



CITY COUNCIL
HOUSING AUTHORITY AND
SUCCESSOR AGENCY TO THE EL CAJON
REDEVELOPMENT AGENCY

Council Chamber
200 Civic Center Way
El Cajon, CA 92020

Agenda MAY 28, 2019, 3:00 p.m.

Bill Wells, Mayor
Steve Goble, Deputy Mayor
Gary Kendrick, Councilmember
Bob McClellan, Councilmember
Phil Ortiz, Councilmember

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Morgan Foley, City Attorney
Angela Cortez, City Clerk

CALL TO ORDER: Mayor Bill Wells

ROLL CALL: City Clerk Angela Cortez

PLEDGE OF ALLEGIANCE TO FLAG AND MOMENT OF SILENCE

POSTINGS: The City Clerk posted Orders of Adjournment of the May 14, 2019, Meetings and the Agenda of the May 28, 2019, Meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

Proclamation: San Ysidro Health Day and 50th Anniversary

Recognition: Crime Free Motel/Hotel Program

Presentation: Update - America on Main Street Event

Presentation: America on Main Street - Poster Winner

AGENDA CHANGES:

CONSENT ITEMS:

Consent Items are routine matters enacted by one motion according to the RECOMMENDATION listed below. With the concurrence of the City Council, a Council Member or person in attendance may request discussion of a *Consent Item* at this time.

1. Minutes of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meetings

RECOMMENDATION:

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the May 14, 2019, Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

RECOMMENDATION:

That the City Council approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title Only

RECOMMENDATION:

That the City Council approves the reading by title and waive the reading in full of all Ordinances on the Agenda.

4. Transit Facility Improvements 2019 Project Acceptance

RECOMMENDATION:

That the City Council:

1. Accepts the Transit Facility Improvements 2019 Project, Bid Number 017-19; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

5. 2018 Office of Emergency Services (CalOES) - Coverdell Forensic Science Improvement Grant

RECOMMENDATION:

That the City Council takes the following actions:

1. Authorize the City Manager or designee to accept the 2018 CalOES - Coverdell Forensic Science Improvement Grant in the amount of \$53,258, and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate funds in the amount of \$53,258 to purchase the following items:
 - 1) A Foster & Freeman DCS5 VIS/IR Tilt and Shift Lens to improve the quality of Latent Print processing (\$2,458); and
 - 2) Forensic Lab Compliance Software to be used by the Lab to assist with organizing and maintaining laboratory documents (\$50,800).

6. Tentative Agreement with the El Cajon Municipal Employees' Association (ECMEA)

RECOMMENDATION:

That the City Council approves the tentative agreement reached with the El Cajon Municipal Employees' Association (ECMEA), authorizes the City Manager to execute the final Memorandum of Understanding implementing the terms outlined, and adopts the next Resolution in order if approved.

7. Tentative Agreement with the El Cajon Mid-Management and Professional Employees' Group (MMPEG)

RECOMMENDATION:

That the City Council approves the tentative agreement reached with the El Cajon Mid-Management and Professional Employees' Group (MMPEG), authorizes the City Manager to execute the final Memorandum of Understanding implementing the terms outlined, and adopts the next Resolution in order if approved.

PUBLIC COMMENT:

At this time, any person may address a matter within the jurisdiction of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency that is not on the Agenda. Comments relating to items on today's docket are to be taken at the time the item is heard. State law prohibits discussion or action on items not on the Agenda; however, Council, Authority and Agency Members may briefly respond to statements or questions. An item may be placed on a future Agenda.

WRITTEN COMMUNICATIONS:

PUBLIC HEARINGS:

ADMINISTRATIVE REPORTS:

8. Planning Commission Vacancy

RECOMMENDATION:

That the City Council provides direction on filling a Planning Commission vacancy.

9. City Council Meeting Schedule

RECOMMENDATION:

That the City Council considers canceling one of the mid-summer meetings, as it has in past years. Staff recommends that the City Council discuss and consider canceling the August 27, 2019 meeting.

COMMISSION REPORTS:

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments); SANDAG Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

10. Council Activity Report

11. Legislative Report

12. City Council Assignments

RECOMMENDATION:

That the City Council approves City Council assignments (as identified in table below) to various boards and commissions representing El Cajon.

ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:

13. **COUNCILMEMBER GARY KENDRICK**
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

14. **COUNCILMEMBER BOB MCCLELLAN**
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.

15. **DEPUTY MAYOR STEVE GOBLE**
SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.
16. **COUNCILMEMBER PHIL ORTIZ**

JOINT COUNCILMEMBER REPORTS:

GENERAL INFORMATION ITEMS FOR DISCUSSION:

ORDINANCES: FIRST READING

ORDINANCES: SECOND READING AND ADOPTION

17. Zoning Code Omnibus for 2019 by Amendments to Title 17

RECOMMENDATION:

That Mayor Wells request the City Clerk to recite the title.

An Ordinance Implementing the Zoning Code Omnibus for 2019 by Amendments to Title 17.

CLOSED SESSIONS:

18. Closed Session - Conference with Legal Counsel - Anticipated Litigation - pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9: One (1) potential case
19. Closed Session - Conference with Labor Negotiators pursuant to Government Code section 54957.6:

Agency Designated Representatives:

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:

El Cajon Police Officers Association
El Cajon Professional Firefighters Association - Local 4603 (ECPFF)
El Cajon Police Officers' Association Management Group
Executive, Unrepresented and Confidential Employees

20. Closed Session - Public Employee Performance Evaluation: City Manager

ADJOURNMENT: The Adjourned Regular Joint Meeting of the El Cajon City Council/ El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 28th day of May 2019, is adjourned to Tuesday, June 11, 2019, at 3:00 p.m.



City Council
Agenda Report

Agenda Item 1.

DATE: May 28, 2019

TO: Honorable Mayor and City Councilmembers

FROM: Angela Cortez, City Clerk

SUBJECT: Minutes of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meetings

RECOMMENDATION:

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the May 14, 2019, Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

Attachments

05-14-19 Draft Minutes - 3 PM

05-14-19 Draft Minutes - 7 PM

JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

May 14, 2019

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, May 14, 2019, was called to order by Mayor/Chair Bill Wells at 3:04 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Kendrick and McClellan
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Goble
Mayor/Chair present:	Wells
Other Officers present:	Mitchell, City Manager/Executive Director DiMaggio, Assistant City Manager Foley, City Attorney/General Counsel Cortez, City Clerk/Secretary

Mayor Wells invited Steve Lachman, Travel Coordinator – East County Chamber of Commerce, to lead the PLEDGE OF ALLEGIANCE TO THE FLAG and MOMENT OF SILENCE. (The Courts have concluded that sectarian prayer as part of City Council Meetings is not permitted under the Constitution).

POSTINGS: The City Clerk posted Orders of Adjournment of the April 23, 2019, meeting and the Agenda of the May 14, 2019, meetings in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- America on Main Street
- Grossmont - Cuyamaca Community College District
- Bike to Work Day
- National Public Works Week

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 11)

1. Minutes of El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy

Approves Minutes of the April 23, 2019, meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

Approves the reading by title and waive the reading in full of all Ordinances on the Agenda.

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #9, and #10)

4. Award of RFP No. 027-19 – Professional Auditing Services

Adopts Resolution No. 041-19, to enter into an agreement for professional auditing services with Rogers, Anderson, Malody & Scott, LLP (RAMS) in the amount of \$145,950 for a three-year term, with the option to renew for one additional two-year period.

CONSENT ITEMS: (Continued)

5. Community Event in the Right-of-Way - July 4th Picnic

Approves the use of the public right-of-way for the July 4th picnic and fireworks display.

6. Award of Bid No. 001-20 – Traffic Signal System Maintenance, Emergency Repairs, and Related Construction Services for the Cities of El Cajon, La Mesa, Lemon Grove, and Santee

1. Adopts Resolution No. 042-19, to approve Plans and Specifications for the Traffic Signal System Maintenance, Emergency Repairs, and Related Construction Services for the cities of El Cajon, La Mesa, Lemon Grove, and Santee project, Bid No. 001-20;
2. Find the first low bidder non-responsive for the reason set forth in this agenda report; and
3. Adopts Resolution No. 043-19, to award the bid to the lowest responsive, responsible bidder, Southwest Traffic Signal Service, Inc. in the total amount of \$462,595, with the option to renew for four additional one-year periods. The City of El Cajon's portion of the award is \$221,515 for the first year.

7. Award of Bid No. 002-20 – HVAC Maintenance and Repair Services

1. Adopts Resolution No. 044-19, to approve Plans and Specifications for HVAC Maintenance and Repair Services, Bid No. 002-20; and
2. Adopts Resolution No. 045-19, to award the bid to the lowest responsive, responsible bidder, Countywide Mechanical Systems, Inc. in the total amount of \$65,982, with the option to renew for four additional one-year periods.

8. 2018 State Homeland Security Grant – Urban Area Security Initiative Program Funding (UASI)

That the City Council authorizes the City Manager or designee to accept and appropriate the FY 2018 Urban Area Security Initiative Funding (UASI) in the amount of \$62,940 and to execute any grant documents and agreements necessary for the receipt and use of these funds and equipment.

CONSENT ITEMS: (Continued)

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #4, and #10)

9. Contract Amendment for Bid No. 018-19 – Elevator Maintenance and Repair Services

Adopts Resolution No. 046-19, to increase the contract for elevator maintenance and repair services in the amount of \$19,668.16.

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #4, and #9)

10. Extension of Professional Services Agreement for Video Production Services

Authorizes the City Manager to extend the existing Professional Services Agreement between the City of El Cajon and Video Technics for a two-year period in the amount of \$53,187.

DISCUSSION

Bonnie Price asked if the two (2) contracts that are to be extended, and one (1) new contract were subjected to competitive bidding.

In response to Ms. Price's question, **City Manager Mitchell** advised that Items #4 and #9, were open to competitive bidding, and Item #10, for Video Production was not, as the City needs to perform an assessment of the infrastructure needed from Video Perspective. This shall be done in the future, and at that time a request for bids will be issued.

11. Self-Insure Workers' Compensation

Adopts Resolution No. 047-19, authorizing staff to submit an application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self-Insure Workers' Compensation liabilities.

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 11.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT: (Continued)

Joe Mackey, representing the East County Chamber of Commerce, thanked Council for accepting the donation of the Rotary Clock, placed at the Prescott Promenade, and introduced Rick Wilson, new President and CEO of the Chamber of Commerce.

Tim Juengst, expressed concerns over the homeless situation, prostitution, drugs, alcohol, trash and crimes in his neighborhood. Mr. Juengst requested red curbs to be painted in his neighborhood to discourage the criminal activities, as he felt threatened by those individuals.

Mayor Wells suggested Mr. Juengst contact **City Manager Mitchell** and City staff to find a solution.

Jim Cirigliano praised the Presentation by the Grossmont – Cuyamaca Community College. He requested education on the Councilmember vacancy selection process, and spoke about the qualities that should be considered when appointing a new Councilmember.

Harold Brown, representing the East County Transitional Living Center (ECTLC), spoke in support of Grossmont Cuyamaca College, and thanked the City for the opportunity to serve by assisting with the America on Main Street event. Mr. Brown extended an invitation for everyone to come out and support ECTLC, by attending the Comedy Night at Skyline Church on May 18th.

In response to a question by **Councilmember McClellan**, Mr. Brown, stated that ECTLC residents are encouraged to attend Grossmont Cuyamaca College, and that education is part of the services offered at the center.

George Ibarra thanked the City for the process to fill the vacant Councilmember seat, and spoke in support of rent control in the senior mobile home parks.

Mayor Wells acknowledged Karen Clark-Mejia and Jo Alegria, from the Cajon Valley Union School District, who were present in the audience.

WRITTEN COMMUNICATIONS: None

Remainder of page intentionally left blank.

PUBLIC HEARINGS:

12. Omnibus Zoning Code Update - Amendment to Zoning Code No. 437

RECOMMENDATION: That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Moves to INTRODUCE the next ORDINANCE, in order, APPROVING Zoning Code Amendment No. 437; and
4. Requests that the City Clerk read the ORDINANCE by title only.

DISCUSSION

Assistant Planner of Community Development, Spencer Hayes, provided a summary of the Item.

Mayor Wells opened the public hearing.

No speakers came forward to speak.

