.00 |
| 3817100100 | \$495.00 | 3817100200 | \$495.00 | 3817100300 | \$495.00 |
| 3817100400 | \$495.00 | 3817100500 | \$495.00 | 3817100600 | \$495.00 |
| 3817100700 | \$495.00 | 3817100800 | \$495.00 | 3817100900 | \$495.00 |
| 3817101000 | \$495.00 | 3817101100 | \$495.00 | 3817101200 | \$495.00 |
| 3817101300 | \$495.00 | 3817101400 | \$495.00 | 3817101500 | \$495.00 |
| 3817101600 | \$495.00 | 3817101700 | \$495.00 | 3817101800 | \$495.00 |

**Assessment Roll**  
 6091-29 - SLMD Zone 8  
 Fiscal Year 2023-24



| APN           | Levy     | APN                | Levy                    | APN        | Levy     |
|---------------|----------|--------------------|-------------------------|------------|----------|
| 3817101900    | \$495.00 | 3817102000         | \$495.00                | 3817102100 | \$495.00 |
| 3817102200    | \$495.00 | 3817102300         | \$495.00                | 3817102400 | \$495.00 |
| 3817102500    | \$495.00 | 3817102600         | \$495.00                | 3817102700 | \$495.00 |
| 3817102800    | \$495.00 | 3817102900         | \$495.00                | 3817103000 | \$495.00 |
| <b>Totals</b> |          | <b>Parcels 153</b> | <b>Levy \$75,735.00</b> |            |          |

**Assessment Roll**  
 6091-30 - SLMD Zone 9  
 Fiscal Year 2023-24



| APN           | Levy    | APN               | Levy                   | APN        | Levy    |
|---------------|---------|-------------------|------------------------|------------|---------|
| 3816900200    | \$44.98 | 3816900300        | \$44.98                | 3816900400 | \$44.98 |
| 3816900500    | \$44.98 | 3816900600        | \$44.98                | 3816900700 | \$44.98 |
| 3816900800    | \$44.98 | 3816900900        | \$44.98                | 3816901000 | \$44.98 |
| 3816901100    | \$44.98 | 3816901200        | \$44.98                | 3816901500 | \$44.98 |
| 3816901600    | \$44.98 | 3816901700        | \$44.98                | 3816901800 | \$44.98 |
| 3816901900    | \$44.98 | 3816902000        | \$44.98                | 3816902100 | \$44.98 |
| 3816902200    | \$44.98 | 3816902300        | \$44.98                | 3816902400 | \$44.98 |
| 3816902500    | \$44.98 | 3816902600        | \$44.98                | 3816903400 | \$44.98 |
| 3816903500    | \$44.98 | 3816903600        | \$44.98                | 3816903700 | \$44.98 |
| 3816903800    | \$44.98 | 3816903900        | \$44.98                | 3816904000 | \$44.98 |
| 3816904700    | \$44.98 | 3816904800        | \$44.98                |            |         |
| 3816904900    | \$44.98 | 3816905100        | \$44.98                |            |         |
| <b>Totals</b> |         | <b>Parcels 34</b> | <b>Levy \$1,529.32</b> |            |         |

Assessment Roll  
 6091-33 - SLMD Zone 12  
 Fiscal Year 2023-24



| APN        | Levy     | APN        | Levy     | APN        | Levy     |
|------------|----------|------------|----------|------------|----------|
| 3784600100 | \$145.94 | 3784600200 | \$145.94 | 3784600300 | \$145.94 |
| 3784600400 | \$145.94 | 3784600500 | \$145.94 | 3784600600 | \$145.94 |
| 3784600900 | \$145.94 | 3784601000 | \$145.94 | 3784601100 | \$145.94 |
| 3784601200 | \$145.94 | 3784601300 | \$145.94 | 3784601400 | \$145.94 |
| 3784601500 | \$145.94 | 3784601600 | \$145.94 | 3784601700 | \$145.94 |
| 3784601800 | \$145.94 | 3784601900 | \$145.94 | 3784602000 | \$145.94 |
| 3784602100 | \$145.94 | 3784602200 | \$145.94 | 3784602300 | \$145.94 |
| 3784602400 | \$145.94 | 3784602500 | \$145.94 | 3784602600 | \$145.94 |
| 3784602700 | \$145.94 | 3784602800 | \$145.94 | 3784602900 | \$145.94 |
| 3784603000 | \$145.94 | 3784603100 | \$145.94 | 3784603200 | \$145.94 |
| 3784603300 | \$145.94 | 3784603400 | \$145.94 | 3784603500 | \$145.94 |
| 3784603600 | \$145.94 | 3784603700 | \$145.94 | 3784603800 | \$145.94 |
| 3784603900 | \$145.94 | 3784604000 | \$145.94 | 3784604300 | \$145.94 |
| 3784604400 | \$145.94 | 3784610100 | \$145.94 | 3784610200 | \$145.94 |
| 3784610300 | \$145.94 | 3784610400 | \$145.94 | 3784610500 | \$145.94 |
| 3784610600 | \$145.94 | 3784610900 | \$145.94 | 3784611000 | \$145.94 |
| 3784611100 | \$145.94 | 3784611200 | \$145.94 | 3784611300 | \$145.94 |
| 3784611400 | \$145.94 | 3784611500 | \$145.94 | 3784611600 | \$145.94 |
| 3784611700 | \$145.94 | 3784611800 | \$145.94 | 3784611900 | \$145.94 |
| 3784612000 | \$145.94 | 3784612100 | \$145.94 | 3784612200 | \$145.94 |

Totals Parcels 60 Levy \$8,756.40

\*The County of San Diego only allows even numbered dollar amount to be submitted on the Tax Rolls so the Dollar amounts shown will be slightly different from what is stated in the Assessment section of this Report.

**Assessment Roll**  
 6091-34 - SLMD Zone 13  
 Fiscal Year 2023-24



| APN           | Levy    | APN               | Levy                   | APN        | Levy    |
|---------------|---------|-------------------|------------------------|------------|---------|
| 3866800100    | \$75.00 | 3866800200        | \$75.00                | 3866800300 | \$75.00 |
| 3866800400    | \$75.00 | 3866800500        | \$75.00                | 3866800600 | \$75.00 |
| 3866800700    | \$75.00 | 3866800800        | \$75.00                | 3866800900 | \$75.00 |
| 3866801000    | \$75.00 | 3866801100        | \$75.00                | 3866801200 | \$75.00 |
| 3866801300    | \$75.00 | 3866801400        | \$75.00                | 3866801500 | \$75.00 |
| 3866801600    | \$75.00 | 3866801700        | \$75.00                | 3866801800 | \$75.00 |
| 3866801900    | \$75.00 | 3866802000        | \$75.00                | 3866802100 | \$75.00 |
| 3866802200    | \$75.00 | 3866802300        | \$75.00                | 3866810100 | \$75.00 |
| 3866810200    | \$75.00 | 3866810300        | \$75.00                | 3866810400 | \$75.00 |
| 3866810500    | \$75.00 | 3866810600        | \$75.00                | 3866810700 | \$75.00 |
| 3866810800    | \$75.00 | 3866810900        | \$75.00                | 3866811000 | \$75.00 |
| 3866811100    | \$75.00 | 3866811200        | \$75.00                | 3866811300 | \$75.00 |
| 3866811400    | \$75.00 | 3866811500        | \$75.00                | 3866811600 | \$75.00 |
| 3866811700    | \$75.00 | 3866811800        | \$75.00                |            |         |
| 3866811900    | \$75.00 | 3866812000        | \$75.00                |            |         |
| <b>Totals</b> |         | <b>Parcels 43</b> | <b>Levy \$3,225.00</b> |            |         |

**Assessment Roll**  
 6091-35 - SLMD Zone 14  
 Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                   | APN        | Levy     |
|---------------|----------|-------------------|------------------------|------------|----------|
| 3817200100    | \$168.14 | 3817200200        | \$168.14               | 3817200300 | \$168.14 |
| 3817200400    | \$168.14 | 3817200500        | \$168.14               | 3817200600 | \$168.14 |
| 3817200700    | \$168.14 | 3817200800        | \$168.14               | 3817200900 | \$168.14 |
| 3817201000    | \$168.14 | 3817201100        | \$168.14               | 3817201200 | \$168.14 |
| 3817201300    | \$168.14 | 3817201400        | \$168.14               |            |          |
| 3817201500    | \$168.14 | 3817201600        | \$168.14               |            |          |
| <b>Totals</b> |          | <b>Parcels 16</b> | <b>Levy \$2,690.24</b> |            |          |

**Assessment Roll**  
 6091-40 - SLMD Zone 17  
 Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                   | APN        | Levy     |
|---------------|----------|-------------------|------------------------|------------|----------|
| 3784205600    | \$241.30 | 3784205700        | \$241.30               | 3784205800 | \$241.30 |
| 3784205900    | \$241.30 | 3784206000        | \$241.30               | 3784206100 | \$241.30 |
| 3784206200    | \$241.30 | 3784206300        | \$241.30               | 3784206400 | \$241.30 |
| 3784206500    | \$241.30 | 3784206600        | \$241.30               | 3784206700 | \$241.30 |
| 3784206800    | \$241.30 | 3784206900        | \$241.30               | 3784207000 | \$241.30 |
| 3784207100    | \$241.30 | 3784207200        | \$241.30               | 3784207300 | \$241.30 |
| 3784207400    | \$241.30 | 3784207500        | \$241.30               |            |          |
| <b>Totals</b> |          | <b>Parcels 20</b> | <b>Levy \$4,826.00</b> |            |          |

**Assessment Roll**  
 6091-41 - SLMD Zone 18  
 Fiscal Year 2023-24



| APN           | Levy     | APN              | Levy                   | APN        | Levy     |
|---------------|----------|------------------|------------------------|------------|----------|
| 3862805000    | \$653.34 | 3862805100       | \$653.34               | 3862805200 | \$653.34 |
| 3862805300    | \$653.34 | 3862805400       | \$653.34               | 3862805500 | \$653.34 |
| <b>Totals</b> |          | <b>Parcels 6</b> | <b>Levy \$3,920.04</b> |            |          |

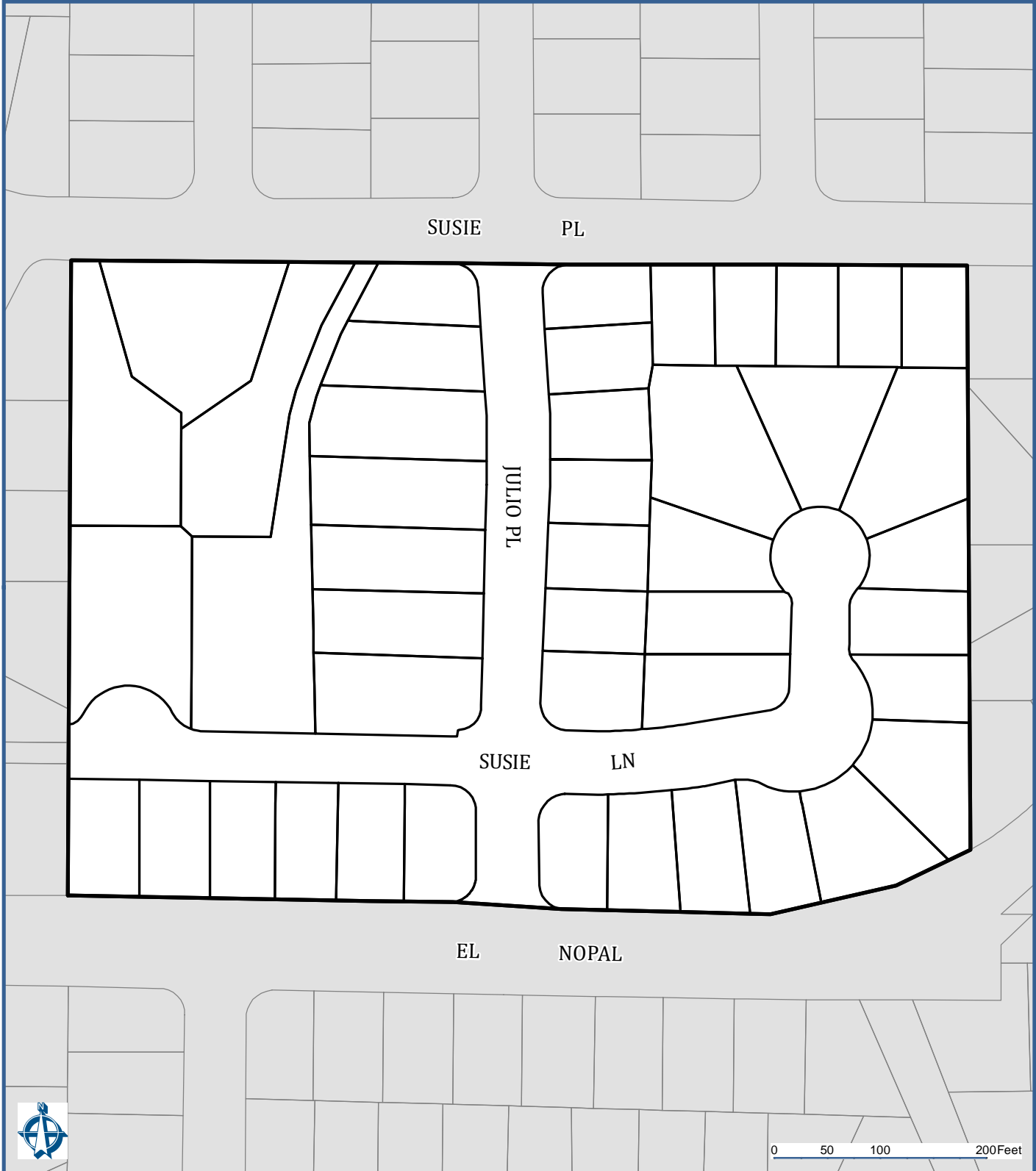


# APPENDIX C

## Assessment Diagrams



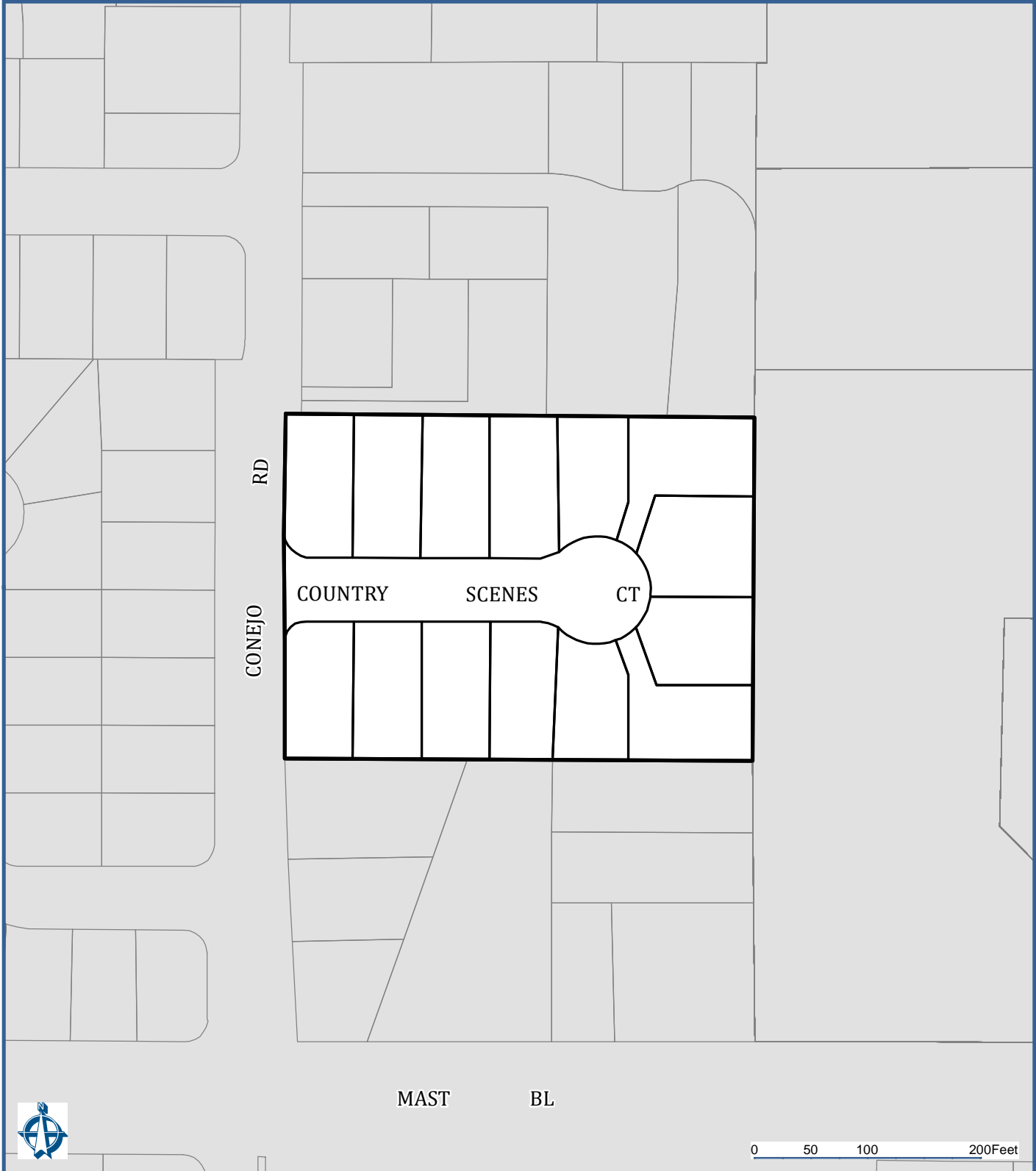
SPIKER CONSULTING  
G R O U P



# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 1  
(EL NOPAL ESTATES)

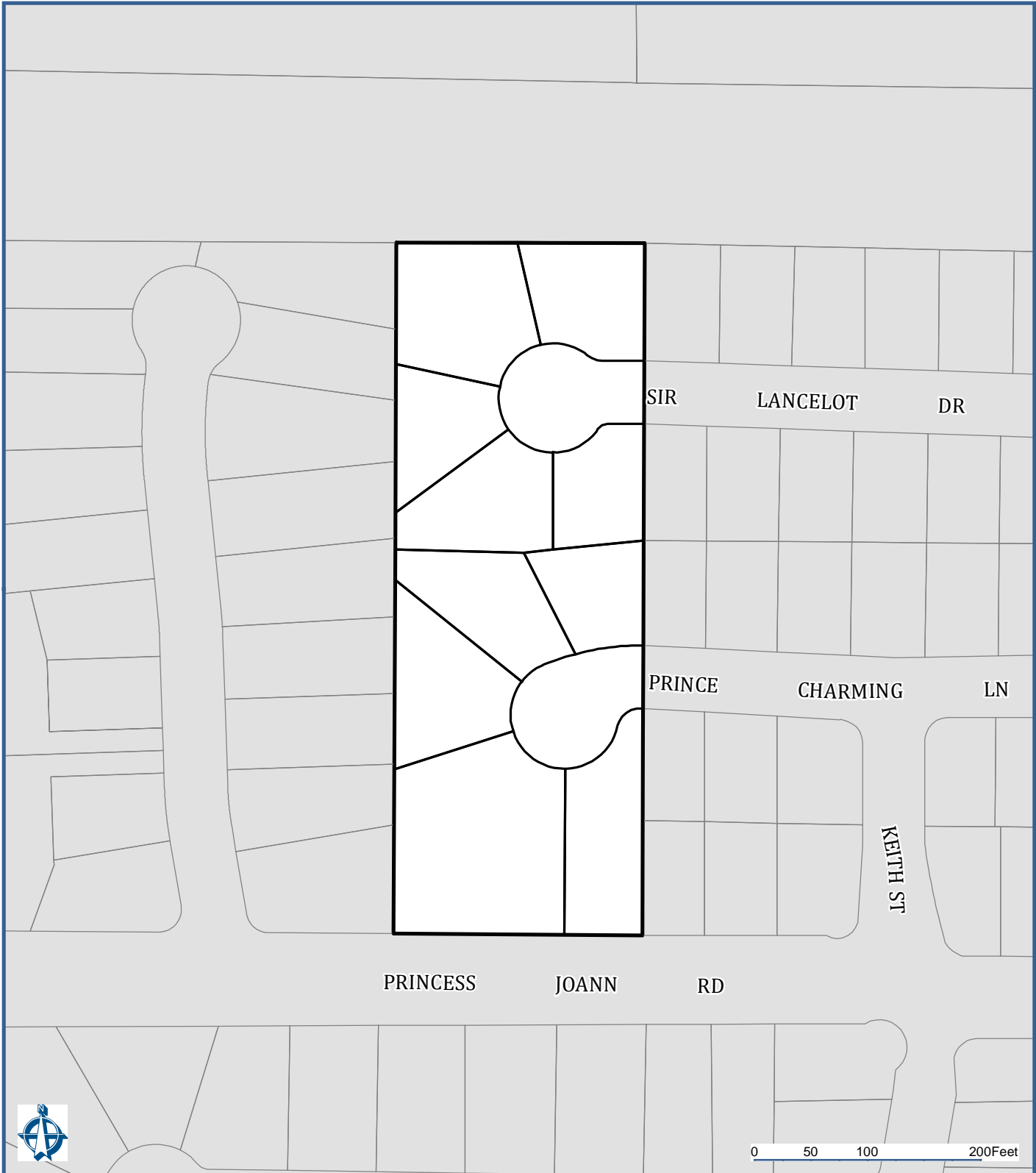




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 3  
(COUNTRY SCENES)





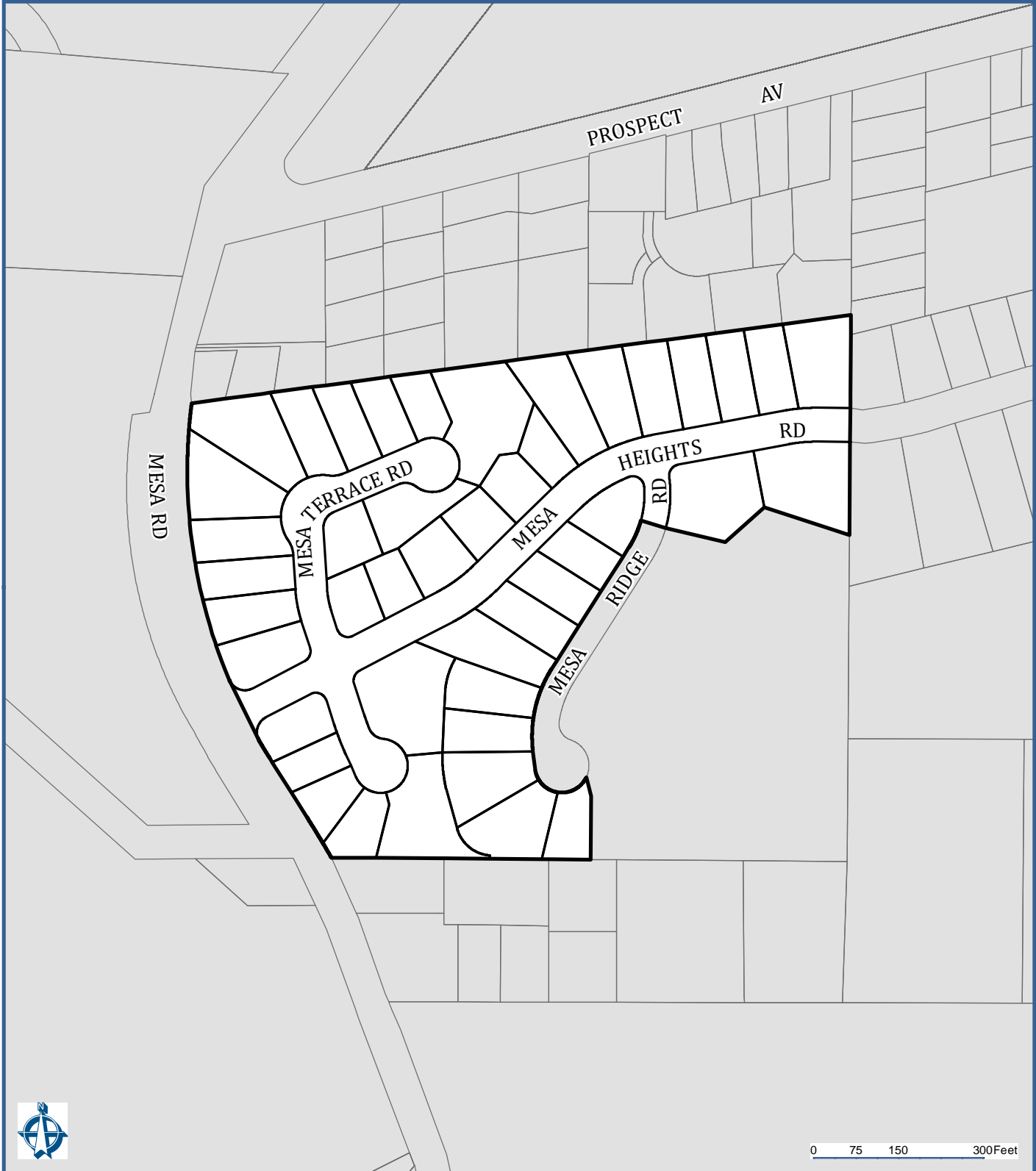
# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 4  
(CAMELOT HEIGHTS)



0 50 100 200Feet

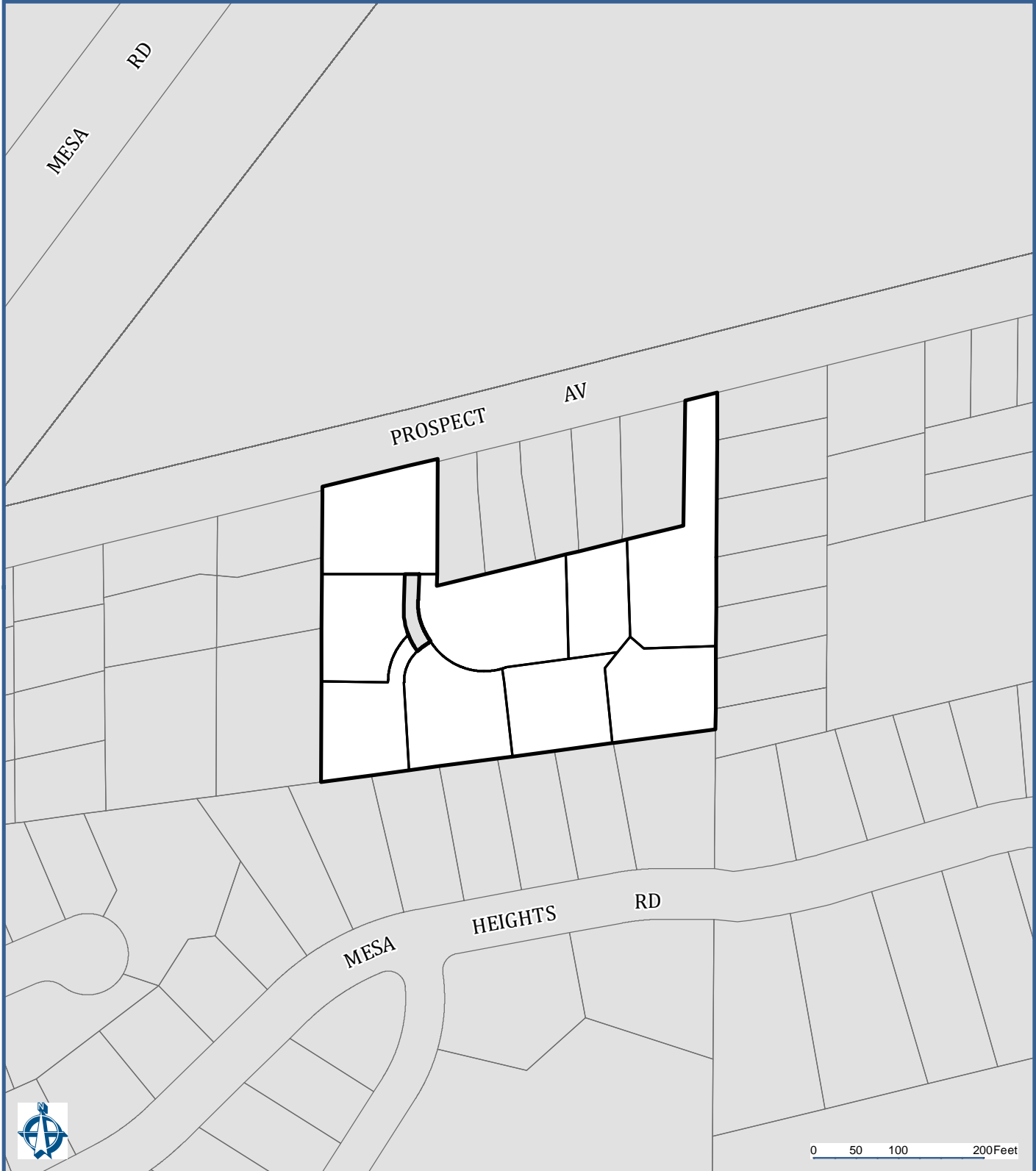




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 5  
(MESA HEIGHTS)

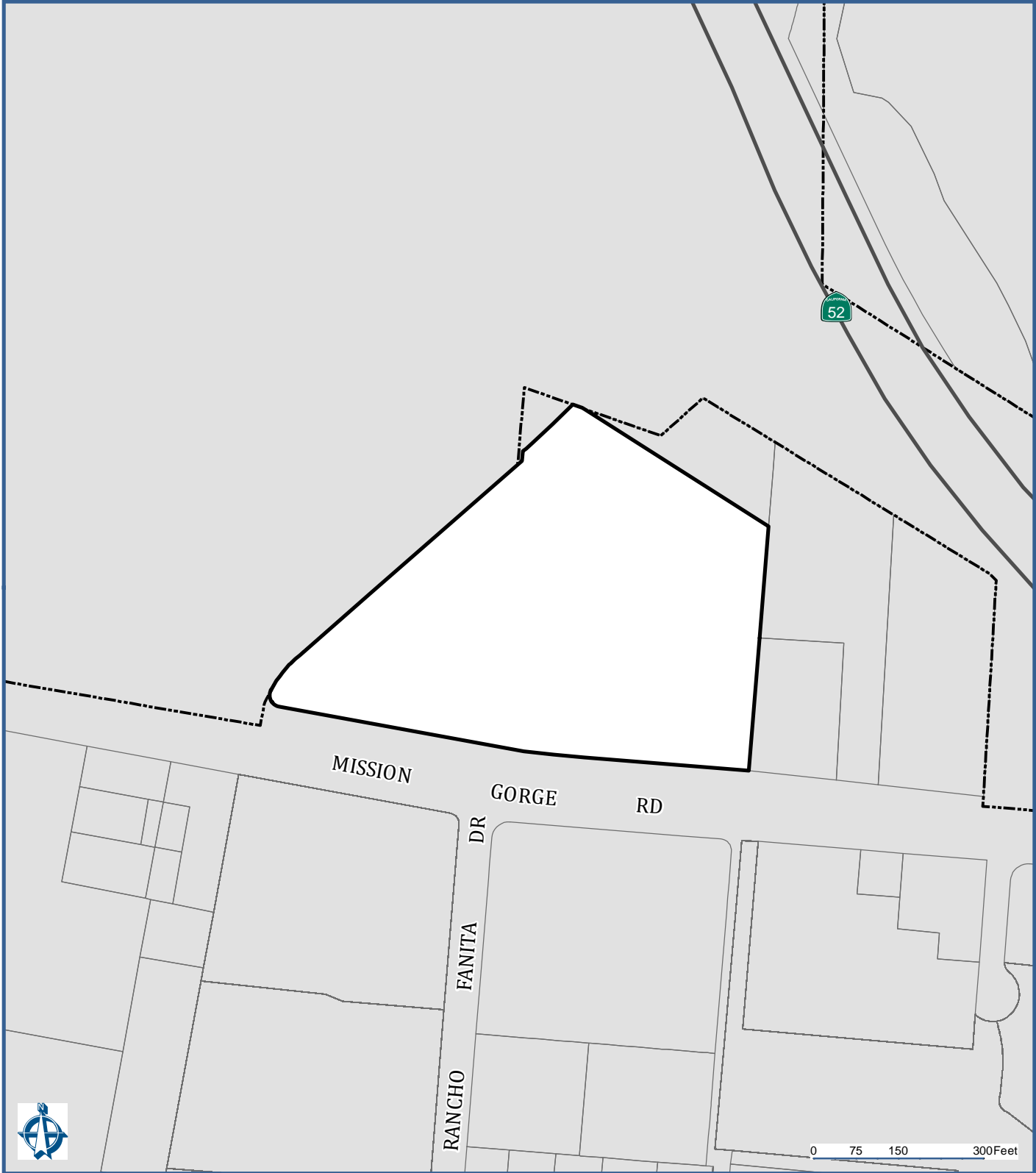




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 6  
(PROSPECT POINT)

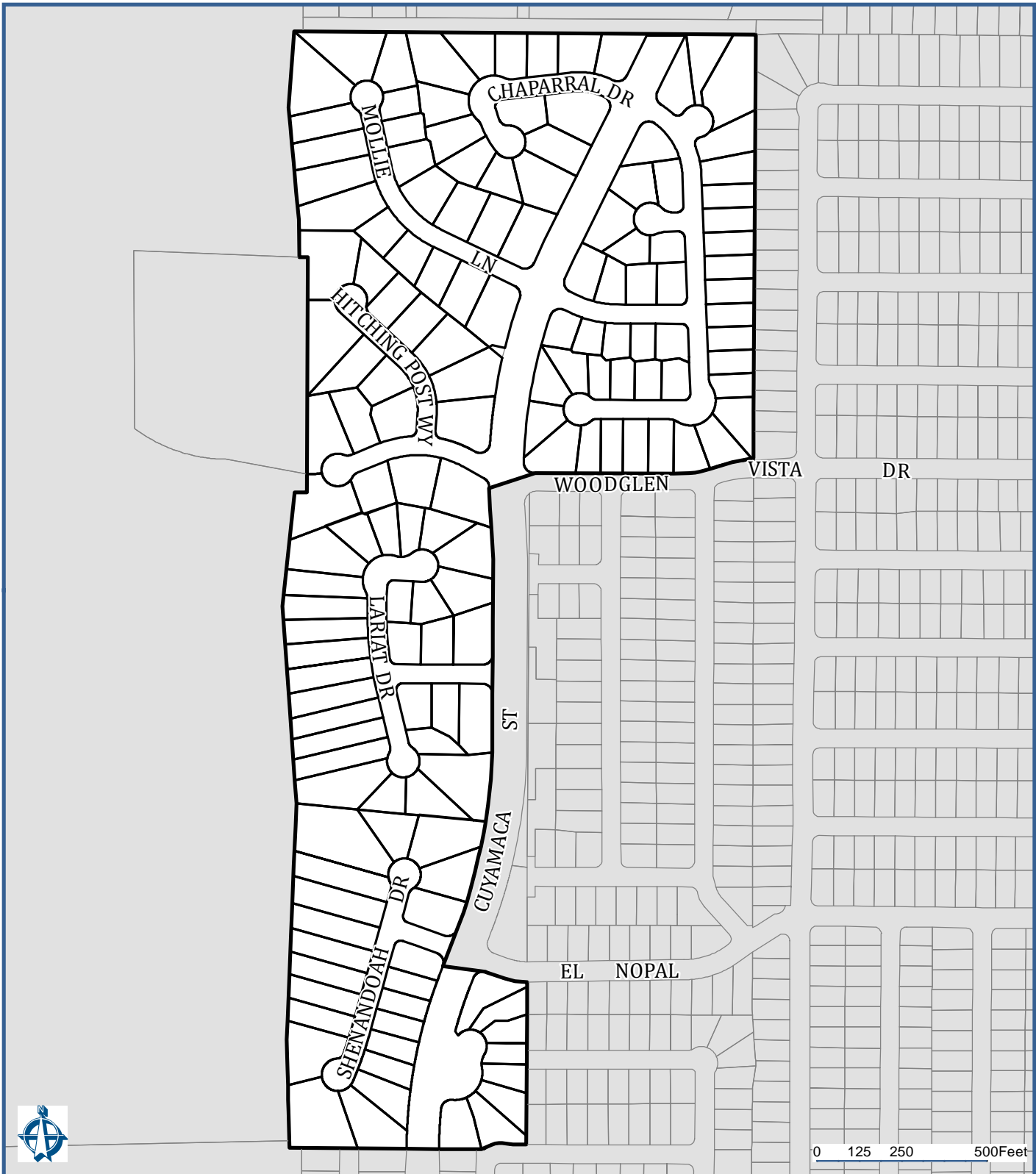




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 7  
(TREVISO)



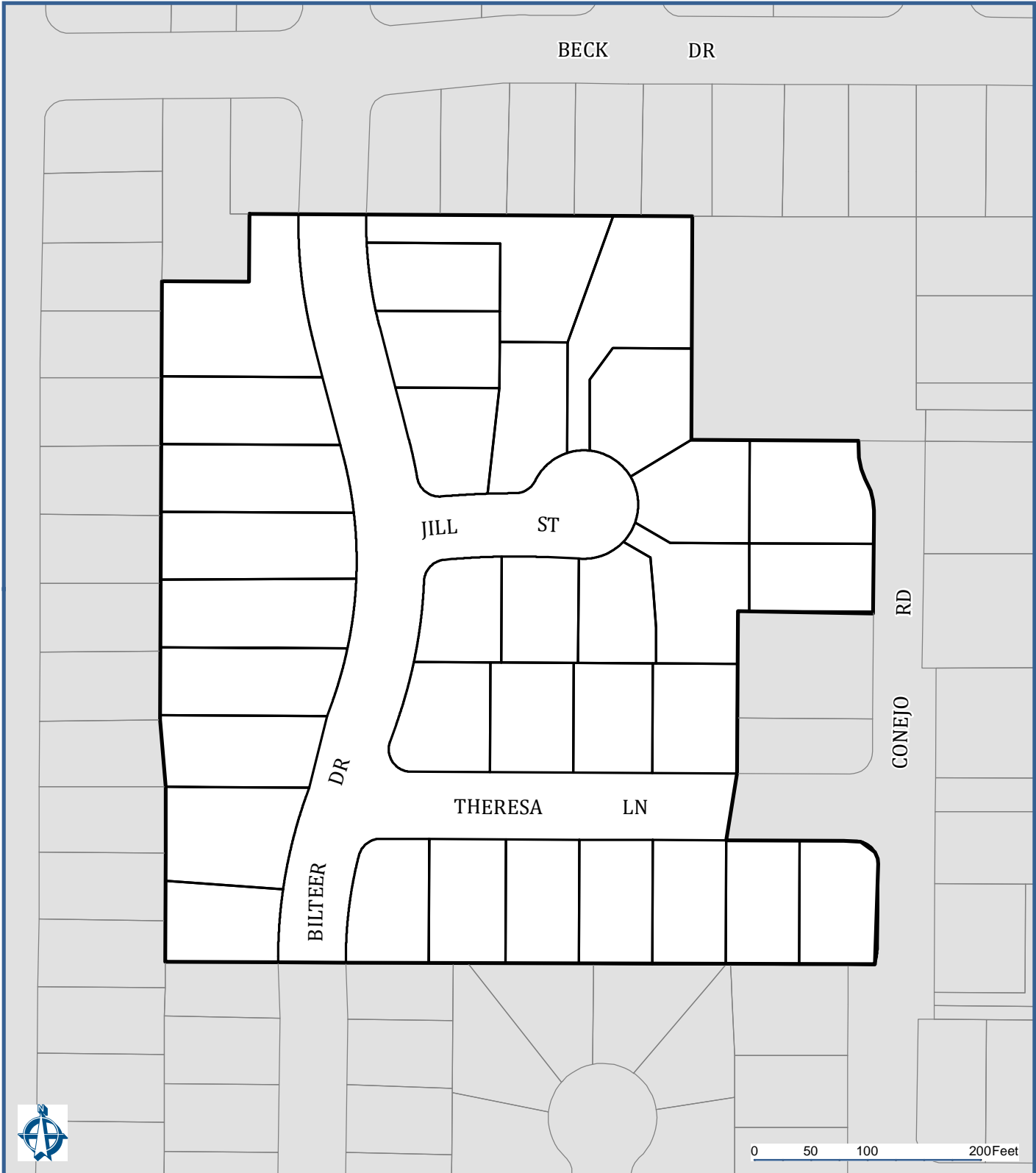


# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 8  
(SILVER COUNTRY ESTATES)







# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 9  
(TIMBERLANE/MATTAZARO)



0 50 100 200Feet

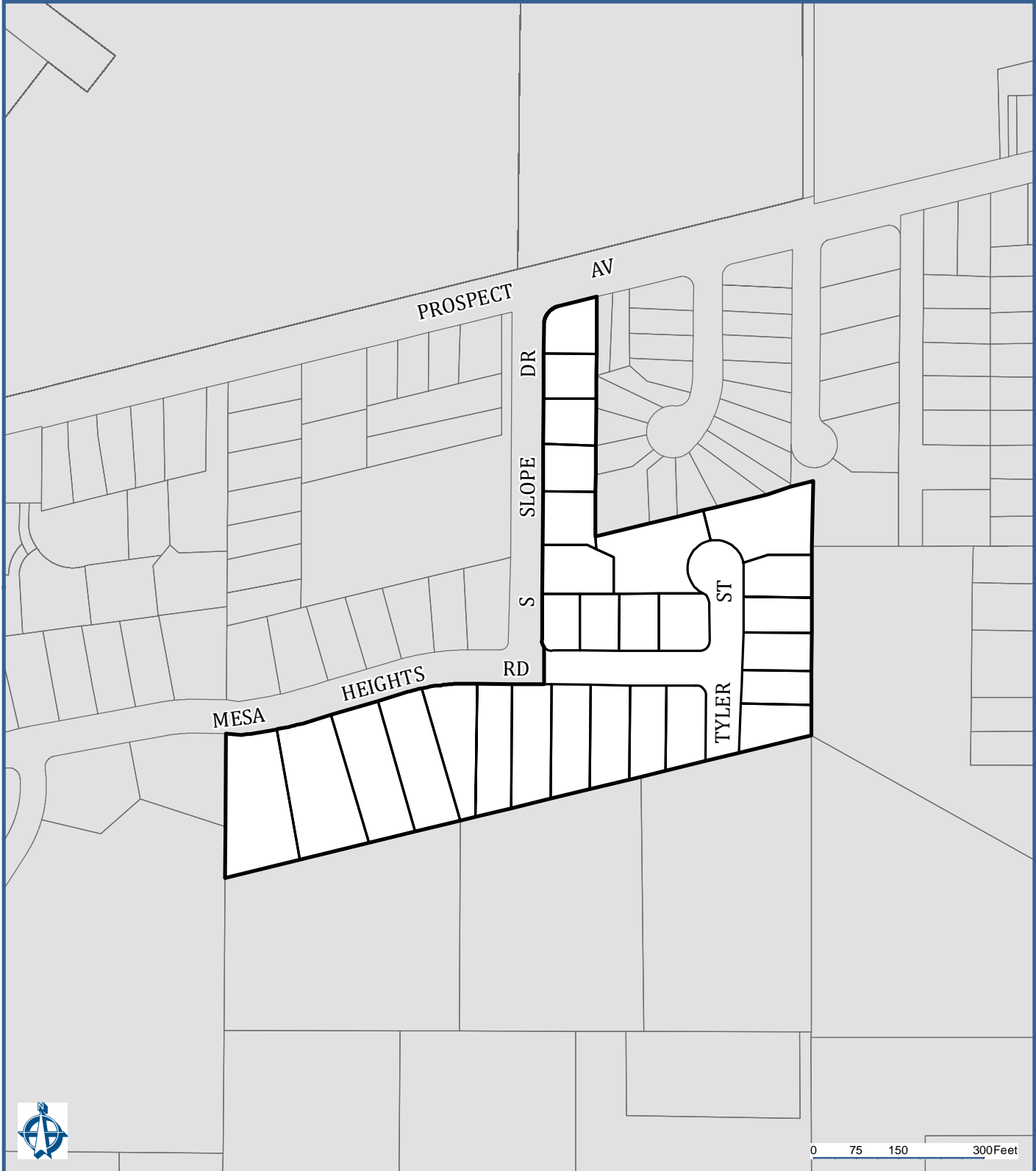




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 10  
(LAKES WEST)

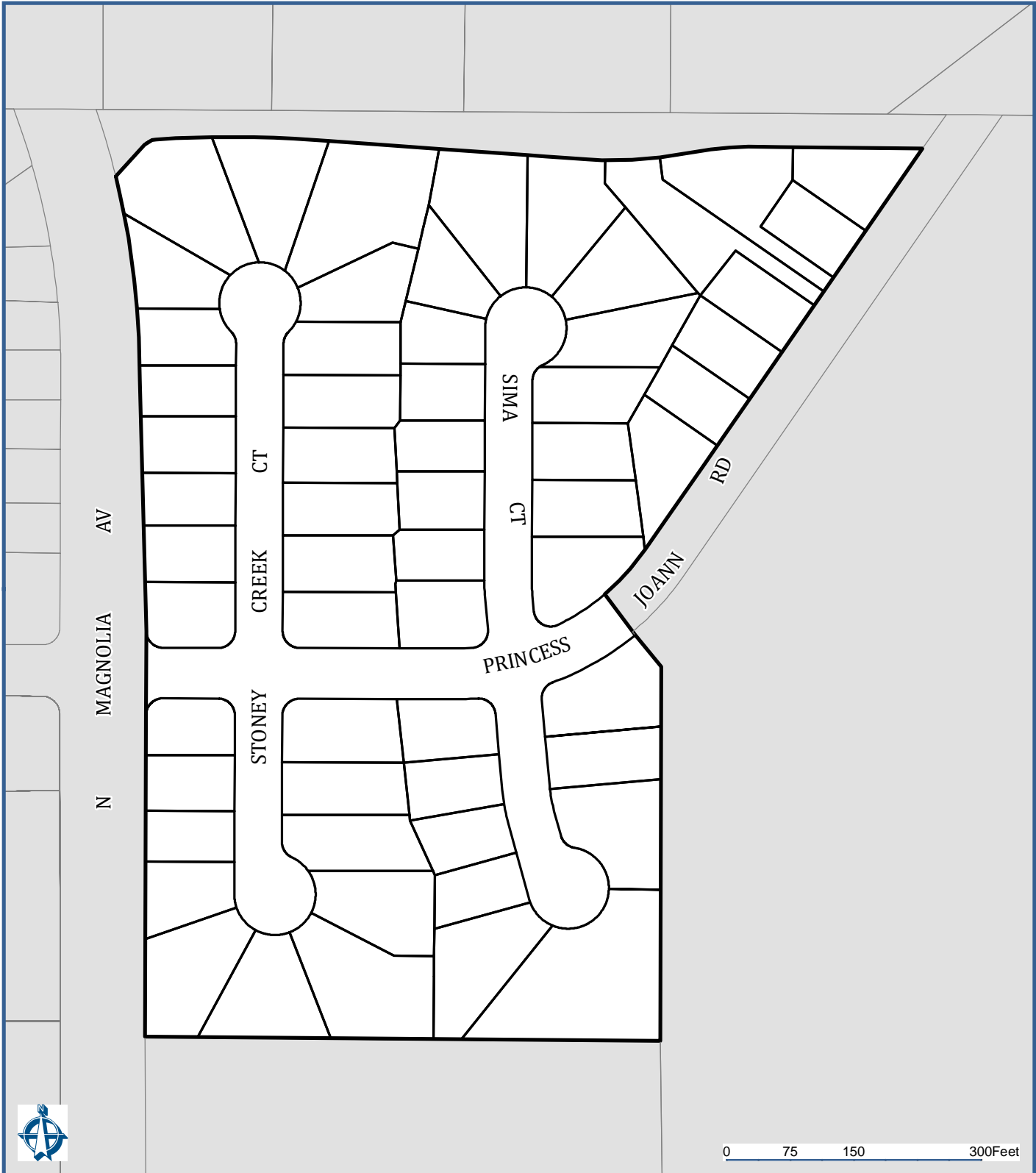




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 11  
(PADRE HILLS)

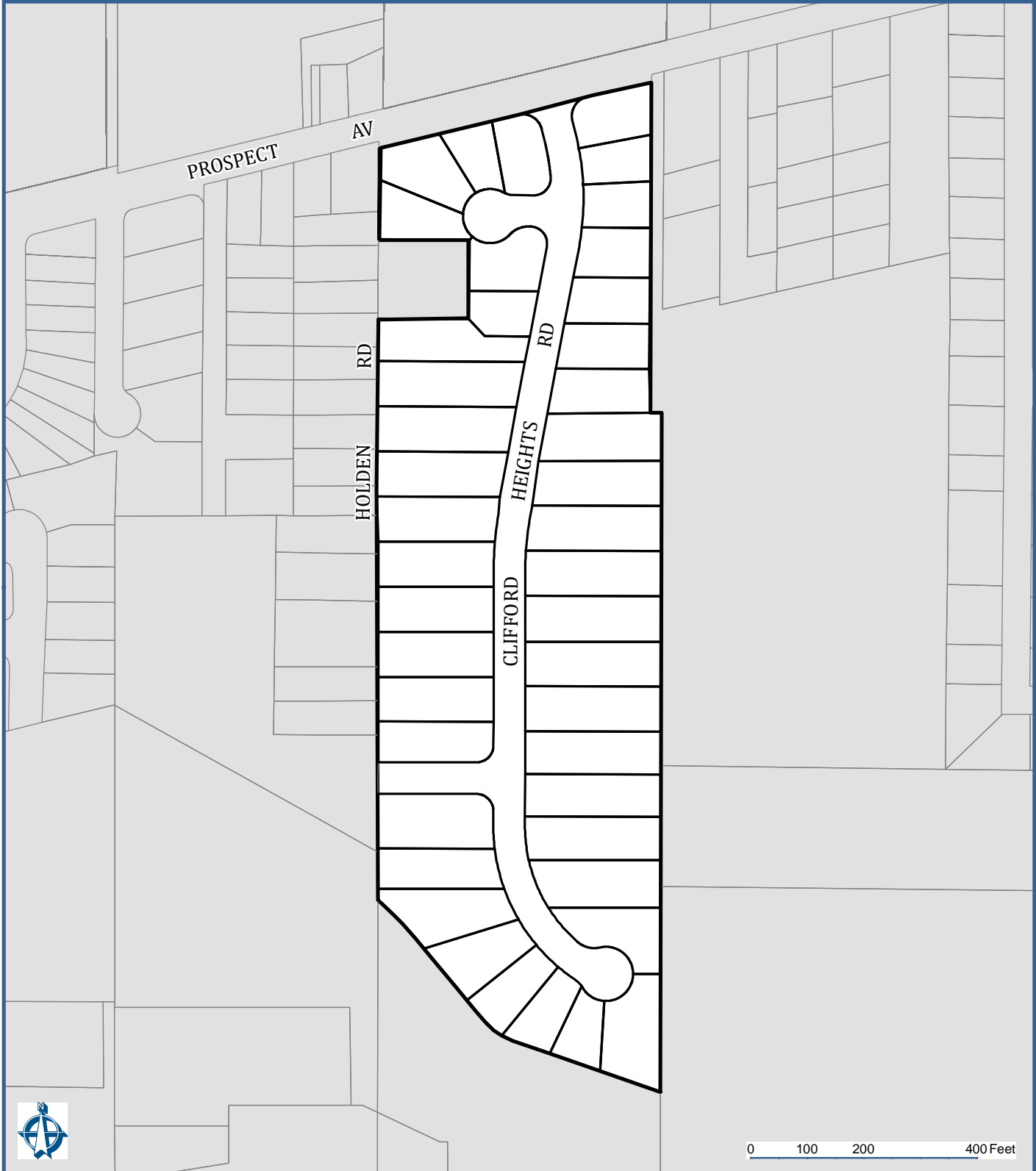




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 12  
(THE HEIGHTS)

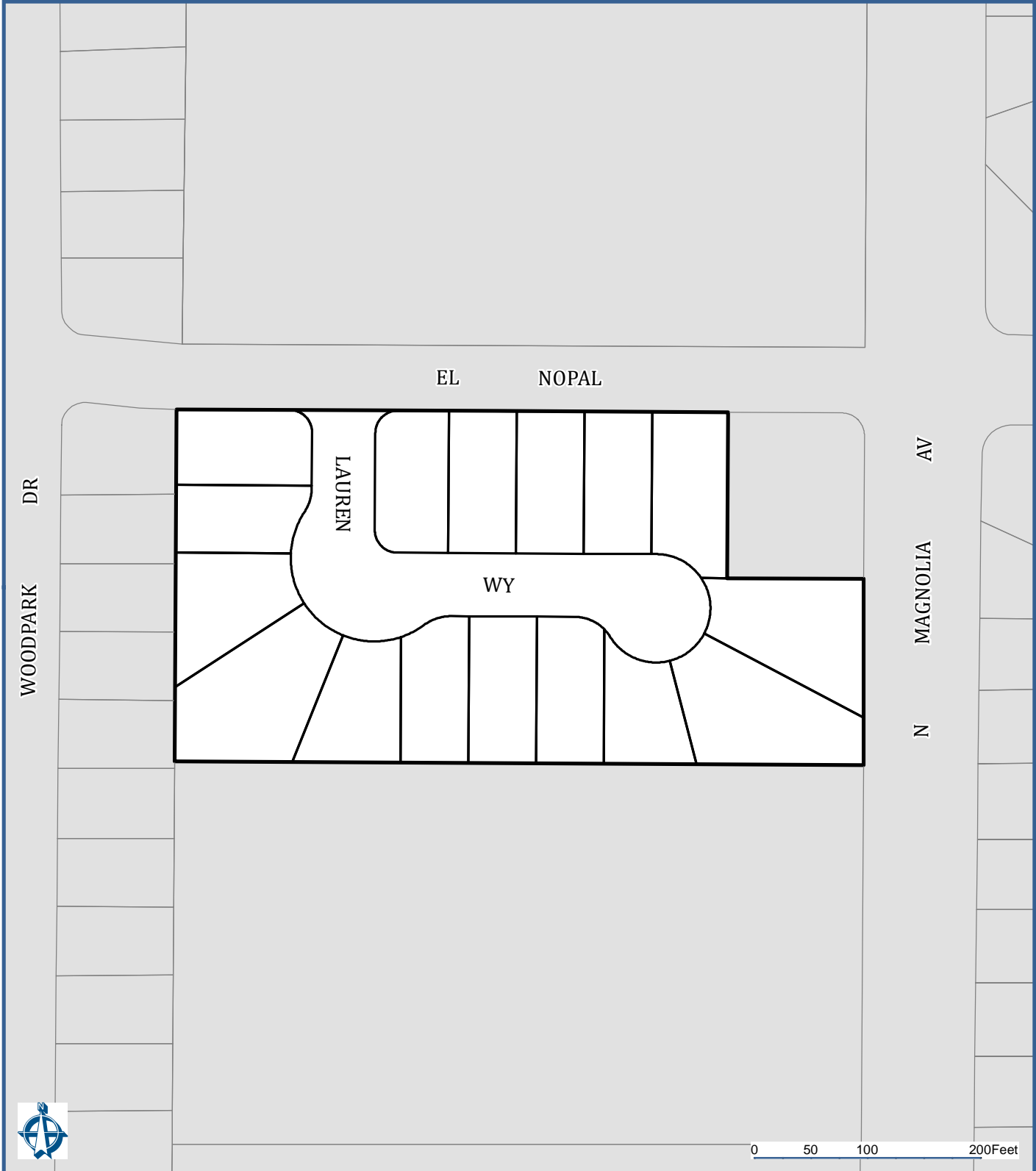




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 13  
(PROSPECT HILLS)

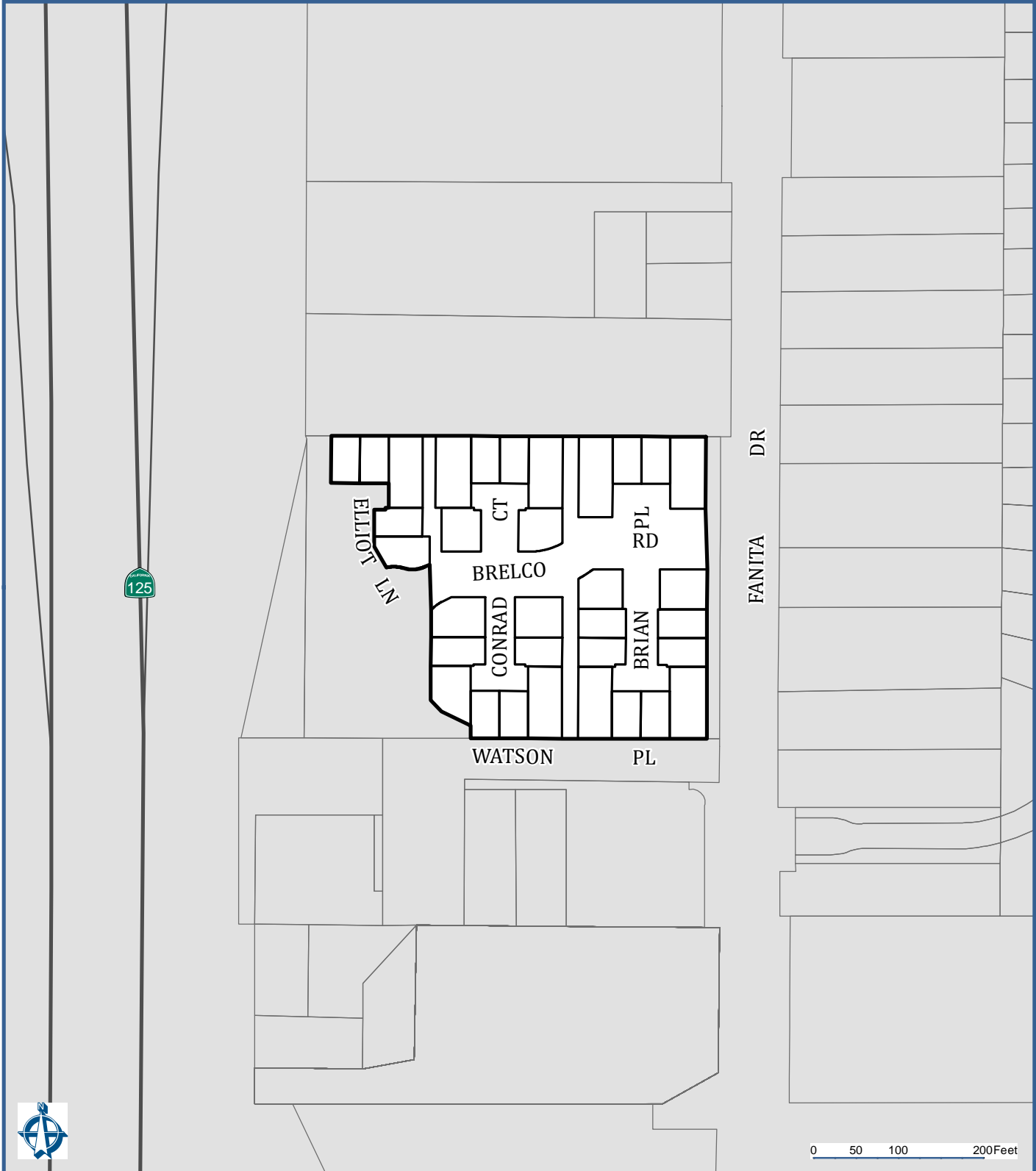




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 14  
(MITCHELL RANCH)





# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 15  
(VISTA ESTE)



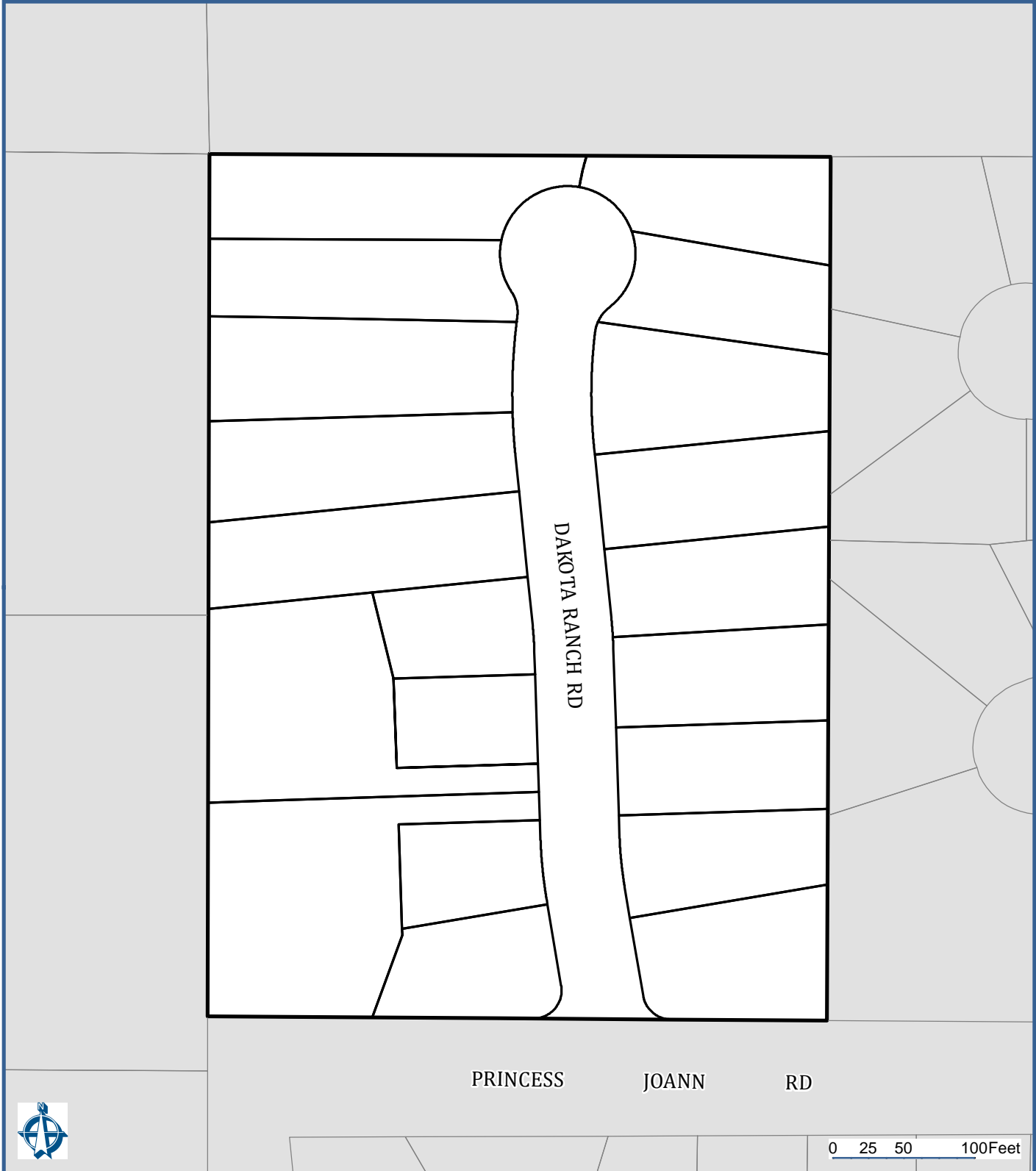


# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 16  
(PROSPECT GLEN)



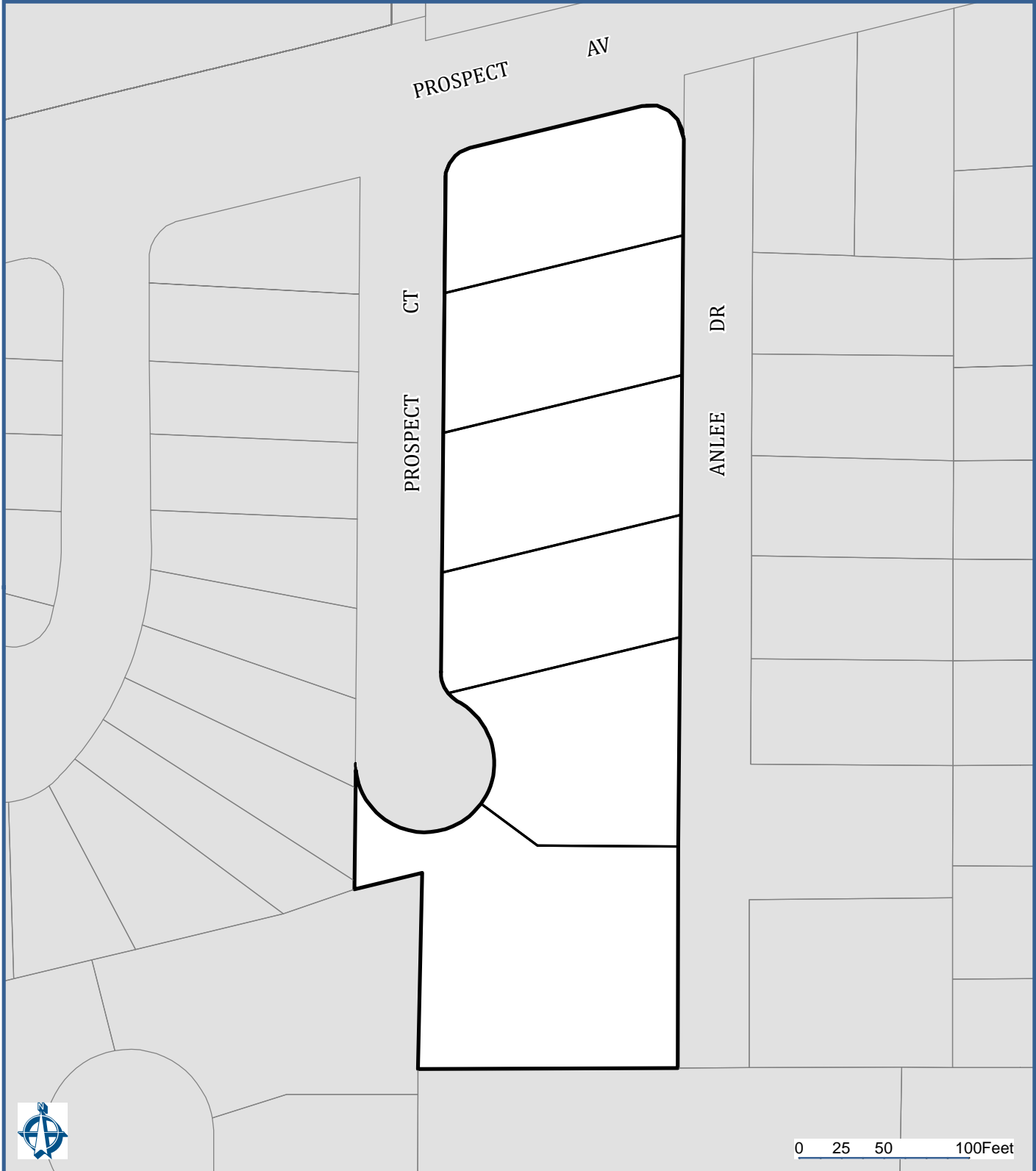




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 17  
(DAKOTA RANCH)

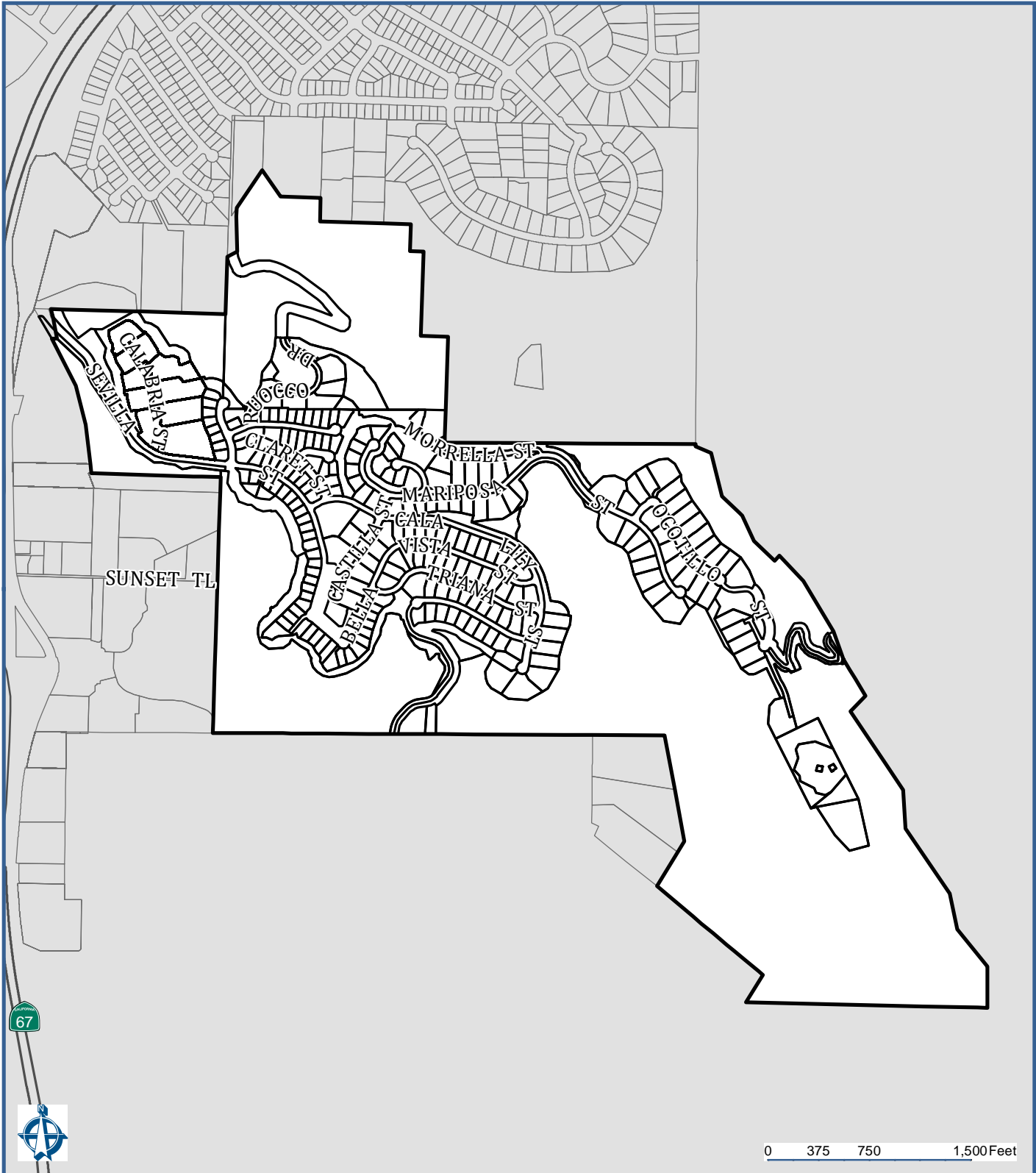




# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 18  
(ALLOS)





# CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONE 19  
(SKY RANCH)





SPICER CONSULTING  
GROUP

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN  
ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR  
MAINTENANCE IN AN EXISTING DISTRICT,  
AND SETTING THE TIME AND PLACE FOR A  
PUBLIC HEARING THEREON FOR THE  
FY 2023-24 SANTEE LANDSCAPE MAINTENANCE DISTRICT**

**WHEREAS**, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

**WHEREAS**, at this time, the facilities or improvements, as set forth in the Engineer's Report ("Report"), include landscaping within public streets, rights-of-ways and easements within various residential areas in the City; and

**WHEREAS**, at this time, this City Council desires to take proceedings to provide for the annual levy of assessments for the next ensuing fiscal year, to provide for the expenses necessary for continued maintenance of improvements within said District; and

**WHEREAS**, at this time there has been presented and approved by this City Council, a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** The Report regarding the annual levy for said District, which Report is for maintenance for Fiscal Year 2023-24 that has been previously approved is directed to be filed in the Office of the City Clerk for public review. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

**SECTION 3.** That the public interest and convenience requires, and it is the intention of this City Council to order, the annual assessment levy for the District as set forth and described in said Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance of improvements as estimated in said Report.

## **RESOLUTION NO.**

**SECTION 4.** The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

**SECTION 5.** The assessment for Zone 1 - El Nopal Estates will increase from \$240.84 to \$249.27. Nine zones will have the same assessments in FY 2023-24 as in the prior year.

**SECTION 6.** There are no new improvements or any substantial changes to existing improvements.

**SECTION 7.** The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

**SECTION 8.** That all monies collected shall be deposited in a special fund known as: **"SPECIAL FUND - SANTEE LANDSCAPE MAINTENANCE DISTRICT."** Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance or improvement, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

**SECTION 9.** Said maintenance work is, in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

**SECTION 10.** Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

**SECTION 11.** Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., on Wednesday, July 12, 2023, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained within this resolution. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a written protest with the City Clerk prior to the time set and scheduled for said public hearing.

**RESOLUTION NO.**

**SECTION 12.** That the Finance Department is directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication shall be not less than ten (10) days before the date set for said Public Hearing.

**SECTION 13.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JOHN W. MINTO, MAYOR**

**ATTEST:**

---

**ANNETE ORTIZ, CMC, CITY CLERK**

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTIONS APPROVING THE ENGINEER'S REPORT AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2023-24 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

**DIRECTOR/DEPARTMENT** Heather Jennings, Finance *HJ*

**SUMMARY** Town Center Landscape Maintenance District ("TCLMD") was originally formed in 1987. It now comprises eight distinct zones, four of which have been historically assessed: Zone A – "Town Center Parkway," Zone B – "The Lakes," Zone C – "San Remo," and Zone D – the mixed use project known as "Mission Creek." Contractors provide landscape and lighting maintenance services to the assessed zones. Maps depicting each zone and the areas of maintenance are attached.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 26, 2023 when the City Council formally initiated the proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to either approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 12, 2023, the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The attached Assessment Summary reflects TCLMD assessments, costs and available balances for FY 2023-24. There will be no change in the assessment for Zones A, C and D, as they are at the maximum assessment. It was reported last year that the Magnolia Lakes Homeowner's Association (HOA) in Zone B expressed its interest in taking over the responsibility for the maintenance of Zone B. Although there was an assessment and an expenditure budget reflected in the fiscal year 22-23 Engineer's Report, the City did not levy the assessment in anticipation of entering into a Public Improvement Maintenance Agreement with the HOA. The City was notified in April that the HOA Board voted to decline the City's agreement offer, therefore the assessment for Zone B is included in the attached Preliminary Engineer's Report and the levy will be collected on the tax rolls for Zone B for fiscal year 2023-24.

Due to inflationary increases, FY 2023-24 Maintenance and Administration budgets will exceed FY 2023-24 assessment revenues in all but one of the four maintenance zones. All four maintenance zones are currently being assessed at the maximum approved assessment amount allowed.

### **FINANCIAL STATEMENT**

A total of \$321,773 is proposed to be assessed on property owners within Zones A, B, C and D of the TCLMD in FY 2023-24 for the cost of maintenance and administration.

**CITY ATTORNEY REVIEW**  N/A •  Completed





**RECOMMENDATION** *MSB*

Adopt two Resolutions: 1) Approving the engineer's report, and 2) Declaring intention to levy assessments and setting a public hearing for July 12, 2023.

**ATTACHMENT**

Assessment Summary and Resolutions (Preliminary Engineer's Report and Assessment Diagrams)

**ASSESSMENT SUMMARY FOR  
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

**FY 2023-24 ASSESSMENTS VS. FY 2022-23 ASSESSMENTS  
AND APPROVED MAXIMUM ASSESSMENT**

| Zone | Title                       | Benefit Unit Used | FY 2023-24 Maintenance & Administration | Reserves 7/1/2023 | FY 22-23 Levy Per Benefit Unit   | FY 23-24 Levy Per Benefit Unit            | FY 23-24 Total Levy | Maximum Total Levy |
|------|-----------------------------|-------------------|---|-------------------|----------------------------------|---|---------------------|--------------------|
| A    | Town Center Parkway         | Acre              | \$185,000.00                            | \$216,397.00      | \$1,627.00/<br>\$2,973.00<br>(1) | <b>\$1,627.00/<br/>\$2,973.00<br/>(1)</b> | <b>\$141,816.82</b> | \$141,816.82       |
| B    | The Lakes                   | SFH (2)           | \$7,240.00                              | \$24,961.00       | \$84.48                          | <b>\$84.48</b>                            | <b>\$7,518.72</b>   | \$7,518.72         |
| C    | San Remo                    | SFH (2)           | \$10,160.00                             | \$35,992.00       | \$218.22                         | <b>\$218.22</b>                           | <b>\$7,855.92</b>   | \$7,855.92         |
| D    | Mission Creek - Commercial  | Acre              | N/A                                     | N/A               | \$5,481.35                       | <b>\$5,481.35</b>                         | <b>\$46,749.08</b>  | \$46,749.08        |
|      | Mission Creek - Residential | SFH (2)           | N/A                                     | N/A               | \$286.00                         | <b>\$286.00</b>                           | <b>\$117,832.00</b> | \$117,832.00       |
|      | Mission Creek - All Uses    | N/A               | \$175,370.00                            | \$136,533.00      | N/A                              | <b>N/A</b>                                | <b>\$164,581.08</b> | \$164,581.08       |

Notes:

- (1) Based on a 1987 agreement with the RDA and The Price Company, the Costco parcel is levied a lower overall assessment. All other parcels are charged the second-shown rate.
- (2) "SFH" means Single Family Home.

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL LEVY OF  
ASSESSMENTS FOR FY 2023-24 FOR THE  
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

**WHEREAS**, the City Council of the City of Santee, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the costs, a diagram of the district, and an assessment of the costs relating to what is known and designated as: **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

**WHEREAS**, the FY 2023-24 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

**WHEREAS**, this City Council has examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That the Report as presented, consisting of:

- A. plans and specifications of the maintenance of the improvements to be performed;
- B. estimates of the cost of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefit to be conferred by such maintenance of the improvements on the parcels within the District;

**RESOLUTION NO.**

- C. diagram of the District, which shows (i) the exterior boundaries of the District; (ii) the boundaries and zones within the District; and (iii) the lines and dimensions of each parcel of land within the District; provided, however, such diagram may refer to the county assessor’s maps for a detailed description of such lines and dimensions, in which case such maps shall govern for all details concerning such lines and dimensions;
- D. a description of the maintenance of the improvements to be performed; and
- E. the assessment of the total amount of the cost and expenses of the maintenance of the improvements upon the several divisions of land in the District in proportion to the estimated special benefits to be conferred on such subdivisions, respectively, by such maintenance;

is hereby approved as filed, attached and on file in the Office of the City Clerk as a permanent record and is to remain open to public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

**JOHN W. MINTO, MAYOR**

**ATTEST:**

**ANNETTE ORTIZ, CMC, CITY CLERK**

Exhibit A: Preliminary Engineer’s Report

# CITY OF SANTEE

Santee Town Center Landscape Maintenance District



FISCAL YEAR 2023-24

PRELIMINARY ENGINEER'S REPORT



SPICER CONSULTING  
GROUP



LandSat  
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AGENCY: CITY OF SANTEE  
PROJECT: SANTEE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
TO: CITY COUNCIL  
CITY OF SANTEE  
STATE OF CALIFORNIA

#### REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council, submitted herewith is the Engineer's Report (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscape and Lighting Act of 1972," as amended, commencing with Section 22500, and which is in accordance with Resolution No. \_\_\_\_-2023 adopted by the City of Santee, City Council, San Diego County, California ordering preparation of the Engineer's Report for Santee Town Center Landscape Maintenance District (the "District"). This Report is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2023, to June 30, 2024. Please note that Spicer Consulting Group, LLC provides engineering advice and related consulting engineering services.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** calculates the receipt of special benefit and the general benefit derived from the installation and maintenance and servicing of the respective improvements located throughout the District, and the methodology used to apportion the total assessment to the properties within the District.
- Section 4** **ASSESSMENT ROLLS** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram. The Assessment Rolls can be found in Appendix A.
- Section 5** The **ASSESSMENT DIAGRAMS** of the District. Said Diagrams shall show the boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagrams can be found in Appendix B.

## Description of the Boundaries and Improvement Services of Santee Town Center Maintenance District

Landscaping facilities or improvements are defined as landscaping within public streets and public right-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them. Improvements to be performed generally consist of maintenance of median and right-of-way landscaping, including but not limited to personnel costs, electrical energy, water, materials, contracting services and other items necessary for the satisfactory delivery of these services.

### *Benefit Zone A – Town Center*

- ◆ Town Center is located north of Mission Gorge Road and west of Cuyamaca Street, and all parcels along Town Center Parkway between Mission Gorge Road and Cuyamaca Street within the incorporated territory of the City of Santee. The zone consists of 30 commercial units with 54.04 acres of land.
- ◆ The primary improvements provided within Zone A may include but are not limited to: medians within Town Center Parkway, open space and landscape easements, public alleyways within the boundaries of the District, and public walkways and pathways within the District.

### *Benefit Zone B – The Lakes*

- ◆ The Lakes is located north of Palm Glen Drive and west of Magnolia Avenue within the incorporated territory of the City of Santee. The zone consists of 89 residential units.
- ◆ The primary improvements provided within Zone B may include but are not limited to: public walkways and landscape easements, and walkways and parkway landscaping within the public right-of-way on Palm Glen Drive and Magnolia Avenue.

### *Benefit Zone C – San Remo*

- ◆ San Remo is located south of Mast Boulevard with parcels along both sides of San Remo Court and Bilter Court within the incorporated territory of the City of Santee. The zone consists of 36 residential units.
- ◆ The primary improvements provided within Zone C may include but are not limited to: public walkways and sound walls on Mast Boulevard, open space, landscape and drainage easements.

### *Benefit Zone D – Mission Creek*

- ◆ Mission Creek is located west of Cuyamaca Street and all parcels on cul-de-sacs off of Mission Creek Drive and River Park Drive west of Cuyamaca Street within the incorporated territory of the City of Santee. The zone consists of 181 single family residential units, 231 multi-family residential units, 18 commercial units, 1 vacant commercial unit, and one exempt parcel.
- ◆ The primary improvements provided within Zone D may include but are not limited to: landscape easements, public access, walkways and parkways throughout the Mission Creek development, Western bike path, entrance monuments on the corners of Cuyamaca Street and River Park Drive, San Diego River Channel improvements (i.e., Linear Park, Pedestrian Bridge, Riparian Habitat, etc.), landscape easements, public access, walkways and parkways at Commercial Unit No. 3, landscape easements, public access, walkways and parkways at Residential Units 1 and 2, landscape easements, public access, walkways and parkways at the Mission Creek Townhomes, and landscape easements, public access, walkways and parkways at the Mission Creek Cluster Homes.

### *Benefit Zone E – Trolley Square*

- ◆ Trolley Square is located north of Mission Gorge Road and south of Town Center Parkway, east of Cuyamaca Street and west of Civic Center Drive within the incorporated territory of the City of Santee. The zone consists of 12 commercial units with 44.43 acres of land.
- ◆ The primary improvements provided within Zone E may include but are not limited to: landscape, maintenance and access easements, parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Cuyamaca Street and Civic Center Drive, parkway landscaping and appurtenances within the public right-of-way on the west side of Civic Center Drive between Mission Gorge Road and Street B, parkway landscaping and appurtenances within the public right-of-way on the south side of Street B between Civic Center Drive and Town Center Parkway, parkway landscaping and appurtenances within the public right-of-way on the south side of Town Center Parkway between Street B and Cuyamaca Street, parkway landscaping and appurtenances within the public right-of-way on the east side of Cuyamaca Street between Town Center Parkway and Mission Gorge Road, water feature at corner of Cuyamaca Street and Mission



Gorge Road, water feature at corner of Mission Gorge Road and Civic Center Drive, and water feature at the north end of the trolley station.

#### *Benefit Zone F – Hartford Property*

- ◆ Hartford Property is located east of Cuyamaca Street and Civic Center Drive and west of Cottonwood Avenue, south of River Park Drive and northeast of Town Center Parkway, and Street B Drive within the incorporated territory of the City of Santee. The zone consists of 1 commercial unit with 7.97 acres of land.
- ◆ The primary improvements provided within Zone F may include but are not limited to: landscape, maintenance and access easements, parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Willow Avenue and Civic Center Drive, parkway landscaping and appurtenances within the public right-of-way on the east side of Civic Center Drive between Mission Gorge Road and Street B.

#### *Benefit Zone G – Riverwalk*

- ◆ Riverwalk is located east of Cuyamaca Street and east of Park Center Drive, south of Mast Boulevard and along the north side of Riverwalk Drive within the incorporated territory of the City of Santee. The zone consists of 218 residential units.
- ◆ The primary improvements provided within Zone G may include but are not limited to: landscaping along Riverwalk Drive and Park Center Drive adjacent to the site and the entrance to the Riverwalk project (approximately 22,259 SF).

#### *Benefit Zone H – Riverview*

- ◆ Riverview is located east of Cuyamaca Street and west of Magnolia Avenue, southeast of Riverwalk Drive and north of Mission Gorge Road within the incorporated territory of the City of Santee. The zone has 6 units of commercial/residential property with 78.30 acres of land.
- ◆ The primary improvements provided within Zone H may include but are not limited to: landscaping along the east side of Cuyamaca Street, landscaping along the north side of Town Center Parkway, landscaping along the north side of Transit Way, landscaping along the west and north sides of Riverview Parkway, and landscaping along the north side of Mission Gorge Road, landscaping along the east and south sides of Riverview Parkway, landscaping along the north side of Riverview Parkway, landscaping along the west side of Magnolia Avenue, and pedestrian easement.

The 1972 Act provides that the total cost of installation, construction, maintenance and servicing of the public landscaping and park facilities that can be recovered by the District. Maintenance can include the repair and/or replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the formation and maintenance of the District can also be included. The estimated expenditures for maintenance and the assessments to be levied for Fiscal Year 2023-24 under consideration for this report have been provided by the City and are as follows for each zone.

*Table 2-1  
Benefit Zone A – Town Center*

| Description                               | Fiscal Year 2023-24<br>Estimated Through<br>June 30, 2024 |
|---|---|
| <b>Revenues</b>                           |   |
| Assessments                               | \$141,820   |
| Interest                                  | \$1,450   |
| City of Santee Contribution               | \$25,820  |
| Reserve Fund Contribution/(Collection)    | \$15,910  |
| <b>Total Revenues</b>                     | <b>\$185,000</b>  |
| <b>Expenditures</b>                       |   |
| Administration                            | \$2,770   |
| Advertising                               | \$210   |
| Electricity & Gas - Grounds               | \$32,380  |
| Water & Sewer - Grounds                   | \$49,250  |
| Repair/Maintenance - Grounds              | \$91,390  |
| Irrigation Materials                      | \$0   |
| Internal Service Charges                  | \$9,000   |
| <b>Total Expenditures/Proposed Budget</b> | <b>\$185,000</b>  |

*Table 2-2  
Benefit Zone B – The Lakes*

| Description                               | Fiscal Year 2023-24<br>Estimated Through<br>June 30, 2024 |
|---|---|
| <b>Revenues</b>                           |   |
| Assessments                               | \$7,520   |
| Interest                                  | \$0   |
| Reserve Fund Contribution/(Collection)    | (\$280)   |
| <b>Total Revenues</b>                     | <b>\$7,240</b>  |
| <b>Expenditures</b>                       |   |
| Administration                            | \$150   |
| Advertising                               | \$20  |
| Water & Sewer - Grounds                   | \$4,600   |
| Repair/Maintenance - Grounds              | \$2,200   |
| Internal Service Charges                  | \$270   |
| <b>Total Expenditures/Proposed Budget</b> | <b>\$7,240</b>  |

*Table 2-3  
Benefit Zone C – San Remo*

| Description                               | Fiscal Year 2023-24<br>Estimated Through<br>June 30, 2024 |
|---|---|
| <b>Revenues</b>                           |   |
| Assessments                               | \$7,860   |
| Interest                                  | \$250   |
| Reserve Fund Contribution/(Collection)    | \$2,050   |
| <b>Total Revenues</b>                     | <b>\$10,160</b>   |
| <b>Expenditures</b>                       |   |
| Administration                            | \$160   |
| Advertising                               | \$20  |
| Water & Sewer - Grounds                   | \$4,180   |
| Repair/Maintenance - Grounds              | \$5,570   |
| Internal Service Charges                  | \$230   |
| <b>Total Expenditures/Proposed Budget</b> | <b>\$10,160</b>   |

*Table 2-4  
Benefit Zone D – Mission Creek*

| Description                               | Fiscal Year 2023-24<br>Estimated Through<br>June 30, 2024 |
|---|---|
| <b>Revenues</b>                           |   |
| Assessments                               | \$164,580   |
| Interest                                  | \$960   |
| Reserve Fund Contribution/(Collection)    | \$9,830   |
| <b>Total Revenues</b>                     | <b>\$175,370</b>  |
| <b>Expenditures</b>                       |   |
| Administration                            | \$3,220   |
| Advertising                               | \$250   |
| Electricity & Gas - Grounds               | \$29,800  |
| Water & Sewer - Grounds                   | \$78,500  |
| Repair/Maintenance - Grounds              | \$53,600  |
| Irrigation Materials                      | \$0   |
| Internal Service Charges                  | \$10,000  |
| <b>Total Expenditures/Proposed Budget</b> | <b>\$175,370</b>  |

The maximum assessment rate per acre for Zones E, F and G may be increased by 2% by City Council approval each year. The maximum assessment rate per acre for Zone H may be increased by City Council approval each year by (i) the Consumer Price Index - all Urban Consumers for the San Diego Area or (ii) two percent (2%), whichever is greater.

No assessment will be levied for Zones E through H for the Fiscal Year 2023-24 as the property owners' association has maintained the improvements to a level satisfactory to the City.

### Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218 entitled “Right to Vote on Taxes Act” which added Article XIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts. Proposition 218 also requires that with certain specified exception, which are described below, all existing assessment districts must be ratified by the property owners within the District using the new procedures.

Some of these exceptions include:

- 1) Any assessment imposed exclusively to finance the capital cost or maintenance and operation expenses for streets.
- 2) Any assessments levied pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

However, even if assessments are initially exempt from Proposition 218, if the assessments are increased in the future, the City will need to comply with the provisions of Proposition 218 for that portion of the increased assessment formula (e.g., CPI increase).

Proposition 218 does not define this term “streets”, however, based on the opinions of the public agency officials, attorneys, assessment engineers and Senate Bill 919, it has been determined that streets include all public improvements located within the street right-of-way. This would include median and parkway landscaping, traffic signals, safety lighting and street lighting.

Proposition 218 defines “assessment” as “any levy or charge upon real property by an agency for a special benefit conferred upon the real property.” Cal. Const., art. XIID, §2(b). A special assessment, sometimes called a “benefit assessment,” is a charge generally levied upon parcels of real property to pay for benefits the parcels receive from local improvements. Special assessments are levied according to statutory authority granted by the Legislature or, in some instances, local charters. Distinguishing among taxes, fees and assessments can be difficult and often depends on the context in which the distinction is made. For example, taxes, assessments and property-related fees all may be imposed on property. The key feature that distinguishes an assessment from a tax, fee or charge is the existence of a special benefit to real property. Without identifying a special benefit, there can be no assessment.

### Method of Apportionment

Pursuant to the Landscaping and Lighting Act of 1972 and Article XIII D of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the maintenance and operation of improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the maintenance and operation of the improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received.

The Act also permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement” (S&H S22574). Thus, the 1972 Act requires the levy of a true “assessment” rather than a “special tax.” Excepted from the assessment would be the area of all public streets and right-of-way; all public parks, greenbelts and parkways.

### Special Benefit Determination

The City of Santee considers the maintenance and upkeep of parkways and adjacent slopes to be the responsibility of the adjacent development due to the added beautification of the local community which extends to the perimeter of the development.

Improvements that provide a special benefit to an isolated group of parcels of land located within the District are considered to be a localized benefit, and the costs associated with these improvements are assessed to all parcels receiving the localized benefit. Localized benefits include the construction, operation, servicing and maintenance of the improvements that only benefit the parcels located within the localized areas.

*Localized Landscaping* – Parcels that have localized landscaping such as entryway landscaping, parkway landscaping, etc. adjacent to or near their parcels directly benefit from the landscaping improvements and are assessed for the costs of the localized landscaping.

## General Benefit

The landscape improvements maintained by each zone provide no general public benefit in that the improvements were installed for the sole benefit of the properties within each benefit zone. The landscape improvements do not extend beyond the perimeter of the boundary of each of those benefit zones. It is therefore determined that all properties within each zone benefit equally from the financed improvements and the costs and expenses for the landscaping maintenance and services are apportioned on a per parcel basis.

The actual assessment and the amount of the assessment for the Fiscal Year 2023-24 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix A of this Report. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

## Special Benefit Zones

The Santee Town Center Landscape Maintenance District has eight (8) special benefit zones.

*Zones "A Through H"* were established to accurately track and assess the costs associated with the localized landscaping improvements such as entryway landscaping and parkway landscaping, etc. for specific development sites. These improvements are only assessed to the parcels within the development sites that directly benefit from the improvements.

### ZONE A – TOWN CENTER

The method of apportionment for Zone A is based upon the percentage of square footage of landscaping, maintained in the right-of-way, adjacent to an individual property owner's property. The actual adjacent values have been calculated and percentages have been determined to be as indicated in the following figure for the District. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone A, all parcels are zoned for commercial usage. Assessor Parcel 381-041-18 is designated as a public street and is exempt from assessment.

### ZONE B – THE LAKES

The method of apportionment for Zone B is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone B. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone B, all parcels are zoned for residential usage. All parcels share an equal benefit in landscape areas that are adjacent to Palm Glen Drive and Magnolia Avenue.

### ZONE C – SAN REMO

The method of apportionment for Zone C is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone C. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone C, all parcels are zoned for residential usage. All parcels share an equal benefit in landscaped areas and are accessible from Mast Boulevard.

### ZONE D – MISSION CREEK

The methodology to be used to apportion the assessments to those parcels in Zone D, Mission Creek, will be based upon the special benefit received. Based upon a review of the proposed land uses for Tentative Map No. 87-01 (November 8, 1989) and Revised Illustrative Site Plan C (September 22, 1989), provided by City staff, it is recommended that the single-family parcel be used as the basic unit of calculation for the assessments. Single family residential parcels account for approximately 60% of the proposed residential development within the project. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone D, the property has been designated for single family residential, multi-family residential and commercial usage. All parcels will be assessed a fair and equitable portion of the landscape improvements benefiting the properties.

The following methodology has been developed to calculate the EDUs to be assigned to each lot or parcel within the Zone based on land use and parcel size:

*Single Family Residential* - The single family parcel was selected as the basic unit of calculation for the assessments, and is defined as one Equivalent Dwelling Unit (EDU). A methodology has been developed to calculate the EDUs for other residential land uses and for commercial/industrial parcels as described below based on land use and parcel size.

*Multi-Family Residential* - The EDUs for land zones for multi-family uses would be assessed 1 EDU per dwelling unit, e.g., a parcel with 100 condominium units would be assigned 100 EDUs.

*Vacant Residential* - The EDUs for parcels defined as residential but having no dwelling unit on them are calculated based on 1.8 EDUs per acre or any portion thereof, with a minimum of 0.20 EDU. This allocation was developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre) and then assigning twenty (20) percent of the calculated EDUs to the parcel (twenty percent estimates the ratio of land value to land value plus improvement).

*Commercial* - The EDUs for land zoned for commercial uses would be assigned at the rate of nine (9) EDUs per acre. This allocation has been developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre).

*Vacant Commercial* - Parcels defined as vacant commercial parcels would be assigned EDUs at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them.

The assessment per equivalent dwelling unit (cost per EDU) will be determined by dividing the total assessment to be levied by the total number of EDUs. The assessment for each parcel would be calculated by multiplying the parcel's number of EDUs by the cost per EDU.

#### ZONE D – BENEFIT ZONES

In order to determine charges or rates based on the benefit(s) received by each lot or parcel, it is recommended that two subzones be established within Zone D, Mission Creek. Based on review of the proposed improvements and facilities to be maintained and operated by Zone D, a Residential Subzone (including single family and multi-family residential parcels) and a Commercial Subzone should be established.

The Zone-wide improvements include the San Diego River Channel improvements, consisting of the Linear Park, Pedestrian Bridge and Riparian Habitat. The San Diego River Channel improvements provide a special benefit to all parcels in the zone since the improvements border the entire project and were required by the conditions of development for the entire project. Therefore, the maintenance costs for these improvements are spread to all parcels in the zone.

The improvements at Commercial Unit No. 3, consisting of the maintenance of monuments on Cuyamaca Street and River Park Drive, landscape easements, public access, walkways and parkways provide a special benefit to the parcels in the Commercial Subzone since the improvements front the Commercial Subzone and were required by the conditions of development for the project.

The parcels in the Residential Subzone receive a special benefit from the maintenance of the western bike path and the improvements for Residential Units 1 and 2, the Mission Creek Townhomes and the Cluster Homes, which consist of entrance monuments, landscape easements, public access, walkways and parkways, since the improvements front the Residential Subzone and were required by the conditions of development for the project.

#### ZONE E – TROLLEY SQUARE

The methodology to be used to apportion the assessments to those parcels in Zone E, Trolley Square, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone E, all parcels are zoned for commercial usage. There are no public properties in Zone E that benefit from the improvements.

*Commercial* - The benefit for land zoned for commercial uses would be assigned on a per acre basis, where one acre of commercial land equals one adjusted acre of commercial land.

*Vacant Commercial* - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them. Therefore, one acre of vacant commercial land equals 0.20 adjusted acre of vacant commercial land.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the adjusted acreage. The assessment for each parcel would be calculated by multiplying the parcel's adjusted acreage by the cost per adjusted acre.

#### ZONE F – HARTFORD PROPERTY

The methodology to be used to apportion the assessments to those parcels in Zone F, Hartford Property, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

*Commercial* - The benefit for land used for developed commercial/public uses would be assigned on a per acre basis.

*Vacant Commercial* - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them, i.e. developed.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the acreage. The assessment for each parcel would be calculated by multiplying the parcel's acreage by the cost per acre.

#### ZONE G – RIVERWALK

The method of apportionment for Zone G is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone G.

#### ZONE H – RIVERVIEW

The methodology to be used to apportion the assessments to those parcels in Zone H (Riverview) will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

*Residential* - The benefit for land used for developed residential uses would be assigned on a per acre basis and then converted to per unit cost based on the number of residential units.

*Commercial* - The benefit for land used for developed commercial/public uses would be assigned on a per acre basis.

*Vacant Commercial* - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them, i.e. developed.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the acreage. The assessment for each parcel would be calculated by multiplying the parcel's acreage by the cost per acre.

#### Annual Assessment Rate Increases

Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone A – Town Center, a maximum assessment of \$2,973 per acre has been established for the 71.1% portion and \$1,627 per acre for the Costco portion. Zones B and C were not established with a CPI escalator and cannot increase without a majority approval Proposition 218 Ballot process. Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone D – Mission Creek, a maximum cap of \$286 per EDU has been established for the Residential Subzone and \$5,481 per acre for the Commercial Subzone.

The maximum assessment rate per acre for Zones E, F and G may be increased by 2% by City Council approval each year. The maximum assessment rate per acre for Zone H may be increased by City Council approval each year by (i) the Consumer Price Index - all Urban Consumers for the San Diego Area or (ii) two percent (2%), whichever is greater. Annually, the City Council will determine the operations and maintenance budgeting needs for each zone and determine the annual assessment. The annual assessment amount will not exceed these maximum rates unless a balloting process in compliance with Proposition 218 is completed. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone E (Trolley Square), the maximum assessment rate for FY 2023-24 will be \$5,851.06 per adjusted acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone F (Hartford Property), the maximum assessment rate for FY 2023-24 will be \$4,161.41 per acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone G (Riverwalk), the maximum assessment rate for FY 2023-24 will be \$163.96

per EDU. Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone H (Riverview), the maximum assessment rate for FY 2023-24 will be \$10,703.14 per acre for Commercial property and \$576.63 per unit for Residential property.

**Annual Assessment Rate Increases**

**Zone A – Town Center**

|  |                     |
|--|---------------------|
| Cost x Percentage of Square Footage / Parcel |                     |
| Costco Portion                               | \$1,627 per Acre    |
| Remaining Portion                            | \$2,973 per Acre    |
| <b>Proposed Levy Amount</b>                  | <b>\$141,816.82</b> |

**Zone B – The Lakes**

|  |                   |
|--|-------------------|
| Calculated Fiscal Year 2023-24 Assessment per Parcel | \$84.48           |
| Total Assessable Parcels                             | 89                |
| <b>Proposed Levy Amount</b>                          | <b>\$7,518.72</b> |

**Zone C – San Remo**

|  |                   |
|--|-------------------|
| Calculated Fiscal Year 2023-24 Assessment per Parcel | \$218.22          |
| Total Assessable Parcels                             | 36                |
| <b>Proposed Levy Amount</b>                          | <b>\$7,855.92</b> |

**Zone D – Mission Creek**

Improvements which benefit the entire zone include the San Diego River improvements, and have been allocated to all parcels.

**Total Assessment Cost/Total No. of EDUs**  
 \$80,743/488.76 EDUs = \$165.20/EDU

The Improvements for Commercial Unit No. 3 benefit the parcels in the Commercial Subzone, and have been spread to all parcels.

**Total Assessment Cost/Total No. of EDUs**  
 \$34,069/76.76 EDUs = \$443.84/EDU

The total assessment rate for parcels in the Commercial Subzone will be \$609.04 per EDU (including the improvements for Commercial Unit No. 3 and the improvements that benefit the entire zone).

The improvements for the Western Bike Path, Residential Units 1 and 2, the Townhouses and the Cluster Homes benefit the parcels in the Residential Subzone and have been spread to all parcels in the subzone.

**Total Assessment Cost/Total No. of EDUs**  
 \$49,770/412 EDUs = \$120.80/EDU

**The total proposed levy amount for Zone D – Mission Creek is \$164,581.08.**

The total assessment rate for parcels in the Residential Subzone will be \$286.00 per EDU (including the improvements for the Western Bike Path, Residential Units 1 and 2, the Townhomes, the Cluster Homes and the improvements that benefit the entire zone).

**Zone E – Trolley Square**

The maximum assessment rate for FY 2023-24 will be increased by 2% to \$5,851.06/adjusted acre. No assessment will be levied for the Fiscal Year 2023-24 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone E, all parcels are zoned for commercial usage. There are no public properties in Zone E that benefit from the improvements.





### Zone F – Hartford Property

The maximum assessment rate for FY 2023-24 will be increased by 2% to \$4,161.41/acre. No assessment will be levied for the Fiscal Year 2023-24 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone F, all parcels, with the exception of one, are zoned for commercial usage. There is one (1) public property in Zone F that benefits from the improvements.

### Zone G - Riverwalk

The maximum assessment rate for FY 2023-24 will be increased by 2% to \$163.96 per EDU. No assessment will be levied for the Fiscal Year 2023-24 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of Zone G of the Santee Town Center Landscape Maintenance District, all parcels are zoned for residential usage for the current year. We have investigated the properties in Zone G and have determined that there are no public properties that benefit from the improvements. There are public streets, public rights-of-way, and easements within Zone G, but they do not benefit from the improvements.

### Zone H – Riverview

The maximum assessment rate for FY 2023-24 will be increased by 7.28% (which represents the greater of the increase in the Consumer Price Index - all Urban Consumers for the San Diego Area or 2%) to \$10,703.14 per acre for Commercial property and \$576.63 per unit for Residential property. No assessment will be levied for the Fiscal Year 2023-24 as the management association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone H, all assessable parcels are zoned for commercial usage. We have investigated the properties in Zone H and have determined that there are currently five (5) public properties that benefit from the improvements.

**Whereas**, on April 26, 2023, a Resolution of the City Council of the City of Santee, California, Initiating Proceedings and Ordering the Preparation of an Engineer's Report for the FY 2023-24 Town Center Landscape Maintenance District Annual Levy of Assessments was ordered;

**Whereas**, the Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer's Report directed Spicer Consulting Group, LLC., to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the Santee Town Center Landscape Maintenance District for the referenced fiscal year, a diagram for the District showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, assessing the net amount upon all assessable lots and-or parcels within the District in proportion to the special benefit received;

**Whereas**, on May 24, 2023, the City Council of the City of Santee, State of California, under the Landscaping and Lighting Act of 1972, plans to adopt its Resolution of Intention for the Annual Levy of Assessments declaring its intention to levy assessments for the Santee Town Center Landscape Maintenance District and provide notice of the public hearing;

**Now Therefore**, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

## Summary of Assessments

Table 3-1  
Summary of Assessments

| Description  | Budgeted for<br>FY 2023-24 |
|--|----------------------------|
| <b>Zone A - Town Center</b>                          |                            |
| Total Assessment for FY 2023-24                      | \$141,820                  |
| Interest   | \$1,450                    |
| City of Santee Contribution                          | \$25,820                   |
| Reserve Fund Contribution/(Collection)               | \$15,910                   |
| <b>Total Expenditures/Proposed Budget</b>            | <b>\$185,000</b>           |
| <b>Zone B - The Lakes</b>                            |                            |
| Total Assessment for FY 2023-24                      | \$7,520                    |
| Interest   | \$0                        |
| Reserve Fund Contribution/(Collection)               | (\$280)                    |
| <b>Total Expenditures/Proposed Budget</b>            | <b>\$7,240</b>             |
| <b>Zone C - San Remo</b>                             |                            |
| Total Assessment for FY 2023-24                      | \$7,860                    |
| Interest   | \$250                      |
| Reserve Fund Contribution/(Collection)               | \$2,050                    |
| <b>Total Expenditures/Proposed Budget</b>            | <b>\$10,160</b>            |
| <b>Zone D - Mission Creek</b>                        |                            |
| Total Assessment for FY 2023-24                      | \$164,580                  |
| Interest   | \$960                      |
| Reserve Fund Contribution/(Collection)               | \$9,830                    |
| <b>Total Expenditures/Proposed Budget</b>            | <b>\$175,370</b>           |
| <b>Total Proposed Budget for Fiscal Year 2023-24</b> | <b>\$377,769</b>           |

Landscaping facilities or improvements are defined as landscaping within public streets and public rights-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them.

Improvements to be performed generally consist of maintenance of median and right-of-way landscaping, including but not limited to personnel costs, electrical energy, water, materials, contracting services and other items necessary for the satisfactory delivery of these services.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.



\_\_\_\_\_  
FRANCISCO MARTINEZ JR  
PROFESSIONAL CIVIL ENGINEER NO. 84640  
ENGINEER OF WORK  
CITY OF SANTEE  
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by adoption of Resolution No. \_\_\_\_-2023 by City Council.

\_\_\_\_\_  
CITY CLERK  
CITY OF SANTEE  
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
CITY CLERK  
CITY OF SANTEE  
STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2023-24 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix A of this Report. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

The total assessment for Fiscal Year 2023-24 is \$321,772.54.

Assessment Diagrams for the Santee Town Center Landscape Maintenance District, Zones A – H have been submitted to the City of Santee in the format required under the provision of the Act. The lines and dimensions shown on maps of the County of San Diego Assessor's Office for the current year are incorporated by reference in Appendix B herein and made part of this Report.

# APPENDIX A

## Assessment Rolls



SPIKER CONSULTING  
G R O U P

# Assessment Roll

60-9114 - TCLMD - Zone A

Fiscal Year 2023-24



| APN           | Levy        | APN               | Levy                     | APN        | Levy        |
|---------------|-------------|-------------------|--------------------------|------------|-------------|
| 3810410100    | \$2,051.36  | 3810410200        | \$3,329.76               | 3810410300 | \$2,824.34  |
| 3810410400    | \$2,854.08  | 3810410500        | \$2,170.28               | 3810410700 | \$624.32    |
| 3810410900    | \$1,010.82  | 3810411200        | \$1,486.50               | 3810411300 | \$1,159.46  |
| 3810411400    | \$25,924.56 | 3810411500        | \$7,016.28               | 3810411900 | \$22,778.00 |
| 3810412000    | \$1,010.82  | 3810412300        | \$19,740.72              | 3810412400 | \$6,005.46  |
| 3810412500    | \$1,724.34  | 3810412600        | \$921.62                 | 3810412700 | \$3,508.14  |
| 3810412800    | \$6,183.84  | 3810412900        | \$1,783.80               | 3810413000 | \$1,902.72  |
| 3810413100    | \$2,556.78  | 3810413200        | \$5,321.66               | 3810413300 | \$4,221.66  |
| 3810413400    | \$743.24    | 3810413500        | \$1,843.26               | 3810413600 | \$2,051.36  |
| 3810413700    | \$4,102.74  | 3810413800        | \$1,278.38               | 3810413900 | \$3,686.52  |
| <b>Totals</b> |             | <b>Parcels 30</b> | <b>Levy \$141,816.82</b> |            |             |



# Assessment Roll

60-9115 - TCLMD - Zone B

Fiscal Year 2023-24



| APN           | Levy    | APN               | Levy    | APN                    | Levy    |
|---------------|---------|-------------------|---------|------------------------|---------|
| 3810321301    | \$84.48 | 3810321302        | \$84.48 | 3810321303             | \$84.48 |
| 3810321304    | \$84.48 | 3810321305        | \$84.48 | 3810321306             | \$84.48 |
| 3810321307    | \$84.48 | 3810321308        | \$84.48 | 3810321309             | \$84.48 |
| 3810321310    | \$84.48 | 3810321311        | \$84.48 | 3810321312             | \$84.48 |
| 3810321313    | \$84.48 | 3810321314        | \$84.48 | 3810321315             | \$84.48 |
| 3810321316    | \$84.48 | 3810321317        | \$84.48 | 3810321318             | \$84.48 |
| 3810321319    | \$84.48 | 3810321320        | \$84.48 | 3810321321             | \$84.48 |
| 3810321322    | \$84.48 | 3810321323        | \$84.48 | 3810321324             | \$84.48 |
| 3810321325    | \$84.48 | 3810321326        | \$84.48 | 3810321327             | \$84.48 |
| 3810321328    | \$84.48 | 3810321329        | \$84.48 | 3810321330             | \$84.48 |
| 3810321331    | \$84.48 | 3810321332        | \$84.48 | 3810321333             | \$84.48 |
| 3810321334    | \$84.48 | 3810321335        | \$84.48 | 3810321336             | \$84.48 |
| 3810321337    | \$84.48 | 3810321338        | \$84.48 | 3810321339             | \$84.48 |
| 3810321340    | \$84.48 | 3810321341        | \$84.48 | 3810321342             | \$84.48 |
| 3810321343    | \$84.48 | 3810321344        | \$84.48 | 3810321345             | \$84.48 |
| 3810321346    | \$84.48 | 3810321347        | \$84.48 | 3810321348             | \$84.48 |
| 3810321349    | \$84.48 | 3810321350        | \$84.48 | 3810321351             | \$84.48 |
| 3810321352    | \$84.48 | 3810321353        | \$84.48 | 3810321354             | \$84.48 |
| 3810321355    | \$84.48 | 3810321356        | \$84.48 | 3810321357             | \$84.48 |
| 3810321358    | \$84.48 | 3810321359        | \$84.48 | 3810321360             | \$84.48 |
| 3810321361    | \$84.48 | 3810321362        | \$84.48 | 3810321363             | \$84.48 |
| 3810321364    | \$84.48 | 3810321365        | \$84.48 | 3810321366             | \$84.48 |
| 3810321367    | \$84.48 | 3810321368        | \$84.48 | 3810321369             | \$84.48 |
| 3810321370    | \$84.48 | 3810321371        | \$84.48 | 3810321372             | \$84.48 |
| 3810321373    | \$84.48 | 3810321374        | \$84.48 | 3810321375             | \$84.48 |
| 3810321376    | \$84.48 | 3810321377        | \$84.48 | 3810321378             | \$84.48 |
| 3810321379    | \$84.48 | 3810321380        | \$84.48 | 3810321381             | \$84.48 |
| 3810321382    | \$84.48 | 3810321383        | \$84.48 | 3810321384             | \$84.48 |
| 3810321385    | \$84.48 | 3810321386        | \$84.48 | 3810321387             | \$84.48 |
| 3810321388    | \$84.48 | 3810321389        | \$84.48 |                        |         |
| <b>Totals</b> |         | <b>Parcels 89</b> |         | <b>Levy \$7,518.72</b> |         |

# Assessment Roll

60-9122 - TCLMD - Zone C

Fiscal Year 2023-24



| APN           | Levy     | APN               | Levy                   | APN        | Levy     |
|---------------|----------|-------------------|------------------------|------------|----------|
| 3813110400    | \$218.22 | 3813110600        | \$218.22               | 3813110800 | \$218.22 |
| 3813110900    | \$218.22 | 3813111000        | \$218.22               | 3813111100 | \$218.22 |
| 3813111200    | \$218.22 | 3813111300        | \$218.22               | 3813111400 | \$218.22 |
| 3813111500    | \$218.22 | 3813111600        | \$218.22               | 3813111700 | \$218.22 |
| 3813111800    | \$218.22 | 3813111900        | \$218.22               | 3813112000 | \$218.22 |
| 3813112100    | \$218.22 | 3813112200        | \$218.22               | 3813112300 | \$218.22 |
| 3813112400    | \$218.22 | 3813112500        | \$218.22               | 3813112600 | \$218.22 |
| 3813112700    | \$218.22 | 3813112800        | \$218.22               | 3813112900 | \$218.22 |
| 3813113000    | \$218.22 | 3813113100        | \$218.22               | 3813113200 | \$218.22 |
| 3813113300    | \$218.22 | 3813113400        | \$218.22               | 3813113500 | \$218.22 |
| 3813113600    | \$218.22 | 3813113800        | \$218.22               | 3813114000 | \$218.22 |
| 3813114200    | \$218.22 | 3813114400        | \$218.22               | 3813114600 | \$218.22 |
| <b>Totals</b> |          | <b>Parcels 36</b> | <b>Levy \$7,855.92</b> |            |          |

# Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2023-24



| APN        | Levy     | APN        | Levy     | APN        | Levy     |
|------------|----------|------------|----------|------------|----------|
| 3816811301 | \$286.00 | 3816811302 | \$286.00 | 3816811303 | \$286.00 |
| 3816811304 | \$286.00 | 3816811305 | \$286.00 | 3816811306 | \$286.00 |
| 3816811307 | \$286.00 | 3816811308 | \$286.00 | 3816811309 | \$286.00 |
| 3816811310 | \$286.00 | 3816811311 | \$286.00 | 3816811312 | \$286.00 |
| 3816811313 | \$286.00 | 3816811314 | \$286.00 | 3816811315 | \$286.00 |
| 3816811316 | \$286.00 | 3816811317 | \$286.00 | 3816811318 | \$286.00 |
| 3816811319 | \$286.00 | 3816811320 | \$286.00 | 3816811321 | \$286.00 |
| 3816811322 | \$286.00 | 3816811323 | \$286.00 | 3816811324 | \$286.00 |
| 3816811325 | \$286.00 | 3816811326 | \$286.00 | 3816811327 | \$286.00 |
| 3816811328 | \$286.00 | 3816811329 | \$286.00 | 3816811330 | \$286.00 |
| 3816811331 | \$286.00 | 3816811332 | \$286.00 | 3816811333 | \$286.00 |
| 3816811334 | \$286.00 | 3816811335 | \$286.00 | 3816811336 | \$286.00 |
| 3816811337 | \$286.00 | 3816811338 | \$286.00 | 3816811339 | \$286.00 |
| 3816811340 | \$286.00 | 3816811341 | \$286.00 | 3816811342 | \$286.00 |
| 3816811343 | \$286.00 | 3816811344 | \$286.00 | 3816811345 | \$286.00 |
| 3816811346 | \$286.00 | 3816811347 | \$286.00 | 3816811348 | \$286.00 |
| 3816811349 | \$286.00 | 3816811350 | \$286.00 | 3816811351 | \$286.00 |
| 3816811352 | \$286.00 | 3816811353 | \$286.00 | 3816811354 | \$286.00 |
| 3816811355 | \$286.00 | 3816811356 | \$286.00 | 3816811357 | \$286.00 |
| 3816811358 | \$286.00 | 3816811359 | \$286.00 | 3816811360 | \$286.00 |
| 3816811361 | \$286.00 | 3816811362 | \$286.00 | 3816811363 | \$286.00 |
| 3816811364 | \$286.00 | 3816811365 | \$286.00 | 3816811366 | \$286.00 |
| 3816811367 | \$286.00 | 3816811368 | \$286.00 | 3816811369 | \$286.00 |
| 3816811370 | \$286.00 | 3816811371 | \$286.00 | 3816811372 | \$286.00 |
| 3816811373 | \$286.00 | 3816811374 | \$286.00 | 3816811375 | \$286.00 |
| 3816811376 | \$286.00 | 3816811377 | \$286.00 | 3816811378 | \$286.00 |
| 3816811379 | \$286.00 | 3816811380 | \$286.00 | 3816811381 | \$286.00 |
| 3816811382 | \$286.00 | 3816811383 | \$286.00 | 3816811384 | \$286.00 |
| 3816811385 | \$286.00 | 3816811386 | \$286.00 | 3816811387 | \$286.00 |
| 3816811388 | \$286.00 | 3816811389 | \$286.00 | 3816811390 | \$286.00 |
| 3816811701 | \$286.00 | 3816811702 | \$286.00 | 3816811703 | \$286.00 |
| 3816811704 | \$286.00 | 3816811705 | \$286.00 | 3816811706 | \$286.00 |
| 3816811707 | \$286.00 | 3816811708 | \$286.00 | 3816811709 | \$286.00 |
| 3816811710 | \$286.00 | 3816811711 | \$286.00 | 3816811712 | \$286.00 |
| 3816811713 | \$286.00 | 3816811714 | \$286.00 | 3816811715 | \$286.00 |
| 3816811716 | \$286.00 | 3816811717 | \$286.00 | 3816811718 | \$286.00 |
| 3816811719 | \$286.00 | 3816811720 | \$286.00 | 3816811721 | \$286.00 |
| 3816811722 | \$286.00 | 3816811723 | \$286.00 | 3816811724 | \$286.00 |
| 3816811725 | \$286.00 | 3816811726 | \$286.00 | 3816811727 | \$286.00 |
| 3816811728 | \$286.00 | 3816811729 | \$286.00 | 3816811730 | \$286.00 |
| 3816811731 | \$286.00 | 3816811732 | \$286.00 | 3816811733 | \$286.00 |
| 3816811734 | \$286.00 | 3816811735 | \$286.00 | 3816811736 | \$286.00 |
| 3816811737 | \$286.00 | 3816811738 | \$286.00 | 3816811739 | \$286.00 |
| 3816811740 | \$286.00 | 3816811741 | \$286.00 | 3816811742 | \$286.00 |
| 3816811743 | \$286.00 | 3816811744 | \$286.00 | 3816811745 | \$286.00 |
| 3816811746 | \$286.00 | 3816811747 | \$286.00 | 3816811748 | \$286.00 |
| 3816811749 | \$286.00 | 3816811750 | \$286.00 | 3816811751 | \$286.00 |
| 3816811752 | \$286.00 | 3816811753 | \$286.00 | 3816811754 | \$286.00 |

# Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2023-24



| APN        | Levy        | APN        | Levy       | APN        | Levy     |
|------------|-------------|------------|------------|------------|----------|
| 3816811755 | \$286.00    | 3816811901 | \$286.00   | 3816811902 | \$286.00 |
| 3816811903 | \$286.00    | 3816811904 | \$286.00   | 3816811905 | \$286.00 |
| 3816811906 | \$286.00    | 3816811907 | \$286.00   | 3816811908 | \$286.00 |
| 3816811909 | \$286.00    | 3816811910 | \$286.00   | 3816811911 | \$286.00 |
| 3816811912 | \$286.00    | 3816811913 | \$286.00   | 3816811914 | \$286.00 |
| 3816811915 | \$286.00    | 3816811916 | \$286.00   | 3816811917 | \$286.00 |
| 3816811918 | \$286.00    | 3816811919 | \$286.00   | 3816811920 | \$286.00 |
| 3816811921 | \$286.00    | 3816811922 | \$286.00   | 3816811923 | \$286.00 |
| 3816811924 | \$286.00    | 3816811925 | \$286.00   | 3816811926 | \$286.00 |
| 3816811927 | \$286.00    | 3816811928 | \$286.00   | 3816811929 | \$286.00 |
| 3816811930 | \$286.00    | 3816811931 | \$286.00   | 3816811932 | \$286.00 |
| 3816811933 | \$286.00    | 3816811934 | \$286.00   | 3816811935 | \$286.00 |
| 3816811936 | \$286.00    | 3816811937 | \$286.00   | 3816811938 | \$286.00 |
| 3816811939 | \$286.00    | 3816811940 | \$286.00   | 3816811941 | \$286.00 |
| 3816811942 | \$286.00    | 3816811943 | \$286.00   | 3816811944 | \$286.00 |
| 3816811945 | \$286.00    | 3816811946 | \$286.00   | 3816811947 | \$286.00 |
| 3816811948 | \$286.00    | 3816811949 | \$286.00   | 3816811950 | \$286.00 |
| 3816811951 | \$286.00    | 3816811952 | \$286.00   | 3816811953 | \$286.00 |
| 3816812001 | \$286.00    | 3816812002 | \$286.00   | 3816812003 | \$286.00 |
| 3816812004 | \$286.00    | 3816812005 | \$286.00   | 3816812006 | \$286.00 |
| 3816812007 | \$286.00    | 3816812008 | \$286.00   | 3816812009 | \$286.00 |
| 3816812010 | \$286.00    | 3816812011 | \$286.00   | 3816812012 | \$286.00 |
| 3816812013 | \$286.00    | 3816812014 | \$286.00   | 3816812015 | \$286.00 |
| 3816812016 | \$286.00    | 3816812017 | \$286.00   | 3816812018 | \$286.00 |
| 3816812019 | \$286.00    | 3816812020 | \$286.00   | 3816812021 | \$286.00 |
| 3816812022 | \$286.00    | 3816812023 | \$286.00   | 3816812024 | \$286.00 |
| 3816812025 | \$286.00    | 3816812026 | \$286.00   | 3816812027 | \$286.00 |
| 3816812028 | \$286.00    | 3816812029 | \$286.00   | 3816812030 | \$286.00 |
| 3816812031 | \$286.00    | 3816812032 | \$286.00   | 3816812033 | \$286.00 |
| 3816822100 | \$30,688.00 | 3816822201 | \$573.16   | 3816822202 | \$573.16 |
| 3816822203 | \$573.16    | 3816822204 | \$573.16   | 3816822205 | \$573.16 |
| 3816822206 | \$573.16    | 3816822207 | \$573.16   | 3816822208 | \$573.16 |
| 3816822209 | \$573.16    | 3816822210 | \$573.16   | 3816822211 | \$573.16 |
| 3816822212 | \$573.16    | 3816822213 | \$573.16   | 3816822214 | \$573.16 |
| 3816822215 | \$573.16    | 3816822300 | \$4,383.98 | 3816822400 | \$394.52 |
| 3816822500 | \$2,685.18  | 3817000100 | \$286.00   | 3817000200 | \$286.00 |
| 3817000300 | \$286.00    | 3817000400 | \$286.00   | 3817000500 | \$286.00 |
| 3817000600 | \$286.00    | 3817000700 | \$286.00   | 3817000800 | \$286.00 |
| 3817000900 | \$286.00    | 3817001000 | \$286.00   | 3817001100 | \$286.00 |
| 3817001200 | \$286.00    | 3817001300 | \$286.00   | 3817001400 | \$286.00 |
| 3817001500 | \$286.00    | 3817001600 | \$286.00   | 3817001700 | \$286.00 |
| 3817001800 | \$286.00    | 3817001900 | \$286.00   | 3817002000 | \$286.00 |
| 3817002100 | \$286.00    | 3817002200 | \$286.00   | 3817002300 | \$286.00 |
| 3817002400 | \$286.00    | 3817002500 | \$286.00   | 3817002600 | \$286.00 |
| 3817002700 | \$286.00    | 3817002800 | \$286.00   | 3817002900 | \$286.00 |
| 3817003000 | \$286.00    | 3817003100 | \$286.00   | 3817003200 | \$286.00 |

# Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2023-24



| APN        | Levy     | APN        | Levy     | APN        | Levy     |
|------------|----------|------------|----------|------------|----------|
| 3817003300 | \$286.00 | 3817003400 | \$286.00 | 3817003500 | \$286.00 |
| 3817003600 | \$286.00 | 3817003700 | \$286.00 | 3817003800 | \$286.00 |
| 3817003900 | \$286.00 | 3817004000 | \$286.00 | 3817004100 | \$286.00 |
| 3817004200 | \$286.00 | 3817004300 | \$286.00 | 3817004400 | \$286.00 |
| 3817004500 | \$286.00 | 3817004600 | \$286.00 | 3817004700 | \$286.00 |
| 3817010100 | \$286.00 | 3817010200 | \$286.00 | 3817010300 | \$286.00 |
| 3817010400 | \$286.00 | 3817010500 | \$286.00 | 3817010600 | \$286.00 |
| 3817010700 | \$286.00 | 3817010800 | \$286.00 | 3817010900 | \$286.00 |
| 3817011000 | \$286.00 | 3817011100 | \$286.00 | 3817011200 | \$286.00 |
| 3817011300 | \$286.00 | 3817011400 | \$286.00 | 3817011500 | \$286.00 |
| 3817011600 | \$286.00 | 3817011700 | \$286.00 | 3817011800 | \$286.00 |
| 3817011900 | \$286.00 | 3817012000 | \$286.00 | 3817012100 | \$286.00 |
| 3817012200 | \$286.00 | 3817012300 | \$286.00 | 3817012400 | \$286.00 |
| 3817012500 | \$286.00 | 3817012600 | \$286.00 | 3817012700 | \$286.00 |
| 3817012800 | \$286.00 | 3817012900 | \$286.00 | 3817013000 | \$286.00 |
| 3817013100 | \$286.00 | 3817013200 | \$286.00 | 3817013300 | \$286.00 |
| 3817013400 | \$286.00 | 3817013500 | \$286.00 | 3817013600 | \$286.00 |
| 3817013700 | \$286.00 | 3817013800 | \$286.00 | 3817013900 | \$286.00 |
| 3817014000 | \$286.00 | 3817014100 | \$286.00 | 3817014200 | \$286.00 |
| 3817014300 | \$286.00 | 3817014400 | \$286.00 | 3817014500 | \$286.00 |
| 3817014600 | \$286.00 | 3817014700 | \$286.00 | 3817014800 | \$286.00 |
| 3817014900 | \$286.00 | 3817015000 | \$286.00 | 3817015100 | \$286.00 |
| 3817015200 | \$286.00 | 3817015300 | \$286.00 | 3817015400 | \$286.00 |
| 3817015500 | \$286.00 | 3817015600 | \$286.00 | 3817015700 | \$286.00 |
| 3817015800 | \$286.00 | 3817015900 | \$286.00 | 3817020100 | \$286.00 |
| 3817020200 | \$286.00 | 3817020300 | \$286.00 | 3817020400 | \$286.00 |
| 3817020500 | \$286.00 | 3817020600 | \$286.00 | 3817020700 | \$286.00 |
| 3817020800 | \$286.00 | 3817020900 | \$286.00 | 3817021000 | \$286.00 |
| 3817021100 | \$286.00 | 3817021200 | \$286.00 | 3817021300 | \$286.00 |
| 3817021400 | \$286.00 | 3817021500 | \$286.00 | 3817021600 | \$286.00 |
| 3817021700 | \$286.00 | 3817021800 | \$286.00 | 3817021900 | \$286.00 |
| 3817022000 | \$286.00 | 3817022100 | \$286.00 | 3817022200 | \$286.00 |
| 3817022300 | \$286.00 | 3817022400 | \$286.00 | 3817022500 | \$286.00 |
| 3817022600 | \$286.00 | 3817022700 | \$286.00 | 3817022800 | \$286.00 |
| 3817022900 | \$286.00 | 3817023000 | \$286.00 | 3817023100 | \$286.00 |
| 3817023200 | \$286.00 | 3817023300 | \$286.00 | 3817023400 | \$286.00 |
| 3817023500 | \$286.00 | 3817023600 | \$286.00 | 3817023700 | \$286.00 |
| 3817023800 | \$286.00 | 3817023900 | \$286.00 | 3817024000 | \$286.00 |
| 3817024100 | \$286.00 | 3817024200 | \$286.00 | 3817024300 | \$286.00 |
| 3817024400 | \$286.00 | 3817024500 | \$286.00 | 3817024600 | \$286.00 |
| 3817024700 | \$286.00 | 3817024800 | \$286.00 | 3817024900 | \$286.00 |
| 3817025000 | \$286.00 | 3817025100 | \$286.00 | 3817025200 | \$286.00 |
| 3817025300 | \$286.00 | 3817025400 | \$286.00 | 3817025500 | \$286.00 |
| 3817025600 | \$286.00 | 3817025700 | \$286.00 | 3817025800 | \$286.00 |
| 3817025900 | \$286.00 | 3817026000 | \$286.00 | 3817026100 | \$286.00 |
| 3817026200 | \$286.00 | 3817026300 | \$286.00 | 3817026400 | \$286.00 |

# Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2023-24



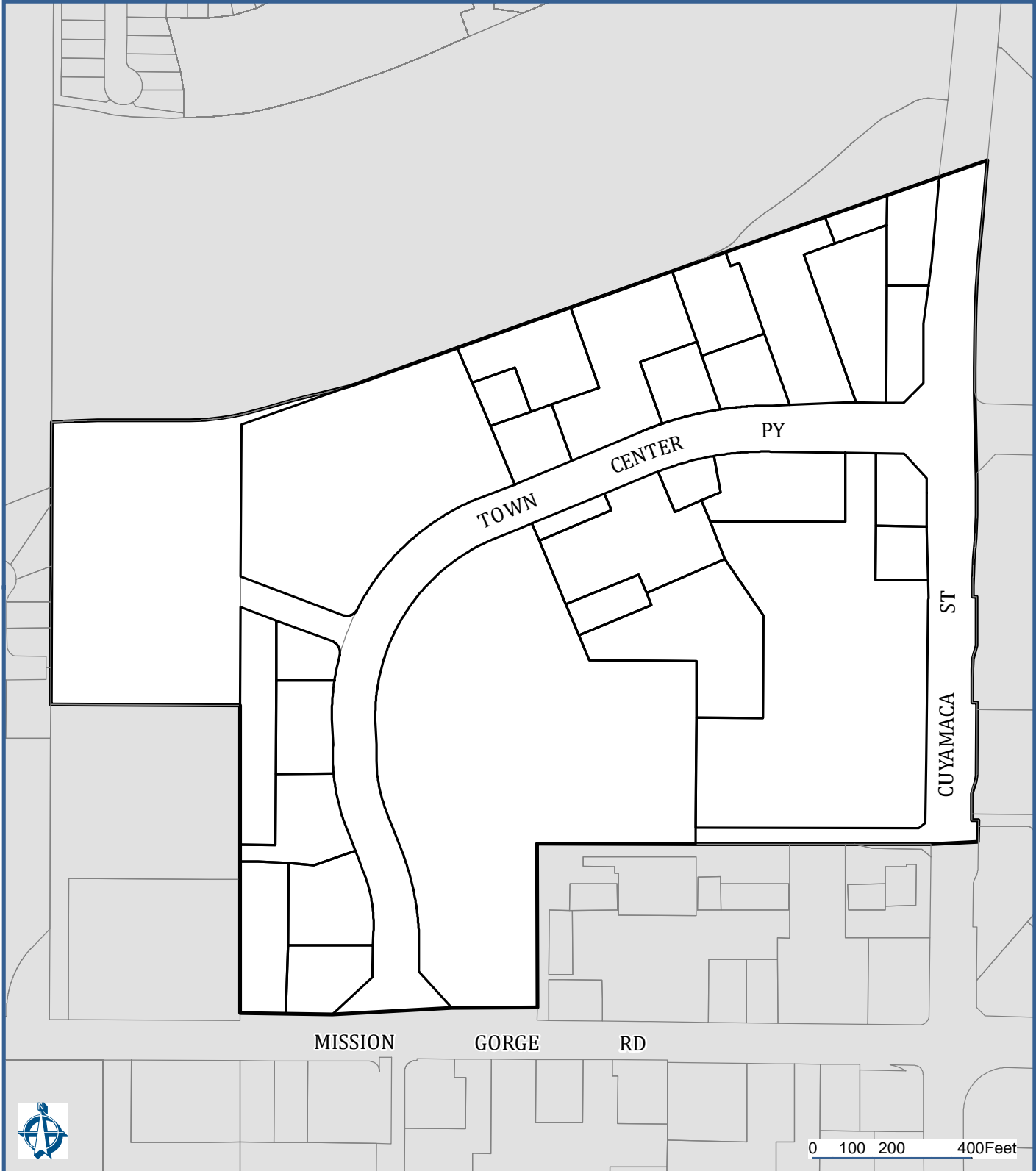
| APN           | Levy     | APN                | Levy                     | APN        | Levy     |
|---------------|----------|--------------------|--------------------------|------------|----------|
| 3817026500    | \$286.00 | 3817026600         | \$286.00                 | 3817026700 | \$286.00 |
| 3817027300    | \$286.00 | 3817027400         | \$286.00                 | 3817027500 | \$286.00 |
| 3817027600    | \$286.00 | 3817027700         | \$286.00                 | 3817027800 | \$286.00 |
| 3817027900    | \$286.00 | 3817028000         | \$286.00                 |            |          |
| <b>Totals</b> |          | <b>Parcels 431</b> | <b>Levy \$164,581.08</b> |            |          |

# APPENDIX B

## Assessment Diagrams



SPIKER CONSULTING  
G R O U P

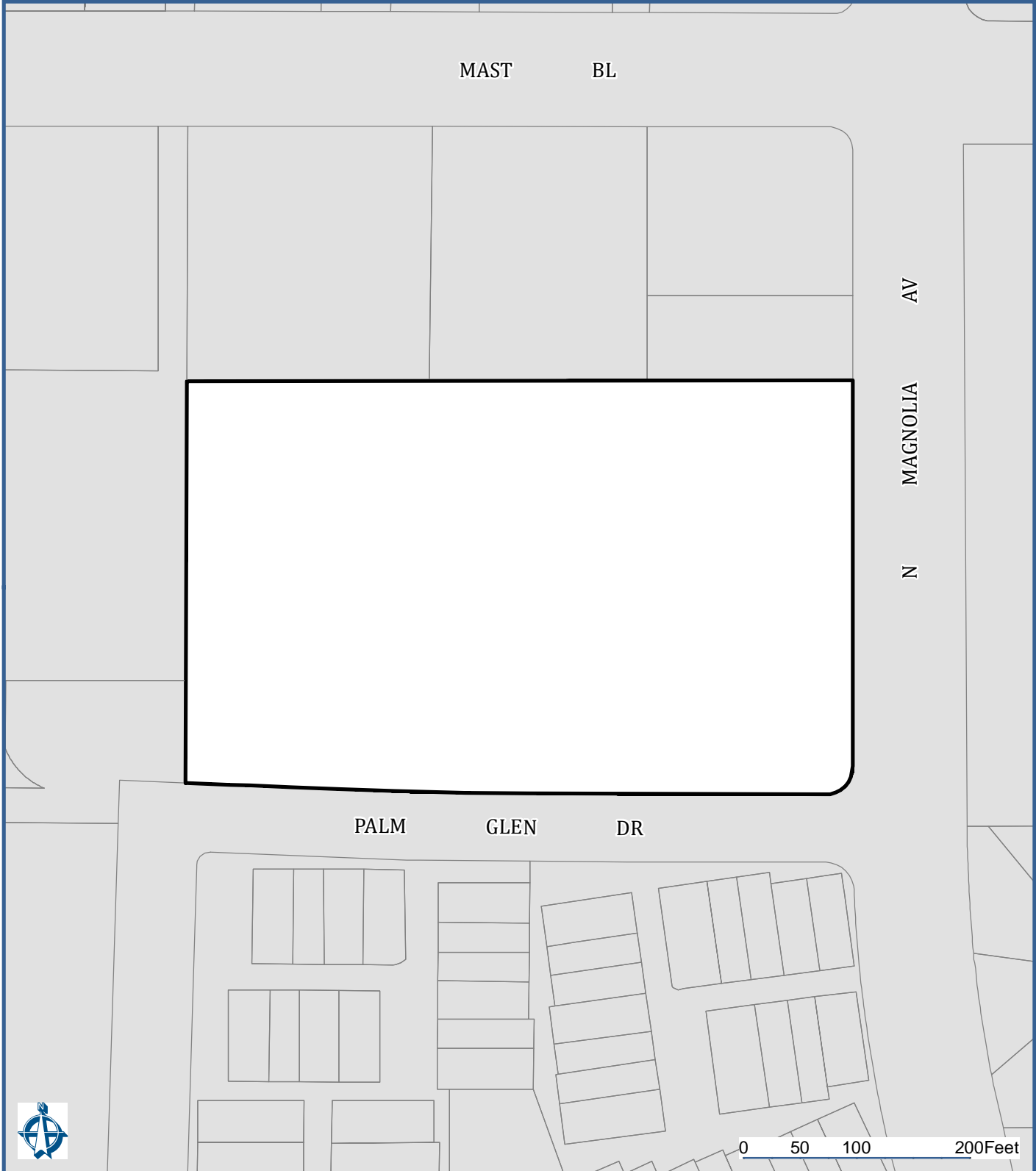


# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE A  
(TOWN CENTER)



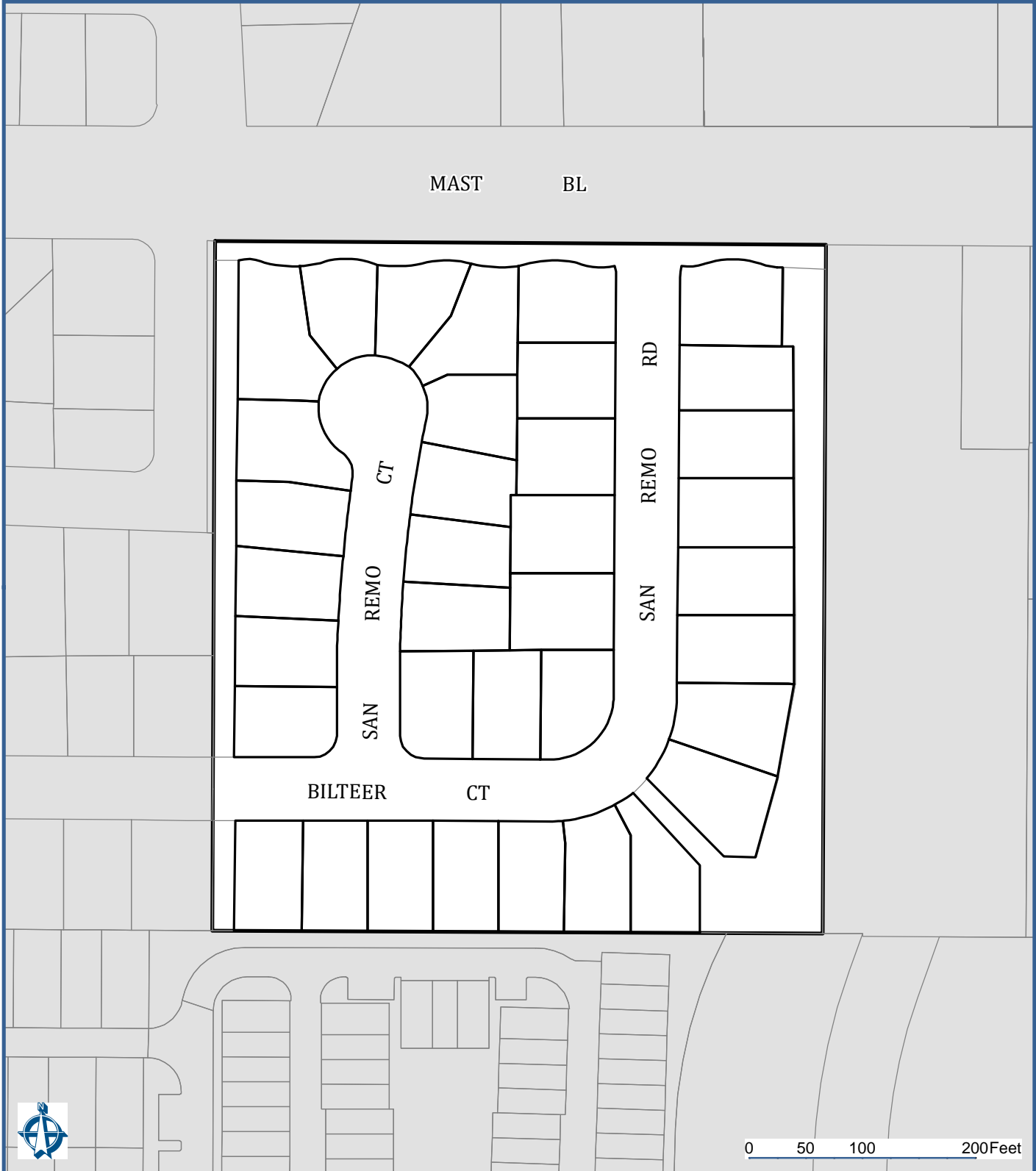




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE B  
(THE LAKES)

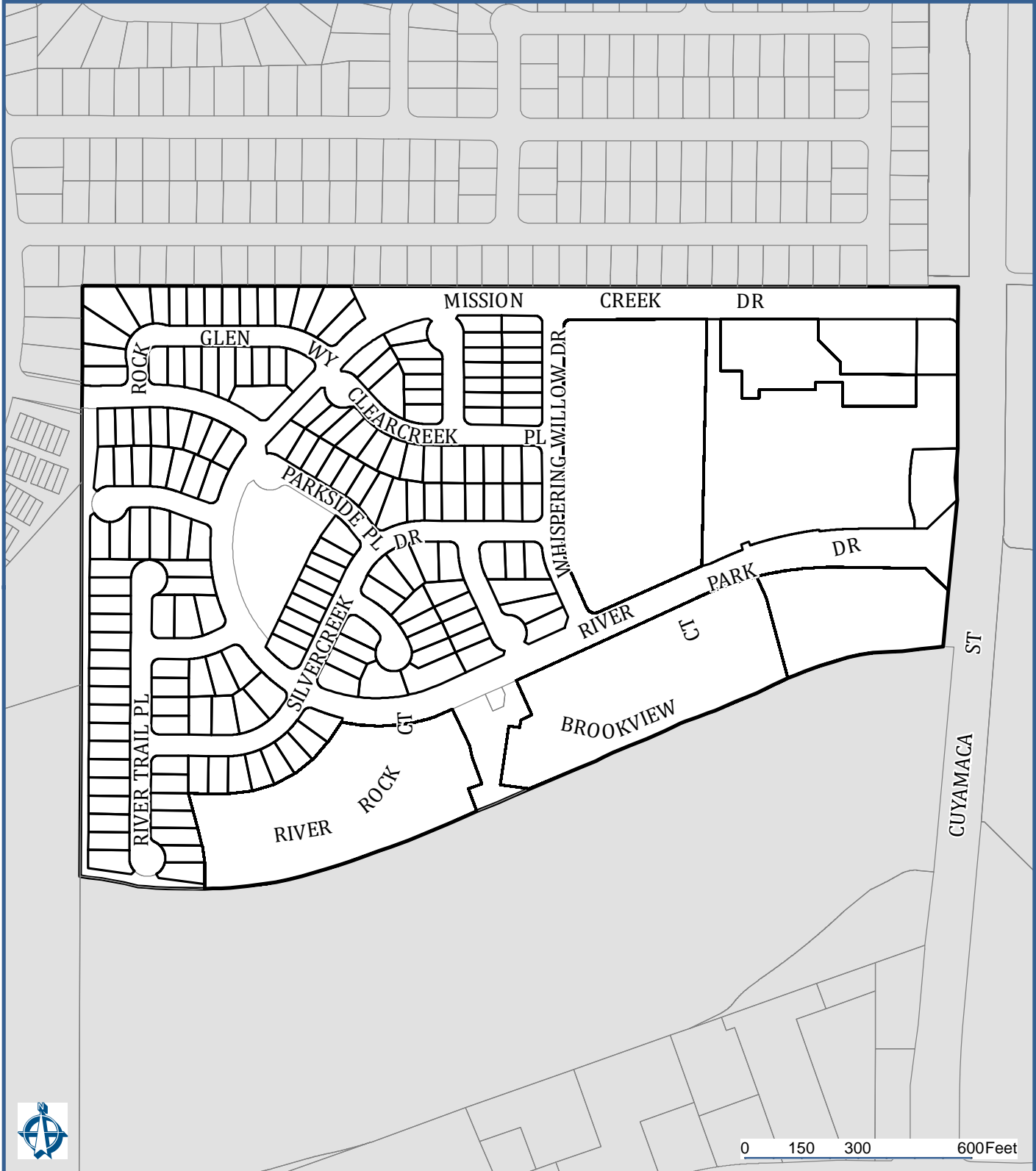




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE C  
(SAN REMO)

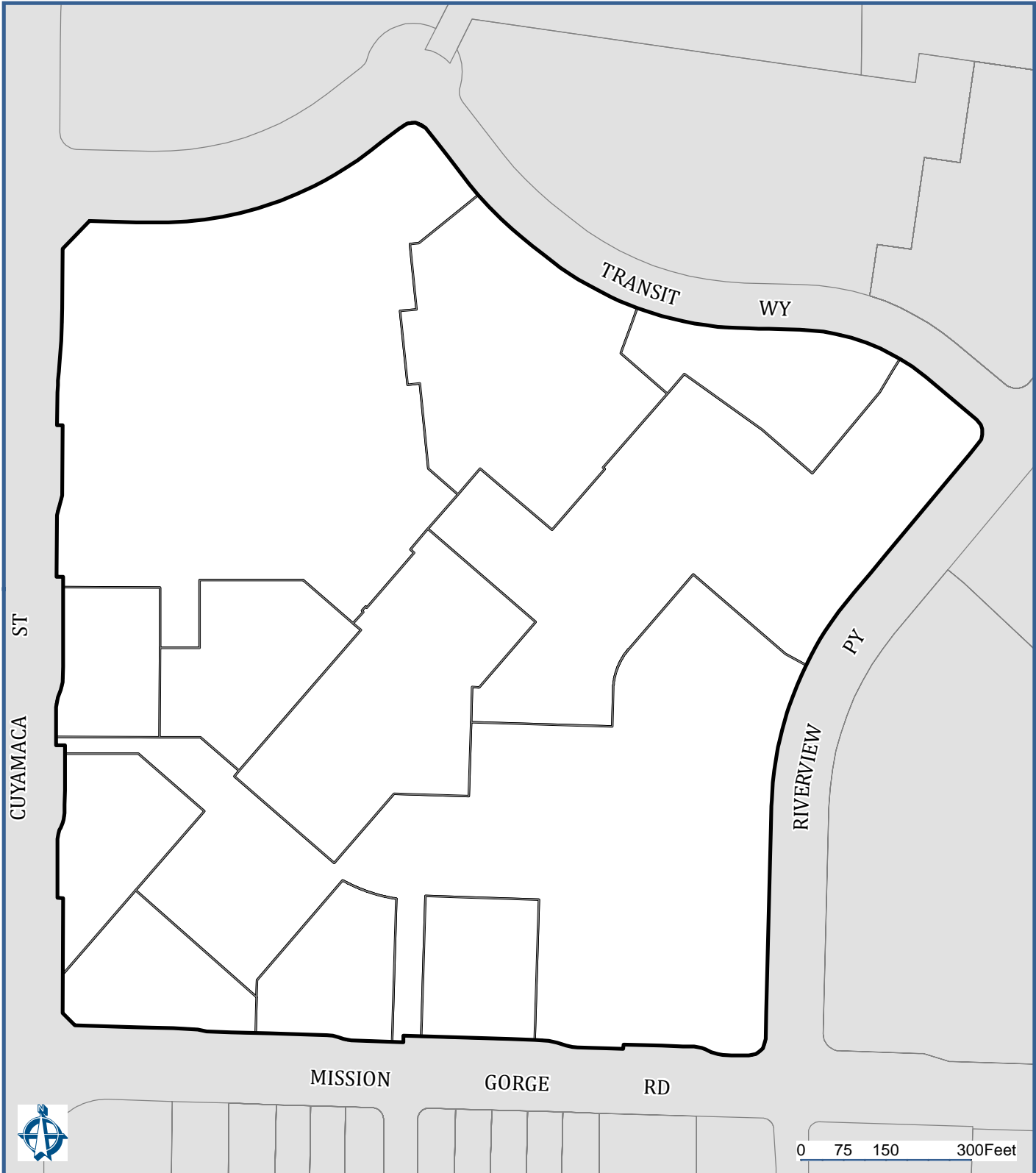




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE D  
(MISSION CREEK)

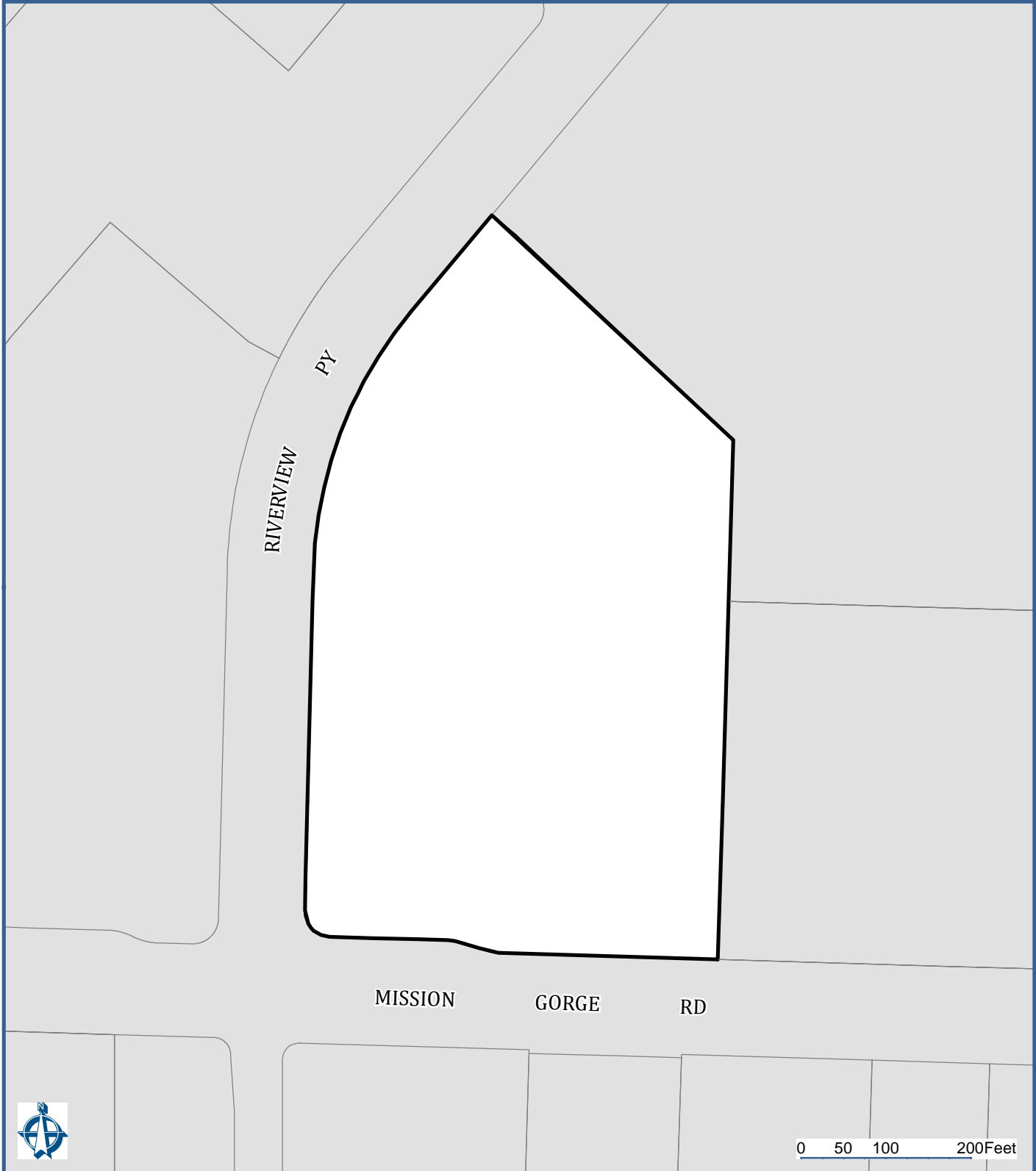




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE E  
(TROLLEY SQUARE)

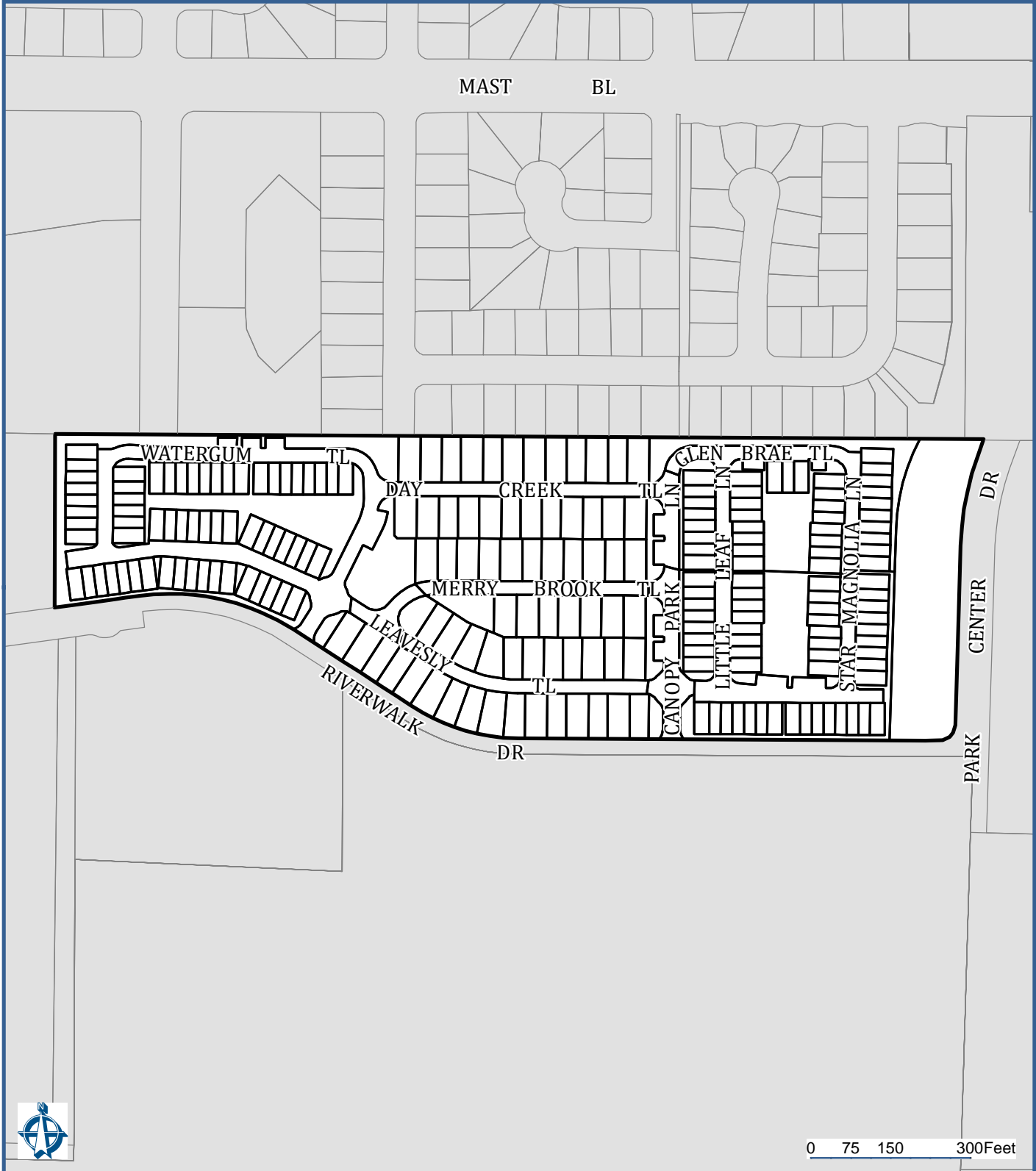




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE F  
(HARTFORD PROPERTY)

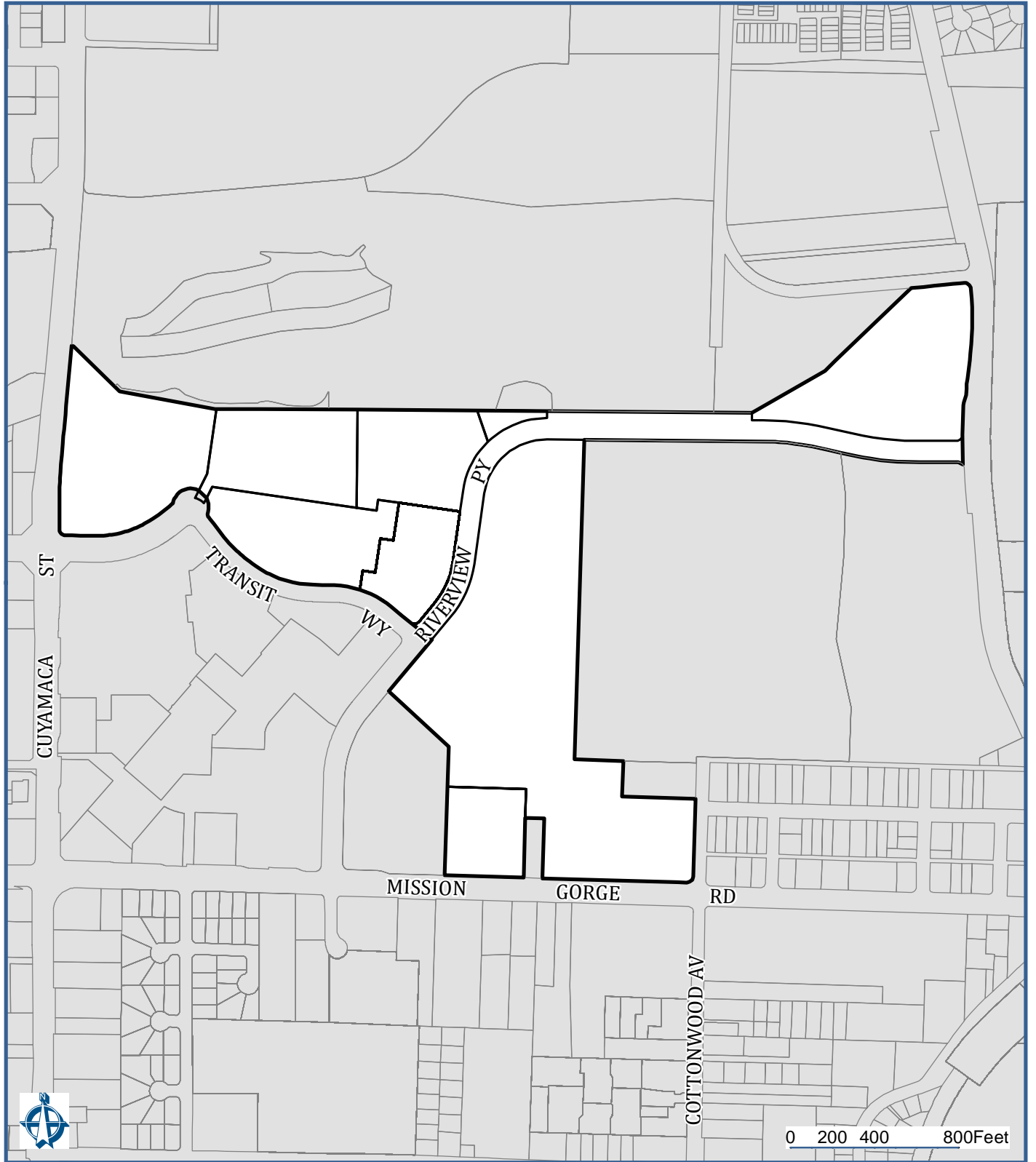




# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE G  
(RIVERWALK)





# CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ZONE H  
(RIVERVIEW)



# APPENDIX C

## Capital Improvement Projects



SPICER CONSULTING  
G R O U P



## Appendix C Capital Improvement Projects

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The Community Services Department is developing a comprehensive plan for each zone that would include capital projects, operational activities, and revenue requirements to meet the objectives and service levels desired. Revenue requirements are set to cover annual operating costs and build reserves over time to perform focused capital replacements year over year, or large capital replacements in one anticipated year. Projects will be brought before City Council for approval as they are developed through the master plan. Zone specific projects are listed below:

### *Zone A Capital Project*

For Fiscal Year 2023-24, the City budgeted \$6,880 for the installation of decomposed granite around the fountain in Town Center.

### *Zone C Capital Project*

For Fiscal Year 2023-24, the City budgeted \$5,000 for brush abatement in San Remo.



SPICER CONSULTING  
GROUP

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE  
DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND  
COLLECTION OF ASSESSMENTS, AND SETTING A TIME AND PLACE FOR A  
PUBLIC HEARING THEREON FOR THE FY 2023-24  
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

**WHEREAS**, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

**WHEREAS**, at this time, landscaping facilities or improvements, as set forth in the Engineer's Report ("Report"), include landscaping within public streets and public rights-of-ways and easements including medians and right-of-way landscaping within the Town Center area of the City; and

**WHEREAS**, at this time, this City Council desires to take proceedings to provide for the annual levy of assessments for Fiscal Year 2023-24 to provide for the costs and expenses necessary for the continued maintenance of improvements within said District; and

**WHEREAS**, at this time there has been presented and approved by this City Council, a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1.** The above recitals are all true and correct.

**SECTION 2.** The Report regarding the annual levy for said District, which Report is for maintenance for Fiscal Year 2023-24 that has been previously approved is directed to be filed in the Office of the City Clerk. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

**SECTION 3.** The public interest and convenience requires, and it is the intention of this City Council to order, the Fiscal Year 2023-24 annual assessment levy for the District as set forth and described in the Report, and it is further determined to be in the best public interest and convenience to levy and collect Fiscal Year 2023-24 annual assessments to pay the costs and expenses of the maintenance of the improvements as estimated in said Report.

**RESOLUTION NO.**

**SECTION 4.** The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

**SECTION 5.** There will be no change in the assessment amounts for Zones A, C and D, as they are at the maximum assessment. Although there was an assessment and an expenditure budget reflected in the fiscal year 22-23 Engineer's Report for Zone B, the City did not levy the assessment in anticipation of entering into a Public Improvement Maintenance Agreement with the Magnolia Lakes Homeowners Association ("HOA"). The HOA Board has since voted to decline the City's agreement offer and as such, the assessment for Zone B is included in the Fiscal Year 2023-24 Engineer's Report and the assessment for Zone B will be levied on the Fiscal Year 2023-24 tax rolls. Zone B is also at the maximum assessment amount.

**SECTION 6.** Fiscal Year 2023-24 improvements include the installation of decomposed granite surrounding the fountain in Zone A and brush abatement in Zone C.

**SECTION 7.** The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

**SECTION 8.** All monies collected shall be deposited in a special fund known as: "**SPECIAL FUND – TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT.**" Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the execution of the maintenance, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

**SECTION 9.** Said maintenance work is, in the opinion of this City Council, of direct special benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District specially benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

**SECTION 10.** Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

**RESOLUTION NO.**

**SECTION 11.** Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., Wednesday on July 12, 2023, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained within this resolution. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a written protest with the City Clerk prior to the time set and scheduled for said public hearing.

**SECTION 12.** The Finance Department is hereby authorized and directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication and be not less than ten (10) days before the date set for said Public Hearing.

**SECTION 13.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24<sup>th</sup> day of May, 2023 by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JOHN W. MINTO, MAYOR**

**ATTEST:**

---

**ANNETTE ORTIZ, CMC, CITY CLERK**

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AWARDING A PROFESSIONAL SERVICES AGREEMENT TO HARRIS & ASSOCIATES, INC. FOR THE PREPARATION OF A COMPREHENSIVE DEVELOPMENT IMPACT FEE STUDY PER RFP #22/23-40029 AND FINDING THE AGREEMENT EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15262 AND 15306

**DIRECTOR/DEPARTMENT** Heather Jennings, Finance *HJ*

**SUMMARY**

On February 27, 2023 the Finance Department issued a request for proposals (RFP 22/23-40029) for qualified firms for the preparation of a Comprehensive Development Impact Fee Study and recommended Development Impact Fee Schedule in accordance with the Mitigation Fee Act (California Government Code Section 66000 et seq.), as amended by Assembly Bill 602.

Three (3) proposals were received and evaluated by City staff based upon criteria such as professional qualifications of the firm and key staff, capability of handling all aspects of the engagement, thoroughness of the proposed work plan in conducting a comprehensive development impact fee study, and reasonableness of the proposed fees. The highest ranked firm was Harris & Associates, Inc. for an all-inclusive plan amount of \$57,410, and with the option to include services related to one (1) meeting with the Building Industry Association and development community that would occur prior to the presentation of the Study to Council. This optional meeting would incur an additional cost of \$3,580, for a total proposed cost of \$60,990.

Based on the proposal submitted by Harris & Associates, Inc., staff recommends that the City Council award the Agreement to prepare the Comprehensive Development Impact Fee Study to Harris & Associates, Inc., and authorize the City Manager to execute the Agreement. Staff also requests authorization for the City Manager to approve amendments in a total amount not to exceed \$6,099 for additional consultant services if necessary to complete the Study.

**ENVIRONMENTAL REVIEW**

This is statutorily and categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15262 (feasibility and planning studies) and 15306 (information collection).

**FINANCIAL STATEMENT** *HJ*

Funding in the amount of \$40,000 for the proposed agreement is included in the Amended FY 2022-23 Finance Department Budget. Staff is requesting approval of a one-time appropriation from General Fund Reserves in the amount of \$27,090 to cover the remainder of the project cost, including amendments.

**CITY ATTORNEY REVIEW**  N/A •  Completed



**RECOMMENDATION** *MSB*

Adopt the Resolution:

1. Awarding the Professional Services Agreement for a Comprehensive Development Impact Fee Study ("Agreement") to Harris & Associates, Inc. for an amount not to exceed \$60,990; and
2. Authorizing the City Manager to execute the Agreement on behalf of the City; and
3. Authorizing the City Manager to approve amendments in a total amount not to exceed \$6,099; and
4. Approving a one-time appropriation from General Fund Reserves in the amount of \$27,090.

**ATTACHMENT**

Proposals Received  
Resolution

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

May 15, 2023  
RFP #22/23-40029

PROPOSALS Received  
for  
**COMPREHENSIVE DEVELOPMENT IMPACT FEE STUDY**

Proposals received, verified:

- |    |                            |                            |
|----|----------------------------|----------------------------|
| 1. | Harris & Associates, Inc.  | Total: \$ <u>60,990.00</u> |
| 2. | WILLDAM Financial Services | Total: \$ <u>63,840.00</u> |
| 3. | DTA                        | Total: \$ <u>69,470.00</u> |



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES, INC. FOR THE PREPARATION OF A COMPREHENSIVE DEVELOPMENT IMPACT FEE STUDY PER RFP #22/23-40029 AND FINDING THE AGREEMENT EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15262 AND 15306**

**WHEREAS**, the City is in need of a consultant to conduct a Comprehensive Development Impact Fee Study in accordance with the Mitigation Fee Act (California Government Code Section 66000 et seq.), as amended by Assembly Bill 602; and

**WHEREAS**, in compliance with the City's purchasing ordinance, Santee Code 3.24.100, the Finance Department administered a formal request for proposals (RFP) on February 27, 2023; and

**WHEREAS**, a selection panel comprised of four City staff members reviewed and evaluated the proposals upon criteria such as professional qualifications of the firm and key staff, capability of handling all aspects of the project, thoroughness of the proposed work plan, and reasonableness of the proposed fees; and

**WHEREAS**, the highest ranked firm is Harris & Associates, Inc. for an all-inclusive plan amount of \$57,410, and with the option to include services related to one (1) meeting with the Building Industry Association and development community that would occur prior to the presentation of the Study to Council. This optional meeting would incur an additional cost of \$3,580; and

**WHEREAS**, staff recommends awarding the Professional Services Agreement for a Comprehensive Development Impact Fee Study ("Agreement") to Harris & Associates, Inc. in the amount of \$60,990, and authorizing the City Manager to execute the Agreement; and

**WHEREAS**, staff also requests authorization for the City Manager to approve amendments in a total amount not to exceed \$6,099 for additional consultant services as necessary to complete the Comprehensive Development Impact Fee Study; and

**WHEREAS**, staff recommends approval of a one-time appropriation from General Fund Reserves in the amount of \$27,090 to cover a portion of the cost of the Agreement; and

**WHEREAS**, this item involves a planning study and is statutorily and categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15262 (feasibility and planning studies) and 15306 (information collection)

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, that it hereby:

**SECTION 1.** Finds that the above recitals are true and correct and awards the Professional Services Agreement for a Comprehensive Development Impact Fee Study to Harris & Associates, Inc. for an amount not to exceed \$60,990; and

**SECTION 2.** Authorizes the City Manager to execute the Comprehensive Development Impact Fee Study Agreement on behalf of the City; and

**RESOLUTION NO. \_\_\_\_\_**

**SECTION 3.** Authorizes the City Manager to approve amendments in a total amount not to exceed \$6,099 for additional consultant services as necessary; and

**SECTION 4.** Approves a one-time appropriation from General Fund Reserves in the amount of \$27,090.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

**DIRECTOR/DEPARTMENT** Carl Schmitz, Engineering 

**SUMMARY**

On April 28, 2017 the Governor signed Senate Bill 1 (SB1) known as the Road Repair and Accountability Act of 2017. SB1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years, to address basic road maintenance, rehabilitation and critical safety needs on the state highway and local streets and road system.

Beginning November 1, 2017, the State Controller (Controller) began depositing SB1 revenues into the Road Maintenance and Rehabilitation Account (RMRA). A percentage of RMRA funding is apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h).

In order to receive RMRA funds local agencies must submit to the California Transportation Commission (CTC) a list of projects proposed to be funded by RMRA in the form of a City Council Resolution. SB1 includes accountability and governmental transparency provisions to inform the public of projects proposed for funding, and to report on status of projects each year.

This item requests City Council approval of the proposed project list within the Resolution to meet CTC reporting requirements. The proposed list includes the following five Capital Improvement Program projects: Bridge Restorations Citywide, Concrete Repair/Replacement Program, Pavement Repair and Rehabilitation Citywide, Crack Sealing Citywide, and Pavement Roadway Maintenance Citywide.

**ENVIRONMENTAL REVIEW**

Compliance with the California Environmental Quality Act (CEQA) would be required prior to construction authorization.

**FINANCIAL STATEMENT** 

Funding for the Fiscal Year 2023-24 SB1 RMRA (Gas Tax) projects is included in the Proposed 2024-2028 Capital Improvement Program.