Discussion ensued among **Council** and **Staff** concerning the following:

- Regulations on pet allowance in smaller dwellings;
- Updates that involve the on-sale alcohol permit process;
- Occupancy requirements for accessory dwelling;
- State requirements for more affordable housing; and
- Concern for designs that allow view of neighbor's backyard.

MOTION BY WELLS, SECOND BY McCLELLAN, to CLOSE the Public Hearing.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to MOVE to introduce the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

Remainder of page intentionally left blank.

PUBLIC HEARINGS: (Continued)

The **City Clerk** recited the title of the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON IMPLEMENTING THE ZONING CODE OMNIBUS FOR 2019 BY AMENDMENTS TO TITLE 17 OF THE EL CAJON MUNICIPAL CODE AS FOLLOWS: CHAPTER 17.10 - *ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT*, SECTION 17.10.010 (ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT); CHAPTER 17.115 - *GENERAL LAND USE REGULATIONS AND PERFORMANCE STANDARDS*, SECTION 17.115.130 (PERFORMANCE STANDARDS); CHAPTER 17.140 - *RESIDENTIAL ZONES*, SECTIONS 17.140.060 (RESIDENTIAL LOT REQUIREMENTS), 17.140.120 (ACCESSORY STRUCTURES), 17.140.170 (SINGLE-FAMILY DWELLING REVIEW PROCEDURES), 17.140.180 (ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS), AND 17.140.210 (RESIDENTIAL LAND USE TABLE); CHAPTER 17.145 - *COMMERCIAL ZONES*, SECTION 17.145.150 (COMMERCIAL LAND USE TABLE); CHAPTER 17.185 - *PARKING STANDARDS*, SECTIONS 17.185.140 (JOINT USE DRIVEWAYS) AND 17.185.190 (COMMERCIAL ZONE PARKING REQUIREMENTS); CHAPTER 17.205 - *AGRICULTURE AND ANIMALS*, SECTION 17.205.030 (ORDINARY HOUSEHOLD PETS); CHAPTER 17.210 - *ALCOHOL SALES AND DEEMED APPROVED ALCOHOL SALES REGULATIONS*, SECTIONS 17.210.080 (CONDITIONAL USE PERMIT REQUIRED), 17.210.100 (OPERATIONAL STANDARDS), 17.210.130 (NEW AND MODIFIED ON-SALE ESTABLISHMENT STANDARDS), 17.210.140 (DISTANCE REQUIREMENTS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS), AND 17.210.160 (REQUIRED FINDINGS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS); CHAPTER 17.225 - *MISCELLANEOUS SPECIAL USES AND REGULATIONS*, SECTION 17.225.090 (OUTDOOR DINING AREAS); AND CHAPTER 17.245 - *WIRELESS COMMUNICATIONS FACILITIES*, SECTIONS 17.245.080 (PERMIT REQUIRED) AND 17.245.080 (DEVELOPMENT AND DESIGN STANDARDS)

ADMINISTRATIVE REPORTS:

13. City Council Appointment Process

RECOMMENDATION:

That the City Council considers the format to evaluate candidates for the vacant City Council position.

ADMINISTRATIVE REPORTS: (Continued)

DISCUSSION

City Manager Mitchell, provided detailed information of the Item.

Bonnie Price shared a list of criteria compiled by the San Diego Association of Governments (SANDAG) and Registered of Voters (ROV) on recommended characteristics for an appointee.

Discussion ensued among **Council** and **Staff** concerning the nomination process. It was determined that all applicants would give a two (2) minute presentation. Then, each councilmember would nominate one (1) to six (6) applicants, if an applicant received more than one (1) nomination, they would be moved to phase 2 for Councilmembers to interview.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments) Board of Directors; SANDAG – Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

14. Council Activities Report/Comments

Report as stated.

15. Legislative Update - None

Report: Bill Wells, Mayor

Assistant City Manager DiMaggio, provided information on the following bills:

AB 392, sets Statewide conditions for deadly force used by police officers (opposed by League of California Cities). This is an active bill going through hearings.

AB 516, removes Code Enforcement's ability to tow abandoned vehicles, left over 72-hours and vehicles with expired registration. An active bill, opposed by League of California Cities.

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS: (Item # 15 – Continued)

AB 1332, Requires the Department of Justice to publish list of businesses and individuals that comply with federal Immigration policy. Opposed by League of California Cities.

AB 1356 – Retail cannabis sales, currently in suspense file.

SB 635, Eliminates the State taxation from capital gain coming out from Opportunity Zones. Positive for investors if status changes. Currently in the suspense file.

The City will continue to monitor and provide updates in the future.

In response to a question by **Councilmember McClellan**, **Assistant Manager DiMaggio** clarified that the bill pertains to those entities that have direct interaction with the federal immigration issues.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

16. COUNCILMEMBER GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Council Activities Report/Comments.

In addition to the report submitted, **Councilmember Kendrick**, attended the Advance Water Purification meeting May 13th.

17. COUNCILMEMBER BOB MCCLELLAN
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.

Council Activities Report/Comments.

Report as stated.

18. DEPUTY MAYOR STEVE GOBLE
SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item #18 – Continued)

Council Activities Report/Comments.

In addition to the report submitted, **Deputy Mayor Goble** advised that he did not attend the Rotary Dedication event; however, attended the Advance Water Purification meeting on May 13th.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS:

19. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: Mike Murphy and Joshua Pittsley, et al. vs. City of El Cajon, et al. United States District Court, Southern District of California Case No. 18-CV-0698-JM-NLS
20. Closed Session - Conference with Labor Negotiators pursuant to Government Code section 54957.6:

Agency Designated Representatives:

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:

El Cajon Mid-Management and Professional Employees Group
El Cajon Municipal Employees Association
El Cajon Police Officers Association
El Cajon Professional Firefighters Association - Local 4603 (ECPFF) El Cajon Police Officers' Association Management Group
Executive, Unrepresented and Confidential Employees

CLOSED SESSIONS: (Continued)

MOTION BY WELLS, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 4:33 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 5:16 P.M.

City Attorney Foley reported the following actions:

Item #19: Direction given to legal counsel.

Item #20: Direction given to labor negotiators on all five employee organizations.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 14th day of May 2019, at 5:17 p.m., is adjourned to Tuesday, May 14, 2019, at 7:00 p.m.

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Angela Cortez
City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

May 14, 2019

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, May 14, 2019, was called to order by Mayor/Chair Bill Wells at 7:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Kendrick and McClellan
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Goble
Mayor/Chair present:	Wells
Other Officers present:	Mitchell, City Manager/Executive Director DiMaggio, Assistant City Manager Foley, City Attorney/General Counsel Cortez, City Clerk/Secretary

Mayor Wells invited Steve Lachman, Travel Coordinator – East County Chamber of Commerce, to lead the PLEDGE OF ALLEGIANCE TO THE FLAG and MOMENT OF SILENCE. (The Courts have concluded that sectarian prayer as part of City Council Meetings is not permitted under the Constitution).

AGENDA CHANGES: None

PUBLIC COMMENTS:

Abeel Taylor spoke in favor of Phil Ortiz for El Cajon City Councilmember.

Cameron Stewart spoke in favor of Phil Ortiz for City Councilmember.

Jim Cirigliano spoke about having the moral fortitude to serve regardless of beliefs, and that the council needs a new, honest, and transparent face.

Kevin Miller spoke in support of Phil Ortiz.

Aurora Cabrera congratulated **Mayor Wells** on his invitation to attend the White House's National Day of Prayer. Ms. Cabrera asked the Council to vote with the right conscious, honesty and to not allow others to have an influence on their decision.

Mohammed Tuama congratulated the City for being a recipient of the Excellence Award for the Transit District Plan. Mr. Tuama spoke in favor of Humbert Cabrera, and Jo Alegria for the Council position.

Mingo Villa, League President for the Emerald Pony Youth Baseball League, spoke in support of Steven Wood for the open vacant Councilmember seat.

George Ibarra, representing the East County Justice Coalition, spoke in support of Estela De Los Rios.

Stephanie Harper stated she was withdrawing her application for the vacant Councilmember seat position.

PUBLIC HEARINGS:

100. City Council Appointment

RECOMMENDATION:

That the City Council appoints an eligible candidate to fill an "at-large" vacancy on the City Council with a term through November 2020.

Remainder of page intentionally left blank.

PUBLIC HEARINGS: (Continued)

City Manager Mitchell, provided detailed information of the Item and outlined the procedure for the interviews, previously determined at the 3:00 p.m. meeting.

Applicants gave a two (2) minute presentation in the following order:

LIST OF APPLICANTS
(Order determined by a random drawing)

1	Michelle M. Metschel
2	James Elia
3	Richard Agundez
4	John Richard Campbell
5	Mark Jamil
6	Abraham Muheize
7	David Phillip 'Phil' Ortiz
8	Mark Lewis
9	Jo (Gladys) Alegria
10	Humbert Cabrera
11	Estela De Los Rios
12	Juan Carlos Mercado
13	Amanda McGimpsey
14	Margaret Carlson
15	Steven Wood
16	Anthony Sottile
17	Juan Barajas
18	Nancy Wilson

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DISCUSSION

Mayor Wells opened the public hearing.

Laura Koval spoke in support of Phil Ortiz.

Lu Tejada spoke in support of Steven Wood.

*Recess called at 8:16 p.m.
Meeting called back to order at 8:29 p.m.*

PUBLIC HEARINGS: (Continued)

Consideration interviews were conducted with the following applicants:

Richard Agundez, Jr.

Humbert Cabrera

Phil Ortiz

Anthony Sottile

Discussion ensued amongst **Council** regarding the candidates.

MOTION BY WELLS, SECOND BY KENDRICK, to APPOINT PHIL ORTIZ to fill the vacant Councilmember seat for a term to expire November 2020.

MOTION CARRIED BY UNANIMOUS VOTE.

OATH OF OFFICE ADMINISTERED TO PHIL ORTIZ.

ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held this 14th day of May, 2019, at 9:22 p.m., to Tuesday, May 28, 2019, at 3:00 p.m.

Angela Cortez
City Clerk/Secretary



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Dirk Epperson, Director of Public Works
SUBJECT: Transit Facility Improvements 2019 Project Acceptance

RECOMMENDATION:

That the City Council:

1. Accepts the Transit Facility Improvements 2019 Project, Bid Number 017-19; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

BACKGROUND:

On November 13, 2018, the contract for the Transit Facility Improvements 2019 project was awarded by City Council Resolution No. 108-18 to Fordyce Construction, Inc. The project scope included the installation of new bus shelters, benches and trash receptacles and the removal and disposal of exchanged and unused bus shelters and associated amenities. The project was completed on April 16, 2019. Final quantities and payments have been authorized and there are no pending claims.

FISCAL IMPACT:

The total construction expenditure for this contract is \$60,147.00. The project was funded in its entirety by Transportation Development Act Article 4 (213000) funds.

Prepared By: Dirk Epperson, Director of Public Works
Reviewed By: Vince DiMaggio, Assistant City Manager
Approved By: Graham Mitchell, City Manager



City Council Agenda Report

Agenda Item 5.

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Jeff Davis, Chief of Police
SUBJECT: 2018 Office of Emergency Services (CalOES) - Coverdell Forensic Science Improvement Grant

RECOMMENDATION:

That the City Council takes the following actions:

1. Authorize the City Manager or designee to accept the 2018 CalOES - Coverdell Forensic Science Improvement Grant in the amount of \$53,258, and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate funds in the amount of \$53,258 to purchase the following items: 1) A Foster & Freeman DCS5 VIS/IR Tilt and Shift Lens to improve the quality of Latent Print processing (\$2,458); and 2) Forensic Lab Compliance Software to be used by the Lab to assist with organizing and maintaining laboratory documents (\$50,800).

BACKGROUND:

Each year CalOES awards Coverdell Grants to local jurisdictions to improve the quality, timeliness, and credibility of forensic science. This year, the El Cajon Police Department Forensic Lab was awarded a Coverdell Grant award totaling \$53,258. Staff recommends that the grant be used to purchase a Foster & Freeman DCS5 VIS/IR Tilt and Shift Lens with filter and adapter. This lens controls the perspective and depth of field on curved surfaces. It will give distortion-free images on surfaces such as mirrors, shiny cardboard, and tin cans. This lens also moves around the image, which will result in a quicker analysis of latent print evidence and will allow for more prints to be usable for comparison. The Forensic Lab Compliance Software will be used to increase the Lab's capacity to provide the highest level of quality compliance and will leverage more time for performing quality analysis of crime scene evidence. This compliance software is specially designed to assist with document management, improving workflow and assisting with the writing of quality analysis reports in the Forensic Lab.