**CITY ATTORNEY REVIEW**  N/A  Completed

**RECOMMENDATION** 

Adopt the Resolution approving a list of projects funded by the Road Maintenance and Rehabilitation Account for SB1 reporting requirements.

**ATTACHMENTS**

Resolution



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY  
SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City, will receive an estimated \$1,466,899 in RMRA funding in Fiscal Year 2023-24 from SB 1; and

**WHEREAS**, this is the 7<sup>th</sup> year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

**WHEREAS**, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate 79 streets/roads, one bridge, add active transportation infrastructure throughout the City this year and several similar projects into the future; and

**WHEREAS**, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in an at-risk condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a good condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Santee, State of California, as follows:

**Section 1:** The foregoing recitals are true and correct.

**Section 2:** The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues:

**A. Project Title:** Pavement Repair and Rehabilitation Citywide 2023

**Project Description:** This project will fund the administration and construction to repair roads with asphalt overlays and reconstruction of the pavement section. It will also conduct adjacent repairs to curbs, gutters, sidewalks, pedestrian ramps, and associated drainage improvements.

**Project Location:** Various streets as identified in the City's Pavement Management Report dated April 2022 and the Pavement Repair and Rehabilitation 2023 SB 1 project street list, available for review on the City's website at [www.cityofsanteeca.gov/government/engineering/helpful-resources](http://www.cityofsanteeca.gov/government/engineering/helpful-resources).

**Estimated Project Schedule:** Start 07/2023 - Completion 04/2024 based on the components being funded with RMRA funds.

**Estimated Project Useful Life:** 15 to 20 Years.

**B. Project Title:** Pavement Roadway Maintenance Citywide 2023

**Project Description:** This project will fund the administration and construction to repair roads with slurry seals, cape seals and chip seals for City streets. It will also conduct adjacent repairs to curbs, gutters, sidewalks, pedestrian ramps, and associated drainage improvements.

**Project Location:** Various streets as identified in the City's Pavement Management Report dated April 2022 and Pavement Roadway Maintenance SB 1 project street list, available for review on the City's website at [www.cityofsanteeca.gov/government/engineering/helpful-resources](http://www.cityofsanteeca.gov/government/engineering/helpful-resources).

**Estimated Project Schedule:** Start 07/2023 - Completion 04/2024 based on the components being funded with RMRA funds.

**Estimated Project Useful Life:** 10 to 15 Years.

**C. Project Title:** Citywide Crack Sealing Program 2023

**Project Description:** This project will fund the administration and construction to repair roads with crack sealing prior to asphalt overlays, reconstruction, slurry seals, and cape seals that will be performed by the Pavement Roadway Maintenance Citywide 2023 and Pavement Repair and Rehabilitation Citywide 2023 program projects.

**Project Location:** Various streets as identified on the street lists for the Citywide Pavement Repair and Rehabilitation 2023 and Pavement Roadway Maintenance 2023 SB 1 project street lists, available for review on the City's website at [www.cityofsanteca.gov/government/engineering/helpful-resources](http://www.cityofsanteca.gov/government/engineering/helpful-resources).

**Estimated Project Schedule:** Start 06/2023 - Completion 01/2024 based on the components being funded with RMRA funds.

**Estimated Project Useful Life:** 10 to 15 Years.

**Section 3:** The following previously proposed and adopted projects may also utilize Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

**A. Project Title:** Bridge Restorations Citywide

**Project Description:** This project will fund the administration and construction for maintenance and repairs to City bridges. This includes the replacement of bridge deck joint seals, deck seals, patching and concrete overlays.

**Project Location:** Various City bridges whose prioritization is based on the Caltrans bi-annual bridge inspection reports. Bridges include Cuyamaca Street, Carlton Hills Boulevard, Carlton Oaks Drive, Prospect Avenue, Olive Lane, Mission Gorge Road and Mast Boulevard.

**Estimated Project Schedule:** Start 07/2023 - Completion 06/2024 based on the components being funded with RMRA funds.

**Estimated Project Useful Life:** 20 to 50 Years

**B. Project Title:** Concrete Repair/Replacement Program 2022/2023

**Project Description:** This project will fund the administration and construction to repair or replace damaged concrete curbs, gutters, sidewalks, driveways and pedestrian ramps throughout the City.

**Project Location:** Various streets as identified on the Citywide Concrete Repair and Replacement Program 2023 SB 1 project street list, available for review on the City's website at [www.cityofsanteca.gov/government/engineering/helpful-resources](http://www.cityofsanteca.gov/government/engineering/helpful-resources).

**Estimated Project Schedule:** Start 01/2022 - Completion 06/2024 based on the components being funded with RMRA funds.

**Estimated Project Useful Life:** 20 to 50 Years

**PASSED AND ADOPTED** by the City Council of the City of Santee, State of California at a Regular Meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JOHN W. MINTO, MAYOR**

**ATTEST:**

---

**ANNETTE ORTIZ, CMC, CITY CLERK**

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA FOR SPECIFIED GRANT FUNDS FROM BUDGET ACT 2022/23, AB179, CHAPTER 249, CONTROL SECTION 19.56, ITEM 3790-101-0001(K) OTHER COMMUNITY SERVICES, (16) \$4,500,000 TO THE CITY OF SANTEE FOR THE COMPLETION OF THE NEW SANTEE COMMUNITY CENTER

**DIRECTOR/DEPARTMENT** Nicolas Chavez, Community Services 

**SUMMARY**

The State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of a grant to the City of Santee for specified grant funds from Budget Act of 2022, AB179, Chapter 249, Control Section 19.26, Item 3790-101-0001(K) Other Community Services, (16) \$4,500,000 for the completion of the new Santee Community Center.

The State Department of Parks and Recreation requires the City Council (as the applicant's Governing Body) to certify by resolution: 1) the approval of project application(s) before submission of said applications to the State, 2) that the City has or will have available, prior to commencement of project work utilizing specified grant funds, sufficient funds, including those provided by this grant, to complete the project, 3) that the City has reviewed, understands, and agrees to the General Provisions contained in the contract, 4) the delegation of authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project scope(s), and 5) that it agrees to comply with all federal, state and local laws, ordinances, rules, regulations and guidelines.

**FINANCIAL STATEMENT** *HS*

Adoption of this resolution will enable the City to receive State grants from the State Department of Parks and Recreation.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION** *MAB*

Adopt the Resolution authorizing the City's submittal of applications for specified grant project(s) and authorizing the City Manager, or designee, to execute all necessary documents to implement the program and secure payment.

**ATTACHMENT**

Resolution





**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA FOR SPECIFIED GRANT FUNDS FROM BUDGET ACT 2022/23, AB179, CHAPTER 249, CONTROL SECTION 19.56, ITEM 3790-101-0001(K) OTHER COMMUNITY SERVICES, (16) \$4,500,000 TO THE CITY OF SANTEE FOR THE COMPLETION OF THE NEW SANTEE COMMUNITY CENTER**

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of a grant to the City of Santee, setting up necessary procedures governing application(s); and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the applicant's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

**WHEREAS**, the applicant will enter into a contract with the State of California to complete project(s).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California hereby:

1. Approves the filing of project application(s) for specified grant project(s); and
2. Certifies that said applicant has or will have available, prior to commencement of project work utilizing specified grant funds, sufficient funds, including those provided by this grant, to complete the project; and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
4. Delegates the authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project scope(s); and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

**APPROVED AND ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 24th day of May 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

**MEETING DATE** May 24, 2023

**ITEM TITLE** RESOLUTION TO EXTEND CONTRACT WITH LIFE-ASSIST, INC. FOR THE PURCHASE OF EMERGENCY MEDICAL SERVICES SUPPLIES ON AN AS-NEEDED BASIS PER NATIONAL PURCHASING PARTNERS DBA NPPGOV CONTRACT #PS20180.

**DIRECTOR/DEPARTMENT** Justin Matsushita, Fire Chief 

**SUMMARY**

Santee Municipal Code Section 3.24.130(A) authorizes the City to join with other public jurisdictions in cooperative purchasing plans or programs as determined by the purchasing agent to be in the City's best interest. In November 2020, the League of Oregon Cities, in cooperation with National Purchasing Partners and its Government Division dba NPPGov (of which the City is a member agency), issued Solicitation No. 1935 for the procurement of a wide variety of Public Safety Medical Supplies, Equipment, and Monitors using a competitive Request for Proposals process. Based on evaluation criteria including pricing, breadth and quality of products, customer support and ability to meet delivery timelines, Life-Assist, Inc was awarded Contract #PS20180 for an initial three-year term of May 29, 2020, through May 28, 2023, with annual automatic renewals up through May 28, 2026. On July 1, 2021, the City entered into a contract with Life-Assist, Inc. for the purchase of emergency medical supplies pursuant to Contract #PS20180. Contract #PS20180 has been renewed by NPPGov for the first of three (3) 12-month periods, ending May 28, 2024.

The City's contract with Life-Assist, Inc. is set to expire on May 28, 2023. Staff recommends utilizing the extended NPPGov Contract #PS20180 to purchase as-needed EMS supplies from Life-Assist, Inc. for a contract term of May 29, 2023, through May 28, 2024, for an amount not to exceed \$220,800.

Santee Municipal Code Section 3.24.180 requires City Council approval of all contracts exceeding \$25,000 in any single fiscal year. Staff recommends utilizing the NPPGov Contract #PS20180 to purchase as-needed EMS supplies on an as-needed basis from Life-Assist, Inc., for an amount not to exceed \$220,800 for a contract term of May 29, 2023, through May 28, 2024.

**FINANCIAL STATEMENT** 

Funding for the FY 2023-24 portion of this contract will be included in the proposed FY 2023-24 Fire Department Emergency Medical Services operating budget.

**CITY ATTORNEY REVIEW**  N/A •  Completed



**RECOMMENDATION** *MAB*

Adopt the attached Resolution extending the contract for the purchase of emergency medical services supplies on an as-needed basis from Life-Assist, Inc., per NPPGov Contract #PS20180 for a term of May 29, 2023, through May 28, 2024, for an amount not to exceed \$220,800 and authorizing the City Manager to execute all related documents.

**ATTACHMENT**

NPPGov Contract #PS20180 Extension Letter  
Resolution



Friday, May 12, 2023

RE: Contract Number: PS20180 – Public Safety Medical Supplies, Equipment & Monitors  
(RFP 1935)

To Whom it May Concern:

Through this letter, I wish to notify you that, per section 3.1 of the aforementioned agreement between the League of Oregon Cities and Life-Assist, Inc., the agreement has been automatically extended one-year until the anniversary of the Effective Date in 2024.

Sincerely,

DocuSigned by:  
*Patricia M. Mulvihill*  
A49AFD929F7246E...

Patricia M. Mulvihill  
Executive Director  
League of Oregon Cities

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE EXTENSION OF THE CONTRACT WITH LIFE-ASSIST, INC. FOR THE PURCHASE OF EMERGENCY MEDICAL SERVICES SUPPLIES ON AN AS-NEEDED BASIS PER NATIONAL PURCHASING PARTNERS DBA NPPGOV CONTRACT #PS20180**

**WHEREAS**, Santee Municipal Code Section 3.24.130(A) authorizes the City to join with other public jurisdictions in cooperative; purchasing plans or programs as determined by the purchasing agent to be in the City's best interest; and

**WHEREAS**, in November 2020, the League of Oregon Cities, in cooperation with National Purchasing Partners and its Government Division dba NPPGov, issued Solicitation No. 1935 for the procurement of a wide variety of Public Safety Medical Supplies, Equipment, and Monitors to be purchased by public agencies on an as-needed basis using a competitive Request for Proposals process; and

**WHEREAS**, the City is currently a member of the NPPGov; and

**WHEREAS**, based on evaluation criteria including pricing, breadth and quality of products offered, customer support and ability to meet delivery timelines, Life-Assist Inc. was awarded Contract #PS20180 for an initial three-year term of May 29, 2020, through May 28, 2023, with annual automatic renewals up through May 28, 2026; and

**WHEREAS**, on July 1, 2021, the City entered into a contract with Life-Assist, Inc. for the purchase of emergency medical supplies pursuant to Contract #PS20180; and

**WHEREAS**, Contract #PS20180 has been renewed by NPPGov for the first of three (3) one-year renewal options, for the period of May 29, 2023 through May 28, 2024; and

**WHEREAS**, Staff has evaluated the pricing, products and support provided by Life-Assist, Inc. through Contract #PS20180 and the purchasing agent has determined that extending the City's current contract through utilization of recently-extended Contract #PS20180 would be in the City's best interest; and

**WHEREAS**, Staff recommends utilizing NPPGov Contract #PS20180 to purchase as-needed EMS supplies from Life-Assist, Inc. for a contract term of May 29, 2023, through May 28, 2024, for an amount not to exceed \$220,800; and

**WHEREAS**, Santee Municipal Code Section 3.24.180 requires City Council approval of all contracts exceeding \$25,000 in any single fiscal year.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee, California, that the City Council hereby authorizes the extension of the City's contract with Life-Assist, Inc. for the purchase of emergency medical services supplies on an as-needed basis per NPP Gov Contract #PS20180 with a term of May 29, 2023, through May 28, 2024, for an amount not to exceed \$220,800, and authorizes the City Manager to execute all related documents.

**RESOLUTION NO. \_\_\_\_\_**

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 24th day of May 2023, by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

**MEETING DATE**

May 24, 2023

**ITEM TITLE** RESOLUTION AUTHORIZING THE PURCHASE OF NETWORK SWITCHES, FIREWALLS, RELATED PERIPHERAL EQUIPMENT, SOFTWARE AND LICENSING; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR CONFIGURATION AND INSTALLATION SERVICES TO UPGRADE THE CITY'S INFORMATION TECHNOLOGY INFRASTRUCTURE TO IMPROVE CYBERSECURITY PROTECTION, AND ENHANCE NETWORK SPEED AND PERFORMANCE.

**DIRECTOR/DEPARTMENT**

Kathy Valverde, Assistant to the City Manager

**SUMMARY**

The City Council recently approved the use of American Rescue Plan Act (ARPA) funding to upgrade the City's I.T. Network and improve cybersecurity as part of the City's Cybersecurity Protection Project within the Capital Improvement Program. The purchase of new network switches and firewalls, and related peripheral equipment and software, will improve security of the City's networked systems and applications, while also enhancing network speed and performance. This action will also upgrade the firewall and improve security between the City's internal network and the outside traffic signal network.

Santee Municipal Code Section 3.24.130 authorizes the City to buy directly from a vendor at a price established by a competitive or competitively negotiated bid by another public jurisdiction in substantial compliance with the formal purchasing procedures as provided in Section 3.24.100 even if the City has not joined with the public agency in a cooperative purchase. In October 2017, the City of Mesa, AZ Department of Procurement partnered with the National Intergovernmental Purchasing Alliance Company (National IPA), now OMNIA Partners, issued Solicitation No. 2018011 for Information Technology (IT) Solutions & Services, using a Competitive Request for Proposals process. Based on evaluation criteria including pricing, breadth and quality of products, customer support and ability to meet delivery timelines, SHI International Inc. was awarded OMNIA Contract #2018011-02 and CDW-G awarded Contract #2018011-01, each for an initial five-year term from March 1, 2018 through February 28, 2023 with the option to renew for two (2) additional one-year periods through February 28, 2025. Both contracts have been renewed by Omnia through February 28, 2025.

Santee's Municipal Code Section 3.24.190 requires City Council approval of all purchases or contracts exceeding \$25,000 in any single fiscal year. Staff recommends the purchase of network switches from SHI International Corporation per Omnia Partners - IT Solutions Contract #2018011-02 at a cost of \$42,182.36; and purchase of firewalls and related peripheral equipment, software and licensing from CDW-G Corporation per the OMNIA Partners IT Solutions & Services Contract #2018011-01 at a cost of \$55,035.64.



Staff also intends to purchase switch monitoring software estimated at \$5,000; and requests authorization to enter into a Professional Services Agreement with TrulyCreative Network Solutions, not to exceed \$30,000, for configuration and installation services to assist staff with installation of the firewalls. Staff also requests authorization of \$7,781 for unforeseen contingencies which may include peripheral equipment, software and/or licensing expenses.

The following is a summary of the purchases included in this action to implement the Cybersecurity Protection Project.

Cybersecurity Protection Project

|                            |    |         |
|----------------------------|----|---------|
| Network Switches           | \$ | 42,183  |
| Firewalls                  |    | 55,036  |
| Configuration Services     |    | 30,000  |
| Switch Monitoring Software |    | 5,000   |
| Contingency                |    | 7,781   |
| Total                      | \$ | 140,000 |

**FINANCIAL STATEMENT** #1

The total cost for the network equipment and services will not exceed \$140,000. \$100,000 in American Rescue Plan Act (ARPA) funding is appropriated in the adopted Capital Improvement Program Budget, Cybersecurity Protection Project; and \$40,000 in Regional Transportation Congestion Improvement Program (RTCIP) funds is included in the Transportation Improvement Master Plan Project in the adopted Capital Improvement Program Budget.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATION** MSB

Adopt Resolution:

1. Authorizing the purchase of network switches from SHI International Corporation per Omnia Partners - IT Solutions Contract #2018011-02 at a cost of \$42,182.36; and
2. Authorizing the purchase of firewalls, and related peripheral equipment, software and licensing from CDW-G Corporation per the Omnia Partners - IT Solutions Contract #2018011-01 at a cost of \$55,035.64; and
3. Authorizing the City Manager to execute a Professional Services Agreement with TrulyCreative Network Solutions, Inc. for configuration and installation services not to exceed \$30,000; and
4. Authorizing the purchase of switch monitoring software estimated at \$5,000; and
5. Authorizing the expenditure of \$7,781 for unforeseen contingencies including peripheral equipment, software and/or licensing expenses.
6. Authorizing the City Manager to execute all necessary documents.

**ATTACHMENT**

Resolution





RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE PURCHASE OF NETWORK SWITCHES, FIREWALLS, RELATED PERIPHERAL EQUIPMENT, SOFTWARE AND LICENSING; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR CONFIGURATION AND INSTALLATION SERVICES TO UPGRADE THE CITY'S INFORMATION TECHNOLOGY INFRASTRUCTURE TO IMPROVE CYBERSECURITY PROTECTION, AND ENHANCE NETWORK SPEED AND PERFORMANCE**

**WHEREAS**, on September 8, 2021, an American Rescue Plan Act (ARPA) expenditure plan was formally adopted by the City Council, and subsequently revised on April 13, 2022, to fund the Cybersecurity Protection Project within the FY 2022-26 Capital Improvement Program; and

**WHEREAS**, the purchase of network switches and firewalls, and related peripheral equipment and software, will improve security of the City's networked systems and applications, while also enhancing network speed and performance; and

**WHEREAS**, the firewall between the City's internal network and the outside traffic signal network will also be upgraded to improve security; and

**WHEREAS**, Santee Municipal Code Section 3.24.130(B) authorizes the City to buy directly from a vendor at a price established by a competitive or competitively negotiated bid by another public jurisdiction in substantial compliance with the formal purchasing procedures as provided in Section 3.24.100 even if the City has not joined with the public agency in a cooperative purchase; and

**WHEREAS**, in October 2017, the City of Mesa, AZ Department of Procurement partnered with the National Intergovernmental Purchasing Alliance Company (National IPA); now OMNIA Partners, for Information Technology (IT) Solutions & Services; and

**WHEREAS**, based on evaluation criteria such as pricing, selection and variety of products offered, customer service and ability to meet the contract requirements, SHI International Corp. was awarded Contract #2018011-02 and CDW-G was awarded Contract #2018011-01 for IT Solutions & Services; and

**WHEREAS**, staff has evaluated the pricing, products and services provided by OMNIA Contracts #2018011-02 and #2018011-01 and recommends utilizing OMNIA Contracts #2018011-02 and #2018011-01 to purchase new network switches from SHI International Corporation at a cost of \$42,182.36, and firewalls and related peripheral equipment, software and licensing from CDW-G Corporation to improve security of the City's networked systems and applications at a cost of \$55,035.64; and

**WHEREAS**, staff recommends that the City enter into a Professional Services Agreement with TrulyCreative Network Solution, for an amount not to exceed \$30,000, to provide professional consulting services to assist staff with the configuration and installation of the firewalls; and

**WHEREAS**, staff also plans to purchase switch monitoring software estimated at \$5,000; and

**WHEREAS**, staff recommends that the City Council authorize the City Manager to approve change orders or amendments in the amount up to \$7,781 for unforeseen

**RESOLUTION NO. \_\_\_\_\_**

contingencies to purchase additional peripheral equipment, software and/or licensing expenses; and

**WHEREAS**, the total cost to implement the Cybersecurity Protection Project is estimated at \$140,000; and

**WHEREAS**, \$100,000 has been allocated in ARPA funds and \$40,000 is available in Regional Transportation Congestion Improvement Program (RTCIP) funds currently appropriated in the adopted Transportation Improvement Master Plan CIP Project.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, that it hereby:

**Section 1.** Authorizes the purchase of network switches from SHI International Corporation per Omnia Partners - IT Solutions Contract #2018011-02 at a cost of \$42,182.36; and

**Section 2.** Authorizes the purchase of firewalls, and related peripheral equipment, software and licensing from CDW-G Corporation per OMNIA Partners - IT Solutions Contract #2018011-01 at a cost of \$55,035.64; and

**Section 3.** Authorizes the City Manager to execute a Professional Services Agreement with TrulyCreative Network Solutions, Inc. for configuration and installation services not to exceed \$30,000; and

**Section 4.** Authorizes the purchase of switch monitoring software estimated at \$5,000; and

**Section 5.** Authorizes the City Manager to approve the expenditure of up to \$7,781 for unforeseen contingencies including peripheral equipment, software and/or licensing expenses; and

**Section 6.** Authorizes the City Manager to execute all necessary documents.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this 24th day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

**MEETING DATE**      May 24, 2023

**ITEM TITLE**    PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, VACATING A 35-FOOT-WIDE CORRIDOR OPEN SPACE EASEMENT (VAC 2023-01); EXCEPTING AND RESERVING EASEMENTS AND RIGHTS FOR EXISTING DRAINAGE FACILITIES; AND FINDING THE ACTION IS NOT A PROJECT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) OR IS OTHERWISE EXEMPT PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3).

**DIRECTOR/DEPARTMENT**    Carl Schmitz, Engineering *SM FOR:*

**SUMMARY**

This item requests the Council to first conduct the public hearing, and subsequently adopt the attached resolution to vacate the excess corridor open space easement as shown on Exhibit “A” of the Resolution. A previous Council action occurred on April 26, 2023 which established Council’s intention to vacate this easement, and scheduled this public hearing, per Resolution 037-2023. All publication and posting of all notices as required by law were provided. Certain City drainage facilities remain in a City drainage easement that overlaps the corridor open space easement proposed to be vacated, and rights and easements for these drainage facilities would be reserved from the vacation.

Dedication and improvement of a corridor open space easement was required for the Walmart site as a requirement of Conditional Use Permit (P91-05) approval in order to offer greater interconnectivity of the City’s public trail system.

Staff has evaluated the City’s corridor open space easement and determined the portion of the existing corridor open space easement depicted in Parcel Map 14764, at 170 Town Center Parkway, Exhibit “A” of the attached Resolution is no longer necessary for its intended trail purposes, and therefore no longer necessary for present or prospective public use, due to alternate trails nearby which offer interconnectivity to the City’s public trail system and which grant sufficient locations to access nearby open space areas. Since the original dedication, the City has made adjustments to its plans related to trail circulation to provide better interconnectivity through alternative routes. The identified portion of the corridor open space easement requires maintenance and staff time that are unnecessary considering that portion of the corridor open space easement is no longer necessary for its intended purpose.

Streets and Highways Code Section 8300 et seq. establishes a procedure for vacating streets, highways, and public services easements that are no longer needed for present or future use. The first step in the procedure was to adopt a resolution of intent to vacate the street, highway, or public service easement, and set a public hearing on the vacation. This was completed per Resolution 037-2023. Conducting the public hearing and adopting the attached Resolution will make the vacation effective. The vacation will officially be complete upon the City Clerk’s recordation of the Resolution in the Office of the San Diego County Recorder.



**ENVIRONMENTAL REVIEW**

This action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly). Even if the vacation is considered a project under CEQA, it is exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as it does not propose any development or changes in the easement area and it has no potential to result in a significant effect on the environment.

**FINANCIAL STATEMENT** *H*

There is no financial impact from this action.

**CITY ATTORNEY REVIEW**       N/A       Completed

**RECOMMENDATION** *MAB*

1. Conduct and close the public hearing; and
2. Adopt the attached Resolution of the City Council of the City of Santee, California, Vacating a 35-Foot-Wide Corridor Open Space Easement (Vac 2023-01); Excepting and Reserving Easements and Rights for Existing Drainage Facilities; Finding the Action is Not a Project Subject to the California Environmental Quality Act ("CEQA") or is Otherwise Exempt Pursuant to State CEQA Guidelines Section 15301(b)(3); and directing the City Clerk to record the Resolution together with Exhibit "A" attached thereto.

**ATTACHMENT**

Resolution (with Exhibit "A" attached thereto)



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, VACATING A 35-FOOT-WIDE CORRIDOR OPEN SPACE EASEMENT (VAC 2023-01) AND EXCEPTING AND RESERVING EASEMENTS AND RIGHTS FOR EXISTING DRAINAGE FACILITIES; AND FINDING THE ACTION IS NOT A PROJECT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) OR IS OTHERWISE EXEMPT PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3).**

**WHEREAS**, a requirement of Conditional Use Permit P91-05 for the Walmart site was the dedication and improvement of a 35-foot-wide corridor open space easement in order to offer interconnectivity of the City’s public trail system (“Trail Easement”), and also the dedication of a drainage easement (“Drainage Easement”) for the placement and operation of City drainage facilities; and

**WHEREAS**, the location of City’s said Trail Easement and Drainage Easement was to be determined by the City and Walmart upon development; and

**WHEREAS**, Walmart dedicated the Trail Easement and Drainage Easement to the City, the City’s Trail Easement and Drainage Easement share the same boundaries, and the current location of the Trail Easement and Drainage Easement is identified on Parcel Map 14764, 170 Town Center Parkway and further depicted in Exhibit “A”, which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the Trail Easement is no longer needed for its intended purpose of public trail system interconnectivity due to alternate trails nearby which offer greater interconnectivity to the City’s public trail system and which grant sufficient locations to access nearby open space areas; and

**WHEREAS**, although the Trail Easement is no longer necessary, certain existing City drainage facilities remain within the Drainage Easement and remain necessary for the City’s intended purposes; and

**WHEREAS**, pursuant to California Streets and Highways Code, Division 9 – Change of Grade and Vacation, Part 3 – Public Streets, Highways, and Service Easements Vacation Law (beginning with Section 8300) the City seeks to vacate its Trail Easement as depicted in Exhibit “A” to this Resolution, but to reserve and except from the vacation the Drainage Easement as depicted in Exhibit “A” of this Resolution, including all drainage easements and rights necessary to maintain, operate, replace, remove, or renew the drainage facilities within the Drainage Easement; and

**WHEREAS**, pursuant to Streets and Highways Code section 8313, the City Council has considered the General Plan, and the vacation contemplated by this Resolution is consistent with the General Plan because it furthers the overall goal of the Land Use Element to create and maintain a high-quality environment; it furthers the objective of the Mobility Element to develop and maintain a safe pedestrian system; and it furthers the objectives of the Trails Element to provide safe and viable community trails in the City and to provide trails which are designed to blend in with the character of the community; and

**WHEREAS**, pursuant to Streets and Highways Code section 8320, the City Council scheduled a public hearing for May 24, 2023 at 6:30 p.m. at the City Council Chambers located at 10601 Magnolia Avenue, Santee, CA 92071, and gave the public all required published and posted notices and a reasonable opportunity to appear at said hearing and be heard on the matter of the proposed vacation; and

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, said hearing has been held by the City and the public was afforded the opportunity to be heard on said matters; and

**WHEREAS**, the City Council has considered all recommendations by staff and public testimony at the public hearing held on May 24, 2023 at 6:30 pm at 10601 Magnolia Avenue in the Council Chambers; and

**WHEREAS**, at the conclusion of the hearing and considering all evidence submitted, the City Council finds that the Trail Easement proposed to be vacated is unnecessary for present or prospective public use, but that the Drainage Easement, including all drainage easements and rights necessary to maintain, operate, replace, remove, or renew the drainage facilities within the Drainage Easement, are required to be reserved and excepted from the vacation to maintain, operate, replace, remove or renew existing drainage facilities; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**Section 1.** The City Council hereby finds and determines that the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution as findings and determinations of the City Council.

**Section 2.** The City has provided notice of this hearing as required by Streets and Highways Code sections 8320-8323.

**Section 3.** This action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly). Even if the vacation is considered a project under CEQA, it is exempt pursuant to State CEQA Guidelines Section 15061(b)(3) as it does not propose any development or changes in the easement area and it has no potential to result in a significant effect on the environment.

**Section 4.** The City Council finds that the Trail Easement proposed to be vacated is unnecessary for present or prospective public use, but that the Drainage Easement, including all drainage easements and rights necessary to maintain, operate, replace, remove, or renew the drainage facilities within the Drainage Easement, are required by public convenience and necessity to be reserved and excepted from the vacation to maintain, operate, replace, remove or renew existing drainage facilities.

**Section 5.** The location of the Trail Easement subject to vacation and relinquishment is depicted in Exhibit "A" to this Resolution, and the location of the overlapping Drainage Easement that is being reserved and excepted from such vacation is also depicted in Exhibit "A" to this Resolution.

**Section 6.** The City hereby vacates the Trail Easement, as depicted and described in Exhibit "A" of this Resolution, in accordance with Streets and Highways Code section 8324(b), but expressly reserves and excepts from the vacation the Drainage Easement as depicted and described in Exhibit "A" of this Resolution, including all drainage easements and rights necessary to maintain, operate, replace, remove, or renew the drainage facilities within the Drainage Easement, pursuant to Streets and Highways Code section 8340(a).

**RESOLUTION NO. \_\_\_\_\_**

**Section 7.** The Council directs the City Clerk to cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded without acknowledgment, certificate of acknowledgment, or further proof in the Office of the San Diego County Recorder. Pursuant to Streets and Highways Code Section 8325, no fee shall be charged for such recordation. The City Clerk shall permanently maintain a true and correct copy of this Resolution.

**Section 8.** This Resolution shall become effective upon its adoption. Upon the recordation required hereby, the vacation is complete. The City Manager is authorized to execute any and all documents that may be necessary to evidence the vacation of the Trail Easement.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this 24<sup>th</sup> day of May, 2023, by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

Attachment: Exhibit "A"

**RESOLUTION NO. \_\_\_\_\_**

**EXHIBIT "A"**

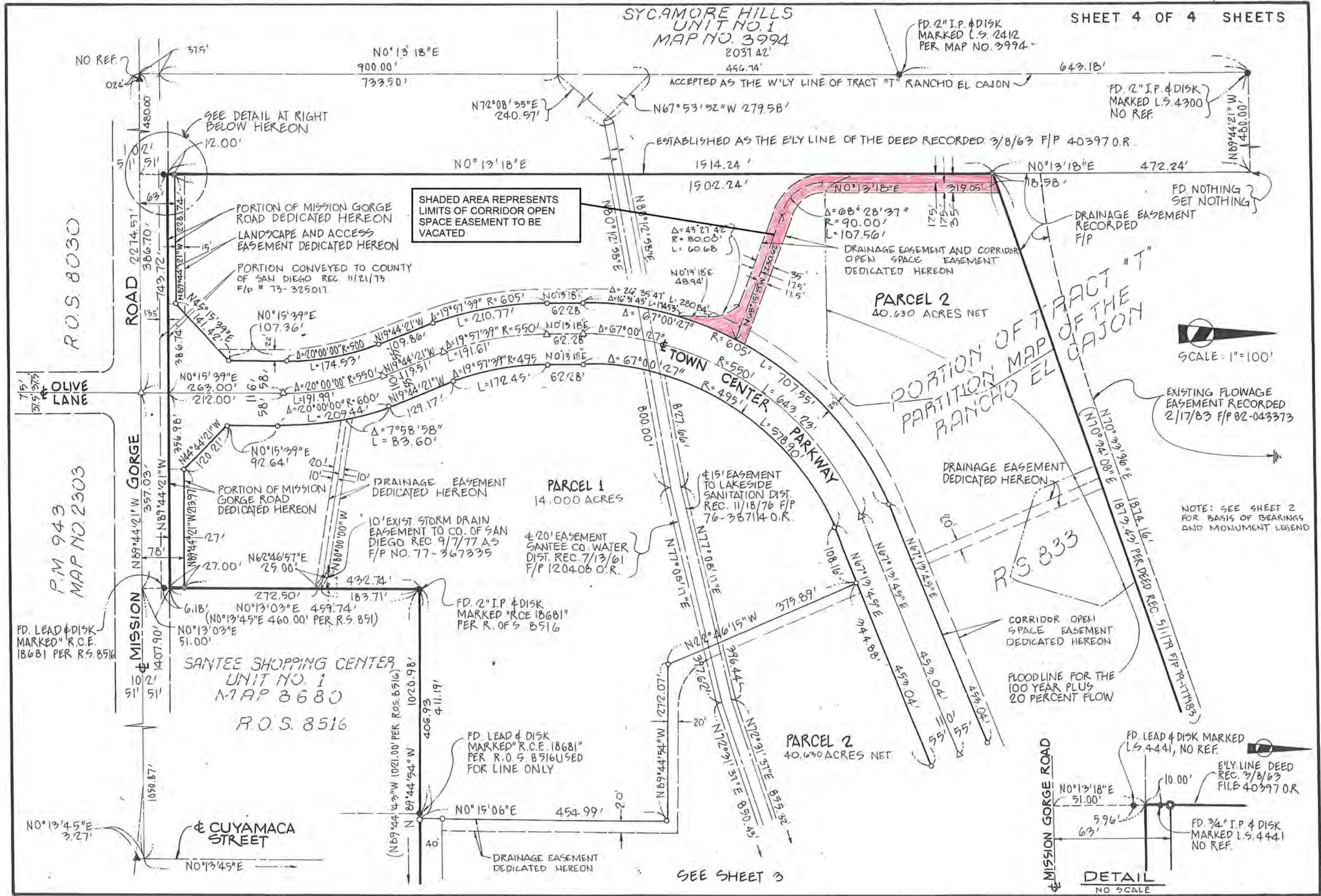
**Vacation Exhibit: Depiction of Trail Easement and Drainage Easement**



# VACATION EXHIBIT

PARCEL MAP NO. 14764

SHEET 4 OF 4 SHEETS



TPM86-07

**MEETING DATE** May 24, 2023

**ITEM TITLE** SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AMENDING SANTEE MUNICIPAL CODE (“SMC”) TITLE 13, “ZONING” (CASE FILE: ZA2023-1), AND OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AMENDING SMC TITLE 1, “GENERAL PROVISIONS,” TITLE 2, “ADMINISTRATION AND PERSONNEL,” TITLE 3, “PURCHASING,” TITLE 4, “BUSINESS LICENSES, TAXES AND REGULATIONS,” TITLE 5, “HEALTH AND SAFETY,” TITLE 8, “STREETS, SIDEWALKS AND PUBLIC PROPERTY,” TITLE 9, “PUBLIC SERVICES,” TITLE 10, “VEHICLES AND TRAFFIC,” TITLE 11, “BUILDINGS AND CONSTRUCTION,” AND TITLE 12, “SUBDIVISION OF LAND, DEVELOPMENT FEES, AND DEDICATIONS” AND FINDING THAT THE ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**DIRECTOR/DEPARTMENT** Shawn Hagerty, City Attorney

**SUMMARY** The Introduction and First Reading of the above-entitled Ordinances were approved at a Regular Council Meeting on Wednesday, May 10, 2023. The Ordinances are now presented for Second Reading by title only, and adoption.

Vote at First Reading:    AYES:       MINTO, KOVAL, MCNELIS, TROTTER  
                                  NOES:       HALL  
                                  ABSENT:    NONE

At the May 10, 2023 City Council meeting, Council directed staff to make certain changes to the proposed revisions set forth in the Ordinances. Staff has made those changes, as discussed in the attached Staff Report, and recommends adoption of the Ordinances as modified.   o

**ENVIRONMENTAL REVIEW**

The amendment of various titles of the Santee Municipal Code, as set forth in the attached Ordinances, is not a project subject to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines section 15378, as it is an administrative activity of government and the Ordinances do not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment. Even if the amendments are considered a project under CEQA, they are exempt from CEQA review pursuant to State CEQA Guidelines section 15061(b)(3) as the Ordinances do not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment.



**FINANCIAL STATEMENT** *AS*

There is no material direct fiscal impact to the City from this action.

**CITY ATTORNEY REVIEW**  N/A •  Completed

**RECOMMENDATIONS** *MSB*

1. Conduct the Second Reading of and Adopt the Ordinance Amending Title 13; and
2. Conduct the Second Reading of and Adopt the Ordinance Amending Titles 1, 2, 3, 4, 5, 8, 9, 10, 11, and 12.

**ATTACHMENTS**

Staff Report

Ordinance Amending Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12

Ordinance Amending Title 13

Redline (strikeout/underline) of the text, indicating all proposed revisions

## STAFF REPORT

**SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AMENDING SANTEE MUNICIPAL CODE (“SMC”), TITLE 13, “ZONING” (CASE FILE: ZA2023-1), AND AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AMENDING SMC TITLE 1, “GENERAL PROVISIONS,” TITLE 2, “ADMINISTRATION AND PERSONNEL,” TITLE 3, “PURCHASING,” TITLE 4, “BUSINESS LICENSES, TAXES AND REGULATIONS”, TITLE 5, “HEALTH AND SAFETY,” TITLE 8, “STREETS, SIDEWALKS AND PUBLIC PROPERTY” TITLE 9, “PUBLIC SERVICES,” TITLE 10, “VEHICLES AND TRAFFIC,” TITLE 11, “BUILDINGS AND CONSTRUCTION,” AND TITLE 12, “SUBDIVISION OF LAND, DEVELOPMENT FEES, AND DEDICATIONS” AND FINDING THAT THE ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

### **CITY COUNCIL MEETING May 24, 2023**

#### **A. INTRODUCTION**

In 2019, the City Council approved a comprehensive update of the Santee Municipal Code. In order to ensure the Municipal Code remains consistent with current law and City practice, we plan to conduct annual Municipal Code updates to ensure any necessary revisions are completed in a timely manner. This agenda item is the fourth of these annual updates, and seeks to amend portions of Titles 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13 of the Municipal Code.

The proposed revisions were presented to the City Council for first reading at the May 10, 2023 meeting. Council provided direction to make certain changes to the revisions, as follows:

- Purchasing Authority (Title 3). Council directed that Department Directors’ purchasing authority be increased to \$25,000; and that the City Manager’s purchasing authority be increased to \$50,000 for all contracts other than professional services contracts, and remain at \$25,000 for professional services contracts. Staff has made this change, and recommends making conforming changes to the references to the Directors’, Purchasing Agent’s, and City Manager’s approval authority with regard to open market purchases and emergency purchases (which are covered in other sections of Title 3). For example, because the City Manager currently has authority to approve emergency purchases in the amount of up to \$50,000, staff proposes that that threshold be increased to \$75,000, with Council approval required for purchases over \$50,000 for supplies, materials, equipment, or nonprofessional services, and for purchases over \$25,000 for professional services. In addition, we recommend increasing the

## STAFF REPORT

threshold for formal bidding to \$50,000, to match the City Manager's increased contract authority.<sup>1</sup>

- Circuses and Carnivals (Title 4). Council directed that Section 4.11.020 be revised to clarify that circuses and carnivals may operate on public property with or without paid admissions. Staff has made that change.
- Food Trucks (Title 13). Council directed that the proposed language allowing a food truck to operate as a temporary use ancillary to an active construction site or brewery, bar, etc. be revised to remove the restriction that the food trucks may only operate for three consecutive days. Staff has removed that language, and instead required that food trucks must remain operable at all times, have a clear exit path from the property at all times, not be permanently affixed to the property, and that no structures be permanently affixed to the food truck or permanently affixed to the property for use by the food truck. Food trucks operating in this ancillary manner would be considered a temporary use because they would not be affixed to the property and can be removed at any time, but there would be no specific time limit on their operation. Lastly, staff has replaced the term "food truck" with "vending vehicle" because "vending vehicle" is the defined term used in Title 13 to describe food trucks and similar vehicles.
- Tattoo Parlors (Title 13). There was some discussion among the Council of restricting the number of tattoo and / or body piercing businesses, but ultimately Council did not direct staff to make any changes to the proposed revisions allowing this use in the General Commercial zone. If Council desires to restrict this use, Council could direct staff to either (1) delete the proposed revision (meaning tattoo parlors and body piercing businesses would continue to be allowed in the Light Industrial zone, but continue to be prohibited in the General Commercial zone) or (2) impose a CUP requirement for tattoo parlors and / or body piercing businesses in the General Commercial zone. In addition, if in the future Council has any concerns about this use, Council may request that staff bring this issue back for further consideration.

The section-by-section summary of proposed revisions beginning on the next page has been updated to include these Council-directed modifications. Updated revisions are shown in underlined and strikethrough text.

Staff has also made a few minor clerical revisions, including adding "City Planner" to the definition of "Director of Planning and Building" and adding "City Engineer" to the definition of "Director of Engineering" because those Director positions encompass those titles as well. In addition, staff removed a change to the definition of "Junior ADU" that had been discussed among staff and was ultimately deleted from the redline but was inadvertently included in the staff report. No change will be made to the ADU ordinance.

### **B. BRIEF SUMMARY OF PROPOSED REVISIONS**

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<sup>1</sup> This change is consistent with the City of La Mesa's approach (discussed at the May 10, 2023 meeting), which uses the same dollar threshold for City Council approval and formal bidding.

## STAFF REPORT

Staff has made revisions throughout the Code to replace references to “Department of Development Services” with references to the appropriate Department, to reflect the City’s recent reorganization of the Department of Development Services into two separate Departments: the Planning and Building Department and the Engineering Department. Staff has also made revisions throughout the Code to replace references to “handicapped persons” with references to “persons with disabilities.” The proposed revisions to Titles 1, 2, 5, 9, and 10 consist solely of these minor updates in terminology. The proposed revisions to the other Titles include these updates as well as substantive revisions, which are summarized generally below and with more detail in the next section of this Staff Report.

The proposed substantive revisions to Title 3 increase the dollar thresholds for requiring formal bidding and informal bidding, increase the dollar thresholds for purchasing and contracting award authority for department directors and the City Manager, and increase the dollar threshold for contracts requiring City Council approval.

The proposed substantive revision to Title 4 would clarify that a circus or carnival may operate on public property with or without paid admission.

The proposed substantive revisions to Title 8 include clarifying that encroachments into the public right of way are prohibited with the exception of certain situations and prior approvals. Exceptions include minor surface improvements, such as the installation of gravel or mulch, the removal of which would not overly burden a City contractor hired to perform work within the City’s right of way.

The proposed substantive revisions to Title 11 focus primarily on streamlining and clarifying the existing requirements regarding undergrounding of utilities as a condition of project approval. The revisions are recommended due to developer confusion in determining the applicability of the requirements and the exceptions. The proposed revisions streamline the exemptions. The revisions to Title 11 also expand the existing homeowner obligations related to work performed without a required grading permit. The additional language is intended to provide direction to homeowners who are found to have commenced work without a valid permit. Currently, enormous staff time is allocated toward assisting these homeowners in addressing unpermitted work. The proposed revisions would help reduce the burden to staff as the new language defines the homeowners’ options to achieve compliance with minimal staff involvement by requiring the homeowner to show proof of a valid permit, engage with the necessary professional as necessary to obtain the required permits, or restore the area as it was.

The proposed substantive revisions to Title 12 include clarification of the private street standards by defining minimum widths, specifically for emergency access, public alleyways, and parking considerations. The revisions also clarify that private streets are allowed only when specifically approved by the City Engineer.

## STAFF REPORT

The proposed substantive revisions to Title 13 include changes to the commercial use regulations such as requiring a conditional use permit for auto repair, car wash, and self-storage facilities and allowing tattoo and / or body piercing as a permitted use in the General Commercial zone. Also, food trucks will be allowed as a temporary use when operating as a catering or take-out service on an active construction site or on a lot developed with a brewery, bar, tavern, nightclub, lodge, or stand-alone liquor store, provided that the food truck is not permanently affixed to the property, and meets the other operational criteria. Other updates to Title 13 include replacing the term “mobilehome” with “manufactured home”; authorizing the Director of Planning and Building to require a public hearing and City Council review as needed for administrative projects; clarifying the requirements for cul-de-sacs in the R-2 zone; clarifying the perimeter setback and adding the driveway length requirement for Planned Residential Development; revising the visibility clearance diagram and requirements; requiring a parking demand study for carwash facilities and daycare centers / preschools; and making other minor clerical revisions and clarifications.

### Public Hearing for Title 13

Government Code section 65854 requires the planning commission to hold a public hearing on certain proposed amendments to a zoning ordinance. Where there is no independent planning commission, as in the City, the City Council carries out the functions of the planning commission. For that reason, the Council was required to conduct a public hearing on the Ordinance amending Title 13. The Notice of Public Hearing for the Ordinance Amending Title 13 was published in the *East County Californian* on April 28, 2023, in compliance with state law, and the public hearing was conducted on May 10, 2023. The other Ordinance does not require a public hearing.

### **C. DETAILED SUMMARY OF PROPOSED REVISIONS**

Below is a summary of the revisions to be made to Titles 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, and 13 by the adoption of the Ordinances. A full strikeout and underlined “redline” version of the text, which indicates all of the proposed changes, is attached to the Council Agenda Statement.

### **TITLE 1, “GENERAL PROVISIONS”**

The proposed substantive revisions to Title 1 are generally as follows:

#### **Chapter 1.10 Nuisance Abatement**

Sections 1.10.040-060, 1.10.150, 1.10.190, and 1.12.040 Revised to replace “Development Services” with the appropriate Department.

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### Chapter 1.12 Monetary Penalties and Cost Recovery

Section 1.12.040 Revised to replace “Development Services” with the appropriate Department.

### TITLE 2, “ADMINISTRATION AND PERSONNEL”

The proposed substantive revision to Title 2 is generally as follows:

### Chapter 2.16 City Departments

Section 2.16.010 Revised to replace “Development Services” with the appropriate Departments.

### TITLE 3, “REVENUE AND FINANCE”

The proposed substantive revisions to Title 3 are generally as follows:

### Chapter 3.24 Purchasing

Section 3.24.090.A Selection of procurement method. Revised subsection A to increase the dollar thresholds for the selection of the procurement method for purchases, as follows: purchases must be made by formal bidding procedures when the amount is estimated to exceed \$50,000 (increased from \$25,000); purchases may be made by informal bidding procedures when the amount is estimated to exceed \$3,500 (increased from \$2,500) but not to exceed \$50,000 (increased from \$25,000); and purchases may be made on the open market when the amount is estimated at \$3,500 (increased from \$2,500) or less.

Section 3.24.120 Open market purchases. Revised to provide that supplies, material and equipment may be procured on the open market when (1) the estimated amount involved does not exceed \$3,500 (increased from \$2,500); or (2) a commodity qualifies as a sole source purchase (as defined in the SMC) and does not exceed \$50,000 (increased from \$25,000), or if the cost exceeds \$50,000 (increased from \$25,000), the sole source method is approved by the City Council.

Section 3.24.140.A Emergency purchases by purchasing agent. Revised subsection A.2 to provide that in the case of an emergency, the purchasing agent may authorize the head of a department to purchase supplies, material, equipment or services on the



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open market when the estimated cost of the purchase does not exceed \$25,000 (increased from \$10,000), and the other existing criteria are met.

Section 3.24.140.B      Emergency purchases by purchasing agent. Revised subsection B.2 to provide that in the case of an emergency, the City Manager may authorize the purchasing agent to purchase supplies, material, equipment or services on the open market when the estimated cost of the purchase does not exceed \$75,000 (increased from \$50,000), provided that when the estimated cost exceeds \$50,000 (increased from \$25,000), or \$25,000 for professional services, the procurement must be subsequently ratified by the City Council; and the other existing criteria are met.

Section 3.24.140.C      Emergency purchases by purchasing agent. Revised subsection C to provide that in the case of an emergency, the City Council must ratify purchases essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public when the estimated cost thereof exceeds \$50,000 (increased from \$25,000), or \$25,000 for professional services.

Section 3.24.170      Other supplies, materials, equipment or services not subject to the provisions of this chapter. Added new subsection H to provide that purchases of newspaper (and similar) advertisements for City notices (i.e. public hearing notices) are not subject to the provisions of Chapter 3.24.

Section 3.24.180.A      Awarding authority—contracts and amendments. Revised subsection A to increase the awarding authority as follows: a department director may execute contracts and amendments in the cumulative amount of \$25,000 (increased from \$10,000) or less per fiscal year on behalf of the director's department; the purchasing agent may execute contracts in the cumulative amount of \$25,000 (increased from \$10,000) or less per fiscal year on behalf of more than one department; the City Manager may execute contracts and amendments for supplies, equipment, materials and nonprofessional services in the cumulative amount of \$50,000 (increased from \$25,000) or less per fiscal year, and may execute contracts and amendments for professional services in the cumulative amount of \$25,000 or less per fiscal year; and the City Council must approve contracts and amendments if the cumulative amount exceeds \$50,000 (increased from \$25,000) per fiscal year, or exceeds \$25,000 per fiscal year for professional

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services contracts. For City Council-approved contracts, the City Manager is authorized to execute amendments in a cumulative amount not to exceed the lesser of 10% of the City Council-approved amount or \$50,000 (increased from \$25,000) (for supplies, equipment, materials, and nonprofessional services) or \$25,000 (for professional services).

### **TITLE 4, "BUSINESS LICENSES, TAXES AND REGULATIONS"**

The proposed substantive revisions to Title 4 are generally as follows:

#### **Chapter 4.07 Telecommunications**

Sections 4.07.020                      Revised to replace "Development Services" with the appropriate Department.

#### **Chapter 4.08 Regulation of State Video Franchise Holders**

Section 4.08.070                      Revised to replace "Development Services" with the appropriate Department.

#### **Chapter 4.11 Circuses and Carnivals**

Section 4.11.020                      Revised to clarify that circuses and carnivals may operate on public property with or without paid admissions.

Sections 4.11.030-040                  Revised to replace "Development Services" with the appropriate Department.

#### **Chapter 4.23 Solicitors**

Section 4.23.170                      Revised to replace "Development Services" with the appropriate Department.

### **TITLE 5, "HEALTH AND SAFETY"**

The proposed substantive revisions to Title 5 are generally as follows:

#### **Chapter 5.04 Noise Abatement and Control**

Sections 5.04.090                      Revised to replace "Development Services" with the appropriate Department.

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### TITLE 8, "STREETS, SIDEWALKS AND PUBLIC PROPERTY"

The proposed revisions to Title 8 are generally as follows:

#### **Chapter 8.02 Encroachments**

- Section 8.02.120            Definitions. Revised the definition of "Director" to mean the Director of the Engineering Department to conform to the City's new organizational structure.
- Section 8.02.201            Permit—Restrictions. Added new Section 8.02.201 to prohibit the installation of walls, fences, retaining structures, slopes or modification in the right of way, except pursuant to an approved permit or plan.
- Section 8.02.205            Permit—Exemptions. Added new subsection E to provide that installation of decorative gravel, sand, rock, mulch, grass, artificial turf that is level with the sidewalk and or does not exceed 2% slope does not require an encroachment permit unless otherwise provided.
- Section 8.02.230            Performance bond in lieu of security deposit. Revised to provide that if a security deposit required by this chapter exceeds \$ 5,000.00 (increased from \$3,000.00), the Director may allow the permittee to secure any excess above \$5,000.00 (increased from \$3,000.00), by a faithful performance bond, letter of credit or other security in a format acceptable to the City Attorney.
- Section 8.02.385            Revised to replace "Development Services" with the appropriate department.

#### **Chapter 8.04 Protection of Public Highways**

- Section 8.04.030            Establishment of year-end street work moratorium. Removed references to "Development Services" and referenced the appropriate department. Streamlined language regarding required notification to the City of proposed emergency work.
- Section 8.04.040            Removed reference to "Development Services" and referenced the appropriate department.

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### Chapter 8.06 Urban Forestry

Section 8.06.060 Revised to replace “Development Services” with the appropriate Department.

### Chapter 8.12 Special Event

Section 8.12.010 Revised to replace “Development Services” with the appropriate Department.

## **TITLE 9, “PUBLIC SERVICES”**

The proposed revisions to Title 9 are generally as follows:

### Chapter 9.04 Construction and Demolition Debris Recycling

Sections 9.04.030, 9.04.070, 9.04.110, 9.04.130 Revised to replace “Development Services” with the appropriate Department.

## **TITLE 10, “VEHICLES AND TRAFFIC”**

The proposed revisions to Title 10 are generally as follows:

### Chapter 10.02 General Provisions

Section 10.02.020 Revised to replace “Development Services” with the appropriate Department.

### Chapter 10.10 Stopping, Standing and Parking

Sections 10.10.300.A.5 Stopping and parking zones. With regard to blue curbs, replaced reference to parking for vehicles of “physically handicapped persons” with reference to vehicles with a “valid disabled placard or disabled parking license plate.”

### Chapter 10.24 Abandoned Vehicles

Section 10.24.150 Revised to replace “Development Services” with the appropriate Department.

## **TITLE 11, “BUILDINGS AND CONSTRUCTION”**

The proposed revisions to Title 11 are generally as follows:

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### Chapter 11.01 Definitions

Section 11.01.010 Definitions. Revised the definition of “Director” to mean Director of Engineering to conform to the City’s new organizational structure.

### Chapter 11.24 Construction and Improvement Standards

Section 11.24.100 Undergrounding of utilities—Required. Revised to reorganize and streamline the existing requirements related to the undergrounding of utilities, and to revise certain exemptions to those requirements, including expanding the frontage length that triggers the underground requirement from 50 feet to 100 feet as it no longer seemed practical to require sites less than 100 feet to underground.

### Chapter 11.28 Housing Regulations

Section 11.28.010 Revised to replace “Development Services” with the appropriate Department.

### Chapter 11.36 Flood Damage Prevention

Section 11.36.130 Revised to replace “Development Services” with the appropriate Department.

### Chapter 11.40 Excavation and Grading

Section 11.40.050 Definitions. Added definition for “City Engineer.” Revised the definition of “Director” to mean Director of the Engineering Department, and the definition of “Planning Director” to mean the Director of Planning and Building, to conform to the City’s new organizational structure.

Section 11.40.105.D Designated exceptions. Revised subsection D to provide that exploratory excavations must be restored to the satisfaction of the Director, and added new language to prohibit, during exploratory excavations, stockpiling greater than needed for exploration, trucking, and general placement or removal of rock or soil. The revisions are intended to clarify the exceptions and to give the City Engineer greater authority so as to prevent abuse of this section and or the possibility of illegal grading to occur as a result of allowing exploratory excavations.

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- Section 11.40.110 Permit applications. Revised subsection D to provide that all paving operations that will include the installation of new pavement, the removal and replacement of existing pavement, or a combination of the two totaling more than 5,000 square feet require prior approval of a grading site plan.
- Section 11.40.120 Revised to replace “Development Services” with the appropriate department.
- Section 11.40.130 Preliminary soil engineering and geology reports. Made clerical revisions to the references to relevant “Group” of uses as it pertains to geotechnical studies and obligations. This change is suggested to be consistent with changes to the building code and to be consistent with the City’s latest adopted geotechnical seismic hazard study.
- Section 11.40.145 Application coordination—Multi-departmental cooperation. Revised to clarify that when the nature of work proposed in a grading permit application affects multiple City departments, those departments may submit recommendations regarding the permit, but that the City Engineer will make the final determination regarding the permit.
- Section 11.40.175 Nonstructural fills. Revised to clarify that temporary stockpiles require prior written approval of the City Engineer in order to be permitted.
- Section 11.40.235 Work commenced before permit issuance—Fee. The existing Section provides that a separate fee of no less than \$500 may be imposed on a property owner for work commenced without a required grading permit. This Section has been revised to require the property owner to notify the City of which of four options the owner will select in order to comply with the permit requirement: (1) show proof of a valid permit; (2) pay the fee and engage a licensed professional to act as the Engineer of Record and provide “as built” plans; (3) pay the fee and engage with a professional to prepare plans and details for the proposed work and perform the work in accordance with those plans; or (4) remove the work and restore the area to pre-construction condition. These revisions are intended to reduce the Staff time expended to address these instances of unpermitted work.

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Sections 11.40.620, 11.40.630, and 11.40.655-660 Revised to replace “Development Services” with the appropriate department.

### **Chapter 11.50 Electric Vehicle Charging Systems Expedited, Streamlined Permitting Process**

Section 11.50.060 Revised to replace “Development Services” with the appropriate department and to replace “Planning Commission” with “City Council” because Council serves as the City’s Planning Commission.

## **TITLE 12, “SUBDIVISION OF LAND, DEVELOPMENT FEES, AND DEDICATIONS”**

The proposed revisions to Title 12 are generally as follows:

### **Chapter 12.04 Definitions**

12.04.020 Definitions. Revised the definition of “Director” to replace “Development Services” with the appropriate department and revise the definition of “City Engineer” to be consistent with the definition of that term in other titles of the Code.

### **Chapter 12.08 Tentative Maps—Procedures.**

Sections 12.08.020, 12.08.040, 12.08.60, 12.08.090 Revised to replace “Development Services” with the appropriate department.

### **Chapter 12.20 Boundary Adjustment**

Section 12.20.010 Revised to replace “Development Services” with the appropriate department.

### **Chapter 12.30 Development Impact Fees**

Section 12.30.050 Revised to replace “Development Services” with the appropriate department.

Section 12.30.140 Compliance with State law. Clarified the existing requirements and procedures related to compliance with the Mitigation Fee Act (Gov. Code §§ 66000-66025).

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### Chapter 12.32 Dedications and Improvements

Section 12.32.060 Private streets, alleys or ways. Revised to provide the construction standards that apply when private streets, alleys, or ways are allowed by the City Engineer. The revised standards include minimum widths, specifically for emergency access, public alleyways, and parking considerations.

### Chapter 12.40 Park Lands Dedication

12.40.020 Definitions. Revised to replace “Development Services” with the appropriate department.

### Chapter 12.50 Dedications of Land and Fees for School Districts

12.50.170 Definitions. Revised to replace “Development Services” with the appropriate department.

## TITLE 13 “ZONING”

The proposed revisions to Title 13 are generally as follows:

### Chapter 13.04 Administration

Section 13.04.140.B Definitions. Updated the definition of “Director” to replace references to the Department of Development Services with references to Planning and Building Department or Engineering Department, as appropriate, and to make other minor revisions.

Revised the definitions of “congregate care facility,” “family,” “group care facility, general,” to replace references to “handicapped persons” with references to “persons with disabilities.” Added definitions of “accessibility” and “accessible.”

### Chapter 13.06 Permits

Section 13.06.055 Reasonable accommodation – Residential accessibility. Revised to replace “Development Services” with the appropriate Department.

Section 13.06.070.C Temporary uses. Added new subsection C.10 to allow a food truck (“vending vehicle”) to operate as an ancillary use on an active construction site or on a lot developed with a brewery,



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bar, tavern, nightclub, lodge, or stand-alone liquor store. The vending vehicle must operate as a catering or take-out only service and only operate for ~~no more than three consecutive days~~ while the primary use located on the same site is open for business. At all times, the vending vehicle must remain operable and have a clear path of egress from the property. The vending vehicle must not be permanently affixed to the property and no structures may be permanently affixed to the vending vehicle or permanently affixed to the property for use by the vending vehicle. A temporary use permit will be required for two or more vending vehicles located on the same site at the same time. Currently, SMC Section 10.26.060.B.3 allows vending vehicles to operate on private property with the property owner's consent, but SMC Section 10.26.010 includes a finding that a vending vehicle parked for 10 minutes or longer may exacerbate traffic problems in highly congested areas and obstruct sidewalks. This new section is intended to clarify that a vending vehicle may operate for longer than 10 minutes when operating as an ancillary use as described above. City staff believes that this type of ancillary use is less likely to create the traffic problems mentioned in Section 10.26.010, as the vending vehicle would be located on a site already used as a brewery, bar, etc. and would be subject to conditions prescribed by the Director.

- Section 13.06.070 E Temporary Uses-Permit Required. Revised subsection E.2 to add submittal requirements and conditions for model homes being used temporarily as offices.
- Section 13.06.070.E Temporary Uses—Permit Required. In subsections E.3 and E.6, replaced references to “mobilehome” with “manufactured home” to be consistent with current City and State terminology.
- Section 13.06.070.E Temporary Uses—Permit Required. In subsection E.4, replaced references to “handicap” parking with references to parking “for persons with disabilities.”

### Chapter 13.08 Development Review

- Section 13.08.020A Projects requiring development review. Added language that authorizes the Director to set a public hearing and require City Council review as needed for administrative projects.

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Section 13.08.030 Revised to replace “Development Services” with appropriate department.

### Chapter 13.10 Residential Districts

Section 13.10.030 Residential Use Regulations. Revised to replace the term “mobilehome” with “manufactured home” to be consistent with current City and State terminology. Added language to clarify that manufactured homes that are approved as ADUs are subject only to the ADU Ordinance.

Table 13.10.040A Site Development Criteria, Basic Development Standards – Residential. Minor clerical revision to add a footnote to Minimum Lot Dimensions for the R-2 zone to clarify that the requirements related to minimum lot frontage for cul-de-sacs and 90-degree radius turn streets apply in the R-2 zone as well as the HL, R-1, R-1A zones (which all currently include the footnote).

Table 13.10.040E Site Development Criteria, Development Standards for Residential Lots Within a Planned Residential Development. Revised footnote 2 to clarify that the 10-foot setback applies to buildings only, and not parking areas. Added a footnote to the front setback standard to require that the driveway for each required garage be a minimum of 20 feet long.

Section 13.10.050E Special Development Criteria, Fences, Walls, and Hedges. Revised the Visibility Clearance Diagram to measure the sight distance triangle along the face of the curb and increase the distance from 10 feet to 30 feet.

### Chapter 13.12 Commercial/Office Districts

Table 13.12.030A.B Commercial and office use regulations, Use Regulations for Commercial/Office Districts. Revised subsection B.10.c to change automotive repairs including painting, body work and services from permitted by right in the General Commercial zone to requiring a CUP, due to the impacts of this type of use on the surrounding community.

Revised subsection B.10.d to expand the washing and / or express car wash use to also include full service car wash and self-service car wash, and to change all of these uses from requiring a Minor CUP in the NC zone to requiring a CUP in that zone, and from being permitted by right in the General Commercial (GC) zone to requiring a CUP in that zone due to the impacts of this type of use on the surrounding community.

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Added new subsection B.59 to allow self-storage and public storage with a conditional use permit in the GC zone.

Revised subsection B.68 to change “tattoo parlor or body piercing salon” to “tattoo parlor and / or body piercing salon” and to permit this use by right in the GC zone. It had previously been prohibited except in the Light Industrial zone. This change reflects the changing nature of the tattoo use, including the rise in popularity of microblading and permanent makeup.

Section 13.12.030.G Commercial and office use regulations, Condition of Uses. Revised subsection G.5 to remove language related to parking requirements for food establishments with accessory eating. This language has been moved (without any changes) to Section 13.24.040, which sets forth parking requirements. Also revised subsection G.5 to add new subsection G.5.e to state that parking shall comply with Section 13.24.040.

### Chapter 13.14 Industrial Districts

Table 13.14.030A.B Industrial Use Regulations, Use Regulations for Industrial Districts. Revised to subsection B.6 to change “Mini storage” to “Self storage” to more accurately reflect the nature of the use.

Section 13.14.030.H, J Industrial Use Regulations, Use Regulations for Industrial Districts. Revised subsections H and J to replace references to “handicap” persons with references to “persons with disabilities.”

Section 13.14.030.J Industrial Use Regulations, Use Regulations for Industrial Districts. Revised subsection J to remove language related to parking requirements for food establishments with accessory eating. As noted above, this language has been moved (without any changes) to Section 13.24.040, which sets forth parking requirements. Also revised subsection J to add new subsection J.5 to state that parking shall comply with Section 13.24.040.

### Chapter 13.20 Specific Plan District

Section 13.20.040-050 Revised to replace “Development Services” with appropriate department.

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### Chapter 13.24 Parking Regulations

- Section 13.24.030.A,D Design standards. Revised subsections A.2 and D.3 to replace references to “handicapped” parking spaces with parking spaces “for persons with disabilities.” Also updated the reference in subsection D.3 to refer to the California Code of Regulations, Title 24, Part 2.
- Section 13.24.040.A Parking Requirements, Residential. Revised subsection A.2 to replace “Cluster development (condominium, town home, etc.) semi-detached single-family (zero lot line, patio homes, duplexes, etc.) apartments” with “Multifamily development” to more accurately reflect the use. Also revised the off-street uncovered parking requirements to provide that for Planned Residential Developments, private on-street parking may be substituted for visitor parking, where sufficient street pavement width and distance between driveways has been provided. This requirement previously applied to “single family zero lot line, patio homes, and duplexes.”
- Section 13.24.040.B Parking Requirements, Nonresidential. Revised subsection B to reorganize the formatting for clarity and streamline the parking requirements for various uses about which staff has received an increase of inquiries.
- Section 13.24.040.B Parking Requirements, Nonresidential, Automobile Uses. Revised subsection B.2 to provide that the parking requirement for washing and detailing, including full service car wash, self-service car wash, and / or express car wash shall be as determined by a parking demand study approved by the Director of Planning and Building.
- Section 13.24.040.B Parking Requirements, Nonresidential, Industrial. Revised subsection B.6 to change “mini-storage” to “self-storage”, and to remove reference to parking requirement for each “storage lot” to conform to City practice. Also revised the parking requirement for warehousing and distribution to be one space for 1,000 square feet of gross floor area which is similar to other cities. The previous requirement was one space for 500 square feet of gross floor area.
- Section 13.24.040.B Parking Requirements, Nonresidential, Commercial, Places of Assembly. Revised subsection B.7 to provide that up to a total of 16 fixed seats are permitted in an accessory outdoor dining area for all food establishments and will not be counted toward the parking requirement.

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Section 13.24.040.B Parking Requirements, Nonresidential, Other Uses. Revised subsection B.8 to revise the parking requirement for day care centers from one space for each staff member, plus one for each five children to as determined by a parking demand study approved by the Director of the Planning and Building Department.

### Chapter 13.32 Signs

Section 13.32.025-030 Revised to replace “Development Services” with the appropriate department.

Section 13.32.040 Added new Subsection A.9 to exempt from sign permitting and standards banners that are authorized pursuant to City policy. This update is intended to be consistent with the City’s proposed banner policy.

### RECOMMENDATION

Staff requests that the City Council:

1. Conduct the second reading of and adopt the Ordinance amending Title 13; and
2. Conduct the second reading of and adopt the Ordinance amending Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE  
AMENDING SANTEE MUNICIPAL CODE TITLE 1, "GENERAL  
PROVISIONS," TITLE 2, "ADMINISTRATION AND PERSONNEL,"  
TITLE 3, "PURCHASING," TITLE 4, "BUSINESS LICENSES, TAXES  
AND REGULATIONS," TITLE 5, "HEALTH AND SAFETY," TITLE 8 ,  
"STREETS, SIDEWALKS AND PUBLIC PROPERTY," TITLE 9,  
"PUBLIC SERVICES," TITLE 10, "VEHICLES AND TRAFFIC," TITLE  
11, "BUILDINGS AND CONSTRUCTION," AND TITLE 12,  
SUBDIVISION OF LAND, DEVELOPMENT FEES, AND  
DEDICATIONS" 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;

**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 determined that certain updates to Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 of the Code are required; and

**WHEREAS**, the proposed revisions to Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 are detailed in the Staff Report and indicated in the redline document included with the agenda materials.

**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.** Section 1.10.040, Section 1.10.050, Section 1.10.060, Section 1.10.150, Section 1.10.190, Section 1.12.040, Section 2.16.010, Section 3.24.090, Section 3.24.120, Section 3.24.140, Section 3.24.170, Section 3.24.180, Section 4.07.020, Section 4.08.070, Section 4.11.020, Section 4.11.030, Section 4.11.040, Section 4.23.170, Section 5.04.090, Section 8.02.120, Section 8.02.201, Section 8.02.205, Section 8.02.230, Section 8.02.385, Section 8.04.030, Section 8.04.040, Section 8.06.060, Section 8.12.010, Section 9.04.030, Section 9.04.070, Section 9.04.110, Section 9.04.130, Section 10.02.020, Section 10.10.300, Section 10.24.150, Section 11.01.010, Section 11.24.100, Section 11.28.010, Section

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11.36.130, Section 11.40.050, Section 11.40.105, Section 11.40.110, Section 11.40.120, Section 11.40.130, Section 11.40.145, Section 11.40.175, Section 11.40.235, Section 11.40.620, Section 11.40.630, Section 11.40.655, Section 11.40.660, Section 11.50.060, Section 12.04.020, Section 12.08.020, Section 12.08.040, Section 12.08.060, Section 12.08.090, Section 12.20.010, Section 12.30.050, Section 12.30.140, Section 12.32.060, Section 12.40.020, and Section 12.50.170 are revised or added as set forth in Exhibit A, attached to this Ordinance and incorporated herein.

**SECTION 3. CEQA.** Based upon the whole of the administrative record before it, the City Council hereby finds that the amendment of the Santee Municipal Code as set forth in this Ordinance is exempt from environmental review under the California Environmental Quality Act (“CEQA”) (Pub. Res. Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15061(b)(3) and 15378(b)(5). An activity is subject to CEQA only if that activity has “the potential for causing a significant effect on the environment.” (State CEQA Guidelines, § 15061(b)(3).) An activity is thus exempt from CEQA “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (*Ibid.*) Here, the amendment of the Santee Municipal Code as set forth in this Ordinance does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines, § 15061(b)(3).) Moreover, approval of the Ordinance constitutes an administrative activity of the City and is additionally exempt from CEQA on that basis. (State CEQA Guidelines, § 15378(b)(5).) 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.

**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 section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Santee hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

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

**ORDINANCE NO. \_\_\_\_\_**

**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 Regular Meeting of the City Council of the City of Santee, California, on the 10th day of May 2023, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 24th day of May 2023, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

\_\_\_\_\_  
**JOHN MINTO, MAYOR**

**ATTEST:**

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

**Exhibit A – Revisions to Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 of the Santee Municipal Code**



**ORDINANCE NO. \_\_\_\_**

**Exhibit A**

**Revisions to Titles 1, 2, 3, 4, 5, 8, 9, 10, 11 and 12 of the Santee Municipal Code**

**[attached behind this cover page]**

## **REVISIONS TO TITLES 1, 2, 3, 4, 5, 8, 9, 10, 11 AND 12 OF THE SMC**

The revised text is shown below. Omitted text is denoted by ellipses. Only revised sections are shown.

### **REVISIONS TO TITLE 1, "GENERAL PROVISIONS"**

#### **Chapter 1.10 NUISANCE ABATEMENT**

...

##### **1.10.040 Declaration of nuisance – Notice – Service of notice.**

A. Whenever the Director of Planning and Building, or when the violation relates to a fire hazard, the Fire Chief, or an authorized representative of either, finds that a nuisance exists in accordance with this code on any premises located within the City, he or she must cause, including through the use of a third party contractor, a notice to be issued to the property owner, lessee or occupant of the property on which the nuisance is located of the nuisance and direct that the nuisance be abated.

B. This notice may be sent by first class mail, postage prepaid and need not be served in accordance with Section [1.10.080](#). The notification must detail the violations and establish a reasonable abatement period which is not less than 10 days. (Ord. 554 § 3, 2019)

##### **1.10.050 Voluntary abatement of nuisances.**

The owner, lessee or occupant of any building, structure or property alleged to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period provided in Section 1.10.040 of this chapter by rehabilitation, repair, removal, or demolition. The owner, lessee, or occupant must advise the Director of Planning and Building, or, when applicable, the Fire Chief of the abatement. Once advised, the Planning and Building Department or the Fire Department or authorized representative of either must inspect, or cause to be inspected, the premises to ensure that the nuisance has been abated. (Ord. 554 § 3, 2019)

##### **1.10.060 Failure to voluntarily abate a declared nuisance – Notice of intent to abate.**

If an alleged nuisance is not properly abated within the period established under the provisions of Sections [1.10.040](#) and [1.10.050](#), the property owner, lessee or occupant must be served with a written notice of intention to abate the nuisance in accordance with Sections [1.10.070](#) and [1.10.080](#) of this chapter by the Director of Planning and Building, the Fire Chief, or an authorized representative of either. (Ord. 554 § 3, 2019)

...

#### **1.10.150 Record of cost for abatement – Invoice.**

A. The enforcement officer or such other City official or private contractor as may be designated, must keep an account of the costs of abating a nuisance on each separate lot or parcel of land where the work is done and render an itemized report, in writing, to the Director of Planning and Building or the Fire Chief, showing the cost of abatement and the rehabilitation, demolition or repair of the premises, building or structures, less any salvage value relating thereto. The costs must include the City's administrative costs, which may be 25% of the other costs and which include the expense and costs of the City in preparing notices, specifications and contracts, in inspecting the work, legal fees, and other related costs required hereunder.

B. The Director of Planning and Building, the Fire Chief, enforcement officer, or such other City official or private contractor as may be designated, must send an invoice for the costs of abating the nuisance to the owner of the property where the abatement activity occurred. Service of the invoice must be made in a manner provided in Section [1.10.080](#). (Ord. 554 § 3, 2019)

...

#### **1.10.190 Grievance with final order – Appeal to City Council.**

A. Except as otherwise provided in this chapter for weed and rubbish abatement proceedings, whenever any person is aggrieved by any final order of the hearing officer issued pursuant to Section [1.10.110](#), such person may appeal to the City Council the issuance of the order by filing a written notice of appeal with the City Clerk no later than two days after the date of the hearing under Section [1.10.110](#) and paying any appeal fee established by resolution of the City Council.

B. The written notice of appeal must be filed with the City Clerk and state the grounds for the appeal and the specific factual and/or legal errors committed by the hearing officer in issuing its order.

C. The City Clerk must transmit one copy of said notice of appeal to the Director of Planning and Building, Fire Chief, or authorized representative.

D. The Director of Planning and Building, Fire Chief, or the authorized representative of either, must transmit to the City Council, no later than 20 days after receiving a notice of appeal, and copies of all other papers constituting the record upon which the decision was taken, including, but not limited to, the minutes of all hearings thereon, a written report, prepared from the record upon which the final determination was made, stating the factual and legal basis on which the Director of Planning and Building, Fire Chief or the authorized representative reached his or her decision.

E. The City Council may affirm, reverse or modify, in whole or in part, any final determination, assessment, or order of the hearing officer, Director of Planning and Building, Fire Chief or authorized representative which is subject to an appeal pursuant to this section. After reviewing the proceedings relating to the decision appealed from, including, but not limited to, minutes of hearings, notice of appeal and the report of the Director of Planning and Building, Fire Chief, or authorized representative, the City Council, by resolution, may affirm without further action the determination, assessment, or order appealed from.

F. Except as provided in Section [1.10.200](#), on the date a notice of appeal is filed under this section, all proceedings in furtherance of the determination or order appealed from must be stayed until the final determination by the City Council of the appeal.

G. All decisions of the hearing officer, Director of Planning and Building, Fire Chief, or the authorized representative of either are final unless appealed within the time prescribed herein.

H. A hearing held pursuant to this section may be combined with the hearing required pursuant to Section [1.12.040](#) or Section [1.12.050](#). (Ord. 554 § 3, 2019)

## **Chapter 1.12 MONETARY PENALTIES AND COST RECOVERY**

...

### **1.12.040 Recovery as a lien.**

A. To the extent permitted by law, the City may establish a lien in the amount of the fee, cost, or charge confirmed by the City in accordance with Section [1.12.030](#) against the real property where the violation occurred, unless the City has established an assessment for those same fees, costs, or charges pursuant to Section [1.12.050](#). If the real property where the violation occurred is not occupied by the owner, the lien amount may also include accrued fines and penalties.

B. Notice of Lien Prior to Recording. Prior to recording a lien, notice must be served on the owner of record based on the last equalized assessment roll or the supplemental roll, whichever is more current, in the same manner as summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the [Code of Civil Procedure](#). If the owner of record cannot be found after a diligent search, the notice may be served by posting copy of the notice in a conspicuous place on the property for a period of 10 days and publishing the notice in a newspaper of general circulation published in San Diego County pursuant to [Government Code](#) Section 6062.

C. Content of Notice. The notice of lien for recordation must be in a form substantially as follows:

NOTICE OF LIEN

(Claim of City of Santee)

Pursuant to the authority vested by the provisions of Section [1.10.140](#) of the City of Santee Municipal Code, the Director of Planning and Building of the City of Santee, the Fire Chief, or an authorized representative of either of the above did, on or about the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, cause the premises hereinafter described, to be rehabilitated, or the building or structure of the property hereafter described, to be repaired or demolished in order to abate a public nuisance on said real property; and the Director of Planning and Building, the Fire Chief, or the authorized representative of either of the above or the City Council, did on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, assess the cost of such rehabilitation, repair or demolition upon the real property hereinafter described and that said City of Santee does hereby claim a lien on such rehabilitation, repair or demolition in the amount of said assessment, to wit: the sum of \$\_\_\_\_\_ and the same is a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Santee, County of San Diego, State of California, and particularly described as follows:

(Description)

Assessor's Parcel No. \_\_\_\_\_

Street Address: \_\_\_\_\_

Name of owner of record: \_\_\_\_\_

DATED: This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

City Clerk of the City of Santee, California

(ACKNOWLEDGMENT)

(Ord. 554 § 3, 2019)

## **REVISIONS TO TITLE 2, "ADMINISTRATION AND PERSONNEL"**

### **Chapter 2.16 CITY DEPARTMENTS**

#### **2.16.010 Generally.**

A. Except as otherwise provided in subsection B and subject to budget approval by the City Council, the City Manager is authorized to establish, without amendment to this code, and supervise departments in the City, and to appoint the Director of each department. The following departments are currently established and supervised by the City Manager:

1. Community Services;
2. Engineering;
3. Fire and Life Safety Services;
4. Human Resources and Risk Management;
5. Finance; and
6. Planning and Building.

B. There are in the City the following departments, which coordinate with the City Manager, but whose directors are appointed by the City Council:

1. City Manager;
2. City Clerk; and
3. City Attorney. (Ord. 555 § 3, 2019)

## **REVISIONS TO TITLE 3, "REVENUE AND FINANCE"**

### **Chapter 3.24 PURCHASING**

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#### **3.24.090 Selection of procurement method.**

A. All contracts for the purchase of supplies, equipment, materials and nonprofessional services must be procured in accordance with the following, except as otherwise provided in this chapter:

1. Purchases estimated to exceed \$35,000.00 must be made by the formal bidding procedures in Section 3.24.100.
2. Purchases estimated to exceed \$3,500.00 but not to exceed \$35,000.00 may be made by the informal bidding procedures in Section 3.24.110.
3. Purchases estimated at \$3,500.00 or less may be made on the open market without following formal or informal bidding procedures.
4. Cooperative purchases must be made in accordance with the cooperative purchasing procedures in Section 3.24.130.
5. Emergency purchases must be made by the emergency purchases procedures in Section 3.24.140.

B. Notwithstanding subsection A of this section, 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 interests to do so. (Ord. 556 § 3, 2019)

...

#### **3.24.120 Open market purchases.**

In any of the following instances, the purchasing agent may dispense with the requirements of formal or informal bidding and procure supplies, material and equipment on the open market:

- A. When the estimated amount involved does not exceed \$3,500.00;

B. When a commodity qualifies as a sole source purchase pursuant to Section 3.24.020 and does not exceed \$50,000.00, or if the cost exceeds \$50,000.00, the sole source procurement method is approved by the City Council;

C. When the City Council determines that due to special circumstances, it is in the City's best interest to purchase a commodity or enter into a contract without compliance with the formal or informal bidding procedure. (Ord. 556 § 3, 2019)

...

### **3.24.140 Emergency purchases by purchasing agent.**

A. In the case of an emergency as defined in Section 3.24.020, the purchasing agent may authorize the head of a department to purchase supplies, material, equipment or services on the open market when all of the following conditions are present:

1. Immediate procurement of the supplies, material, equipment, and/or services is essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public;
2. The estimated cost of the purchase does not exceed \$25,000.00; and
3. The head of the department procuring the supplies, material, equipment, and/or services sends to the purchasing agent a copy of the delivery record, together with a full written explanation of the circumstances justifying the emergency purchase.

B. In the case of an emergency as defined in Section 3.24.020, the City Manager may authorize the purchasing agent to secure in the open market, any supplies, material, equipment, and/or services when all of the following conditions are present:

1. Immediate procurement of the supplies, material, equipment, and/or services is essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public; and
2. The estimated cost does not exceed \$75,000.00; provided, however, that when the estimated cost exceeds \$50,000.00, or \$25,000 for professional services, the procurement must be subsequently ratified by the City Council.

C. In the case of an emergency as defined in Section 3.24.020, the City Council must ratify purchases of supplies, materials, equipment or services essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public when the estimated cost thereof exceeds \$50,000.00, or \$25,000 for professional services. (Ord. 556 § 3, 2019)



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**3.24.170 Other supplies, materials, equipment or services not subject to the provisions of this chapter.**

The following types of contracts and purchases are not subject to the provisions of this chapter:

- A. Public projects as defined in Section 20161 of the California Public Contract Code, except for the issuing of a purchase order, by the purchasing agent for encumbrance of funds;
- B. Contracts to be paid directly from deposits posted by development project applicants or from grant funds. The City Manager has the authority to approve contracts (and amendments thereto) to be paid directly from deposits posted by development project applicants for professional services required in conjunction with the processing or review of development applications, or by grant funds received by the City when the application for or acceptance of said grant funds has been approved by the City Council;
- C. Utility services and related charges;
- D. Real property purchases and related title and escrow fees;
- E. Insurance and bond premiums;
- F. Real property leases;
- G. Professional services, except as otherwise provided. (Ord. 587 § 2, 2021; Ord. 556 § 3, 2019)
- H. Purchases of newspaper (or similar) advertisements for City notices, including but not limited to, notices of public hearings or request for bids.

...

**3.24.180 Awarding authority—Contracts and amendments.**

A. The awarding authority for contracts and amendments to contracts subject to this chapter is as follows:

- 1. A department director is authorized to execute contracts and amendments to contracts subject to this chapter if the cumulative amount of the contract plus any

amendment(s) is \$25,000.00 or less in any single fiscal year and is on behalf of his or her department only.

2. The purchasing agent is authorized to execute contracts and amendments to contracts subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$25,000.00 or less in any single fiscal year and is on behalf of more than one department.

3. The City Manager is authorized to execute contracts and amendments to contracts for supplies, materials, equipment, or nonprofessional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$50,000.00 or less in any single fiscal year. The City Manager is authorized to execute contracts and amendments to contracts for professional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$25,000.00 or less in any single fiscal year.

4. City Council approval is required on contracts and amendments to contracts for supplies, materials, equipment, or nonprofessional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) exceeds \$50,000.00 in any single fiscal year. City Council approval is required on contracts and amendments to contracts for professional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) exceeds \$25,000.00 in any single fiscal year. For any contract approved by the City Council pursuant to this section, the City Manager is authorized to execute amendments in a cumulative amount not to exceed the lesser of 10% of the City Council-approved amount or \$50,000.00 (for supplies, materials, equipment, or nonprofessional services) or \$25,000 (for professional services).

B. No change in an agreement, contract or purchase order may be made without issuance of a written change order, amendment or purchase order, and no payment for any such change may be made unless a written change order, amendment or purchase order has first been approved and executed in accordance with this section designating in advance the work to be done and the amount of additional compensation to be paid. (Ord. 587 § 2, 2021; Ord. 556 § 3, 2019)

## **REVISIONS TO TITLE 4, "BUSINESS LICENSES, TAXES AND REGULATIONS"**

### **Chapter 4.07 TELECOMMUNICATIONS**

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#### **4.07.020 Registration of telecommunications carriers and providers.**

A. Registration Required. All telecommunications carriers and providers that offer or provide any telecommunications service for a fee directly to the public, either within the City, or outside the corporate limits from the telecommunications facilities within the City, shall register with the City pursuant to this section on forms to be provided by the issuing officer, which shall include the following:

1. The identity and legal status of the registrant, including any affiliates.
2. The name, address and telephone number of the officer, agent or employee responsible for the accuracy of the registration statement.
3. A description of registrant's existing or proposed telecommunications facilities within the City in a form satisfactory to the Director of Engineering or the Director of Planning and Building, as applicable.
4. A description of the telecommunications service that the registrant intends to offer or provide, or is currently offering or providing, to persons, firms, businesses or institutions within the City.
5. Information sufficient to determine whether the registrant is subject to public way licensing or franchising under this chapter.
6. Information sufficient to determine whether the transmission, origination or receipt of the telecommunications services provided or to be provided by the registrant constitutes an occupation or privilege subject to any municipal telecommunications tax business license fee, or other occupation tax imposed by the City.
7. Information sufficient to determine that the applicant has applied for and received any certificate of authority required by the PUC to provide telecommunications services or facilities within the City.
8. Information sufficient to determine that the applicant has applied for and received any construction permit, operating license or other approvals required by the Federal Communications Commission to provide telecommunications services or facilities within the City.
9. Information sufficient to determine that the applicant has applied for and received:

- a. Any encroachment permit required under Chapter [8.02](#) of the Santee Municipal Code; and
  - b. Any development review permit, conditional use permit, or administrative approval required for wireless telecommunications facilities under Chapter [13.34](#) of the Santee Municipal Code.
10. Any building permit required under Title 11 of the Santee Municipal Code.
  11. Information sufficient to determine that the applicant has paid any encroachment deposit and other fee due under Chapter [8.02](#) of the Santee Municipal Code.
  12. Such other information as the issuing officer and Director of Engineering or the Director of Planning and Building, as applicable, may reasonably require.
- B. Registration Fee. Each application for registration as a telecommunications carrier or provider shall be accompanied by a fee of \$25.00.
- C. Purpose of Registration. The purpose of registration under this section is to:
1. Provide the City with accurate and current information concerning the telecommunications carriers and providers who offer or provide telecommunications services within the City, or that own or operate telecommunications facilities within the City;
  2. Assist the City in enforcement of this chapter;
  3. Assist the City in the collection and enforcement of any municipal taxes, franchise fees, license fees or charges that may be due the City;
  4. Assist the City in monitoring compliance with local, State and Federal laws. (Ord. 557 § 3, 2019)

## **Chapter 4.08 REGULATION OF STATE VIDEO FRANCHISE HOLDERS**

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### **4.08.070 Permits.**

A. Prior to commencing any work for which a permit is required by Title 8 of this code, a State video franchise holder must apply for and obtain a permit in accordance with the provisions of Title 8 of the Code. A permit application is complete when the State video franchise holder has complied with all applicable laws and regulations, including, but not limited to, all City administrative rules and regulations, and all applicable requirements of Division 13 of the California [Public Resources Code](#), Section 21000, and following,

(the California Environmental Quality Act) and preparation of plans and specifications as required by the Director of Engineering.

B. The Director of Engineering shall, in the exercise of reasonable discretion as permitted by State law, either approve or deny a State video franchise holder's application for any permit required under Title 8 of the Code within 60 days of receiving a complete permit application from the State video franchise holder.

C. If the Director of Engineering denies a State video franchise holder's application for a permit, the Director of Engineering shall, at the time of notifying the applicant of denial, furnish to the applicant a detailed explanation of the reason or reasons for the denial.

D. A State video franchise holder that has been denied a permit by final decision of the Director of Engineering may appeal to the City Council within 10 days after the date of the final decision following the procedures set forth in Chapter [1.14](#) of this code.

E. The issuance of a permit under Title 8 of the Santee Municipal Code is not a franchise, and does not grant any vested rights in any location in the public rights-of-way, or in any particular manner of placement within the public rights-of-way. A permit to place cabinets and similar appurtenances aboveground may be revoked and the permittee may be required to place facilities underground, upon reasonable notice to the permittee. (Ord. 557 § 3, 2019)

## **Chapter 4.11 CIRCUSES AND CARNIVALS**

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### **4.11.020 Operation on public property.**

Upon receipt of an application to operate or exhibit a circus or carnival on City property with or without paid admissions, the issuing officer may issue a permit not to exceed one year only after determining that all of the following are satisfied:

- A. The use not be in violation of any zoning ordinance of the City;
- B. The location and type of equipment are approved by the Engineering Department and the Community Services Department;
- C. A current certificate of inspection has been issued by the State of California for each amusement ride to be operated within the carnival; and
- D. The applicant has the insurance required by this chapter. (Ord. 557 § 3, 2019)

### **4.11.030 Operation on private property.**

Upon receipt of an application to operate or exhibit such carnival on private property, the issuing officer issues a permit for the entire time of the carnival or for one year, whichever is the lesser period of time after determining that all of the following are satisfied:

- A. The carnival complies with the requirements of the zoning ordinance;
- B. The location and type of equipment are approved by the Planning and Building Department and the Community Services Department;
- C. The applicant has satisfied the insurance requirements of this chapter; and
- D. The State of California has issued a current certificate of inspection for each amusement ride to be operated within the carnival. (Ord. 557 § 3, 2019)

#### **4.11.040 Insurance.**

The operator of every circus and carnival must obtain and maintain in full force and effect insurance in the types and amounts to the satisfaction of the City Manager and, if a special event permit is required, satisfactory to the Director of Planning and Building. (Ord. 557 § 3, 2019)

### **Chapter 4.23 SOLICITORS**

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#### **4.23.170 Sidewalk vendors.**

A. In addition to the regulations applicable to solicitors and other generally applicable laws, a sidewalk vendor must not undertake any of the following:

1. Obstruct the flow of traffic in a manner that results in a violation of the Americans with Disabilities Act, forces pedestrian traffic into a street or other area where vehicles travel, or forces vehicular traffic to veer from its ordinary course of travel;
2. Operate in areas located within the immediate vicinity of a permitted certified farmers' market or swap meet during the operating hours of the farmers' market or swap meet as those terms are defined in Chapter 6.2 (commencing with Section 51036) of Part 1 of Division 1 of Title 5 of the [Government Code](#);
3. Operate within the immediate vicinity of an area designated for a temporary use of, or encroachment on, the sidewalk or other public area for the duration of the temporary use or encroachment;

4. Operate without obtaining and displaying any valid certificate or other authorization required by the County of San Diego or without acquiring any license from a State or local agency required by law;

5. Maintain unsanitary conditions.

B. In addition to the regulations applicable to solicitors, a stationary sidewalk vendor must not undertake any of the following:

1. Vend in any park that has an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire;

2. Vend in any area zone exclusively residential.

C. The Director of Engineering may impose any conditions on a regulatory permit issued pursuant to this section which are required to ensure compliance with any relevant provisions of this code, ordinances of the City, or applicable law or regulation.

D. Enforcement of violations of this section will proceed in accordance with Chapter 6.2 (commencing with Section 51036) of Part 1 of Division 1 of Title 5 of the [Government Code](#). (Ord. 557 § 3, 2019)

## REVISIONS TO TITLE 5, "HEALTH AND SAFETY"

### Chapter 5.04 NOISE ABATEMENT AND CONTROL

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#### **5.04.090 Construction equipment.**

A. Prohibitions. Except for emergency work or work that has been expressly approved by the City, it is unlawful for any person to operate any single or combination of powered construction equipment at any construction site, as follows:

1. It is unlawful for any person to operate any single or combination of powered construction equipment at any construction site on Mondays through Saturdays except between the hours of 7:00 a.m. and 7:00 p.m., unless expressly approved by the Director of Planning and Building or the Director of Engineering, as applicable.
2. It is unlawful for any person to operate any single or combination of powered construction equipment at any construction site on Sundays or City recognized holidays unless expressly approved by the Director of Planning and Building or the Director of Engineering, as applicable.
3. No construction equipment is permitted to be started, idled, moved or operated at any location before 7:00 a.m. or after 7:00 p.m. on Mondays through Saturdays and all times on Sundays and holidays, described in subsection (A)(2) of this section. Specific exemptions may be authorized by the Director of Planning and Building or the Director of Engineering, as applicable.
4. Construction equipment with a manufacturer's noise rating of 85 dBAL<sub>MAX</sub> or greater, may only operate at a specific location for 10 consecutive workdays. If work involving such equipment will involve more than 10 consecutive workdays, a notice must be provided to all property owners and residents within 300 feet of the site no later than 10 days before the start of construction. The notice must be approved by the City and describe the project, the expected duration, and provide a point of contact to resolve noise complaints. (Ord. 558 § 3, 2019)



## **REVISIONS TO TITLE 8, "STREETS, SIDEWALKS AND PUBLIC PROPERTY"**

### **Chapter 8.02 ENCROACHMENTS**

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#### **8.02.120 Definitions.**

"Building or Structure." In addition to the meaning ordinarily ascribed thereto, "building or structure" includes any machine, implement, device, tree, derrick, stage or other setting, lumber, sash or door, structural steel, pipe bend, transformer, generator, punch, agitator, object or thing having a width of more than eight feet, other than any implement of husbandry or any special mobile equipment, as defined in the [Vehicle Code](#) of the State of California, having a width of 10 feet or less. The term also includes a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum permitted by the [Vehicle Code](#).

"Commercial driveway" means any driveway that is not a "residential driveway" as defined in this section.

"Delineate" means to mark in white the location or path of the proposed excavation in accordance to [Government Code](#) Section 4216.

"Driveway" includes both commercial and residential driveways.

"Director" means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

"Drop box" means any permanent structure located within the public right-of-way for the purpose of depositing and collecting packages for shipment, except mailboxes owned and maintained by the United States.

"Encroachment" means any tower, pole, pole line, pipe, pipeline, driveway, private road, fence, sign, billboard, stand or building, or any structure or object of any kind or character not particularly mentioned herein, which is placed in, under or over any portion of the public way, temporarily or permanently.

"Excavation" means any operation in which earth, rock, asphalt, concrete, or other material in the ground is moved, removed, or otherwise displaced by means of tools, equipment, or explosives in any of the following ways: grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, boring, cable or pipe plowing and driving or any other way.

“Facility” means pipelines, valves, cables, conduits, lines, boxes, vaults, cabinets, poles, pedestals, manholes, hand holes and all other related components of underground and above ground devices for the purpose of electrical, gas, water, sewer, and communication service and distribution.

“Graffiti” has the meaning set forth in Chapter [7.16](#).

“Markouts” means the identification of a utility facility by the use of any form of paint, chalk, felt tip marker, staking, flags, pen or etching tools.

“Permittee” means the person to whom the encroachment permit is issued.

“Protective measures” means any barricades, traffic control devices, trench plates or similar such devices intended to give warning and protect the public from injury or loss resulting from the placement of an encroachment within the public way.

“Publication stand” means any permanent structure located within the public right-of-way for the purpose of selling or distributing newspapers, magazines, advertisements, or similar publications.

“Public way” means any public highway, public street, public right-of-way, easement, or public place in the City either owned by the City or dedicated to the public.

“Requestor” means the person requesting utility markouts for construction.

“Residential driveway” means any driveway serving any property which is used solely as a private residence consisting of one, two, or three dwelling units including farms or ranches which are not used as retail outlets.

“Surface utility structures” means utility structures located within the public right-of-way at or above the existing or proposed grade, including, but not limited to, electrical transformers, telephone and cable television pedestals, hand holes, pull boxes, meter boxes, valve boxes and signal traffic controllers.

“Ticket” means an excavation location request issued a number by the regional notification center, including, but not limited to, the Underground Service Alert—Southern California.

“Utility” means any publicly owned or privately owned entity who owns, maintains, or operates facilities within the public right-of-way or easements providing the following services; electrical, natural gas, water, sewer, phone, television, Internet, wireless communication, data or any other form of communication.

“Utility locator” means any person working for a utility as an employee or on behalf of a utility for the purpose of field locating utilities and marking out the utilities facilities.

“Width” means that dimension measured at right angles to the anterior-posterior axis of the conveyance upon which the building or structure or portion thereof or is to be loaded or moved, or to the median line of the public way over which the same is being or is to be moved. (Ord. 561 § 3, 2019)

...

#### **8.02.201 Permit—Restrictions.**

A. It is unlawful for any person to install walls, fences, retaining structures, slopes or other modification in the right of way, except for what is found on an existing approved building permit specific for that encroachment and / or an approved precise grading and / or plot plan.

#### **8.02.205 Permit—Exemptions.**

Unless otherwise provided, the following are exempt from the requirement for an encroachment permit in Section [8.02.200](#):

- A. The City’s placement of signs and other structures.
- B. Temporary, noncommercial signs authorized pursuant to Chapter [13.32](#) of this code. No sign may be placed within medians or at such locations that block vehicle sight distance or otherwise create a safety hazard to motorists or pedestrians.
- C. Homeowners who wish to paint house numbers on their curb are not required to obtain an encroachment permit but must follow the standards pertaining to size, color and location identified above.
- D. Emergency repair work conducted by employees or contractors of the United States, this State, school districts, other public district or public body or public utility agencies subject to regulation by the public utilities commission of the State of California necessary for the maintenance of service. In such event, however, a report of the excavation in such form as may be required by the Director must be submitted to the Director within 24 hours after the excavation is made and the person making an excavation must obtain a permit for the excavation within five days after the excavation commences. All provisions of this chapter for the protection of the public and governing repairs to the public way apply to the same extent as where applications and permits are required. All fees listed in Section [8.02.215](#) must be paid with each such report as would otherwise be required for a permit.
- E. Installation of decorative gravel, sand, rock, mulch, grass, artificial turf that is level with the sidewalk and / or does not exceed 2% slope.

F. Any person who is subject to the rules and regulations of the public utilities commission of the State of California is not required to obtain a permit to install, maintain, replace, repair or relocate any telephone or electric pole, anchor, or overhead lines. However, any person exempted by this section from obtaining a permit is deemed to be a “permittee” under a blanket permit while performing any work referred to in this section and must comply with all regulations and requirements of this chapter imposed on a permittee. No person is exempted by this section unless such person has on file with the Director a signed and unrevoked statement required by Section [8.02.220\(C\)](#).

G. Nothing in this chapter prohibits any person from conducting any maintenance required by law, ordinance or permit, on any pipe or conduit in any public way, or from making such excavation as may be necessary for the preservation of life or property, if the necessity arises when the City offices are closed. Any person making an excavation contemplated by this section must provide notice to the Director within 24 hours of making the excavation and obtain a permit for the excavation within five days after the City offices first open after making the excavation. (Ord. 561 § 3, 2019)

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#### **8.02.230 Performance bond in lieu of security deposit.**

If a security deposit required by this chapter exceeds \$5,000.00, the Director may allow the permittee to secure any excess above \$5,000.00 by a faithful performance bond, letter of credit or other security in a format acceptable to the City Attorney. (Ord. 561 § 3, 2019)

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#### **8.02.385 Relocation and replacement costs.**

When required by law, this code, or by the Director, a permittee must make proper arrangements for, and bear the cost of relocating or replacing any encroaching structure, public utility, tree or shrub. All relocations and replacements must be completed to the satisfaction of the Director. (Ord. 561 § 3, 2019)

### **Chapter 8.04 PROTECTION OF PUBLIC HIGHWAYS**

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#### **8.04.030 Establishment of year-end street work moratorium.**

A. In order to reduce traffic impacts during the year-end shopping season, no construction, utility, or maintenance work that requires lane closures is permitted

beginning the Monday prior to Thanksgiving Day through New Year's Day on the following street segments:

1. Carlton Hills Boulevard: from Willowgrove Avenue to Mission Gorge Road.
2. Cuyamaca Street: from Town Center Parkway to Prospect Avenue.
3. Mission Gorge Road: from State Route 125 to Magnolia Avenue.
4. Olive Lane: from Prospect Avenue to Mission Gorge Road.
5. Riverview Parkway: Entire length of street.
6. Town Center Parkway: Entire length of street.

B. Notwithstanding subsection A, any construction, utility, or maintenance work necessary to address an emergency must be performed during the hours of 10:00 p.m. to 5:00 a.m., unless otherwise approved by the Director. Telephonic notification of proposed emergency work must be provided to the Engineering Department. (Ord. 561 § 3, 2019)

#### **8.04.040 Utility markouts for construction.**

A. Purpose and Intent. It is the purpose and intent of the City Council through adoption of this chapter, to provide enforcement tools to ensure the complete removal of utility markouts upon completion of any excavation work and to limit the amount of markouts placed upon public and private property to the minimum amount necessary for excavation work.

B. Markouts Prohibited.

1. It is unlawful for any person to intentionally place utility markouts outside of the limits delineated by the requestor.
2. A request for utility markouts shall not be made for design purposes, for the preparation of design drawings or documents, or for construction purposes in lieu of obtaining the record drawings from the respective utility owner.

C. Responsibility for Removal.

1. The requestor of utility markouts shall have sole responsibility for the removal of all utility markouts and delineation within 10 calendar days from the completion of excavation work.
2. If the utility locator places utility markouts outside of the limits delineated by the requestor, the utility locator shall have sole responsibility for the removal of all

such utility markouts within 10 calendar days from being notified by the requestor or the City.

3. The City shall determine the identification of the requestor by the ticket requesting utility markouts by the regional notification center.

D. Removal of Markouts.

1. Markouts shall be thoroughly removed from all surfaces to the satisfaction of the Director of Engineering.

2. Markouts on asphalt concrete may be blacked out by use of paints suitable for roadway traffic to a color and sheen that most closely matches the asphalt concrete. The blacked out area shall be a square or rectangle of sufficient size to cover markouts with the minimum number of such squares/rectangles needed to cover all markouts.

3. Markouts on concrete surfaces shall be removed from the concrete and shall not be painted over.

4. Markouts which are unable to be removed or have caused permanent damage during placement or removal may result in the requirement to replace the damaged surface at the expense of the entity who placed the mark.

E. Public Nuisance. Markouts on public or private property creates a condition and appearance as graffiti. Graffiti creates a condition tending to reduce the value of private and public property, to promote blight and deterioration, to reflect badly on the community, and may be injurious to health, safety and general welfare. Therefore, the presence of markouts is hereby declared to constitute a public nuisance which may be abated as such in accordance with Title 1, or any other applicable provision of law.

F. Failure to remove utility markings as prescribed herein, is subject to enforcement and administrative citation procedures specified in Title 1 of this code. (Ord. 561 § 3, 2019)

## **Chapter 8.06 URBAN FORESTRY**

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### **8.06.060 Designate administrative responsibilities.**

The Director, by use of City employees or private contractors, has the right, but not the duty, to plant, maintain and otherwise care for, or if necessary, remove, any and all trees in public places in the City. The responsibilities of the parks and landscape maintenance supervisor include, but are not limited to, the following:

- A. Prepare an annual program for tree planting and tree care in public places of the City;
- B. In coordination with the Engineering Department, recommend to the City Council changes or additions to the master street tree plan;
- C. Develop maintenance standards as they relate to street trees and trees in public places;
- D. Inspect the planting, maintenance and removal of all trees in public places;
- E. Make a determination to remove trees in public places;
- F. Review all landscaping plans as they affect trees in public places. (Ord. 561 § 3, 2019)

## **Chapter 8.12 SPECIAL EVENT**

### **8.12.010 Definitions.**

“Director,” as used in this chapter, means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Parade,” as used in this chapter, means any march, procession or assembly consisting of persons, animals or vehicles, or combination thereof, upon any street, sidewalk or alley which does not comply with normal and usual traffic regulations or controls.

“Special event,” as used in this chapter, means any celebration, festival, fair, carnival or similar local special event which is held wholly or partially within a street, the participants in which do not comply with the normal or usual traffic regulations or controls. (Ord. 561 § 3, 2019)

## **REVISIONS TO TITLE 9, "PUBLIC SERVICES"**

### **Chapter 9.04 CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING**

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#### **9.04.030 Definitions.**

In this chapter:

"AB 939" means the California Integrated Waste Management Act, codified at California [Public Resources Code](#) Section 40000 et seq., including any amendments or modifications.

"Certified recycling facility" means a recycling, composting, materials recovery or reuse facility which accepts construction and demolition debris and which meets minimum State standards for such facilities.

"City-sponsored project" means a capital improvement project constructed by the City or its contractor, agent, or designee.

"Construction" means the building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure. Construction does not include a project limited to interior plumbing work, interior electrical work or interior mechanical work.

"Construction and demolition (C&D) debris" means the waste building materials, packaging, and rubble resulting from construction, remodeling, repair, alteration, and/or demolition operations on pavements, houses, commercial buildings, and other structures and may include, but is not limited to, concrete, asphalt, wood, cardboard, metals, bricks, and other inert waste.

"C&D debris management plan" or "DMP" means a report, prepared in a form approved by the Director, submitted as required by Section [9.04.080](#), which identifies all C&D debris expected to be generated as a result of any covered project.

"C&D debris recycling report" or "DRR" means a report, prepared in a form approved by the Director, submitted as required by Section [9.04.100](#), which identifies the amounts of all C&D debris generated by the project, and the amounts recycled or diverted.

"Conversion rate" means the rate set forth in the standardized conversion rate table approved by the Director pursuant to this chapter for use in estimating the volume or weight of materials identified in debris management plan.



“Covered project” means any project type set forth in Section [9.04.040](#) of this chapter.

“Deconstruction” means a process to dismantle or remove useable materials from structures, in a manner that maximizes the recovery of building materials for reuse and recycling and minimizes the amount of waste transported for disposal in landfills and transformation facilities.

“Demolition” means the destruction, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

“Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Disposal” means the final deposition of solid waste at a permitted landfill.

“Diversion or divert” means the reduction or elimination of solid waste from landfill disposal. “Diversion requirement” has the meaning set forth in Section [9.04.060](#) of this chapter.

“Exempt project” means the activities set forth in Section [9.04.050](#) of this chapter.

“Green Building Standards Code” means the most current version of the California Green Building Standards Code as adopted by the City.

“High-rise residential building” means a residential building that is four stories or greater in height.

“Low-rise residential building” means a residential building that is three stories or less.

“Noncovered project” means any construction, demolition, or renovation project that does not meet the thresholds set forth in Section [9.04.040](#) to qualify as a covered project.

“Recycling” means the process of collecting, sorting, cleansing, deconstructing, treating, and reconstituting materials that would otherwise be solid waste, and the return of those materials to the economic mainstream in the form of materials which meet the quality standards necessary to be used in the marketplace for new, reused, or reconstituted products.

“Renovation” means any change, addition, or modification in an existing structure that requires a building permit or demolition permit but does not include a project limited to interior plumbing work, electrical work or mechanical work.

“Reuse” means further or repeated use of construction or demolition debris.

“Salvage” means the controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

“Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including, but not limited to, garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, abandoned vehicles and parts thereof, discarded home and industrial appliances, recyclables, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes.

“Tenant improvement” means a “project” involving structural or other modifications of an existing commercial structure resulting in the generation of construction and demolition debris.

“Universal waste” means batteries, electronic devices, mercury-containing equipment, lamps, cathode ray tubes or glass, and aerosol cans.

“Waste diversion security deposit” means any cash, check, credit card, or certified check in a form acceptable to the City, submitted to the City as pursuant to Section [9.04.090](#) of this chapter. (Ord. 589 § 2, 2021; Ord. 562 § 3, 2019)

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#### **9.04.070 Diversion of construction and demolition debris.**

A. For the purposes of this chapter, diversion of C&D debris may be achieved by any of the following methods:

1. On-site reuse;
2. Acceptance of the C&D debris by a certified recycling facility; or
3. Salvage, other donation, or reuse of the C&D debris acceptable to the Director.

B. Weighing of Wastes. Applicants for covered projects must make reasonable efforts to ensure that all C&D debris diverted or landfilled is measured and recorded using the

most accurate method of measurement available. To the extent practical, all C&D debris must be weighed by measurement on scales in compliance with all regulatory requirements for accuracy and maintenance. If weighing is not practical due to small size or other considerations, a volumetric measurement must be used. For conversion of volumetric measurements to weight, the applicant must use the standardized conversion rate table approved by the City.

C. Asbestos Handling. Any covered project conducting demolition of 100 square feet or more, except for a project involving demolition activities on one single-family residence, must provide the City with an asbestos materials test report from a certified California State asbestos professional demonstrating that none of the materials to be demolished or disturbed contain asbestos in a concentration of one percent or higher. If asbestos containing materials are found, a certified asbestos abatement company must remove the material(s) prior to the issuance of any building or demolition permit, and a final abatement report documenting all materials identified as asbestos containing materials have been properly removed and disposed as a condition of the building or demolition permit.

D. Water Quality Control. All construction and debris recycling activities must be conducted in a manner to comply with Chapter [9.06](#), Stormwater Management and Discharge Control, as amended from time to time. At a minimum this includes:

1. Any demolition, removal, crushing, movement or loading operations must be managed to prevent the discharge of dust or debris, and must, at a minimum, keep all materials covered and contained.
2. Any solid or liquid spills must be removed immediately.
3. All stockpiles must be covered and located away from concentrated flows of stormwater, drainage courses and inlets.
4. Materials that are not stockpiled must be stored off the ground and under cover.
5. Any materials containing, or that may reasonably be expected to contain hazardous materials, must be handled and stored in such a manner to prevent the release of hazardous materials.
6. Covers must be used on trucks transporting diverted waste. (Ord. 562 § 3, 2019)

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#### **9.04.110 Entitlement to refund of deposit.**

A. No deposit for a covered project may be refunded unless the applicant completes the following requirements of this section to the satisfaction of the Director:

1. Requests a refund within 90 days after the final inspection date of the covered project for which the deposit was paid, or requests a refund prior to final inspection when:
  - a. The project has a master developer and multiple commercial and/or retail tenants constructing their own tenant improvements, or
  - b. The developer has completed construction of the project, except for the tenant improvements when the tenant improvements are the sole responsibility of the commercial and/or retail tenant; and
2. Submits a C&D debris recycling report that demonstrates compliance with this chapter.

B. The Director must authorize the refund of any diversion deposit that was erroneously paid or collected and when the permit application is withdrawn or cancelled before any work has begun. (Ord. 562 § 3, 2019)

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#### **9.04.130 Appeals.**

Appeals of a determination made by the Director must be made to the City Manager within 10 days after the date of the decision in accordance with Chapter [1.14](#), except as follows:

- A. The appeal is limited to the following issues:
  1. Whether the applicant is entitled to a refund pursuant to Section [9.04.110](#);
  2. Whether the applicant made a good faith effort to comply with the required percentage of diversion specified in the waste diversion form;
  3. In the case of a partial refund, the percentage of the deposit the Director authorizes; and
  4. Whether the project is covered or exempt from this chapter.
- B. The Director, has an opportunity to provide a written response to the applicant's appeal.

C. The decision of the hearing officer is final. (Ord. 562 § 3, 2019)

## **REVISIONS TO TITLE 10, "VEHICLES AND TRAFFIC"**

### **Chapter 10.02 GENERAL PROVISIONS**

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#### **10.02.020 Definitions.**

When the following terms are used in this title, they have the meaning set forth in this section. Whenever any words or phrases used in this title are not defined in this section, the definitions set forth in the [Vehicle Code](#), if any, apply.

"Alley" means any highway with a width of 20 feet or less and without a sidewalk or sidewalks

"Bus loading zone" means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of busses during loading and unloading of passengers.

"City Traffic Engineer" means the person charged with overseeing traffic engineering in the City.

"Crosswalk" is either:

1. That portion of a roadway ordinarily included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of any such lines from an alley across a street;
2. Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Curb return" means the curved section of a curb at an intersection that connects two straight sections of curbs.

"Department of Transportation" means the Department of Transportation of the State of California.

"Director" means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

"Dockless vehicle" means those means of shared transportation, not otherwise regulated by the State of California, the County of San Diego, or a regional transit operator, in which the operating company leases vehicles for use in the City, but does not have a physical dispatching location within the City.

“Highway” means the entire width between boundary lines of every way set apart for public travel when any part thereof is open to the use of the public for purposes of vehicular travel.

“Holidays” are New Year’s Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving Day, the day before Christmas Day and Christmas Day.

“Intersection” means the area within the prolongation of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways, of two highways which join one another at approximately right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

“Loading zone” means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

“Local delivery route” means streets to be used by trucks and commercial vehicles as direct routes for the purpose of accessing restricted streets or locations necessary for making pickups or deliveries of goods, wares and merchandise from or to any building or structure located within the City or for delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure within the City for which a building permit has previously been obtained or for vehicles owned, leased, operated or controlled by any licensed contractor or public utility while necessarily in use in the construction, maintenance or repair of any public works project or public utility within the City.

“Passenger loading zone” means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers.

“Official traffic-control devices” mean all signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

“Official traffic signals” mean any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed, and which is erected by authority of a public body or official having jurisdiction.

“Park” means to stand or leave standing any vehicle, occupied or not, except while actually engaged in loading or unloading passengers or materials.

“Pedestrian” means any person on foot.

“Recreational vehicle” has the same meaning as defined in the zoning code.

“Restricted streets” means those streets and portions of streets which are not designated and established as local delivery routes and are to be used only for direct access to specific addresses or locations.

“Safety zone” means that portion of a roadway reserved for the exclusive use of pedestrians, marked and designated as provided in this title.

“Sidewalk” means that portion of the highway, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

“Stop or stand.”

1. The word “stop” means the complete cessation of movement.
2. The words “stop or stand” mean any stopping, or standing of a vehicle, whether occupied or not, except where necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

“Street” means a City road, State highway, public road, street, or alley, or a private thoroughfare not less than 10 feet in width connecting with a City road, State highway, public road, street or alley, which affords primary access to an abutting lot. Street includes highway.

“Truck” or “commercial vehicle” means any vehicle other than emergency vehicles and buses having three or more axles or measuring 36 feet or longer in overall length, including truck and load, and in excess of 14,000 pounds.

“Vehicle” means every device or animal by which any person or property is or may be transported or drawn on a street or highway, excepting devices moved by human power or used exclusively upon rails.

“[Vehicle Code](#)” means the [Vehicle Code](#) of the State of California. (Ord. 563 § 3, 2019)

## **Chapter 10.10 STOPPING, STANDING AND PARKING**

### **10.10.300 Stopping and parking zones.**

A. It is unlawful for any person to fail to comply with the regulations applicable to the following zones as established by City Council and marked with signs or by the zone color on the top or side of all curbs within such zones:

1. Red means no stopping, standing, or parking at any time except as permitted by the [Vehicle Code](#), and except that a bus may stop in a red zone marked or sign posted as a bus zone;



2. Yellow means no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers must not consume more than three minutes and the loading or unloading of materials must not consume more than 20 minutes;

3. White means no stopping, standing, or parking for any purpose other than loading or unloading of passengers for a time not to exceed three minutes between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays as follows:

a. When a white zone is in front of a hotel, the restrictions apply at all times,

b. When a white zone is in front of a theater, the restrictions apply at all times when the theater is open,

c. For the purpose of depositing mail in an adjacent mailbox;

4. Green means no standing or parking for longer than 20 minutes at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays;

5. Blue means parking limited exclusively to the vehicles with a valid disabled placard or disabled license plate.

B. When there are no curbs, zones are indicated by installing signs giving notice of the zone and its regulations.

C. Standing in Any Alley. It is unlawful for any person to stop, stand or park a vehicle in an alley for any purpose other than the loading or unloading of persons or materials in the alley.

D. Bus Loading Zone. It is unlawful for any person to stop, stand, or park any vehicle except a bus in a bus loading zone.

E. It is unlawful for any person to stop, stand, or park a vehicle adjacent to any legible curb markings or adjacent to the side of any roadway with a sign indicating an established zone, in violation of any of the regulations applicable to that zone. (Ord. 563 § 3, 2019)

## **Chapter 10.24 ABANDONED VEHICLES**

### **10.24.150 Administration and enforcement.**

Except as otherwise provided herein, the Director of Planning and Building is authorized to administer this chapter. The Director and the Director's officer, deputies, assistants, employees, and agents may enter upon private or public property to examine a vehicle or parts thereof, or obtain information as to the identity of a vehicle and to remove or

cause the removal of a vehicle or part thereof declared to be a nuisance pursuant to this chapter. (Ord. 563 § 3, 2019)

## **REVISIONS TO TITLE 11, “BUILDINGS AND CONSTRUCTION”**

### **Chapter 11.01 DEFINITIONS**

#### **11.01.010 Definitions.**

For purposes of this title:

“City Engineer” means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by City Council, City Manager, or Director.

“Director” means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee. (Ord. 564 § 3, 2019)

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### **Chapter 11.24 CONSTRUCTION AND IMPROVEMENT STANDARDS**

#### **11.24.100 Undergrounding of utilities—Required.**

All new and all existing overhead utilities within the boundaries of the project and within the half street abutting the project must be placed underground at the applicant’s expense except as indicated below. Undergrounding of electrical lines of 69 kv or greater will not be required.

A. Exemptions – Undergrounding of existing utilities or conduit installation for future undergrounding.

The following instances are exempt from the requirement to undergrounding existing utilities and payment of an in lieu cash deposit for existing overhead services.

1. Where the value of the building improvement is less than 25% of the current market value of all buildings on the lot in consideration;
  
2. Any unit or development which has 100 feet or less frontage that includes overhead utilities;

3. Single-family dwelling replacements when the existing residential unit has been completely removed from the lot in a built-out neighborhood, and there are no plans for overhead facilities to be undergrounded in the foreseeable future.

B. Exemptions – Undergrounding requirement for existing utilities limited to the installation of conduit for future undergrounding and no payment of an in-lieu fee.

At the discretion of the City Council, the undergrounding requirement may be limited to placement of conduit for future undergrounding of utilities only and not include a requirement for the payment of an in-lieu fee in the following situations:

1. Single-family dwellings in an area where most utilities have been undergrounded, but the value of the building improvement is less than 50% of the current market value of all buildings on the lot; and
2. Where the length of frontage to be under-grounded is less than 200 feet but more than 100 feet.

C. Exemption – Undergrounding requirement is subject to the installation of conduit for future undergrounding and an In-Lieu Cash Deposit for existing facilities.

Projects that do not meet all of the above exemptions and where the City Engineer determines, in his or her sole discretion, that undergrounding of a portion of, or all utilities is impractical, the undergrounding improvements may be deferred and the condition met by installing conduit sized for future undergrounding plus the payment of an in-lieu cash deposit collected by the City in the amount equal to the estimated cost of undergrounding of such utilities.

D. Utilities that serve properties outside the project boundaries only and that are not adjacent to the property line are exempt from undergrounding requirements, the payment of an in lieu fee, and / or the installation of conduit for future use.

E. Deferment/Waivers.

In exceptional circumstances the property owner may request that the City defer/waive the requirement to underground utilities. The City Council will conduct a public hearing and allow the applicant to present evidence supporting deferment/waiver. The owner/applicant must provide the following with the application for a public hearing:

1. A fee in the amount established by resolution of the City Council to cover the cost of the public hearing;
2. A letter detailing the extenuating circumstances supporting a deferment/waiver;
3. Written, itemized cost estimates for undergrounding from the appropriate utility companies or an undergrounding consultant;

4. A plat map, prepared on 11-inch by 17-inch paper, showing size and location of all utility lines and facilities on-site and adjacent to the site;

5. Electronic images of all utility lines involved in the request for deferment/waiver.

If the Council elects to defer the undergrounding requirement, the applicant must enter into an agreement with the City to accept the establishment of an undergrounding district at a future date and waiving the right to protest against such a district. The agreement must be binding on the heirs, successors, and assigns of the property owner, and must be recorded against the property. (Ord. 564 § 3, 2019)

## **Chapter 11.28 HOUSING REGULATIONS**

### **11.28.010 Authority.**

The Planning and Building Department has and is authorized to exercise the power and authority granted the Building Department by Section 17951 of the [Health and Safety Code](#). (Ord. 564 § 3, 2019)

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## **Chapter 11.36 FLOOD DAMAGE PREVENTION**

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### **11.36.130 Designation of Floodplain Administrator.**

The Director of Engineering is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions. (Ord. 564 § 3, 2019)

## **Chapter 11.40 EXCAVATION AND GRADING**

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### **11.40.050 Definitions.**

In this chapter the following definitions apply:

“Approval” means a written professional opinion by the responsible principal of record concerning the satisfactory progress and completion of the work under his or her purview unless it specifically refers to the City Engineer.

“Approved plans” means the most current grading plans which bear the signature or stamp of approval of the City Engineer.

“Archaeologist” means a person who does scientific study of material remains of past human life and activity.

“As-graded” means the surface and subsurface conditions and configuration upon completion of grading.

“Bedrock” means in-place solid rock.

“Bench” means a relatively level step excavated into earth material on which fill is to be placed.

“Borrow” means earth material acquired from an off-site location for use in grading on a site.

“Borrow pit” means premises from which soil, sand, gravel, decomposed granite or rock are removed for any purpose.

“Borrow pitting” means excavation created by the surface mining of rock, unconsolidated geological deposits, or soil to provide material (borrow) for fill elsewhere.

“Building pad” means that portion of an embankment and/or excavation contained within an area bounded by a line five feet outside the foundation footing for a building.

“Building site” means that portion of an embankment and/or excavation containing the building pad(s) and lying within an area bounded by the top of slopes and/or toe of slopes within the lot or parcel.

“Certify” or “certification” means a signed written statement that the specific inspections and tests required have been performed and that the works comply with the applicable requirements of this chapter, the plans and the permit.

“City Engineer” means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by the City Council, City Manager, or Director.

“Civil engineer” means a professional engineer registered in the State to practice in the field of civil engineering.

“Civil engineering” means the application of the knowledge of the forces of nature, principles of mechanics, and the properties of materials for evaluation, design and construction of civil works for the beneficial uses of the population.

“Clearing” and “brushing” means the removal of vegetation (grass, brush, trees and similar plant types) above the natural surface of the ground.

“Compaction” means densification of a soil or rock fill by mechanical or other acceptable procedures.

“Contour grading” means grading which creates, or results in, land surfaces which reflect the pre-graded natural terrain or that simulates natural terrain, i.e., rounded nonplanar surfaces and rounded, nonangular intersections between surfaces.

“Contractor” means a contractor licensed by the State to do work under this chapter. A contractor may be authorized to act for a property owner in doing such work.

“Department” means the Engineering Department of the City of Santee and any subsequent title for this department.

“Design and development standards” means the standards published by the City for land development activities, which standards may be published in a single document, or a combination of documents, and may be updated as needed to comply with industry practice or changes in the law.

“Director” means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Earth material” means any rock, natural soil, or fill and/or any combination thereof.

“Embankment” or “fill” is any act by which earth, land, gravel, rock, or any other material is deposited, placed, pushed, dumped, pulled, transported or moved to a new location and the condition resulting therefrom.

“Engineering geologic report” means a report prepared under the supervision of an engineering geologist providing a geological map of a site, information on geologic measurements and exploration performed on the site and surrounding area and, providing recommendations for remedial measures necessary to provide a geologically stable site for its intended use.

“Engineering geologist” means a certified engineering geologist, registered by the State to practice engineering geology.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil work.

“Erosion” means the process by which the ground surface is worn away by the action of water or wind.

“Erosion control system” means any combination of desilting facilities, retarding basins, and erosion protection, including effective planting and the maintenance thereof, to protect adjacent private property, watercourses, public facilities and receiving waters from the deposition of sediment or dust.

“Expansive soil” means any soil with an expansion index greater than 20, as determined by the Expansive Soil Index Tests (UBC Std. 29-32).

“Exploration” or “prospecting” means the search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent or quantity of minerals present.

“Excavation” or “cut” means any earth, sand, gravel, rock or other similar material which is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed by people and the conditions resulting therefrom.

“Fault” means a fracture in the earth’s crust along which movement has occurred. An active fault is one that exhibits separation in historic time or along which separation of Holocene deposits can be demonstrated. If Holocene deposits are not offset, but numerous epicenters have been recorded on or in close proximity to the fault, a classification of active may be used.

Fill, Nonstructural. “Nonstructural fill” means any embankment on which no soil testing was performed or no compaction reports or other soil reports were prepared or submitted.

“Geologic hazard” means any geologic feature capable of producing structural damage or physical injury. Geologic hazards include:

1. Landslides and potential slope instabilities resulting from bedding faults, weak claystone beds, and oversteepened slopes;
2. Deposits potentially subject to liquefaction, seismically-induced settlement, severe ground shaking, surface rupture, debris flows, or rock falls resulting from fault activity;
3. Deposits subject to seepage conditions or high groundwater table.

“Geotechnical report” means a report which contains all appropriate soil engineering, geologic, geohydrologic, and seismic information, evaluation, recommendations and findings. This type of report combines both engineering geology and soil engineering reports.



“Grade” means the elevation and cross-sections established for the finished surface. All grades must be based upon the official datum of the City.

“Grading” means any excavating or filling or combination thereof.

“Grading permit” means a permit issued pursuant to this chapter.

“Grubbing” means the removal of roots and stumps.

“Key” means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

“Land development” means making excavations and embankments on private property and the construction of slopes, drainage structures, fences and other facilities incidental thereto.

“Landscape architect” means a landscape architect, registered by the State, who performs professional work in physical land planning and integrated land development, including the design of landscape planting programs.

“Landslide” means the downward and outward movement of soil, sand, gravel, rock or fill or a combination thereof.

“Mined lands” includes the surface, subsurface and groundwater of an area in which surface mining operations will be, are being or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

“Minerals” are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to aggregate, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas and petroleum.

“Mining waste” includes the residuals of soil, rock, mineral, liquid, vegetation, equipment, machines, tools or other material or property directly resulting from or displaced by, surface mining operations.

“Natural terrain” means the lay of the land prior to any grading.

“On-site construction” means those earth material moving activities (such as excavation, grading, compaction, and the creation of fills and embankments) which are required to prepare a site for construction of structures, landscaping, or other land improvements if resultant excavations, fills, grades, or embankments are beneficially modified by such construction of structures, landscaping or other land improvements. Excavations, fills,

grades or embankments that of themselves constitute engineered works such as dams, road cuts, fills, catchment basins, or levees are not considered to be surface mining operations. Earth material moving activities in areas either on or off-site where the results are modified by construction of structures, landscaping or other land improvements, and that do not of themselves consist of land improvements, and that do not of themselves consist of engineered works are deemed to be surface mining operations unless exempted under the Surface Mining and Reclamation Act.

“Operator” means any person who is engaged in grading operations him or herself, or who contracts with others to conduct operations on his or her behalf.

“Overburden” means soil, rock or other materials that lie above a natural deposit or in between deposits, before or after their removal.

“Owner” means any person, agency, firm or corporation having a legal, possessory or equitable interest in a given piece of real property.

“Paleontologist” means a person who holds an advanced degree, who is affiliated with a recognized institution such as a museum or university and who is actively engaged in the research of prehistoric life through the study of plant and animal fossils.

“Paving” means all paving related operations such as surfacing, resurfacing, curbs, gutters, sidewalks, and ramps or as otherwise described within the City’s Best Management Practices Design Manual, Priority Development Categories.

“Permittee” means any person to whom a permit is issued pursuant to this chapter.

“Planning Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Preliminary soil engineering report,” also referred to as “preliminary geotechnical investigation report” means a report prepared under the responsible supervision of a soil engineer which includes preliminary information concerning engineering properties of soil and rock on a site prior to grading, describing locations of these materials and providing recommendations for preparation of the site for its intended use.

“Premises” means contiguous property in the same ownership.

“Private engineer” means a civil engineer registered by the State. A private engineer may be authorized to act for a property owner in doing work covered by this chapter.

“Property owner” means the owner, subdivider or developer of real property which will be benefited by the proposed land development work.

Property, Public. "Public property" means property owned in fee by the City, or dedicated for public use.

"Public interest slope" means any manufactured slope which meets any one of the following criteria:

1. A vertical height in excess of 15 feet;
2. A vertical height in excess of five feet located on the exterior of a subdivision and exposed to view from any point outside the subdivision;
3. A vertical height in excess of five feet which will be visible after completion of the buildings to be placed on the subject graded area from any circulation element road, from any existing or proposed public buildings, public facility, or publicly used property, from any private property two streets or more away from the slope in question or from any private homes existing at the time of creation of the slope;
4. Any slope in the hillside overlay zone.

"Publicly used property" means property that is used frequently by persons other than the residents and/or owners.

"Public rights-of-way" means public easements or dedications for streets, alleys, drainageways and/or other uses.

"Reclamation" means the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health and safety, and is consistent with the General Plan, zoning ordinance and applicable specific plans. The process may extend to affected land and surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization or other measures.

"Relative compaction" means the in-place dry density (determined by ASTM D1556, or other City Engineer approved equal) expressed as a percentage of the maximum dry density (determined by ASTM D1557, or other City Engineer approved equal).

"Retaining wall" means a wall designed to resist the lateral displacement of soil or other materials.

"Rough grading" means the condition where ground surface approximately conforms to the design grade, generally within 0.1 feet, and all compaction of fills and embankments have been performed to the specifications required by the soil engineer.

“Slope” means the inclined exposed surface of a fill, excavation of natural terrain.

“Soil” means earth material of whatever origin, overlying bedrock and may include the decomposed zone of bedrock which can be readily excavated by mechanical equipment.

“Soil engineer” means a registered civil engineer who holds a valid authorization to use the title “soil engineer” as provided in Section 6736.1 of the California [Business and Professions Code](#). The terms “geotechnical engineer,” “soils engineer” and “soil and foundation engineer” are deemed to be synonymous with the term “soil engineer.”

“Soil engineering” means the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.

“Soil engineering report” means a report prepared under the responsible supervision of a soil engineer which includes information on site preparation, slope heights and gradients, compaction of fills placed, placement of rock, treatment of expansive soils, providing recommendations for structural design and approving the site for its intended use.

“Stockpile” means a temporary, uncompacted fill or embankment placed by artificial means, which is designated or intended to be moved, or relocated at a later date.

“Subdivider” means a person, firm, corporation, partnership or association who causes land to be divided into one or more lots or parcels for him or herself or others as defined by those sections of the [Government Code](#) known as the Subdivision Map Act.

“Substantial conformance” means grading that conforms to Section [11.40.390](#) of this chapter.

“Suitable material” means any soil or earth material which, under the criteria of this chapter or under the criteria of an approved geotechnical report, is suitable for use as fill or for other intended purposes.

“Surface mining operations” means all or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to:

1. Borrow pitting, streambed skimming, segregation, and stockpiling of mined materials;
2. In-place distillation, retorting or leaching;

3. The production and disposal of mining wastes;
4. Prospecting and exploratory activities.

“Terrace” means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

“Unsuitable materials” means any soil or earth material having properties or characteristics which, under the criteria of this chapter or under the criteria contained in any approved geotechnical report, make it unsuitable for use as fill or for any other intended use. These properties or characteristics include, but are not limited to, organic content of the material exceeding three percent, rock diameters exceeding eight inches, the presence of concrete or asphalt, or the presence of expansive soils within three feet of finish grade of any area intended or designed as a location for a building. (Ord. 564 § 3, 2019)

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#### **11.40.105 Designated exceptions.**

The following grading activities are exempt from the requirement to obtain a grading permit under the provisions of this chapter:

- A. Depositing materials in any disposal area operated by or licensed by the City or the County.
- B. Grading which meets all of the following limitations:
  1. Is on a single legal lot or contiguous ownership;
  2. Involves the movement of not more than 200 cubic yards of earth;
  3. The cut in the cut area and/or the fill in the fill area, at their deepest points, do not exceed a depth of five feet in vertical depth measured from the original ground;
  4. The fill is not intended to support structures;
  5. The finished cut and/or fill slopes are not steeper than two horizontal to one vertical (2:1);
  6. The finished grading does not alter the drainage patterns either upstream or downstream from the grading;
  7. None of the fill is placed on existing ground having a slope steeper than five horizontal to one vertical (5:1), which is a 20% slope;

8. None of the grading is closer than five feet to adjacent parcel; and
9. The finished slopes are protected from erosion and the downstream properties are protected from siltation resulting from the grading.

C. Any of the following, if authorized by a valid building permit approved and issued by the Planning Director and provided that any embankment constructed with the excess material from the excavation is disposed of under an approved grading permit or on site without creating embankments more than five feet in unsupported height:

1. Excavation below finish grade for basements;
2. Footings or foundations for buildings, manufactured homes, retaining walls or other structures;
3. Swimming pools, septic tanks, leach lines, or other subsurface structures or facilities.

D. When approved by the City Engineer, exploratory excavations under the direction of a soil engineer, archaeologist, paleontologist or engineering geologist. Such excavations must be properly backfilled and compacted or otherwise restored to the satisfaction of the City Engineer. No stockpiling greater than needed for exploration will be permitted, No trucking, general placement or removal of rock or soil shall be allowed during exploratory excavations.

E. When approved by the City Engineer, excavation for the sole purpose of recompaction as specified or recommended by an approved soils report.

F. Grading for which inspection is provided by the City and which is done by a developer or contractor pursuant to City-approved improvement plans within public rights-of-way and adjacent slope rights areas independent of adjacent land development work, or grading done pursuant to a permit for excavation in public streets.

G. Except as provided in the following subsections, clearing and brushing when directed by the Fire Chief to mitigate a fire hazard, with the concurrence of the Planning Director that such clearing and brushing will not cause significant damage to any rare, endangered or protected species of plant or wildlife or cause any significant damage to any habitat of any rare, endangered or protected species of wildlife. The exemptions in this section do not apply to clearing, grubbing, brushing or grading when:

1. Grading will occur in or physically impact designated or dedicated open space or environmentally sensitive areas designated in the General Plan or shown on any approved specific plan;
2. Grading will occur in any waterway or wetland, stream, river, channel, pond, lake, marsh, bog, lagoon, vernal pool or riparian habitat;

3. Grading will occur in any floodway or floodplain as shown on the San Diego County floodplain maps or on City revised maps;
4. Grading will occur in any officially mapped area in high geologic risk zone (Zone "C" and "D") as defined by the geotechnical/seismic study for the General Plan;
5. Grading will occur in the hillside overlay district; or
6. Grading will occur in any other sensitive areas such as archaeological sites, historical sites or burial grounds.

H. Paving related activity disturbing less than 5,000 square feet. (Ord. 564 § 3, 2019)

#### **11.40.110 Permit applications.**

A. The owner, or owner's authorized agent, of any property that requires a grading permit under this chapter must sign and submit a grading permit application on a form approved by the City Engineer.

B. A separate grading permit application is required for each grading permit.

C. A complete grading permit must include following items, unless otherwise waived or specified by the City Engineer, or this chapter:

1. Grading plan pursuant to Section [11.40.120](#);
2. Separate plot plan pursuant to Section [11.40.125](#);
3. Preliminary soil engineering report pursuant to Section [11.40.130](#);
4. Landscape and irrigation plans (may be submitted with the second plan check submittal) pursuant to Section [11.40.135](#);
5. Erosion control plans, if required by Section [11.40.140](#);
6. Drainage study;
7. Haul route, including source of borrow or disposal;
8. Grading plan check fee pursuant to Sections [11.40.215](#) and [11.40.220](#);
9. Soil engineering report review fee pursuant to Section [11.40.225](#);
10. Deposit for independent third party review of soil report, if required, pursuant to Section [11.40.225](#);

11. Inspection fees (may be paid at any time prior to issuance of permit) pursuant to Section [11.40.230](#);
12. Proof of legal lot (may be waived by the City Engineer if grading is pursuant to an approved tentative map or zoning permit);
13. Computer graphics of existing and graded conditions, and/or other displays;
14. Plans, specifications and other supplemental data, as specified in this chapter, the design and development manual and the subdivision ordinance.

D. A complete grading permit application must be submitted for City review and approval along with the following items:

1. Paving related activity disturbing more than 5,000 square feet requires a paving plan demonstrating the proposed paving will not alter the existing drainage conditions of the site, redirect drainage onto another property where it did not previously occur, or will comply with all City requirements related to alterations of drainage conditions. All paving operations that will include the installation of new pavement, the removal and replacement of existing pavement or a combination of the two totaling more than 5,000 square feet require prior approval of a grading site plan that shows existing and proposed drainage paths and compliance with the City of Santee BMP design manual.
2. Grading plans.
3. Stormwater intake form.
4. Priority development or standard development stormwater quality management plan (as determined by completing the stormwater intake form).
5. Schedule for work.
6. Best management practices plan sheet.
7. Engineer's estimate.

E. The City Engineer may require additional data or information, eliminate, or modify any of the above requirements, including those items in Section [11.40.115](#).

F. Any change in application requirements or applicable fees that is effective before a grading permit is issued applies to any pending application for a grading permit under the following conditions:

1. A change of policy or direction by the City Council;



2. A change in the applicable laws, including the grading ordinance or fee schedule approved by the City Council;
3. Discovery that the plans, application, or fees violate or do not meet existing laws, ordinances, or policies or conform to the requirements of other permits or approvals, such as zoning permits or subdivision maps;
4. Discovery of any design defect, soil or geologic hazard, or any other fact or item which, if left unchanged, could cause damage, harm or hazard to public or private properties, or to life, limb or the general public's safety or welfare.

If, as a result of discoveries described in subdivisions 3 and 4 of this subsection, changes are directed, the application expiration date will be extended for 30 days, or for such other time as the City Engineer grants to accomplish all required changes.

G. The time limits set out in this section apply to all grading plans and applications. (Ord. 564 § 3, 2019)

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#### **11.40.120 Grading and paving plan requirements.**

A. Grading and paving plans required by this chapter must be prepared and submitted with the grading permit application in accordance with the design and development standards approved by the City Engineer and available from the Department.

B. All grading and paving plans must be signed by a registered civil engineer and by the soil engineer. The City Engineer may waive this requirement when the proposed grading or paving is on a single lot or parcel not proposed for further subdivision and, in the opinion of the City Engineer, the proposed grading entails no hazard to any adjacent property, does not necessitate construction of extensive drainage structures or erosion control facilities, and does not interfere in any way with existing natural or improved drainage courses or channels.

C. In addition to any other grounds for stopping work provided by law or set forth in this code, the City Engineer may stop work and require amendment or change of approved grading, paving, erosion control or landscape and irrigation plans for any of the following reasons:

1. Extension or renewal of the grading permits;
2. Changes have been made in the actual work which are not reflected on the approved plans;
3. The scope or quantity of grading or paving has been changed;

4. Construction, traffic, drainage, soil, geologic, public safety or environmental problems not considered, known, or evident at the time of permit issuance or plan approval become evident. (Ord. 564 § 3, 2019)

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#### **11.40.130 Preliminary soil engineering and geology reports.**

A. Three copies of a preliminary soils engineering report required by this chapter must be submitted with the application for a grading permit. Each soil engineering report must be prepared by a soil engineer and contain all information applicable to the project in accordance with generally accepted geotechnical engineering practice. The preliminary soil engineering report must include the following, at a minimum:

1. Information and data regarding the nature, distribution, and the physical and chemical properties of existing soils;
2. Location of faults as defined by a registered geologist or certified engineering geologist;
3. Conclusions as to the adequacy of the site for the proposed grading;
4. Recommendations for general and corrective grading procedures;
5. Foundation design criteria;
6. Slope gradient, height and benching, or terracing recommendations;
7. The potential for groundwater and seepage conditions and procedures for mitigation of the groundwater-related problems;
8. For all slopes in the Friars Formation, regardless of the slope ratio, a slope stability analyses and a written statement indicating acceptable slope stability;
9. Other recommendations, as necessary, commensurate with the project grading and development.

B. The soil engineer and engineering geologist should refer to Safety Element of the Santee General Plan and any modification, amendment, or reissuance in preparing the reports required by this section.

C. Recommendations contained in the approved reports become part of and are incorporated into the grading plans and specifications and become conditions of the grading permit.

D. Preliminary geological investigations and reports are required for all land development projects designated as Group IV or Group III, except those Group III projects located in Zone “A” as per the Seismic Hazards and Study Areas Map (for which a geological reconnaissance will be required), as outlined in Table 8.1 of the City General Plan. This requirement may be extended to adjacent properties where known or reasonably inferred instability may adversely affect the property. The preliminary geological investigation report must include the following at a minimum:

1. A comprehensive description of the site topography and geology including, where necessary, a geology map;
2. A statement as to the adequacy of the proposed development from an engineering geologic standpoint;
3. A statement as to the extent that known or reasonably inferred stability on adjacent properties may adversely affect the project;
4. A description of the field investigation and findings;
5. Conclusions regarding the effects geologic conditions will have on the proposed development;
6. Specific recommendations for plan modification, corrective grading and/or special techniques and systems to facilitate a safe and stable development;
7. Provide other recommendations, as necessary, commensurate with the project grading and development.

E. The preliminary geological investigation report may be combined with the preliminary soils engineering report.

F. A seismicity study and report is required for all land development projects designated as Group IV and for those designated as Group III and located in Zones “C” and “D” as per the Seismic Hazards and Study Areas Map of the City General Plan. The report must be prepared by an engineering geologist or a soil engineer with expertise in earthquake technology and its application to buildings and other civil engineering works. The seismic report may be combined with the soil and geologic investigation reports. (Ord. 564 § 3, 2019)

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#### **11.40.145 Application coordination—Multi-departmental cooperation.**

When the nature of work proposed in a grading permit application falls within the requirements of, or affects the operation of, multiple City departments, the recommendations of those departments should be considered in determining the

disposition of the application. The ultimate determination shall be made by the City Engineer. (Ord. 564 § 3, 2019)

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#### **11.40.175 Nonstructural fills.**

A. Except for temporary stockpiles that have been permitted by the prior written approval of the City Engineer, all nonstructural (uncompacted) fills are prohibited unless specifically authorized by the City Engineer and Planning Director.

B. Applications for grading permits involving nonstructural fills must be accompanied by an agreement for development of nonstructural fills signed by the property owner and containing the following provisions:

1. The development work must be designated as nonstructural fill and must be constructed in accordance with grading plans approved by the City Engineer;
2. The owner acknowledges that as a nonstructural fill, the site is not eligible for a building permit until, subject to the review and approval of the City Engineer, a soils investigation report, additional geotechnical reports in accordance with Section [11.40.130](#), and any other pertinent information as deemed necessary by the City Engineer, have been submitted and approved by the City;
3. The land development work must be done and maintained in a safe, sanitary and nonnuisance condition at the sole cost, risk and responsibility of the owner and the owner's successors in interest, who must hold the City harmless with respect thereto;
4. Other provisions that, in the opinion of the City Attorney and the City Engineer, afford protection to the property owner and the City.

C. The agreement for nonstructural fills must be presented to the City Council for approval, and if approved, the agreement or notice of the agreement must be recorded in the office of the County Recorder. The notice must remain in effect until release of the agreement is filed by the City Engineer. If the County Recorder refuses to record notice of the agreement against the property, such agreement becomes void. (Ord. 564 § 3, 2019)

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#### **11.40.235 Work commenced before permit issuance—Fee.**

A. In addition to any penalty for violation of this code and in addition to the fees required in this chapter, a separate fee, in an amount established by resolution of the

City Council, but in no case less than \$500.00, is required for any work commenced prior to obtaining a permit required by this chapter.

B. Payment of such fee does not relieve any person from any liability for failing to comply with this chapter. The fee prescribed in this section is not a penalty but defrays the expense of enforcement of the provisions of this chapter and may be assessed for each violation cited. (Ord. 564 § 3, 2019)

C. Upon written notification to the property owner of the record that work has been commenced prior to obtaining a permit required by this chapter, all work shall cease and the owner must contact the Code Enforcement Division within 10 days of receipt of the notification and inform the Code Enforcement Division of which of the following options the owner will be pursuing. The property owner shall comply with one of the following options within 30 days of the date of the notification and prior to re-commencing work, or be subject to increased fines and penalties pursuant to Chapter 1.08:

1. Show a valid permit with approved plans covering the scope of work in question.

2. Pay the fee described in Subsection A, and engage with a licensed professional civil engineer to act as Engineer of Record (EOR) to prepare plans, details and calculations for the work that has started and / or is proposed. The proposed work must meet City of Santee standards, be in conformance with our municipal code and be to the satisfaction of the City Engineer. The owner shall also pay all applicable plan check fees and obtain the necessary permit(s). The EOR shall provide an "as built" certification letter certifying the work has been completed and to EOR's satisfaction in accordance with the approved plans. This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

3. Pay the fee described in Subsection A, and prepare or engage with a design professional/draftsperson to prepare plans and details for the proposed work. The proposed work must meet existing City of Santee approved standards, be in conformance with the Code and be to the satisfaction of the City Engineer. In addition, the property owner must pay plan check and inspection fees, obtain the necessary permit(s), and remove all of the work performed without the benefit of City inspection. This includes but is not limited to concrete work, leveling pads, buried drainage, facilities, pipes, gravel, reinforcement, grids and / or as deemed necessary with the City Engineer. Perform the work in accordance with the approved plans and obtain inspection approval from the City as required by the plans. The work shall be completed within the time limits specified on a valid permit(s). This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

4. With the prior written permission of the City Engineer, the owner may choose to remove all of the work performed without the benefit of City inspection. This includes but is not limited to concrete work, leveling pads, buried drainage, facilities, pipes, gravel, reinforcement, grids and / or as deemed necessary by the City Engineer.

The owner must restore the area to pre-construction activity conditions or better to the satisfaction of the City Engineer. The restoration must be completed within 30 days of notification described in subsection C. This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

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#### **11.40.620 Applications and review.**

A. Any person, except as provided in Section 2776 of the California Surface Mining and Reclamation Act of 1975, who proposes to engage in surface mining operations as defined in this chapter must, prior to the commencement of such operations, obtain:

1. A zoning permit;
2. A permit to mine; and
3. Approval of a reclamation plan, in accordance with the provisions set forth in this article and as further provided in the California Surface Mining and Reclamation Act of 1975. A fee, as established for the permitted uses in the consolidated fee schedule, must be paid to the City at the time of filing.

B. Applications for a zoning permit or reclamation plan for surface mining or land reclamation projects must be made on forms provided by the Department and / or the Planning and Building Department, as applicable. Said application must be filed in accordance with this article and procedures as established by the Director and / or the Director of Planning and Building, as applicable. The reclamation plan applications require, at a minimum, each of the elements required by SMARA (Sections 2772—2773) and State regulations, and any other requirements deemed necessary to facilitate an expeditious and fair evaluation of the proposed reclamation plan, as established at the discretion of the Director and / or the Director of Planning and Building, as applicable. All applications for a zoning permit for surface mining must be made, considered and granted or denied pursuant to Section [13.06.030](#). Such applications must be accompanied by data or information required by the Director and / or the Director of Planning and Building, as applicable. All plans and specifications for the grading of the property must be prepared by a registered civil engineer, sealed and signed in accordance with the [Business and Professions Code](#).

C. Applications must include all required environmental review forms and information prescribed by the Director and / or the Director of Planning and Building, as applicable.

D. Within 30 days after acceptance of an application for a zoning permit for surface mining operations and/or a reclamation plan as complete, the Department and / or the Planning and Building Department, as applicable, must notify the State Department of Conservation of the filing of the application. Whenever mining operations are proposed in the 100-year flood plain of any stream, as shown in Zone A of the Flood Insurance

Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any State highway bridge, the Department and / or the Planning and Building Department, as applicable, must also notify the State Department of Transportation that the application has been received.

E. The Department and / or the Planning and Building Department, as applicable, will process the application(s) through environmental review pursuant to the California Environmental Quality Act ([Public Resources Code](#) Section 21000 et seq.) and the City's environmental review guidelines.

F. Upon completion of the environmental review procedure and filing of all documents required by the Director and / or the Director of Planning and Building, as applicable, consideration of the zoning permit approval and reclamation plan for the proposed surface mine will be scheduled for public hearing before the City Council, and pursuant to the requirements of SMARA.

G. Prior to final approval of a reclamation plan, financial assurances (as provided in this article), or any amendments to the reclamation plan or existing financial assurances, the Department and / or the Planning and Building Department, as applicable, must submit the plan, financial assurance, or amendments to the State Department of Conservation for review. The City Council may conceptually approve the reclamation plan and financial assurance before submittal to the State Department of Conservation. If a zoning permit is being processed concurrently with the reclamation plan, the City Council may also conceptually approve the zoning permit. However, City Council may defer action on the zoning permit until taking final action on the reclamation plan and financial assurances. If necessary to comply with permit processing deadlines, the City Council may conditionally approve the zoning permit with the condition that the City Council will not issue the zoning permit for the mining operations until cost estimates for financial assurances have been reviewed by the State Department of Conservation and final action has been taken on the reclamation plan and financial assurances. The State Department of Conservation has 30 days to review and comment on the reclamation plan and 45 days to review and comment on the financial assurance. The Department and / or the Planning and Building Department, as applicable, must prepare a written response to the State's comments containing the following, and submit a proposed response to the State Department of Conservation at least 30 days before approval of the reclamation plan, plan amendment, or financial assurance:

1. Describing the disposition of the major issues raised by the State's comments;
2. Describing whether the City proposes to adopt the State's comments to the reclamation plan, plan amendment, or financial assurance;
3. Specifying, in detail, why the City proposes not to adopt the comments, if the City proposes not to adopt the State's comments;

4. Proving notice of the time, place, and date of the hearing or meeting at which the reclamation plan, plan amendment, or financial assurance is scheduled to be approved by the City.

The Director and / or the Director of Planning and Building, as applicable must send copies of any comments received and response prepared to the applicant.

H. The City Council will then take action to approve, conditionally approve, or deny the zoning permit and/or reclamation plan, and to approve the financial assurances pursuant to PRC Section 2770(d). The Director and / or the Director of Planning and Building, as applicable, must send the State Department of Conservation the final response to the State's comments within 30 days after approval of the reclamation plan, plan amendment, or financial assurance.

I. By July 1st of each year, the Department and / or the Planning and Building Department, as applicable, must submit to the State Department of Conservation for each active or idle surface mining operation:

1. A copy of any permit or reclamation plan amendments, as applicable;
2. A statement that there have been no changes during the previous year, as applicable;
3. The date of each surface mining operation's last inspection;
4. The date of each surface mining operation's last financial assurance review pursuant to PRC 2773.1 for each operation.

J. Where any requirement of the reclamation plan conflicts with any requirement of the approved zoning permit, the Planning Director and the City Engineer will determine which requirement applies. (Ord. 564 § 3, 2019)

#### **11.40.630 Financial assurances.**

A. To ensure reclamation will proceed in accordance with the approved reclamation plan, the City requires as a condition of approval security for the faithful performance of the reclamation. The applicant may pose security in the form of a surety bond, cash deposit, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the City Attorney and the State Mining and Geology Board as specified in State regulations, and which the City reasonably determines is adequate to perform reclamation in accordance with the surface mining operation's approved reclamation plan. Financial assurances must be made payable to the City of Santee, the State Department of Conservation, and such other regulatory agencies the City deems necessary.



B. Financial assurances are required to ensure compliance with the reclamation plan, including but not limited to, revegetation and landscaping requirements, restoration of aquatic or wildlife habitat, restoration of water bodies and water quality, slope stability, erosion and drainage control, disposal of hazardous materials, and other measures, if necessary.

C. Cost estimates for the financial assurance must be submitted to the Department and / or the Planning and Building Department, as applicable, for review and approval prior to the operator securing financial assurances. The Department and / or the Planning and Building Department, as applicable, will forward a copy of the cost estimates, together with any documentation received supporting the amount of the cost estimates, to the State Department of Conservation for review. If the State Department of Conservation does not comment within 45 days of receipt of these estimates, it will be assumed that the cost estimates are adequate. The City has the discretion to approve the financial assurance if it meets the requirements of this article, SMARA, and State regulations.

D. The amount of the financial assurance must be based upon 100% of the estimated cost of reclamation plus a 10% contingency for the actual amount required to reclaim lands disturbed by surface mining activities since January 1, 1976, all new lands to be disturbed by surface mining activities in the upcoming year and areas not successfully reclaimed pursuant to the approved reclamation plan. The estimate must also include any maintenance of reclaimed areas as may be required. Cost estimates must be prepared by a California registered Professional Engineer and/or other similarly licensed and qualified professionals retained by the operator and approved by the Director and / or the Director of Planning and Building, as applicable. The estimated amount of the financial assurance must be based on an analysis of physical activities necessary to implement the approved reclamation plan, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs. Financial assurances to ensure compliance with establishing revegetation, restoration of water bodies, restoration of aquatic or wildlife habitat, and any other applicable element of the approved reclamation plan must be based upon cost estimates that include, but may not be limited to, labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator other than the permittee.

E. In addition to the amount specified in subsection D of this section, the security instrument must provide that in the event suit is brought by the City and judgment recovered, the surety or financial institution must pay, in addition to the sum specified, all costs incurred by the City in such suit including a reasonable attorney's fee to be fixed by the court.

F. In projecting the costs of financial assurances, it must be assumed without prejudice or insinuation that the surface mining operation could be abandoned by the operator and, consequently, the City or State Department of Conservation may need to contract with a third party commercial company for reclamation of the site.

G. The financial assurances must remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed, including any required maintenance and establishment period. Upon completion of the surface mining and reclamation of mined lands in accordance with the approved reclamation plan, including maintenance and establishment periods, all financial assurances will be released, otherwise they must remain in full force and effect.

H. The City will annually review amount of financial assurances required of a surface mining operation for any one year to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan. The financial assurances must include estimates to cover reclamation for existing conditions and anticipated activities during the upcoming year, excepting that the permittee may not claim credit for reclamation scheduled for completion during the coming year.

I. When requested, revised estimates for the financial assurances must be submitted to the Director and / or the Director of Planning and Building, as applicable, at the time of filing of the mine operator's annual mining operation report. The estimate must cover the cost of existing disturbance and anticipated activities for the next calendar year, including any required interim reclamation. (Ord. 564 § 3, 2019)

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#### **11.40.655 Interim management plans.**

A. Within 90 days after a surface mining operation becomes idle, the operator must submit to the Department and / or the Planning and Building Department, as applicable, a proposed interim management plan (IMP). The proposed IMP must fully comply with the requirements of SMARA, including, but not limited to, all zoning permit conditions, and must provide measures the operator will implement to maintain the site in a stable condition, taking into consideration public health and safety. The proposed IMP must be submitted on forms prescribed by the Department and / or the Planning and Building Department, as applicable, and will be processed as an amendment to the reclamation plan. IMPs are not considered a project for the purposes of environmental review.

B. Financial assurances for idle operations must be maintained as though the operation were active, or as otherwise approved through the idle mine's IMP. All financial assurances must conform to Section [11.40.630](#).

C. Upon receipt of a complete proposed IMP, the City will forward the IMP to the State Department of Conservation for review at least 30 days prior to approval by the City.

D. Within 60 days after receipt of the proposed IMP, or a longer period mutually agreed upon by the Director and the operator, the City will review and approve or deny the IMP in accordance with this chapter. The operator has 30 days, or a longer period

mutually agreed upon by the operator and the Director, to submit a revised IMP. The City will approve or deny the revised IMP within 60 days of receipt.

E. The IMP may remain in effect for a period not to exceed five years, at which time the City may renew the IMP for another period not to exceed five years and for another five-year period at the expiration of the first five-year renewal period if the City finds that the surface mining operation has complied fully with the IMP, or require the surface mining operator to commence reclamation in accordance with its approved reclamation plan. (Ord. 564 § 3, 2019)

#### **11.40.660 Inspections.**

As a condition of each zoning permit or reclamation plan, the Department and / or the Planning and Building Department, as applicable, will conduct an inspection of the surface mining operation and reclamation activities within six months after receipt of the mine operator's annual report. Inspection will be made by a State-registered geologist, State-registered civil engineer, State-licensed landscape architect, or State-registered forester, who is experienced in land reclamation and who has not been employed by the mining operation in any capacity during the previous 12 months, or other qualified specialists, as may be determined by the Director. All inspections must be conducted using a form approved and provided by the State Mining and Geology Board. The Department and / or the Planning and Building Department, as applicable, will notify the State Department of Conservation within 30 days of completion of the inspection that said inspection has been conducted, and forward a copy of said inspection notice and any supporting documentation to the mining operator. The operator is solely responsible for the reasonable cost of such inspection. (Ord. 564 § 3, 2019)

### **Chapter 11.50 Electric Vehicle Charging Systems Expedited, Streamlined Permitting Process**

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#### **11.50.060 Permit review requirements.**

A. Review of the permit application shall be limited to the Building Official's review of whether the application meets local, State and Federal health and safety requirements. The application shall be administratively reviewed by the Building Official as a nondiscretionary permit.

B. The City shall not condition approval of an application on the approval of an association, as that term is defined by [Civil Code](#) Section 4080.

C. An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the Building Official determines that the application satisfies all the requirements found in the checklist.

D. If an application is deemed incomplete, a written plan check correction notice will be available to the applicant within 10 working days, detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be given to the applicant for resubmission.

E. The Building Official, in consultation with the Director of Planning and Building, may require an applicant to apply for a use permit if the Building Official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The Building Official's decision to require a use permit may be appealed by the applicant pursuant to Section [13.04.070](#) of this Code.

F. If a use permit is required, the application for the use permit may be denied if the City Council makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of potential feasible alternatives for preventing the specific, adverse impact. Such decisions may be appealed to the pursuant to Santee Municipal Code Sections [13.04.040](#) and [13.04.070](#). (Ord. 576 § 3, 2020)

## **REVISIONS TO TITLE 12, SUBDIVISION OF LAND, DEVELOPMENT FEES, AND DEDICATIONS**

### **Chapter 12.04 Definitions**

#### **12.04.020 Definitions.**

“Bicycle path” means any right-of-way designed with a hard surface, usually of asphalt concrete or similar materials, and being of sufficient width to allow for safe bicycle travel.

“Car-share location” means a permanent, marked location for car-share pickup or drop-off.

“Certificate of compliance” means a document describing a unit of real property and stating that the division thereof complies with applicable provisions of the Subdivision Map Act and this division.

“City Engineer” means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by City Council, City Manager, or Director.

“Common interest development” means any of the following: (1) a community apartment project; (2) a condominium project; (3) a planned development; or (4) a stock cooperative per Section 4100 of the California [Civil Code](#).

“Condominium project” means a real property development consisting of condominiums as defined in Section 4125 of the California [Civil Code](#).

“Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Division of land” means any parcel or contiguous parcels of land, improved or unimproved, which are divided for the purpose of transfer of title, sale, lease, or financing, whether immediate or future, into two or more parcels. Division of land includes a common interest development.

“Filing” means the submittal of all such documents, statements, maps, plans, or other data deemed necessary by the City for the application for the tentative map, review of the final maps or plans, or the appeal process. Acceptance of a tentative map is not complete until all required documents deemed necessary have been received by the City.

“Improvement” means such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof. “Improvement” also refers to such other specific improvements or types of improvements, the installation of which either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to insure conformity to or implementation of the General Plan required by the City code or any specific plan adopted pursuant to the City Code.

“Merger” means the joining of two or more contiguous parcels of land under one ownership into one parcel.

“Owner” means the individual, firm, partnership, or corporation having controlling interest in land sought to be divided, or an agent thereof, duly authorized to commence proceedings.

“Planned development” means a real property development other than a community apartment project, a condominium project, or a stock cooperative, as defined by Section 4175 of the California [Civil Code](#).

“Stock cooperative” means a real property development as defined in Section 4190 of California [Civil Code](#).

“Subdivider” means an individual, firm, association, syndicate, copartnership, corporation, trust, or any other legal entity commencing proceedings under this division to effect a division of land hereunder for such subdivider or for another, except that employees and consultants of such individuals or legal entities, acting in such capacity, are not “subdividers.”

“Subdivision” means the same as “division of land.”

“Subdivision committee” means the same as “subdivision review committee” and consists of at least the following officers or their duly authorized representatives: Director, City Engineer or Senior Civil Engineer, and Fire Marshal.

“Tentative map” means a map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it, and need not be based upon an accurate or detailed final survey of the property.

“Vesting tentative map” means a map for a subdivision that has printed conspicuously on its face the words “Vesting Tentative Map” at the time it is filed in accordance with the proceedings established in Chapter [12.10](#). “Vesting tentative parcel map” means a vesting tentative map prepared in conjunction with a parcel map. This definition includes

nonresidential subdivisions. (Ord. 598 § 3, 2022; Ord. 596 § 3, 2021; Ord. 565 § 3, 2019)

## **Chapter 12.08 TENTATIVE MAPS—PROCEDURES**

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### **12.08.020 Residential condominium conversion.**

If the map is for conversion of existing residential development into condominiums, community apartments, or a stock cooperative, the following apply:

A. Application. The conversion of an existing residential development to a condominium, community apartment, or stock cooperative, requires a tentative map for five or more units or a tentative parcel map for four or fewer units. An existing residential development is defined as a residential development that has received a certificate of final occupancy. The tentative map or tentative parcel map must indicate all sublots including commonly held sublots. The requirement for a tentative parcel map and a parcel map or a tentative and final map must apply to the conversion of a mobilehome park to a tenant owned condominium ownership interest unless specifically waived pursuant to Section [12.08.030](#). In addition, if a tentative and final map are not required for a mobilehome park conversion to tenant owned condominium ownership pursuant to Section 66428.1 of the State [Government Code](#) (Subdivision Map Act), or amendments thereto, the applicant may at the applicant's option file a tentative parcel map and parcel map or a tentative map and a final map.

B. Submittals. All tentative maps and tentative parcel maps involving conversion to condominiums, community apartments, or a stock cooperative, including mobile home parks unless specifically waived pursuant to the provisions of this chapter, must be accompanied by the following:

1. An application for a tentative map or tentative parcel map, along with the information required for processing and application fees, must be filed with the Planning and Building Department;
2. Evidence, satisfactory to the Director, including a statement by the subdivider and copies of letters, that each tenant or prospective tenant has been given notice of the proposed conversion pursuant to Sections 66452.17 through 66452.19 of the State [Government Code](#) (Subdivision Map Act) or amendments thereto;
3. Name and address of each tenant or prospective tenant of each dwelling unit within the project on mailing labels (two sets) and envelopes with postage adequate to mail the staff report on the conversion to the tenants as required pursuant to Section 66452.3 of the State [Government Code](#) (Subdivision Map Act) or amendments thereto;

4. A report prepared to the satisfaction of the Director that indicates the effect the conversion would have on the availability of existing multifamily rental housing for lower income residents in the City;

5. A physical inventory report prepared by a licensed mechanical or structural engineer, a licensed architect, or a licensed general building contractor that includes the estimated remaining useful life and replacement costs of roofs, driveways, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems, and any current building code deficiencies;

6. A copy of all CC&Rs on the project; and

7. An application for a development review permit, along with the information required for processing pursuant to Chapter [13.08](#) or revisions thereto, must be filed with the Planning and Building Department.

C. Standards for Conversion. All tentative maps and tentative parcel maps involving conversion to condominiums of an existing residential development must be conditioned to:

1. Meet current zoning requirements contained in Title 13 of this code unless the requirements are waived or modified pursuant to subsection F of this section. In addition, the conversion of existing legal nonconforming multifamily residential development to a condominium, community apartment, or stock cooperative is exempt from compliance with setbacks, density, height, coverage, area of landscaping, and building separation standards, provided no increase in density is proposed and the underlying zone is residential. Improvements required as conditions of approval for the conversion of such legal nonconforming structures are not limited by the provisions of Section [13.04.110](#); and

2. Provide at a minimum, the following with regard to building and fire codes unless these standards are waived or modified pursuant to subsection F of this section:

a. Any polybutylene plumbing piping must be replaced with copper piping complying with the current edition of the California Plumbing Code or equivalent model code as mandated by the State of California,

b. Guardrails must be added and/or modified to comply with the current edition of the [California Building Code](#) as mandated by the State of California. Both guardrail height and intermediate rails or ornamental pattern of guardrails must be made to comply,

c. Stairway handrails must be added and/or modified to comply with the current edition of the [California Building Code](#) as mandated by the State of California; Exception: Handrails located between 30 inches and 34 inches



above the nosing of treads and landings installed in accordance with the code in effect at the time of construction may be allowed to remain,

d. Any dilapidated or unsafe stairways must be rebuilt to current [California Building Code](#) requirements. Stairways that are in good condition may remain provided they comply with the code in effect at the time of their construction and they have a minimum run of nine inches and a maximum rise of eight inches and a minimum width of 30 inches,

e. All separation walls and floor ceiling assemblies between units must provide an airborne sound insulation equal to that required to meet a sound transmission class (STC) of 50 (45 if field tested). All separation floor-ceiling assemblies between separate units must provide impact sound insulation equal to that required to meet an impact insulation class (IIC) of 50 (45 if field tested). Buildings that have plans and permits on file with the City showing compliance with the above requirements will not require field testing. All others will require field testing in accordance with Title 24, [California Building Code](#), Appendix Chapter 35 as mandated by the State of California,

f. All electrical wiring serving 15 ampere and 20 ampere circuits with No. 14 AWG or No. 12 AWG size wire must be of copper. Any existing aluminum wiring in these sizes must be replaced with copper,

g. All 125-volt, single phase, 15- and 20-ampere receptacles installed in bathrooms, within six feet of a kitchen sink or outdoors where there is direct grade level access to a dwelling unit and to the receptacles must have ground-fault circuit-interrupter protection,

h. Draftstops complying with the Uniform Building Code as mandated by the State of California must be installed above and in line with the walls separating individual dwelling units from each other and from other uses,

i. Any alterations or repairs (i.e., installation of sound attenuation materials) to the walls separating individual units from each other and from other uses that involve the replacement of wall surfacing materials (drywall, plaster or wood paneling) must be made using only materials approved for one-hour fire resistive construction,

j. Ultra low flow toilets and shower heads must be provided,

k. Smoke detectors and carbon monoxide detectors must be installed in accordance with the [California Building Code](#). Smoke detectors within bedrooms must include a visual notification device to notify hearing impaired occupants,

- I. Each unit in the building or complex must be retrofitted for fire sprinklers, unless the applicant for conversion demonstrates to the satisfaction of the City Council that the costs of retrofitting a specific building or complex would be significantly higher than average costs of retrofitting or would cause unusual structural defects or similar problems,
  - m. Basements and every bedroom must have at least one operable window or door approved for emergency escape or rescue. Windows provided for emergency escape or rescue must comply with minimum sill height and opening size requirements in the prevailing building code,
  - n. Individual electric and/or gas meters must be provided for each unit, and
  - o. Additional health and safety upgrades determined necessary by the City;
3. The project must include interior and exterior improvements as may be required by the City Council for approval of the conversion. Required interior and exterior improvements may include, but are not limited to: new paint, new roofs, new window treatments, added wainscot materials, trellises, added wall or window articulation, and other similar improvements. The following building components or systems must be replaced if they have been identified as having five years or less of remaining life in the physical inventory report: roof coverings, exterior wall and floor coverings and finishes, water systems, water heating systems, metal drain piping systems, and cooling and heating mechanical systems;
4. The project must provide adequate public and/or private facilities to serve the development with respect to streets, lighting, fire protection, water, sewer, drainage and flood protection unless waived or modified pursuant to subsection F of this section;
5. All tenant notification and information must be provided, as required by the Subdivision Map Act;
6. Each tenant of an apartment which the owner intends to convert to a condominium who receives a notice of intent to convert pursuant to Section 66452.18 of the Subdivision Map Act, and who is still a tenant in the apartment building at the time the City approves the conversion pursuant to this chapter must be entitled to receive a sum equal to three months' rent, based on the current area "fair market rent" for apartment size based on the number of bedrooms, as established by the U.S. Department of Housing and Urban Development. The appropriate sum under this subsection must be paid by the subdivider as defined by the apartment lease agreement no later than the date on which the 30- or 60-day notice to vacate, as applicable under the Subdivision Map Act, is served to the tenant. The subdivider must provide notice to the tenant of his/her right to receive assistance under this subsection pursuant to the tenant notice requirements of this chapter and of the Subdivision Map Act;

7. The physical inventory report must reasonably ensure the City of the project's long term financial viability;
8. The project must comply with current disability requirements to the satisfaction of the Director;
9. A notice of conditions must be recorded which discloses the conditions of the project and applicable zoning regulations. All waivers or modifications of standards pursuant to subsection F of this section must be disclosed in the notice of conditions. The form and the content of the notice must be to the satisfaction of the Director; and
10. CC&Rs must be submitted to the Director of Planning and Building for approval by the City Attorney and the Director of Planning and Building, and recorded prior to final map or parcel map. A recorded copy must be provided to the Planning and Building Department. The provisions of the CC&Rs must include the following:
  - a. The statement that the City has the right, but not the obligation, to provide for the maintenance of all open space, recreational facilities and improvements if the homeowners' association fails to perform its maintenance obligations. In such cases where maintenance is provided by the City, cost for such services must be assessed to the homeowners' association and will become a lien upon the property and/or each lot, as appropriate,
  - b. Disclosure of assessment districts,
  - c. Disclosure of soil conditions as deemed appropriate by the Director and the City Attorney,
  - d. Disclosure of waiver or modification of standards made pursuant to subsection F of this section.

D. Conditions of Approval. The City may, in the resolution granting approval, impose such conditions as deemed necessary to make the findings contained in subsections E and/or F of this section.

E. Findings. In addition to the findings required pursuant to Section 66427.1 of the State [Government Code](#) (Subdivision Map Act), or amendments thereto, the following findings must be made in the approval of a conversion of an existing residential development to condominiums, community apartments, planned developments, or a stock cooperative:

1. That the conversion of the residential project is desirable and consistent with the goals and objectives of the housing element of the General Plan, in that approval of the conversion will not result in the loss of lower income multifamily

housing stock in the City, and that it would not result in exceeding a limit on conversion of existing apartment units to condominiums, where such limit is the number equal to 50% of the yearly average of apartment units constructed in the City in the previous two fiscal years;

2. That the conversion is consistent with the goals and objectives of the General Plan;

3. That the site and project are physically suitable for conversion and that the project incorporates desirable features which create a pleasant, attractive environment for ownership living;

4. That the proposed development meets the intent and specific standards and criteria prescribed in all applicable sections of the municipal code, the land development manual, and the public works standards of the City unless the requirements are waived or modified pursuant to subsection F of this section;

5. That the proposed development meets the intent and specific standards and criteria of the Uniform Fire Code unless the requirements are waived or modified pursuant to subsection F of this section.

F. Waiver or Modification of Standards. Due to the nature of retrofitting existing buildings to conform to all current zoning requirements and all current State and City laws and regulations for new building construction, it may be impractical or undesirable to require complete conformance to all of the conversion requirements contained in subsection C of this section. A waiver or modification of the standards required for a conversion may be granted if all of the following findings are made:

1. That the waiver or modification does not compromise the health, safety or welfare of the buyers of the project or the general public;

2. That the waiver or modification is necessary because of special and unusual circumstances applicable to the building(s) or property; and

3. That the waiver or modification does not compromise the quality of the project under consideration for home ownership. (Ord. 565 § 3, 2019)

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#### **12.08.040 Submittal fees.**

The tentative map and fee, along with the information required for processing, must be filed with the Planning and Building Department. Filing fees are prescribed by resolution of the City Council. (Ord. 565 § 3, 2019)

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### **12.08.060 Reports and recommendations.**

The Planning and Building Department is authorized and directed to distribute copies of the tentative map and where appropriate, required written statements to each department and affected agency and to request a report regarding same. The Director of Planning and Building is directed to assemble the comments from the various officials and agencies into the staff report for the project. (Ord. 565 § 3, 2019)

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### **12.08.090 Expirations.**

A. Approved or conditionally approved tentative maps and tentative parcel maps expire 36 months after the date of approval or conditional approval unless a time extension is granted by the Planning and Building Director.