FISCAL IMPACT:

The Coverdell Grant award will provide \$53,258 of funding to the Police Special Revenue Fund (225900) and will not impact the General Fund. No matching funds are required for this grant. These funds will be used by the El Cajon Police Department for the projects listed above or as modified in the grant workbook and approved by the granting agency.

Prepared By: Julie Wiley

Reviewed By: Jeff Davis, Police Chief

Approved By: Graham Mitchell, City Manager

Attachments

FY18 Coverdell Grant Resolution

RESOLUTION NO.

RESOLUTION OF THE CITY OF EL CAJON AUTHORIZING THE ACCEPTANCE
OF THE FY18 CALIFORNIA OFFICE OF EMERGENCY SERVICES COVERDELL
FORENSIC IMPROVEMENT GRANT

BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of El Cajon that the City Council authorizes the acceptance of the Coverdell grant offered by the California Office of Emergency Services. Provided however, that if the actual revenue received from the source specified should be more or less than the amount set forth herein, that the appropriations shall be adjusted to equal the amount actually received.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of El Cajon, California, held the 28th day of May, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

DISQUALIFY:

BILL WELLS

MAYOR of the City of El Cajon

ATTEST:

ANGELA L. CORTEZ

City Clerk

I hereby certify that the above and foregoing is a full and true copy of Resolution No. of the Resolutions of the City of El Cajon, California, as adopted by the City Council at the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency on the 28th day of May 2019.

Angela L. Cortez, City Clerk



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Marisol Thorn, Director of Human Resources
SUBJECT: Tentative Agreement with the El Cajon Municipal Employees' Association (ECMEA)

RECOMMENDATION:

That the City Council approves the tentative agreement reached with the El Cajon Municipal Employees' Association (ECMEA), authorizes the City Manager to execute the final Memorandum of Understanding implementing the terms outlined, and adopts the next Resolution in order if approved.

BACKGROUND:

Tentative agreement was reached within settlement authority for ECMEA follows:

- Four Year Term - July 1, 2019 through June 30, 2023.
- Salary increases of two and a half percent (2.5%) for each year.
- Market salary increases for the identified classifications.
- Increase of \$50 per month in cafeteria plan contributions effective January of each year.
- Capping the Cafeteria Cash-in-Lieu benefit for existing employees and excluding the benefit for future employees.
- Increase in Notary Pay and Bilingual Pay.
- Increase Compensation Time Off Accruals and Vacation Accruals Cap.
- Other minor operational, clean up and/or non-economic items.

The revised Memorandum of Understanding will be available in the Human Resources Department for review.

FISCAL IMPACT:

The tentative agreement was reached within settlement authority provided by the City Council.

Prepared By: Marisol Thorn

Reviewed By:

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Attachment to Resolution

RESOLUTION NO. __-19

RESOLUTION APPROVING
MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF EL CAJON AND THE
EL CAJON MUNICIPAL EMPLOYEES' ASSOCIATION
FOR THE PERIOD THROUGH JUNE 30, 2023,
IN ACCORDANCE WITH THE
MEYERS-MILIAS-BROWN ACT

WHEREAS, the City Council has approved changes in the terms and conditions of employment of employees in the classifications represented by the El Cajon Municipal Employees' Association (ECMEA) for the period through June 30, 2023, as hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The City Council hereby approves the revised and updated Memorandum of Understanding By and Between the City of El Cajon and the El Cajon Municipal Employees' Association (ECMEA) (the "Memorandum") containing provisions for changes in the terms and conditions of employment for fiscal years through June 30, 2023. A summary of said Memorandum is attached hereto as Exhibit "A," and made a part hereof by this reference.

2. The City Council hereby finds that approval of the Memorandum satisfies the City's obligations regarding the Meet and Confer process in accordance with the Meyers-Milias-Brown Act (Government Code section 3500 et seq.).

05/28/19 CC Agenda

Employee Org – EC MEA MOU 052019

EXHIBIT “A”

**Summary of Revised Terms and Conditions of
El Cajon Municipal Employees’ Association (ECMEA)
Memorandum of Understanding:**

1. **Duration:** July 1, 2019 – June 30, 2023

2. **Salary Increases:**

- (a) 2.5% across the board increase reflected on the first paycheck in July 2019
- (b) 2.5% across the board increase reflected on the first paycheck in July 2020
- (c) 2.5% across the board increase reflected on the first paycheck in July 2021
- (d) 2.5% across the board increase reflected on the first paycheck in July 2022

3. **Market Adjustments:**

Public Safety Communications Operator: 5% Market Adjustment reflected on the first paycheck in July 2019.

Police Dispatcher: 5% Market Adjustment reflected on the first paycheck in July 2019.

Supervising Police Dispatcher: 5% Market Adjustment reflected on the first paycheck in July 2019.

4. **Cafeteria Plan Increase:** \$50/month increase to cafeteria plan, for each plan year in the agreement; cap the cash in lieu amount for existing employees to \$1,150; employees hired on or after July 1, 2019 will not be eligible for the cash in lieu.

Effective Date	Existing Employees	New Employees
January 1, 2020	Cafeteria: \$1,200 Max Cash in Lieu: \$1,150	Cafeteria: \$1,200 No Cash in Lieu
January 1, 2021	Cafeteria: \$1,250 Max Cash in Lieu: \$1,150	Cafeteria: \$1,250 No Cash in Lieu
January 1, 2022	Cafeteria: \$1,300 Max Cash in Lieu: \$1,150	Cafeteria: \$1,300 No Cash in Lieu
January 1, 2023	Cafeteria: \$1,350 Max Cash in Lieu: \$1,150	Cafeteria: \$1,350 No Cash in Lieu

5. **Notary Pay:** Increase monthly notary pay from \$60 to \$75 per month.

6. **Bilingual Pay:** Increase monthly bilingual pay from \$60 to \$120 per month.

7. **Compensation Time Accrual Cap:** Increase compensation time accrual cap from 48 hours to 80 hours after 10 years of continuous uninterrupted service with the City of El Cajon.

8. **Vacation Accruals Cap:** Increase vacation accrual cap from 480 to 560 hours after 10 years of continuous uninterrupted service with the City of El Cajon.

9. **Vacation Accrual Rate:** Condense years in which rates are achieved:

3.07 hours of vacation accrued and credited bi-weekly from the date of hire until completion of the 36th month;

4.60 hours of vacation accrued and credited bi-weekly following completion of the 36th month through the 108th month;

5.52 hours of vacation accrued and credited bi-weekly following completion of the 108th month through the 156th month;

6.14 hours of vacation accrued and credited bi-weekly following completion of the 156th month.

10. **Holiday Pay:** Delete Article 3, Section L, third full paragraph, and replace with:

Hours paid for City-observed holidays will be based on employees' regularly established work schedule.

11. **Workers' Compensation:** Initial and final (discharged from care) workers' compensation related medical appointments, PQME and depositions, will not be charged to sick leave. Delete Article 7, Section G, Paragraph 3, which refers to reimbursement, and replace with:

For accepted claims, the City will provide up to 2 hours of release time for workers' compensation related medical appointments. Release time will be considered "regular hours" for purposes of time recording. Employees are required to furnish appointment verifications that include: date of appointment, time of appointment, and date of injury for which the appointment is in reference to. Employees are encouraged to schedule these appointments at the beginning of their scheduled work day OR at the end of their scheduled work day in order to maximize the allotted release time (process will be outlined in the Administrative Policy).

12. **Limited Salary Reopener for Public Safety Communications Operator, Police Dispatcher, and Supervising Police Dispatcher Classifications:**

Salary Reopener is only for the duration of the 2019-2023 contract. Re-opener expires at the expiration of this contract term and will not extend into the next contract. Reopener exclusively applies to Public Safety Communications Operator, Police Dispatcher, and Supervising Police Dispatcher.

If at any time during the term of this agreement, the City or MEA determine they are unable to recruit or retain employees in these positions, the parties agree to reopen this agreement to solely discuss hourly wages of the classifications.

EXHIBIT "A"

**Summary of Revised Terms and Conditions of
El Cajon Municipal Employees' Association (ECMEA)
Memorandum of Understanding:**

1. **Duration:** July 1, 2019 – June 30, 2023

2. **Salary Increases:**
 - (a) 2.5% across the board increase reflected on the first paycheck in July 2019
 - (b) 2.5% across the board increase reflected on the first paycheck in July 2020
 - (c) 2.5% across the board increase reflected on the first paycheck in July 2021
 - (d) 2.5% across the board increase reflected on the first paycheck in July 2022

3. **Market Adjustments:**

Public Safety Communications Operator: 5% Market Adjustment reflected on the first paycheck in July 2019

Police Dispatcher: 5% Market Adjustment reflected on the first paycheck in July 2019

Supervising Police Dispatcher: 5% Market Adjustment reflected on the first paycheck in July 2019

4. **Cafeteria Plan Increase:** \$50/month increase to cafeteria plan, for each plan year in the agreement; cap the cash in lieu amount for existing employees to \$1,150; employees hired on or after July 1, 2019 will not be eligible for the cash in lieu

Effective Date	Existing Employees	New Employees
January 1, 2020	Cafeteria: \$1,200 Max Cash in Lieu: \$1,150	Cafeteria: \$1,200 No Cash in Lieu
January 1, 2021	Cafeteria: \$1,250 Max Cash in Lieu: \$1,150	Cafeteria: \$1,250 No Cash in Lieu
January 1, 2022	Cafeteria: \$1,300 Max Cash in Lieu: \$1,150	Cafeteria: \$1,300 No Cash in Lieu
January 1, 2023	Cafeteria: \$1,350 Max Cash in Lieu: \$1,150	Cafeteria: \$1,350 No Cash in Lieu

5. **Notary Pay:** Increase monthly notary pay from \$60 to \$75 per month

6. **Bilingual Pay:** Increase monthly bilingual pay from \$60 to \$120 per month

7. **Compensation Time Accrual Cap:** Increase compensation time accrual cap from 48 hours to 80 hours after 10 years of continuous uninterrupted service with the City of El Cajon
8. **Vacation Accruals Cap:** Increase vacation accrual cap from 480 to 560 hours after 10 years of continuous uninterrupted service with the City of El Cajon
9. **Vacation Accrual Rate:** Condense years in which rates are achieved:
 - 3.07 hours of vacation accrued and credited bi-weekly from the date of hire until completion of the 36th month;
 - 4.60 hours of vacation accrued and credited bi-weekly following completion of the 36th month through the 108th month;
 - 5.52 hours of vacation accrued and credited bi-weekly following completion of the 108th month through the 156th month;
 - 6.14 hours of vacation accrued and credited bi-weekly following completion of the 156th month.
10. **Holiday Pay:** Hours paid for City observed holidays will be based on employees regularly established work schedule of 9/80. Delete Article 3.L , the need to use one hour of vacation to complete the holiday shift
11. **Workers' Compensation:** Initial and final (discharged from care) workers' compensation related medical appointments, PQME and depositions, will not be charged to sick leave. Delete section 3 which refers to reimbursement and replace with: For accepted claims, the City will provide up to 2 hours of release time for workers' compensation related medical appointments. Release time will be considered "regular hours" for purposes of time recording. Employees are required to furnish appointment verifications that include: date of appointment, time of appointment, and date of injury for which the appointment is in reference to. Employees are encouraged to schedule these appointments at the beginning of their scheduled work day OR at the end of their scheduled work day in order to maximize the allotted release time (process will be outlined in the Administrative Policy)
12. **Limited Salary Reopener for Public Safety Communications Operator, Police Dispatcher, and Supervising Police Dispatcher Classifications:**

Salary Reopener is only for the duration of the 2019-2023 contract. Re-opener expires at the expiration of this contract term and will not extend into the next contract. Reopener exclusively applies to Public Safety Communications Operator, Police Dispatcher, and Supervising Police Dispatcher

If at any time during the term of this agreement, the City or MEA determine they are unable to recruit or retain employees in these positions, the parties agree to reopen this agreement to solely discuss hourly wages of the classifications



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Marisol Thorn, Director of Human Resources
SUBJECT: Tentative Agreement with the El Cajon Mid-Management and Professional Employees' Group (MMPEG)

RECOMMENDATION:

That the City Council approves the tentative agreement reached with the El Cajon Mid-Management and Professional Employees' Group (MMPEG), authorizes the City Manager to execute the final Memorandum of Understanding implementing the terms outlined, and adopts the next Resolution in order if approved.