B. A subdivider may request a time extension by application to the Planning and Building Department. Such application must be filed within 90 days prior to the expiration date of the tentative map or tentative parcel map. All requests for a time extension must be accompanied by a processing fee as prescribed by resolution by the City Council. (Ord. 565 § 3, 2019)

## **Chapter 12.20 BOUNDARY ADJUSTMENT**

### **12.20.010 Submittal.**

A. Any person(s) desiring to adjust the boundaries between two or more existing parcels by taking land from one parcel and adding it to an adjacent parcel without creating any new parcel must submit an application for a boundary adjustment with the Planning and Building Department. The application must include information required by the Director of Engineering and a fee established by resolution of the City Council.

B. The application must be accompanied by the following:

1. A reproducible adjustment plat on polyester base film, eight and one-half inches by 11 inches or 11 inches by 17 inches in size, and in a form prescribed by the Director;
2. The signature of the owner(s) of the property involved; and
3. A title report.

C. The Director must refer a copy of the proposed adjustment plat to the City Engineer and may refer copies of such plat to the other departments and public agencies for review and comment thereon. (Ord. 565 § 3, 2019)

## **Chapter 12.30 DEVELOPMENT IMPACT FEES**

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### **12.30.050 Fee rates.**

A. The City Council, by resolution, establishes each development impact fee rate, based upon the estimated or actual cost at the time of the adoption of the resolution, for public facilities.

B. Pursuant to City Council resolution establishing each development impact fee rate, the Director of Engineering must calculate the total fees to be paid by any applicant or developer. The Director Engineering's decision is subject to the appeal process set forth in Section [12.30.090](#) of this chapter.

C. The development impact fees, exclusive of the RTCIP mitigation fee, are automatically adjusted for inflation on July 1 of each year. The inflation adjustment is two percent or based on the previous calendar years increase in the San Diego Consumer Price Index (CPI-U: All Items) as published by the Bureau of Labor Statistics, whichever is higher.

D. Pursuant to the TransNet Extension Ordinance, RTCIP mitigation fees are automatically adjusted for inflation on July 1 of each year. The inflation adjustment will be two percent or based on the Caltrans highway construction cost index, whichever is higher. (Ord. 565 § 3, 2019)

### **12.30.140 Compliance with State law and recurring obligations.**

In carrying out the provisions of this chapter, the City complies with the terms and requirements of California Government Code Sections 66000 through 66025.

As part of the City's compliance with California Government Code Sections 66000 through 66025, within the statutory timeframes, the Director of Finance shall ensure that the City undertakes the following:

A. Make available to the public the recurring annual report(s) required by California Government Code Section 66006(b) within 180 days after the last day of each fiscal year, and present the report(s) to the City Council in compliance with applicable law;

B. Make the recurring five-year findings required by California Government Code Section 66001(d) for the fifth fiscal year following the first deposit into an account or fund, and every five years thereafter, in connection with the annual report required by subsection (A) above; and

C. Conduct the recurring eight-year impact fee nexus study updates required by California Government Code Section 66016.5(a)(8) at least once every eight years, from the period beginning on January 1, 2022.

## **Chapter 12.32 DEDICATIONS AND IMPROVEMENTS**

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### **12.32.060 Private streets, alleys or ways.**

A. Private streets, alleys, or ways will be permitted only when the welfare of the occupants of the subdivision will be better served and the public's welfare will not be impaired through such use or the improvements thereon. Such private street, alley, or way must not be offered for dedication and must be shown on the final subdivision or parcel map as parcels lettered alphabetically. All private streets, alleys, or ways must be designed, developed, and improved to the standards of the City and to the satisfaction of the City Engineer.

B. If the City Engineer, in his or her sole discretion, allows private improvements as described in Subsection A, improvements shall be constructed to the City of Santee Public Works standards and unless waived or modified by the City Engineer shall include the following:

1. Fire and emergency access shall be a minimum clear width of 26 feet for two way, or 16 feet for one way, access, subject to the satisfaction of the City of Santee Fire Chief. Said widths shall exclude any portion proposed for or potential for parking.

2. Public alleys shall be a minimum width of 20 feet and contain no parking on either side of the alleyway.

3. Minimum width of 36 feet is required for proposed parking on both sides. A minimum width of 30 feet is required when parking, in the sole opinion of the City Engineer, is only feasible on one side.

C. All such access ways must be governed by maintenance agreements or similar mechanism guaranteeing proper maintenance in perpetuity and must be approved by the City and be made a part of the property deed or other recorded document. (Ord. 565 § 3, 2019)

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## **Chapter 12.40 PARK LANDS DEDICATION**

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### **12.40.020 Definitions.**

In this chapter:

“Development” means a subdivision, mobile home park or construction or installation of a dwelling. Development does not include:

1. Subdivisions created for industrial or commercial purposes;
2. Resort and recreational facilities for which occupancy is limited to 90 days for any person in any 12-month period, or cabin or motel units which are not to be used as primary residences and which are to be constructed within and primarily to serve Federal, State or County parks or forests;
3. Recreational trailer parks, temporary trailer parks, or travel trailer parks as those terms are defined in the Mobilehome Parks Act.

“Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Dwelling” means a building or portion thereof used exclusively for residential purposes, including one-family, two-family, and multiple dwellings, and also means mobile home, and mobile home sites or spaces in mobile home parks.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, and includes an accessory dwelling as defined in Title 13.

“Family” has the same meaning set forth in the zoning code. (Ord. 565 § 3, 2019)

## **Chapter 12.50 DEDICATIONS OF LAND AND FEES FOR SCHOOL DISTRICTS**

...

### **12.50.170 Definitions.**

In this chapter:

“Conditions of overcrowding” means that the total enrollment of a school, including enrollment from proposed development, exceeds the capacity of such school as determined by the governing body of the school district.

“Decision-making body” means the City Council or the Director.

“Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.



“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons.

“Interim facilities” means:

1. Temporary classrooms not constructed with permanent foundation and defined as a structure containing one or more rooms, each of which is designed, intended and equipped for use as a place for formal instruction of pupils by a teacher in a school.
2. Temporary classroom toilet facilities not constructed with permanent foundations.
3. Reasonable site preparation and installation of temporary classrooms.

“Reasonable methods for mitigating conditions of overcrowding” include, but are not limited to, agreements between a subdivider or builder and the affected school district whereby temporary use buildings will be leased to or for the benefit of the school district or temporary use buildings owned by the school district will be used and agreements between the affected school district and other school districts whereby the affected school district agrees to lease or purchase surplus or underutilized school facilities from other school districts.

“Residential development” means:

1. A project containing residential dwellings, including mobilehomes, of one or more units or a subdivision of land for the purpose of constructing one or more residential dwelling units. Residential development includes, but is not limited to:
  - a. A privately proposed amendment to the City of Santee General Plan which would allow an increase in authorized residential density and where no further discretionary action for residential development need be taken by a decision-making body prior to application for a building permit;
  - b. A privately proposed specific plan or amendment to a specific plan which would allow an increase in authorized residential density;
  - c. A tentative or final subdivision map or parcel map or a time extension on such a tentative map;
  - d. A conditional use permit;
  - e. An ordinance rezoning property to a residential use or to a more intense residential use;
  - f. A building permit;
  - g. Any other discretionary permit for residential use.
2. Exemptions. A residential development is exempt from the requirements of this chapter when it consists only of any of the following:

- a. Any modification or remodel of an existing legally-established dwelling unit where no additional dwelling units are created;
- b. A condominium project converting an existing apartment building into a condominium where no new dwelling units are created;
- c. Any rebuilding of a legally-established dwelling unit destroyed or damaged by fire, flood, explosion, act of God or other accident or catastrophe;
- d. Any rebuilding of an historical building recognized, acknowledged and designated as such by the City;
- e. The installation, siting or relocation of mobilehomes in then existing mobilehome parks;
- f. Any dwelling constructed to replace a dwelling taken in an eminent domain proceeding, if both dwelling sites lie within the same school district. (Ord. 565 § 3, 2019)

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE  
AMENDING TITLE 13 OF THE SANTEE MUNICIPAL CODE, "ZONING"  
(CASE FILE: ZA2023-1) 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;

**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

**WHEREAS**, the proposed revisions are detailed in the Staff Report and indicated in the redline document provided to the City Council.

**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.** Section 13.04.140, Section 13.06.055, Section 13.06.070, Section 13.08.020, Section 13.08.030, Section 13.10.030, Section 13.10.040, Section 13.10.050, Section 13.12.030, Section 13.14.030, Section 13.20.040, Section 13.20.050, Section 13.24.030, Section 13.24.040, Section 13.32.025, Section 13.32.030, and Section 13.32.040 are revised or added as set forth in Exhibit A, attached to this Ordinance and incorporated herein.

**SECTION 3. CEQA.** Based upon the whole of the administrative record before it, the City Council hereby finds that the amendments to the Code as set forth in this Ordinance are exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15061(b)(3) and 15378(b)(5). An activity is subject to CEQA only if that activity has "the potential for causing a significant effect on the environment." (State CEQA Guidelines, § 15061(b)(3).) An activity is thus exempt from CEQA "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." (*Ibid.*) Here, the amendments of the Code as set forth in this Ordinance do not have the potential to result in either a direct or reasonably foreseeable indirect physical change in

**ORDINANCE NO. \_\_\_\_**

the environment. (State CEQA Guidelines, § 15061(b)(3).) Moreover, approval of the Ordinance constitutes an administrative activity of the City and is additionally exempt from CEQA on that basis. (State CEQA Guidelines, § 15378(b)(5).) 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.

**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 section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Santee hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

**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 ¼-page advertisement of the same to be published as required by law.

**ORDINANCE NO. \_\_\_\_**

**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 10<sup>th</sup> day of May 2023, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 24th day of May 2023, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

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**JOHN MINTO, MAYOR**

**ATTEST:**

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**ANNETTE ORTIZ, CMC, CITY CLERK**

**Exhibit A – Revisions to Title 13 of the Santee Municipal Code**

**ORDINANCE NO. \_\_\_\_**

**Exhibit A**

**Revisions to Title 13 of the Santee Municipal Code**

**[attached behind this cover page]**

## **REVISIONS TO TITLE 13 OF THE SMC**

The revised text is shown below. Omitted text is denoted by ellipses. Only revised sections are shown.

### **REVISIONS TO TITLE 13, "ZONING"**

#### **Chapter 13.04 ADMINISTRATION**

##### **13.04.140 Definitions.**

A. Purposes. The purpose of this section is to promote consistency and precision in application and interpretation of the development regulations of this title. The meaning and construction of words and phrases defined in this section shall apply throughout this title, except where the context and usage of such words or phrases clearly indicates a different meaning or construction intended in that particular case.

B. Definitions.

"Abutting" means having lot lines or zone boundaries in common.

"Accessibility" means the combination of various elements in a building, facility, site or area, or portion thereof, which allows access, circulation and the full use of the building and facilities by persons with disabilities in compliance the California Building Standards Code.

"Accessible" means a site, building, facility, or portion thereof, that is approachable and usable by persons with disabilities in compliance with the California Building Standards Code.

"Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

"Acreage, gross" means total land area of a parcel, or parcels, at time of applications for development.

"Acreage, net" means total land area of parcel or parcels minus land area which will be required for public dedication at time of application for development.

“Addition” means any construction, which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

“Agent” means any person showing written verification that he or she is acting for, and with the knowledge and consent of, a property owner.

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“Condominiums” means condominiums as defined in Section 4125 of the Civil Code: An estate of real property consisting of an undivided interest in common areas, together with a separate right of ownership in space.

“Congregate care facility” means a residential development serving seven or more persons, whether related or unrelated, licensed by the State Department of Social Services which is comprehensively planned, designed and managed, to include facilities and common space that maximize the residents’ potential for independent living. The facility may be occupied by the elderly or persons with disabilities or households as defined in Health and Safety Code Sections 50067 and 50072 or successor statute. Services that are provided or made available shall relate to the medical, nutritional, social, recreational, housekeeping and personal needs of the residents and shall be provided or made available at a level necessary to assist the residents to function independently. “Direct services” means medical care, meals, housekeeping services, transportation services and planned recreational and social activities which shall be provided to the residents directly by the management of the congregate housing. “Support services” are social services, daycare services and in-home services which the management of the congregate housing shall assist the residents in obtaining, at the residents’ request.

...

“Density” means the number of dwelling units per gross acre.

“Department” means the Planning and Building Department of the City of Santee.

“Design” means: (a) street alignments, grades and widths; (b) drainage and sanitary facilities and utilities, including alignments and grades thereof; (c) location and size of all required easements and rights-of-way; (d) fire roads and fire breaks; (e) lot size and configuration; (f) traffic access; (g) grading; (h) land to be dedicated for park or recreational purposes; and (i) such other specific requirements in the plan and configuration of the entire project as may be necessary or convenient to insure conformity to or implementation of the General Plan or any adopted specific plan.

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“Development, single-family residential” means a development where each dwelling unit is situated on a separate lot and where each dwelling is detached. Some areas of the development may be held in common by all the residents, however, in no case is clustering of units permitted.

“Director” means the Director of Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Distribution” means a use engaged primarily in distribution of manufactured products, supplies, and equipment, including incidental storage and sales activities, but excluding bulk storage of materials which are flammable or explosive.

...

“Façade” means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

“Family” means one or more individuals living together as a single household unit. The term family shall include “group care facilities, limited” for six or fewer mentally disabled, mentally disordered or other persons with disabilities regardless of whether they are living together as a single household unit, but shall not include any other living group that is not living together as a single household unit.

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“Group care facility, general” means shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for seven or more persons with physical or mental impairments that substantially limit one or more of such person’s major life activities when such persons are not living together as a single household unit. This classification includes, but is not limited to, group homes, sober living environments, recovery facilities, and establishments providing nonmedical care for persons in need of personal services, supervision, protection or assistance essential for sustaining the activities of daily living facility, including resident services for persons with disabilities, undergoing rehabilitation, or otherwise in need of care and supervision. This definition shall not include State-licensed residential care facilities, as that term is defined in this section, whether accessory or nonaccessory, emergency shelters, transitional housing, lodging units or boardinghouses.

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## **Chapter 13.06 PERMITS**

### **13.06.055 Reasonable accommodation – Residential accessibility.**

A. Purpose and Intent. It is the policy of the City of Santee, pursuant to the Federal Fair Housing Act, the Federal Fair Housing Amendments Act of 1988, and the California Fair Employment and Housing Act, to provide people with disabilities reasonable accommodation in rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to land use and zoning decisions.

B. Authority. The Director is authorized to grant a reasonable accommodation request in accordance with the procedures in this section in order to make specific housing available to individuals with disabilities.

C. Application. Any individual with a disability or person acting on their behalf may submit a request in writing to the Department for reasonable accommodation in the rules, policies, practices, and procedures regulating the siting, funding, development or use of housing. A reasonable accommodation request may include, but is not limited to yard area encroachments for ramps, handrails, or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways that would not otherwise comply with required landscaping or open space area provisions; and building addition(s) required strictly for accessibility accommodation. If an applicant needs assistance in making the request or any appeals associated with the request, the Department shall provide reasonable assistance necessary to ensure the process is accessible to the applicant. No application fee shall be collected for reasonable accommodation requests filed pursuant to this section.

D. Review Process. When a request for reasonable accommodation is filed with the Department it is referred to the Director for review and consideration. If necessary to reach a determination on the request for reasonable accommodation, the Director may request further information from the applicant consistent with the Federal Fair Housing Amendments Act of 1988, specifying in detail what information is required. Not more than 30 days after receiving a written request for reasonable accommodation, the Director shall issue a written determination on the request. In the event that the Director requests further information pursuant to the paragraph above, this 30-day period shall be suspended. Once the applicant provides a complete response to the request, a new 30-day period shall begin.

E. Findings. The Director shall consider the following criteria when determining whether a requested accommodation is reasonable:

1. The applicant making the request for reasonable accommodation is an individual protected under the Federal Fair Housing Amendments Act of 1988.
2. The accommodation is necessary to make a specific dwelling unit(s) available to an individual protected under the Federal Fair Housing Amendments Act of 1988.
3. The requested accommodation would not impose an undue financial or administrative burden on the City.
4. The requested accommodation would not require a fundamental alteration in the nature of a program, policy, and/or procedure.

F. **Written Determination.** The Director's written determination on the request for reasonable accommodation shall explain in detail the basis of the determination, including the findings on the criteria set forth subsection E. All written determinations shall give notice of the right to appeal as set forth in subsection G, and shall state whether removal of the improvements will be required if the need for which the accommodation was granted no longer exists and removal would not constitute an unreasonable financial burden.

G. **Appeals.**

1. Within 30 days of the date of the Director's written decision, an applicant may appeal an adverse decision to the City Council. Appeals from the adverse decision shall be made in writing.
2. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.
3. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
4. Nothing in this procedure shall preclude an aggrieved individual from seeking any other State or Federal remedy available. (Ord. 566 § 3, 2019)

**13.06.070 Temporary uses.**

A. **Purpose and Intent.** The purpose of this section is to control and regulate land use activities of a temporary nature which may adversely affect the public health, safety, and welfare. The intent is to ensure that temporary uses will be compatible with surrounding

land uses, to protect the rights of adjacent residences and land owners, and to minimize any adverse effects on surrounding properties and the environment.

B. Authority.

1. The Director is authorized to approve, conditionally approve with reasonable conditions or to deny such request. The Director may establish conditions and limitations including, but not limited to, hours of operation, provision of parking areas, signing and lighting, traffic circulation and access, temporary or permanent site improvements, and other measures necessary to minimize detrimental effects on surrounding properties.

2. The Director also may require a cash deposit or cash bond to defray the costs of cleanup of a site by the City in the event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee removal and/or reconversion of any temporary use to a permanent use allowed in the subject district.

C. Temporary Uses—Allowed. The following temporary uses shall be exempt from the permit requirements of this section, with the exception of any temporary use to be located on City property. The uses listed in this section, however, require compliance with the criteria contained in subsection D of this section.

1. Parking lot and sidewalk sales on private property for outdoor display of merchandise accessory to a current on-site business located within a commercial or industrial zoned property, are limited to 15 days per calendar year. Such temporary uses are subject to additional regulations in Section [13.12.030\(G\)](#);

2. Outdoor art and craft shows or sales subject to not more than 15 days of operation or exhibition in any 90-day period;

3. Seasonal retail sale of agricultural products raised on the premises, limited to periods of 90 days in a calendar year. A minimum of 10 off-street parking spaces shall be provided;

4. Patriotic, historic, or similar displays or exhibits subject to not more than 30 days in a calendar year;

5. Holiday display sales, that include pumpkins, Thanksgiving-related items, Christmas trees, decorations and other related accessory items, limited to no more than 90 days of operation, commencing October 15th of any given year and ending no later than January 15th of the following year;

6. Trade fairs limited to not more than 15 days of operation or exhibition in any 90-day period;

7. Charitable special events subject to not more than 15 days of operation in any 90-day period;
8. Recreational vehicles for use by guests or visitors of residents of the City are allowed subject to the conditions below. Recreational vehicles shall have the same meaning as defined in Section [13.04.140](#) of this title, except that boats and boat trailers are excluded:
  - a. The use shall not be permitted for more than 30 calendar days in any calendar year, and
  - b. The recreational vehicle must be parked outside the public right-of-way on a paved surface pursuant to Section [13.10.060](#)(B)(1) of this title on property owned or leased by the host and on which there is located a permanent single-family dwelling unit occupied by the host, and
  - c. The location of the recreational vehicle shall not conflict with Fire Department access requirements, and
  - d. Water, sewer, and/or gas hook-ups except as otherwise permitted by Section [10.10.275](#) of this code, are not permitted. The recreational vehicle must be self-contained or water and sanitary facilities must be available within 200 feet of the vehicle, and
  - e. Temporary electrical service is permitted for the duration of the permit;
9. Pony rides, not more than 15 days in any 90-day period;
10. A vending vehicle may operate as an ancillary use on an active construction site or on a lot developed with a brewery, bar, tavern, nightclub, or stand-alone liquor store. The vending vehicle shall operate as a catering or take-out only service and only operate while the primary use located on the same site is open for business. At all times, the vending vehicle shall remain operable and have a clear path of egress from the property. The vending vehicle shall not be permanently affixed to the property and no structures may be permanently affixed to the vending vehicle or permanently affixed to the property for use by the vending vehicle. A temporary use permit shall be required for two or more vending vehicles located on the same site at the same time and shall be subject to conditions prescribed by the Director.
11. Additional uses determined to be similar to the foregoing, by the Director;
12. All temporary uses shall implement minimum best management practices as outlined in Chapter [9.06](#).

D. Performance Standards. The temporary uses allowed pursuant to this section shall comply with the following standards:

1. All lighting shall be directed away from and shielded from adjacent residential areas. An electrical permit shall be obtained if required pursuant to the building code;
2. Adequate parking shall be provided and the use shall not obstruct the use of any required driveway;
3. The use shall not obstruct any public sidewalk or otherwise be located within the public right-of-way unless an encroachment permit is obtained from the Department;
4. The use shall comply with any applicable requirement of the Fire Department;
5. The use shall not adversely affect traffic circulation on surrounding public streets.

E. Temporary Uses—Permit Required. An application for a temporary use permit shall be required for the following activities and shall be subject to conditions established by this section and any other additional conditions as may be prescribed by the Director.

1. Circuses, carnivals, rodeos, or similar traveling amusement enterprises subject to the following guidelines and conditions:

- a. All such uses shall be limited to not more than 15 days, or more than three weekends, of operation in any 180-day period. To exceed this time limitation shall require the review and approval of a conditional use permit as prescribed in Section [13.06.030](#);
- b. All such activities shall have a minimum setback of 100 feet from any residential area. This may be waived by the Director if in his or her opinion no adverse impacts would result;
- c. Adequate provisions for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Director;
- d. Restrooms shall be provided;
- e. Security personnel shall be provided;
- f. Special, designated parking accommodations for amusement enterprise workers and support vehicles shall be provided;
- g. Noise attenuation for generators and carnival rides shall be provided to the satisfaction of the Director;

- h. Comply with stormwater pollution prevention policies and best management practices;
  - i. Implement any other conditions the Director deems necessary to ensure compatibility with the surrounding uses and to preserve the public health, safety and welfare.
2. Model Homes. Model homes may be used for the purpose of showcasing products and or temporarily as offices solely for the sale of homes within a recorded tract subject to the following conditions:
- a. The applicant shall submit to the Planning and Building Department a submittal that includes the following:
    - i. Applicant's name and description of the proposed temporary use.
    - ii. Phasing plan showing the location of temporary screening between active construction phases.
    - iii. Site plan to scale that shows the interim conditions including but not limited to temporary parking, fencing, accessible facilities including path of travel, restrooms, location of sales office, emergency access including turnaround location with dimensions, permanent improvements to be completed prior to temporary use and meets and incorporates the requirements further described below.
  - b. Prior to final occupancy of a unit used for model purposes, a certificate of occupancy will be issued only after the unit has been converted back to its intended permanent use and written approval has been received from the Fire, Planning and Building, and Engineering departments authorizing a final certificate of occupancy subject to the Building Official's approval.
  - c. Approval shall be for a two-year period, at which time the sales office use shall be terminated and the structure restored back to its original condition. Extensions may be granted by the Director in one-year increments up to a maximum of four years or until 90% of the development is sold, whichever is less;
  - d. A cash deposit, letter of credit, or any security determined satisfactory to the City shall be submitted to the City, in an amount to be set by Council resolution, to ensure the restoration or removal of the structure;
  - e. The sales office is to be used only for transactions involving the sale, rent or lease of lots and/or structures within the tract in which the sales office is located, or contiguous tracts;

f. Failure to terminate the sales office and restore the structure or failure to apply for an extension on or before the expiration date will result in forfeiture of the cash deposit, a halt in further construction or inspections activity on the project site, and enforcement action to ensure restoration of the structure;

g. Street improvements and temporary off-street parking at a rate of two spaces per model shall be completed to the satisfaction of the City Engineer and Director of Engineering prior to commencement of sales activities or the display of model homes;

h. All fences proposed in conjunction with the model homes and sales office shall be located outside the public right-of-way;

i. Flags, pennants, or other on-site advertising shall be regulated pursuant to the sign regulations of the municipal code;

j. Use of signs shall require submission of a sign permit application for review and approval by the Department prior to installation;

k. Each major subdivision proposing a model home complex consisting of two or more models shall provide a four square foot sign in the front yard of one or more of the models indicating that the model provides a water saving landscape and irrigation design pursuant to current City codes. A drawing or drawings shall be displayed in the model, or models, which shows the landscaping design and includes a key identifying the common name of the plants used in the design. It is encouraged that additional literature describing water conserving landscaping and irrigation be made available to prospective buyers or referenced in the interior display.

l. The sales office may be located in a garage, trailer or dwelling;

3. Travel trailers, recreational vehicles, or manufactured homes shall be permitted on active construction sites for use as either temporary living quarters for security personnel, or as a temporary residence of the subject property owner. Recreational vehicle shall have the same meaning as defined in Section [13.04.140](#) of this title, except that boats and boat trailers are excluded. The following conditions shall apply:

a. The Director may approve the temporary use for the duration of the construction project or for a specified period, but in no event for more than two years. If exceptional circumstances exist, a one-year extension may be granted, provided that the building permit for the first permanent dwelling or structure on the same site has also been extended; and

b. Prior to placement of the travel trailer, manufactured home or recreational vehicle on the site, any required permits from the City building division shall be obtained; and



- c. Any travel trailer or recreational vehicle used pursuant to this section, shall have a valid California Vehicle license; and
  - d. Any manufactured home used pursuant to this section shall meet the requirements of the State [Health and Safety Code](#) and show evidence of approval by the State Department of Housing and Community Development; and
  - e. Any permit issued pursuant to subdivision 3 of this subsection in conjunction with a construction project shall become invalid upon cancellation or completion of the building permit for which this use has been approved, or the expiration of the time for which the approval has been granted. The invalid use is then subject to the permits and regulations stated within Section [13.10.030\(E\)](#).
4. Temporary outdoor storage is permitted in the industrial zones for industrial uses and storage and wholesale trades as identified in Table 13.14.030A, subsections A and B, subject to the following guidelines and conditions:
- a. No temporary storage shall encroach into essential parking or on required accessible parking stalls for persons with disabilities. "Essential parking" will be an amount equal to 1.1 times the number of employees on the site. For businesses which operate in shifts or have seasonal changes in the number of employees, the number of employees on the largest shift or the highest number of employees at any time during the previous year shall be used to compute the essential parking. All employment figures must be verifiable to the satisfaction of the Director. For showroom or retail uses, essential parking will also include additional spaces provided at the rate of one space for each 250 square feet of showroom or retail floor area. Fractions of parking spaces shall be rounded up to the next whole parking space;
  - b. The stored materials shall be limited to those items normally associated with the principal use on the site. The provisions of this section shall not be construed as allowing a use by right which is conditionally permitted or prohibited by Table 13.14.030A subsections A through H, Use Regulations, nor shall it apply to those uses which are legal nonconforming in nature;
  - c. The permit may be issued for a maximum period of one year. The applicant shall notify the Director of any change to the characteristics of operation or use, tenant or occupancy that occur prior to any permit renewal;
  - d. Prior to establishment of the temporary outdoor storage the property owner shall record a covenant which discloses the conditions of the temporary use permit to future property owners. The form and content of the covenant is to be approved by the Director prior to recordation. A copy of the recorded document must be submitted to the City prior to establishment of use;

- e. No storage may be located in a front or corner side yard frontage area and shall be located in the area on the site which is least visible from the public right-of-way, as determined by the Director;
- f. All outdoor storage areas shall be designed to prevent both storm water run on and run off;
- g. Fencing must be view obscuring and cannot exceed eight feet in height from grade and would be subject to the following standards:
  - i. Fences must be constructed of coated chain-link with slats, solid wood fences with panels facing outward, wood with stucco, block, brick or painted metal panels. Design of fencing would be subject to the approval of the Director,
  - ii. If a fence is located on a property line, or the storage is visible from a common property line, and the adjacent land use is other than residential, the applicant must obtain written approval from the adjoining property owner to erect a chain-link fence. In the absence of an agreement only a solid fence of a type described in subparagraph (i) of this subdivision may be installed facing the adjoining property,
  - iii. If the adjoining use is residential, a solid decorative block wall will be required on the common property line,
  - iv. Fencing shall comply with the requirements of the Uniform Building Code;
- h. No outdoor storage may exceed the height of the fence;
- i. In accordance with Section [13.14.030](#)(G)(1), no work may take place in the outdoor storage area;
- j. No permit may be issued to a property for a one-year period if upon application for renewal it is found that within the previous temporary use permit period a notice of violation(s) was issued for a violation(s) of the temporary use permit;
- k. Storage may not encroach into required driveways, setbacks or landscaped areas, or impede overall vehicular or pedestrian site circulation. Gates must be rolling unless otherwise approved by the Director and shall be equipped with a Knox-type security device to allow for emergency vehicle access at all times;
- l. Upon expiration or termination of the permit, the property owner is required to remove all temporary fencing, unless constructed of solid wood with stucco, decorative block or brick. Any damaged landscaping or site improvements must be repaired or replaced within 30 days of the date of expiration or termination of the temporary use permit.

5. Sea cargo containers may be allowed temporarily on active construction sites, unless otherwise approved by the Director, subject to the following:
  - a. Sea cargo containers may only be used to temporarily store building materials or merchandise for the duration of the construction project pursuant to an active building permit.
  - b. Upon expiration, termination, or completion of the building permit and/or temporary use permit, the sea container and screening material must be removed.
6. Mobile storage units or prefabricated structures, trailers, manufactured homes or recreational vehicles for temporary office use are allowed on private property, unless otherwise approved by the Director, subject to the following:
  - a. The temporary use is allowed for a maximum of 90 days in any calendar year. If exceptional circumstances exist, additional time may be granted by the Director;
  - b. Adequate parking shall be provided and the structure shall not obstruct any required driveway or be located within a required landscape area;
  - c. The structure shall not be visually prominent when viewed from the public right-of-way;
  - d. The structure shall comply with applicable fire and building codes.
7. Additional uses determined to be similar to the foregoing by the Director. (Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## **Chapter 13.08 Development Review**

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### **13.08.020 Projects requiring development review**

A. An application for development review is required and the Director is authorized to grant a development review permit involving the issuance of a building permit for construction or reconstruction of a structure which meets any of the criteria below. The Director may require a public hearing and City Council review based on the potential impacts to adjacent properties.

1. New commercial, industrial, institutional, or residential construction on vacant property.
2. One or more structural additions or new buildings involving commercial, industrial, institutional, or multiple family residential uses, with a total floor area of 2,500 square feet or more.

3. Reconstruction or alteration of existing commercial, industrial, institutional, or 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.

B. For detached single-family development, the following shall apply:

1. Development review for detached single-family development shall be required for all major subdivision maps and for development of all property within the hillside overlay district.

C. The Director must set a public hearing for any application for a development review permit for any of the following:

1. Multifamily residential project;

2. Single-family resident project requiring a tentative parcel or tentative subdivision map;

3. A commercial or industrial project containing more than 50,000 square feet of building floor area;

4. The conversion of residential, commercial or industrial buildings to condominiums.

D. The requirement for approval of a development review plan may be waived by the Director if the purposes and criteria of these procedures are met by a conditional use permit. A decision on a request for waiver may be appealed as provided by the appeal procedure commencing at Section [13.04.070](#). (Ord. 599 § 2, 2022; Ord. 572 § 3, 2020; Ord. 568 § 3, 2019; Ord. 566 § 3, 2019)

### **13.08.030 Authority.**

A. The Development Review Committee is established to be advisory to the Director.

B. The Development Review Committee is comprised of members of the Department, Engineering Department, Sheriff's Department, and the Fire Department. Review by the committee will consider items such as, but not limited to, circulation, street improvements, right-of-way dedication, utility easements, grading, drainage facilities, storm drain improvements, Uniform Building Code requirements, security, fire flow, emergency access, location of fire hydrants, water and sewer line connections and sizing, water pressure, streetscape and landscape standards, and setbacks and will recommend changes in any development for compliance with adopted codes and standards. They may also make recommendations to the Director on any policy issues or areas not covered by existing codes and standards.

C. The Director shall have the authority to prepare, and revise as required, a development review manual, to assist residents and property owners in understanding the development review procedures. The manual will establish submittal requirements and development review standards pertaining to architecture, development, signs, circulation, parking, fences, lighting, streetscape, landscaping, etc. (Ord. 566 § 3, 2019)

## **Chapter 13.10 RESIDENTIAL DISTRICTS**

### **13.10.030 Residential Use Regulations**

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#### **F. Special Use Regulations**

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##### **5. Manufactured homes.**

a. One manufactured home is permitted on a lot in a single-family residential district subject to the following requirements:

i. It is a manufactured home that was constructed on and after June 15, 1976, and was issued an insignia of approval by the California Department of Housing and Community Development or a manufactured home that has been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.).

ii. Has not been altered in violation of applicable codes.

iii. It is occupied only as a single detached residential dwelling.

iv. Is subject to all provisions of this title applicable to residential structures.

v. Is attached to a permanent foundation system in compliance with the provisions of Section 18551 of the [Health and Safety Code](#). The permanent foundation shall be pit-set with perimeter stem walls.

vi. Is covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

vii. Has a roof with a pitch of not less than two-inch vertical rise for each 12 inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings.

viii. Has a roof overhang of not less than one foot measured from the vertical side of the manufactured home. When carports, garages, porches, or similar

structures are attached as an integral part of the manufactured home, no eave is required where the accessory structure is attached to the manufactured home.

ix. Prior to installation of a manufactured home on a permanent foundation system, the manufactured home owner or a licensed contractor shall obtain a building permit from the Department. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the [Health and Safety Code](#).

x. The owner shall comply with the regulations established pursuant to Section 18551(b) of the [Health and Safety Code](#) for the cancellation of registration of a manufactured home. The owner shall also comply with the provisions of Section 18550(b) of the [Health and Safety Code](#).

xi. The Director shall determine that the proposed project is in compliance with all applicable requirements and conditions prior to issuing final approval for occupancy.

xii. Unless otherwise specified, no modification may be granted from these requirements or from the requirements specified in Title 25 of the [California Code of Regulations](#), which are not subject to local modification.

b. This subsection (F)(5) does not apply to a manufactured home, as defined in Section 18007 of the California Health and Safety Code, that is approved by the City as an accessory dwelling unit in accordance with Section 13.10.045 of the Santee Municipal Code. Such accessory dwelling units shall instead be subject to the regulations provided in Section 13.10.045.

**13.10.040 Site Development Criteria**

A. The site development criteria are intended to provide minimum standards for residential development. This section shall not be construed to supersede more restrictive site development standards contained in the conditions, covenants and restrictions of any property or dwelling unit. However, in no cases shall private deed restrictions permit a lesser standard in the case of a minimum standard of this section or permit a greater standard in the case of a maximum standard of this section.

**Table 13.10.040A**

**Basic Development Standards—Residential**

|  | <b>HL</b>                        | <b>R-1</b>                       | <b>R-1A</b>                     | <b>R-2</b> | <b>R-7</b> | <b>R-14</b> | <b>R-22</b> | <b>R-30</b> |
|--|----------------------------------|----------------------------------|---------------------------------|------------|------------|-------------|-------------|-------------|
| 1. Minimum Net Lot Area (in square feet) | Avg.<br>40,000<br>Min.<br>30,000 | Avg.<br>20,000<br>Min.<br>15,000 | Avg.<br>10,000<br>Min.<br>8,000 | 6,000      | none       | none        | none        | none        |

|   |                       |                       |                      |                     |                    |                   |                   |                       |
|---|-----------------------|-----------------------|----------------------|---------------------|--------------------|-------------------|-------------------|-----------------------|
| 2. Density Ranges (in du/gross acre)                    | 0-1                   | 1-2                   | 2-4                  | 2-5                 | 7-14               | 14-22             | 22-30             | 30-36                 |
| 3. Minimum Lot Dimensions (width/depth) (feet)          | 150 <sup>1</sup> /150 | 100 <sup>1</sup> /100 | 80 <sup>1</sup> /100 | 60 <sup>1</sup> /90 | none               | none              | none              | none                  |
| 4. Minimum Flag Lot Frontage                            | 20 feet               | 20 feet               | 20 feet              | 20 feet             | 36 feet            | 36 feet           | 36 feet           | 36 feet               |
| 5. Maximum Lot Coverage                                 | 25%                   | 30%                   | 35%                  | 40%                 | 55%                | 60%               | 70%               | 75%                   |
| 6. Minimum Setbacks (in feet)                           |                       |                       |                      |                     |                    |                   |                   |                       |
| Front <sup>5, 6</sup>                                   | 30                    | 20                    | 20                   | 20                  | 20                 | 10                | 10                | 10                    |
| Exterior side yard                                      | 15                    | 15                    | 15                   | 10                  | 10                 | 10                | 10                | 10                    |
| Interior side yard                                      | 10                    | 10                    | 8                    | 5                   | 10                 | 10                | 10                | 10 or 15 <sup>2</sup> |
| Rear  | 25                    | 20                    | 20                   | 15                  | 10                 | 10                | 10                | 10 or 15 <sup>2</sup> |
| 7. Maximum Height (in feet)                             | 35 (two stories)      | 35 (two stories)      | 35 (two stories)     | 35 (two stories)    | 35 (three stories) | 45 (four stories) | 55 (five stories) | 55 (five stories)     |
| 8. Private Open Space (in sq. ft. per unit)             | —                     | —                     | —                    | —                   | 100                | 100               | 60                | 60                    |
| 9. Common Open Space (sq. ft. per unit) <sup>3, 4</sup> | —                     | —                     | —                    | —                   | 150                | 150               | 100               | 100                   |

**Notes:**

1 For lots located on cul-de-sacs and 90-degree radius turn streets (knuckles), the minimum lot frontage shall be 60% of the above minimum lot width, measured at the front property line. All lots on cul-de-sacs and knuckles must meet the minimum lot

width for the zoning district, as identified in the table above, at a distance from the property line equal to 50% of the minimum lot depth.

2 15 feet when abutting a Single-family Residential Zone and buildings exceed 35 feet (two stories).

3 A minimum of 50% of the required common open space must be consolidated in one area with a minimum dimension (width and length) of 20 feet; however, a minimum of 500 sq. ft. of common open space in one area with a minimum dimension (width and length) of 20 feet must be provided. Refer to Section [13.10.040\(F\)](#) for recreational amenities.

4 Refer to Section [13.30.020\(K\)](#) for senior housing usable open space.

5 Refer to Section [13.10.040\(D\)](#) for front setbacks along mobility element streets.

6 Refer to Section [13.10.050](#) for variable front yard provisions.

E. Planned Residential Developments. Planned Residential Developments are created by approval of a tentative map or tentative parcel map and are subject to all development requirements of the applicable zone, except as modified in Table 13.10.040E.

**Table 13.10.040E**

**Development Standards for Residential Lots Within a Planned Residential Development**

|   | <b>R-7</b> | <b>R-14</b> |
|---|------------|-------------|
| 1. Minimum Net Lot Area <sup>1</sup> (in square feet) | none       | none        |
| 2. Minimum Lot Dimensions (width/depth) (feet)        | none       | none        |
| 3. Maximum Lot Coverage                               | 55%        | 60%         |
| 4. Minimum Setbacks <sup>2</sup> (in feet)            |            |             |
| Front <sup>3</sup>                                    | 10         | 10          |
| Exterior side yard                                    | 5          | 5           |
| Interior side yard                                    | 5          | 5           |
| Rear  | 10         | 10          |

**Notes:**

1 Flag lots are prohibited within a planned residential development.

2 For new PRDs, a minimum 10-foot building setback shall apply along all property lines.



3 The driveway for each required garage shall be a minimum of 20-feet long.

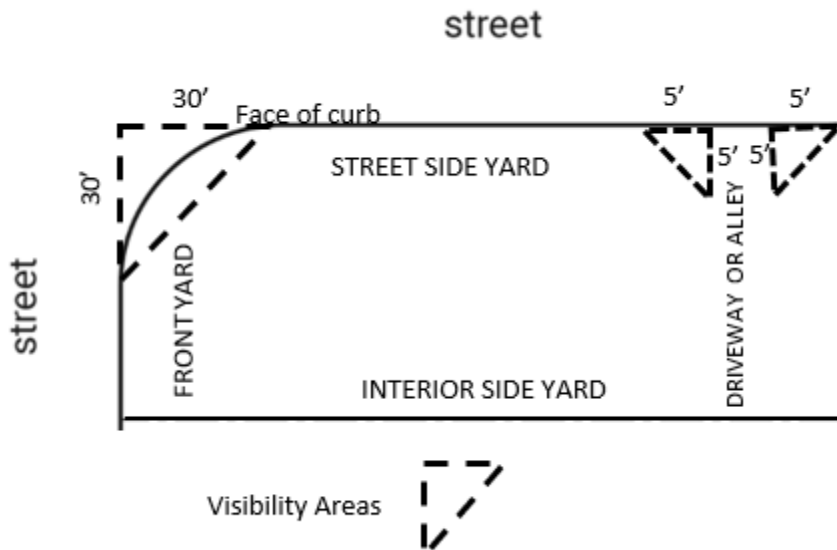
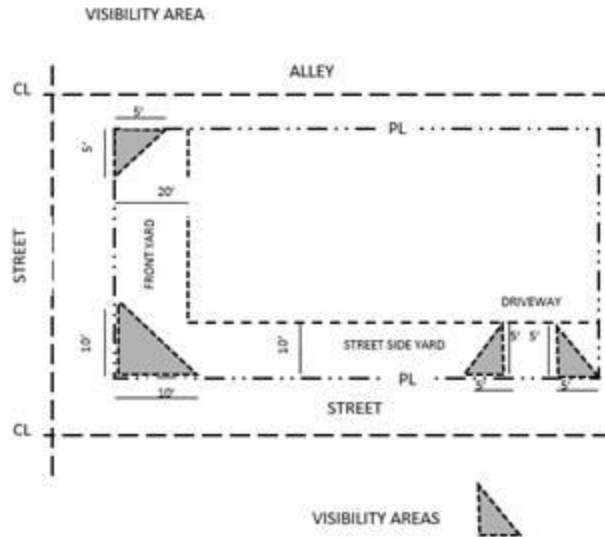
### **13.10.050 Special development criteria**

E. Fences, Walls and Hedges. The following provisions regarding fences, walls and hedges shall apply to all residential districts.

1. Fences, walls, hedges, or similar view obstructing structures or plant growth that reduce visibility and the safe ingress and egress of vehicles or pedestrians shall not exceed a height of three and one-half feet in the front yard. A combination of solid and open fences (e.g., wrought iron, chain link, Plexiglas) not exceeding six feet in height may be located in a required front yard or visibility clearance area, provided such fences are constructed with at least 90% of the top two and one-half feet of their vertical surface open, and nonview-obscuring.

2. Fences or walls, not exceeding six feet in height, may be located in a required exterior side yard, rear, or interior side yard. Walls required by the City for noise mitigation may be up to eight feet in height and may be located within the exterior side yard setback or rear setback adjacent to a street. The noise wall shall be designed such that it does not reduce visibility and the safe ingress and egress of vehicles or pedestrians.

3. A visibility clearance area shall be required on lots adjacent to an alley, driveway or street in which nothing shall be erected, placed, planted or allowed to grow exceeding three and one-half feet in height. Such area shall consist of a triangular area measured along the face of curb bounded by the alley, driveway, or street right-of-way lines of such lots and a line joining points along said alley, driveway, or street lines from the point of intersection as shown in the Visibility Area diagram below. The distance may be reduced if the Director determines that the reduced distance would not create a public health and safety hazard. The distance may be increased if the Director determines that a greater distance is required to maintain public health and safety.



4. Outdoor recreation court fences not exceeding 12 feet in height shall be located five feet from any rear or side property lines, except when adjacent to outdoor recreation courts on adjacent properties.
5. Barbed wire, concertina wire, or similar security devices are not allowed in residential zones.
6. Walls constructed next to a mobility element street shall be constructed with decorative materials to the satisfaction of the Director. Anti-graffiti surfaces shall be provided pursuant to Chapter [7.16](#).

## Chapter 13.12 COMMERCIAL/OFFICE DISTRICTS

**13.12.030 Commercial and office use regulations.**

Uses listed in Table 13.12.030A shall be allowable in one or more of the commercial districts as indicated in the columns beneath each district heading. 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 13.12.030A 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. However, in no case shall uses be permitted beyond those allowable in this section. 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 13.12.030A  
Use Regulations for Commercial/Office Districts**

| <b>Use</b>  | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|---|-----------|-----------|-----------|
| <b>A. Offices and Related Uses</b>  |           |           |           |
| 1. Administrative and executive offices   | P         | P         | P         |
| 2. Bail bonds office  | P         | —         | P         |
| 3. Clerical and professional offices  | P         | P         | P         |
| 4. Financial services and institutions  | P         | P         | P         |
| 5. Medical, dental and related health administrative and professional offices services (nonanimal related) including laboratories and clinics; only the sale of articles clearly incidental to the services provided shall be permitted | P         | P         | P         |
| 6. Accessory commercial uses when incidental to an office building or complex (blueprinting, stationery, quick copy, etc.)  | P         | P         | P         |
| <b>B. General Commercial Uses</b>   |           |           |           |
| 1. Antique shops  | —         | P         | P         |

| Use   | OP | NC | GC |
|---|----|----|----|
| 2. Animal care facility, small animal only (animal hospital, veterinarian, commercial kennel, grooming)   |    |    |    |
| a. Excluding exterior kennel, pens or runs  | —  | P  | P  |
| b. Including exterior kennel, pens or runs  | —  | —  | C  |
| 3. Apparel stores   | —  | P  | P  |
| 4. Art, music and photographic studios and/or supply stores   | P  | P  | P  |
| 5. Dance, gymnastics, martial arts, or fitness / sports school or studio  | —  | P  | P  |
| 6. 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  | P  |
| 7. 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)   |    | MC | MC |
| 8. Athletic and health clubs  | P  | P  | P  |
| 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  |    |    |    |
| a. Sales  | —  | —  | C  |
| b. Rentals  |    |    |    |
| i. With on-site vehicle storage   | —  | MC | MC |
| ii. No on-site vehicle storage  | P  | P  | P  |
| c. Repairs including painting, body work and services   | —  | —  | PC |
| d. Washing and detailing including full service carwash, self-service carwash, and / or express carwash   | —  | MC | C  |

| Use  | OP | NC | GC |
|--|----|----|----|
| e. Service or gasoline dispensing stations including mini-marts, accessory car washes, and minor repair services accessory to the gasoline sales | —  | C  | C  |
| f. Parts and supplies excluding auto recycling or wrecking   | —  | P  | P  |
| g. Recreational vehicle storage facility   | —  | —  | C  |
| 11. Bakeries   | —  | P  | P  |
| 12. Barber and beauty shops and/or supplies  | P  | P  | P  |
| 13. Bicycle sales and shops (nonmotorized)   | —  | P  | P  |
| 14. Blueprint and photocopy services   | P  | P  | P  |
| 15. Book, gift and stationery stores (other than adult related material)   | P  | P  | P  |
| 16. Candy stores and confectioneries   | —  | P  | P  |
| 17. Catering establishments (excluding mobile catering trucks)   | —  | —  | P  |
| 18. Cleaning and pressing establishments, retail   | P  | P  | P  |
| 19. Cemeteries   | —  | —  | —  |
| 20. Commercial recreation facilities   |    |    |    |
| a. Indoor uses, including, but not limited to, bowling lanes, theaters, and billiard parlors   | —  | —  | P  |
| b. Outdoor uses, including, but not limited to, golf, tennis, basketball, baseball, trampolines, and drive-in theaters                           | —  | —  | C  |
| 21. Contractor (all storage of material, equipment within an enclosed building)  | —  | —  | P  |
| 22. Dairy products stores  | —  | P  | P  |
| 23. Department stores  | —  | P  | P  |
| 24. Drive-in business (excluding theaters and fast food restaurants)   | —  | P  | P  |
| 25. Drug stores and pharmacies   | P  | P  | P  |
| 26. Equipment sales/rental yards (light equipment only)  | —  | —  | MC |

| <b>Use</b>   | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|--|-----------|-----------|-----------|
| 27. Farmer's market (See Section 13.12.030(G)(4))  | —         | MC        | MC        |
| 28. Feed and tack stores (all supplies and materials within an enclosed building)                                  | —         | —         | P         |
| 29. Florist shops  | P         | P         | P         |
| 30. Food and beverage sales or service   |           |           |           |
| a. Cocktail lounge, bar or tavern  |           |           |           |
| i. Not accessory to a restaurant and with or without entertainment, other than adult related                       | C         | C         | C         |
| ii. Accessory to a restaurant, coffee shop and with or without entertainment, other than adult related             | P         | P         | P         |
| b. Nightclubs or dance halls, not including adult related entertainment  | —         | C         | C         |
| c. Snack bars, delicatessens, or refreshment stands, take-out only, and accessory to an office use                 | P         | P         | P         |
| d. Fast food restaurants with drive-in or drive-through service  | —         | C         | C         |
| e. Restaurants or coffee shops, other than fast food with or without alcoholic beverages and without entertainment | P         | P         | P         |
| f. Supermarkets (including the sale of alcoholic beverages)  | —         | P         | P         |
| g. Convenience markets   | —         | P         | P         |
| h. Liquor stores   | —         | C         | C         |
| i. Clubs and lodges with alcoholic beverage service  | —         | C         | C         |
| j. Micro-breweries, provided all equipment, supplies and materials are kept within an enclosed building            | —         | —         | P         |
| 31. Furniture stores, repair and upholstery  | —         | P         | P         |
| 32. General retail stores  | —         | P         | P         |
| 33. Hardware stores  | —         | P         | P         |
| 34. Home improvement centers   |           |           |           |
| a. Material stored and sold within enclosed buildings  | —         | P         | P         |

| <b>Use</b>   | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|--|-----------|-----------|-----------|
| b. Outdoor storage of material such as lumber and building materials   | —         | —         | MC        |
| 35. Hotels and motels  | C         |           | C         |
| 36. Interior decorating service  | P         | P         | P         |
| 37. Janitorial services and supplies   | —         | P         | P         |
| 38. Jewelry stores   | —         | P         | P         |
| 39. Kiosks for general retail and food sales, key shops, film drops, automatic teller machines, etc. in parking lots   | MC        | MC        | MC        |
| 40. Laundry, self-service  | —         | P         | P         |
| 41. Locksmith shop   | —         | P         | P         |
| 42. Mining   | C         | C         | C         |
| 43. Mobile home sales  | —         | —         | C         |
| 44. Mortuaries, excluding crematoriums   | —         | —         | P         |
| 45. Newspaper and magazine stores  | P         | P         | P         |
| 46. Nightclub, teenage   | —         | —         | C         |
| 47. Nurseries (excluding horticultural nurseries) and garden supply stores; provided all equipment, supplies and material are kept within an enclosed building | —         | P         | P         |
| a. with outdoor storage and supplies   | —         | MC        | MC        |
| 48. Office and business machine stores and sales   | P         | P         | P         |
| 49. Parking facilities (commercial) where fees are charged   | P         | —         | P         |
| 50. Pawnshop   | —         | —         | P         |
| 51. Parcel delivery service (excluding on-side truck storage and truck terminals)  | —         | —         | P         |
| 52. Political or philanthropic headquarters  | P         | P         | P         |
| 53. Pet shop <sup>1</sup>  | —         | P         | P         |
| 54. Plumbing shop and supplies (all materials stored within an enclosed building)  | —         | P         | P         |

| <b>Use</b>   | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|--|-----------|-----------|-----------|
| 55. Printing and publishing  | P         | —         | P         |
| 56. School, business or trade (all activities occurring within an enclosed building) | P         | P         | P         |
| 57. School, commercial (all activities occurring within an enclosed building)        | —         | P         | P         |
| 58. Second hand store or thrift shop   | —         | P         | P         |
| 59. Self-storage, public storage   | —         | —         | C         |
| 60. Shoe stores, sales and repair  | —         | P         | P         |
| 61. Shopping center subject to provisions in Section 13.12.030(F)                    | —         | C         | C         |
| 62. Small collection facility  | P         | P         | P         |
| 63. Spiritualist readings or astrology forecasting                                   | —         | —         | P         |
| 64. Sporting goods stores  | —         | P         | P         |
| 65. Stamp and coin shops   | —         | P         | P         |
| 66. Swimming pool or spa sales and/or supplies                                       | —         | P         | P         |
| 67. Tailor or seamstress   | P         | P         | P         |
| 68. Tanning salon, massage, and other body conditioning services                     | —         | P         | P         |
| 69. Tattoo parlor and/or body piercing salon   | —         | —         | P         |
| 70. Taxidermist  | —         | —         | P         |
| 71. Television, radio sales and service  | —         | P         | P         |
| 72. Tire sales and installation, not including retreading and recapping              | —         | —         | P         |
| 73. Toy stores   | —         | P         | P         |
| 74. Travel agencies  | P         | P         | P         |
| 75. Transportation facilities (train, bus, taxi depots)                              | C         | C         | C         |
| 76. Variety stores   | —         | P         | P         |



| Use   | OP | NC | GC |
|---|----|----|----|
| <b>C. Public and Semi-Public Uses</b>   |    |    |    |
| 1. Ambulance service  | C  | C  | C  |
| 2. Art galleries and museums, public or private   | P  | P  | P  |
| 3. Biological habitat preserves (unless otherwise approved by another entitlement)  | P  | P  | P  |
| 4. Churches, convents, monasteries and other religious institutions   | C  | C  | 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 subsection (B)(30) of this table) | MC | MC | MC |
| 6. Convalescent facilities and hospitals  | C  | —  | C  |
| 7. Day care center facilities   | C  | C  | C  |
| 8. Detention facility   | —  | —  | —  |
| 9. Educational facilities, excluding business or trade schools and commercial schools   | C  | C  | C  |
| 10. Library   | P  | P  | P  |
| 11. Parks and recreation facilities, public or private (excluding commercial recreation facilities)   | C  | C  | C  |
| 12. Post office   | P  | P  | P  |
| 13. Public buildings and facilities   | C  | C  | C  |
| 14. Radio or television broadcast studio  | —  | —  | C  |
| <b>D. Accessory Uses</b>  |    |    |    |
| 1. Auxiliary structures and accessory uses customarily incidental to a permitted use and contained on the same site   | P  | P  | P  |
| 2. Caretaker's living quarters only when incidental to and on the same site as a permitted or conditionally permitted use   | P  | P  | P  |
| 3. Amusement devices, per Section 13.12.030(F)  | —  | P  | P  |
| <b>E. Temporary Uses</b>  |    |    |    |

| Use  | OP | NC | GC |
|--|----|----|----|
| 1. Temporary uses subject to the provisions contained in Section 13.06.070 | P  | P  | P  |

**Note:**

- 1 Subject to pet sourcing requirements of the State of California.

**F. Special Use Regulations.**

1. Amusement Devices. The use of amusement devices, as defined in Section 13.04.140, as an accessory use to a permitted use, shall be regulated based on the following criteria:

- a. No more than five devices may be permitted per business without approval of a conditional use permit. Each machine and playing area shall occupy a minimum of 10 square feet of floor area.
- b. The devices shall not obstruct or crowd entries, exits, or aisles.
- c. Adult supervision (persons aged 21 and above) is required and the devices must be placed in an area which is visible to the supervisor at all times.

2. Arcades. A conditional use permit is required to establish an arcade, as defined in Section 13.04.140. The following information is required to process the permit application: Adult supervision to be provided, hours of operation, proximity to schools and other community uses, compatibility with the surrounding neighborhood and businesses, noise attenuation, bicycle facilities, size and location of interior waiting areas and any other information deemed necessary by the Director.

- a. Each application shall contain a description of the types of machines, a floor plan, and any other information deemed necessary by the Director.

3. Shopping Centers. To ensure that the goals and policies of the General Plan are implemented, a conditional use permit shall be required for shopping centers. In such a review, the following criteria shall be considered:

- a. The transition from more sensitive land uses and buffering methods to mitigate commercial activities such as loading, lighting, and trash collection;
- b. The center has been planned as a group of organized uses and structures;
- c. The center is designed with one theme, with buildings and landscaping consistent in design (similar architectural style, similar exterior building materials, and a coordinated landscaping theme);

- d. The center makes provisions for consistent maintenance, reciprocal access and reciprocal parking;
  - e. Vehicle and pedestrian access is coordinated and logically linked to provide a comprehensive circulation system;
  - f. The development or approval of any portion of a center shall require the development of a conceptual development plan which shall consider such things as, but not limited to, circulation, uniform architectural design, drainage/grading, buffers, phased improvements and landscaping.
4. Congregate Care Facility Amenities. All new congregate care facilities shall provide adequate amenities, that may include, and not be limited to, swimming pools, fitness centers, spas, card rooms, billiards/game rooms, music rooms, reading rooms, internet lounges, etc., to the satisfaction of the Director.

G. Condition of Uses.

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, within their respective districts and subject to any required reviews and permits:
- a. Automobile, boat, trailer, camper, and motorcycle sales and rental (subject to a conditional use permit);
  - b. Building material, supplies and equipment, rental and sales (subject to a conditional use permit);
  - c. Farmer's market (subject to the provisions of subdivision (3) of this subsection,) fruit and vegetable stands (requires temporary use permit);
  - d. Horticultural nurseries (subject to a conditional use permit);
  - e. Gasoline pumps, oil racks, and accessory items when located on pump islands;
  - f. Outdoor display of merchandise as accessory to current on-site business (subdivision (3) of this subsection);
  - g. Outdoor recreation uses;
  - h. Parking lot and sidewalk sales (subject to Section 13.06.070, Temporary uses, set forth in this chapter);
  - i. Outdoor eating areas (subject to a minor conditional use permit). For accessory outdoor eating areas in conjunction with a food establishment that features take-out service; see subdivision (5) of this subsection; and
  - j. Other activities and uses similar to those above as determined by the Director.

2. Parking Lot and Sidewalk Sales. Parking lot and sidewalk sales are permitted in the commercial districts as described in Section 13.06.070 of this title.

3. 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 25% of the linear frontage of the storefront or six linear feet, whichever is greater;

b. Items shall not project more than four feet from the storefront;

c. No item, or any portion thereof, shall be displayed on public property; provided, however, items may be displayed within the public right-of-way if an encroachment permit has first been procured from the City;

d. Items shall be displayed only during the hours that the business conducted inside the building on the premises is open for business;

e. 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.

4. Farmer's Markets. Parking lot display and sale of produce and other agricultural products such as, but not limited to, fruits, vegetables, nuts, honey, eggs, herbs, flowers and plants may be permitted in the general commercial zone subject to approval of a minor conditional use permit and the following criteria:

a. The design, location and size of booths or method of display, signage, and the associated facilities and times of operation shall be reviewed and approved through the minor conditional use permit process;

b. A parking study shall be provided to determine if adequate off-street parking and traffic and pedestrian circulation exists for all existing on-site uses while the market is open for business;

c. All required permits from the San Diego County Health Services Department shall be obtained.

5. Accessory Eating Areas Permitted. The following performance standards shall apply to outdoor eating:

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.

e. Parking shall comply with Section 13.24.040 of this title.

6. Specialized Retail Sales and Food Services from Pushcarts. The following standards apply to all requests to establish a pushcart for specialized retail sales or food sales on private property in the general commercial, neighborhood commercial or office professional zones.

a. Pushcarts shall be located on private property and shall not be located in areas that:

i. Reduce the amount of required parking on the site.

ii. Interfere with vehicular or pedestrian circulation.

iii. Present a traffic hazard.

iv. Result in the removal of mature landscaping (unless additional landscaping is provided elsewhere on the subject site).

v. Within the town center specific plan area, pushcarts shall not be located within any corridor open space area.

b. The pushcart owner or, if the owner does not operate the business, the pushcart operator is required to obtain a City business license and any required permits from the building division. A health permit from the County Department of Health Services may also be required.

H. Abandoned or Converted Service Stations.

1. Abandoned Service Stations. Service stations which become vacant or cease operation beyond 180 days shall be required to remove all underground storage tanks (unless waived by the Santee Fire Department), remove all gasoline pumps and pump islands, and shall remove freestanding canopies. In order to prevent said action, the owner must supply the Director with written verification prior to the 180th day from the time operations ceased that an allocation of gas has been received and operation of the station will commence within 30 days of the date of written correspondence. If the service station is to resume operation after the 180 days, then the Director shall require the processing and approval of a development review application to ensure that the facilities will be reasonably upgraded and maintained. This could include such things as, but not limited to, replanting existing landscape areas, installing new landscape areas, painting of structures, upgrading or installing trash enclosures, striping parking spaces,

installation of signs in conformance with adopted sign provisions, resurfacing vehicle access and parking areas, and installation of missing street improvements.

2. **Converted Service Stations.** Buildings and structures which were originally designed as a gasoline service station and which are proposed to be used for another use shall be subject to a development review or conditional use permit. The conversion of the facilities to another use may require upgrading and remodeling for such things as, but not limited to, removal of all gasoline appurtenances, removal of canopies, removal of improvements or modification of existing improvements to conform to access regulations, and exterior remodeling.

I. **Conversion of Residential Structures, Including Hotels and Motels.** No structure originally designed as a residence, including hotels and motels, or as an auxiliary structure or addition to a residence, shall be used for any commercial or office uses unless the building and site are improved to meet all code requirements for an office or commercial development. This includes such things as, but not limited to, building code requirements, fire code requirements, and zoning ordinance requirements. A resident may convert up to 50% of the gross floor area of the existing residence to a business use and continue to reside in the residence, provided the resident is also the owner of the business and subject to the provisions of this subsection. Any expansion of a residence that is legal nonconforming shall comply with Section 13.04.110(F) of this title. Such a conversion may also be subject to the conditional use permit process, as required by the base district use regulations contained in Table 13.12.030A. (Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## **Chapter 13.14 INDUSTRIAL DISTRICTS**

### **13.14.030 Industrial use regulations.**

Uses listed in Table 13.14.030A shall be allowable in one or more of the industrial districts as indicated in the columns beneath each industrial district. 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 the conditional use permit process 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 13.14.030A and is not subject to the use determination procedure 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. However, in no case shall uses be permitted beyond those allowable in this section. 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 13.14.030A

## Use Regulations for Industrial Districts

| Uses  | IL | IG |
|---|----|----|
| <b>A. Industrial Uses</b>   |    |    |
| 1. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared typical materials such as, but not limited to, canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper (no milling), precious or semiprecious stones, metals, plaster, plastic, shells, textiles, tobacco, wood and yarns; novelty items (not including firework or other explosive type items), electrical appliances, motors and devices; radio, television, phonograph and computers; electronic precision instruments; medical and dental instruments; timing and measuring instruments; audio machinery; visual machinery; cosmetics, drugs, perfumes, toiletries and soap (not including refining or rendering of fats or oils) | P  | P  |
| 2. Bottling plants  | P  | P  |
| 3. Building materials manufacturing, subject to the provisions  | —  | P  |
| 4. Cement products manufacturing  | —  | P  |
| 5. Fruit or vegetable packing houses  | C  | P  |
| 6. Fruit or vegetable products manufacturing, including frozen foods  | C  | P  |
| 7. Furniture upholstery   | P  | P  |
| 8. Hazardous waste treatment facility   | —  | C  |
| 9. Laboratories (chemical, dental, electrical, optical, mechanical and medical)   | P  | P  |
| 10. Mining  | C  | C  |
| 11. Rubber and metal stamp manufacturing  | P  | P  |
| 12. Renewable Energy Storage Facility, subject to provisions of Section 13.14.030(L)  | —  | C  |
| <b>B. Storage Trades</b>  |    |    |
| 1. Contractors yards, subject to the provisions of Section 13.14.030(G)   | —  | MC |
| 2. Contractor (all storage of material, equipment within an enclosed building)  | P  | P  |

| Uses  | IL | IG |
|---|----|----|
| 3. Equipment sales/rental yards   | P  | P  |
| 4. Fleet storage  | MC | MC |
| 5. General warehousing/wholesale and distribution   | P  | P  |
| 6. Self-storage, public storage   | C  | C  |
| 7. Trailer, truck or bus terminal   | —  | C  |
| 8. Vehicle storage yard   | —  | MC |
| 9. Recreational vehicle storage facility  | MC | MC |
| <b>C. Services</b>  |    |    |
| 1. Administrative, executive, real estate, and/or research offices  | P  | P  |
| 2. Animal care facility   |    |    |
| a. Completely within an enclosed building   | P  | P  |
| b. With exterior kennels, pens or runs  | C  | C  |
| 3. 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  | —  |
| 4. Athletic or health clubs, indoor   | MC | —  |
| 5. Auction house (conducted completely within an enclosed building and subject to the provisions contained in Title 4 of this code)   | P  | P  |
| 6. Automotive services, including automobiles, trucks, motorcycles, boats, mopeds, recreational vehicles, or other small vehicles as determined by the Director. All vehicles shall be stored on site and shall not occupy any required parking space, access aisle or landscape area |    |    |
| a. Sales  | C  | MC |
| b. Rentals  | C  | MC |
| c. Repairs (major engine work, muffler shops, painting, body work and upholstery) completely  | P  | P  |
| d. Washing (coin and automatic)   | P  | P  |



| Uses  | IL | IG |
|---|----|----|
| e. Service or gasoline dispensing stations including mini-marts with or without alcoholic beverage sales, accessory car washes, and/or minor repair services as accessory to the gasoline sales | C  | C  |
| 7. Barber or beauty shops   | P  | —  |
| 8. Blueprinting and photocopying  | P  | P  |
| 9. Catering establishments (excluding mobile catering trucks. See Fleet Storage)  | P  | —  |
| 10. Collection facility, large  |    |    |
| a. Indoor   | P  | P  |
| b. Outdoor  | C  | C  |
| 11. Collection facility, small  | P  | P  |
| 12. Dance, gymnastics, martial arts, or fitness / sports school or studio - indoor  | P  | P  |
| 13. Distributors showrooms  | P  | P  |
| 14. Food and beverage sales or service  |    |    |
| a. Cocktail lounge, bar or tavern   |    |    |
| i. Not within a restaurant and with or without entertainment, other than adult related  | C  | —  |
| ii. Accessory to a restaurant or a coffee shop, and without entertainment   | P  | —  |
| b. Nightclubs or dance halls, not including adult related entertainment   | C  | —  |
| c. Snack bars, delicatessens, or refreshment stands, accessory to a business complex  | P  | P  |
| d. Fast food restaurants with drive-in or drive-through service   | —  | —  |
| e. Restaurants or coffee shops, other than fast food  |    |    |
| i. With entertainment or dancing, other than adult related, and/or serving of alcoholic beverages   | P  | —  |
| ii. Without entertainment or dancing and with or without alcoholic beverage sales   | P  | —  |
| f. Clubs and lodges serving alcoholic beverages   | C  | —  |

| Uses   | IL | IG |
|--|----|----|
| 15. Helipad without maintenance facilities   | —  | C  |
| 16. Home improvement centers   |    |    |
| a. Material stored and sold within enclosed buildings  | P  | P  |
| b. Outdoor storage of material such as lumber and building materials, subject to the provisions contained in Section 13.14.030(G)(2)   | MC | P  |
| 17. Interior decorating service  | P  | P  |
| 18. Janitorial services and/or supplies  | P  | —  |
| 19. Locksmith shop   | P  | P  |
| 20. Micro-brewery, with or without tasting room and/or food service  | P  | P  |
| 21. Motels, hotels, and/or convention centers  | C  | C  |
| 22. Music or recording studio  | P  | —  |
| 23. Newspaper publishing, printing and distribution, general printing, and lithography   | P  | P  |
| 24. Nurseries, excluding horticultural nurseries, and garden supply stores provided all equipment, supplies and materials are kept within an enclosed building or fully screened enclosure and fertilizer of any type is stored in package form only | P  | —  |
| 25. Parcel delivery service (excluding truck terminals)  | P  | P  |
| 26. Pest control service   | P  | P  |
| 27. Pistol, rifle or archery range (indoor only)   | P  | P  |
| 28. Photography studio or video production   | P  | P  |
| 29. Retail sales of products produced, wholesaled, or manufactured on the premises commercial when in conjunction with a permitted or conditional use not occupying more than 25% of the gross floor area  | P  | P  |
| 30. Rug cleaning and repair  | P  | P  |
| 31. School, business or trade  | P  | —  |
| 32. Swimming pool sales and supplies   | P  | —  |
| 33. Tattoo parlor and/or body piercing salon   | P  | —  |

| Uses   | IL | IG |
|--|----|----|
| 34. Tire re-treading and recapping   | —  | P  |
| 35. Tobacco paraphernalia business   | —  | MC |
| 36. Welding shop   | P  | P  |
| <b>D. Public and Semi-Public Uses</b>  |    |    |
| 1. Ambulance services  | C  | C  |
| 2. Biological habitat preserve (unless approved by another entitlement)  | P  | P  |
| 3. Clubs and lodges, including YMCA, YWCA, and similar group uses without alcoholic beverage sales. (Clubs and lodges serving or selling alcoholic beverages shall comply with Section 13.14.030(C)(14) of this table) | MC | —  |
| 4. Day care center   | C  | —  |
| 5. Detention facility  | —  | —  |
| 6. Educational facility, excluding business and trade schools and commercial schools   | C  | C  |
| 7. Emergency shelter (subject to the provisions of Section 13.14.030(K))   | —  | P  |
| 8. Parks and recreation facilities, public or private  | C  | —  |
| 9. Post offices and postal terminals   | C  | C  |
| 10. Public buildings and facilities  | C  | C  |
| 11. Religious institutions   | C  | C  |
| 12. Solid waste recycling and transfer facility  | —  | C  |
| <b>E. Accessory Uses</b>   |    |    |
| 1. Auxiliary structures and accessory uses customarily incidental to an otherwise permitted use and located on the same site   | P  | P  |
| 2. Caretakers residence only when incidental to and on the same site as a permitted or conditional use   | P  | P  |
| 3. Incidental services for employees on a site occupied by a permitted or conditional use, including day care, recreational facilities, showers and locker rooms and eating places                                     | P  | P  |

| Uses  | IL | IG |
|---|----|----|
| 4. Overnight parking of vehicles used regularly in the business, provided all required parking spaces are available for use during business hours | P  | P  |
| 5. Outdoor storage (subject to the provisions contained in Section 13.14.030(G)(2))   | MC | MC |
| F. Temporary Uses   |    |    |
| 1. Temporary uses as prescribed in Section 13.06.070 and subject to those provisions  | P  | P  |

G. Outdoor Uses.

1. All uses and activities shall be conducted completely within an enclosed building with the exception of outdoor storage, which is a permitted use subject to the provisions of subdivision (2) of this subsection. The following uses and activities may be permitted to operate outdoors, within their respective districts and subject to any required reviews and permits pursuant to this code.

- a. Mining;
- b. Building materials and lumber storage yards and/or contractors yards;
- c. Building materials manufacturing;
- d. Building equipment storage, sales, rentals;
- e. Automobile fleet storage;
- f. Trailer, truck or bus terminal;
- g. Recreational vehicle storage yard;
- h. Automobile sales, rentals, or washes;
- i. Gasoline service stations;
- j. Boat and camper sales;
- k. Agricultural uses;
- l. Outdoor recreation facilities;
- m. Outdoor eating areas (subject to a minor conditional use permit). For accessory eating areas in conjunction with a food establishment that features takeout services, see subsection J of this section;
- n. Telecommunication facilities (See Chapter 13.34);

- o. Satellite dish antennas (See Chapter 13.34);
  - p. Other activities and uses similar to those above as determined by the Director.
2. Outdoor Storage. The outdoor storage of materials accessory to a permitted or conditionally permitted use occupying the subject site shall obtain any necessary permits and comply with the following standards:
- a. All outdoor storage which faces and is visible from a mobility element street or an exterior public street to the industrial subdivision, or which abuts property used for residential purposes, shall be enclosed with a solid decorative concrete, masonry, wood frame and stucco, or decorative block walls at least six feet high. In all other cases the outdoor storage shall be screened with material which is 100% view obscuring. The type and design of the screening material is subject to the approval of the Director. All gates provided for ingress and egress in any required fence or wall shall be at least six feet in height and shall be of view-obscuring construction, compatible with the fence or wall design.
  - b. Stored materials shall be stacked in outdoor storage areas to a height no greater than that of any building, wall, fence, or gate enclosing the storage area and shall not be visible from a public street.
  - c. No storage shall be permitted in a required setback area or required landscape area.
  - d. No storage shall be permitted in a required parking space or driveway and at no time shall said storage area impede the use of any required parking space or driveway. Outdoor storage is not allowed within any secured parking area established pursuant to Section 13.14.040(C).
  - e. The limits of the outdoor storage area shall be clearly defined on the site.
  - f. The outdoor storage shall be limited to materials, products, or equipment used, produced or manufactured on site by the business requesting the storage. On-site parking of fleet/company vehicles used regularly in the operation of the business, equipment attached to fleet/company vehicles, short-term customer and staff parking, and approved trash enclosures shall not be considered outdoor storage. (See Section 13.14.030(B)(4) for fleet storage.)
- H. The following shall be used in the review of prefabricated structures:
- 1. The use of prefabricated structures shall be compatible with surrounding uses.
  - 2. The design of the prefabricated structures shall be compatible with and complimentary to existing structures on the site. They must conform to all standards, goals and objectives of the Santee zoning ordinance and General Plan and have adequate public facilities available.

3. Adequate screening from adjacent residential areas and public streets shall be provided.

4. A permanent foundation system shall be provided, unless otherwise approved.

5. Access shall be provided for persons with disabilities, unless otherwise approved.

I. Conversion of Residential Structures. No structure originally designed as a residence (including hotels and motels), or as an auxiliary structure or addition to a residence, shall be used for any industrial uses unless the building and site are improved to meet all code requirements for such a development. This includes, but is not limited to, building code requirements, fire code requirements and the zoning code requirements. A resident may convert up to 50% of the gross floor area of the existing residence for business purposes and continue to reside in the residence, provided the resident is also the owner of the business, and subject to the provisions of this chapter. Any expansion of a residence that is legal nonconforming shall comply with Section 13.04.110(F) of this title. A conversion may be subject to a conditional use permit, or minor conditional use permit process as required by the base district use regulations contained in Table 13.14.030A.

J. Accessory Eating Areas Permitted. The following performance standards shall apply to outdoor eating:

1. 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.

2. The outdoor eating area cannot be located in any driveway, parking space, landscaped area or required setback.

3. 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.

4. Signage may not be placed on the outdoor furniture or umbrellas which advertises the business, service or use, or any product unless otherwise permitted by the sign ordinance.

5. Parking shall comply with Section 13.24.040 of this title.

6. Access shall be provided for persons with disabilities.

K. Emergency shelters are permitted on North Woodside Avenue, on the following assessor parcel numbers, subject to a nondiscretionary development review permit pursuant to Government Code Section 65583(a)(4), 381-170-64-00, 381-170-25-00, 381-170-28-00, 381-170-54-00, 381-170-53-00, 381-170-46-00, 381-170-61-00, 381-170-62-00 or any subsequent APN for these specific sites, subject to compliance with the following:

1. An emergency shelter shall not be located within 300 feet of another shelter, pursuant to Government Code Section 65583(a)(4) (A)(v).
  2. The agency or organization operating the shelter shall submit a facility management plan containing facility information, including the number of persons who can be served nightly, the size and location of onsite waiting and intake areas, the provision of onsite management, exterior lighting details, and onsite security during hours of operation, as established in Government Code Section 65583(a)(4)(A).
- L. Renewable Energy Storage Facility. A renewable energy storage facility is defined as a structure incorporating machinery or equipment, designed to store renewable energy. The following standards shall apply:
1. All equipment and all storage areas shall be located within an enclosed building.
  2. Decorative fences and/or walls, trees and other forms of landscaping shall be used to minimize visibility of structures.
  3. All structures shall incorporate architectural elements that visually enhance surrounding development.
  4. Service areas and parking areas shall be buffered from adjacent development that is not of a similar nature by setbacks, landscaping, fences, and/or walls.
  5. Facilities shall comply with the performance standards in Section 13.30.030. (Ord. 599 § 2, 2022; Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## **Chapter 13.20 SPECIFIC PLAN DISTRICT**

### **13.20.040 General provisions.**

- A. Applicant-Generated. The preparation of a specific plan, and concurrent zoning and/or General Plan amendment(s), may be started by an applicant or property owner. The use of a specific plan is appropriate where site-specific regulation beyond the scope of this title would be beneficial based upon features or unique characteristics of the property, such as innovative development in the form of buildings, construction, design, or use combinations.
- B. General Plan Consistency. All uses shall be consistent with the intent of the Santee General Plan and this title. Any specific plan proposal shall include a statement of the relationship of the specific plan to the General Plan.
- C. Regulating Document. A specific plan may either supplement or supersede land use regulations of this title, including all previously adopted ordinances, standards, and guidelines. Upon adoption of a specific plan and requisite zoning/General Plan amendments, the specific plan shall replace and take precedence over the zoning regulations of this title for the subject property. Where the regulations of a specific plan

are silent, the zoning code regulations and all adopted ordinances, regulations, standards, and guidelines of the City shall apply, as deemed appropriate by the Director.

D. Specific plans shall contain planning policies and regulations, and may combine zoning regulations and other regulatory requirements into one document. Specific plans shall provide a fiscal assessment, identification of required public improvements, public improvement and development phasing, financing plans and a development agreement. (Ord. 580 § 3, 2020)

### **13.20.050 Required content.**

A specific plan shall provide regulations and design standards governing the minimum and maximum development parameters of all real property within the identified specific plan area. A specific plan shall include a statement of its relationship and consistency with the General Plan, and compliance with Article 8 of Chapter 3 of the California [Government Code](#), commencing with Section 65450, and as may be amended by the State. The City maintains full authority and discretion to determine how a specific plan will be prepared. At minimum, a specific plan shall address the following:

- A. Purpose. State the relationship to the goals and policies of the General Plan.
- B. Setting. State the existing and regional setting to establish the conditions and reasons for the project.
- C. Proposed Land Uses. Establish the distribution, type, definitions of, and regulations for all proposed land uses.
- D. Development Standards. Establish all regulating policies, including all the following standards for all building types:
  - 1. Building height, setbacks, massing, and design standards;
  - 2. Lot area, width, and depth;
  - 3. Maximum number of dwelling units and the maximum residential density of the specific plan area and designated land uses consistent with the General Plan;
  - 4. Usable open space provisions and requirements within the development;
  - 5. Off-street parking and loading facilities;
  - 6. Architectural and site planning design and development standards, which may include design themes or similar architectural treatments to control future construction of buildings on parcels covered by the adopted plan; and



7. Signage requirements, if different from the standards of this title, to be addressed by a unique sign program codified in the specific plan.

E. Site Planning. Establish a comprehensive map of all streets, open spaces, private and public property, and land uses for all affected properties, consistent with the intent of the General Plan and this title.

1. Provide site planning at the perimeter of the area boundaries for the mutual protection of the specific plan and the surrounding properties.

2. Site orientation to use available solar, wind, and natural setting benefits of the site, and to retain natural features and amenities found on site.

3. Provide landscape architectural concept plans and standards, including project entries, streetscapes, fencing details, lighting, signage, and street furniture.

F. Infrastructure. Identify the proposed distribution, extent, intensity, and location of major components of public and private circulation/transportation, drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed.

1. Include physical and fiscal plans for the construction, improvement, or extension of transportation facilities, public utilities, and all other public facilities/services required to serve the specific plan area.

2. All public rights-of-way within or abutting the development shall remain within applicable City specifications unless authorized by the Director.

3. Include layout and design of private streets and alleys; such private facilities shall be privately owned and maintained without public cost and maintenance responsibility for their intended purpose.

4. Consideration of other forms of access, such as pedestrian ways, paseos, courts, plazas, driveways, trails, or open public parking areas may be made at the time of specific plan consideration by the City.

G. Maintenance. Provisions ensuring the continued maintenance of private property, grounds, and all common areas.

H. Phasing. Development phasing for the full life of the project and anticipated schedule, including start date and completion of each construction phase.

I. Text and Graphics. A textual document incorporating graphics, including an executive summary and any additional information identified by the Director as pertinent to conveying the development intent, standards, and outcomes of the specific plan. (Ord. 580 § 3, 2020)

## **Chapter 13.24 PARKING REGULATIONS**

### **13.24.030 Design standards.**

Design standards are established by this section to set basic minimum dimensions and guidelines for design, construction and maintenance of parking within both the residential, commercial and industrial districts.

A. General. The following standards shall apply to the residential, commercial and industrial districts.

1. Stall Size. Each parking space shall consist of a rectangular area not less than nine feet wide by 19 feet long. Parallel spaces shall be a minimum of nine feet wide by 25 feet long. All parking spaces should have a vertical clearance of not less than seven and one-half feet. Parking spaces may overhang adjacent landscape areas up to a maximum of two and one-half feet, provided the overhang does not extend into any required landscape setback area.
2. All provisions for accessible parking spaces for persons with disabilities shall conform to State law.
3. Paving. Parking and loading facilities shall be surfaced and maintained with asphalt concrete, concrete, or other permanent surface material sufficient to prevent mud, dust, loose material, and other nuisances from the parking or loading facility to the MS4. Where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used for parking lots. Crushed aggregate, rock, dirt or similar types of surfacing shall not be used as a parking or loading facility surface.
4. Drainage. All parking and loading facilities shall be graded and provided with permanent storm drainage facilities. Surfacing, curbing, and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or public streets or alleys, and to preclude standing pools of water within the parking facility. Where feasible, infiltration BMPs shall be integrated into the drainage design to reduce the quantity and velocity of stormwater discharging to the MS4 from the parking or loading facility.
5. Safety Features. Parking and loading facilities shall meet the following standards:
  - a. Safety barriers, protective bumpers or curbing, and directional markers shall be provided to assure pedestrian/vehicular safety, efficient utilization, protection to landscaping, and to prevent encroachment onto adjoining public or private property.
  - b. Visibility of pedestrians, bicyclists and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.

c. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accord with accepted principles of traffic engineering and traffic safety.

6. Lighting. Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential uses and motorists. It is the intent to maintain light standards in a low-profile design and to be compatible with the architectural design. Light standards shall not exceed 15 feet in overall height from the finished grade of the parking facility except that light standards up to 25 feet in height may be permitted if it is determined by the Director that the size of the parking area and site design warrant a taller light standard. Illumination onto adjacent properties shall comply with the performance standards contained in Chapter [13.30](#) of this title.

7. Noise. Areas used for primary circulation for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound baffling.

8. Screening. Unenclosed off-street parking areas shall be screened from view from public streets and adjacent more restrictive land uses. Screening may consist of one or any combination of the following methods, upon the approval of the Director:

a. Walls. Low profile walls, three and one-half feet in height, shall consist of stone, brick or similar types of decorative solid masonry materials.

b. Planting. Plant materials, when used as a screen, shall consist of compact evergreen plants. They shall be of a kind, or used in such a manner, so as to provide screening, have a minimum height of three and one-half feet, within 18 months after initial installation, or screening as per subdivision (a), (b) or (c) shall be installed.

c. Berms. Earthen berm at least three and one-half feet above grade.

d. In order to allow police surveillance into parking lots, the screening requirements in subdivisions (a), (b) and (c) above shall be designed to provide for view corridors into the site from adjacent streets and properties to the satisfaction of the Director.

9. Striping. All parking stalls shall be clearly outlined with single lines on the surface of the parking facility or any other permanent space designator (trees, shrubs, etc.) approved by the Director. In all parking facilities all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to expedite traffic movement.

10. Maneuvering. Parking and maneuvering areas shall be arranged so that any vehicle entering a public right-of-way can do so traveling in a forward direction, except for single-family residential districts.

B. Residential.

1. The following design standards shall apply to the residential districts and developments:
  - a. Each covered off-street parking space in a carport or multi-space common garage shall be a minimum of nine feet in width and 19 feet in depth of unobstructed area provided for parking purposes. The required minimum measurements may not include the exterior walls or supports of the structure.
  - 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, 20 feet in length, and provide a minimum vertical clearance of seven and one-half feet.
  - c. Parking in the urban residential (R-30) zone shall be integrated with the building design such that surface parking is minimized. On-site parking may be provided in private garages, in common parking garages where parking is either at grade or partially below grade with the building's use above (example, podium parking), or in separate parking structures on site. Unenclosed surface parking for delivery and visitor parking would be allowed. See subsection (B)(8) for common parking garage standards.
  - d. Two-car garages for single-family or multifamily dwellings shall have a minimum interior dimension of 20 feet in width and 20 feet in depth of unobstructed area provided for parking purposes.
  - e. Below grade or partially below grade podium style parking is also an acceptable design alternative in the R-14 and R-22 zones.
  - f. The parking of two vehicles in-line may be counted towards the parking requirements when: (i) both vehicles have independent access to a public or private street or drive aisle; (ii) the development site is located within 0.25 mile of a transit stop; or (iii) when used as a density bonus incentive or concession. This provision does not apply on mobile home park (MHP) overlay zone districts, or to accessory dwelling units or junior accessory dwelling units.
2. Driveways providing access to garages, carports and parking areas serving four or less dwelling units shall be a minimum width of 20 feet. Exceptions may be approved by the Director for individual single-family homes. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used.
3. Driveways providing access to garages, carports and parking areas serving five or more dwelling units shall be a minimum of 26 feet in width. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used.