BACKGROUND:

Tentative agreement was reached within settlement authority for MMPEG as follows:

- Four Year Term - July 1, 2019 through June 30, 2023.
- Salary increases of two and a half percent (2.5%) for each year.
- Market salary increases for the identified classifications.
- Increase of \$50 per month in cafeteria plan contributions effective January of each year.
- Capping the Cafeteria Cash-in-Lieu benefit for existing employees and excluding the benefit for future employees.
- Increase in Bilingual Pay.
- Increase Vacation Accruals Cap.
- Other minor operational, clean up and/or non-economic items.

The revised Memorandum of Understanding will be available in the Human Resources Department for review.

FISCAL IMPACT:

The tentative agreement was reached within settlement authority provided by the City Council.

Prepared By: Marisol Thorn, Director of Human Resources

Reviewed By:

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Attachment to Resolution

RESOLUTION NO. __-19

RESOLUTION APPROVING
MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF EL CAJON AND THE
EL CAJON MID-MANAGEMENT AND
PROFESSIONAL EMPLOYEES' GROUP
FOR THE PERIOD THROUGH
JUNE 30, 2023, IN ACCORDANCE WITH
THE MEYERS-MILIAS-BROWN ACT

WHEREAS, the City Council has approved changes in the terms and conditions of employment of employees in the classifications represented by the El Cajon Mid-Management and Professional Employees' Group (MMPEG) for the period through June 30, 2023, as hereinafter set forth:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The City Council hereby approves the revised and updated Memorandum of Understanding By and Between the City of El Cajon and the El Cajon Mid-Management and Professional Employees' Group (MMPEG) (the "Memorandum") containing provisions for changes in the terms and conditions of employment for fiscal years through June 30, 2023. A summary of said Memorandum is attached hereto as Exhibit "A," and made a part hereof by this reference.

2. The City Council hereby finds that approval of the Memorandum satisfies the City's obligations regarding the Meet and Confer process in accordance with the Meyers-Milias-Brown Act (Government Code section 3500 et seq.).

EXHIBIT “A”

**Summary of Revised Terms and Conditions of
El Cajon Mid-Management and Professional Employees’ Group (MMPEG)
Memorandum of Understanding:**

1. **Duration:** July 1, 2019 – June 30, 2023

2. **Salary Increases:**
 - (a) 2.5% across the board increase reflected on the first paycheck in July 2019
 - (b) 2.5% across the board increase reflected on the first paycheck in July 2020
 - (c) 2.5% across the board increase reflected on the first paycheck in July 2021
 - (d) 2.5% across the board increase reflected on the first paycheck in July 2022

3. **Market Adjustments:**

7.5% Market Adjustment reflected on the first paycheck in July 2019 for:

Police Records Manager, Animal Control Manager, Crime Lab Manager, and Senior Planner.

2.5% Market Adjustment reflected on the first paycheck in July 2019 for:

GIS Analyst, Planning Manager, Operations Manager, Maintenance Supervisor, Management Analyst, Principal Civil Engineer, Senior Management Analyst, Deputy City Clerk.

4. **Cafeteria Plan Increase:** \$50/month increase to cafeteria plan, for each plan year in the agreement; cap the cash in lieu amount for existing employees to \$1,150; employees hired on or after July 1, 2019 will not be eligible for the cash in lieu.

Effective Date	Existing Employees	New Employees
January 1, 2020	Cafeteria: \$1,200 Max Cash in Lieu: \$1,150	Cafeteria: \$1,200 No Cash in Lieu
January 1, 2021	Cafeteria: \$1,250 Max Cash in Lieu: \$1,150	Cafeteria: \$1,250 No Cash in Lieu
January 1, 2022	Cafeteria: \$1,300 Max Cash in Lieu: \$1,150	Cafeteria: \$1,300 No Cash in Lieu
January 1, 2023	Cafeteria: \$1,350 Max Cash in Lieu: \$1,150	Cafeteria: \$1,350 No Cash in Lieu

5. **Bilingual Pay:** Increase monthly bilingual pay from \$60 to \$120 per month.

6. **Vacation Accruals Cap:** Increase vacation accrual cap from 540 to 620 hours after 10 years of continuous uninterrupted service with the City of El Cajon.

7. **Vacation Accrual Rate:** Condense years in which rates are achieved:

3.07 hours of vacation accrued and credited bi-weekly from the date of hire until completion of the 36th month;

4.60 hours of vacation accrued and credited bi-weekly following completion of the 36th month through the 108th month;

5.52 hours of vacation accrued and credited bi-weekly following completion of the 108th month through the 156th month;

6.14 hours of vacation accrued and credited bi-weekly following completion of the 156th month.

8. **Holiday Pay:** Delete Article 3, Section K, Paragraph 5, and replace with:

Hours paid for City-observed holidays will be based on employees' regularly established work schedule.

9. **Workers' Compensation:** Initial and final (discharged from care) workers' compensation related medical appointments, PQME and depositions, will not be charged to sick leave. Delete Article 7, Section H, Paragraph 2, which refers to reimbursement, and replace with:

For accepted claims, the City will provide up to 2 hours of release time for workers' compensation related medical appointments. Release time will be considered "regular hours" for purposes of time recording. Employees are required to furnish appointment verifications that include: date of appointment, time of appointment, and date of injury for which the appointment is in reference to. Employees are encouraged to schedule these appointments at the beginning of their scheduled work day OR at the end of their scheduled work day in order to maximize the allotted release time (process will be outlined in the Administrative Policy).

EXHIBIT "A"

**Summary of Revised Terms and Conditions of
El Cajon Mid Management and Professional Employees' Group (MMPEG)
Memorandum of Understanding:**

1. **Duration:** July 1, 2019 – June 30, 2023

2. **Salary Increases:**
 - (a) 2.5% across the board increase reflected on the first paycheck in July 2019
 - (b) 2.5% across the board increase reflected on the first paycheck in July 2020
 - (c) 2.5% across the board increase reflected on the first paycheck in July 2021
 - (d) 2.5% across the board increase reflected on the first paycheck in July 2022

3. **Market Adjustments:**

7.5% Market Adjustment reflected on the first paycheck in July 2019:
Police Records Manager, Animal Control Manager, Crime Lab Manager, and Senior Planner

2.5% Market Adjustment reflected on the first paycheck in July 2019:
GIS Analyst, Planning Manager, Operations Manager, Maintenance Supervisor, Management Analyst, Principal Civil Engineer, Senior Management Analyst, Deputy City Clerk

4. **Cafeteria Plan Increase:** \$50/month increase to cafeteria plan, for each plan year in the agreement; cap the cash in lieu amount for existing employees to \$1,150; employees hired on or after July 1, 2019 will not be eligible for the cash in lieu

Effective Date	Existing Employees	New Employees
January 1, 2020	Cafeteria: \$1,200 Max Cash in Lieu: \$1,150	Cafeteria: \$1,200 No Cash in Lieu
January 1, 2021	Cafeteria: \$1,250 Max Cash in Lieu: \$1,150	Cafeteria: \$1,250 No Cash in Lieu
January 1, 2022	Cafeteria: \$1,300 Max Cash in Lieu: \$1,150	Cafeteria: \$1,300 No Cash in Lieu
January 1, 2023	Cafeteria: \$1,350 Max Cash in Lieu: \$1,150	Cafeteria: \$1,350 No Cash in Lieu

5. **Bilingual Pay:** Increase monthly bilingual pay from \$60 to \$120 per month

6. **Vacation Accruals Cap:** Increase vacation accrual cap from 540 to 620 hours after 10 years of continuous uninterrupted service with the City of El Cajon
7. **Vacation Accrual Rate:** Condense years in which rates are achieved:
 - 3.07 hours of vacation accrued and credited bi-weekly from the date of hire until completion of the 36th month;
 - 4.60 hours of vacation accrued and credited bi-weekly following completion of the 36th month through the 108th month;
 - 5.52 hours of vacation accrued and credited bi-weekly following completion of the 108th month through the 156th month;
 - 6.14 hours of vacation accrued and credited bi-weekly following completion of the 156th month.
8. **Holiday Pay:** Hours paid for City observed holidays will be based on employees regularly established work schedule of 9/80. Delete Article 3(K)(5) , the need to use one hour of vacation to complete the holiday shift
9. **Workers' Compensation:** Initial and final (discharged from care) workers' compensation related medical appointments, PQME and depositions, will not be charged to sick leave. Delete section 2 which refers to reimbursement and replace with: For accepted claims, the City will provide up to 2 hours of release time for workers' compensation related medical appointments. Release time will be considered "regular hours" for purposes of time recording. Employees are required to furnish appointment verifications that include: date of appointment, time of appointment, and date of injury for which the appointment is in reference to. Employees are encouraged to schedule these appointments at the beginning of their scheduled work day OR at the end of their scheduled work day in order to maximize the allotted release time (process will be outlined in the Administrative Policy)



**City Council
Agenda Report**

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Graham Mitchell, City Manager
SUBJECT: Planning Commission Vacancy

RECOMMENDATION:

That the City Council provides direction on filling a Planning Commission vacancy.

BACKGROUND:

On May 14, 2019, the City Council appointed Phil Ortiz to fill a vacancy on the City Council. At the time of his appointment, Mr. Ortiz was serving the City as a Planning Commissioner. His appointment to the City Council creates a vacancy on the Planning Commission. Staff recommends that the City Council provides direction on filling the vacancy.

Staff suggests three methods by which to fill the vacancy; these options include:

1. Open a full recruitment with the intention to make an appointment on July 9, 2019 (if this option is taken, staff recommends opening the application period from May 30th through June 27th);
2. On June 11, 2019, make an appointment from the Planning Commission applicants from the January 22, 2019 recruitment; or
3. On June 11, 2019, interview the Planning Commission applicants from the January 22, 2019 recruitment and make an appointment.

Prepared By: Graham Mitchell, City Manager

Reviewed By:

Approved By: N/A



**City Council
Agenda Report**

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Graham Mitchell, City Manager
SUBJECT: City Council Meeting Schedule

RECOMMENDATION:

That the City Council considers canceling one of the mid-summer meetings, as it has in past years. Staff recommends that the City Council discuss and consider canceling the August 27, 2019 meeting.

FISCAL IMPACT:

None.

Prepared By: Graham Mitchell, Assistant City Manager

Reviewed By: N/A

Approved By: N/A



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Mayor Wells
SUBJECT: Council Activity Report

RECOMMENDATION:

That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

BACKGROUND:

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- May 13, 2019 - Lunch Meeting w/ K. Costa of Waste Management
- May 15 & 16, 2019 - Interviews w/ KSON, Channel 7/39, Fox 5 and KUSI re: America on Main Street
- May 17, 2019 - Golf Tournament for the Marine Museum
- May 23, 2019 - Meeting with District Attorney Summer Stephan re: Homelessness
- May 24, 2019 - SANDAG Audit Committee Risk Discussion
- May 24, 2019 - SANDAG Board Meeting
- May 28, 2019 - City Council Meeting

I will be happy to answer any questions you may have.

Submitted By: Bill Wells, Mayor



City Council
Agenda Report

Agenda Item 11.

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM:
SUBJECT: Legislative Report

RECOMMENDATION:

Attachments

Legislative Report 5-28-19



LEGISLATIVE REPORT

BILL NO.	SPONSOR	SUBJECT	COUNCIL DATE	POSITION	COMMITTEE	BILL STATUS/ LAST ACTION DATE
AB 377	Garcia	Microenterprise home kitchen operations	3/26/19		Assembly	5/2/19 – In Senate. Read first time. To Com. on RLS. for assignment. 3/11/19 – Amended in Assembly 4/10/19 - From committee: Do pass and re-refer to Com. on RLS. (Ayes 6. Noes 2.) (April 9). Re-referred to Com. on RLS.
AB 392	Weber	Peace Officers: deadly force	5/14/19		Assembly	5/2/19 – Read second time. Ordered to Consent Calendar.
AB 516	Chiu	Authority to remove vehicles	5/14/19		Assembly	05/16/19 – In committee: Held under submission. 4/30/19 – Re-referred to Com. on APPR. 5/20/19 – Read second time. Ordered to third reading. 5/1/19 – Re-referred to Com. on APPR. 4/8/19 - Re-referred to Com. on B. & P.
AB 1332	Bonta	Sanctuary State Contracting and Investment Act	5/14/19		Assembly	
AB 1356	Ting	Cannabis: local jurisdictions: retail commercial cannabis activity	4/9/19	Oppose	Assembly	

The Legislative Report tracks bills of the California Legislature that the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency has voted to monitor/watch, support or oppose.



BILL	NO.	SPONSOR	SUBJECT	COUNCIL DATE	POSITION	COMMITTEE	BILL STATUS/ LAST ACTION DATE
AB	1568	McCarty	Housing law compliance: prohibition on applying for state grants	5/14/19		Assembly	4/25/19 – From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.)
SB	5	Beall and McGuire	Affordable Housing and Community Development Investment	3/26/19	Support	Senate	4/29/19 – April 29 hearing; Placed on APPR. suspense file. 3/18/19 – Amended in Senate.
SB	50	Weiner	Proposes certain changes to the current density bonus law. Introduces the concept of an “equitable communities incentive” for projects proposed in a “job-rich environment” or “transit-rich environment.”	2/12/19	Oppose unless amended	Senate	5/16/19 – Held in committee and under submission (until 2020). 5/3/19 – Set for hearing May 13. 3/11/19 – Amended in Senate. 1/24/19 – Referred to Coms. on HOUSING and GOV. & F.
SB	230	Caballero	Law enforcement: use of deadly force: training: policies	5/14/19		Senate	5/16/19 – Read second time. Ordered to third reading. 5/3/19 – Set for hearing May 13.
SB	330	Skinner	Housing Crisis Act of 2019	5/28/19		Senate	5/20/19 – From committee: Do pass as Amended (Ayes 6. Noes 2.)
SB	542	Stern	Workers’ compensation	5/28/19		Senate	5/16/19 – Read second time. Ordered to third reading.

The Legislative Report tracks bills of the California Legislature that the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency has voted to monitor/watch, support or oppose.



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Bill Wells, Mayor
SUBJECT: City Council Assignments

RECOMMENDATION:

That the City Council approves City Council assignments (as identified in table below) to various boards and commissions representing El Cajon.

BACKGROUND:

The City Council represents the community and region on various boards and commissions. The following table includes proposed assignments:

Board/Commission	Primary	Alternate
SANDAG Board of Directors	Bill Wells	Steve Goble
SANDAG Public Safety Committee	N/A	Steve Goble
SANDAG Audit Committee	Bill Wells	N/A
MTS	Bob McClellan	Steve Goble
METRO Commission/Wastewater JPA*	Gary Kendrick	Steve Goble
League of California Cities, San Diego Division	Phil Ortiz	N/A
Heartland Communications	Gary Kendrick	Bob McClellan
Heartland Fire Training JPA	Gary Kendrick	Bills Wells
Chamber of Commerce - Gov't Affairs Committee	Steve Goble	N/A
East County Economic Development Council	Phil Ortiz	N/A
Harry Griffen Park Joint Steering Committee	Bob McClellan	N/A

* The City's primary and alternate will represent the City on the East County Advanced Water Purification Ad Hoc Committee.

Note that I was elected by the East County Mayors to represent East San Diego County on the San Diego Local Agency Formation Commission (LAFCO).

Prepared By: Graham Mitchell, City Manager
 Reviewed By: N/A

Approved By: N/A



City Council
Agenda Report

Agenda Item 13.

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Councilmember Kendrick
SUBJECT: COUNCILMEMBER GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications;
Heartland Fire Training JPA.

RECOMMENDATION:

That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

BACKGROUND:

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

May 18, 2019 - America on Main Street
May 28, 2019 - City Council Meeting

I will be happy to answer any questions you may have.

Submitted By: Gary Kendrick, Councilmember



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Councilmember McClellan
SUBJECT: COUNCILMEMBER BOB MCCLELLAN
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.

RECOMMENDATION:

That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

BACKGROUND:

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- May 18, 2019 - America on Main Street
- May 18, 2019 - Comedy Night at the East County Transitional Living Center
- May 28, 2019 - City Council Meeting

I will be happy to answer any questions you may have.

Submitted By: Bob McClellan, Councilmember



City Council
Agenda Report

DATE: May 28, 2019

TO: Honorable Mayor and City Councilmembers

FROM: Deputy Mayor Goble

SUBJECT: DEPUTY MAYOR STEVE GOBLE

SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.

RECOMMENDATION:

That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

BACKGROUND:

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- May 15, 2019 - Speak at ECPD Citizens Academy Graduation
- May 16, 2019 - Attend SD County Taxpayers Association Dinner
- May 16, 2019 - Email w/ Miriam R. re: Free Speech Rights
- May 16, 2019 - Email w/ Jeremy D. re: New Construction
- May 17, 2019 - Email w/ Samantha W. re: Housing Costs
- May 18, 2019 - Community Trash Pick Up
- May 18, 2019 - Speak at Citizenship Naturalization Ceremony
- May 18, 2019 - Attend America on Main Street
- May 18, 2019 - Attend East County Transitional Living Center Comedy Night
- May 23, 2019 - Meet w/ District Attorney re: Homelessness
- May 28, 2019 - City Council Meeting

I will be happy to answer any questions you may have.

Submitted By: Steve Goble, Deputy Mayor



City Council
Agenda Report

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM: Councilmember Phil Ortiz
SUBJECT: **COUNCILMEMBER PHIL ORTIZ**

RECOMMENDATION:

That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

BACKGROUND:

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- May 16, 2019 - Interview with Karen Pearlman, Union Tribune
- May 16, 2019 - Meeting w/ City Manager and staff for Human Resources Purposes
- May 18, 2019 - San Diego County Taxpayers Association Dinner
- May 22, 2019 - Climate Action Plan Community Workshop
- May 22, 2019 - Meeting w/ Kristine C. w/ Waste Management
- May 24, 2019 - Meeting with City Manager / tour of Magnolia Performing Arts Center

I will be happy to answer any questions you may have.

Submitted By: Phil Ortiz, Councilmember



City Council
Agenda Report

Agenda Item 17.

DATE: May 28, 2019
TO: Honorable Mayor and City Councilmembers
FROM:
SUBJECT: Zoning Code Omnibus for 2019 by Amendments to Title 17

RECOMMENDATION:

That Mayor Wells request the City Clerk to recite the title.

An Ordinance Implementing the Zoning Code Omnibus for 2019 by Amendments to Title 17.

Attachments

Ord - Omnibus 2019

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON IMPLEMENTING THE ZONING CODE OMNIBUS FOR 2019 BY AMENDMENTS TO TITLE 17 OF THE EL CAJON MUNICIPAL CODE AS FOLLOWS: CHAPTER 17.10 - *ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT*, SECTION 17.10.010 (ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT); CHAPTER 17.115 - *GENERAL LAND USE REGULATIONS AND PERFORMANCE STANDARDS*, SECTION 17.115.130 (PERFORMANCE STANDARDS); CHAPTER 17.140 - *RESIDENTIAL ZONES*, SECTIONS 17.140.060 (RESIDENTIAL LOT REQUIREMENTS), 17.140.120 (ACCESSORY STRUCTURES), 17.140.170 (SINGLE-FAMILY DWELLING REVIEW PROCEDURES), 17.140.180 (ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS), AND 17.140.210 (RESIDENTIAL LAND USE TABLE); CHAPTER 17.145 - *COMMERCIAL ZONES*, SECTION 17.145.150 (COMMERCIAL LAND USE TABLE); CHAPTER 17.185 - *PARKING STANDARDS*, SECTIONS 17.185.140 (JOINT USE DRIVEWAYS) AND 17.185.190 (COMMERCIAL ZONE PARKING REQUIREMENTS); CHAPTER 17.205 - *AGRICULTURE AND ANIMALS*, SECTION 17.205.030 (ORDINARY HOUSEHOLD PETS); CHAPTER 17.210 - *ALCOHOL SALES AND DEEMED APPROVED ALCOHOL SALES REGULATIONS*, SECTIONS 17.210.080 (CONDITIONAL USE PERMIT REQUIRED), 17.210.100 (OPERATIONAL STANDARDS), 17.210.130 (NEW AND MODIFIED ON-SALE ESTABLISHMENT STANDARDS), 17.210.140 (DISTANCE REQUIREMENTS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS), AND 17.210.160 (REQUIRED FINDINGS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS); CHAPTER 17.225 - *MISCELLANEOUS SPECIAL USES AND REGULATIONS*, SECTION 17.225.090 (OUTDOOR DINING AREAS); AND CHAPTER 17.245 - *WIRELESS COMMUNICATIONS FACILITIES*, SECTIONS 17.245.080 (PERMIT REQUIRED) AND 17.245.080 (DEVELOPMENT AND DESIGN STANDARDS)

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1. Based on the record as a whole, the City Council hereby finds that the proposed Zoning Code Amendments, as modified by this ordinance, are exempt from CEQA pursuant to the "common sense exemption" that CEQA only applies to projects that have potential for causing a significant physical effect on the environment, (CEQA Guidelines, section 15061(b)(3)). Further, the proposed amendments do not warrant CEQA analysis because they do not increase development, and there are no potentially significant environmental effects.

Based upon findings in an Initial Study/Environmental Checklist and Negative Declaration pursuant to the California Public Resources Code sections 21064 and 21080(c), prepared by the City pursuant to the California Environmental Quality Act (CEQA) and the 2019 State CEQA Guidelines for this project, the City Council hereby finds that the proposed Zoning Code Omnibus Update and General Plan Amendment project will result in no impacts or less than significant impacts on the environmental

resources and issues evaluated and hence would not have a significant impact on the environment.

SECTION 2. Section 17.10.010 of Chapter 17.10 of the El Cajon Municipal Code is hereby repealed.

SECTION 3. A new section 17.10.010 of Chapter 17.10 of the El Cajon Municipal Code is hereby added to read as follows:

17.10.010 Administration, Interpretation, and Enforcement

The director of community development (director), or his or her designee, shall administer, interpret, and enforce the provisions of this title, including any ambiguities or omissions herein. In interpreting this title, the director shall gather and review all pertinent facts and make a determination based upon those facts. The director may consult standard references, such as the North American Industrial Classification System (NAICS), as such documents may be amended from time to time, when administering and interpreting this title.

SECTION 4. Section 17.115.130 of Chapter 17.115 of the El Cajon Municipal Code is hereby repealed.

SECTION 5. A new section 17.115.130 of Chapter 17.115 of the El Cajon Municipal Code is hereby added to read as follows:

17.115.130 Performance Standards

All uses and operations within the city shall be subject to the following minimum performance standards:

- A. Air quality.
 - 1. Smoke. In accordance with section 24242 of the California Health and Safety Code, a person shall not discharge smoke into the atmosphere for a period or periods aggregating more than three (3) minutes in any one (1) hour, which is:
 - a. As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines; or
 - b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described above.
 - 2. Air pollution. Fly ash, dust, fumes, vapors, gases, and other forms of air pollution, in accordance with section 24243 of the California Health and Safety Code. A person shall not discharge from any

source whatsoever such quantities of air contaminants or other material which will cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to animals, vegetation, business or property. In no event shall any emission from any chimney or other source, or any solid or liquid particles in concentration exceed 0.4 grains per cubic foot of the conveying gas at any point.

3. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable at the property line of the use from which such odor emits, or at the point of greatest concentration if further than the lot line. Any process that may involve the creation or emission of any odors shall be provided with an adequate secondary safeguard system of control, so that control will be maintained if the primary safeguard system should fail. In no event shall odors, gases or other odorous matter be emitted in such quantities as to be readily detectable when diluted in a ratio of one (1) volume of odorous air to four (4) volumes of clean air.

B. Water quality.

1. Wastes into surface runoff. Any discharge of liquid industrial wastes of any sort to surface streams, flood control channels, storm drains and subsurface pits shall be prohibited in conformance with applicable storm water regulations.
2. Wastes into sanitary sewer. Any wastes discharged into the city sanitary sewer, which may require pretreatment, depending upon the type, concentration and volume of material being handled, shall conform to the requirements of Title 13 of the code of the city.
3. Wastes disposed by hauling. Any industry hauling liquid wastes off-site for disposal shall obtain and conform to waste discharge requirements of the California Regional Water Quality Control Board, San Diego Region, which will necessitate hauling such wastes to a Class 1 site for disposal.