4. 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.

5. No property owner shall sublease, sublet or otherwise make available to residents of other properties, the off-street parking spaces required by this section.

6. All required covered off-street parking spaces shall be located conveniently accessible to the dwelling unit served by such parking space.

7. 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.

8. The following design standards shall apply to parking garages:

a. All parking stalls shall be minimum nine feet in width and 19 feet in depth.

b. Storage lockers, when provided, shall not encroach into a parking stall.

c. A storage/maintenance room shall be included in the facility.

d. High efficiency lighting shall be used in conjunction with daylighting for above grade structures.

e. Elevators and stairwells shall be designed to allow complete visibility for persons entering and exiting.

f. Floor surfaces shall be nonslip surfaces.

g. Security devices shall be installed such as surveillance cameras, audio and emergency call buttons.

h. When mechanical ventilation systems are required, they shall be high efficiency systems and back-up power systems shall be installed.

i. Emerging technologies to meet the needs of users, such as electrical charging stations, shall be installed when appropriate.

j. Points of intersection between pedestrians and vehicles shall be designed for adequate safety of movement; separate paths for the pedestrian from their cars to specific points of destination shall be integrated in the facility.

k. Wayfinding signs shall be installed.

C. Commercial, Industrial, Institutional, Community Facilities. The following design standards shall apply to commercial, institutional, and community facility use:

1. Those areas designated for use by motorcycles shall consist of a minimum usable area of 54 square feet.

2. Access Driveways. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used. Access driveways shall provide the minimum widths below unless otherwise approved by the Director.

a. Two-way access driveways shall have a minimum width of 26 feet.

b. One-way access driveways shall have a minimum width of 16 feet.

3. Notwithstanding subsection (C)(2) of this section, all driveway and access way widths and designs must be approved by the Santee Fire Department for purposes of emergency accessibility.

D. Parking Lot Striping and Markings. Parking stall striping directional arrows and parking stall identification shall meet the following standards:

1. All parking stalls shall be painted with a single four-inch wide continuous line.

2. All aisles, entrances and exits shall be clearly marked with directional arrows painted on the parking surface.

3. All accessible parking stalls for persons with disabilities shall be individually labeled and signed in accordance with California Code of Regulations Title 24, Part 2 and California [Vehicle Code](#) standards. (Ord. 599 § 2, 2022; Ord. 572 § 5, 2020; Ord. 566 § 3, 2019)

### **13.24.040 Parking requirements.**

The following sections list the minimum amount of parking for each category of uses, special requirements and optional requirements.

A. Residential.

1. Single-Family Detached Dwellings (Conventional). Two parking spaces within a garage.

2. Multifamily development and mobilehome parks:

a. Studio, one bedroom: one and one-half off-street parking spaces per unit of which one space shall be in a garage or carport. In the R-30 urban residential zone one parking space is required per studio and one-bedroom unit.

b. Two or more bedrooms: two off-street parking spaces per unit of which one space shall be in a garage or carport.

c. In addition to the required number of parking spaces for each unit, one off-street uncovered parking space shall be provided for each four units for visitor parking. For Planned Residential Developments, private on-street parking may be substituted for

visitor parking, where sufficient street pavement width and distance between driveways has been provided. In the R-30 zone, urban residential projects shall provide visitor parking at a ratio of one space for each 10 units, and may be unenclosed.

3. Congregate care facilities: as determined by a parking demand study approved by the Director.

B. Nonresidential.

1. Commercial, Retail and Service Uses.

a. Commercial uses in conjunction with the R-30 mixed use overlay shall provide one off-street parking space for each 400 square feet of leasable floor space, and may be unenclosed.

b. Neighborhood and general commercial shopping centers shall provide one off-street parking stall for each 250 square feet of gross floor area for all buildings and/or uses in the center. This shall apply to all commercial centers in the City, unless the delineation of independent uses is provided pursuant to Section [13.24.020](#). If the delineation of independent uses is known, then the standards listed below shall apply.

c. 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.

d. Automobile service and gas station: three spaces plus two for each service bay.

e. Financial services, medical offices, administrative offices, and related office uses: one for each 250 square feet of gross floor area.

f. Mortuaries and funeral homes: one parking stall for every 25 square feet or fraction thereof of assembly room or floor area.

2. Automobile Uses:

a. Washing and detailing including full service carwash, self-service carwash, and / or express carwash: As determined by a parking demand study approved by the Director.

b. Automobile service and gas station: three spaces plus two for each service bay.

c. Motor vehicle sales or rentals, recreational vehicle sales or rentals, automotive repair, painting, body work or service: one per 400 square feet of building gross floor area.

3. Commercial Recreation Uses.

a. Bowling alleys: five for each alley.

- b. Commercial stables: one accessible space for each five horses boarded on the premises.
  - c. Driving ranges (golf): one per tee, plus the spaces required for additional uses on the site.
  - d. Golf courses (regulation course): six per hole plus the spaces required for additional uses on the site.
  - e. "Pitch and putt" and miniature golf courses: three per hole, plus requirements for auxiliary uses.
  - f. Skating rinks, ice or roller: one for each 100 square feet of gross floor area, plus the spaces required for additional uses on the site.
  - g. Swimming pool (commercial): one for each 100 square feet of water surface, plus one stall for each employee, but not less than 10 stalls for any such use.
  - h. Tennis, handball and racquetball facilities: three for each court plus the spaces required for additional uses on the site.
4. Educational Uses.
- a. Elementary and junior high schools: two for each classroom.
  - b. Senior high schools: one for each member of the faculty and each employee, plus one for each six students regularly enrolled.
  - c. Colleges, universities and institutions of higher learning: one for each three students plus one for each two members of the faculty and employees.
  - d. Trade schools, business colleges and commercial schools: one for each three student-capacity of each classroom plus one for each faculty member or employee.
5. Health Uses.
- a. Convalescent and nursing homes, homes of aged, rest homes, children's homes and sanitariums: one for every four beds in accordance with the resident capacity of the home as listed on the required license or permit.
  - b. Hospitals: 1.75 for each patient bed.
  - c. Athletic and health clubs: one for each 250 square feet of gross floor area. (For the purpose of this subsection, swimming pool area shall be counted as floor area.)
  - d. Congregate care facilities: as determined by a parking demand study approved by the Director.
6. Industrial.
- a. Self-storage: one for each 5,000 square feet of gross floor area.



- b. Warehousing and distribution: one for 1,000 square feet of gross floor area.
  - c. For industrial uses not listed above: one for 500 square feet of gross floor area.
7. Places of Assembly.
- a. Restaurants, taverns, cocktail lounges and other establishments for the sale and consumption on the premises of food and beverages: one space for every 100 square feet of gross floor area. Up to a total of 16 fixed seats are permitted in an accessory outdoor dining area and will not be counted toward the parking requirement.
  - b. Auditoriums, sports arenas, stadiums or similar uses: one for each three seats or one for each 35 square feet of gross floor area where there are no fixed seats.
  - c. Theaters, movies:
    - i. Single screen: one space per three seats, plus five for employees.
    - ii. Multi-screen: one space per four seats, plus five for employees.
  - d. Libraries: one for each 300 square feet of gross floor area.
  - e. Museums or art galleries: one space for each 500 square feet of gross floor area.
  - f. Private clubs, lodge halls, dance halls, nightclubs, teenage nightclubs, cabarets, or union headquarters: one for each 75 square feet of gross floor area.
  - g. Churches and other places of assembly not specified above: one for each four fixed seats within the main auditorium or one for each 35 square feet of seating area within the main auditorium or one for each 35 square feet of seating area within the main auditorium where there are no fixed seats; 18 linear inches of bench shall be considered a fixed seat.
8. Other uses:
- a. Day care centers not accessory to an existing business, including preschools and nursery schools: As determined by a parking demand study approved by the Director.
  - b. Lumber yards: one for each 250 square feet of gross floor area for retail sales, plus one for each 1,000 square feet of open area devoted to display (partially covered by roof, awning, etc.) or sales.
  - c. Cemeteries: as specified by conditional use permit.
  - d. Mortuaries and funeral homes: one parking stall for every 25 square feet or fraction thereof of assembly room or floor area.
  - e. Motels and hotels: one parking space for each guest unit and two spaces for resident manager or owner, plus one space per 50 square feet of banquet seating area.

9. Public parks and recreation facilities: as specified by conditional use permit.

## **Chapter 13.32 SIGNS**

### **13.32.025 Comprehensive sign program.**

A. Comprehensive Sign Program for Commercial and Industrial Zones. A comprehensive sign program permit is required prior to issuance of individual sign permits for all new commercial and industrial centers consisting of 10 or more tenant spaces. The purposes of the program are to integrate signs with building and landscaping design to create a unified architectural unit and to:

1. Locate signs to avoid conflicts with vehicles and pedestrians and to protect public safety;
2. Employ compatible location and type of construction to ensure well planned signage;
3. Ensure compliance with the sign ordinance.

B. Provisions. An approved sign program may provide additional flexibility in the location, size, and placement of signs above than what would be strictly allowed under this chapter.

C. Method of Application. An application for a comprehensive sign program must be made on forms prescribed by the Director and be filed with the Planning and Building Department.

D. Method of Review. All comprehensive sign programs shall be reviewed and approved by the Director. (Ord. 566 § 3, 2019)

### **13.32.030 Permit requirements – Review procedures and administration.**

A. Sign Permit Required. Except where otherwise provided in this chapter, a sign permit is required prior to placing, erecting, moving, or reconstructing of any permanent sign. A temporary sign permit is required for all temporary signs, unless expressly exempted by this chapter. One or more signs may be approved per sign permit. A sign permit is also required for a comprehensive sign program. The method of application for a comprehensive sign program is described in Section [13.32.025](#) of this chapter. Signs requiring a permit shall comply with the provisions of this chapter and all other applicable laws and ordinances.

1. Method of Application. An application for a sign permit shall be made on forms as prescribed by the Director. Such an application shall be filed with the Department and shall be accompanied by the plans and materials as required by the Director. Sign applications must be accompanied by a building permit if required.

2. Method of Review. The purpose of a sign permit is to ensure compliance with the provisions of this chapter and to ensure that any sign proposal is in conformance with the General Plan, as well as other applicable ordinances and policies of the city. After receipt of a sign application, the Director designee shall render a decision to approve, approve with modifications, or deny such sign request. The Director may set any application for an administrative hearing if input from the surrounding residents or property owners is desired.

3. Building Permit Required. Issuance of a sign permit in no way precludes the necessity for obtaining building permits for signs in all instances where building permits are required by the City.

B. Director. Except as otherwise provided, it is the responsibility of the Director to enforce all provisions of this chapter.

C. Interpretation of Provisions.

1. The provisions of this chapter are not intended to abrogate any easements, covenants or other existing agreements which are more restrictive than the provisions of this chapter.

2. If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of proper jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

3. If ambiguity arises concerning the interpretation of any provision of this chapter, it shall be the duty of the Planning Commission to ascertain all pertinent facts and by resolution set forth the findings and the interpretations.

D. Variances. The Director is authorized to grant variances to provide flexibility from the strict application of sign regulations when special circumstances pertaining to the property such as size, shape, topography, or location deprives such property of privileges enjoyed by other property in the vicinity. Applications for variances shall be reviewed by the Director according to the variance procedures as set forth in Section [13.06.040](#) of this title.

E. Appeals. Except as otherwise provided in this chapter, a decision issued pursuant to this chapter may be appealed as provided by the appeal procedures set forth in Title 1. The Director may waive the period for bringing an appeal if the sign permit does not entail a freeway-serving sign. (Ord. 566 § 3, 2019)

### **13.32.040 General provisions.**

A. Signs Exempt From Permitting and Standards. In addition to specific provisions elsewhere in this chapter that exempt certain signs from the permitting requirement, the following signs are exempt from the application, permit and fee requirements of this

chapter; provided however, that building permits may be required, all signs shall be located in accordance with the setback regulations contained in Section [13.32.060](#)(A)(4) of this chapter.

1. Signs of public service and utility companies indicating danger, or which serve as an aide to public safety, or which show underground facilities or public infrastructure;
2. Railroad crossing signs;
3. Traffic or municipal signs posted by government agencies;
4. Signs and notices required by law or by Federal, State, County, or City authority, and signs and notices issued by a court, public body, person, or officer in performance of their public duty or in giving any legal notice;
5. Address signs that are required by and conform with the Building Code;
6. Public service and civic identification signs promoting City-sponsored activities or community events as authorized by the City Council;
7. Interior signs within a structure or building not visible or readable or intended to be read from off-site or from outside of the building or structure;
8. Change of copy on a previously approved sign where no alterations are to be made requiring a building permit.
9. Banners which are duly authorized and approved pursuant to a formal written policy of the City.

B. Signs Exempt From Permitting Requirements. The following signs do not require permits pursuant to Section [13.32.030](#) when they comply with the applicable standards in this chapter:

1. Permanent Window Signage. Permanent window signs not exceeding 25% of the window area are permitted as permanent signs.
2. Commercial Directional Signs. Either one commercial directional sign up to a maximum area of sign of 20 square feet in area or one per tenant up to four square feet, provided that each sign satisfies the following:
  - a. Located on property in any zone which also contains a public parking area on site; and
  - b. Sign is not readable from the public right-of-way or is oriented towards pedestrians or drivers on site.

3. Flags. A single official flag of the United States of America and two flags of either the State or other states of the United States, counties, municipalities or official flags for nations, and of organizations or companies. Flags shall be maintained in good condition and torn or worn flags shall be replaced or removed. Flags shall be a maximum of five feet by eight feet. Maximum height shall meet height requirements set forth in this title. Company flags may not be flown in residential zones.

4. Vehicles.

a. Signs on public transportation vehicles and structures including, but not limited to, buses, taxicabs, or other public transportation;

b. Signs on licensed vehicles, provided such vehicles are not used or intended for use as portable signs or as may be prohibited in subsection B of this section.

5. Projecting Signs. Commercial projecting signs are allowed subject to the following standards:

a. Such signs shall not project into the public right-of-way;

b. Such signs do not exceed two square feet in sign area (on one side);

c. Such signs do not project more than two feet from the building wall;

d. A minimum of eight feet of clearance is provided from the finished ground surface and the bottom of the sign;

e. Maximum of one such sign per store frontage;

f. Sign may not be internally illuminated.

6. Transportation Infrastructure. Commercial speech may be allowed bus benches, bus shelters, and other public transportation infrastructure.

7. Properties for sale in any zone may display one temporary sign not exceeding four square feet in size or four feet in height.

8. Temporary and portable signs that comply with the standards set forth in Section [13.32.060](#), except where that section indicates a permit is required. (Ord. 599 § 2, 2022; Ord. 566 § 3, 2019)

# Redline Text

## PROPOSED REVISIONS TO TITLES 1, 2, 3, 4, 5, 8, 9, 10, 11 AND 12 OF THE SMC

The proposed revisions are shown below. Omitted text is denoted by ellipses. Only sections proposed to be revised are shown.

### REVISIONS TO TITLE 1, "GENERAL PROVISIONS"

#### Chapter 1.10 NUISANCE ABATEMENT

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##### **1.10.040 Declaration of nuisance – Notice – Service of notice.**

A. Whenever the Director of [Planning and Building Development Services](#), or when the violation relates to a fire hazard, the Fire Chief, or an authorized representative of either, finds that a nuisance exists in accordance with this code on any premises located within the City, he or she must cause, including through the use of a third party contractor, a notice to be issued to the property owner, lessee or occupant of the property on which the nuisance is located of the nuisance and direct that the nuisance be abated.

B. This notice may be sent by first class mail, postage prepaid and need not be served in accordance with Section [1.10.080](#). The notification must detail the violations and establish a reasonable abatement period which is not less than 10 days. (Ord. 554 § 3, 2019)

##### **1.10.050 Voluntary abatement of nuisances.**

The owner, lessee or occupant of any building, structure or property alleged to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period provided in Section 1.10.040 of this chapter by rehabilitation, repair, removal, or demolition. The owner, lessee, or occupant must advise the ~~Development Services~~ Director [of Planning and Building](#), or, when applicable, the Fire Chief of the abatement. Once advised, the ~~Development Services~~ [Planning and Building Department](#) or the Fire Department or authorized representative of either must inspect, or cause to be inspected, the premises to ~~e~~insure that the nuisance has been abated. (Ord. 554 § 3, 2019)

##### **1.10.060 Failure to voluntarily abate a declared nuisance – Notice of intent to abate.**

If an alleged nuisance is not properly abated within the period established under the provisions of Sections [1.10.040](#) and [1.10.050](#), the property owner, lessee or occupant must be served with a written notice of intention to abate the nuisance in accordance with Sections [1.10.070](#) and [1.10.080](#) of this chapter by the Director of [Planning and](#)

[BuildingDevelopment Services](#), the Fire Chief, or an authorized representative of either. (Ord. 554 § 3, 2019)

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#### **1.10.150 Record of cost for abatement – Invoice.**

A. The enforcement officer or such other City official or private contractor as may be designated, must keep an account of the costs of abating a nuisance on each separate lot or parcel of land where the work is done and render an itemized report, in writing, to the Director of [Planning and Building Development Services](#) or the Fire Chief, showing the cost of abatement and the rehabilitation, demolition or repair of the premises, building or structures, less any salvage value relating thereto. The costs must include the City's administrative costs, which may be 25% of the other costs and which include the expense and costs of the City in preparing notices, specifications and contracts, in inspecting the work, legal fees, and other related costs required hereunder.

B. The Director of [Planning and BuildingDevelopment Services](#), the Fire Chief, enforcement officer, or such other City official or private contractor as may be designated, must send an invoice for the costs of abating the nuisance to the owner of the property where the abatement activity occurred. Service of the invoice must be made in a manner provided in Section [1.10.080](#). (Ord. 554 § 3, 2019)

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#### **1.10.190 Grievance with final order – Appeal to City Council.**

A. Except as otherwise provided in this chapter for weed and rubbish abatement proceedings, whenever any person is aggrieved by any final order of the hearing officer issued pursuant to Section [1.10.110](#), such person may appeal to the City Council the issuance of the order by filing a written notice of appeal with the City Clerk no later than two days after the date of the hearing under Section [1.10.110](#) and paying any appeal fee established by resolution of the City Council.

B. The written notice of appeal must be filed with the City Clerk and state the grounds for the appeal and the specific factual and/or legal errors committed by the hearing officer in issuing its order.

C. The City Clerk must transmit one copy of said notice of appeal to the Director of [Planning and BuildingDevelopment Services](#), Fire Chief, or authorized representative.

D. The Director of [Planning and BuildingDevelopment Services](#), Fire Chief, or the authorized representative of either, must transmit to the City Council, no later than 20 days after receiving a notice of appeal, and copies of all other papers constituting the record upon which the decision was taken, including, but not limited to, the minutes of

all hearings thereon, a written report, prepared from the record upon which the final determination was made, stating the factual and legal basis on which the Director [of Planning and Building](#), Fire Chief or the authorized representative reached his or her decision.

E. The City Council may affirm, reverse or modify, in whole or in part, any final determination, assessment, or order of the hearing officer, Director [of Planning and Building](#), Fire Chief or authorized representative which is subject to an appeal pursuant to this section. After reviewing the proceedings relating to the decision appealed from, including, but not limited to, minutes of hearings, notice of appeal and the report of the Director [of Planning and Building](#), Fire Chief, or authorized representative, the City Council, by resolution, may affirm without further action the determination, assessment, or order appealed from.

F. Except as provided in Section [1.10.200](#), on the date a notice of appeal is filed under this section, all proceedings in furtherance of the determination or order appealed from must be stayed until the final determination by the City Council of the appeal.

G. All decisions of the hearing officer, Director of [Planning and Building Development Services](#), Fire Chief, or the authorized representative of either are final unless appealed within the time prescribed herein.

H. A hearing held pursuant to this section may be combined with the hearing required pursuant to Section [1.12.040](#) or Section [1.12.050](#). (Ord. 554 § 3, 2019)

## **Chapter 1.12 MONETARY PENALTIES AND COST RECOVERY**

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### **1.12.040 Recovery as a lien.**

A. To the extent permitted by law, the City may establish a lien in the amount of the fee, cost, or charge confirmed by the City in accordance with Section [1.12.030](#) against the real property where the violation occurred, unless the City has established an assessment for those same fees, costs, or charges pursuant to Section [1.12.050](#). If the real property where the violation occurred is not occupied by the owner, the lien amount may also include accrued fines and penalties.

B. Notice of Lien Prior to Recording. Prior to recording a lien, notice must be served on the owner of record based on the last equalized assessment roll or the supplemental roll, whichever is more current, in the same manner as summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the [Code of Civil Procedure](#). If the owner of record cannot be found after a diligent search, the notice may be served by posting copy of the notice in a conspicuous place on the property for a period of 10



days and publishing the notice in a newspaper of general circulation published in San Diego County pursuant to [Government Code](#) Section 6062.

C. Content of Notice. The notice of lien for recordation must be in a form substantially as follows:

NOTICE OF LIEN

(Claim of City of Santee)

Pursuant to the authority vested by the provisions of Section [1.10.140](#) of the City of Santee Municipal Code, the Director of [Planning and Building Development Services](#) of the City of Santee, the Fire Chief, or an authorized representative of either of the above did, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, cause the premises hereinafter described, to be rehabilitated, or the building or structure of the property hereafter described, to be repaired or demolished in order to abate a public nuisance on said real property; and the Director of [Planning and Building Development Services](#), the Fire Chief, or the authorized representative of either of the above or the City Council, did on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, assess the cost of such rehabilitation, repair or demolition upon the real property hereinafter described and that said City of Santee does hereby claim a lien on such rehabilitation, repair or demolition in the amount of said assessment, to wit: the sum of \$\_\_\_\_\_ and the same is a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Santee, County of San Diego, State of California, and particularly described as follows:

(Description)

Assessor's Parcel No. \_\_\_\_\_

Street Address: \_\_\_\_\_

Name of owner of record: \_\_\_\_\_

DATED: This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

City Clerk of the City of Santee, California

(ACKNOWLEDGMENT)

(Ord. 554 § 3, 2019)

## REVISIONS TO TITLE 2, "ADMINISTRATION AND PERSONNEL"

### Chapter 2.16 CITY DEPARTMENTS

#### 2.16.010 Generally.

A. Except as otherwise provided in subsection B and subject to budget approval by the City Council, the City Manager is authorized to establish, without amendment to this code, and supervise departments in the City, and to appoint the Director of each department. The following departments are currently established and supervised by the City Manager:

1. Community Services;
2. ~~Development Services~~Engineering;
3. Fire and Life Safety Services;
4. Human Resources and Risk Management; ~~and~~
5. Finance; and
6. Planning and Building.

B. There are in the City the following departments, which coordinate with the City Manager, but whose directors are appointed by the City Council:

1. City Manager;
2. City Clerk; and
3. City Attorney. (Ord. 555 § 3, 2019)

## REVISIONS TO TITLE 3, "REVENUE AND FINANCE"

### Chapter 3.24 PURCHASING

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#### **3.24.090 Selection of procurement method.**

A. All contracts for the purchase of supplies, equipment, materials and nonprofessional services must be procured in accordance with the following, except as otherwise provided in this chapter:

1. Purchases estimated to exceed \$~~325~~25,000.00 must be made by the formal bidding procedures in Section 3.24.100.
2. Purchases estimated to exceed \$~~23~~23,500.00 but not to exceed \$~~235~~25,000.00 may be made by the informal bidding procedures in Section 3.24.110.
3. Purchases estimated at \$~~23~~23,500.00 or less may be made on the open market without following formal or informal bidding procedures.
4. Cooperative purchases must be made in accordance with the cooperative purchasing procedures in Section 3.24.130.
5. Emergency purchases must be made by the emergency purchases procedures in Section 3.24.140.

B. Notwithstanding subsection A of this section, 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 interests to do so. (Ord. 556 § 3, 2019)

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#### **3.24.120 Open market purchases.**

In any of the following instances, the purchasing agent may dispense with the requirements of formal or informal bidding and procure supplies, material and equipment on the open market:

- A. When the estimated amount involved does not exceed \$~~23~~23,500.00;

B. When a commodity qualifies as a sole source purchase pursuant to Section 3.24.020 and does not exceed \$~~2550~~,000.00, or if the cost exceeds \$~~2550~~,000.00, the sole source procurement method is approved by the City Council;

C. When the City Council determines that due to special circumstances, it is in the City's best interest to purchase a commodity or enter into a contract without compliance with the formal or informal bidding procedure. (Ord. 556 § 3, 2019)

...

### **3.24.140 Emergency purchases by purchasing agent.**

A. In the case of an emergency as defined in Section 3.24.020, the purchasing agent may authorize the head of a department to purchase supplies, material, equipment or services on the open market when all of the following conditions are present:

1. Immediate procurement of the supplies, material, equipment, and/or services is essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public;
2. The estimated cost of the purchase does not exceed \$~~4025~~,000.00; and
3. The head of the department procuring the supplies, material, equipment, and/or services sends to the purchasing agent a copy of the delivery record, together with a full written explanation of the circumstances justifying the emergency purchase.

B. In the case of an emergency as defined in Section 3.24.020, the City Manager may authorize the purchasing agent to secure in the open market, any supplies, material, equipment, and/or services when all of the following conditions are present:

1. Immediate procurement of the supplies, material, equipment, and/or services is essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public; and
2. The estimated cost does not exceed \$~~5075~~,000.00; provided, however, that when the estimated cost exceeds \$~~2550~~,000.00, or \$25,000 for professional services, the procurement must be subsequently ratified by the City Council.

C. In the case of an emergency as defined in Section 3.24.020, the City Council must ratify purchases of supplies, materials, equipment or services essential to prevent delays in the work of the department which may affect the life, health, safety or convenience of the public when the estimated cost thereof exceeds \$~~250~~,000.00, or \$25,000 for professional services. (Ord. 556 § 3, 2019)

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### **3.24.170 Other supplies, materials, equipment or services not subject to the provisions of this chapter.**

The following types of contracts [and purchases](#) are not subject to the provisions of this chapter:

- A. Public projects as defined in Section 20161 of the California Public Contract Code, except for the issuing of a purchase order, by the purchasing agent for encumbrance of funds;
- B. Contracts to be paid directly from deposits posted by development project applicants or from grant funds. The City Manager has the authority to approve contracts (and amendments thereto) to be paid directly from deposits posted by development project applicants for professional services required in conjunction with the processing or review of development applications, or by grant funds received by the City when the application for or acceptance of said grant funds has been approved by the City Council;
- C. Utility services and related charges;
- D. Real property purchases and related title and escrow fees;
- E. Insurance and bond premiums;
- F. Real property leases;
- G. Professional services, except as otherwise provided. (Ord. 587 § 2, 2021; Ord. 556 § 3, 2019)
- [H. Purchases of newspaper \(or similar\) advertisements for City notices, including but not limited to, notices of public hearings or request for bids.](#)

...

### **3.24.180 Awarding authority—Contracts and amendments.**

A. The awarding authority for contracts and amendments to contracts subject to this chapter is as follows:

- 1. A department director is authorized to execute contracts and amendments to contracts subject to this chapter if the cumulative amount of the contract plus any

amendment(s) is \$~~2540~~,000.00 or less in any single fiscal year and is on behalf of his or her department only.

2. The purchasing agent is authorized to execute contracts and amendments to contracts subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$~~2540~~,000.00 or less in any single fiscal year and is on behalf of more than one department.

3. The City Manager is authorized to execute contracts and amendments to contracts for supplies, materials, equipment, or nonprofessional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$~~2550~~,000.00 or less in any single fiscal year. The City Manager is authorized to execute contracts and amendments to contracts for professional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) is \$25,000.00 or less in any single fiscal year.

4. City Council approval is required on contracts and amendments to contracts for supplies, materials, equipment, or nonprofessional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) exceeds \$~~5025~~,000.00 in any single fiscal year. City Council approval is required on contracts and amendments to contracts for professional services subject to this chapter if the cumulative amount of the contract plus any amendment(s) exceeds \$25,000.00 in any single fiscal year. For any contract approved by the City Council pursuant to this section, the City Manager is authorized to execute amendments in a cumulative amount not to exceed the lesser of 10% of the City Council-approved amount or \$~~250~~,000.00 (for supplies, materials, equipment, or nonprofessional services) or \$25,000 (for professional services).

B. No change in an agreement, contract or purchase order may be made without issuance of a written change order, amendment or purchase order, and no payment for any such change may be made unless a written change order, amendment or purchase order has first been approved and executed in accordance with this section designating in advance the work to be done and the amount of additional compensation to be paid. (Ord. 587 § 2, 2021; Ord. 556 § 3, 2019)

## **REVISIONS TO TITLE 4, "BUSINESS LICENSES, TAXES AND REGULATIONS"**

### **Chapter 4.07 TELECOMMUNICATIONS**

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#### **4.07.020 Registration of telecommunications carriers and providers.**

A. Registration Required. All telecommunications carriers and providers that offer or provide any telecommunications service for a fee directly to the public, either within the City, or outside the corporate limits from the telecommunications facilities within the City, shall register with the City pursuant to this section on forms to be provided by the issuing officer, which shall include the following:

1. The identity and legal status of the registrant, including any affiliates.
2. The name, address and telephone number of the officer, agent or employee responsible for the accuracy of the registration statement.
3. A description of registrant's existing or proposed telecommunications facilities within the City in a form satisfactory to the ~~City's~~ Director of ~~Development Services~~Engineering or the Director of Planning and Building, as applicable.
4. A description of the telecommunications service that the registrant intends to offer or provide, or is currently offering or providing, to persons, firms, businesses or institutions within the City.
5. Information sufficient to determine whether the registrant is subject to public way licensing or franchising under this chapter.
6. Information sufficient to determine whether the transmission, origination or receipt of the telecommunications services provided or to be provided by the registrant constitutes an occupation or privilege subject to any municipal telecommunications tax business license fee, or other occupation tax imposed by the City.
7. Information sufficient to determine that the applicant has applied for and received any certificate of authority required by the PUC to provide telecommunications services or facilities within the City.
8. Information sufficient to determine that the applicant has applied for and received any construction permit, operating license or other approvals required by the Federal Communications Commission to provide telecommunications services or facilities within the City.
9. Information sufficient to determine that the applicant has applied for and received:



- a. Any encroachment permit required under Chapter [8.02](#) of the Santee Municipal Code; and
  - b. Any development review permit, conditional use permit, or administrative approval required for wireless telecommunications facilities under Chapter [13.34](#) of the Santee Municipal Code.
10. Any building permit required under Title 11 of the Santee Municipal Code.
  11. Information sufficient to determine that the applicant has paid any encroachment deposit and other fee due under Chapter [8.02](#) of the Santee Municipal Code.
  12. Such other information as the issuing officer and Director of [Development Services-Engineering or the Director of Planning and Building, as applicable,](#) may reasonably require.
- B. Registration Fee. Each application for registration as a telecommunications carrier or provider shall be accompanied by a fee of \$25.00.
- C. Purpose of Registration. The purpose of registration under this section is to:
1. Provide the City with accurate and current information concerning the telecommunications carriers and providers who offer or provide telecommunications services within the City, or that own or operate telecommunications facilities within the City;
  2. Assist the City in enforcement of this chapter;
  3. Assist the City in the collection and enforcement of any municipal taxes, franchise fees, license fees or charges that may be due the City;
  4. Assist the City in monitoring compliance with local, State and Federal laws. (Ord. 557 § 3, 2019)

## **Chapter 4.08 REGULATION OF STATE VIDEO FRANCHISE HOLDERS**

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### **4.08.070 Permits.**

A. Prior to commencing any work for which a permit is required by Title 8 of this code, a State video franchise holder must apply for and obtain a permit in accordance with the provisions of Title 8 of the Code. A permit application is complete when the State video franchise holder has complied with all applicable laws and regulations, including, but not limited to, all City administrative rules and regulations, and all applicable requirements

of Division 13 of the California [Public Resources Code](#), Section 21000, and following, (the California Environmental Quality Act) and preparation of plans and specifications as required by the Director of [EngineeringDevelopment Services](#).

B. The Director of [Development ServicesEngineering](#) shall, in the exercise of reasonable discretion as permitted by State law, either approve or deny a State video franchise holder's application for any permit required under Title 8 of the Code within 60 days of receiving a complete permit application from the State video franchise holder.

C. If the Director of [Development ServicesEngineering](#) denies a State video franchise holder's application for a permit, the Director of [Development ServicesEngineering](#) shall, at the time of notifying the applicant of denial, furnish to the applicant a detailed explanation of the reason or reasons for the denial.

D. A State video franchise holder that has been denied a permit by final decision of the Director of [Development ServicesEngineering](#) may appeal to the City Council within 10 days after the date of the final decision following the procedures set forth in Chapter [1.14](#) of this code.

E. The issuance of a permit under Title 8 of the Santee Municipal Code is not a franchise, and does not grant any vested rights in any location in the public rights-of-way, or in any particular manner of placement within the public rights-of-way. A permit to place cabinets and similar appurtenances aboveground may be revoked and the permittee may be required to place facilities underground, upon reasonable notice to the permittee. (Ord. 557 § 3, 2019)

## **Chapter 4.11 CIRCUSES AND CARNIVALS**

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### **4.11.020 Operation on public property.**

Upon receipt of an application to operate or exhibit a circus or carnival on City property with ~~no~~or without paid admissions, the issuing officer may issue a permit not to exceed one year only after determining that all of the following are satisfied:

A. The use not be in violation of any zoning ordinance of the City;

B. The location and type of equipment are approved by the [Engineering](#) Department ~~of Development Services~~ and the Community Services Department;

C. A current certificate of inspection has been issued by the State of California for each amusement ride to be operated within the carnival; and

D. The applicant has the insurance required by this chapter. (Ord. 557 § 3, 2019)

#### **4.11.030 Operation on private property.**

Upon receipt of an application to operate or exhibit such carnival on private property, the issuing officer issues a permit for the entire time of the carnival or for one year, whichever is the lesser period of time after determining that all of the following are satisfied:

- A. The carnival complies with the requirements of the zoning ordinance;
- B. The location and type of equipment are approved by the [Planning and Building Department](#) ~~of Development Services~~ and the Community Services Department;
- C. The applicant has satisfied the insurance requirements of this chapter; and
- D. The State of California has issued a current certificate of inspection for each amusement ride to be operated within the carnival. (Ord. 557 § 3, 2019)

#### **4.11.040 Insurance.**

The operator of every circus and carnival must obtain and maintain in full force and effect insurance in the types and amounts to the satisfaction of the City Manager and, if a special event permit is required, satisfactory to the Director of [Planning and Building](#) ~~Development Services~~. (Ord. 557 § 3, 2019)

### **Chapter 4.23 SOLICITORS**

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#### **4.23.170 Sidewalk vendors.**

- A. In addition to the regulations applicable to solicitors and other generally applicable laws, a sidewalk vendor must not undertake any of the following:
  - 1. Obstruct the flow of traffic in a manner that results in a violation of the Americans with Disabilities Act, forces pedestrian traffic into a street or other area where vehicles travel, or forces vehicular traffic to veer from its ordinary course of travel;
  - 2. Operate in areas located within the immediate vicinity of a permitted certified farmers' market or swap meet during the operating hours of the farmers' market or swap meet as those terms are defined in Chapter 6.2 (commencing with Section 51036) of Part 1 of Division 1 of Title 5 of the [Government Code](#);
  - 3. Operate within the immediate vicinity of an area designated for a temporary use of, or encroachment on, the sidewalk or other public area for the duration of the temporary use or encroachment;

4. Operate without obtaining and displaying any valid certificate or other authorization required by the County of San Diego or without acquiring any license from a State or local agency required by law;

5. Maintain unsanitary conditions.

B. In addition to the regulations applicable to solicitors, a stationary sidewalk vendor must not undertake any of the following:

1. Vend in any park that has an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire;

2. Vend in any area zone exclusively residential.

C. The Director of [Engineering Development Services](#) may impose any conditions on a regulatory permit issued pursuant to this section which are required to ensure compliance with any relevant provisions of this code, ordinances of the City, or applicable law or regulation.

D. Enforcement of violations of this section will proceed in accordance with Chapter 6.2 (commencing with Section 51036) of Part 1 of Division 1 of Title 5 of the [Government Code](#). (Ord. 557 § 3, 2019)

## REVISIONS TO TITLE 5, "HEALTH AND SAFETY"

### Chapter 5.04 NOISE ABATEMENT AND CONTROL

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#### 5.04.090 Construction equipment.

A. Prohibitions. Except for emergency work or work that has been expressly approved by the City, it is unlawful for any person to operate any single or combination of powered construction equipment at any construction site, as follows:

1. It is unlawful for any person to operate any single or combination of powered construction equipment at any construction site on Mondays through Saturdays except between the hours of 7:00 a.m. and 7:00 p.m., unless expressly approved by the Director of [Planning and Building or the Director of Engineering, as applicable](#)~~Development Services~~.
2. It is unlawful for any person to operate any single or combination of powered construction equipment at any construction site on Sundays or City recognized holidays unless expressly approved by the Director of [Planning and Building or the Director of Engineering, as applicable](#)~~Development Services~~.
3. No construction equipment is permitted to be started, idled, moved or operated at any location before 7:00 a.m. or after 7:00 p.m. on Mondays through Saturdays and all times on Sundays and holidays, described in subsection (A)(2) of this section. Specific exemptions may be authorized by the Director of [Planning and Building or the Director of Engineering, as applicable](#)~~Development Services~~.
4. Construction equipment with a manufacturer's noise rating of 85 dBAL<sub>MAX</sub> or greater, may only operate at a specific location for 10 consecutive workdays. If work involving such equipment will involve more than 10 consecutive workdays, a notice must be provided to all property owners and residents within 300 feet of the site no later than 10 days before the start of construction. The notice must be approved by the City and describe the project, the expected duration, and provide a point of contact to resolve noise complaints. (Ord. 558 § 3, 2019)

## REVISIONS TO TITLE 8, "STREETS, SIDEWALKS AND PUBLIC PROPERTY"

### Chapter 8.02 ENCROACHMENTS

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#### 8.02.120 Definitions.

"Building or Structure." In addition to the meaning ordinarily ascribed thereto, "building or structure" includes any machine, implement, device, tree, derrick, stage or other setting, lumber, sash or door, structural steel, pipe bend, transformer, generator, punch, agitator, object or thing having a width of more than eight feet, other than any implement of husbandry or any special mobile equipment, as defined in the [Vehicle Code](#) of the State of California, having a width of 10 feet or less. The term also includes a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum permitted by the [Vehicle Code](#).

"Commercial driveway" means any driveway that is not a "residential driveway" as defined in this section.

"Delineate" means to mark in white the location or path of the proposed excavation in accordance to [Government Code](#) Section 4216.

"Driveway" includes both commercial and residential driveways.

"Director" means the Director of ~~the Engineering Department of the City of Santee of Development Services~~ and any subsequent title for this department head, [the City Engineer, or duly authorized representative designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.](#)

"Drop box" means any permanent structure located within the public right-of-way for the purpose of depositing and collecting packages for shipment, except mailboxes owned and maintained by the United States.

"Encroachment" means any tower, pole, pole line, pipe, pipeline, driveway, private road, fence, sign, billboard, stand or building, or any structure or object of any kind or character not particularly mentioned herein, which is placed in, under or over any portion of the public way, temporarily or permanently.

"Excavation" means any operation in which earth, rock, asphalt, concrete, or other material in the ground is moved, removed, or otherwise displaced by means of tools, equipment, or explosives in any of the following ways: grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, boring, cable or pipe plowing and driving or any other way.

“Facility” means pipelines, valves, cables, conduits, lines, boxes, vaults, cabinets, poles, pedestals, manholes, hand holes and all other related components of underground and above ground devices for the purpose of electrical, gas, water, sewer, and communication service and distribution.

“Graffiti” has the meaning set forth in Chapter [7.16](#).

“Markouts” means the identification of a utility facility by the use of any form of paint, chalk, felt tip marker, staking, flags, pen or etching tools.

“Permittee” means the person to whom the encroachment permit is issued.

“Protective measures” means any barricades, traffic control devices, trench plates or similar such devices intended to give warning and protect the public from injury or loss resulting from the placement of an encroachment within the public way.

“Publication stand” means any permanent structure located within the public right-of-way for the purpose of selling or distributing newspapers, magazines, advertisements, or similar publications.

“Public way” means any public highway, public street, public right-of-way, easement, or public place in the City either owned by the City or dedicated to the public.

“Requestor” means the person requesting utility markouts for construction.

“Residential driveway” means any driveway serving any property which is used solely as a private residence consisting of one, two, or three dwelling units including farms or ranches which are not used as retail outlets.

“Surface utility structures” means utility structures located within the public right-of-way at or above the existing or proposed grade, including, but not limited to, electrical transformers, telephone and cable television pedestals, hand holes, pull boxes, meter boxes, valve boxes and signal traffic controllers.

“Ticket” means an excavation location request issued a number by the regional notification center, including, but not limited to, the Underground Service Alert—Southern California.

“Utility” means any ~~publically~~publicly owned or privately owned entity who owns, maintains, or operates facilities within the public right-of-way or easements providing the following services; electrical, natural gas, water, sewer, phone, television, Internet, wireless communication, data or any other form of communication.

“Utility locator” means any person working for a utility as an employee or on behalf of a utility for the purpose of field locating utilities and marking out the utilities facilities.

“Width” means that dimension measured at right angles to the anterior-posterior axis of the conveyance upon which the building or structure or portion thereof or is to be loaded or moved, or to the median line of the public way over which the same is being or is to be moved. (Ord. 561 § 3, 2019)

...

### **8.02.201 Permit—Restrictions.**

A. It is unlawful for any person to install walls, fences, retaining structures, slopes or other modification in the right of way, except for what is found on an existing approved building permit specific for that encroachment and / or an approved precise grading and / or plot plan.

### **8.02.205 Permit—Exemptions.**

Unless otherwise provided, the following are exempt from the requirement for an encroachment permit in Section [8.02.200](#):

- A. The City’s placement of signs and other structures.
- B. Temporary, noncommercial signs authorized pursuant to Chapter [13.32](#) of this code. No sign may be placed within medians or at such locations that block vehicle sight distance or otherwise create a safety hazard to motorists or pedestrians.
- C. Homeowners who wish to paint house numbers on their curb are not required to obtain an encroachment permit but must follow the standards pertaining to size, color and location identified above.
- D. Emergency repair work conducted by employees or contractors of the United States, this State, school districts, other public district or public body or public utility agencies subject to regulation by the public utilities commission of the State of California necessary for the maintenance of service. In such event, however, a report of the excavation in such form as may be required by the Director must be submitted to the Director within 24 hours after the excavation is made and the person making an excavation must obtain a permit for the excavation within five days after the excavation commences. All provisions of this chapter for the protection of the public and governing repairs to the public way apply to the same extent as where applications and permits are required. All fees listed in Section [8.02.215](#) must be paid with each such report as would otherwise be required for a permit.
- E. Installation of decorative gravel, sand, rock, mulch, grass, artificial turf that is level with the sidewalk and / or does not exceed 2% slope.



**FE.** Any person who is subject to the rules and regulations of the public utilities commission of the State of California is not required to obtain a permit to install, maintain, replace, repair or relocate any telephone or electric pole, anchor, or overhead lines. However, any person exempted by this section from obtaining a permit is deemed to be a “permittee” under a blanket permit while performing any work referred to in this section and must comply with all regulations and requirements of this chapter imposed on a permittee. No person is exempted by this section unless such person has on file with the Director a signed and unrevoked statement required by Section [8.02.220\(C\)](#).

**GF.** Nothing in this chapter prohibits any person from conducting any maintenance required by law, ordinance or permit, on any pipe or conduit in any public way, or from making such excavation as may be necessary for the preservation of life or property, if the necessity arises when the City offices are closed. Any person making an excavation contemplated by this section must provide notice to the Director within 24 hours of making the excavation and obtain a permit for the excavation within five days after the City offices first open after making the excavation. (Ord. 561 § 3, 2019)

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#### **8.02.230 Performance bond in lieu of security deposit.**

If a security deposit required by this chapter exceeds \$~~53~~,000.00, the Director may allow the permittee to secure any excess above \$~~53~~,000.00 ~~to be secured~~ by a faithful performance bond, letter of credit or other security in a format acceptable to the City Attorney. (Ord. 561 § 3, 2019)

...

#### **8.02.385 Relocation and replacement costs.**

When required by law, this code, or by the Director ~~of Development Services~~, a permittee must make proper arrangements for, and bear the cost of relocating or replacing any encroaching structure, public utility, tree or shrub. All relocations and replacements must be completed to the satisfaction of the Director. (Ord. 561 § 3, 2019)

### **Chapter 8.04 PROTECTION OF PUBLIC HIGHWAYS**

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#### **8.04.030 Establishment of year-end street work moratorium.**

A. In order to reduce traffic impacts during the year-end shopping season, no construction, utility, or maintenance work that requires lane closures is permitted

beginning the Monday prior to Thanksgiving Day through New Year's Day on the following street segments:

1. Carlton Hills Boulevard: from Willowgrove Avenue to Mission Gorge Road.
2. Cuyamaca Street: from Town Center Parkway to Prospect Avenue.
3. Mission Gorge Road: from State Route 125 to Magnolia Avenue.
4. Olive Lane: from Prospect Avenue to Mission Gorge Road.
5. Riverview Parkway: Entire length of street.
6. Town Center Parkway: Entire length of street.

B. Notwithstanding subsection A, any construction, utility, or maintenance work necessary to address an emergency must be performed during the hours of 10:00 p.m. to 5:00 a.m., unless otherwise approved by the Director. [Telephonic notification of proposed emergency work](#) must be provided to the [Engineering Department of Development Services](#) ~~of proposed emergency work by calling the Department of Development Services.~~ (Ord. 561 § 3, 2019)

#### **8.04.040 Utility markouts for construction.**

A. Purpose and Intent. It is the purpose and intent of the City Council through adoption of this chapter, to provide enforcement tools to ensure the complete removal of utility markouts upon completion of any excavation work and to limit the amount of markouts placed upon public and private property to the minimum amount necessary for excavation work.

B. Markouts Prohibited.

1. It is unlawful for any person to intentionally place utility markouts outside of the limits delineated by the requestor.
2. A request for utility markouts shall not be made for design purposes, for the preparation of design drawings or documents, or for construction purposes in lieu of obtaining the record drawings from the respective utility owner.

C. Responsibility for Removal.

1. The requestor of utility markouts shall have sole responsibility for the removal of all utility markouts and delineation within 10 calendar days from the completion of excavation work.

2. If the utility locator places utility markouts outside of the limits delineated by the requestor, the utility locator shall have sole responsibility for the removal of all such utility markouts within 10 calendar days from being notified by the requestor or the City.

3. The City shall determine the identification of the requestor by the ticket requesting utility markouts by the regional notification center.

D. Removal of Markouts.

1. Markouts shall be thoroughly removed from all surfaces to the satisfaction of the Director [of Engineering of Development Services or designee](#).

2. Markouts on asphalt concrete may be blacked out by use of paints suitable for roadway traffic to a color and sheen that most closely matches the asphalt concrete. The blacked out area shall be a square or rectangle of sufficient size to cover markouts with the minimum number of such squares/rectangles needed to cover all markouts.

3. Markouts on concrete surfaces shall be removed from the concrete and shall not be painted over.

4. Markouts which are unable to be removed or have caused permanent damage during placement or removal may result in the requirement to replace the damaged surface at the expense of the entity who placed the mark.

E. Public Nuisance. Markouts on public or private property creates a condition and appearance as graffiti. Graffiti creates a condition tending to reduce the value of private and public property, to promote blight and deterioration, to reflect badly on the community, and may be injurious to health, safety and general welfare. Therefore, the presence of markouts is hereby declared to constitute a public nuisance which may be abated as such in accordance with Title 1, or any other applicable provision of law.

F. Failure to remove utility markings as prescribed herein, is subject to enforcement and administrative citation procedures specified in Title 1 of this code. (Ord. 561 § 3, 2019)

## Chapter 8.06 URBAN FORESTRY

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### 8.06.060 Designate administrative responsibilities.

The Director, by use of City employees or private contractors, has the right, but not the duty, to plant, maintain and otherwise care for, or if necessary, remove, any and all

trees in public places in the City. The responsibilities of the parks and landscape maintenance supervisor include, but are not limited to, the following:

- A. Prepare an annual program for tree planting and tree care in public places of the City;
- B. In coordination with the [Engineering Department](#) ~~of Development Services~~, recommend to the City Council changes or additions to the master street tree plan;
- C. Develop maintenance standards as they relate to street trees and trees in public places;
- D. Inspect the planting, maintenance and removal of all trees in public places;
- E. Make a determination to remove trees in public places;
- F. Review all landscaping plans as they affect trees in public places. (Ord. 561 § 3, 2019)

## **Chapter 8.12 SPECIAL EVENT**

### **8.12.010 Definitions.**

“Director,” as used in this chapter, means the Director of [Engineering Development Services of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.](#)

“Parade,” as used in this chapter, means any march, procession or assembly consisting of persons, animals or vehicles, or combination thereof, upon any street, sidewalk or alley which does not comply with normal and usual traffic regulations or controls.

“Special event,” as used in this chapter, means any celebration, festival, fair, carnival or similar local special event which is held wholly or partially within a street, the participants in which do not comply with the normal or usual traffic regulations or controls. (Ord. 561 § 3, 2019)

## **REVISIONS TO TITLE 9, "PUBLIC SERVICES"**

### **Chapter 9.04 CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING**

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#### **9.04.030 Definitions.**

In this chapter:

"AB 939" means the California Integrated Waste Management Act, codified at California [Public Resources Code](#) Section 40000 et seq., including any amendments or modifications.

"Certified recycling facility" means a recycling, composting, materials recovery or reuse facility which accepts construction and demolition debris and which meets minimum State standards for such facilities.

"City-sponsored project" means a capital improvement project constructed by the City or its contractor, agent, or designee.

"Construction" means the building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure. Construction does not include a project limited to interior plumbing work, interior electrical work or interior mechanical work.

"Construction and demolition (C&D) debris" means the waste building materials, packaging, and rubble resulting from construction, remodeling, repair, alteration, and/or demolition operations on pavements, houses, commercial buildings, and other structures and may include, but is not limited to, concrete, asphalt, wood, cardboard, metals, bricks, and other inert waste.

"C&D debris management plan" or "DMP" means a report, prepared in a form approved by the Director, submitted as required by Section [9.04.080](#), which identifies all C&D debris expected to be generated as a result of any covered project.

"C&D debris recycling report" or "DRR" means a report, prepared in a form approved by the Director ~~of Development Services or designee~~, submitted as required by Section [9.04.100](#), which identifies the amounts of all C&D debris generated by the project, and the amounts recycled or diverted.

“Conversion rate” means the rate set forth in the standardized conversion rate table approved by the Director pursuant to this chapter for use in estimating the volume or weight of materials identified in debris management plan.

“Covered project” means any project type set forth in Section [9.04.040](#) of this chapter.

“Deconstruction” means a process to dismantle or remove useable materials from structures, in a manner that maximizes the recovery of building materials for reuse and recycling and minimizes the amount of waste transported for disposal in landfills and transformation facilities.

“Demolition” means the destruction, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

“Director” means the Director of ~~Development Services or a designee~~Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Disposal” means the final deposition of solid waste at a permitted landfill.

“Diversion or divert” means the reduction or elimination of solid waste from landfill disposal. “Diversion requirement” has the meaning set forth in Section [9.04.060](#) of this chapter.

“Exempt project” means the activities set forth in Section [9.04.050](#) of this chapter.

“Green Building Standards Code” means the most current version of the California Green Building Standards Code as adopted by the City.

“High-rise residential building” means a residential building that is four stories or greater in height.

“Low-rise residential building” means a residential building that is three stories or less.

“Noncovered project” means any construction, demolition, or renovation project that does not meet the thresholds set forth in Section [9.04.040](#) to qualify as a covered project.

“Recycling” means the process of collecting, sorting, cleansing, deconstructing, treating, and reconstituting materials that would otherwise be solid waste, and the return of those materials to the economic mainstream in the form of materials which meet the quality

standards necessary to be used in the marketplace for new, reused, or reconstituted products.

“Renovation” means any change, addition, or modification in an existing structure that requires a building permit or demolition permit but does not include a project limited to interior plumbing work, electrical work or mechanical work.

“Reuse” means further or repeated use of construction or demolition debris.

“Salvage” means the controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

“Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including, but not limited to, garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, abandoned vehicles and parts thereof, discarded home and industrial appliances, recyclables, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes.

“Tenant improvement” means a “project” involving structural or other modifications of an existing commercial structure resulting in the generation of construction and demolition debris.

“Universal waste” means batteries, electronic devices, mercury-containing equipment, lamps, cathode ray tubes or glass, and aerosol cans.

“Waste diversion security deposit” means any cash, check, credit card, or certified check in a form acceptable to the City, submitted to the City as pursuant to Section [9.04.090](#) of this chapter. (Ord. 589 § 2, 2021; Ord. 562 § 3, 2019)

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#### **9.04.070 Diversion of construction and demolition debris.**

A. For the purposes of this chapter, diversion of C&D debris may be achieved by any of the following methods:

1. On-site reuse;
2. Acceptance of the C&D debris by a certified recycling facility; or
3. Salvage, other donation, or reuse of the C&D debris acceptable to the Director of [Development Services](#).

B. Weighing of Wastes. Applicants for covered projects must make reasonable efforts to ensure that all C&D debris diverted or landfilled is measured and recorded using the most accurate method of measurement available. To the extent practical, all C&D debris must be weighed by measurement on scales in compliance with all regulatory requirements for accuracy and maintenance. If weighing is not practical due to small size or other considerations, a volumetric measurement must be used. For conversion of volumetric measurements to weight, the applicant must use the standardized conversion rate table approved by the City.

C. Asbestos Handling. Any covered project conducting demolition of 100 square feet or more, except for a project involving demolition activities on one single-family residence, must provide the City with an asbestos materials test report from a certified California State asbestos professional demonstrating that none of the materials to be demolished or disturbed contain asbestos in a concentration of one percent or higher. If asbestos containing materials are found, a certified asbestos abatement company must remove the material(s) prior to the issuance of any building or demolition permit, and a final abatement report documenting all materials identified as asbestos containing materials have been properly removed and disposed as a condition of the building or demolition permit.

D. Water Quality Control. All construction and debris recycling activities must be conducted in a manner to comply with Chapter [9.06](#), Stormwater Management and Discharge Control, as amended from time to time. At a minimum this includes:

1. Any demolition, removal, crushing, movement or loading operations must be managed to prevent the discharge of dust or debris, and must, at a minimum, keep all materials covered and contained.
2. Any solid or liquid spills must be removed immediately.
3. All stockpiles must be covered and located away from concentrated flows of stormwater, drainage courses and inlets.
4. Materials that are not stockpiled must be stored off the ground and under cover.
5. Any materials containing, or that may reasonably be expected to contain hazardous materials, must be handled and stored in such a manner to prevent the release of hazardous materials.
6. Covers must be used on trucks transporting diverted waste. (Ord. 562 § 3, 2019)

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#### **9.04.110 Entitlement to refund of deposit.**

A. No deposit for a covered project may be refunded unless the applicant completes the following requirements of this section to the satisfaction of the Director:

1. Requests a refund within 90 days after the final inspection date of the covered project for which the deposit was paid, or requests a refund prior to final inspection when:
  - a. The project has a master developer and multiple commercial and/or retail tenants constructing their own tenant improvements, or
  - b. The developer has completed construction of the project, except for the tenant improvements when the tenant improvements are the sole responsibility of the commercial and/or retail tenant; and
2. Submits a C&D debris recycling report that demonstrates compliance with this chapter.

B. The Director ~~of Development Services~~ must authorize the refund of any diversion deposit that was erroneously paid or collected and when the permit application is withdrawn or cancelled before any work has begun. (Ord. 562 § 3, 2019)

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#### **9.04.130 Appeals.**

Appeals of a determination made by the Director must be made to the City Manager within 10 days after the date of the decision in accordance with Chapter [1.14](#), except as follows:

- A. The appeal is limited to the following issues:
1. Whether the applicant is entitled to a refund pursuant to Section [9.04.110](#);
  2. Whether the applicant made a good faith effort to comply with the required percentage of diversion specified in the waste diversion form;
  3. In the case of a partial refund, the percentage of the deposit the Director ~~of Development Services~~ authorizes; and
  4. Whether the project is covered or exempt from this chapter.

| B. The Director ~~of Development Services, or designee~~, has an opportunity to provide a written response to the applicant's appeal.

C. The decision of the hearing officer is final. (Ord. 562 § 3, 2019)

## REVISIONS TO TITLE 10, "VEHICLES AND TRAFFIC"

### Chapter 10.02 GENERAL PROVISIONS

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#### 10.02.020 Definitions.

When the following terms are used in this title, they have the meaning set forth in this section. Whenever any words or phrases used in this title are not defined in this section, the definitions set forth in the [Vehicle Code](#), if any, apply.

"Alley" means any highway with a width of 20 feet or less and without a sidewalk or sidewalks

"Bus loading zone" means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of busses during loading and unloading of passengers.

"City Traffic Engineer" means the person charged with overseeing traffic engineering in the City.

"Crosswalk" is either:

1. That portion of a roadway ordinarily included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of any such lines from an alley across a street;
2. Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Curb return" means the curved section of a curb at an intersection that connects two straight sections of curbs.

"Department of Transportation" means the Department of Transportation of the State of California.

"Director" means the Director of [Engineering Development Services](#) of the City of Santee [and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.](#)

"Dockless vehicle" means those means of shared transportation, not otherwise regulated by the State of California, the County of San Diego, or a regional transit operator, in which the operating company leases vehicles for use in the City, but does not have a physical dispatching location within the City.

“Highway” means the entire width between boundary lines of every way set apart for public travel when any part thereof is open to the use of the public for purposes of vehicular travel.

“Holidays” are New Year’s Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving Day, the day before Christmas Day and Christmas Day.

“Intersection” means the area within the prolongation of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways, of two highways which join one another at approximately right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

“Loading zone” means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

“Local delivery route” means streets to be used by trucks and commercial vehicles as direct routes for the purpose of accessing restricted streets or locations necessary for making pickups or deliveries of goods, wares and merchandise from or to any building or structure located within the City or for delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure within the City for which a building permit has previously been obtained or for vehicles owned, leased, operated or controlled by any licensed contractor or public utility while necessarily in use in the construction, maintenance or repair of any public works project or public utility within the City.

“Passenger loading zone” means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers.

“Official traffic-control devices” mean all signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

“Official traffic signals” mean any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed, and which is erected by authority of a public body or official having jurisdiction.

“Park” means to stand or leave standing any vehicle, occupied or not, except while actually engaged in loading or unloading passengers or materials.

“Pedestrian” means any person on foot.

“Recreational vehicle” has the same meaning as defined in the zoning code.

“Restricted streets” means those streets and portions of streets which are not designated and established as local delivery routes and are to be used only for direct access to specific addresses or locations.

“Safety zone” means that portion of a roadway reserved for the exclusive use of pedestrians, marked and designated as provided in this title.

“Sidewalk” means that portion of the highway, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

“Stop or stand.”

1. The word “stop” means the complete cessation of movement.
2. The words “stop or stand” mean any stopping, or standing of a vehicle, whether occupied or not, except where necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

“Street” means a City road, State highway, public road, street, or alley, or a private thoroughfare not less than 10 feet in width connecting with a City road, State highway, public road, street or alley, which affords primary access to an abutting lot. Street includes highway.

“Truck” or “commercial vehicle” means any vehicle other than emergency vehicles and buses having three or more axles or measuring 36 feet or longer in overall length, including truck and load, and in excess of 14,000 pounds.

“Vehicle” means every device or animal by which any person or property is or may be transported or drawn on a street or highway, excepting devices moved by human power or used exclusively upon rails.

“[Vehicle Code](#)” means the [Vehicle Code](#) of the State of California. (Ord. 563 § 3, 2019)

## **Chapter 10.10 STOPPING, STANDING AND PARKING**

### **10.10.300 Stopping and parking zones.**

A. It is unlawful for any person to fail to comply with the regulations applicable to the following zones as established by City Council and marked with signs or by the zone color on the top or side of all curbs within such zones:

1. Red means no stopping, standing, or parking at any time except as permitted by the [Vehicle Code](#), and except that a bus may stop in a red zone marked or sign posted as a bus zone;

2. Yellow means no stopping, standing or parking at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers must not consume more than three minutes and the loading or unloading of materials must not consume more than 20 minutes;

3. White means no stopping, standing, or parking for any purpose other than loading or unloading of passengers for a time not to exceed three minutes between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays as follows:

a. When a white zone is in front of a hotel, the restrictions apply at all times,

b. When a white zone is in front of a theater, the restrictions apply at all times when the theater is open,

c. For the purpose of depositing mail in an adjacent mailbox;

4. Green means no standing or parking for longer than 20 minutes at any time between 7:00 a.m. and 6:00 p.m. of any day except Sundays and holidays;

5. Blue means parking limited exclusively to the vehicles with a valid disabled placard or disabled license plate ~~of physically handicapped persons~~.

B. When there are no curbs, zones are indicated by installing signs giving notice of the zone and its regulations.

C. Standing in Any Alley. It is unlawful for any person to stop, stand or park a vehicle in an alley for any purpose other than the loading or unloading of persons or materials in the alley.

D. Bus Loading Zone. It is unlawful for any person to stop, stand, or park any vehicle except a bus in a bus loading zone.

E. It is unlawful for any person to stop, stand, or park a vehicle adjacent to any legible curb markings or adjacent to the side of any roadway with a sign indicating an established zone, in violation of any of the regulations applicable to that zone. (Ord. 563 § 3, 2019)

## **Chapter 10.24 ABANDONED VEHICLES**

### **10.24.150 Administration and enforcement.**

Except as otherwise provided herein, the Director of Planning and Building Development Services is authorized to administer this chapter. The Director and the Director's officer, deputies, assistants, employees, and agents may enter upon private or public property to examine a vehicle or parts thereof, or obtain information as

to the identity of a vehicle and to remove or cause the removal of a vehicle or part thereof declared to be a nuisance pursuant to this chapter. (Ord. 563 § 3, 2019)

## REVISIONS TO TITLE 11, "BUILDINGS AND CONSTRUCTION"

### Chapter 11.01 DEFINITIONS

#### 11.01.010 Definitions.

For purposes of this title:

"City Engineer" means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by City Council, City Manager, or Director.

"Director" means the Director of Engineering of the City of Santee and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.~~Development Services.~~ (Ord. 564 § 3, 2019)

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### Chapter 11.24 CONSTRUCTION AND IMPROVEMENT STANDARDS

#### 11.24.100 Undergrounding of utilities—Required.

All new and all existing overhead utilities within the boundaries of the project and within the half street abutting the project must be placed underground at the applicant's expense except as indicated below. Undergrounding of electrical lines of 69 kv or greater will not be required.

~~A.— Limitations. At the discretion of the approval authority, undergrounding requirements may be limited to placement of conduit for future undergrounding of utilities in the following situations:~~

~~1.— Where the value of the building improvement is less than 25% of the current market value of all buildings on the lot in consideration; and~~

~~2.— Where the length of frontage to be under-grounded is less than 200 feet but more than 50 feet.~~

~~AB. Exemptions — Undergrounding of existing utilities or conduit installation for future undergrounding.~~

The following instances are exempt from the requirement to underground existing utilities and payment of an in lieu cash deposit for existing overhead services in the adjacent right-of-way.



1. Where the value of the building improvement is less than 25% of the current market value of all buildings on the lot in consideration;~~1. Single-family dwellings in an area where most utilities have been undergrounded, but the value of the building improvement is less than 50% of the current market value of all buildings on the lot;~~

~~2. Single-family dwellings in a built-out area where overhead utilities have not been undergrounded in the neighborhood, and there are no plans for undergrounding these utilities;~~

23. Any unit or development which has 1050 feet or less frontage that includes overhead utilities;

34. Single-family dwelling replacements when the existing residential unit has been completely removed from the lot in a built-out neighborhood, and there are no plans for overhead facilities to be undergrounded in the foreseeable future.

B. Exemptions – Undergrounding requirement for existing utilities limited to the installation of conduit for future undergrounding and no payment of an in-lieu fee.

At the discretion of the City Council, the undergrounding requirement may be limited to placement of conduit for future undergrounding of utilities only and -not include a requirement for- the payment of an in-lieu fee in the following situations:

1. 1. Single-family dwellings in an area where most utilities have been undergrounded, but the value of the building improvement is less than 50% of the current market value of all buildings on the lot; and
- 1-2. Where the length of frontage to be under-grounded is less than 200 feet but more than 100 feet.

~~C. Exemption. Utilities which serve properties outside the project boundaries and which are not adjacent to the street frontage.~~

CD. Exemption – Undergrounding requirement is subject to the installation of conduit for future undergrounding and an In-Lieu Cash Deposits for existing facilities.

Projects that do not meet all of the above exemptions and wWhere the City Engineer determines, in his or her sole discretion, that undergrounding ~~the~~ of a portion of, or all utilities is impractical, the undergrounding improvements may be deferred and the condition met by installing conduit sized for future undergrounding plus the payment of an in-lieu cash deposit collected by the City in the amount equal to the estimated cost of undergrounding of such utilities.

D. Utilities that serve properties outside the project boundaries only and that are not adjacent to the property line are exempt from undergrounding requirements, the payment of an in lieu fee, and / or the installation of conduit for future use.

E. Deferment/Waivers.

In exceptional circumstances the property owner may request that the City defer/waive the requirement to underground utilities. The City Council will conduct a public hearing and allow the applicant to present evidence supporting deferment/waiver. The owner/applicant must provide the following with the application for a public hearing:

- \_\_\_\_\_ 1. A fee in the amount established by resolution of the City Council to cover the cost of the public hearing;
- \_\_\_\_\_ 2. A letter detailing the extenuating circumstances supporting a deferment/waiver;
- \_\_\_\_\_ 3. Written, itemized cost estimates for undergrounding from the appropriate utility companies or an undergrounding consultant;
- \_\_\_\_\_ 4. A plat map, prepared on 11-inch by 17-inch paper, showing size and location of all utility lines and facilities on-site and adjacent to the site;
- \_\_\_\_\_ 5. Electronic images of all utility lines involved in the request for deferment/waiver.

If the Council elects to defer the undergrounding requirement, the applicant must enter into an agreement with the City to accept the establishment of an undergrounding district at a future date and waiving the right to protest against such a district. The agreement must be binding on the heirs, successors, and assigns of the property owner, and must be recorded against the property. (Ord. 564 § 3, 2019)

## **Chapter 11.28 HOUSING REGULATIONS**

### **11.28.010 Authority.**

The [Planning and Building](#) Department ~~of Development Services~~ has and is authorized to exercise the power and authority granted the Building Department by Section 17951 of the [Health and Safety Code](#). (Ord. 564 § 3, 2019)

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## **Chapter 11.36 FLOOD DAMAGE PREVENTION**

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### **11.36.130 Designation of Floodplain Administrator.**

The Director ~~of Engineering of Development Services~~ is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions. (Ord. 564 § 3, 2019)

## **Chapter 11.40 EXCAVATION AND GRADING**

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### **11.40.050 Definitions.**

In this chapter the following definitions apply:

“Approval” means a written professional opinion by the responsible principal of record concerning the satisfactory progress and completion of the work under his or her purview unless it specifically refers to the City Engineer.

“Approved plans” means the most current grading plans which bear the signature or stamp of approval of the City Engineer.

“Archaeologist” means a person who does scientific study of material remains of past human life and activity.

“As-graded” means the surface and subsurface conditions and configuration upon completion of grading.

“Bedrock” means in-place solid rock.

“Bench” means a relatively level step excavated into earth material on which fill is to be placed.

“Borrow” means earth material acquired from an off-site location for use in grading on a site.

“Borrow pit” means premises from which soil, sand, gravel, decomposed granite or rock are removed for any purpose.

“Borrow pitting” means excavation created by the surface mining of rock, unconsolidated geological deposits, or soil to provide material (borrow) for fill elsewhere.

“Building pad” means that portion of an embankment and/or excavation contained within an area bounded by a line five feet outside the foundation footing for a building.

“Building site” means that portion of an embankment and/or excavation containing the building pad(s) and lying within an area bounded by the top of slopes and/or toe of slopes within the lot or parcel.

“Certify” or “certification” means a signed written statement that the specific inspections and tests required have been performed and that the works comply with the applicable requirements of this chapter, the plans and the permit.

“City Engineer” means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by the City Council, City Manager, or Director.

“Civil engineer” means a professional engineer registered in the State to practice in the field of civil engineering.

“Civil engineering” means the application of the knowledge of the forces of nature, principles of mechanics, and the properties of materials for evaluation, design and construction of civil works for the beneficial uses of the population.

“Clearing” and “brushing” means the removal of vegetation (grass, brush, trees and similar plant types) above the natural surface of the ground.

“Compaction” means densification of a soil or rock fill by mechanical or other acceptable procedures.

“Contour grading” means grading which creates, or results in, land surfaces which reflect the pre-graded natural terrain or that simulates natural terrain, i.e., rounded nonplanar surfaces and rounded, nonangular intersections between surfaces.

“Contractor” means a contractor licensed by the State to do work under this chapter. A contractor may be authorized to act for a property owner in doing such work.

“Department” means the Engineering Department of the City of Santee and any subsequent title for this department.

“Design and development standards” means the standards published by the City for land development activities, which standards may be published in a single document, or a combination of documents, and may be updated as needed to comply with industry practice or changes in the law.

“~~Director of Development Services~~” means the Director of Engineering of the City of Santee that person, or persons authorized to act in the capacity of the department head and or planning Director, and any subsequent title for this department head, the City Engineer, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Earth material” means any rock, natural soil, or fill and/or any combination thereof.

“Embankment” or “fill” is any act by which earth, land, gravel, rock, or any other material is deposited, placed, pushed, dumped, pulled, transported or moved to a new location and the condition resulting therefrom.

“Engineering geologic report” means a report prepared under the supervision of an engineering geologist providing a geological map of a site, information on geologic

measurements and exploration performed on the site and surrounding area and, providing recommendations for remedial measures necessary to provide a geologically stable site for its intended use.

“Engineering geologist” means a certified engineering geologist, registered by the State to practice engineering geology.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil work.

~~“Engineer, Private” or “Private engineer” means a civil engineer registered by the State. A private engineer may be authorized to act for a property owner in doing work covered by this chapter.~~

“Erosion” means the process by which the ground surface is worn away by the action of water or wind.

“Erosion control system” means any combination of desilting facilities, retarding basins, and erosion protection, including effective planting and the maintenance thereof, to protect adjacent private property, watercourses, public facilities and receiving waters from the deposition of sediment or dust.

“Expansive soil” means any soil with an expansion index greater than 20, as determined by the Expansive Soil Index Tests (UBC Std. 29-32).

“Exploration” or “prospecting” means the search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent or quantity of minerals present.

“Excavation” or “cut” means any earth, sand, gravel, rock or other similar material which is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed by people and the conditions resulting therefrom.

“Fault” means a fracture in the earth’s crust along which movement has occurred. An active fault is one that exhibits separation in historic time or along which separation of Holocene deposits can be demonstrated. If Holocene deposits are not offset, but numerous epicenters have been recorded on or in close proximity to the fault, a classification of active may be used.

Fill, Nonstructural. “Nonstructural fill” means any embankment on which no soil testing was performed or no compaction reports or other soil reports were prepared or submitted.

“Geologic hazard” means any geologic feature capable of producing structural damage or physical injury. Geologic hazards include:

1. Landslides and potential slope instabilities resulting from bedding faults, weak claystone beds, and oversteepened slopes;
2. Deposits potentially subject to liquefaction, seismically-induced settlement, severe ground shaking, surface rupture, debris flows, or rock falls resulting from fault activity;
3. Deposits subject to seepage conditions or high groundwater table.

“Geotechnical report” means a report which contains all appropriate soil engineering, geologic, geohydrologic, and seismic information, evaluation, recommendations and findings. This type of report combines both engineering geology and soil engineering reports.

“Grade” means the elevation and cross-sections established for the finished surface. All grades must be based upon the official datum of the City.

“Grading” means any excavating or filling or combination thereof.

“Grading permit” means a permit issued pursuant to this chapter.

“Grubbing” means the removal of roots and stumps.

“Key” means a designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

“Land development” means making excavations and embankments on private property and the construction of slopes, drainage structures, fences and other facilities incidental thereto.

“Landscape architect” means a landscape architect, registered by the State, who performs professional work in physical land planning and integrated land development, including the design of landscape planting programs.

“Landslide” means the downward and outward movement of soil, sand, gravel, rock or fill or a combination thereof.

“Mined lands” includes the surface, subsurface and groundwater of an area in which surface mining operations will be, are being or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

“Minerals” are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to aggregate, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas and petroleum.

“Mining waste” includes the residuals of soil, rock, mineral, liquid, vegetation, equipment, machines, tools or other material or property directly resulting from or displaced by, surface mining operations.

“Natural terrain” means the lay of the land prior to any grading.

“On-site construction” means those earth material moving activities (such as excavation, grading, compaction, and the creation of fills and embankments) which are required to prepare a site for construction of structures, landscaping, or other land improvements if resultant excavations, fills, grades, or embankments are beneficially modified by such construction of structures, landscaping or other land improvements. Excavations, fills, grades or embankments that of themselves constitute engineered works such as dams, road cuts, fills, catchment basins, or levees are not considered to be surface mining operations. Earth material moving activities in areas either on or off-site where the results are modified by construction of structures, landscaping or other land improvements, and that do not of themselves consist of land improvements, and that do not of themselves consist of engineered works are deemed to be surface mining operations unless exempted under the Surface Mining and Reclamation Act.

“Operator” means any person who is engaged in grading operations him or herself, or who contracts with others to conduct operations on his or her behalf.

“Overburden” means soil, rock or other materials that lie above a natural deposit or in between deposits, before or after their removal.

“Owner” means any person, agency, firm or corporation having a legal, possessory or equitable interest in a given piece of real property.

“Paleontologist” means a person who holds an advanced degree, who is affiliated with a recognized institution such as a museum or university and who is actively engaged in the research of prehistoric life through the study of plant and animal fossils.

“Paving” means all paving related operations such as surfacing, resurfacing, curbs, gutters, sidewalks, and ramps or as otherwise described within the City’s Best Management Practices Design Manual, Priority Development Categories.

“Permittee” means any person to whom a permit is issued pursuant to this chapter.

“Planning Director” means the Director of [Planning and Building of the City of Santee Development Services](#) or a duly authorized representative and any subsequent title for

this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Preliminary soil engineering report,” also referred to as “preliminary geotechnical investigation report” means a report prepared under the responsible supervision of a soil engineer which includes preliminary information concerning engineering properties of soil and rock on a site prior to grading, describing locations of these materials and providing recommendations for preparation of the site for its intended use.

“Premises” means contiguous property in the same ownership.

“Private engineer” means a civil engineer registered by the State. A private engineer may be authorized to act for a property owner in doing work covered by this chapter.

“Property owner” means the owner, subdivider or developer of real property which will be benefited by the proposed land development work.

Property, Public. “Public property” means property owned in fee by the City, or dedicated for public use.

“Public interest slope” means any manufactured slope which meets any one of the following criteria:

1. A vertical height in excess of 15 feet;
2. A vertical height in excess of five feet located on the exterior of a subdivision and exposed to view from any point outside the subdivision;
3. A vertical height in excess of five feet which will be visible after completion of the buildings to be placed on the subject graded area from any circulation element road, from any existing or proposed public buildings, public facility, or publicly used property, from any private property two streets or more away from the slope in question or from any private homes existing at the time of creation of the slope;
4. Any slope in the hillside overlay zone.

“Publicly used property” means property that is used frequently by persons other than the residents and/or owners.

“Public rights-of-way” means public easements or dedications for streets, alleys, drainageways and/or other uses.

“Reclamation” means the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is



readily adaptable for alternate land uses and create no danger to public health and safety, and is consistent with the General Plan, zoning ordinance and applicable specific plans. The process may extend to affected land and surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization or other measures.

“Relative compaction” means the in-place dry density (determined by ASTM D1556, or other City Engineer approved equal) expressed as a percentage of the maximum dry density (determined by ASTM D1557, or other City Engineer approved equal).

“Retaining wall” means a wall designed to resist the lateral displacement of soil or other materials.

“Rough grading” means the condition where ground surface approximately conforms to the design grade, generally within 0.1 feet, and all compaction of fills and embankments have been performed to the specifications required by the soil engineer.

“Slope” means the inclined exposed surface of a fill, excavation of natural terrain.

“Soil” means earth material of whatever origin, overlying bedrock and may include the decomposed zone of bedrock which can be readily excavated by mechanical equipment.

“Soil engineer” means a registered civil engineer who holds a valid authorization to use the title “soil engineer” as provided in Section 6736.1 of the California [Business and Professions Code](#). The terms “geotechnical engineer,” “soils engineer” and “soil and foundation engineer” are deemed to be synonymous with the term “soil engineer.”

“Soil engineering” means the application of the principles of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and testing of the construction thereof.

“Soil engineering report” means a report prepared under the responsible supervision of a soil engineer which includes information on site preparation, slope heights and gradients, compaction of fills placed, placement of rock, treatment of expansive soils, providing recommendations for structural design and approving the site for its intended use.

“Stockpile” means a temporary, uncompacted fill or embankment placed by artificial means, which is designated or intended to be moved, or relocated at a later date.

“Subdivider” means a person, firm, corporation, partnership or association who causes land to be divided into one or more lots or parcels for him or herself or others as defined by those sections of the [Government Code](#) known as the Subdivision Map Act.

“Substantial conformance” means grading that conforms to Section [11.40.390](#) of this chapter.

“Suitable material” means any soil or earth material which, under the criteria of this chapter or under the criteria of an approved geotechnical report, is suitable for use as fill or for other intended purposes.

“Surface mining operations” means all or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to:

1. Borrow pitting, streambed skimming, segregation, and stockpiling of mined materials;
2. In-place distillation, retorting or leaching;
3. The production and disposal of mining wastes;
4. Prospecting and exploratory activities.

“Terrace” means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

“Unsuitable materials” means any soil or earth material having properties or characteristics which, under the criteria of this chapter or under the criteria contained in any approved geotechnical report, make it unsuitable for use as fill or for any other intended use. These properties or characteristics include, but are not limited to, organic content of the material exceeding three percent, rock diameters exceeding eight inches, the presence of concrete or asphalt, or the presence of expansive soils within three feet of finish grade of any area intended or designed as a location for a building. (Ord. 564 § 3, 2019)

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#### **11.40.105 Designated exceptions.**

The following grading activities are exempt from the requirement to obtain a grading permit under the provisions of this chapter:

- A. Depositing materials in any disposal area operated by or licensed by the City or the County.
- B. Grading which meets all of the following limitations:

1. Is on a single legal lot or contiguous ownership;
2. Involves the movement of not more than 200 cubic yards of earth;
3. The cut in the cut area and/or the fill in the fill area, at their deepest points, do not exceed a depth of five feet in vertical depth measured from the original ground;
4. The fill is not intended to support structures;
5. The finished cut and/or fill slopes are not steeper than two horizontal to one vertical (2:1);
6. The finished grading does not alter the drainage patterns either upstream or downstream from the grading;
7. None of the fill is placed on existing ground having a slope steeper than five horizontal to one vertical (5:1), which is a 20% slope;
8. None of the grading is closer than five feet to adjacent parcel; and
9. The finished slopes are protected from erosion and the downstream properties are protected from siltation resulting from the grading.

C. Any of the following, if authorized by a valid building permit approved and issued by the Planning Director and provided that any embankment constructed with the excess material from the excavation is disposed of under an approved grading permit or on site without creating embankments more than five feet in unsupported height:

1. Excavation below finish grade for basements;
2. Footings or foundations for buildings, manufactured homes, retaining walls or other structures;
3. Swimming pools, septic tanks, leach lines, or other subsurface structures or facilities.

D. When approved by the City Engineer, exploratory excavations under the direction of a soil engineer, archaeologist, paleontologist or engineering geologist. Such excavations must be properly backfilled and compacted or otherwise restored to the satisfaction of the City Engineer. No stockpiling greater than needed for exploration will be permitted, No trucking, general placement or removal of rock or soil shall be allowed during exploratory excavations.

E. When approved by the City Engineer, excavation for the sole purpose of recompaction as specified or recommended by an approved soils report.

F. Grading for which inspection is provided by the City and which is done by a developer or contractor pursuant to City-approved improvement plans within public rights-of-way and adjacent slope rights areas independent of adjacent land development work, or grading done pursuant to a permit for excavation in public streets.

G. Except as provided in the following subsections, clearing and brushing when directed by the Fire Chief to mitigate a fire hazard, with the concurrence of the Planning Director that such clearing and brushing will not cause significant damage to any rare, endangered or protected species of plant or wildlife or cause any significant damage to any habitat of any rare, endangered or protected species of wildlife. The exemptions in this section do not apply to clearing, grubbing, brushing or grading when:

1. Grading will occur in or physically impact designated or dedicated open space or environmentally sensitive areas designated in the General Plan or shown on any approved specific plan;
2. Grading will occur in any waterway or wetland, stream, river, channel, pond, lake, marsh, bog, lagoon, vernal pool or riparian habitat;
3. Grading will occur in any floodway or floodplain as shown on the San Diego County floodplain maps or on City revised maps;
4. Grading will occur in any officially mapped area in high geologic risk zone (Zone "C" and "D") as defined by the geotechnical/seismic study for the General Plan;
5. Grading will occur in the hillside overlay district; or
6. Grading will occur in any other sensitive areas such as archaeological sites, historical sites or burial grounds.

H. Paving related activity disturbing less than 5,000 square feet. (Ord. 564 § 3, 2019)

#### **11.40.110 Permit applications.**

A. The owner, or owner's authorized agent, of any property that requires a grading permit under this chapter must sign and submit a grading permit application on a form approved by the City Engineer.

B. A separate grading permit application is required for each grading permit.

C. A complete grading permit must include following items, unless otherwise waived or specified by the City Engineer, or this chapter:

1. Grading plan pursuant to Section [11.40.120](#);

2. Separate plot plan pursuant to Section [11.40.125](#);
3. Preliminary soil engineering report pursuant to Section [11.40.130](#);
4. Landscape and irrigation plans (may be submitted with the second plan check submittal) pursuant to Section [11.40.135](#);
5. Erosion control plans, if required by Section [11.40.140](#);
6. Drainage study;
7. Haul route, including source of borrow or disposal;
8. Grading plan check fee pursuant to Sections [11.40.215](#) and [11.40.220](#);
9. Soil engineering report review fee pursuant to Section [11.40.225](#);
10. Deposit for independent third party review of soil report, if required, pursuant to Section [11.40.225](#);
11. Inspection fees (may be paid at any time prior to issuance of permit) pursuant to Section [11.40.230](#);
12. Proof of legal lot (may be waived by the City Engineer if grading is pursuant to an approved tentative map or zoning permit);
13. Computer graphics of existing and graded conditions, and/or other displays;
14. Plans, specifications and other supplemental data, as specified in this chapter, the design and development manual and the subdivision ordinance.

D. A complete grading permit application must be submitted for City review and approval along with the following items:

1. [Paving related activity disturbing more than 5,000 square feet requires a pPaving pPlan Paving demonstrating that the proposed paving will not alter the existing drainage conditions of the site, redirect drainage onto another property where it did not previously occur, or will comply with all City requirements related to alterations of drainage conditions. All paving operations that will include the installation of new pavement, the removal and replacement of existing pavement or a combination of the two totaling more than 5,000 square feet require prior approval of a grading site plan that shows existing and proposed drainage paths and compliance with the City of Santee BMP design manual.](#)
2. Grading plans.

3. Stormwater intake form.
4. Priority development or standard development stormwater quality management plan (as determined by completing the stormwater intake form).
5. Schedule for work.
6. Best management practices plan sheet.
7. Engineer's estimate.

E. The City Engineer may require additional data or information, eliminate, or modify any of the above requirements, including those items in Section [11.40.115](#).

F. Any change in application requirements or applicable fees that is effective before a grading permit is issued applies to any pending application for a grading permit under the following conditions:

1. A change of policy or direction by the City Council;
2. A change in the applicable laws, including the grading ordinance or fee schedule approved by the City Council;
3. Discovery that the plans, application, or fees violate or do not meet existing laws, ordinances, or policies or conform to the requirements of other permits or approvals, such as zoning permits or subdivision maps;
4. Discovery of any design defect, soil or geologic hazard, or any other fact or item which, if left unchanged, could cause damage, harm or hazard to public or private properties, or to life, limb or the general public's safety or welfare.

If, as a result of discoveries described in subdivisions 3 and 4 of this subsection, changes are directed, the application expiration date will be extended for 30 days, or for such other time as the City Engineer grants to accomplish all required changes.

G. The time limits set out in this section apply to all grading plans and applications. (Ord. 564 § 3, 2019)

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### **11.40.120 Grading and paving plan requirements.**

A. Grading and paving plans required by this chapter must be prepared and submitted with the grading permit application in accordance with the design and development standards approved by the City Engineer and available from the Department ~~of~~ [Development Services](#).

B. All grading and paving plans must be signed by a registered civil engineer and by the soil engineer. The City Engineer may waive this requirement when the proposed grading or paving is on a single lot or parcel not proposed for further subdivision and, in the opinion of the City Engineer, the proposed grading entails no hazard to any adjacent property, does not necessitate construction of extensive drainage structures or erosion control facilities, and does not interfere in any way with existing natural or improved drainage courses or channels.