C. Noise.

1. The sound level of any individual operation, land use, or activity other than rail, aircraft, street, or highway transportation, shall not exceed the sound levels indicated in the following table. For the purpose of determining compliance with these noise limitations, the sound levels shall be measured at the property lines of the property upon which the operation, land use, or activity is conducted.

Zones	Time of Day	One-Hour Average Sound Level Decibels
All residentially zoned properties	7 a.m.—7 p.m.	60
	7 p.m.—10 p.m.	55
	10 p.m.—7 a.m.	50
All M-U and commercially zoned properties except the C-M zoned properties	7 a.m.—7 p.m.	65
	7 p.m.—10 p.m.	60
	10 p.m.—7 a.m.	55
All C-M and industrially zoned properties	Any time	75
	Conditionally*	80

* Where outdoor noise levels are higher, additional noise attenuation measures, i.e., earphones for workers, increased insulation, double-pane glass, etc., may make noise levels acceptable.

2. For the purposes of this section, interior lease lines within a property or building shall comply with the same standards as lot lines. For noise inside a building, the sound level meter shall be placed at least three (3) feet distant from any wall, ceiling or partition, and the average measurement of at least three (3) different positions throughout the room shall be determined. The sound level limit at a location on a boundary between two (2) adjoining zoning districts shall be that of the more restrictive zone. When any sound level measurement is required it will be made pursuant to the provisions of this chapter and shall be measured with a sound level meter.

3. Equipment noise. It is unlawful for any person within any residential zone, or within a radius of five hundred (500) feet from any residential zone, to operate equipment or perform any outside construction, maintenance or repair work on buildings, structures, landscapes or related facilities, or to operate any pile driver, power shovel, pneumatic hammer, power hoist, leaf blower, mower, or any other mechanical device, between the hours of 7 p.m. of one (1) day and 7 a.m. of the next day in such a manner that a reasonable person of normal sensitivities residing in the area is caused discomfort or annoyance. This subsection shall also apply to any property in the Mixed-Use zone having one or more residential units. This restriction does not apply to emergency work made necessary to restore property to a safe condition, restore utility service, or to protect persons or property from an imminent exposure to danger.

4. Vehicle repairs.
 - a. It is unlawful for any person within any residential zone of the city to repair, rebuild, or test any automobile between the hours of 7 p.m. of one (1) day and 7 a.m. of the next day. This subsection shall also apply to any property in the Mixed-Use zone having one or more residential units.
 - b. It is unlawful for any person within any residential zone of the city to repair, rebuild or test any automobile which is not registered with the Department of Motor Vehicles to a person residing at the address or to an immediate family member of a person residing at the address where such repairing, rebuilding or testing is being performed unless proof of exemption from such registration is provided which clearly demonstrates ownership by a resident at the subject address or an immediate family member of a resident at the subject address. This subsection shall also apply to any property in the Mixed-Use zone that includes one or more residential units.
 - c. Under no circumstances is the operation of an automotive repair facility as a business permitted in any residential zone, or on a property in the Mixed-Use zone that includes one or more residential units on the property.
5. Property upkeep.
 - a. Exterior yards, including front yard setback areas in residential zones, shall be maintained in a clean and sanitary condition, free of garbage, debris, demolition waste, overgrown vegetation, scrap wood and metal, automotive or recreational vehicle parts and fluids, defective appliances or machinery, mattresses or other indoor furnishings, whether in a state of repair or not. This does not include firewood which is neatly stacked and maintained or outdoor furniture in good repair.
 - b. Properties shall not harbor rodents or insect infestations.
6. Refuse vehicles and parking lot sweepers. No person shall operate or permit to be operated a refuse compacting, processing or collection vehicle or parking lot sweeper between the hours of 7 p.m. of one (1) day and 7 a.m. of the next day in any residential zone.
7. Notwithstanding any other provision of this chapter, and in addition thereto, it is unlawful for any person to willfully make or continue, or

cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

- a. The level of the noise;
 - b. The intensity of the noise;
 - c. Whether the nature of the noise is usual or unusual;
 - d. Whether the origin of the noise is natural or unnatural;
 - e. The level and intensity of the background noise, if any;
 - f. The proximity of the noise to residential sleeping facilities;
 - g. The nature and zoning of the area within which the noise emanates;
 - h. The density of the inhabitation of the area within which the noise emanates;
 - i. The time of the day or night the noise occurs;
 - j. The duration of the noise;
 - k. Whether the noise is recurrent, intermittent, or constant; and
 - l. Whether the noise is produced by a commercial or noncommercial activity.
8. Specific exemptions. Special events of short duration, such as carnivals, fireworks displays, outdoor concerts, parades and sports activities, which are regulated by separate city approval such as a conditional use permit, are specifically exempted from the provisions of this chapter. Noise regulations for such events, however, may be applied as a condition of such separate approval.
9. Enforcement and penalties.
- a. It is a violation for any property owner(s) and/or person(s) in control of property to permit or cause a noise disturbance to be produced upon property owned by them or under their control.

- b. It is a violation for any person or persons to create or allow the making of noise disturbance as provided by this chapter at any location in the city.
 - c. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor or infraction, and shall be subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code.
 - d. The operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this chapter which causes or creates sound levels or vibration exceeding the allowable limits as specified in this chapter, is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction. Additionally, no provision of this chapter shall be construed to impair any common law or statutory cause or action, or legal remedy of any person for injury or damage arising from any violation of this chapter or from any other law.
- D. Vibrations. Every use shall be so operated that the ground vibration generated by such use is not harmful or injurious to the use or development of surrounding properties. No vibration shall be permitted which is perceptible without instruments at any use along the property line on which such use is located. For the purpose of this determination, the boundary of any lease agreement or operating unit or properties operating as a unit shall be considered the same as the property line.
- E. Radioactivity. No activities shall be permitted which emit dangerous radioactivity at any point.
- F. Electrical disturbance. No activity shall be permitted which causes electrical disturbances affecting the operation of any equipment located beyond the property line of such activity.
- G. Other performance quality. Other uses not specifically noted above are required to conform to performance standards as set forth by the following provisions:
- 1. No use shall be undertaken or maintained unless it conforms to the regulations set forth in this section. No land or building shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosion or other hazard, noise or vibration, smoke, dust, odor, airborne sand, materials in suspension such as paint droplets or any other form of air pollution,

heat, cold, dampness, electrical or other disturbance, glare, liquid or solid refuse or wastes, or other substance, condition or element in such a manner or in such an amount as to affect adversely the surrounding area or adjacent premises.

H. Heating, Ventilation and Air Conditioning.

1. All HVAC units must attenuate noise to acceptable levels through one of the following standards:
 - a. The HVAC must be kept a minimum of thirty (30) feet from the property line; or
 - b. The HVAC must be surrounded by walls or parapet walls that obstruct the line of sight to adjacent uses; or
 - c. The HVAC must be kept in a mechanical room; or
 - d. An alternative noise attenuation measure that would reduce the noise levels to less than the applicable noise level limits.

I. Ground-Floor Transparency.

1. All ground-floor windows shall be maintained transparent. If windows are to be obscured, no more than fifteen percent (15%) of the window area may be obscured.

SECTION 6. Section 17.140.060 of Chapter 17.140 of the El Cajon Municipal Code is hereby repealed.

SECTION 7. A new section 17.140.060 of Chapter 17.140 of the El Cajon Municipal Code is hereby added to read as follows:

17.140.060 Residential Lot Requirements

**Table 17.140.060
Residential Lot Requirements**

Residential Zone:	Lot Area:	Lot Width:	Lot Depth:	Flag Width:
O-S	See Chapter 17.155	See Chapter 17.155	See Chapter 17.155	See Chapter 17.155
PRD	See Chapter 17.165	See Chapter 17.165	See Chapter 17.165	See Chapter 17.165
RS-40	40,000 s.f. ¹	100 ft.	90 ft. ⁴	20 ft.
RS-20	20,000 s.f. ²	100 ft.	90 ft. ⁴	20 ft.
RS-14	14,000 s.f. ³	90 ft.	90 ft. ⁴	20 ft.
RS-9	9,000 s.f.	70 ft.	90 ft. ⁴	20 ft.

Residential Zone:	Lot Area:	Lot Width:	Lot Depth:	Flag Width:
RS-6	6,000 s.f.	60 ft. interior 70 ft. corner	90 ft. ⁴	20 ft.
RM-6000	6,000 s.f.	50 ft.	90 ft. ⁴	n/a
RM-4300	6,500 s.f.	65 ft.	90 ft. ⁴	n/a
RM-2500	7,000 s.f.	70 ft.	90 ft. ⁴	n/a
RM-2200	7,000 s.f.	70 ft.	90 ft. ⁴	n/a
RM-1450	7,000 s.f.	70 ft.	90 ft. ⁴	n/a
RM-HR	20,000 s.f.	100 ft. interior 110 ft. corner	90 ft. ⁴	n/a

- ¹ The minimum required lot area shall be forty thousand (40,000) square feet, except when two (2) or more lots are created by subdivision or parcel map, the total lot area of all lots, permanently reserved open space, and community recreation areas, not including street area, divided by the total number of residential building lots, shall not be less than forty thousand (40,000) square feet; at least one-half (1/2) of all residential building lots shall contain not less than forty thousand (40,000) square feet; in no case shall a lot contain less than twenty-four thousand (24,000) square feet.
- ² The minimum required lot area shall be twenty thousand (20,000) square feet, except when two (2) or more lots are created by subdivision or parcel map, the total lot area of all lots, permanently reserved open space, and community recreation areas, not including street area, divided by the total number of residential building lots, shall not be less than twenty thousand (20,000) square feet; at least one-half (1/2) of all residential building lots shall contain not less than twenty thousand (20,000) square feet; in no case shall a lot contain less than twelve thousand (12,000) square feet.
- ³ The minimum required lot area shall be fourteen thousand (14,000) square feet, except when two (2) or more lots are created by subdivision or parcel map, the total lot area of all lots, permanently reserved open space, and community recreation areas, not including street area, divided by the total number of residential building lots, shall not be less than fourteen thousand (14,000) square feet; at least one-half (1/2) of all residential building lots shall contain not less than fourteen thousand (14,000) square feet; in no case shall a lot contain less than nine thousand (9,000) square feet.
- ⁴ Unless specifically waived by the city council at the time of map approval, maximum lot depth is limited to three (3) times the average lot width.

SECTION 8. Section 17.140.120 of Chapter 17.140 of the El Cajon Municipal Code is hereby repealed.

SECTION 9. A new section 17.140.120 of Chapter 17.140 of the El Cajon Municipal Code is hereby added to read as follows:

17.140.120 Accessory Structures

Accessory structures such as detached garages, carports, workshops, game rooms, poolrooms, clubhouses, storage buildings, and sheds are permitted in residential zones, subject to the following provisions:

- A. Accessory structures shall not be used as dwelling units.

- B. Accessory structures shall not include kitchen facilities, except for approved common area buildings in multi-family complexes or common interest developments.
- C. The total combined floor area of all accessory and primary structures on a lot shall not exceed the maximum lot coverage of the underlying zones.
- D. Accessory structures, no greater than twelve (12) feet in height, are subject to a minimum three (3) foot setback from the interior side and rear yard property lines.
- E. Accessory structures, greater than twelve (12) feet in height, are subject to a minimum five (5) foot setback from the interior side and rear yard property lines.
- F. Accessory structures are limited to a height of twenty (20) feet.
- G. Accessory structures with a footprint greater than one thousand two hundred (1,200) square feet are subject to the approval of a minor use permit, in conformance with Chapter 17.58.
- H. Accessory structures may include electrical service, a sink, a water heater, and hookups for washers and dryers.
- I. Except for approved common area buildings in multi-family complexes and common interest developments, accessory structures may not include bathrooms, unless a minor conditional use permit is approved pursuant to Chapter 17.50.
- J. Accessory structures shall not be located closer than six (6) feet from any other structure in any single-family zone.
- K. Accessory structures shall not be located closer than twelve (12) feet from any structure used for human habitation in any multi-family zone. Accessory structures shall not be located closer than six (6) feet from any other accessory structure in any multi-family zone.
- L. Accessory structures shall be located to the rear of (behind) the front of the main buildings on the lot. In instances where the main structure(s) is/are located to the rear of the lot, the director may authorize accessory structures in front of the main building. However, in no instance may such accessory structures be located in any required setback area.
- M. Accessory structures located to the rear (behind) the front of the main buildings may be located as close as three (3) feet from interior side and

rear property lines. However, no accessory structure may be located in any exterior side yard setback area.

- N. Accessory structures may not be located within five (5) feet of an alley.
- O. Detached garages and carports that are entered directly from a street shall maintain a minimum distance of twenty (20) feet from the street property line. If such a structure is entered directly from an alley, it shall maintain a distance of five (5) feet from the alley.
- P. The roof of an accessory structure may project to within one and one-half (1-1/2) feet of an interior side or rear property line.
- Q. Accessory structures used for the keeping of animals are subject to the distance requirements listed in Chapter 17.205.
- R. Temporary structures, including structures made of metal, wood, canvas, vinyl, palm fronds, bamboo or similar materials are prohibited in all required exterior yards and in all areas between the public right-of-way and the front of the main structure on the lot. When located behind the front of the main structure on the lot, they are subject to all other provisions of this title.
- S. Notwithstanding other provisions of this section stated above, one (1) temporary shade structure may be allowed in front of the main structure, under the limited circumstances listed in section 17.225.160, and subject to the approval of an administrative zoning permit described in Chapter 17.40.

SECTION 10. Section 17.140.170 of Chapter 17.140 of the El Cajon Municipal Code is hereby repealed.

SECTION 11. A new section 17.140.170 of Chapter 17.140 of the El Cajon Municipal Code is hereby added to read as follows:

17.140.170 Single-Family Dwelling Review Procedures.

Any new building permit application for a single-family dwelling (including manufactured housing), an addition to a single-family dwelling, or a structure accessory to a single-family dwelling in the city shall be subject to the following provisions:

- A. The building plan elevations shall include notations specifying a minimum twelve-inch (12") roof overhang (eave), and the type of material to be used for roofing and siding.
- B. Regardless of building material, all elevations shall include painted surfaces, weather-resistant enamel finishes or finished materials which are non-reflective.

- C. All additions to existing structures and all accessory structures larger than one hundred twenty (120) square feet shall be designed and constructed to be aesthetically compatible with the existing primary structure.
- D. Structures shall meet the following design standards:
1. Architectural design shall be represented on all elevations.
 2. Elevations shall not include blank wall faces and shall include multiple design features for each wall face greater than twelve (12) feet. Design features include, but are not limited to, the following:
 - a. Functional glazing;
 - b. Variation in building materials;
 - c. Structural or decorative lintels or other window and doorway trim;
 - d. Entryway lighting features;
 - e. Shutters;
 - f. Doors which include windows;
 - g. Garage door panels which include windows; and,
 - h. Contrasting trim or molding.
 3. Accessory structures shall have comparable roof style to the primary structure.
 4. Roof and wall planes shall be different colors.
 5. No single wall plane may exceed thirty (30) feet in length. A single wall plane is defined as a surface without architectural relief or projection. Standards for architectural relief or projection are as follows:
 - a. Shall be provided at a minimum eighteen (18) inches in depth; and
 - b. Shall be provided at a minimum four (4) feet in width; and
 - c. May be provided as a step-back or overhang of a second-story wall plain or as a structural design feature such as bay windows.

- E. Landscaping, placement of the structure and screening shall not be substituted for architecturally and aesthetically integrated design.
- F. Deviations from the standards in this section require approval of an administrative zoning permit, in conformance with chapter 17.40.

SECTION 12. Section 17.140.180 of Chapter 17.140 of the El Cajon Municipal Code is hereby repealed.

SECTION 13. A new section 17.140.180 of Chapter 17.140 of the El Cajon Municipal Code is hereby added to read as follows:

17.140.180 Accessory and junior accessory dwelling units.

The standards set forth in this section may be applied to any residentially zoned lot in the city that contains only one (1) single-family dwelling upon such lot. If any use beyond that of one (1) single-family dwelling exists upon a lot, then such lot is not qualified to receive an accessory or junior accessory unit. Notwithstanding the foregoing, no accessory or junior accessory dwelling unit shall be permitted in any approved planned unit development (PUD) or planned residential development (PRD).

- A. Permit Required. A building permit is required for any new accessory or junior accessory dwelling unit.
- B. Size.
 - 1. Each eligible lot, regardless of size, may include an accessory dwelling of up to six hundred forty (640) square feet;
 - 2. For each eligible lot in excess of six thousand four hundred (6,400) square feet, the maximum size of an accessory dwelling unit shall be not more than ten percent (10%) of the lot size and not more than fifty percent (50%) of the size of the primary residence (habitable space), to a maximum of one thousand two hundred (1,200) square feet;
 - 3. No minimum size shall be required for an accessory dwelling unit. Minimum standards shall be applied through the building code; and
 - 4. A junior accessory dwelling unit shall not exceed an area of five hundred (500) square feet.
- C. Parking.
 - 1. Provision of one (1) additional paved off-street parking space. Such parking space may be tandem and/or located in the required front

yard setback area if in compliance with the paved parking standards listed in section 17.140.160. No additional parking is required with any of the following;

- a. Unit is located within one-half ($\frac{1}{2}$) mile of public transit, including transit and bus stations;
- b. Unit is a junior accessory dwelling unit or is part of an existing primary residence or an existing accessory structure; or
- c. There is a car share program located within one block of the accessory dwelling unit.

D. Standards of Development.

1. Existing permitted structures converted to an accessory dwelling unit either attached or detached to the primary residence such as a garage or other accessory building shall meet the following requirements:
 - a. Building and fire safety codes;
 - b. Independent exterior access from existing residence;
 - c. Sufficient side and rear setbacks for fire safety; and
 - d. If a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, or converted to an accessory dwelling unit, the parking for the primary dwelling shall be replaced. Replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces.
2. New detached structures for accessory dwelling units shall meet the following requirements:
 - a. Conformance with all requirements of the zone in which the unit is located, except as identified herein;
 - b. Limited to twenty (20) feet in height;
 - c. Subject to a minimum five (5) foot rear and side setback;
 - d. Subject to a minimum six (6) foot separation from the primary dwelling;

- e. In accordance with the California Health and Safety Code requirement, no fire sprinkler system is required unless provided for in the primary residence. If an accessory dwelling unit is attached to the primary single-family dwelling, the wall separating units shall be as required by the California Building Code and/or the California Residential Code;
 - f. No minimum size shall be required for an accessory dwelling unit. Minimum standards will be applied through the building code;
 - g. Limited in size in accordance with section B.1.d. above;
 - h. Attached covered patios, porches and similar covered areas intended to be used by the occupant of the accessory dwelling unit, except for a garage or carport, shall be limited to a maximum ten percent (10%) of the floor area of the proposed unit; and
 - i. The proposed accessory dwelling unit shall be constructed of similar building materials and with a similar architectural style to the primary dwelling unit.
3. New attached structures for accessory dwelling units shall meet the requirements of the underlying zone.
4. Junior accessory dwelling units shall meet the following requirements:
- a. Shall be created within the existing walls of the primary dwelling and include a bedroom;
 - b. Shall include a separate exterior entry from the primary residence; and
 - c. Shall include an efficiency kitchen that consists of:
 - i. A sink with a maximum waste line diameter of one-and-a-half (1-1/2) inches;
 - ii. A cooking facility with appliance which do not require electrical service greater than one-hundred-and-twenty (120) volts or natural or propane gas;
 - iii. A food preparation counter and storage cabinets that are reasonable to the size of the unit; and

- d. No additional parking shall be required for the junior accessory dwelling unit.
- E. Standards of Performance. Every accessory and junior accessory dwelling unit approved by this title shall meet the following standards of performance:
- 1. The property owner must occupy one (1) of the units. Should this requirement not be honored by the property owner, it will be cause to have the accessory or junior accessory dwelling unit removed in accordance with appropriate procedures.
 - 2. A notice of restriction shall be recorded so that it appears in the chain of title for the property. A building permit will not be finalized without proof of recordation of the notice of restriction.
 - 3. The unit shall not be sold separate from the primary residence.
 - 4. Tenancy shall not be less than thirty (30) days.
- F. Special Exemption from City Standards. Notwithstanding other provisions of this title, the addition of an accessory or junior accessory dwelling unit on a lot as provided under this section of and by itself will not initiate requirements for any new or updated standards relating to the existing residential structure. Such standards or requirements that would otherwise apply will be deferred until the normal operation of those other city code sections come to apply to such property. Such deferral of new or updated standards will not be granted for any building or portion thereof that was constructed illegally, nor will such deferral be granted for required public improvements. It is the clear intent of this subsection that the existing standards which were legally provided on the existing residential structure may remain as they were prior to the construction of the second-family unit.

SECTION 14. Section 17.140.210 of Chapter 17.140 of the El Cajon Municipal Code is hereby repealed.

SECTION 15. A new section 17.140.210 of Chapter 17.140 of the El Cajon Municipal Code is hereby added to read as follows:

17.140.210 Residential land use table.

The following table lists uses that may be established in residential zones. The abbreviations used in the land use table shall have the following meanings:

- A "A" means "adult entertainment permit"
- C "C" means "conditional use permit"
- D "D" means "director's determination"

- MC "MC" means "minor conditional use permit"
- MUP "MUP" means "minor use permit"
- P "P" means "permitted use"
- S "S" means "site development plan permit"
- T "T" means "temporary use permit"
- Z "Z" means "administrative zoning permit"
- X "X" means "not permitted"

In addition to the abbreviated terms listed above, the land use table incorporates endnotes, which are indicated by numerical designators in the final column of the table. The numerical designators correspond with written notes listed at the bottom of the table. The notes provide additional information and direct readers to other applicable sections of the El Cajon Municipal Code.

**Table 17.140.210
Residential Land Use Table**

Residential Zones	PRD	RS-40	RS-20	RS-14	RS-9	RS-6	RM-6000	RM-4300	RM-2500	RM-2200	RM-1450	RM-HR	Notes
Primary Residential Uses (subject to density restrictions)													
Congregate care facility	X	X	X	X	X	X	X	X	P	P	P	P	
Dwellings; attached duplex units or two detached dwelling units	X	X	X	X	X	X	X	P	P	P	P	P	1
Dwellings; up to three detached single-family homes on the same lot, including common interest developments	X	X	X	X	X	X	P	X	X	X	X	X	2
Dwellings; multi-family, attached or detached, including common interest developments	X	X	X	X	X	X	X	P	P	P	P	P	2
Dwelling; single-family detached	P	P	P	P	P	P	P	P	P	P	P	P	2

Residential Zones	PRD	RS-40	RS-20	RS-14	RS-9	RS-6	RM-6000	RM-4300	RM-2500	RM-2200	RM-1450	RM-HR	Notes
Farmworker housing	X	P	P	X	X	X	X	X	X	X	X	X	
Foster family home	P	P	P	P	P	P	P	P	P	P	P	P	
Foster family institution	X	C	C	C	C	C	C	C	X	X	X	C	
Group residential	X	X	X	X	X	X	C	C	C	C	C	C	3
Manufactured home	P	P	P	P	P	P	P	P	P	P	P	P	
Residential care facility for 6 or fewer	P	P	P	P	P	P	P	P	P	P	P	P	
Residential care facility for 7 or more	X	X	X	X	X	X	X	C	C	C	C	C	4
Supportive housing	P	P	P	P	P	P	P	P	P	P	P	P	
Transitional housing	P	P	P	P	P	P	P	P	P	P	P	P	
Accessory Residential Uses													
Accessory structures	X	P	P	P	P	P	P	P	P	P	P	P	5
Accessory structures which include restrooms	X	MC	MC	MC	MC	MC	MC	X	X	X	X	X	5
Bed and breakfast	X	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	X	6
Family day care home, large	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	
Family day care home, small	P	P	P	P	P	P	P	P	P	P	P	P	
Home occupation business	P	P	P	P	P	P	P	P	P	P	P	P	7
Keeping of bees for personal use	X	P	P	X	X	X	X	X	X	X	X	X	8
Keeping chickens for personal use	P	P	P	P	P	P	P	X	X	X	X	X	8
Keeping pet pot-bellied pigs	X	P	P	Z	Z	Z	Z	X	X	X	X	X	8
Keeping pet horses	Z	P	P	Z	Z	X	X	X	X	X	X	X	8