C. In addition to any other grounds for stopping work provided by law or set forth in this code, the City Engineer may stop work and require amendment or change of approved grading, paving, erosion control or landscape and irrigation plans for any of the following reasons:

1. Extension or renewal of the grading permits;
2. Changes have been made in the actual work which are not reflected on the approved plans;
3. The scope or quantity of grading or paving has been changed;
4. Construction, traffic, drainage, soil, geologic, public safety or environmental problems not considered, known, or evident at the time of permit issuance or plan approval become evident. (Ord. 564 § 3, 2019)

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#### **11.40.130 Preliminary soil engineering and geology reports.**

A. Three copies of a preliminary soils engineering report required by this chapter must be submitted with the application for a grading permit. Each soil engineering report must be prepared by a soil engineer and contain all information applicable to the project in accordance with generally accepted geotechnical engineering practice. The preliminary soil engineering report must include the following, at a minimum:

1. Information and data regarding the nature, distribution, and the physical and chemical properties of existing soils;
2. Location of faults as defined by a registered geologist or certified engineering geologist;
3. Conclusions as to the adequacy of the site for the proposed grading;
4. Recommendations for general and corrective grading procedures;
5. Foundation design criteria;

6. Slope gradient, height and benching, or terracing recommendations;
7. The potential for groundwater and seepage conditions and procedures for mitigation of the groundwater-related problems;
8. For all slopes in the Friars Formation, regardless of the slope ratio, a slope stability analyses and a written statement indicating acceptable slope stability;
9. Other recommendations, as necessary, commensurate with the project grading and development.

B. The soil engineer and engineering geologist should refer to Safety Element of the Santee General Plan and any modification, amendment, or reissuance in preparing the reports required by this section.

C. Recommendations contained in the approved reports become part of and are incorporated into the grading plans and specifications and become conditions of the grading permit.

D. Preliminary geological investigations and reports are required for all land development projects designated as Group IV or Group II, except those Group III projects located in Zone "A" as ~~shown on Figure 8-3, per the~~ Seismic Hazards and Study Areas Map (for which a geological reconnaissance will be required), as outlined in Table 8.1 of the City General Plan. This requirement may be extended to adjacent properties where known or reasonably inferred instability may adversely affect the property. The preliminary geological investigation report must include the following at a minimum:

1. A comprehensive description of the site topography and geology including, where necessary, a geology map;
2. A statement as to the adequacy of the proposed development from an engineering geologic standpoint;
3. A statement as to the extent that known or reasonably inferred stability on adjacent properties may adversely affect the project;
4. A description of the field investigation and findings;
5. Conclusions regarding the effects geologic conditions will have on the proposed development;
6. Specific recommendations for plan modification, corrective grading and/or special techniques and systems to facilitate a safe and stable development;



7. Provide other recommendations, as necessary, commensurate with the project grading and development.

E. The preliminary geological investigation report may be combined with the preliminary soils engineering report.

F. A seismicity study and report is required for all land development projects designated as Group IV and for those designated as Group III and located in Zones “C” and “D” ~~shown on Figure 8-3 as per the~~, Seismic Hazards and Study Areas Map, of the City General Plan. The report must be prepared by an engineering geologist or a soil engineer with expertise in earthquake technology and its application to buildings and other civil engineering works. The seismic report may be combined with the soil and geologic investigation reports. (Ord. 564 § 3, 2019)

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#### **11.40.145 Application coordination—Multi-departmental cooperation.**

When the nature of work proposed in a grading permit application falls within the requirements of, or affects the operation of, ~~multiple any other City departments of the City, the City Engineer must obtain and consider~~ the recommendations of ~~applicable City those~~ departments ~~should be considered~~ in determining the disposition of the application. The ultimate determination shall be made by the City Engineer. (Ord. 564 § 3, 2019)

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#### **11.40.175 Nonstructural fills.**

A. Except for temporary stockpiles that have been permitted by the prior written approval of the City Engineer, all nonstructural (uncompacted) fills are prohibited unless specifically authorized by the City Engineer and Planning Director.

B. Applications for grading permits involving nonstructural fills must be accompanied by an agreement for development of nonstructural fills signed by the property owner and containing the following provisions:

1. The development work must be designated as nonstructural fill and must be constructed in accordance with grading plans approved by the City Engineer;
2. The owner acknowledges that as a nonstructural fill, the site is not eligible for a building permit until, subject to the review and approval of the City Engineer, a soils investigation report, additional geotechnical reports in accordance with Section 11.40.130, and any other pertinent information as deemed necessary by the City Engineer, have been submitted and approved by the City;

3. The land development work must be done and maintained in a safe, sanitary and nonnuisance condition at the sole cost, risk and responsibility of the owner and the owner's successors in interest, who must hold the City harmless with respect thereto;

4. Other provisions that, in the opinion of the City Attorney and the City Engineer, afford protection to the property owner and the City.

C. The agreement for nonstructural fills must be presented to the City Council for approval, and if approved, the agreement or notice of the agreement must be recorded in the office of the County Recorder. The notice must remain in effect until release of the agreement is filed by the City Engineer. If the County Recorder refuses to record notice of the agreement against the property, such agreement becomes void. (Ord. 564 § 3, 2019)

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#### **11.40.235 Work commenced before permit issuance—Fee.**

A. In addition to any penalty for violation of this code and in addition to the fees required in this chapter, a separate fee, in an amount established by resolution of the City Council, but in no case less than \$500.00, is required for any work commenced prior to obtaining a permit required by this chapter.

B. Payment of such fee does not relieve any person from any liability for failing to comply with this chapter. The fee prescribed in this section is not a penalty but defrays the expense of enforcement of the provisions of this chapter and may be assessed for each violation cited. (Ord. 564 § 3, 2019)

C. Upon written notification to the property owner of the record that work has been commenced prior to obtaining a permit required by this chapter, all work shall cease and the owner must contact the Code Enforcement Division within 10 days of receipt of the notification and inform the Code Enforcement Division of which of the following options the owner will be pursuing. The property owner shall comply with one of the following options within 30 days of the date of the notification and prior to re-commencing work, or be subject to increased fines and penalties pursuant to Chapter 1.08:

1. Show a valid permit with approved plans covering the scope of work in question.

2. Pay the fee described in Subsection A, and engage with a licensed professional civil engineer to act as Engineer of Record (EOR) to prepare plans, details and calculations for the work that has started and / or is proposed. The proposed work must meet City of Santee standards, be in conformance with our municipal code and be to the satisfaction of the City Engineer. The owner shall also pay all applicable plan check fees and obtain the necessary permit(s). The EOR shall provide an "as built"

certification letter certifying the work has been completed and to EOR's satisfaction in accordance with the approved plans. This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

3. Pay the fee described in Subsection A, and prepare or engage with a design professional/draftsperson to prepare plans and details for the proposed work. The proposed work must meet existing City of Santee approved standards, be in conformance with the Code and be to the satisfaction of the City Engineer. In addition, the property owner must pay plan check and inspection fees, obtain the necessary permit(s), and remove all of the work performed without the benefit of City inspection. This includes but is not limited to concrete work, leveling pads, buried drainage, facilities, pipes, gravel, reinforcement, grids and / or as deemed necessary with the City Engineer. Perform the work in accordance with the approved plans and obtain inspection approval from the City as required by the plans. The work shall be completed within the time limits specified on a valid permit(s). This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

4. With the prior written permission of the City Engineer, the owner may choose to remove all of the work performed without the benefit of City inspection. This includes but is not limited to concrete work, leveling pads, buried drainage, facilities, pipes, gravel, reinforcement, grids and / or as deemed necessary by the City Engineer. The owner must restore the area to pre-construction activity conditions or better to the satisfaction of the City Engineer. The restoration must be completed within 30 days of notification described in subsection C. This matter will be considered closed only after the City of Santee has accepted the aforementioned as complete.

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#### **11.40.620 Applications and review.**

A. Any person, except as provided in Section 2776 of the California Surface Mining and Reclamation Act of 1975, who proposes to engage in surface mining operations as defined in this chapter must, prior to the commencement of such operations, obtain:

1. A zoning permit;
2. A permit to mine; and
3. Approval of a reclamation plan, in accordance with the provisions set forth in this article and as further provided in the California Surface Mining and Reclamation Act of 1975. A fee, as established for the permitted uses in the consolidated fee schedule, must be paid to the City at the time of filing.

B. Applications for a zoning permit or reclamation plan for surface mining or land reclamation projects must be made on forms provided by the Department of Development Services and / or the Planning and Building Department, as applicable.

Said application must be filed in accordance with this article and procedures as established by the Director [and / or the Director of Planning and Building, as applicable](#). The reclamation plan applications require, at a minimum, each of the elements required by SMARA (Sections 2772—2773) and State regulations, and any other requirements deemed necessary to facilitate an expeditious and fair evaluation of the proposed reclamation plan, as established at the discretion of the Director [and / or the Director of Planning and Building, as applicable](#). All applications for a zoning permit for surface mining must be made, considered and granted or denied pursuant to Section [13.06.030](#). Such applications must be accompanied by data or information required by the Director [and / or the Director of Planning and Building, as applicable](#). All plans and specifications for the grading of the property must be prepared by a registered civil engineer, sealed and signed in accordance with the [Business and Professions Code](#).

C. Applications must include all required environmental review forms and information prescribed by the Director [and / or the Director of Planning and Building, as applicable](#).

D. Within 30 days after acceptance of an application for a zoning permit for surface mining operations and/or a reclamation plan as complete, the Department ~~of Development Services~~ [and / or the Planning and Building Department, as applicable](#), must notify the State Department of Conservation of the filing of the application. Whenever mining operations are proposed in the 100-year flood plain of any stream, as shown in Zone A of the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any State highway bridge, the Department [and / or the Planning and Building Department, as applicable](#), ~~of Development Services~~ must also notify the State Department of Transportation that the application has been received.

E. The Department [and / or the Planning and Building Department, as applicable](#), ~~of Development Services~~ will process the application(s) through environmental review pursuant to the California Environmental Quality Act ([Public Resources Code](#) Section 21000 et seq.) and the City's environmental review guidelines.

F. Upon completion of the environmental review procedure and filing of all documents required by the Director [and / or the Director of Planning and Building, as applicable](#), consideration of the zoning permit approval and reclamation plan for the proposed surface mine will be scheduled for public hearing before the City Council, and pursuant to the requirements of SMARA.

G. Prior to final approval of a reclamation plan, financial assurances (as provided in this article), or any amendments to the reclamation plan or existing financial assurances, the Department [and / or the Planning and Building Department, as applicable](#), ~~of Development Services~~ must submit the plan, financial assurance, or amendments to the State Department of Conservation for review. The City Council may conceptually approve the reclamation plan and financial assurance before submittal to the State Department of Conservation. If a zoning permit is being processed concurrently with the reclamation plan, the City Council may also conceptually approve

the zoning permit. However, City Council may defer action on the zoning permit until taking final action on the reclamation plan and financial assurances. If necessary to comply with permit processing deadlines, the City Council may conditionally approve the zoning permit with the condition that the City Council will not issue the zoning permit for the mining operations until cost estimates for financial assurances have been reviewed by the State Department of Conservation and final action has been taken on the reclamation plan and financial assurances. The State Department of Conservation has 30 days to review and comment on the reclamation plan and 45 days to review and comment on the financial assurance. The Department [and / or the Planning and Building Department, as applicable, of Development Services](#) must prepare a written response to the State's comments containing the following, and submit a proposed response to the State Department of Conservation at least 30 days before approval of the reclamation plan, plan amendment, or financial assurance:

1. Describing the disposition of the major issues raised by the State's comments;
2. Describing whether the City proposes to adopt the State's comments to the reclamation plan, plan amendment, or financial assurance;
3. Specifying, in detail, why the City proposes not to adopt the comments, if the City proposes not to adopt the State's comments;
4. Proving notice of the time, place, and date of the hearing or meeting at which the reclamation plan, plan amendment, or financial assurance is scheduled to be approved by the City.

The Director [and / or the Director of Planning and Building, as applicable](#) must send copies of any comments received and response prepared to the applicant.

H. The City Council will then take action to approve, conditionally approve, or deny the zoning permit and/or reclamation plan, and to approve the financial assurances pursuant to PRC Section 2770(d). The Director [and / or the Director of Planning and Building, as applicable](#), must send the State Department of Conservation the final response to the State's comments within 30 days after approval of the reclamation plan, plan amendment, or financial assurance.

I. By July 1st of each year, the Department [and / or the Planning and Building Department, as applicable, of Development Services](#) must submit to the State Department of Conservation for each active or idle surface mining operation:

1. A copy of any permit or reclamation plan amendments, as applicable;
2. A statement that there have been no changes during the previous year, as applicable;
3. The date of each surface mining operation's last inspection;

4. The date of each surface mining operation's last financial assurance review pursuant to PRC 2773.1 for each operation.

J. Where any requirement of the reclamation plan conflicts with any requirement of the approved zoning permit, the [Planning](#) Director and the City Engineer will determine which requirement applies. (Ord. 564 § 3, 2019)

#### **11.40.630 Financial assurances.**

A. To ensure reclamation will proceed in accordance with the approved reclamation plan, the City requires as a condition of approval security for the faithful performance of the reclamation. The applicant may pose security in the form of a surety bond, cash deposit, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the City Attorney and the State Mining and Geology Board as specified in State regulations, and which the City reasonably determines is adequate to perform reclamation in accordance with the surface mining operation's approved reclamation plan. Financial assurances must be made payable to the City of Santee, the State Department of Conservation, and such other regulatory agencies the City deems necessary.

B. Financial assurances are required to ensure compliance with the reclamation plan, including but not limited to, revegetation and landscaping requirements, restoration of aquatic or wildlife habitat, restoration of water bodies and water quality, slope stability, erosion and drainage control, disposal of hazardous materials, and other measures, if necessary.

C. Cost estimates for the financial assurance must be submitted to the Department ~~of Development Services and / or the Planning and Building Department, as applicable,~~ for review and approval prior to the operator securing financial assurances. The Department ~~of Development Services and / or the Planning and Building Department, as applicable,~~ will forward a copy of the cost estimates, together with any documentation received supporting the amount of the cost estimates, to the State Department of Conservation for review. If the State Department of Conservation does not comment within 45 days of receipt of these estimates, it will be assumed that the cost estimates are adequate. The City has the discretion to approve the financial assurance if it meets the requirements of this article, SMARA, and State regulations.

D. The amount of the financial assurance must be based upon 100% of the estimated cost of reclamation plus a 10% contingency for the actual amount required to reclaim lands disturbed by surface mining activities since January 1, 1976, all new lands to be disturbed by surface mining activities in the upcoming year and areas not successfully reclaimed pursuant to the approved reclamation plan. The estimate must also include any maintenance of reclaimed areas as may be required. Cost estimates must be prepared by a California registered Professional Engineer and/or other similarly licensed and qualified professionals retained by the operator and approved by the Director and / or the Director of Planning and Building, as applicable. The estimated amount of the

financial assurance must be based on an analysis of physical activities necessary to implement the approved reclamation plan, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs. Financial assurances to ensure compliance with establishing revegetation, restoration of water bodies, restoration of aquatic or wildlife habitat, and any other applicable element of the approved reclamation plan must be based upon cost estimates that include, but may not be limited to, labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator other than the permittee.

E. In addition to the amount specified in subsection D of this section, the security instrument must provide that in the event suit is brought by the City and judgment recovered, the surety or financial institution must pay, in addition to the sum specified, all costs incurred by the City in such suit including a reasonable attorney's fee to be fixed by the court.

F. In projecting the costs of financial assurances, it must be assumed without prejudice or insinuation that the surface mining operation could be abandoned by the operator and, consequently, the City or State Department of Conservation may need to contract with a third party commercial company for reclamation of the site.

G. The financial assurances must remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed, including any required maintenance and establishment period. Upon completion of the surface mining and reclamation of mined lands in accordance with the approved reclamation plan, including maintenance and establishment periods, all financial assurances will be released, otherwise they must remain in full force and effect.

H. The City will annually review amount of financial assurances required of a surface mining operation for any one year to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan. The financial assurances must include estimates to cover reclamation for existing conditions and anticipated activities during the upcoming year, excepting that the permittee may not claim credit for reclamation scheduled for completion during the coming year.

I. When requested, revised estimates for the financial assurances must be submitted to the Director [and / or the Director of Planning and Building, as applicable,](#) at the time of filing of the mine operator's annual mining operation report. The estimate must cover the cost of existing disturbance and anticipated activities for the next calendar year, including any required interim reclamation. (Ord. 564 § 3, 2019)

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#### **11.40.655 Interim management plans.**

A. Within 90 days after a surface mining operation becomes idle, the operator must submit to the Department ~~and / or the Planning and Building Department, as applicable, of Development Services~~ a proposed interim management plan (IMP). The proposed IMP must fully comply with the requirements of SMARA, including, but not limited to, all zoning permit conditions, and must provide measures the operator will implement to maintain the site in a stable condition, taking into consideration public health and safety. The proposed IMP must be submitted on forms prescribed by the Department ~~of Development Services and / or the Planning and Building Department, as applicable,~~ and will be processed as an amendment to the reclamation plan. IMPs are not considered a project for the purposes of environmental review.

B. Financial assurances for idle operations must be maintained as though the operation were active, or as otherwise approved through the idle mine's IMP. All financial assurances must conform to Section [11.40.630](#).

C. Upon receipt of a complete proposed IMP, the City will forward the IMP to the State Department of Conservation for review at least 30 days prior to approval by the City.

D. Within 60 days after receipt of the proposed IMP, or a longer period mutually agreed upon by the Director and the operator, the City will review and approve or deny the IMP in accordance with this chapter. The operator has 30 days, or a longer period mutually agreed upon by the operator and the Director, to submit a revised IMP. The City will approve or deny the revised IMP within 60 days of receipt.

E. The IMP may remain in effect for a period not to exceed five years, at which time the City may renew the IMP for another period not to exceed five years and for another five-year period at the expiration of the first five-year renewal period if the City finds that the surface mining operation has complied fully with the IMP, or require the surface mining operator to commence reclamation in accordance with its approved reclamation plan. (Ord. 564 § 3, 2019)

#### **11.40.660 Inspections.**

As a condition of each zoning permit or reclamation plan, the Department ~~of Development Services and / or the Planning and Building Department, as applicable,~~ will conduct an inspection of the surface mining operation and reclamation activities within six months after receipt of the mine operator's annual report. Inspection will be made by a State-registered geologist, State-registered civil engineer, State-licensed landscape architect, or State-registered forester, who is experienced in land reclamation and who has not been employed by the mining operation in any capacity during the previous 12 months, or other qualified specialists, as may be determined by the Director. All inspections must be conducted using a form approved and provided by the State Mining and Geology Board. The Department ~~of Development Services and / or the Planning and Building Department, as applicable,~~ will notify the State Department of Conservation within 30 days of completion of the inspection that said inspection has



been conducted, and forward a copy of said inspection notice and any supporting documentation to the mining operator. The operator is solely responsible for the reasonable cost of such inspection. (Ord. 564 § 3, 2019)

## **Chapter 11.50 Electric Vehicle Charging Systems Expedited, Streamlined Permitting Process**

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### **11.50.060 Permit review requirements.**

A. Review of the permit application shall be limited to the Building Official's review of whether the application meets local, State and Federal health and safety requirements. The application shall be administratively reviewed by the Building Official as a nondiscretionary permit.

B. The City shall not condition approval of an application on the approval of an association, as that term is defined by [Civil Code](#) Section 4080.

C. An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the Building Official determines that the application satisfies all the requirements found in the checklist.

D. If an application is deemed incomplete, a written plan check correction notice will be available to the applicant within 10 working days, detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be given to the applicant for resubmission.

E. The Building Official, in consultation with the Director of [Planning and Building](#)~~the Department of Development Services~~, may require an applicant to apply for a use permit if the Building Official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The Building Official's decision to require a use permit may be appealed by the applicant pursuant to Section [13.04.070](#) of this Code.

F. If a use permit is required, the application for the use permit may be denied if the [City Council Planning Commission](#) makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of potential feasible alternatives for preventing the specific, adverse impact. Such decisions may be appealed to the pursuant to Santee Municipal Code Sections [13.04.040](#) and [13.04.070](#). (Ord. 576 § 3, 2020)



## REVISIONS TO TITLE 12, SUBDIVISION OF LAND, DEVELOPMENT FEES, AND DEDICATIONS

### Chapter 12.04 Definitions

#### 12.04.020 Definitions.

“Bicycle path” means any right-of-way designed with a hard surface, usually of asphalt concrete or similar materials, and being of sufficient width to allow for safe bicycle travel.

“Car-share location” means a permanent, marked location for car-share pickup or drop-off.

“Certificate of compliance” means a document describing a unit of real property and stating that the division thereof complies with applicable provisions of the Subdivision Map Act and this division.

“City Engineer” means the Director or the person appointed by the City Manager or Director to fulfill the functions of City Engineer required by law, this code, or assigned by City Council, City Manager, or Director. the person holding the title of City Engineer or the Senior Registered Civil Engineer in the Department of Development Services, or any subsequent title for the department that reviews subdivision maps.

“Common interest development” means any of the following: (1) a community apartment project; (2) a condominium project; (3) a planned development; or (4) a stock cooperative per Section 4100 of the California Civil Code.

“Condominium project” means a real property development consisting of condominiums as defined in Section 4125 of the California Civil Code.

“Director” means the Director of Development Services. Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Division of land” means any parcel or contiguous parcels of land, improved or unimproved, which are divided for the purpose of transfer of title, sale, lease, or financing, whether immediate or future, into two or more parcels. Division of land includes a common interest development.

“Filing” means the submittal of all such documents, statements, maps, plans, or other data deemed necessary by the City for the application for the tentative map, review of the final maps or plans, or the appeal process. Acceptance of a tentative map is not complete until all required documents deemed necessary have been received by the City.

“Improvement” means such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof. “Improvement” also refers to such other specific improvements or types of improvements, the installation of which either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to insure conformity to or implementation of the General Plan required by the City code or any specific plan adopted pursuant to the City Code.

“Merger” means the joining of two or more contiguous parcels of land under one ownership into one parcel.

“Owner” means the individual, firm, partnership, or corporation having controlling interest in land sought to be divided, or an agent thereof, duly authorized to commence proceedings.

“Planned development” means a real property development other than a community apartment project, a condominium project, or a stock cooperative, as defined by Section 4175 of the California [Civil Code](#).

“Stock cooperative” means a real property development as defined in Section 4190 of California [Civil Code](#).

“Subdivider” means an individual, firm, association, syndicate, copartnership, corporation, trust, or any other legal entity commencing proceedings under this division to effect a division of land hereunder for such subdivider or for another, except that employees and consultants of such individuals or legal entities, acting in such capacity, are not “subdividers.”

“Subdivision” means the same as “division of land.”

“Subdivision committee” means the same as “subdivision review committee” and consists of at least the following officers or their duly authorized representatives: Director, City Engineer or Senior Civil Engineer, and Fire Marshal.

“Tentative map” means a map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it, and need not be based upon an accurate or detailed final survey of the property.

“Vesting tentative map” means a map for a subdivision that has printed conspicuously on its face the words “Vesting Tentative Map” at the time it is filed in accordance with the proceedings established in Chapter [12.10](#). “Vesting tentative parcel map” means a vesting tentative map prepared in conjunction with a parcel map. This definition includes

nonresidential subdivisions. (Ord. 598 § 3, 2022; Ord. 596 § 3, 2021; Ord. 565 § 3, 2019)

## **Chapter 12.08 TENTATIVE MAPS—PROCEDURES**

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### **12.08.020 Residential condominium conversion.**

If the map is for conversion of existing residential development into condominiums, community apartments, or a stock cooperative, the following apply:

A. Application. The conversion of an existing residential development to a condominium, community apartment, or stock cooperative, requires a tentative map for five or more units or a tentative parcel map for four or fewer units. An existing residential development is defined as a residential development that has received a certificate of final occupancy. The tentative map or tentative parcel map must indicate all sublots including commonly held sublots. The requirement for a tentative parcel map and a parcel map or a tentative and final map must apply to the conversion of a mobilehome park to a tenant owned condominium ownership interest unless specifically waived pursuant to Section [12.08.030](#). In addition, if a tentative and final map are not required for a mobilehome park conversion to tenant owned condominium ownership pursuant to Section 66428.1 of the State [Government Code](#) (Subdivision Map Act), or amendments thereto, the applicant may at the applicant's option file a tentative parcel map and parcel map or a tentative map and a final map.

B. Submittals. All tentative maps and tentative parcel maps involving conversion to condominiums, community apartments, or a stock cooperative, including mobile home parks unless specifically waived pursuant to the provisions of this chapter, must be accompanied by the following:

1. An application for a tentative map or tentative parcel map, along with the information required for processing and application fees, must be filed with the [Development Services Planning and Building](#) Department;
2. Evidence, satisfactory to the Director, including a statement by the subdivider and copies of letters, that each tenant or prospective tenant has been given notice of the proposed conversion pursuant to Sections 66452.17 through 66452.19 of the State [Government Code](#) (Subdivision Map Act) or amendments thereto;
3. Name and address of each tenant or prospective tenant of each dwelling unit within the project on mailing labels (two sets) and envelopes with postage adequate to mail the staff report on the conversion to the tenants as required pursuant to Section 66452.3 of the State [Government Code](#) (Subdivision Map Act) or amendments thereto;

4. A report prepared to the satisfaction of the Director that indicates the effect the conversion would have on the availability of existing multifamily rental housing for lower income residents in the City;
5. A physical inventory report prepared by a licensed mechanical or structural engineer, a licensed architect, or a licensed general building contractor that includes the estimated remaining useful life and replacement costs of roofs, driveways, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems, and any current building code deficiencies;
6. A copy of all CC&Rs on the project; and
7. An application for a development review permit, along with the information required for processing pursuant to Chapter [13.08](#) or revisions thereto, must be filed with the [Planning and Building Development Services](#) Department.

C. Standards for Conversion. All tentative maps and tentative parcel maps involving conversion to condominiums of an existing residential development must be conditioned to:

1. Meet current zoning requirements contained in Title 13 of this code unless the requirements are waived or modified pursuant to subsection F of this section. In addition, the conversion of existing legal nonconforming multifamily residential development to a condominium, community apartment, or stock cooperative is exempt from compliance with setbacks, density, height, coverage, area of landscaping, and building separation standards, provided no increase in density is proposed and the underlying zone is residential. Improvements required as conditions of approval for the conversion of such legal nonconforming structures are not limited by the provisions of Section [13.04.110](#); and
2. Provide at a minimum, the following with regard to building and fire codes unless these standards are waived or modified pursuant to subsection F of this section:
  - a. Any polybutylene plumbing piping must be replaced with copper piping complying with the current edition of the California Plumbing Code or equivalent model code as mandated by the State of California,
  - b. Guardrails must be added and/or modified to comply with the current edition of the [California Building Code](#) as mandated by the State of California. Both guardrail height and intermediate rails or ornamental pattern of guardrails must be made to comply,
  - c. Stairway handrails must be added and/or modified to comply with the current edition of the [California Building Code](#) as mandated by the State of California; Exception: Handrails located between 30 inches and 34 inches

above the nosing of treads and landings installed in accordance with the code in effect at the time of construction may be allowed to remain,

d. Any dilapidated or unsafe stairways must be rebuilt to current [California Building Code](#) requirements. Stairways that are in good condition may remain provided they comply with the code in effect at the time of their construction and they have a minimum run of nine inches and a maximum rise of eight inches and a minimum width of 30 inches,

e. All separation walls and floor ceiling assemblies between units must provide an airborne sound insulation equal to that required to meet a sound transmission class (STC) of 50 (45 if field tested). All separation floor-ceiling assemblies between separate units must provide impact sound insulation equal to that required to meet an impact insulation class (IIC) of 50 (45 if field tested). Buildings that have plans and permits on file with the City showing compliance with the above requirements will not require field testing. All others will require field testing in accordance with Title 24, [California Building Code](#), Appendix Chapter 35 as mandated by the State of California,

f. All electrical wiring serving 15 ampere and 20 ampere circuits with No. 14 AWG or No. 12 AWG size wire must be of copper. Any existing aluminum wiring in these sizes must be replaced with copper,

g. All 125-volt, single phase, 15- and 20-ampere receptacles installed in bathrooms, within six feet of a kitchen sink or outdoors where there is direct grade level access to a dwelling unit and to the receptacles must have ground-fault circuit-interrupter protection,

h. Draftstops complying with the Uniform Building Code as mandated by the State of California must be installed above and in line with the walls separating individual dwelling units from each other and from other uses,

i. Any alterations or repairs (i.e., installation of sound attenuation materials) to the walls separating individual units from each other and from other uses that involve the replacement of wall surfacing materials (drywall, plaster or wood paneling) must be made using only materials approved for one-hour fire resistive construction,

j. Ultra low flow toilets and shower heads must be provided,

k. Smoke detectors and carbon monoxide detectors must be installed in accordance with the [California Building Code](#). Smoke detectors within bedrooms must include a visual notification device to notify hearing impaired occupants,

- I. Each unit in the building or complex must be retrofitted for fire sprinklers, unless the applicant for conversion demonstrates to the satisfaction of the City Council that the costs of retrofitting a specific building or complex would be significantly higher than average costs of retrofitting or would cause unusual structural defects or similar problems,
    - m. Basements and every bedroom must have at least one operable window or door approved for emergency escape or rescue. Windows provided for emergency escape or rescue must comply with minimum sill height and opening size requirements in the prevailing building code,
    - n. Individual electric and/or gas meters must be provided for each unit, and
    - o. Additional health and safety upgrades determined necessary by the City;
  3. The project must include interior and exterior improvements as may be required by the City Council for approval of the conversion. Required interior and exterior improvements may include, but are not limited to: new paint, new roofs, new window treatments, added wainscot materials, trellises, added wall or window articulation, and other similar improvements. The following building components or systems must be replaced if they have been identified as having five years or less of remaining life in the physical inventory report: roof coverings, exterior wall and floor coverings and finishes, water systems, water heating systems, metal drain piping systems, and cooling and heating mechanical systems;
  4. The project must provide adequate public and/or private facilities to serve the development with respect to streets, lighting, fire protection, water, sewer, drainage and flood protection unless waived or modified pursuant to subsection F of this section;
  5. All tenant notification and information must be provided, as required by the Subdivision Map Act;
  6. Each tenant of an apartment which the owner intends to convert to a condominium who receives a notice of intent to convert pursuant to Section 66452.18 of the Subdivision Map Act, and who is still a tenant in the apartment building at the time the City approves the conversion pursuant to this chapter must be entitled to receive a sum equal to three months' rent, based on the current area "fair market rent" for apartment size based on the number of bedrooms, as established by the U.S. Department of Housing and Urban Development. The appropriate sum under this subsection must be paid by the subdivider as defined by the apartment lease agreement no later than the date on which the 30- or 60-day notice to vacate, as applicable under the Subdivision Map Act, is served to the tenant. The subdivider must provide notice to the tenant of his/her right to receive assistance under this subsection pursuant to the tenant notice requirements of this chapter and of the Subdivision Map Act;



7. The physical inventory report must reasonably ensure the City of the project's long term financial viability;
8. The project must comply with current disability requirements to the satisfaction of the Director;
9. A notice of conditions must be recorded which discloses the conditions of the project and applicable zoning regulations. All waivers or modifications of standards pursuant to subsection F of this section must be disclosed in the notice of conditions. The form and the content of the notice must be to the satisfaction of the Director; and
10. CC&Rs must be submitted to the Director of [Planning and Building](#) ~~the Development Services Department~~ for approval by the City Attorney and the Director of ~~the Development Services Department~~[Planning and Building](#), and recorded prior to final map or parcel map. A recorded copy must be provided to the ~~Development Services~~[Planning and Building](#) Department. The provisions of the CC&Rs must include the following:

- a. The statement that the City has the right, but not the obligation, to provide for the maintenance of all open space, recreational facilities and improvements if the homeowners' association fails to perform its maintenance obligations. In such cases where maintenance is provided by the City, cost for such services must be assessed to the homeowners' association and will become a lien upon the property and/or each lot, as appropriate,
- b. Disclosure of assessment districts,
- c. Disclosure of soil conditions as deemed appropriate by the Director and the City Attorney,
- d. Disclosure of waiver or modification of standards made pursuant to subsection F of this section.

D. Conditions of Approval. The City may, in the resolution granting approval, impose such conditions as deemed necessary to make the findings contained in subsections E and/or F of this section.

E. Findings. In addition to the findings required pursuant to Section 66427.1 of the State [Government Code](#) (Subdivision Map Act), or amendments thereto, the following findings must be made in the approval of a conversion of an existing residential development to condominiums, community apartments, planned developments, or a stock cooperative:

1. That the conversion of the residential project is desirable and consistent with the goals and objectives of the housing element of the General Plan, in that

approval of the conversion will not result in the loss of lower income multifamily housing stock in the City, and that it would not result in exceeding a limit on conversion of existing apartment units to condominiums, where such limit is the number equal to 50% of the yearly average of apartment units constructed in the City in the previous two fiscal years;

2. That the conversion is consistent with the goals and objectives of the General Plan;

3. That the site and project are physically suitable for conversion and that the project incorporates desirable features which create a pleasant, attractive environment for ownership living;

4. That the proposed development meets the intent and specific standards and criteria prescribed in all applicable sections of the municipal code, the land development manual, and the public works standards of the City unless the requirements are waived or modified pursuant to subsection F of this section;

5. That the proposed development meets the intent and specific standards and criteria of the Uniform Fire Code unless the requirements are waived or modified pursuant to subsection F of this section.

F. Waiver or Modification of Standards. Due to the nature of retrofitting existing buildings to conform to all current zoning requirements and all current State and City laws and regulations for new building construction, it may be impractical or undesirable to require complete conformance to all of the conversion requirements contained in subsection C of this section. A waiver or modification of the standards required for a conversion may be granted if all of the following findings are made:

1. That the waiver or modification does not compromise the health, safety or welfare of the buyers of the project or the general public;

2. That the waiver or modification is necessary because of special and unusual circumstances applicable to the building(s) or property; and

3. That the waiver or modification does not compromise the quality of the project under consideration for home ownership. (Ord. 565 § 3, 2019)

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#### **12.08.040 Submittal fees.**

The tentative map and fee, along with the information required for processing, must be filed with the [Planning and Building Department of Development Services](#). Filing fees are prescribed by resolution of the City Council. (Ord. 565 § 3, 2019)

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#### **12.08.060 Reports and recommendations.**

The [Planning and Building](#) Department ~~of Development Services~~ is authorized and directed to distribute copies of the tentative map and where appropriate, required written statements to each department and affected agency and to request a report regarding same. The Director [of Planning and Building](#) is directed to assemble the comments from the various officials and agencies into the staff report for the project. (Ord. 565 § 3, 2019)

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#### **12.08.090 Expirations.**

A. Approved or conditionally approved tentative maps and tentative parcel maps expire 36 months after the date of approval or conditional approval unless a time extension is granted by the [Planning and Building](#) Director.

B. A subdivider may request a time extension by application to the [Planning and Building](#) Department ~~of Development Services~~. Such application must be filed within 90 days prior to the expiration date of the tentative map or tentative parcel map. All requests for a time extension must be accompanied by a processing fee as prescribed by resolution by the City Council. (Ord. 565 § 3, 2019)

### **Chapter 12.20 BOUNDARY ADJUSTMENT**

#### **12.20.010 Submittal.**

A. Any person(s) desiring to adjust the boundaries between two or more existing parcels by taking land from one parcel and adding it to an adjacent parcel without creating any new parcel must submit an application for a boundary adjustment with the [Planning and Building](#) Department ~~of Development Services~~. The application must include information required by the Director [of Engineering](#) and a fee established by resolution of the City Council.

B. The application must be accompanied by the following:

1. A reproducible adjustment plat on polyester base film, eight and one-half inches by 11 inches or 11 inches by 17 inches in size, and in a form prescribed by the Director;
2. The signature of the owner(s) of the property involved; and
3. A title report.

C. The Director must refer a copy of the proposed adjustment plat to the City Engineer and may refer copies of such plat to the other departments and public agencies for review and comment thereon. (Ord. 565 § 3, 2019)

## **Chapter 12.30 DEVELOPMENT IMPACT FEES**

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### **12.30.050 Fee rates.**

A. The City Council, by resolution, establishes each development impact fee rate, based upon the estimated or actual cost at the time of the adoption of the resolution, for public facilities.

B. Pursuant to City Council resolution establishing each development impact fee rate, the Director ~~of Engineering of Development Services~~ must calculate the total fees to be paid by any applicant or developer. The Director Engineering's decision is subject to the appeal process set forth in Section 12.30.090 of this chapter.

C. The development impact fees, exclusive of the RTCIP mitigation fee, are automatically adjusted for inflation on July 1 of each year. The inflation adjustment is two percent or based on the previous calendar years increase in the San Diego Consumer Price Index (CPI-U: All Items) as published by the Bureau of Labor Statistics, whichever is higher.

D. Pursuant to the TransNet Extension Ordinance, RTCIP mitigation fees are automatically adjusted for inflation on July 1 of each year. The inflation adjustment will be two percent or based on the Caltrans highway construction cost index, whichever is higher. (Ord. 565 § 3, 2019)

### **12.30.140 Compliance with State law and recurring obligations.**

In carrying out the provisions of this chapter, the City complies with the terms and requirements of California Government Code Sections 66000 through ~~66022~~66025.

As part of the City's compliance with California Government Code Sections 66000 through 66025, within the statutory timeframes, the Director of Finance shall ensure that the City undertakes the following:

A. Make available to the public the recurring annual report(s) required by California Government Code Section 66006(b) within 180 days after the last day of each fiscal year, and present the report(s) to the City Council in compliance with applicable law;

B. Make the recurring five-year findings required by California Government Code Section 66001(d) for the fifth fiscal year following the first deposit into an account or

fund, and every five years thereafter, in connection with the annual report required by subsection (A) above; and

C. Conduct the recurring eight-year impact fee nexus study updates required by California Government Code Section 66016.5(a)(8) at least once every eight years, from the period beginning on January 1, 2022.

## **Chapter 12.32 DEDICATIONS AND IMPROVEMENTS**

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### **12.32.060 Private streets, alleys or ways.**

A. Private streets, alleys, or ways will be permitted only when the welfare of the occupants of the subdivision will be better served and the public's welfare will not be impaired through such use or the improvements thereon. Such private street, alley, or way must not be offered for dedication and must be shown on the final subdivision or parcel map as parcels lettered alphabetically. All private streets, alleys, or ways must be designed, developed, and improved to the standards of the City and to the satisfaction of the City Engineer.

B. If the City Engineer, in his or her sole discretion, allows private improvements as described in Subsection A, improvements shall be constructed to the City of Santee Public Works standards and unless waived or modified by the City Engineer shall include the following:

1. Fire and emergency access shall be a minimum clear width of 26 feet for two way, or 16 feet for one way, access, subject to the satisfaction of the City of Santee Fire Chief. Said widths shall exclude any portion proposed for or potential for parking.

2. Public alleys shall be a minimum width of 20 feet and contain no parking on either side of the alleyway.

3. Minimum width of 36 feet is required for proposed parking on both sides. A minimum width of 30 feet is required when parking, in the sole opinion of the City Engineer, is only feasible on one side.

CB. All such access ways must be governed by maintenance agreements or similar mechanism guaranteeing proper maintenance in perpetuity and must be approved by the City and be made a part of the property deed or other recorded document. (Ord. 565 § 3, 2019)

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## Chapter 12.40 PARK LANDS DEDICATION

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### 12.40.020 Definitions.

In this chapter:

“Development” means a subdivision, mobile home park or construction or installation of a dwelling. Development does not include:

1. Subdivisions created for industrial or commercial purposes;
2. Resort and recreational facilities for which occupancy is limited to 90 days for any person in any 12-month period, or cabin or motel units which are not to be used as primary residences and which are to be constructed within and primarily to serve Federal, State or County parks or forests;
3. Recreational trailer parks, temporary trailer parks, or travel trailer parks as those terms are defined in the Mobilehome Parks Act.

“Director” means the Director of [Development Services for the City of Santee Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.](#)

“Dwelling” means a building or portion thereof used exclusively for residential purposes, including one-family, two-family, and multiple dwellings, and also means mobile home, and mobile home sites or spaces in mobile home parks.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, and includes an accessory dwelling as defined in Title 13.

“Family” has the same meaning set forth in the zoning code. (Ord. 565 § 3, 2019)

## Chapter 12.50 DEDICATIONS OF LAND AND FEES FOR SCHOOL DISTRICTS

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### 12.50.170 Definitions.

In this chapter:

“Conditions of overcrowding” means that the total enrollment of a school, including enrollment from proposed development, exceeds the capacity of such school as determined by the governing body of the school district.

“Decision-making body” means the City Council or the Director.

“Director” means the Director of Development Services of the City Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons.

“Interim facilities” means:

1. Temporary classrooms not constructed with permanent foundation and defined as a structure containing one or more rooms, each of which is designed, intended and equipped for use as a place for formal instruction of pupils by a teacher in a school.
2. Temporary classroom toilet facilities not constructed with permanent foundations.
3. Reasonable site preparation and installation of temporary classrooms.

“Reasonable methods for mitigating conditions of overcrowding” include, but are not limited to, agreements between a subdivider or builder and the affected school district whereby temporary use buildings will be leased to or for the benefit of the school district or temporary use buildings owned by the school district will be used and agreements between the affected school district and other school districts whereby the affected school district agrees to lease or purchase surplus or underutilized school facilities from other school districts.

“Residential development” means:

1. A project containing residential dwellings, including mobilehomes, of one or more units or a subdivision of land for the purpose of constructing one or more residential dwelling units. Residential development includes, but is not limited to:
  - a. A privately proposed amendment to the City of Santee General Plan which would allow an increase in authorized residential density and where no further discretionary action for residential development need be taken by a decision-making body prior to application for a building permit;
  - b. A privately proposed specific plan or amendment to a specific plan which would allow an increase in authorized residential density;
  - c. A tentative or final subdivision map or parcel map or a time extension on such a tentative map;
  - d. A conditional use permit;
  - e. An ordinance rezoning property to a residential use or to a more intense residential use;
  - f. A building permit;

- g. Any other discretionary permit for residential use.
2. Exemptions. A residential development is exempt from the requirements of this chapter when it consists only of any of the following:
- a. Any modification or remodel of an existing legally-established dwelling unit where no additional dwelling units are created;
  - b. A condominium project converting an existing apartment building into a condominium where no new dwelling units are created;
  - c. Any rebuilding of a legally-established dwelling unit destroyed or damaged by fire, flood, explosion, act of God or other accident or catastrophe;
  - d. Any rebuilding of an historical building recognized, acknowledged and designated as such by the City;
  - e. The installation, siting or relocation of mobilehomes in then existing mobilehome parks;
  - f. Any dwelling constructed to replace a dwelling taken in an eminent domain proceeding, if both dwelling sites lie within the same school district. (Ord. 565 § 3, 2019)



# Redline Text

## PROPOSED REVISIONS TO TITLE 13 OF THE SMC

The proposed revisions are shown below. Omitted text is denoted by ellipses. Only sections proposed to be revised are shown.

### REVISIONS TO TITLE 13, "ZONING"

#### **Chapter 13.04 ADMINISTRATION**

##### **13.04.140 Definitions.**

A. Purposes. The purpose of this section is to promote consistency and precision in application and interpretation of the development regulations of this title. The meaning and construction of words and phrases defined in this section shall apply throughout this title, except where the context and usage of such words or phrases clearly indicates a different meaning or construction intended in that particular case.

B. Definitions.

"Abutting" means having lot lines or zone boundaries in common.

"Accessibility" means the combination of various elements in a building, facility, site or area, or portion thereof, which allows access, circulation and the full use of the building and facilities by persons with disabilities in compliance the California Building Standards Code.

"Accessible" means a site, building, facility, or portion thereof, that is approachable and usable by persons with disabilities in compliance with the California Building Standards Code.

"Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

"Acreage, gross" means total land area of a parcel, or parcels, at time of applications for development.

"Acreage, net" means total land area of parcel or parcels minus land area which will be required for public dedication at time of application for development.

“Addition” means any construction, which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

“Agent” means any person showing written verification that he or she is acting for, and with the knowledge and consent of, a property owner.

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“Condominiums” means condominiums as defined in Section 4125 of the Civil Code: An estate of real property consisting of an undivided interest in common areas, together with a separate right of ownership in space.

“Congregate care facility” means a residential development serving seven or more persons, whether related or unrelated, licensed by the State Department of Social Services which is comprehensively planned, designed and managed, to include facilities and common space that maximize the residents’ potential for independent living. The facility may be occupied by the elderly or ~~handicapped~~ persons with disabilities or households as defined in Health and Safety Code Sections 50067 and 50072 or successor statute. Services that are provided or made available shall relate to the medical, nutritional, social, recreational, housekeeping and personal needs of the residents and shall be provided or made available at a level necessary to assist the residents to function independently. “Direct services” means medical care, meals, housekeeping services, transportation services and planned recreational and social activities which shall be provided to the residents directly by the management of the congregate housing. “Support services” are social services, daycare services and in-home services which the management of the congregate housing shall assist the residents in obtaining, at the residents’ request.

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“Density” means the number of dwelling units per gross acre.

“Department” means the Planning and Building ~~Department of Development Services of the City of Santee.~~

“Design” means: (a) street alignments, grades and widths; (b) drainage and sanitary facilities and utilities, including alignments and grades thereof; (c) location and size of all required easements and rights-of-way; (d) fire roads and fire breaks; (e) lot size and configuration; (f) traffic access; (g) grading; (h) land to be dedicated for park or recreational purposes; and (i) such other specific requirements in the plan and configuration of the entire project as may be necessary or convenient to insure conformity to or implementation of the General Plan or any adopted specific plan.

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“Development, single-family residential” means a development where each dwelling unit is situated on a separate lot and where each dwelling is detached. Some areas of the development may be held in common by all the residents, however, in no case is clustering of units permitted.

“Director” means the Director of Development Services Planning and Building of the City of Santee and any subsequent title for this department head, the City Planner, or designee. In the event that this position is vacant or eliminated by the City, the Director shall be the City Manager or designee and includes his or her deputies.

“Distribution” means a use engaged primarily in distribution of manufactured products, supplies, and equipment, including incidental storage and sales activities, but excluding bulk storage of materials which are flammable or explosive.

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“Façade” means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

“Family” means one or more individuals living together as a single household unit. The term family shall include “group care facilities, limited” for six or fewer mentally disabled, mentally disordered or other wise handicapped persons with disabilities regardless of whether they are living together as a single household unit, but shall not include any other living group that is not living together as a single household unit.

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“Group care facility, general” means shared living quarters (without separate kitchen or bathroom facilities for each room or unit) for seven or more persons with physical or mental impairments that substantially limit one or more of such person’s major life activities when such persons are not living together as a single household unit. This classification includes, but is not limited to, group homes, sober living environments, recovery facilities, and establishments providing nonmedical care for persons in need of personal services, supervision, protection or assistance essential for sustaining the activities of daily living facility, including resident services for persons with disabilities handicapped or disabled, undergoing rehabilitation, or otherwise in need of care and supervision. This definition shall not include State-licensed residential care

facilities, as that term is defined in this section, whether accessory or nonaccessory, emergency shelters, transitional housing, lodging units or boardinghouses.

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## Chapter 13.06 PERMITS

### 13.06.055 Reasonable accommodation – Residential accessibility.

A. Purpose and Intent. It is the policy of the City of Santee, pursuant to the Federal Fair Housing Act, the Federal Fair Housing Amendments Act of 1988, and the California Fair Employment and Housing Act, to provide people with disabilities reasonable accommodation in rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of these provisions is to provide a process for making requests for reasonable accommodation to land use and zoning decisions.

B. Authority. The Director is authorized to grant a reasonable accommodation request in accordance with the procedures in this section in order to make specific housing available to individuals with disabilities.

C. Application. Any individual with a disability or person acting on their behalf may submit a request in writing to the Department ~~of Development Services~~ for reasonable accommodation in the rules, policies, practices, and procedures regulating the siting, funding, development or use of housing. A reasonable accommodation request may include, but is not limited to yard area encroachments for ramps, handrails, or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways that would not otherwise comply with required landscaping or open space area provisions; and building addition(s) required strictly for accessibility accommodation. If an applicant needs assistance in making the request or any appeals associated with the request, the Department ~~of Development Services~~ shall provide reasonable assistance necessary to ensure the process is accessible to the applicant. No application fee shall be collected for reasonable accommodation requests filed pursuant to this section.

D. Review Process. When a request for reasonable accommodation is filed with the Department ~~of Development Services~~, it is referred to the ~~Development Services~~ Director for review and consideration. If necessary to reach a determination on the request for reasonable accommodation, the ~~Development Services~~ Director may request further information from the applicant consistent with the Federal Fair Housing Amendments Act of 1988, specifying in detail what information is required. Not more than 30 days after receiving a written request for reasonable accommodation, the ~~Development Services~~ Director shall issue a written determination on the request. In the event that the ~~Development Services~~ Director requests further information pursuant to the paragraph above, this 30-day period shall be suspended. Once the applicant provides a complete response to the request, a new 30-day period shall begin.

E. Findings. The ~~Development Services~~ Director shall consider the following criteria when determining whether a requested accommodation is reasonable:

1. The applicant making the request for reasonable accommodation is an individual protected under the Federal Fair Housing Amendments Act of 1988.
2. The accommodation is necessary to make a specific dwelling unit(s) available to an individual protected under the Federal Fair Housing Amendments Act of 1988.
3. The requested accommodation would not impose an undue financial or administrative burden on the City.
4. The requested accommodation would not require a fundamental alteration in the nature of a program, policy, and/or procedure.

F. Written Determination. The ~~Development Services~~ Director's written determination on the request for reasonable accommodation shall explain in detail the basis of the determination, including the findings on the criteria set forth subsection E. All written determinations shall give notice of the right to appeal as set forth in subsection G, and shall state whether removal of the improvements will be required if the need for which the accommodation was granted no longer exists and removal would not constitute an unreasonable financial burden.

G. Appeals.

1. Within 30 days of the date of the ~~Development Services~~ Director's written decision, an applicant may appeal an adverse decision to the City Council. Appeals from the adverse decision shall be made in writing.
2. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure that the appeals process is accessible.
3. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
4. Nothing in this procedure shall preclude an aggrieved individual from seeking any other State or Federal remedy available. (Ord. 566 § 3, 2019)

### **13.06.070 Temporary uses.**

A. Purpose and Intent. The purpose of this section is to control and regulate land use activities of a temporary nature which may adversely affect the public health, safety, and

welfare. The intent is to ensure that temporary uses will be compatible with surrounding land uses, to protect the rights of adjacent residences and land owners, and to minimize any adverse effects on surrounding properties and the environment.

B. Authority.

1. The Director is authorized to approve, conditionally approve with reasonable conditions or to deny such request. The Director may establish conditions and limitations including, but not limited to, hours of operation, provision of parking areas, signing and lighting, traffic circulation and access, temporary or permanent site improvements, and other measures necessary to minimize detrimental effects on surrounding properties.

2. The Director also may require a cash deposit or cash bond to defray the costs of cleanup of a site by the City in the event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee removal and/or reconversion of any temporary use to a permanent use allowed in the subject district.

C. Temporary Uses—Allowed. The following temporary uses shall be exempt from the permit requirements of this section, with the exception of any temporary use to be located on City property. The uses listed in this section, however, require compliance with the criteria contained in subsection D of this section.

1. Parking lot and sidewalk sales on private property for outdoor display of merchandise accessory to a current on-site business located within a commercial or industrial zoned property, are limited to 15 days per calendar year. Such temporary uses are subject to additional regulations in Section [13.12.030\(G\)](#);

2. Outdoor art and craft shows or sales subject to not more than 15 days of operation or exhibition in any 90-day period;

3. Seasonal retail sale of agricultural products raised on the premises, limited to periods of 90 days in a calendar year. A minimum of 10 off-street parking spaces shall be provided;

4. Patriotic, historic, or similar displays or exhibits subject to not more than 30 days in a calendar year;

5. Holiday display sales, that include pumpkins, Thanksgiving-related items, Christmas trees, decorations and other related accessory items, limited to no more than 90 days of operation, commencing October 15th of any given year and ending no later than January 15th of the following year;

6. Trade fairs limited to not more than 15 days of operation or exhibition in any 90-day period;
7. Charitable special events subject to not more than 15 days of operation in any 90-day period;
8. Recreational vehicles for use by guests or visitors of residents of the City are allowed subject to the conditions below. Recreational vehicles shall have the same meaning as defined in Section [13.04.140](#) of this title, except that boats and boat trailers are excluded:
  - a. The use shall not be permitted for more than 30 calendar days in any calendar year, and
  - b. The recreational vehicle must be parked outside the public right-of-way on a paved surface pursuant to Section [13.10.060](#)(B)(1) of this title on property owned or leased by the host and on which there is located a permanent single-family dwelling unit occupied by the host, and
  - c. The location of the recreational vehicle shall not conflict with Fire Department access requirements, and
  - d. Water, sewer, and/or gas hook-ups except as otherwise permitted by Section [10.10.275](#) of this code, are not permitted. The recreational vehicle must be self-contained or water and sanitary facilities must be available within 200 feet of the vehicle, and
  - e. Temporary electrical service is permitted for the duration of the permit;
9. Pony rides, not more than 15 days in any 90-day period;
10. A vending vehicle may operate as an ancillary use on an active construction site or on a lot developed with a brewery, bar, tavern, nightclub, or stand-alone liquor store. The vending vehicle shall operate as a catering or take-out only service and only operate while the primary use located on the same site is open for business. At all times, the vending vehicle shall remain operable and have a clear path of egress from the property. The vending vehicle shall not be permanently affixed to the property and no structures may be permanently affixed to the vending vehicle or permanently affixed to the property for use by the vending vehicle. A temporary use permit shall be required for two or more vending vehicles located on the same site at the same time and shall be subject to conditions prescribed by the Director.
- 11~~10~~. Additional uses determined to be similar to the foregoing, by the Director;

124. All temporary uses shall implement minimum best management practices as outlined in Chapter [9.06](#).

D. Performance Standards. The temporary uses allowed pursuant to this section shall comply with the following standards:

1. All lighting shall be directed away from and shielded from adjacent residential areas. An electrical permit shall be obtained if required pursuant to the building code;
2. Adequate parking shall be provided and the use shall not obstruct the use of any required driveway;
3. The use shall not obstruct any public sidewalk or otherwise be located within the public right-of-way unless an encroachment permit is obtained from the Department;
4. The use shall comply with any applicable requirement of the Fire Department;
5. The use shall not adversely affect traffic circulation on surrounding public streets.

E. Temporary Uses—Permit Required. An application for a temporary use permit shall be required for the following activities and shall be subject to conditions established by this section and any other additional conditions as may be prescribed by the Director.

1. Circuses, carnivals, rodeos, or similar traveling amusement enterprises subject to the following guidelines and conditions:

- a. All such uses shall be limited to not more than 15 days, or more than three weekends, of operation in any 180-day period. To exceed this time limitation shall require the review and approval of a conditional use permit as prescribed in Section [13.06.030](#);
- b. All such activities shall have a minimum setback of 100 feet from any residential area. This may be waived by the Director if in his or her opinion no adverse impacts would result;
- c. Adequate provisions for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Director;
- d. Restrooms shall be provided;
- e. Security personnel shall be provided;
- f. Special, designated parking accommodations for amusement enterprise workers and support vehicles shall be provided;



- g. Noise attenuation for generators and carnival rides shall be provided to the satisfaction of the Director;
- h. Comply with stormwater pollution prevention policies and best management practices;
- i. Implement any other conditions the Director deems necessary to ensure compatibility with the surrounding uses and to preserve the public health, safety and welfare.

2. Model Homes. Model homes may be used for the purpose of showcasing products and or temporarily as offices solely for the ~~first~~ sale of homes within a recorded tract subject to the following conditions:

ab. The applicant shall submit to the Planning and Building Department a submittal that includes the following:

i. Applicant's name and description of the proposed temporary use.

ii. Phasing plan showing the location of temporary screening between active construction phases.

iii. Site plan to scale that shows the interim conditions including but not limited to temporary parking, fencing, accessible facilities including path of travel, restrooms, location of sales office, emergency access including turnaround location with dimensions, permanent improvements to be completed prior to temporary use and meets and incorporates the requirements further described below.

~~e. The sales office may be located in a garage, trailer or dwelling;~~

b. Prior to final occupancy of a unit used for model purposes, a certificate of occupancy will be issued only after the unit has been converted back to its intended permanent use and written approval has been received from the Fire, Planning and Building, and Engineering departments authorizing a final certificate of occupancy subject to the Building Official's approval.

bc. Approval shall be for a two-year period, at which time the sales office use shall be terminated and the structure restored back to its original condition. Extensions may be granted by the Director in one-year increments up to a maximum of four years or until 90% of the development is sold, whichever is less;

~~d.~~ A cash deposit, letter of credit, or any security determined satisfactory to the City shall be submitted to the City, in an amount to be set by Council resolution, to ensure the restoration or removal of the structure;

~~d.e.~~ The sales office is to be used only for transactions involving the sale, rent or lease of lots and/or structures within the tract in which the sales office is located, or contiguous tracts;

~~e.f.~~ Failure to terminate the sales office and restore the structure or failure to apply for an extension on or before the expiration date will result in forfeiture of the cash deposit, a halt in further construction or inspections activity on the project site, and enforcement action to ensure restoration of the structure;

~~f.g.~~ Street improvements and temporary off-street parking at a rate of two spaces per model shall be completed to the satisfaction of the City Engineer and Director of Engineering prior to commencement of sales activities or the display of model homes;

~~h.i.~~ All fences proposed in conjunction with the model homes and sales office shall be located outside the public right-of-way;

~~ijh.~~ Flags, pennants, or other on-site advertising shall be regulated pursuant to the sign regulations of the municipal code;

~~jkj.~~ Use of signs shall require submission of a sign permit application for review and approval by the Department prior to installation;

~~klj.~~ Each major subdivision proposing a model home complex consisting of two or more models shall provide a four square foot sign in the front yard of one or more of the models indicating that the model provides a water saving landscape and irrigation design pursuant to current City codes. A drawing or drawings shall be displayed in the model, or models, which shows the landscaping design and includes a key identifying the common name of the plants used in the design. It is encouraged that additional literature describing water conserving landscaping and irrigation be made available to prospective buyers or referenced in the interior display.

~~l. e. — The sales office may be located in a garage, trailer or dwelling;~~

3. Travel trailers, recreational vehicles, or ~~mobile homes~~ manufactured homes shall be permitted on active construction sites for use as either temporary living quarters for security personnel, or as a temporary residence of the subject property owner. Recreational vehicle shall have the same meaning as defined in Section [13.04.140](#) of this title, except that boats and boat trailers are excluded. The following conditions shall apply:

a. The Director may approve the temporary use for the duration of the construction project or for a specified period, but in no event for more than two years. If exceptional circumstances exist, a one-year extension may be granted, provided that the building

permit for the first permanent dwelling or structure on the same site has also been extended; and

b. Prior to placement of the travel trailer, ~~mobilehome~~manufactured home or recreational vehicle on the site, any required permits from the City building division shall be obtained; and

c. Any travel trailer or recreational vehicle used pursuant to this section, shall have a valid California Vehicle license; and

d. Any ~~mobilehome~~manufactured home used pursuant to this section shall meet the requirements of the State [Health and Safety Code](#) and show evidence of approval by the State Department of Housing and Community Development; and

e. Any permit issued pursuant to subdivision 3 of this subsection in conjunction with a construction project shall become invalid upon cancellation or completion of the building permit for which this use has been approved, or the expiration of the time for which the approval has been granted. The invalid use is then subject to the permits and regulations stated within Section [13.10.030\(E\)](#).

4. Temporary outdoor storage is permitted in the industrial zones for industrial uses and storage and wholesale trades as identified in Table 13.14.030A, subsections A and B, subject to the following guidelines and conditions:

a. No temporary storage shall encroach into essential parking or on required ~~handicap spaces~~accessible parking stalls for persons with disabilities. "Essential parking" will be an amount equal to 1.1 times the number of employees on the site. For businesses which operate in shifts or have seasonal changes in the number of employees, the number of employees on the largest shift or the highest number of employees at any time during the previous year shall be used to compute the essential parking. All employment figures must be verifiable to the satisfaction of the Director. For showroom or retail uses, essential parking will also include additional spaces provided at the rate of one space for each 250 square feet of showroom or retail floor area. Fractions of parking spaces shall be rounded up to the next whole parking space;

b. The stored materials shall be limited to those items normally associated with the principal use on the site. The provisions of this section shall not be construed as allowing a use by right which is conditionally permitted or prohibited by Table 13.14.030A subsections A through H, Use Regulations, nor shall it apply to those uses which are legal nonconforming in nature;

- c. The permit may be issued for a maximum period of one year. The applicant shall notify the Director of any change to the characteristics of operation or use, tenant or occupancy that occur prior to any permit renewal;
- d. Prior to establishment of the temporary outdoor storage the property owner shall record a covenant which discloses the conditions of the temporary use permit to future property owners. The form and content of the covenant is to be approved by the Director prior to recordation. A copy of the recorded document must be submitted to the City prior to establishment of use;
- e. No storage may be located in a front or corner side yard frontage area and shall be located in the area on the site which is least visible from the public right-of-way, as determined by the Director;
- f. All outdoor storage areas shall be designed to prevent both storm water run on and run off;
- g. Fencing must be view obscuring and cannot exceed eight feet in height from grade and would be subject to the following standards:
  - i. Fences must be constructed of coated chain-link with slats, solid wood fences with panels facing outward, wood with stucco, block, brick or painted metal panels. Design of fencing would be subject to the approval of the Director,
  - ii. If a fence is located on a property line, or the storage is visible from a common property line, and the adjacent land use is other than residential, the applicant must obtain written approval from the adjoining property owner to erect a chain-link fence. In the absence of an agreement only a solid fence of a type described in subparagraph (i) of this subdivision may be installed facing the adjoining property,
  - iii. If the adjoining use is residential, a solid decorative block wall will be required on the common property line,
  - iv. Fencing shall comply with the requirements of the Uniform Building Code;
- h. No outdoor storage may exceed the height of the fence;
- i. In accordance with Section [13.14.030\(G\)\(1\)](#), no work may take place in the outdoor storage area;
- j. No permit may be issued to a property for a one-year period if upon application for renewal it is found that within the previous temporary use permit period a notice of violation(s) was issued for a violation(s) of the temporary use permit;

k. Storage may not encroach into required driveways, setbacks or landscaped areas, or impede overall vehicular or pedestrian site circulation. Gates must be rolling unless otherwise approved by the Director and shall be equipped with a Knox-type security device to allow for emergency vehicle access at all times;

l. Upon expiration or termination of the permit, the property owner is required to remove all temporary fencing, unless constructed of solid wood with stucco, decorative block or brick. Any damaged landscaping or site improvements must be repaired or replaced within 30 days of the date of expiration or termination of the temporary use permit.

5. Sea cargo containers may be allowed temporarily on active construction sites, unless otherwise approved by the Director, subject to the following:

a. Sea cargo containers may only be used to temporarily store building materials or merchandise for the duration of the construction project pursuant to an active building permit.

b. Upon expiration, termination, or completion of the building permit and/or temporary use permit, the sea container and screening material must be removed.

6. Mobile storage units or prefabricated structures, trailers, ~~mobilehomes~~ manufactured homes or recreational vehicles for temporary office use are allowed on private property, unless otherwise approved by the Director, subject to the following:

a. The temporary use is allowed for a maximum of 90 days in any calendar year. If exceptional circumstances exist, additional time may be granted by the Director;

b. Adequate parking shall be provided and the structure shall not obstruct any required driveway or be located within a required landscape area;

c. The structure shall not be visually prominent when viewed from the public right-of-way;

d. The structure shall comply with applicable fire and building codes.

7. Additional uses determined to be similar to the foregoing by the Director. (Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## **Chapter 13.08 Development Review**

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### **13.08.020 Projects requiring development review**

A. An application for development review is required and the Director is authorized to grant a development review permit involving the issuance of a building permit for construction or reconstruction of a structure which meets any of the ~~following~~ criteria below. The Director may require a public hearing and City Council review based on the potential impacts to adjacent properties. :

1. New commercial, industrial, institutional, or residential construction on vacant property.
2. One or more structural additions or new buildings involving commercial, industrial, institutional, or multiple family residential uses, with a total floor area of 2,500 square feet or more.
3. Reconstruction or alteration of existing commercial, industrial, institutional, or 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.

B. For detached single-family development, the following shall apply:

1. Development review for detached single-family development shall be required for all major subdivision maps and for development of all property within the hillside overlay district.

C. The Director must set a public hearing for any application for a development review permit for any of the following:

1. Multifamily residential project;
2. Single-family resident project requiring a tentative parcel or tentative subdivision map;
3. A commercial or industrial project containing more than 50,000 square feet of building floor area;
4. The conversion of residential, commercial or industrial buildings to condominiums.

D. The requirement for approval of a development review plan may be waived by the Director if the purposes and criteria of these procedures are met by a conditional use permit. A decision on a request for waiver may be appealed as provided by the appeal procedure commencing at Section [13.04.070](#). (Ord. 599 § 2, 2022; Ord. 572 § 3, 2020; Ord. 568 § 3, 2019; Ord. 566 § 3, 2019)

### **13.08.030 Authority.**

A. The Development Review Committee is established to be advisory to the Director.

B. The Development Review Committee is comprised of members of the Department, Engineering ~~Division~~ ~~Department~~ ~~Building Division of the Development Services Department~~, Sheriff's Department, and the Fire Department. Review by the committee will consider items such as, but not limited to, circulation, street improvements, right-of-way dedication, utility easements, grading, drainage facilities, storm drain improvements, Uniform Building Code requirements, security, fire flow, emergency access, location of fire hydrants, water and sewer line connections and sizing, water pressure, streetscape and landscape standards, and setbacks and will recommend changes in any development for compliance with adopted codes and standards. They may also make recommendations to the Director on any policy issues or areas not covered by existing codes and standards.

C. The Director shall have the authority to prepare, and revise as required, a development review manual, to assist residents and property owners in understanding the development review procedures. The manual will establish submittal requirements and development review standards pertaining to architecture, development, signs, circulation, parking, fences, lighting, streetscape, landscaping, etc. (Ord. 566 § 3, 2019)

## Chapter 13.10 RESIDENTIAL DISTRICTS

### 13.10.030 Residential Use Regulations

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F. Special Use Regulations

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5. Manufactured Mobilehomes.

a. One manufactured mobilehome is permitted on a lot in a single-family residential district subject to the following requirements:

ia. It is a manufactured mobilehome that was constructed on and after ~~June~~ ~~September~~ 15, 1976~~4~~, and was issued an insignia of approval by the California Department of Housing and Community Development or a manufactured mobilehome that has been certified under the National Manufactured Mobile-Housing-Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.).

iib. Has not been altered in violation of applicable codes.

iiie. It is occupied only as a single detached residential dwelling.

ivd. Is subject to all provisions of this title applicable to residential structures.

ve. Is attached to a permanent foundation system in compliance with the provisions of Section 18551 of the [Health and Safety Code](#). The permanent foundation shall be pit-set with perimeter stem walls.

vif. Is covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

vii.g. Has a roof with a pitch of not less than two-inch vertical rise for each 12 inches of horizontal run and consisting of shingles or other material customarily used for conventional dwellings.

viii.h. Has a roof overhang of not less than one foot measured from the vertical side of the manufactured mobilehome. When carports, garages, porches, or similar structures are attached as an integral part of the manufactured mobilehome, no eave is required where the accessory structure is attached to the manufactured mobilehome.

ix.i. Prior to installation of a manufactured mobilehome on a permanent foundation system, the manufactured mobilehome owner or a licensed contractor shall obtain a building permit from the Department. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the [Health and Safety Code](#).

xj. The owner shall comply with the regulations established pursuant to Section 18551(b) of the [Health and Safety Code](#) for the cancellation of registration of a manufactured mobilehome. The owner shall also comply with the provisions of Section 18550(b) of the [Health and Safety Code](#).

xik. The Director shall determine that the proposed project is in compliance with all applicable requirements and conditions prior to issuing final approval for occupancy.

xiii. Unless otherwise specified, no modification may be granted from these requirements or from the requirements specified in Title 25 of the [California Code of Regulations](#), which are not subject to local modification.

b. This subsection (F)(5) does not apply to a manufactured home, as defined in Section 18007 of the California Health and Safety Code, that is approved by the City as an accessory dwelling unit in accordance with Section 13.10.045 of the Santee Municipal Code. Such accessory dwelling units shall instead be subject to the regulations provided in Section 13.10.045.

### **13.10.040 Site Development Criteria**



A. The site development criteria are intended to provide minimum standards for residential development. This section shall not be construed to supersede more restrictive site development standards contained in the conditions, covenants and restrictions of any property or dwelling unit. However, in no cases shall private deed restrictions permit a lesser standard in the case of a minimum standard of this section or permit a greater standard in the case of a maximum standard of this section.

**Table 13.10.040A**

**Basic Development Standards—Residential**

|  | <b>HL</b>                  | <b>R-1</b>                 | <b>R-1A</b>               | <b>R-2</b>          | <b>R-7</b> | <b>R-14</b> | <b>R-22</b> | <b>R-30</b>           |
|--|----------------------------|----------------------------|---------------------------|---------------------|------------|-------------|-------------|-----------------------|
| 1. Minimum Net Lot Area (in square feet)       | Avg. 40,000<br>Min. 30,000 | Avg. 20,000<br>Min. 15,000 | Avg. 10,000<br>Min. 8,000 | 6,000               | none       | none        | none        | none                  |
| 2. Density Ranges (in du/gross acre)           | 0-1                        | 1-2                        | 2-4                       | 2-5                 | 7-14       | 14-22       | 22-30       | 30-36                 |
| 3. Minimum Lot Dimensions (width/depth) (feet) | 150 <sup>1</sup> /150      | 100 <sup>1</sup> /100      | 80 <sup>1</sup> /100      | 60 <sup>1</sup> /90 | none       | none        | none        | none                  |
| 4. Minimum Flag Lot Frontage                   | 20 feet                    | 20 feet                    | 20 feet                   | 20 feet             | 36 feet    | 36 feet     | 36 feet     | 36 feet               |
| 5. Maximum Lot Coverage                        | 25%                        | 30%                        | 35%                       | 40%                 | 55%        | 60%         | 70%         | 75%                   |
| 6. Minimum Setbacks (in feet)                  |                            |                            |                           |                     |            |             |             |                       |
| Front <sup>5, 6</sup>                          | 30                         | 20                         | 20                        | 20                  | 20         | 10          | 10          | 10                    |
| Exterior side yard                             | 15                         | 15                         | 15                        | 10                  | 10         | 10          | 10          | 10                    |
| Interior side yard                             | 10                         | 10                         | 8                         | 5                   | 10         | 10          | 10          | 10 or 15 <sup>2</sup> |
| Rear   | 25                         | 20                         | 20                        | 15                  | 10         | 10          | 10          | 10 or 15 <sup>2</sup> |
| 7. Maximum Height (in feet)                    | 35 (two stories)           | 35 (two stories)           | 35 (two)                  | 35 (two)            | 35 (three) | 45 (four)   | 55 (five)   | 55 (five)             |

|   |   |   | stories<br>) | stories<br>) | stories<br>) | stories<br>) | stories<br>) | stories<br>) |
|---|---|---|--------------|--------------|--------------|--------------|--------------|--------------|
| 8. Private Open Space (in sq. ft. per unit)             | — | — | —            | —            | 100          | 100          | 60           | 60           |
| 9. Common Open Space (sq. ft. per unit) <sup>3, 4</sup> | — | — | —            | —            | 150          | 150          | 100          | 100          |

**Notes:**

1 For lots located on cul-de-sacs and 90-degree radius turn streets (knuckles), the minimum lot frontage shall be 60% of the above minimum lot width, measured at the front property line. All lots on cul-de-sacs and knuckles must meet the minimum lot width for the zoning district, as identified in the table above, at a distance from the property line equal to 50% of the minimum lot depth.

2 15 feet when abutting a Single-family Residential Zone and buildings exceed 35 feet (two stories).

3 A minimum of 50% of the required common open space must be consolidated in one area with a minimum dimension (width and length) of 20 feet; however, a minimum of 500 sq. ft. of common open space in one area with a minimum dimension (width and length) of 20 feet must be provided. Refer to Section [13.10.040\(F\)](#) for recreational amenities.

4 Refer to Section [13.30.020\(K\)](#) for senior housing usable open space.

5 Refer to Section [13.10.040\(D\)](#) for front setbacks along mobility element streets.

6 Refer to Section [13.10.050](#) for variable front yard provisions.

E. Planned Residential Developments. Planned Residential Developments are created by approval of a tentative map or tentative parcel map and are subject to all development requirements of the applicable zone, except as modified in Table 13.10.040E.

**Table 13.10.040E**

**Development Standards for Residential Lots Within a Planned Residential Development**

|   | <b>R-7</b> | <b>R-14</b> |
|---|------------|-------------|
| 1. Minimum Net Lot Area <sup>1</sup> (in square feet) | none       | none        |
| 2. Minimum Lot Dimensions (width/depth) (feet)        | none       | none        |
| 3. Maximum Lot Coverage                               | 55%        | 60%         |
| 4. Minimum Setbacks <sup>2</sup> (in feet)            |            |             |
| Front <sup>3</sup>                                    | 10         | 10          |
| Exterior side yard                                    | 5          | 5           |
| Interior side yard                                    | 5          | 5           |
| Rear  | 10         | 10          |

**Notes:**

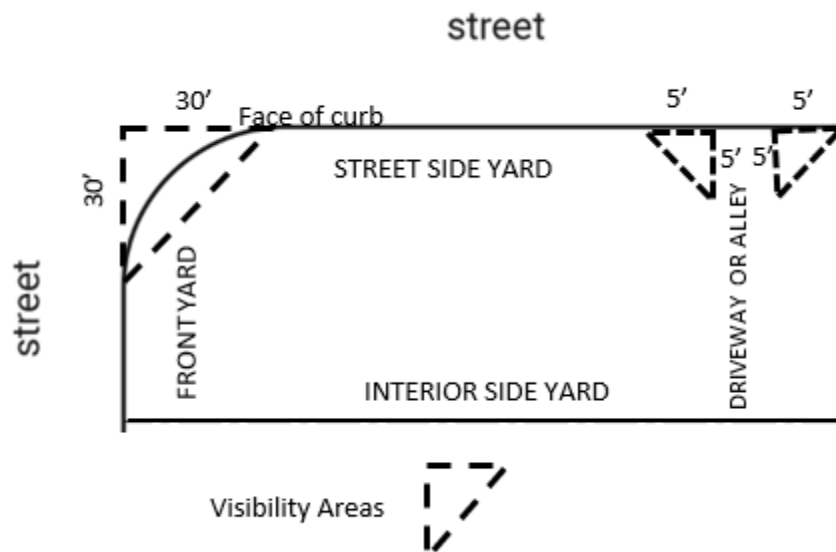
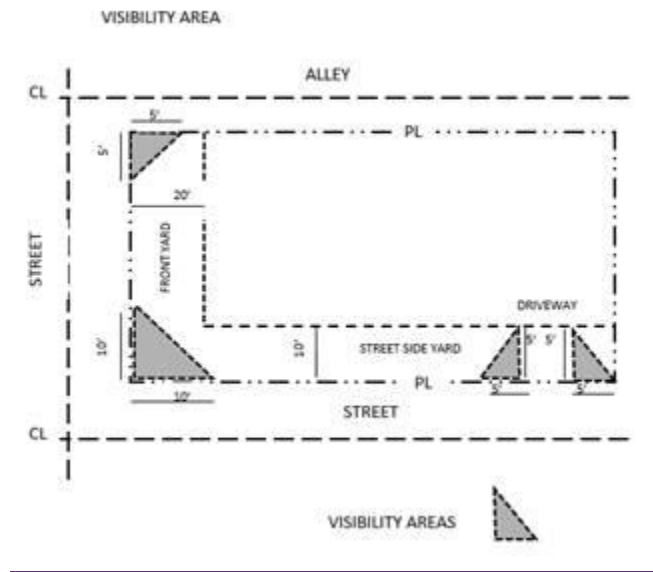
- 1 Flag lots are prohibited within a planned residential development.
- 2 For new PRDs, a minimum 10-foot building setback shall apply along all property lines.
- 3 The driveway for each required garage shall be a minimum of 20-feet long.

**13.10.050 Special development criteria**

E. Fences, Walls and Hedges. The following provisions regarding fences, walls and hedges shall apply to all residential districts.

1. Fences, walls, hedges, or similar view obstructing structures or plant growth that reduce visibility and the safe ingress and egress of vehicles or pedestrians shall not exceed a height of three and one-half feet in the front yard. A combination of solid and open fences (e.g., wrought iron, chain link, Plexiglas) not exceeding six feet in height may be located in a required front yard or visibility clearance area, provided such fences are constructed with at least 90% of the top two and one-half feet of their vertical surface open, and nonview-obscuring.
2. Fences or walls, not exceeding six feet in height, may be located in a required exterior side yard, rear, or interior side yard. Walls required by the City for noise mitigation may be up to eight feet in height and may be located within the exterior side yard setback or rear setback adjacent to a street. The noise wall shall be designed such that it does not reduce visibility and the safe ingress and egress of vehicles or pedestrians.
3. A visibility clearance area shall be required on lots adjacent to an alley, driveway or street in which nothing shall be erected, placed, planted or allowed to grow exceeding three and one-half feet in height. Such area shall consist of a

triangular area measured along the face of curb bounded by the alley, driveway, or street right-of-way lines of such lots and a line joining points along said alley, driveway, or street lines from the point of intersection as shown in the Visibility Area diagram below. The distance may be reduced if the Director determines that the reduced distance would not create a public health and safety hazard. The distance may be increased if the Director determines that a greater distance is required to maintain public health and safety.



4. Outdoor recreation court fences not exceeding 12 feet in height shall be located five feet from any rear or side property lines, except when adjacent to outdoor recreation courts on adjacent properties.

5. Barbed wire, concertina wire, or similar security devices are not allowed in residential zones.

6. Walls constructed next to a mobility element street shall be constructed with decorative materials to the satisfaction of the Director. Anti-graffiti surfaces shall be provided pursuant to Chapter [7.16](#).

**Chapter 13.12 COMMERCIAL/OFFICE DISTRICTS**

**13.12.030 Commercial and office use regulations.**

Uses listed in Table 13.12.030A shall be allowable in one or more of the commercial districts as indicated in the columns beneath each district heading. 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 13.12.030A 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. However, in no case shall uses be permitted beyond those allowable in this section. 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 13.12.030A**

**Use Regulations for Commercial/Office Districts**

| <b>Use</b>   | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|--|-----------|-----------|-----------|
| <b>A. Offices and Related Uses</b>   |           |           |           |
| 1. Administrative and executive offices  | P         | P         | P         |
| 2. Bail bonds office   | P         | —         | P         |
| 3. Clerical and professional offices   | P         | P         | P         |
| 4. Financial services and institutions   | P         | P         | P         |
| 5. Medical, dental and related health administrative and professional offices services (nonanimal related) including | P         | P         | P         |

| Use   | OP | NC | GC |
|---|----|----|----|
| laboratories and clinics; only the sale of articles clearly incidental to the services provided shall be permitted  |    |    |    |
| 6. Accessory commercial uses when incidental to an office building or complex (blueprinting, stationery, quick copy, etc.)  | P  | P  | P  |
| <b>B. General Commercial Uses</b>   |    |    |    |
| 1. Antique shops  | —  | P  | P  |
| 2. Animal care facility, small animal only (animal hospital, veterinarian, commercial kennel, grooming)   |    |    |    |
| a. Excluding exterior kennel, pens or runs  | —  | P  | P  |
| b. Including exterior kennel, pens or runs  | —  | —  | C  |
| 3. Apparel stores   | —  | P  | P  |
| 4. Art, music and photographic studios and/or supply stores   | P  | P  | P  |
| 5. Dance, gymnastics, martial arts, or fitness / sports school or studio  | —  | P  | P  |
| 6. 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  | P  |
| 7. 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)   |    | MC | MC |
| 8. Athletic and health clubs  | P  | P  | P  |
| 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  |    |    |    |
| a. Sales  | —  | —  | C  |
| b. Rentals  |    |    |    |

| Use  | OP | NC | GC |
|--|----|----|----|
| i. With on-site vehicle storage  | —  | MC | MC |
| ii. No on-site vehicle storage   | P  | P  | P  |
| c. Repairs including painting, body work and services  | —  | —  | PC |
| d. <del>Washing (coin and automatic) and / or express car wash</del><br>Washing and detailing including full service carwash, self-service carwash, and / or express carwash | —  | MC | CP |
| e. Service or gasoline dispensing stations including mini-marts, accessory car washes, and minor repair services accessory to the gasoline sales                             | —  | C  | C  |
| f. Parts and supplies excluding auto recycling or wrecking   | —  | P  | P  |
| g. Recreational vehicle storage facility   | —  | —  | C  |
| 11. Bakeries   | —  | P  | P  |
| 12. Barber and beauty shops and/or supplies  | P  | P  | P  |
| 13. Bicycle sales and shops (nonmotorized)   | —  | P  | P  |
| 14. Blueprint and photocopy services   | P  | P  | P  |
| 15. Book, gift and stationery stores (other than adult related material)   | P  | P  | P  |
| 16. Candy stores and confectioneries   | —  | P  | P  |
| 17. Catering establishments (excluding mobile catering trucks)   | —  | —  | P  |
| 18. Cleaning and pressing establishments, retail   | P  | P  | P  |
| 19. Cemeteries   | —  | —  | —  |
| 20. Commercial recreation facilities   |    |    |    |
| a. Indoor uses, including, but not limited to, bowling lanes, theaters, and billiard parlors   | —  | —  | P  |
| b. Outdoor uses, including, but not limited to, golf, tennis, basketball, baseball, trampolines, and drive-in theaters   | —  | —  | C  |
| 21. Contractor (all storage of material, equipment within an enclosed building)  | —  | —  | P  |

| Use  | OP | NC | GC |
|--|----|----|----|
| 22. Dairy products stores  | —  | P  | P  |
| 23. Department stores  | —  | P  | P  |
| 24. Drive-in business (excluding theaters and fast food restaurants)   | —  | P  | P  |
| 25. Drug stores and pharmacies   | P  | P  | P  |
| 26. Equipment sales/rental yards (light equipment only)  | —  | —  | MC |
| 27. Farmer's market (See Section 13.12.030(G)(4))  | —  | MC | MC |
| 28. Feed and tack stores (all supplies and materials within an enclosed building)                                  | —  | —  | P  |
| 29. Florist shops  | P  | P  | P  |
| 30. Food and beverage sales or service   |    |    |    |
| a. Cocktail lounge, bar or tavern  |    |    |    |
| i. Not accessory to a restaurant and with or without entertainment, other than adult related                       | C  | C  | C  |
| ii. Accessory to a restaurant, coffee shop and with or without entertainment, other than adult related             | P  | P  | P  |
| b. Nightclubs or dance halls, not including adult related entertainment  | —  | C  | C  |
| c. Snack bars, delicatessens, or refreshment stands, take-out only, and accessory to an office use                 | P  | P  | P  |
| d. Fast food restaurants with drive-in or drive-through service  | —  | C  | C  |
| e. Restaurants or coffee shops, other than fast food with or without alcoholic beverages and without entertainment | P  | P  | P  |
| f. Supermarkets (including the sale of alcoholic beverages)  | —  | P  | P  |
| g. Convenience markets   | —  | P  | P  |
| h. Liquor stores   | —  | C  | C  |
| i. Clubs and lodges with alcoholic beverage service  | —  | C  | C  |
| j. Micro-breweries, provided all equipment, supplies and materials are kept within an enclosed building            | —  | —  | P  |



| <b>Use</b>   | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|--|-----------|-----------|-----------|
| 31. Furniture stores, repair and upholstery  | —         | P         | P         |
| 32. General retail stores  | —         | P         | P         |
| 33. Hardware stores  | —         | P         | P         |
| 34. Home improvement centers   |           |           |           |
| a. Material stored and sold within enclosed buildings  | —         | P         | P         |
| b. Outdoor storage of material such as lumber and building materials   | —         | —         | MC        |
| 35. Hotels and motels  | C         |           | C         |
| 36. Interior decorating service  | P         | P         | P         |
| 37. Janitorial services and supplies   | —         | P         | P         |
| 38. Jewelry stores   | —         | P         | P         |
| 39. Kiosks for general retail and food sales, key shops, film drops, automatic teller machines, etc. in parking lots   | MC        | MC        | MC        |
| 40. Laundry, self-service  | —         | P         | P         |
| 41. Locksmith shop   | —         | P         | P         |
| 42. Mining   | C         | C         | C         |
| 43. Mobile home sales  | —         | —         | C         |
| 44. Mortuaries, excluding crematoriums   | —         | —         | P         |
| 45. Newspaper and magazine stores  | P         | P         | P         |
| 46. Nightclub, teenage   | —         | —         | C         |
| 47. Nurseries (excluding horticultural nurseries) and garden supply stores; provided all equipment, supplies and material are kept within an enclosed building | —         | P         | P         |
| a. with outdoor storage and supplies   | —         | MC        | MC        |
| 48. Office and business machine stores and sales   | P         | P         | P         |
| 49. Parking facilities (commercial) where fees are charged   | P         | —         | P         |
| 50. Pawnshop   | —         | —         | P         |

| Use  | OP       | NC       | GC       |
|--|----------|----------|----------|
| 51. Parcel delivery service (excluding on-side truck storage and truck terminals)    | —        | —        | P        |
| 52. Political or philanthropic headquarters  | P        | P        | P        |
| 53. Pet shop <sup>1</sup>  | —        | P        | P        |
| 54. Plumbing shop and supplies (all materials stored within an enclosed building)    | —        | P        | P        |
| 55. Printing and publishing  | P        | —        | P        |
| 56. School, business or trade (all activities occurring within an enclosed building) | P        | P        | P        |
| 57. School, commercial (all activities occurring within an enclosed building)        | —        | P        | P        |
| 58. Second hand store or thrift shop   | —        | P        | P        |
| <u>59. Self-storage, public storage</u>  | <u>—</u> | <u>—</u> | <u>C</u> |
| <u>60</u> 59. Shoe stores, sales and repair  | —        | P        | P        |
| <u>61</u> 0. Shopping center subject to provisions in Section 13.12.030(F)           | —        | C        | C        |
| <u>62</u> 4. Small collection facility   | P        | P        | P        |
| <u>63</u> 2. Spiritualist readings or astrology forecasting                          | —        | —        | P        |
| <u>64</u> 3. Sporting goods stores   | —        | P        | P        |
| <u>65</u> 4. Stamp and coin shops  | —        | P        | P        |
| <u>66</u> 5. Swimming pool or spa sales and/or supplies                              | —        | P        | P        |
| <u>67</u> 6. Tailor or seamstress  | P        | P        | P        |
| <u>68</u> 7. Tanning salon, massage, and other body conditioning services            | —        | P        | P        |
| <u>69</u> 8. Tattoo parlor <u>and/or</u> body piercing salon                         | —        | —        | P—       |
| <u>70</u> 69. Taxidermist  | —        | —        | P        |
| <u>71</u> 0. Television, radio sales and service                                     | —        | P        | P        |

| <b>Use</b>  | <b>OP</b> | <b>NC</b> | <b>GC</b> |
|---|-----------|-----------|-----------|
| 724. Tire sales and installation, not including retreading and recapping  | —         | —         | P         |
| 732. Toy stores   | —         | P         | P         |
| 743. Travel agencies  | P         | P         | P         |
| 754. Transportation facilities (train, bus, taxi depots)  | C         | C         | C         |
| 765. Variety stores   | —         | P         | P         |
| <b>C. Public and Semi-Public Uses</b>   |           |           |           |
| 1. Ambulance service  | C         | C         | C         |
| 2. Art galleries and museums, public or private   | P         | P         | P         |
| 3. Biological habitat preserves (unless otherwise approved by another entitlement)  | P         | P         | P         |
| 4. Churches, convents, monasteries and other religious institutions   | C         | C         | 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 subsection (B)(30) of this table) | MC        | MC        | MC        |
| 6. Convalescent facilities and hospitals  | C         | —         | C         |
| 7. Day care center facilities   | C         | C         | C         |
| 8. Detention facility   | —         | —         | —         |
| 9. Educational facilities, excluding business or trade schools and commercial schools   | C         | C         | C         |
| 10. Library   | P         | P         | P         |
| 11. Parks and recreation facilities, public or private (excluding commercial recreation facilities)   | C         | C         | C         |
| 12. Post office   | P         | P         | P         |
| 13. Public buildings and facilities   | C         | C         | C         |
| 14. Radio or television broadcast studio  | —         | —         | C         |
| <b>D. Accessory Uses</b>  |           |           |           |

| Use   | OP | NC | GC |
|---|----|----|----|
| 1. Auxiliary structures and accessory uses customarily incidental to a permitted use and contained on the same site       | P  | P  | P  |
| 2. Caretaker's living quarters only when incidental to and on the same site as a permitted or conditionally permitted use | P  | P  | P  |
| 3. Amusement devices, per Section 13.12.030(F)  | —  | P  | P  |
| <b>E. Temporary Uses</b>  |    |    |    |
| 1. Temporary uses subject to the provisions contained in Section 13.06.070  | P  | P  | P  |

**Note:**

- 1 Subject to pet sourcing requirements of the State of California.

**F. Special Use Regulations.**

1. Amusement Devices. The use of amusement devices, as defined in Section 13.04.140, as an accessory use to a permitted use, shall be regulated based on the following criteria:

- a. No more than five devices may be permitted per business without approval of a conditional use permit. Each machine and playing area shall occupy a minimum of 10 square feet of floor area.
- b. The devices shall not obstruct or crowd entries, exits, or aisles.
- c. Adult supervision (persons aged 21 and above) is required and the devices must be placed in an area which is visible to the supervisor at all times.

2. Arcades. A conditional use permit is required to establish an arcade, as defined in Section 13.04.140. The following information is required to process the permit application: Adult supervision to be provided, hours of operation, proximity to schools and other community uses, compatibility with the surrounding neighborhood and businesses, noise attenuation, bicycle facilities, size and location of interior waiting areas and any other information deemed necessary by the Director.

- a. Each application shall contain a description of the types of machines, a floor plan, and any other information deemed necessary by the Director.

3. Shopping Centers. To ensure that the goals and policies of the General Plan are implemented, a conditional use permit shall be required for shopping centers. In such a review, the following criteria shall be considered:

- a. The transition from more sensitive land uses and buffering methods to mitigate commercial activities such as loading, lighting, and trash collection;
  - b. The center has been planned as a group of organized uses and structures;
  - c. The center is designed with one theme, with buildings and landscaping consistent in design (similar architectural style, similar exterior building materials, and a coordinated landscaping theme);
  - d. The center makes provisions for consistent maintenance, reciprocal access and reciprocal parking;
  - e. Vehicle and pedestrian access is coordinated and logically linked to provide a comprehensive circulation system;
  - f. The development or approval of any portion of a center shall require the development of a conceptual development plan which shall consider such things as, but not limited to, circulation, uniform architectural design, drainage/grading, buffers, phased improvements and landscaping.
4. Congregate Care Facility Amenities. All new congregate care facilities shall provide adequate amenities, that may include, and not be limited to, swimming pools, fitness centers, spas, card rooms, billiards/game rooms, music rooms, reading rooms, internet lounges, etc., to the satisfaction of the Director.

#### G. Condition of Uses.

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, within their respective districts and subject to any required reviews and permits:
  - a. Automobile, boat, trailer, camper, and motorcycle sales and rental (subject to a conditional use permit);
  - b. Building material, supplies and equipment, rental and sales (subject to a conditional use permit);
  - c. Farmer's market (subject to the provisions of subdivision (3) of this subsection,) fruit and vegetable stands (requires temporary use permit);
  - d. Horticultural nurseries (subject to a conditional use permit);
  - e. Gasoline pumps, oil racks, and accessory items when located on pump islands;
  - f. Outdoor display of merchandise as accessory to current on-site business (subdivision (3) of this subsection);
  - g. Outdoor recreation uses;

h. Parking lot and sidewalk sales (subject to Section 13.06.070, Temporary uses, set forth in this chapter);

i. Outdoor eating areas (subject to a minor conditional use permit). For accessory outdoor eating areas in conjunction with a food establishment that features take-out service; see subdivision (5) of this subsection; and

j. Other activities and uses similar to those above as determined by the Director.

2. Parking Lot and Sidewalk Sales. Parking lot and sidewalk sales are permitted in the commercial districts as described in Section 13.06.070 of this title.

3. 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 25% of the linear frontage of the storefront or six linear feet, whichever is greater;

b. Items shall not project more than four feet from the storefront;

c. No item, or any portion thereof, shall be displayed on public property; provided, however, items may be displayed within the public right-of-way if an encroachment permit has first been procured from the City;

d. Items shall be displayed only during the hours that the business conducted inside the building on the premises is open for business;

e. 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.

4. Farmer's Markets. Parking lot display and sale of produce and other agricultural products such as, but not limited to, fruits, vegetables, nuts, honey, eggs, herbs, flowers and plants may be permitted in the general commercial zone subject to approval of a minor conditional use permit and the following criteria:

a. The design, location and size of booths or method of display, signage, and the associated facilities and times of operation shall be reviewed and approved through the minor conditional use permit process;

b. A parking study shall be provided to determine if adequate off-street parking and traffic and pedestrian circulation exists for all existing on-site uses while the market is open for business;

c. All required permits from the San Diego County Health Services Department shall be obtained.

5. ~~Accessory Eating Areas Permitted. For food establishments which primarily feature takeout service, up to 16 seats are permitted as accessory eating. Food establishments with accessory eating area will not be considered restaurants for the purpose of determining required parking. In addition, if outdoor eating is provided as an accessory use, it will not be considered an expansion of the use for determining parking needs. The seating may be provided indoors or outdoors. The provisions of this subdivision do not apply to drive-through fast food restaurants. The following performance standards shall apply to outdoor eating:~~

- 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.

e. Parking shall comply with Section 13.24.040 of this title.

6. Specialized Retail Sales and Food Services from Pushcarts. The following standards apply to all requests to establish a pushcart for specialized retail sales or food sales on private property in the general commercial, neighborhood commercial or office professional zones.

- a. Pushcarts shall be located on private property and shall not be located in areas that:
  - i. Reduce the amount of required parking on the site.
  - ii. Interfere with vehicular or pedestrian circulation.
  - iii. Present a traffic hazard.
  - iv. Result in the removal of mature landscaping (unless additional landscaping is provided elsewhere on the subject site).
  - v. Within the town center specific plan area, pushcarts shall not be located within any corridor open space area.
- b. The pushcart owner or, if the owner does not operate the business, the pushcart operator is required to obtain a City business license and any required permits from the building division. A health permit from the County Department of Health Services may also be required.

## H. Abandoned or Converted Service Stations.

1. Abandoned Service Stations. Service stations which become vacant or cease operation beyond 180 days shall be required to remove all underground storage tanks (unless waived by the Santee Fire Department), remove all gasoline pumps and pump islands, and shall remove freestanding canopies. In order to prevent said action, the owner must supply the Director with written verification prior to the 180th day from the time operations ceased that an allocation of gas has been received and operation of the station will commence within 30 days of the date of written correspondence. If the service station is to resume operation after the 180 days, then the Director shall require the processing and approval of a development review application to ensure that the facilities will be reasonably upgraded and maintained. This could include such things as, but not limited to, replanting existing landscape areas, installing new landscape areas, painting of structures, upgrading or installing trash enclosures, striping parking spaces, installation of signs in conformance with adopted sign provisions, resurfacing vehicle access and parking areas, and installation of missing street improvements.

2. Converted Service Stations. Buildings and structures which were originally designed as a gasoline service station and which are proposed to be used for another use shall be subject to a development review or conditional use permit. The conversion of the facilities to another use may require upgrading and remodeling for such things as, but not limited to, removal of all gasoline appurtenances, removal of canopies, removal of improvements or modification of existing improvements to conform to access regulations, and exterior remodeling.

I. Conversion of Residential Structures, Including Hotels and Motels. No structure originally designed as a residence, including hotels and motels, or as an auxiliary structure or addition to a residence, shall be used for any commercial or office uses unless the building and site are improved to meet all code requirements for an office or commercial development. This includes such things as, but not limited to, building code requirements, fire code requirements, and zoning ordinance requirements. A resident may convert up to 50% of the gross floor area of the existing residence to a business use and continue to reside in the residence, provided the resident is also the owner of the business and subject to the provisions of this subsection. Any expansion of a residence that is legal nonconforming shall comply with Section 13.04.110(F) of this title. Such a conversion may also be subject to the conditional use permit process, as required by the base district use regulations contained in Table 13.12.030A. (Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## **Chapter 13.14 INDUSTRIAL DISTRICTS**

### **13.14.030 Industrial use regulations.**

Uses listed in Table 13.14.030A shall be allowable in one or more of the industrial districts as indicated in the columns beneath each industrial district. 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 the conditional use permit process 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 13.14.030A and is not subject to the use determination procedure 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. However, in no case shall uses be permitted beyond those allowable in this section. 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 13.14.030A

Use Regulations for Industrial Districts

| Uses  | IL | IG |
|---|----|----|
| <b>A. Industrial Uses</b>   |    |    |
| 1. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared typical materials such as, but not limited to, canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper (no milling), precious or semiprecious stones, metals, plaster, plastic, shells, textiles, tobacco, wood and yarns; novelty items (not including firework or other explosive type items), electrical appliances, motors and devices; radio, television, phonograph and computers; electronic precision instruments; medical and dental instruments; timing and measuring instruments; audio machinery; visual machinery; cosmetics, drugs, perfumes, toiletries and soap (not including refining or rendering of fats or oils) | P  | P  |
| 2. Bottling plants  | P  | P  |
| 3. Building materials manufacturing, subject to the provisions  | —  | P  |
| 4. Cement products manufacturing  | —  | P  |
| 5. Fruit or vegetable packing houses  | C  | P  |
| 6. Fruit or vegetable products manufacturing, including frozen foods  | C  | P  |
| 7. Furniture upholstering   | P  | P  |
| 8. Hazardous waste treatment facility   | —  | C  |

| Uses   | IL | IG |
|--|----|----|
| 9. Laboratories (chemical, dental, electrical, optical, mechanical and medical)  | P  | P  |
| 10. Mining   | C  | C  |
| 11. Rubber and metal stamp manufacturing   | P  | P  |
| 12. Renewable Energy Storage Facility, subject to provisions of Section 13.14.030(L)   | —  | C  |
| <b>B. Storage Trades</b>   |    |    |
| 1. Contractors yards, subject to the provisions of Section 13.14.030(G)  | —  | MC |
| 2. Contractor (all storage of material, equipment within an enclosed building)   | P  | P  |
| 3. Equipment sales/rental yards  | P  | P  |
| 4. Fleet storage   | MC | MC |
| 5. General warehousing/wholesale and distribution  | P  | P  |
| 6. <del>Self-Min</del> storage, public storage   | C  | C  |
| 7. Trailer, truck or bus terminal  | —  | C  |
| 8. Vehicle storage yard  | —  | MC |
| 9. Recreational vehicle storage facility   | MC | MC |
| <b>C. Services</b>   |    |    |
| 1. Administrative, executive, real estate, and/or research offices   | P  | P  |
| 2. Animal care facility  |    |    |
| a. Completely within an enclosed building  | P  | P  |
| b. With exterior kennels, pens or runs   | C  | C  |
| 3. 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  | —  |
| 4. Athletic or health clubs, indoor  | MC | —  |

| Uses  | IL | IG |
|---|----|----|
| 5. Auction house (conducted completely within an enclosed building and subject to the provisions contained in Title 4 of this code)   | P  | P  |
| 6. Automotive services, including automobiles, trucks, motorcycles, boats, mopeds, recreational vehicles, or other small vehicles as determined by the Director. All vehicles shall be stored on site and shall not occupy any required parking space, access aisle or landscape area |    |    |
| a. Sales  | C  | MC |
| b. Rentals  | C  | MC |
| c. Repairs (major engine work, muffler shops, painting, body work and upholstery) completely  | P  | P  |
| d. Washing (coin and automatic)   | P  | P  |
| e. Service or gasoline dispensing stations including mini-marts with or without alcoholic beverage sales, accessory car washes, and/or minor repair services as accessory to the gasoline sales   | C  | C  |
| 7. Barber or beauty shops   | P  | —  |
| 8. Blueprinting and photocopying  | P  | P  |
| 9. Catering establishments (excluding mobile catering trucks. See Fleet Storage)  | P  | —  |
| 10. Collection facility, large  |    |    |
| a. Indoor   | P  | P  |
| b. Outdoor  | C  | C  |
| 11. Collection facility, small  | P  | P  |
| 12. Dance, gymnastics, martial arts, or fitness / sports school or studio - indoor  | P  | P  |
| 13. Distributors showrooms  | P  | P  |
| 14. Food and beverage sales or service  |    |    |
| a. Cocktail lounge, bar or tavern   |    |    |
| i. Not within a restaurant and with or without entertainment, other than adult related  | C  | —  |

| Uses   | IL | IG |
|--|----|----|
| ii. Accessory to a restaurant or a coffee shop, and without entertainment  | P  | —  |
| b. Nightclubs or dance halls, not including adult related entertainment  | C  | —  |
| c. Snack bars, delicatessens, or refreshment stands, accessory to a business complex   | P  | P  |
| d. Fast food restaurants with drive-in or drive-through service  | —  | —  |
| e. Restaurants or coffee shops, other than fast food   |    |    |
| i. With entertainment or dancing, other than adult related, and/or serving of alcoholic beverages  | P  | —  |
| ii. Without entertainment or dancing and with or without alcoholic beverage sales  | P  | —  |
| f. Clubs and lodges serving alcoholic beverages  | C  | —  |
| 15. Helipad without maintenance facilities   | —  | C  |
| 16. Home improvement centers   |    |    |
| a. Material stored and sold within enclosed buildings  | P  | P  |
| b. Outdoor storage of material such as lumber and building materials, subject to the provisions contained in Section 13.14.030(G)(2)   | MC | P  |
| 17. Interior decorating service  | P  | P  |
| 18. Janitorial services and/or supplies  | P  | —  |
| 19. Locksmith shop   | P  | P  |
| 20. Micro-brewery, with or without tasting room and/or food service  | P  | P  |
| 21. Motels, hotels, and/or convention centers  | C  | C  |
| 22. Music or recording studio  | P  | —  |
| 23. Newspaper publishing, printing and distribution, general printing, and lithography   | P  | P  |
| 24. Nurseries, excluding horticultural nurseries, and garden supply stores provided all equipment, supplies and materials are kept within an enclosed building or fully screened enclosure and fertilizer of any type is stored in package form only | P  | —  |
| 25. Parcel delivery service (excluding truck terminals)  | P  | P  |

| Uses   | IL | IG |
|--|----|----|
| 26. Pest control service   | P  | P  |
| 27. Pistol, rifle or archery range (indoor only)   | P  | P  |
| 28. Photography studio or video production   | P  | P  |
| 29. Retail sales of products produced, wholesaled, or manufactured on the premises commercial when in conjunction with a permitted or conditional use not occupying more than 25% of the gross floor area              | P  | P  |
| 30. Rug cleaning and repair  | P  | P  |
| 31. School, business or trade  | P  | —  |
| 32. Swimming pool sales and supplies   | P  | —  |
| 33. Tattoo parlor and/or body piercing salon   | P  | —  |
| 34. Tire re-treading and recapping   | —  | P  |
| 35. Tobacco paraphernalia business   | —  | MC |
| 36. Welding shop   | P  | P  |
| <b>D. Public and Semi-Public Uses</b>  |    |    |
| 1. Ambulance services  | C  | C  |
| 2. Biological habitat preserve (unless approved by another entitlement)  | P  | P  |
| 3. Clubs and lodges, including YMCA, YWCA, and similar group uses without alcoholic beverage sales. (Clubs and lodges serving or selling alcoholic beverages shall comply with Section 13.14.030(C)(14) of this table) | MC | —  |
| 4. Day care center   | C  | —  |
| 5. Detention facility  | —  | —  |
| 6. Educational facility, excluding business and trade schools and commercial schools   | C  | C  |
| 7. Emergency shelter (subject to the provisions of Section 13.14.030(K))   | —  | P  |
| 8. Parks and recreation facilities, public or private  | C  | —  |
| 9. Post offices and postal terminals   | C  | C  |
| 10. Public buildings and facilities  | C  | C  |

| Uses   | IL | IG |
|--|----|----|
| 11. Religious institutions   | C  | C  |
| 12. Solid waste recycling and transfer facility  | —  | C  |
| <b>E. Accessory Uses</b>   |    |    |
| 1. Auxiliary structures and accessory uses customarily incidental to an otherwise permitted use and located on the same site   | P  | P  |
| 2. Caretakers residence only when incidental to and on the same site as a permitted or conditional use   | P  | P  |
| 3. Incidental services for employees on a site occupied by a permitted or conditional use, including day care, recreational facilities, showers and locker rooms and eating places | P  | P  |
| 4. Overnight parking of vehicles used regularly in the business, provided all required parking spaces are available for use during business hours                                  | P  | P  |
| 5. Outdoor storage (subject to the provisions contained in Section 13.14.030(G)(2))  | MC | MC |
| <b>F. Temporary Uses</b>   |    |    |
| 1. Temporary uses as prescribed in Section 13.06.070 and subject to those provisions   | P  | P  |

**G. Outdoor Uses.**

1. All uses and activities shall be conducted completely within an enclosed building with the exception of outdoor storage, which is a permitted use subject to the provisions of subdivision (2) of this subsection. The following uses and activities may be permitted to operate outdoors, within their respective districts and subject to any required reviews and permits pursuant to this code.

- a. Mining;
- b. Building materials and lumber storage yards and/or contractors yards;
- c. Building materials manufacturing;
- d. Building equipment storage, sales, rentals;
- e. Automobile fleet storage;
- f. Trailer, truck or bus terminal;
- g. Recreational vehicle storage yard;

- h. Automobile sales, rentals, or washes;
- i. Gasoline service stations;
- j. Boat and camper sales;
- k. Agricultural uses;
- l. Outdoor recreation facilities;
- m. Outdoor eating areas (subject to a minor conditional use permit). For accessory eating areas in conjunction with a food establishment that features takeout services, see subsection J of this section;
- n. Telecommunication facilities (See Chapter 13.34);
- o. Satellite dish antennas (See Chapter 13.34);
- p. Other activities and uses similar to those above as determined by the Director.

2. Outdoor Storage. The outdoor storage of materials accessory to a permitted or conditionally permitted use occupying the subject site shall obtain any necessary permits and comply with the following standards:

- a. All outdoor storage which faces and is visible from a mobility element street or an exterior public street to the industrial subdivision, or which abuts property used for residential purposes, shall be enclosed with a solid decorative concrete, masonry, wood frame and stucco, or decorative block walls at least six feet high. In all other cases the outdoor storage shall be screened with material which is 100% view obscuring. The type and design of the screening material is subject to the approval of the Director. All gates provided for ingress and egress in any required fence or wall shall be at least six feet in height and shall be of view-obscuring construction, compatible with the fence or wall design.
- b. Stored materials shall be stacked in outdoor storage areas to a height no greater than that of any building, wall, fence, or gate enclosing the storage area and shall not be visible from a public street.
- c. No storage shall be permitted in a required setback area or required landscape area.
- d. No storage shall be permitted in a required parking space or driveway and at no time shall said storage area impede the use of any required parking space or driveway. Outdoor storage is not allowed within any secured parking area established pursuant to Section 13.14.040(C).
- e. The limits of the outdoor storage area shall be clearly defined on the site.
- f. The outdoor storage shall be limited to materials, products, or equipment used, produced or manufactured on site by the business requesting the storage. On-site

parking of fleet/company vehicles used regularly in the operation of the business, equipment attached to fleet/company vehicles, short-term customer and staff parking, and approved trash enclosures shall not be considered outdoor storage. (See Section 13.14.030(B)(4) for fleet storage.)

H. The following shall be used in the review of prefabricated structures:

1. The use of prefabricated structures shall be compatible with surrounding uses.
2. The design of the prefabricated structures shall be compatible with and complimentary to existing structures on the site. They must conform to all standards, goals and objectives of the Santee zoning ordinance and General Plan and have adequate public facilities available.
3. Adequate screening from adjacent residential areas and public streets shall be provided.
4. A permanent foundation system shall be provided, unless otherwise approved.
5. ~~A Handicap~~ access shall be provided for persons with disabilities, unless otherwise approved.

I. Conversion of Residential Structures. No structure originally designed as a residence (including hotels and motels), or as an auxiliary structure or addition to a residence, shall be used for any industrial uses unless the building and site are improved to meet all code requirements for such a development. This includes, but is not limited to, building code requirements, fire code requirements and the zoning code requirements. A resident may convert up to 50% of the gross floor area of the existing residence for business purposes and continue to reside in the residence, provided the resident is also the owner of the business, and subject to the provisions of this chapter. Any expansion of a residence that is legal nonconforming shall comply with Section 13.04.110(F) of this title. A conversion may be subject to a conditional use permit, or minor conditional use permit process as required by the base district use regulations contained in Table 13.14.030A.

J. Accessory Eating Areas Permitted. ~~For food establishments which primarily feature takeout service, up to a total of 16 seats are permitted as accessory eating. Food establishments with accessory eating areas will not be considered restaurants for the purpose of determining required parking. In addition, if outdoor eating is provided as an accessory use, it will not be considered an expansion of the use for determining parking needs. The seating may be provided indoors or outdoors. The provisions of this subsection do not apply to drive-through fast food restaurants. The following performance standards shall apply to outdoor eating:~~

1. 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.



2. The outdoor eating area cannot be located in any driveway, parking space, landscaped area or required setback.
3. 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.
4. Signage may not be placed on the outdoor furniture or umbrellas which advertises the business, service or use, or any product unless otherwise permitted by the sign ordinance.

5. Parking shall comply with Section 13.24.040 of this title.

65. Handicapped Access shall be provided for persons with disabilities.

K. Emergency shelters are permitted on North Woodside Avenue, on the following assessor parcel numbers, subject to a nondiscretionary development review permit pursuant to Government Code Section 65583(a)(4), 381-170-64-00, 381-170-25-00, 381-170-28-00, 381-170-54-00, 381-170-53-00, 381-170-46-00, 381-170-61-00, 381-170-62-00 or any subsequent APN for these specific sites, subject to compliance with the following:

1. An emergency shelter shall not be located within 300 feet of another shelter, pursuant to Government Code Section 65583(a)(4) (A)(v).
2. The agency or organization operating the shelter shall submit a facility management plan containing facility information, including the number of persons who can be served nightly, the size and location of onsite waiting and intake areas, the provision of onsite management, exterior lighting details, and onsite security during hours of operation, as established in Government Code Section 65583(a)(4)(A).

L. Renewable Energy Storage Facility. A renewable energy storage facility is defined as a structure incorporating machinery or equipment, designed to store renewable energy. The following standards shall apply:

1. All equipment and all storage areas shall be located within an enclosed building.
2. Decorative fences and/or walls, trees and other forms of landscaping shall be used to minimize visibility of structures.
3. All structures shall incorporate architectural elements that visually enhance surrounding development.
4. Service areas and parking areas shall be buffered from adjacent development that is not of a similar nature by setbacks, landscaping, fences, and/or walls.
5. Facilities shall comply with the performance standards in Section 13.30.030. (Ord. 599 § 2, 2022; Ord. 591 § 2, 2021; Ord. 566 § 3, 2019)

## Chapter 13.20 SPECIFIC PLAN DISTRICT

### 13.20.040 General provisions.

A. Applicant-Generated. The preparation of a specific plan, and concurrent zoning and/or General Plan amendment(s), may be started by an applicant or property owner. The use of a specific plan is appropriate where site-specific regulation beyond the scope of this title would be beneficial based upon features or unique characteristics of the property, such as innovative development in the form of buildings, construction, design, or use combinations.

B. General Plan Consistency. All uses shall be consistent with the intent of the Santee General Plan and this title. Any specific plan proposal shall include a statement of the relationship of the specific plan to the General Plan.

C. Regulating Document. A specific plan may either supplement or supersede land use regulations of this title, including all previously adopted ordinances, standards, and guidelines. Upon adoption of a specific plan and requisite zoning/General Plan amendments, the specific plan shall replace and take precedence over the zoning regulations of this title for the subject property. Where the regulations of a specific plan are silent, the zoning code regulations and all adopted ordinances, regulations, standards, and guidelines of the City shall apply, as deemed appropriate by the Director of the ~~Department of Development Services~~.

D. Specific plans shall contain planning policies and regulations, and may combine zoning regulations and other regulatory requirements into one document. Specific plans shall provide a fiscal assessment, identification of required public improvements, public improvement and development phasing, financing plans and a development agreement. (Ord. 580 § 3, 2020)

### 13.20.050 Required content.

A specific plan shall provide regulations and design standards governing the minimum and maximum development parameters of all real property within the identified specific plan area. A specific plan shall include a statement of its relationship and consistency with the General Plan, and compliance with Article 8 of Chapter 3 of the California [Government Code](#), commencing with Section 65450, and as may be amended by the State. The City maintains full authority and discretion to determine how a specific plan will be prepared. At minimum, a specific plan shall address the following:

A. Purpose. State the relationship to the goals and policies of the General Plan.

B. Setting. State the existing and regional setting to establish the conditions and reasons for the project.

C. Proposed Land Uses. Establish the distribution, type, definitions of, and regulations for all proposed land uses.

D. Development Standards. Establish all regulating policies, including all the following standards for all building types:

1. Building height, setbacks, massing, and design standards;
2. Lot area, width, and depth;
3. Maximum number of dwelling units and the maximum residential density of the specific plan area and designated land uses consistent with the General Plan;
4. Usable open space provisions and requirements within the development;
5. Off-street parking and loading facilities;
6. Architectural and site planning design and development standards, which may include design themes or similar architectural treatments to control future construction of buildings on parcels covered by the adopted plan; and
7. Signage requirements, if different from the standards of this title, to be addressed by a unique sign program codified in the specific plan.

E. Site Planning. Establish a comprehensive map of all streets, open spaces, private and public property, and land uses for all affected properties, consistent with the intent of the General Plan and this title.

1. Provide site planning at the perimeter of the area boundaries for the mutual protection of the specific plan and the surrounding properties.
2. Site orientation to use available solar, wind, and natural setting benefits of the site, and to retain natural features and amenities found on site.
3. Provide landscape architectural concept plans and standards, including project entries, streetscapes, fencing details, lighting, signage, and street furniture.

F. Infrastructure. Identify the proposed distribution, extent, intensity, and location of major components of public and private circulation/transportation, drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed.

1. Include physical and fiscal plans for the construction, improvement, or extension of transportation facilities, public utilities, and all other public facilities/services required to serve the specific plan area.

2. All public rights-of-way within or abutting the development shall remain within applicable City specifications unless authorized by the Director ~~of Development Services~~.

3. Include layout and design of private streets and alleys; such private facilities shall be privately owned and maintained without public cost and maintenance responsibility for their intended purpose.

4. Consideration of other forms of access, such as pedestrian ways, paseos, courts, plazas, driveways, trails, or open public parking areas may be made at the time of specific plan consideration by the City.

G. Maintenance. Provisions ensuring the continued maintenance of private property, grounds, and all common areas.

H. Phasing. Development phasing for the full life of the project and anticipated schedule, including start date and completion of each construction phase.

I. Text and Graphics. A textual document incorporating graphics, including an executive summary and any additional information identified by the Director as pertinent to conveying the development intent, standards, and outcomes of the specific plan. (Ord. 580 § 3, 2020)

## **Chapter 13.24 PARKING REGULATIONS**

### **13.24.030 Design standards.**

Design standards are established by this section to set basic minimum dimensions and guidelines for design, construction and maintenance of parking within both the residential, commercial and industrial districts.

A. General. The following standards shall apply to the residential, commercial and industrial districts.

1. Stall Size. Each parking space shall consist of a rectangular area not less than nine feet wide by 19 feet long. Parallel spaces shall be a minimum of nine feet wide by 25 feet long. All parking spaces should have a vertical clearance of not less than seven and one-half feet. Parking spaces may overhang adjacent landscape areas up to a maximum of two and one-half feet, provided the overhang does not extend into any required landscape setback area.

2. All provisions for ~~handicapped spaces~~ accessible parking spaces for persons with disabilities shall conform to State law.

3. Paving. Parking and loading facilities shall be surfaced and maintained with asphalt concrete, concrete, or other permanent surface material sufficient to prevent mud, dust, loose material, and other nuisances from the parking or loading facility to the

MS4. Where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used for parking lots. Crushed aggregate, rock, dirt or similar types of surfacing shall not be used as a parking or loading facility surface.

4. Drainage. All parking and loading facilities shall be graded and provided with permanent storm drainage facilities. Surfacing, curbing, and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or public streets or alleys, and to preclude standing pools of water within the parking facility. Where feasible, infiltration BMPs shall be integrated into the drainage design to reduce the quantity and velocity of stormwater discharging to the MS4 from the parking or loading facility.

5. Safety Features. Parking and loading facilities shall meet the following standards:

a. Safety barriers, protective bumpers or curbing, and directional markers shall be provided to assure pedestrian/vehicular safety, efficient utilization, protection to landscaping, and to prevent encroachment onto adjoining public or private property.

b. Visibility of pedestrians, bicyclists and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.

c. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accord with accepted principles of traffic engineering and traffic safety.

6. Lighting. Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential uses and motorists. It is the intent to maintain light standards in a low-profile design and to be compatible with the architectural design. Light standards shall not exceed 15 feet in overall height from the finished grade of the parking facility except that light standards up to 25 feet in height may be permitted if it is determined by the Director that the size of the parking area and site design warrant a taller light standard. Illumination onto adjacent properties shall comply with the performance standards contained in Chapter [13.30](#) of this title.

7. Noise. Areas used for primary circulation for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound baffling.

8. Screening. Unenclosed off-street parking areas shall be screened from view from public streets and adjacent more restrictive land uses. Screening may consist of one or any combination of the following methods, upon the approval of the Director:

a. Walls. Low profile walls, three and one-half feet in height, shall consist of stone, brick or similar types of decorative solid masonry materials.

b. Planting. Plant materials, when used as a screen, shall consist of compact evergreen plants. They shall be of a kind, or used in such a manner, so as to provide

screening, have a minimum height of three and one-half feet, within 18 months after initial installation, or screening as per subdivision (a), (b) or (c) shall be installed.

c. Berms. Earthen berm at least three and one-half feet above grade.

d. In order to allow police surveillance into parking lots, the screening requirements in subdivisions (a), (b) and (c) above shall be designed to provide for view corridors into the site from adjacent streets and properties to the satisfaction of the Director.

9. Striping. All parking stalls shall be clearly outlined with single lines on the surface of the parking facility or any other permanent space designator (trees, shrubs, etc.) approved by the Director. In all parking facilities all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to expedite traffic movement.

10. Maneuvering. Parking and maneuvering areas shall be arranged so that any vehicle entering a public right-of-way can do so traveling in a forward direction, except for single-family residential districts.

## B. Residential.

1. The following design standards shall apply to the residential districts and developments:

a. Each covered off-street parking space in a carport or multi-space common garage shall be a minimum of nine feet in width and 19 feet in depth of unobstructed area provided for parking purposes. The required minimum measurements may not include the exterior walls or supports of the structure.

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, 20 feet in length, and provide a minimum vertical clearance of seven and one-half feet.

c. Parking in the urban residential (R-30) zone shall be integrated with the building design such that surface parking is minimized. On-site parking may be provided in private garages, in common parking garages where parking is either at grade or partially below grade with the building's use above (example, podium parking), or in separate parking structures on site. Unenclosed surface parking for delivery and visitor parking would be allowed. See subsection (B)(8) for common parking garage standards.

d. Two-car garages for single-family or multifamily dwellings shall have a minimum interior dimension of 20 feet in width and 20 feet in depth of unobstructed area provided for parking purposes.

e. Below grade or partially below grade podium style parking is also an acceptable design alternative in the R-14 and R-22 zones.

f. The parking of two vehicles in-line may be counted towards the parking requirements when: (i) both vehicles have independent access to a public or private street or drive aisle; (ii) the development site is located within 0.25 mile of a transit stop; or (iii) when used as a density bonus incentive or concession. This provision does not apply on mobile home park (MHP) overlay zone districts, or to accessory dwelling units or junior accessory dwelling units.

2. Driveways providing access to garages, carports and parking areas serving four or less dwelling units shall be a minimum width of 20 feet. Exceptions may be approved by the Director for individual single-family homes. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used.

3. Driveways providing access to garages, carports and parking areas serving five or more dwelling units shall be a minimum of 26 feet in width. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used.

4. 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.

5. No property owner shall sublease, sublet or otherwise make available to residents of other properties, the off-street parking spaces required by this section.

6. All required covered off-street parking spaces shall be located conveniently accessible to the dwelling unit served by such parking space.

7. 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.

8. The following design standards shall apply to parking garages:

a. All parking stalls shall be minimum nine feet in width and 19 feet in depth.

b. Storage lockers, when provided, shall not encroach into a parking stall.

c. A storage/maintenance room shall be included in the facility.

d. High efficiency lighting shall be used in conjunction with daylighting for above grade structures.

e. Elevators and stairwells shall be designed to allow complete visibility for persons entering and exiting.

f. Floor surfaces shall be nonslip surfaces.

g. Security devices shall be installed such as surveillance cameras, audio and emergency call buttons.

h. When mechanical ventilation systems are required, they shall be high efficiency systems and back-up power systems shall be installed.

i. Emerging technologies to meet the needs of users, such as electrical charging stations, shall be installed when appropriate.

j. Points of intersection between pedestrians and vehicles shall be designed for adequate safety of movement; separate paths for the pedestrian from their cars to specific points of destination shall be integrated in the facility.

k. Wayfinding signs shall be installed.

C. Commercial, Industrial, Institutional, Community Facilities. The following design standards shall apply to commercial, institutional, and community facility use:

1. Those areas designated for use by motorcycles shall consist of a minimum usable area of 54 square feet.

2. Access Driveways. Where feasible, shared driveways shall be used to reduce impermeable area, and, where feasible, permeable surfaces, such as permeable concrete or permeable pavers, shall be used. Access driveways shall provide the minimum widths below unless otherwise approved by the Director.

a. Two-way access driveways shall have a minimum width of 26 feet.

b. One-way access driveways shall have a minimum width of 16 feet.

3. Notwithstanding subsection (C)(2) of this section, all driveway and access way widths and designs must be approved by the Santee Fire Department for purposes of emergency accessibility.

D. Parking Lot Striping and Markings. Parking stall striping directional arrows and parking stall identification shall meet the following standards:

1. All parking stalls shall be painted with a single four-inch wide continuous line.

2. All aisles, entrances and exits shall be clearly marked with directional arrows painted on the parking surface.

3. All ~~handicapped~~ accessible parking stalls for persons with disabilities ~~parking stalls~~ shall be individually labeled and signed in accordance with Uniform Building Code California Code of Regulations Title 24, Part 2 and California Vehicle Code standards. (Ord. 599 § 2, 2022; Ord. 572 § 5, 2020; Ord. 566 § 3, 2019)

### **13.24.040 Parking requirements.**

The following sections list the minimum amount of parking for each category of uses, special requirements and optional requirements.



A. Residential.

1. Single-Family Detached Dwellings (Conventional). Two parking spaces within a garage.

2. ~~Cluster development (condominium, town home, etc.) semi-detached single-family (zero lot line, patio homes, duplexes, etc.), Planned Residential Developments, apartments~~Multifamily development and mobilehome parks:

a. Studio, one bedroom: one and one-half off-street parking spaces per unit of which one space shall be in a garage or carport. In the R-30 urban residential zone one parking space is required per studio and one-bedroom unit.

b. Two or more bedrooms: two off-street parking spaces per unit of which one space shall be in a garage or carport.

c. In addition to the required number of parking spaces for each unit, one off-street uncovered parking space shall be provided for each four units for visitor parking. For ~~single-family zero lot line, patio homes, and duplexes~~For Planned Residential Developments, private on-street parking may be substituted for visitor parking, where sufficient street pavement width and distance between driveways has been provided. In the R-30 zone, urban residential projects shall provide visitor parking at a ratio of one space for each 10 units, and may be unenclosed.

3. Congregate care facilities: as determined by a parking demand study approved by the Director.

B. Nonresidential.

1. Commercial, Retail and Service Uses.

a. Commercial uses in conjunction with the R-30 mixed use overlay shall provide one off-street parking space for each 400 square feet of leasable floor space, and may be unenclosed.

b. Neighborhood and general commercial shopping centers shall provide one off-street parking stall for each 250 square feet of gross floor area for all buildings and/or uses in the center. This shall apply to all commercial centers in the City, unless the delineation of independent uses is provided pursuant to Section [13.24.020](#). If the delineation of independent uses is known, then the standards listed below shall apply.

c. ~~Automobile washing and cleaning establishments, except self-service: 16 parking stalls.~~ 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.

d. ~~Self-service automobile washes: two and one-half for each washing stall.~~

~~de.~~ Automobile service and gas station: three spaces plus two for each service bay.

~~ee.~~ Financial services, medical offices, administrative offices, and related office uses: one for each 250 square feet of gross floor area.

~~f.~~ Cemeteries: as specified by conditional use permit.

~~g.~~ Lumber yards: one for each 250 square feet of gross floor area for retail sales, plus one for each 1,000 square feet of open area devoted to display (partially covered by roof, awning, etc.) or sales.

~~fh.~~ Mortuaries and funeral homes: one parking stall for every 25 square feet or fraction thereof of assembly room or floor area.

~~i.~~ Motels and hotels: one parking space for each guest unit and two spaces for resident manager or owner, plus one space per 50 square feet of banquet seating area.

~~j.~~ Motor vehicle sales or rentals, recreational vehicle sales or rentals, automotive repair, painting, body work or service: one per 400 square feet of building gross floor area. If there is no building on site, the parking standard shall be one space per 1,000 square feet of lot area.

~~k.~~ Trade schools, business colleges and commercial schools: one for each three student capacity of each classroom plus one for each faculty member or employee.

~~2.~~ 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. Automobile Uses:

~~a.~~ Washing and detailing including full service carwash, self-service carwash, and / or express carwash: -As determined by a parking demand study approved by the Director.

~~b.~~ Automobile service and gas station: three spaces plus two for each service bay.

~~c.~~ Motor vehicle sales or rentals, recreational vehicle sales or rentals, automotive repair, painting, body work or service: one per 400 square feet of building gross floor area.

3. Commercial Recreation Uses.

a. Bowling alleys: five for each alley.

b. Commercial stables: one accessible space for each five horses boarded on the premises.

c. Driving ranges (golf): one per tee, plus the spaces required for additional uses on the site.

- d. Golf courses (regulation course): six per hole plus the spaces required for additional uses on the site.
- e. "Pitch and putt" and miniature golf courses: three per hole, plus requirements for auxiliary uses.
- f. Skating rinks, ice or roller: one for each 100 square feet of gross floor area, plus the spaces required for additional uses on the site.
- g. Swimming pool (commercial): one for each 100 square feet of water surface, plus one stall for each employee, but not less than 10 stalls for any such use.
- h. Tennis, handball and racquetball facilities: three for each court plus the spaces required for additional uses on the site.

#### 4. Educational Uses.

- a. Elementary and junior high schools: two for each classroom.
- b. Senior high schools: one for each member of the faculty and each employee, plus one for each six students regularly enrolled.
- c. Colleges, universities and institutions of higher learning: one for each three students plus one for each two members of the faculty and employees.

d. Trade schools, business colleges and commercial schools: one for each three student-capacity of each classroom plus one for each faculty member or employee.

#### 5. Health Uses.

- a. Convalescent and nursing homes, homes of aged, rest homes, children's homes and sanitariums: one for every four beds in accordance with the resident capacity of the home as listed on the required license or permit.
- b. Hospitals: 1.75 for each patient bed.
- c. Athletic and health clubs: one for each 250 square feet of gross floor area. (For the purpose of this subsection, swimming pool area shall be counted as floor area.)
- d. Congregate care facilities: as determined by a parking demand study approved by the Director.

#### 6. Industrial.

- ~~a. Mini-Self-storage: one for each 5,000 square feet of gross floor area and storage lot.~~
- b. Warehousing and distribution: one for 1,000 square feet of gross floor area.
- ~~c.~~ For industrial uses not listed above: one for 500 square feet of gross floor area.

#### 7. Places of Assembly.

a. Restaurants, taverns, cocktail lounges and other establishments for the sale and consumption on the premises of food and beverages: one space for every 100 square feet of gross floor area. ~~No additional parking spaces shall be required for outside seating at restaurants up to 25% of the interior seating area. For food establishments which primarily feature take-out service, up~~ Up to a total of 16 fixed seats are permitted in ~~an~~ accessory outdoor dining ~~eating~~ area and will not be counted toward the parking requirement. ~~be considered restaurants for the purpose of determining required parking.~~

This parking ratio shall not apply to accessory eating areas established pursuant to Section 13.12.030(G)(5) and Section 13.14.030(J) of this title.

b. Auditoriums, sports arenas, stadiums or similar uses: one for each three seats or one for each 35 square feet of gross floor area where there are no fixed seats.

c. Theaters, movies:

i. Single screen: one space per three seats, plus five for employees.

ii. Multi-screen: one space per four seats, plus five for employees.

d. Libraries: one for each 300 square feet of gross floor area.

e. Museums or art galleries: one space for each 500 square feet of gross floor area.

f. Private clubs, lodge halls, dance halls, nightclubs, teenage nightclubs, cabarets, or union headquarters: one for each 75 square feet of gross floor area.

g. Churches and other places of assembly not specified above: one for each four fixed seats within the main auditorium or one for each 35 square feet of seating area within the main auditorium or one for each 35 square feet of seating area within the main auditorium where there are no fixed seats; 18 linear inches of bench shall be considered a fixed seat.

8. Other uses:

a. Day care centers not accessory to an existing business, including preschools and nursery schools: ~~one for each staff member, plus one for each five children.~~ As determined by a parking demand study approved by the Director.

b. Lumber yards: one for each 250 square feet of gross floor area for retail sales, plus one for each 1,000 square feet of open area devoted to display (partially covered by roof, awning, etc.) or sales.

c. Cemeteries: as specified by conditional use permit.

d. Mortuaries and funeral homes: one parking stall for every 25 square feet or fraction thereof of assembly room or floor area.

e. Motels and hotels: one parking space for each guest unit and two spaces for resident manager or owner, plus one space per 50 square feet of banquet seating area.

9. Public parks and recreation facilities: as specified by conditional use permit.

## **Chapter 13.32 SIGNS**

### **13.32.025 Comprehensive sign program.**

A. Comprehensive Sign Program for Commercial and Industrial Zones. A comprehensive sign program permit is required prior to issuance of individual sign permits for all new commercial and industrial centers consisting of 10 or more tenant spaces. The purposes of the program are to integrate signs with building and landscaping design to create a unified architectural unit and to:

1. Locate signs to avoid conflicts with vehicles and pedestrians and to protect public safety;
2. Employ compatible location and type of construction to ensure well planned signage;
3. Ensure compliance with the sign ordinance.

B. Provisions. An approved sign program may provide additional flexibility in the location, size, and placement of signs above than what would be strictly allowed under this chapter.

C. Method of Application. An application for a comprehensive sign program must be made on forms prescribed by the Director ~~of Development Services~~ and be filed with the Planning ~~and Building~~ Department.

D. Method of Review. All comprehensive sign programs shall be reviewed and approved by the Director. (Ord. 566 § 3, 2019)

### **13.32.030 Permit requirements – Review procedures and administration.**

A. Sign Permit Required. Except where otherwise provided in this chapter, a sign permit is required prior to placing, erecting, moving, or reconstructing of any permanent sign. A temporary sign permit is required for all temporary signs, unless expressly exempted by this chapter. One or more signs may be approved per sign permit. A sign permit is also required for a comprehensive sign program. The method of application for a comprehensive sign program is described in Section [13.32.025](#) of this chapter. Signs requiring a permit shall comply with the provisions of this chapter and all other applicable laws and ordinances.

1. Method of Application. An application for a sign permit shall be made on forms as prescribed by the Director ~~of Development Services~~. Such an application shall be filed with the ~~Planning~~ Department and shall be accompanied by the plans and materials as

required by the Director ~~of Development Services~~. Sign applications must be accompanied by a building permit if required.

2. Method of Review. The purpose of a sign permit is to ensure compliance with the provisions of this chapter and to ensure that any sign proposal is in conformance with the General Plan, as well as other applicable ordinances and policies of the city. After receipt of a sign application, the Director ~~of Development Services or authorized~~ designee shall render a decision to approve, approve with modifications, or deny such sign request. The Director may set any application for an administrative hearing if input from the surrounding residents or property owners is desired.

3. Building Permit Required. Issuance of a sign permit in no way precludes the necessity for obtaining building permits for signs in all instances where building permits are required by the City.

B. Director. Except as otherwise provided, it is the responsibility of the Director ~~or authorized designee~~ to enforce all provisions of this chapter.

C. Interpretation of Provisions.

1. The provisions of this chapter are not intended to abrogate any easements, covenants or other existing agreements which are more restrictive than the provisions of this chapter.

2. If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of proper jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

3. If ambiguity arises concerning the interpretation of any provision of this chapter, it shall be the duty of the Planning Commission to ascertain all pertinent facts and by resolution set forth the findings and the interpretations.

D. Variances. The Director is authorized to grant variances to provide flexibility from the strict application of sign regulations when special circumstances pertaining to the property such as size, shape, topography, or location deprives such property of privileges enjoyed by other property in the vicinity. Applications for variances shall be reviewed by the Director according to the variance procedures as set forth in Section [13.06.040](#) of this title.

E. Appeals. Except as otherwise provided in this chapter, a decision issued pursuant to this chapter may be appealed as provided by the appeal procedures set forth in Title 1. The Director may waive the period for bringing an appeal if the sign permit does not entail a freeway-serving sign. (Ord. 566 § 3, 2019)

### **13.32.040 General provisions.**

A. Signs Exempt From Permitting and Standards. In addition to specific provisions elsewhere in this chapter that exempt certain signs from the permitting requirement, the following signs are exempt from the application, permit and fee requirements of this chapter; provided however, that building permits may be required, all signs shall be located in accordance with the setback regulations contained in Section [13.32.060](#)(A)(4) of this chapter.

1. Signs of public service and utility companies indicating danger, or which serve as an aide to public safety, or which show underground facilities or public infrastructure;
2. Railroad crossing signs;
3. Traffic or municipal signs posted by government agencies;
4. Signs and notices required by law or by Federal, State, County, or City authority, and signs and notices issued by a court, public body, person, or officer in performance of their public duty or in giving any legal notice;
5. Address signs that are required by and conform with the Building Code;
6. Public service and civic identification signs promoting City-sponsored activities or community events as authorized by the City Council;
7. Interior signs within a structure or building not visible or readable or intended to be read from off-site or from outside of the building or structure;
8. Change of copy on a previously approved sign where no alterations are to be made requiring a building permit.
9. Banners which are duly authorized and approved pursuant to a formal written policy of the City.

B. Signs Exempt From Permitting Requirements. The following signs do not require permits pursuant to Section [13.32.030](#) when they comply with the applicable standards in this chapter:

1. Permanent Window Signage. Permanent window signs not exceeding 25% of the window area are permitted as permanent signs.
2. Commercial Directional Signs. Either one commercial directional sign up to a maximum area of sign of 20 square feet in area or one per tenant up to four square feet, provided that each sign satisfies the following:
  - a. Located on property in any zone which also contains a public parking area on site; and

- b. Sign is not readable from the public right-of-way or is oriented towards pedestrians or drivers on site.
3. Flags. A single official flag of the United States of America and two flags of either the State or other states of the United States, counties, municipalities or official flags for nations, and of organizations or companies. Flags shall be maintained in good condition and torn or worn flags shall be replaced or removed. Flags shall be a maximum of five feet by eight feet. Maximum height shall meet height requirements set forth in this title. Company flags may not be flown in residential zones.
4. Vehicles.
  - a. Signs on public transportation vehicles and structures including, but not limited to, buses, taxicabs, or other public transportation;
  - b. Signs on licensed vehicles, provided such vehicles are not used or intended for use as portable signs or as may be prohibited in subsection B of this section.
5. Projecting Signs. Commercial projecting signs are allowed subject to the following standards:
  - a. Such signs shall not project into the public right-of-way;
  - b. Such signs do not exceed two square feet in sign area (on one side);
  - c. Such signs do not project more than two feet from the building wall;
  - d. A minimum of eight feet of clearance is provided from the finished ground surface and the bottom of the sign;
  - e. Maximum of one such sign per store frontage;
  - f. Sign may not be internally illuminated.
6. Transportation Infrastructure. Commercial speech may be allowed bus benches, bus shelters, and other public transportation infrastructure.
7. Properties for sale in any zone may display one temporary sign not exceeding four square feet in size or four feet in height.
8. Temporary and portable signs that comply with the standards set forth in Section [13.32.060](#), except where that section indicates a permit is required. (Ord. 599 § 2, 2022; Ord. 566 § 3, 2019)



**MEETING DATE** May 24, 2023

**ITEM TITLE** PRESENTATION OF THE PROPOSED CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2024-2028

**DIRECTOR/DEPARTMENT** Marlene Best, City Manager *MSB*  
Heather Jennings, Director of Finance *HJ*

**SUMMARY**

The Proposed Capital Improvement Program (CIP) for Fiscal Years 2024-2028 will be presented to the City Council for initial review and discussion. The proposed CIP will be included on the June 14, 2023 City Council meeting agenda to provide an opportunity for additional discussion, and will be brought back to the City Council for adoption on June 28, 2023.

The purpose of the CIP is to provide a multi-year planning tool for the infrastructure and other capital needs of the community, and to coordinate the scheduling and financing of projects. Emphasis has been placed on the first two years, which upon City Council action will become the adopted capital projects budget. Once adopted, the CIP is continually monitored to ensure funding sources are available as projected and is revised bi-annually in response to continually evolving priorities and economic conditions.

**FINANCIAL STATEMENT**

The Proposed Capital Improvement Program will establish the appropriated capital projects budget for fiscal years 2023-24 and 2024-25 once adopted and reflects \$42.9 million in funded projects in the first two fiscal years.

**CITY ATTORNEY REVIEW**  N/A  Completed

**RECOMMENDATION** *MSB*

Review and discuss the Proposed Capital Improvement Program for Fiscal Years 2024-2028 and provide direction to staff as necessary.

**ATTACHMENT**

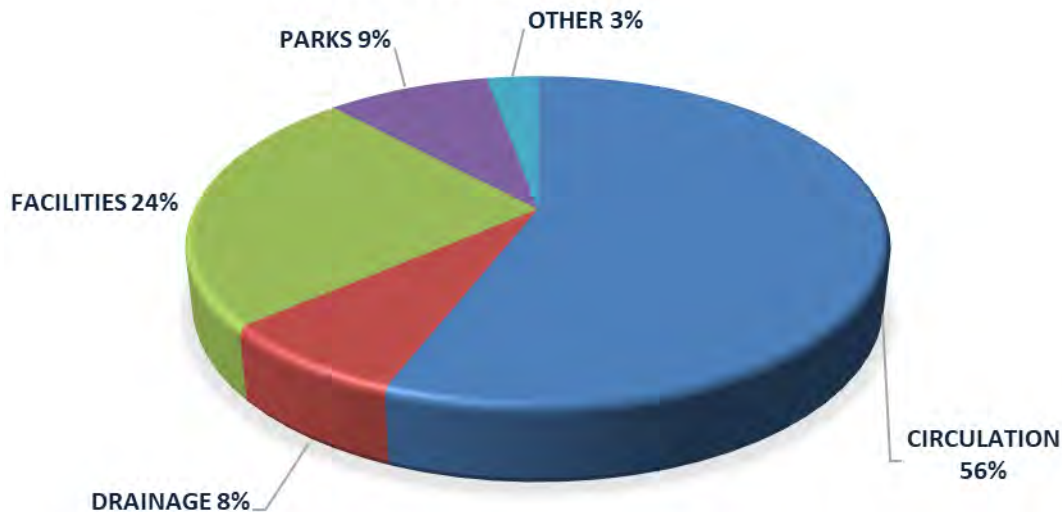
1. Staff Report
2. Proposed Capital Improvement Program for Fiscal Years 2024-2028.



**STAFF REPORT  
CAPITAL IMPROVEMENT PROGRAM OVERVIEW  
FOR FISCAL YEARS 2024-28  
CITY COUNCIL MEETING  
MAY 24, 2023**

The Capital Improvement Program (CIP) for Fiscal Years 2024-2028 is a five-year planning tool that assists the City Council with setting priorities, identifies unfunded needs, helps staff in managing workloads, project schedules and budgets, and establishes the appropriated CIP budget for the first two fiscal years. Funding is allocated to projects based on existing available funds and projected revenues. Staff has identified 70 projects totaling \$368.3 million over the next five years for infrastructure and other capital needs of the community and the City. Of the \$368.3 million, \$119.3 million is funded and \$249.0 million is unfunded. The CIP reflects five project categories: Circulation, Drainage, Facilities, Parks, and Other projects.

**CAPITAL IMPROVEMENT PROGRAM BY  
PROJECT TYPE**



**Circulation Projects**

Circulation projects comprise the largest portion of the CIP, totaling \$209.9 million or 56% of the total project costs. Highlights in this category include:

- Pavement Repair and Rehabilitation / Pavement Roadway Maintenance: These projects have a combined total identified cost of \$26.9 million over the next five years. Allocated funding for both projects totals \$6.9 million in FY 2023-24 and \$2.5 million in FY 2024-25.
- Prospect Avenue and Mesa Road Improvements: This project is fully funded in FY 2023-24 at a total project cost of \$1.1 million.

- Cuyamaca Right Turn Lanes at Mission Gorge: This project is fully funded in FY 2023-24 at a total project cost of \$1.8 million.
- Highway 52 Improvements: This project is reflected at a total cost of \$53.5 million, as the City continues to actively pursue all federal, state and regional funding opportunities.

### **Drainage Projects**

Drainage projects total \$28.7 million. Highlights in this category include:

- CMP Storm Drain Replacement Program: This is an annually appropriated program with a five-year identified cost of \$11.8 million, \$2.9 million of which is funded in the first two years.
- Storm Drain Trash Diversion: The total project cost over the next five years is \$1.2 million. The project is fully funded and has a budget in year one and two of \$502,000.

### **Facility Projects**

Facility projects comprise the second largest portion of the CIP, totaling \$91.1 million or 24% of the total project costs. Highlights in this category include:

- Community Center: The Community Center is projected to cost \$20.0 million and is fully funded. \$390,000 is budgeted in the first two fiscal years to complete design, with construction expected to begin in FY 2025-26. Various City Hall Improvements including wood repairs, repainting of City Hall buildings and parking lot light poles, replacement of the roof at Building 6, and modification of the public counter in Building 4 are included in years one and two. In addition, network wiring will be updated at City Hall.
- Operations Center Upgrades: The upgrades proposed for the Operations Center include the addition of a vac-truck dumping and de-watering station. This upgrade is needed to ensure that cleaning water and removed waters from the storm water system during cleaning does not contaminate the stormwater collection system. This project is expected to cost \$885,000 and is fully funded in FY 2023-24.
- Fire Station Projects: The total estimated cost for the construction and rebuilding of three new fire stations, an Emergency Operations Center, and a Fleet Maintenance Facility is included in this Capital Improvement Program Budget. The estimated cost of all facilities is \$46.3 million. The majority of the projects are currently unfunded with the intent to develop a funding strategy for the facilities. There is \$1.1 million funded in FY 2023-24 for design of one of the fire stations and the fleet shop.

### **Park Projects**

Park projects total \$33.3 million. There are several projects planned for future years once funding is identified. Current highlights in this category include:

- General Park Improvements: This project is an annual allocation used for improvement and systematic replacement of existing park facilities and amenities. The total identified cost included in the CIP is \$100,000.
- Sports Field and Court Improvements: This project is an annual allocation used to improve City sports fields and courts. The total identified cost included in the CIP is \$100,000.

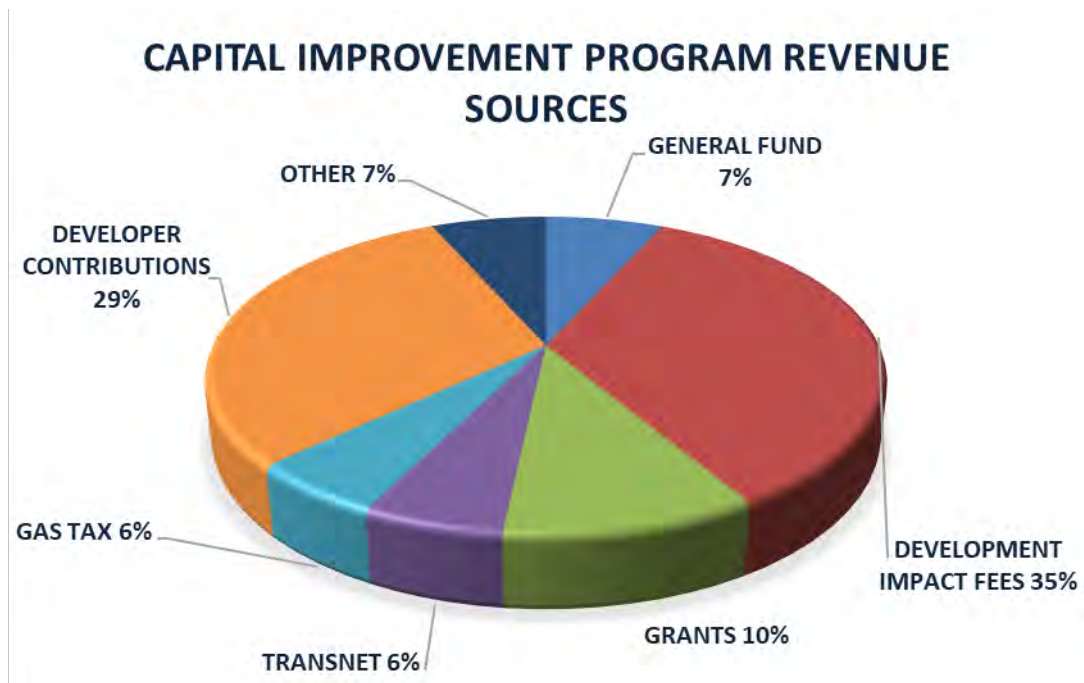
### Other Projects

Other projects total \$11.1 million and include information technology and various other projects such as the following:

- **Broadband Infrastructure Improvements:** This project will provide a secure, wired, fiber optic connection from City Hall to the City’s Operations Center and is fully funded in FY 2023-24 with an estimated cost of \$1.2 million.
- **San Diego River Fire Hazard Mitigation Plan:** This project will significantly reduce the threat of property loss and casualties in fire-prone areas of the City. The City is currently seeking grant funding from FEMA’s Hazard Mitigation Program and the San Diego River Conservancy. The project is partially funded with \$952,940 in America Rescue Plan Act (ARPA) funding. Total cost for this project is \$7.6 million.
- **Website Update:** This project is fully funded in FY 2023-24 at \$100,000 and will update the City’s website to enhance design features and functionality.

### Revenue Sources

As previously mentioned, of the \$368.3 million identified in the Capital Improvement Program, \$119.0 million in funding has been identified with existing available funds and projected revenues over the next five fiscal years. Programed revenues come from a variety of sources.



The primary revenue sources for the CIP are as follows.

- Development Impact Fees received from new development, which include Drainage, Park-in-Lieu, Public Facilities, Regional Transportation Congestion Improvement

Program (RTCIP), Traffic Mitigation, and Traffic Signal fees. These fees together are the largest CIP revenue source.

- Developer contributions
- Federal and State grants
- General Fund
- Gas Tax and SB1 Road Maintenance and Rehabilitation Program funds
- TransNet
- Various other funding sources

The 2024-2028 CIP continues to utilize ARPA funding. The City first appropriated ARPA funds in the 2021-22 CIP. While a good portion of the funding has been spent, the City continues to fund certain projects with ARPA. These projects include:

- |   |             |
|---|-------------|
| • Broadband Infrastructure Improvements | \$1,039,000 |
| • CMP Storm Drain Replacement Program   | \$917,304   |
| • Pavement Roadway Maintenance Citywide | \$1,000,000 |
| • San Diego River Hazard Mitigation     | \$952,940   |
| • Storm Drain Trash Diversion           | \$263,793   |

Under the direction of the City Manager, the Finance Department prepares the City's Capital Improvement Program budget document. Additional information regarding the City's CIP budget may be obtained by contacting the City of Santee Finance Department or through the City's web site at [www.cityofsanteeca.gov](http://www.cityofsanteeca.gov).

The CIP Budget attachment is available via the below link:

<https://www.cityofsanteeca.gov/home/showpublisheddocument/23588/638200959440619910>

**MEETING DATE**            May 24, 2023

**ITEM TITLE**    RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2023 (CIP 2023-06) PROJECT AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PER STATE CEQA GUIDELINES SECTION 15301 (c)

**DIRECTOR/DEPARTMENT**            Carl Schmitz, Engineering 

**SUMMARY**

This item requests City Council award the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) Project to Pavement Coatings Co. in the amount of \$3,691,633.87. This project will resurface a total of 46 streets, 35 streets as identified in the Pavement Management Report and 11 streets directed by the City Council. The attached project map and street list identify the streets throughout the City which are to be resurfaced as part of this contract.

In compliance with the City’s purchasing ordinance, Santee Municipal Code Section 3.24.100, City staff administered a formal bid process on April 14, 2023. On May 10, 2023, the City Clerk publicly opened and examined three sealed bids. The bid submitted by Pavement Coatings Co. has been determined to be the lowest responsive and responsible bidder in the amount of \$3,691,633.87. The bid submitted by Pavement Coatings Co. is 11% lower than the Engineer’s construction estimate of \$4,146,000.00.

Staff also requests authorization for the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$920,000.00 (25% of the contract price) for unforeseen items and additional work associated with the Project.

**ENVIRONMENTAL REVIEW**

This action is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines.

**FINANCIAL STATEMENT** 

Funding for this project will be provided by Transnet funds, Gas Tax-RMRA funds, ARPA funds and the General Fund and is included in the Proposed 2024-2028 Capital Improvement Program budget as part of the Pavement Roadway Maintenance Citywide project.

|                                     |                            |
|-------------------------------------|----------------------------|
| Design and Bidding                  | \$ 40,000.00               |
| Construction Contract               | 3,691,633.87               |
| Construction Change Orders          | 920,000.00                 |
| Construction Engineering/Management | 60,000.00                  |
| Project Closeout                    | <u>1,000.00</u>            |
| <br>Total Anticipated Project Cost  | <br><u>\$ 4,712,633.87</u> |



**CITY ATTORNEY REVIEW**

N/A

Completed

**RECOMMENDATION** *MAB*

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) Project to Pavement Coatings Co. for a total amount of \$3,691,633.87; and
2. Authorizing the City Manager to execute all necessary documents to execute the contract on behalf of the City; and
3. Authorizing the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$920,000.00; and
4. Determining this action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines.

**ATTACHMENTS**

Resolution  
Bid Summary Chart  
Project Map  
Street List



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2023 (CIP 2023-06) AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PER STATE CEQA GUIDELINES SECTION 15301 (c)**

**WHEREAS**, on April 14, 2023, City staff administered a formal bid process in compliance with Santee Municipal Code Section 3.24.100; and

**WHEREAS**, the City Clerk, on May 10, 2023, publicly opened and examined sealed bids for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) (“Project”); and

**WHEREAS**, the lowest received bid was submitted by Pavement Coatings Co. in the amount of \$3,691,633.87; and

**WHEREAS**, in accordance with Santee Municipal Code section 3.24.100(E), staff has determined that the bid submitted by Pavement Coatings Co. conforms in all material respects to the requirements set forth in the invitation for bids; and

**WHEREAS**, Pavement Coatings Co. was found to be the lowest responsive and responsible bidder with their total bid amount of \$3,691,633.87; and

**WHEREAS**, staff recommends awarding the construction contract to Pavement Coatings Co. in the amount of \$3,691,633.87; and

**WHEREAS**, staff requests authorization for the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$920,000.00 for unforeseen items and additional work associated with the Project.

**WHEREAS**, the project is categorically exempt from environmental review pursuant to Section 15301(c) of the State CEQA Guidelines.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1:** The Recitals provided above are true and correct and are hereby incorporated into this Resolution.

**SECTION 2:** The construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2023 (CIP 2023-06) Project is awarded to Pavement Coatings Co. as the lowest responsive and responsible bidder in the amount of \$3,691,633.87 and the City Manager is authorized to execute all necessary documents to execute the contract on behalf of the City.

**SECTION 3:** The Director of Engineering/City Engineer, is authorized to approve change orders in an amount not to exceed \$920,000.00 for unforeseen items and additional work associated with the Project.

**RESOLUTION NO. \_\_\_\_\_**

**SECTION 4:** The project is categorically exempt from environmental review under State CEQA Guidelines Section 15301(c), Existing Facilities.

**SECTION 5:** The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Santee City Hall, 10601 Magnolia Avenue, Santee, CA 92071. The City Clerk is the custodian of record of those proceedings.

**SECTION 6:** This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24th day of May, 2023 by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

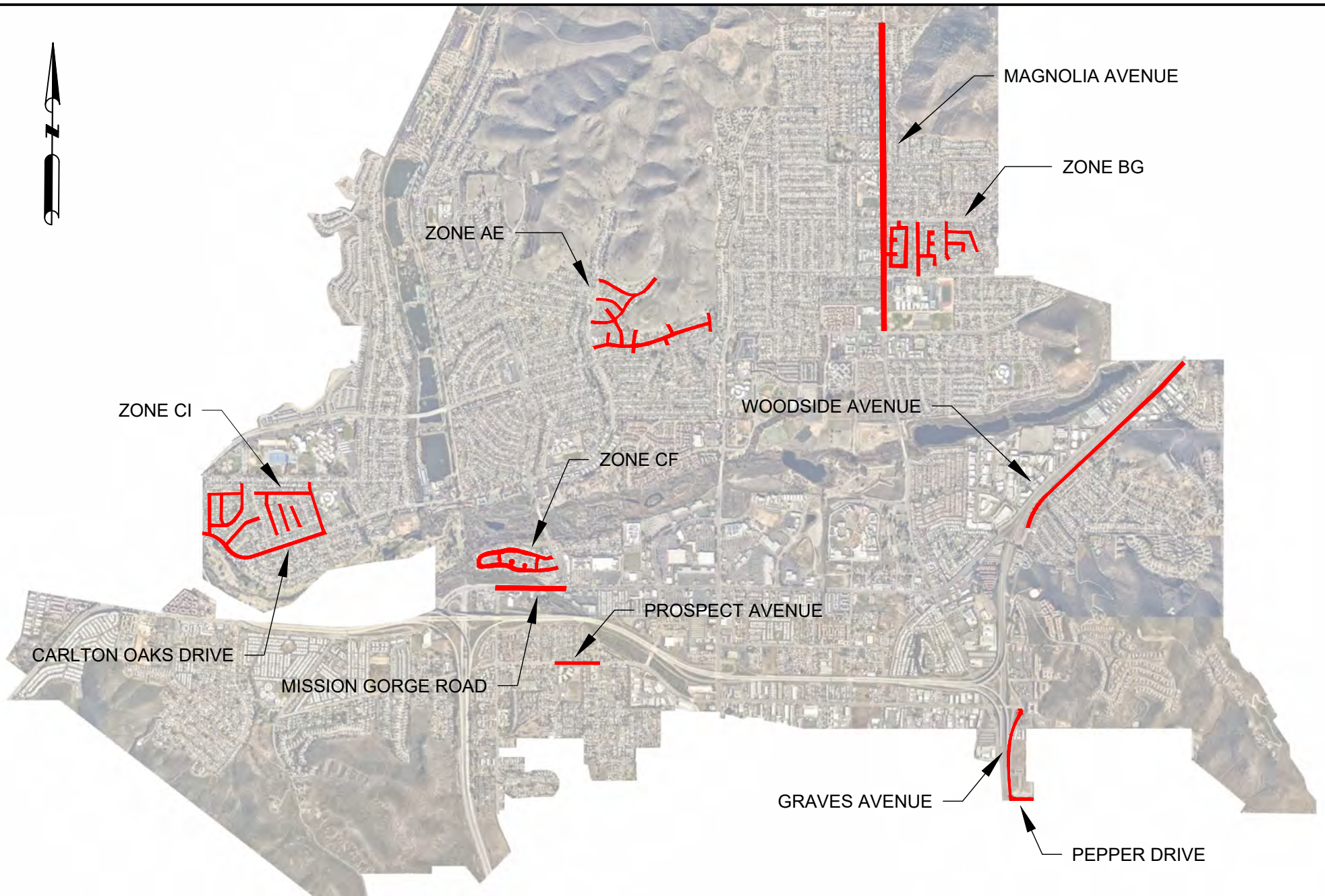
\_\_\_\_\_  
**JOHN W. MINTO, MAYOR**

**ATTEST:**

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

# CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2023 CIP 2023-06





**CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2023**  
**CIP 2023-06**

PROJECT STREETS 



**Citywide Slurry Seal and Roadway Maintenance Program 2023  
CIP 2023-06**

3/14/2023

| <b>Street Name</b>   | <b>From Street</b> | <b>To Street</b>  |
|----------------------|--------------------|-------------------|
| <b>Zone AE</b>       |                    |                   |
| Cambury Dr           | Mast Blvd          | North End         |
| Cecilwood Rd         | Halberns Blvd      | End               |
| Dragoye Dr           | Mast Blvd          | End               |
| Halberns Blvd        | Mast Blvd          | Lake Canyon Rd    |
| Lutheran Ct          | Lutheran Wy        | End               |
| Lutheran Wy          | Halberns Blvd      | Cambury Dr        |
| Markwood Dr          | Halberns Blvd      | Cecilwood Rd      |
| Roe Dr               | Lutheran Wy        | End               |
| Roecrest Dr          | Lutheran Wy        | End               |
| Ryder Rd             | Mast Blvd          | Lutheran Wy       |
| Tuthill Wy           | Halberns Blvd      | Cecilwood Rd      |
| <b>Zone BG</b>       |                    |                   |
| Carreta Dr           | El Nopal           | Second St         |
| E. Glendon Circle    | Josie Jo Ln        | W. Glendon Circle |
| Holborn St           | Cleary St          | El Nopal          |
| Josie Jo Ln          | El Nopal           | W. Glendon Circle |
| Montura Ave          | Trigal Wy          | End               |
| Montura Ct           | Montura Ave        | End               |
| Nubbin Ct            | W. Glendon Circle  | End               |
| Sayers Ct            | Holborn St         | End               |
| Second St            | Magnolia Ave       | Delia St          |
| Tomel Ct             | Magnolia Ave       | End               |
| Trigal Wy            | Carreta Dr         | End               |
| Valor Pl             | Holborn St         | End               |
| W. Glendon Circle    | Josie Jo Ln        | E. Glendon Circle |
| <b>Zone CI</b>       |                    |                   |
| Amino Dr             | Leticia Dr         | Rumson Dr         |
| Cadorette Ave        | Carlton Oaks Dr    | Kaschube Wy       |
| Dempster Dr          | De Vos Dr          | Kreiner Wy        |
| Goyette Pl           | De Vos Dr          | End               |
| Heiting Ct           | De Vos Dr          | End               |
| Kreiner Wy           | Wethersfield Rd    | Kaschube Wy       |
| Leticia Dr           | Carlton Oaks Dr    | Amino Dr          |
| Wethersfield Rd      | Rumson Dr          | Carlton Oaks Dr   |
| Whispering Leaves Ln | Amino Dr           | Leticia Dr        |

|                  |                    |                    |
|------------------|--------------------|--------------------|
|                  |                    |                    |
| <b>Zone CF</b>   |                    |                    |
| Gorge Ave        | Willowgrove Ave    | Carlton Hills Blvd |
| Gorge Ct         | Gorge Ave          | End                |
| Gorge Pl         | Gorge Ave          | End                |
| Singing Wood Wy  | Gorge Ave          | Willowgrove Ave    |
| Sunwood Dr       | Gorge Ave          | Willowgrove Ave    |
| Willowgrove Ave  | Carlton Hills Blvd | Gorge Ave          |
|                  |                    |                    |
| <b>Majors</b>    |                    |                    |
| Carlton Oaks Dr  | Wethersfield Rd    | West Hills Pkwy    |
| Graves Ave       | Prospect Ave       | Pepper Dr          |
| Magnolia Ave     | Mast Blvd          | North End          |
| Mission Gorge Rd | Carlton Hills Blvd | Fanita Dr          |
| Pepper Dr        | Graves Ave         | City Limits        |
| Prospect Ave     | Atlas View Dr      | Via de Victoria    |
| Woodside Ave     | David Ann Rd       | City Limits        |

**MEETING DATE**            May 24, 2023

**ITEM TITLE**    RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE PAVEMENT REPAIR AND REHABILITATION PROGRAM 2023 (CIP 2023-05) PROJECT AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PER STATE CEQA GUIDELINES SECTION 15301 (c)

**DIRECTOR/DEPARTMENT**            Carl Schmitz, Engineering 

**SUMMARY**

This item requests City Council award the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project to Hazard Construction Engr in the amount of \$1,048,690.45. This project will resurface a total of 11 streets, 10 streets as identified in the Pavement Management Report and one street directed by the City Council. The attached project map and street list identify the streets throughout the City which are to be resurfaced as part of this contract.

In compliance with the City’s purchasing ordinance, Santee Municipal Code Section 3.24.100, City staff administered a formal bid process on April 14, 2023. On May 3, 2023, the City Clerk publicly opened and examined seven sealed bids. The bid submitted by Hazard Construction Engr has been determined to be the lowest responsive and responsible bidder in the amount of \$1,048,690.45. The bid submitted by Hazard Construction Engr is 20% lower than the Engineer’s construction estimate of \$1,314,000.00.

Staff also requests authorization for the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$262,172.00 (25% of the contract price) for unforeseen items and additional work associated with the Project.

**ENVIRONMENTAL REVIEW**

This action is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines.

**FINANCIAL STATEMENT** 

Funding for this project will be provided by Transnet funds, Gas Tax-RMRA funds and the General Fund and is included in the Proposed 2024-2028 Capital Improvement Program budget as part of the Pavement Repair and Rehabilitation Citywide project.

|                                     |                            |
|-------------------------------------|----------------------------|
| Design and Bidding                  | \$ 40,000.00               |
| Construction Contract               | 1,048,690.45               |
| Construction Change Orders          | 262,172.00                 |
| Construction Engineering/Management | 60,000.00                  |
| Project Closeout                    | 1,000.00                   |
| <br>Total Anticipated Project Cost  | <br><u>\$ 1,411,862.45</u> |



**CITY ATTORNEY REVIEW**

N/A

Completed

**RECOMMENDATION**

*MAB*

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project to Hazard Construction Engr for a total amount of \$1,048,690.45; and
2. Authorizing the City Manager to execute all necessary documents to execute the contract on behalf of the City; and
3. Authorizing the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$262,172.00; and
4. Determining this action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301(c), Existing Facilities, of the CEQA Guidelines;

**ATTACHMENTS**

Resolution  
Bid Summary Chart  
Project Map  
Street List



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE PAVEMENT REPAIR AND REHABILITATION PROGRAM 2023 (CIP 2023-05) PROJECT AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PER STATE CEQA GUIDELINES SECTION 15301 (c)**

**WHEREAS**, on April 14, 2023, City staff administered a formal bid process in compliance with Santee Municipal Code Section 3.24.100; and

**WHEREAS**, the City Clerk, on May 3, 2023, publicly opened and examined sealed bids for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project (“Project”); and

**WHEREAS**, the lowest received bid was submitted by Hazard Construction Engr in the amount of \$1,048,690.45; and

**WHEREAS**, in accordance with Santee Municipal Code section 3.24.100(E), staff has determined that the bid submitted by Hazard Construction Engr conforms in all material respects to the requirements set forth in the invitation for bids; and

**WHEREAS**, Hazard Construction Engr was found to be the lowest responsive and responsible bidder with their total bid amount of \$1,048,690.45; and

**WHEREAS**, staff recommends awarding the construction contract to Hazard Construction Engr in the amount of \$1,048,690.45; and

**WHEREAS**, staff requests authorization for the Director of Engineering/City Engineer to approve change orders in a total amount not to exceed \$262,172.00 for unforeseen items and additional work associated with the Project.

**WHEREAS**, the project is categorically exempt from environmental review pursuant to Section 15301(c) of the State CEQA Guidelines.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Santee, California, as follows:

**SECTION 1:** The Recitals provided above are true and correct and are hereby incorporated into this Resolution.

**SECTION 2:** The construction contract for the Citywide Pavement Repair and Rehabilitation Program 2023 (CIP 2023-05) Project is awarded to Hazard Construction Engr as the lowest responsive and responsible bidder in the amount of \$1,048,690.45 and the City Manager is authorized to execute all necessary documents to execute the contract on behalf of the City.

**SECTION 3:** The Director of Engineering/City Engineer, is authorized to approve change orders in an amount not to exceed \$262,172.00 for unforeseen items and additional work associated with the Project.

**RESOLUTION NO. \_\_\_\_\_**

**SECTION 4:** The project is categorically exempt from environmental review under State CEQA Guidelines Section 15301(c), Existing Facilities.

**SECTION 5:** The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Santee City Hall, 10601 Magnolia Avenue, Santee, CA 92071. The City Clerk is the custodian of record of those proceedings.

**SECTION 6:** This Resolution shall take effect immediately upon its passage.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular meeting thereof held this 24th day of May, 2023 by the following roll call vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

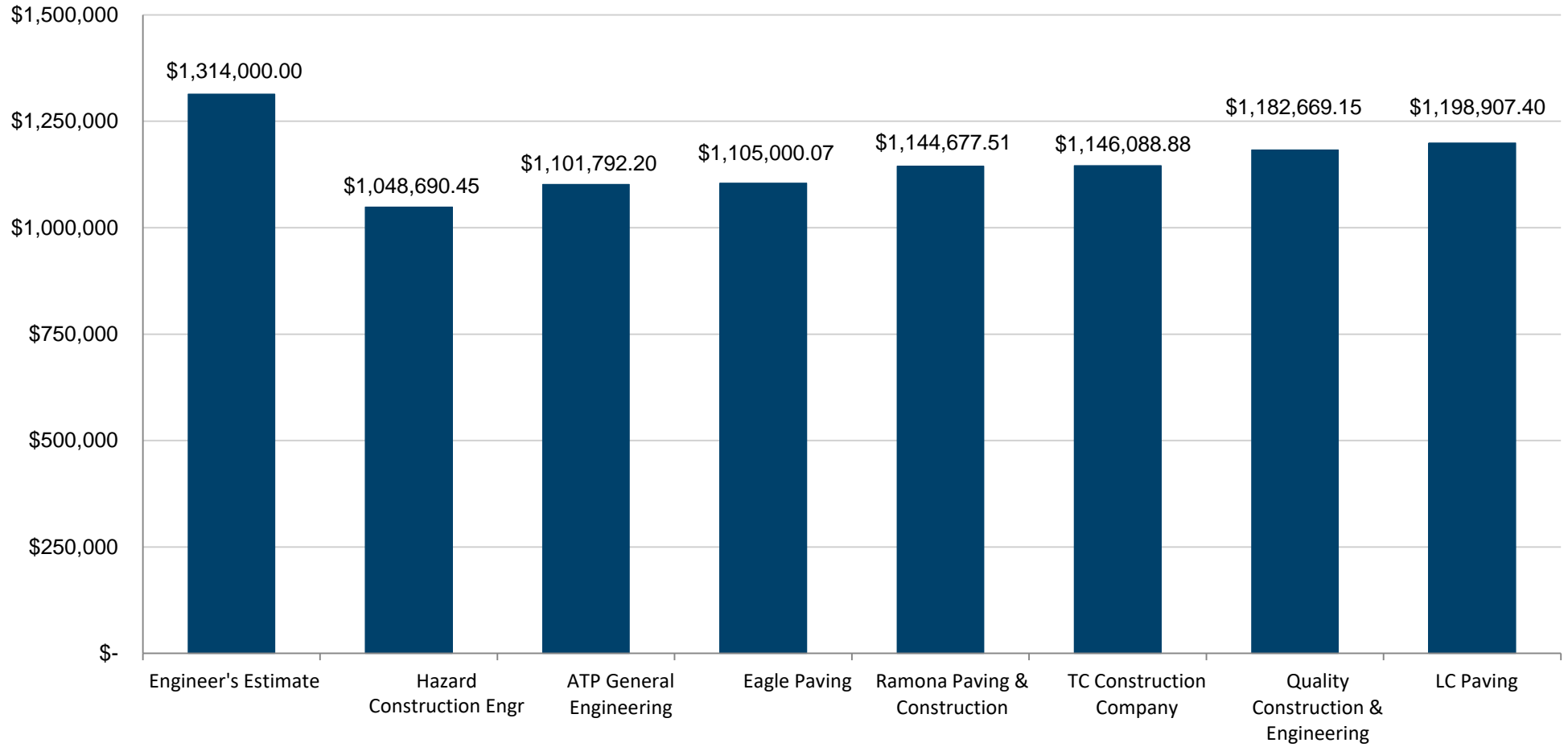
**APPROVED:**

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

**ATTEST:**

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

# CITYWIDE PAVEMENT REPAIR AND REHABILITATION PROGRAM 2023 CIP 2023-05





PEBBLE BEACH DR



ZONE CI



**CITYWIDE PAVEMENT REPAIR AND REHABILITATION PROGRAM 2023  
CIP 2023-05**

PROJECT STREETS 



**Citywide Pavement Repair and Rehabilitation Program 2023  
CIP 2023-05**

3/14/2023

| <b>Street Name</b> | <b>From Street</b>     | <b>To Street</b> |
|--------------------|------------------------|------------------|
| <b>Zone CI</b>     |                        |                  |
| Amino Drive        | Leticia Drive          | Bishoff Court    |
| Bishoff Court      | Amino Drive            | End              |
| De Vos Drive       | Wethersfield Road      | Kaschube Way     |
| Dube Court         | Amino Drive            | End              |
| Kaschube Way       | Carlton Oaks Drive     | Rumson Drive     |
| Kreiner Way        | 8529 Kreiner Wy        | Wethersfield Rd  |
| Nalini Court       | Carlton Oaks Drive     | End              |
| Praful Court       | Carlton Oaks Drive     | End              |
| Ruelle Court       | Whispering Leaves Lane | End              |
| Van Andel Way      | De Vos Drive           | End              |
|                    |                        |                  |
| <b>Majors</b>      |                        |                  |
| Pebble Beach Dr    | Grass Valley Ln        | End              |