Residential Zones	PRD	RS-40	RS-20	RS-14	RS-9	RS-6	RM-6000	RM-4300	RM-2500	RM-2200	RM-1450	RM-HR	Notes
Keeping domesticated animals under 125 pounds for family use	X	P	P	Z	Z	Z	Z	X	X	X	X	X	8
Keeping rabbits and geese for family use	X	P	P	X	X	X	X	X	X	X	X	X	8
Accessory or Junior Accessory dwelling unit	X	P	P	P	P	P	P	P	P	P	P	P	9
Nonresidential Uses													
Card room, non-gambling	X	P	P	P	P	P	P	P	P	P	P	P	16
Cemetery, crematory, and mausoleum	X	C	C	C	C	C	C	C	C	C	C	C	
Clubs: youth clubs, professional organizations, union halls, fraternal organizations, and similar uses	X	C	C	C	C	C	C	C	C	C	C	C	
Commercial agriculture including: field crops, orchards, vineyards, horticulture, and floriculture	X	P	P	X	X	X	X	X	X	X	X	X	8
Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	8
Day care facility (commercial or non-profit including preschool)	X	C	C	C	C	C	C	C	C	C	C	C	10
Educational institutions	X	C	C	C	C	C	C	C	C	C	C	C	
Governmental buildings and	X	C	C	C	C	C	C	C	C	C	C	C	11

Residential Zones	PRD	RS-40	RS-20	RS-14	RS-9	RS-6	RM-6000	RM-4300	RM-2500	RM-2200	RM-1450	RM-HR	Notes
service facilities													
Heliport	X	C	C	C	C	C	C	C	C	C	C	C	
Marijuana cultivation, delivery, dispensary, manufacturing, and storage	X	X	X	X	X	X	X	X	X	X	X	X	
Nonresidential parking areas in multi-family zones	X	X	X	X	X	X	X	C	C	C	C	C	12
Parks with recreation facilities; private, including non-profit	X	C	C	C	C	C	C	C	C	C	C	C	
Parks and playgrounds, public or private	X	P	P	P	P	P	P	P	P	P	P	P	
Prefabricated storage containers used for short-term storage	T	T	T	T	T	T	T	T	T	T	T	T	
Religious facilities and non-profit service organizations devoted to serving the general public	C	C	C	C	C	C	C	C	C	C	C	C	
Roadside stands for the sale of agricultural products	X	Z	Z	X	X	X	X	X	X	X	X	X	8
Seasonal outdoor businesses	T	T	T	T	T	T	T	T	T	T	T	T	13
Temporary feeding areas	C	C	C	C	C	C	C	C	C	C	C	C	

Residential Zones	PRD	RS-40	RS-20	RS-14	RS-9	RS-6	RM-6000	RM-4300	RM-2500	RM-2200	RM-1450	RM-HR	Notes
Wireless communication facilities	C	C	C	C	C	C	C	C	C	C	C	C	14
Other similar uses	D	D	D	D	D	D	D	D	D	D	D	D	15

1. Legally created lots in the RM-4300 zone are entitled to at least two units, regardless of lot area.
2. Subject to section 17.125.110 common interests developments. See Chapter 17.165 for PRD requirements. See Chapter 17.60 for PUD requirements.
3. Must be separated at least three hundred (300) feet between structures measured at closest wall of each.
4. Use prohibited in SP-182.
5. Subject to the provisions of section 17.140.120 (accessory structures).
6. Subject to the provision of section 17.225.020 (bed and breakfast establishments).
7. Subject to the provisions of section 17.225.050 (home occupations).
8. Subject to the provisions of Chapter 17.205 (animals and agriculture).
9. Subject to the provisions of section 17.140.180 (accessory and junior accessory dwelling units).
10. A "day care facility" is not a "family day care home" as defined in Chapter 17.105.
11. Excludes sewage disposal facilities.
12. Must conform to the standards provided in section 17.185.200 (parking standards).
13. As ancillary to an approved non-residential use, when activity not already covered by CUP.
14. Subject to the provisions of Chapter 17.245 (wireless communications facilities).
15. As determined by the director of community development.
16. May only be operated as an accessory use to a bona fide club, society, professional organization, union hall, fraternal organization, and similar use, with either all applicable discretionary permits, or nonconforming status pursuant to Chapter 17.120, for the primary use. Subject to additional card room regulations listed in Chapter 5.28 (Card Rooms) and Chapter 17.225 (Miscellaneous Special Uses and Regulations) of this Title.

SECTION 16. Section 17.145.150 of Chapter 17.145 of the El Cajon Municipal Code is hereby repealed.

SECTION 17. A new section 17.145.150 of Chapter 17.145 of the El Cajon Municipal Code is hereby added to read as follows:

17.145.150 Commercial land use table.

The following table lists uses that may be established in commercial zones. The abbreviations used in the land use table shall have the following meanings:

- A "A" means "adult entertainment permit"
- C "C" means "conditional use permit"
- D "D" means "director's determination"
- MC "MC" means "minor conditional use permit"
- MUP "MUP" means "minor use permit"

- P "P" means "permitted use"
- S "S" means "site development plan permit"
- T "T" means "temporary use permit"
- Z "Z" means "administrative zoning permit"
- X "X" means "not permitted"

In addition to the abbreviated terms listed above, the land use table incorporates endnotes, which are indicated by numerical designators in the final column of the table. The numerical designators correspond with written notes listed at the bottom of the table. The notes provide additional information and direct readers to other applicable sections of the El Cajon Municipal Code.

**Table 17.145.150
Commercial Land Use Table**

	O-P	C-N	C-G	C-R	C-M	Notes
Commercial Uses						
Adult book store, adult theater, and other adult entertainment activities	X	X	A	A	X	1, 2
Alternative lending including payday loans, anticipatory loans, and auto title lending, excludes federal or state chartered banks, savings and loans, thrifts, and credit unions	X	X	C	C	X	1, 32, 33
Amusement parks including miniature golf, go-cart tracks, mechanized rides, etc.	X	C	C	C	C	
Animal grooming services	X	P	P	P	X	
Antique sales	X	P	P	P	X	
Appliance repair; large gas and electric appliances including heating and air conditioning systems, parts and supplies	X	X	X	X	P	1
Appliance sales; large gas and electric appliances including heating and air conditioning systems, parts and supplies	X	P	P	P	P	
Appliance sales and repair of small electrical appliances	X	P	P	P	P	1
Art galleries, commercial retail	X	P	P	P	X	
Artist studios and art restoration services	P	P	P	P	P	
Athletic clubs and fitness centers	X	P	P	P	X	28
Auction house	X	X	C	C	P	1
Auto parts and accessories; new parts	X	X	P	P	X	1
Auto parts and accessories; used parts, excludes dismantling	X	X	X	X	P	1, 3
Auto rental including the rental of moving vans, trucks and trailers	X	X	C	X	C	1
Auto sales, including: autos, motorcycles, light trucks, and recreational vehicles	X	X	C	C	C	4
Automotive body repair	X	X	C	X	C	1
Automotive service and repair	X	X	C	C	C	1
Automotive fueling station	X	C	C	C	C	5

	O-P	C-N	C-G	C-R	C-M	Notes
Auto washing and detailing, full service carwash	X	X	C	X	X	1
Auto washing, self-service carwash	X	C	C	X	X	1
Bail bonds office	P	P	P	P	P	1
Beauty salon, nail salon, barber shop, and day spa	P	P	P	P	X	6
Beauty supply and cosmetics sales	P	P	P	P	X	
Billboard sign	P	P	P	P	P	7
Blood banks and blood donation facilities	P	P	P	P	X	1
Blood plasma centers	C	X	X	X	X	1
Boat sales including ancillary service and repair	X	X	P	X	C	
Book store, including news copy and magazine sales	P	P	P	P	X	
Bowling alley	X	X	C	C	X	
Camera and photographic sales and related services	X	P	P	P	X	
Card room, non-gambling	P	P	P	P	X	3, 26
Carpet and drapery cleaning and repair services	X	X	X	X	P	
Cemetery, crematory, and mausoleum	C	C	C	C	C	
Child activity centers	X	P	P	P	X	
Circuses and carnivals	X	X	T	X	X	
Clothing and apparel store, new	X	P	P	P	X	
Clothing and costume rentals	X	P	P	P	X	
Clubs: youth clubs, professional organizations, union halls, fraternal organizations, and similar uses	C	C	C	C	X	
Cocktail lounge	X	C	C	C	X	8, 9
Community gardens	P	P	P	P	P	29
Consumer electronics retail sales with ancillary service	X	P	P	P	P	
Contract construction services	X	X	X	X	P	
Convenience market	X	P	P	P	X	8
Custodial and cleaning services including property management and building maintenance with associated vehicle, equipment, and supply storage	X	X	X	X	P	
Dance studio	X	P	P	P	X	
Day care facility	MUP	MUP	MUP	MUP	MUP	
Department store with general retail sales	X	P	P	P	X	
Drive-through service accessory to an authorized land use	S	S	S	S	S	1
Employment services	P	P	P	P	P	
Equipment rental with outdoor storage or display	X	X	C	C	C	1
Equipment rental without outdoor storage or display	X	P	P	P	P	1
Escort service	X	X	P	X	X	3

	O-P	C-N	C-G	C-R	C-M	Notes
Fabric store	X	P	P	P	X	
Farmers market	X	Z	Z	Z	X	34
Financial services and institutions	P	P	P	P	X	10
Firearm and ammunition sales, new and resale	X	P	P	P	X	3
Firing ranges, indoor ranges for fire arms or archery	X	X	C	C	C	1
Florist	P	P	P	P	X	
Funeral parlor and mortuary	P	P	P	P	X	1
Furniture and home furnishing sales	X	P	P	P	P	
Game center and video arcade	X	X	P	P	X	3
General retail sales	X	P	P	P	X	
Gift shop, including novelties, souvenirs, greeting cards, etc.	X	P	P	P	X	
Gunsmith	X	P	P	P	X	1
Hardware store, indoor (includes building materials and related services)	X	P	P	P	P	1
Hardware store with outdoor storage or display (includes building materials and related services)	X	X	C	C	C	1
Headquarters office facility	P	X	P	P	P	
Heavy equipment sales including large trucks and tractor-trailer rigs	X	X	X	X	C	
Hobby shop	P	P	P	P	X	
Hotel and motel	X	X	C	C	X	
Household accessories including bedding, linens, kitchen supplies, etc.	X	P	P	P	X	
Kennel	X	X	X	X	C	
Kiosk, booth, stand and food truck	X	Z	Z	Z	Z	11
Laundry and dry cleaning services, retail, including coin operated self-service laundry	X	P	P	P	X	
Liquor store	X	C	C	C	X	1, 8
Live entertainment	X	X	C	C	X	3
Locksmith and related services	X	P	P	P	P	
Manufactured housing sales including modular and mobile home sales	X	X	P	X	P	
Market	X	P	P	P	X	
Massage establishments, steam bath, and sauna room	X	X	C	C	X	1, 3, 6, 12
Massage services permitted as an accessory use to a permitted primary use	P	P	P	P	X	3, 6, 12
Medical and dental office, laboratories, and clinics open to the general public including acupuncture, chiropractic, and other state licensed health care practices	P	P	P	P	X	
Medical and dental laboratory not open to the public	P	P	P	P	P	
Marijuana cultivation, delivery, dispensary, manufacturing and storage	X	X	X	X	X	

	O-P	C-N	C-G	C-R	C-M	Notes
Modeling agency, talent agencies and entertainment booking services (office only)	P	P	P	P	X	
Motion picture theatre (indoor)	X	X	C	C	X	13
Music lessons conducted indoors	P	P	P	P	X	
Music store including the sale of musical instruments, sheet music, and recorded music	X	P	P	P	X	
Office, administrative, business and professional	P	P	P	P	P	
Office machine sales	X	P	P	P	P	
Optical goods including eye glasses, contact lenses, and eye exams	P	P	P	P	X	
Outdoor dining, accessory to authorized restaurant or cocktail lounge	X	Z	Z	Z	Z	14
Outdoor sales events at existing business developments	T	T	T	T	T	
Parcel delivery and postal services (office only, does not include U.S. Postal Service offices)	P	P	P	P	X	
Pawn shop or pawn broker	X	X	C	C	X	1, 3, 32, 33
Personal storage facility	X	X	C	X	C	15
Pest control services	X	X	X	X	P	
Pet supply stores including pet sales and pet adoption services with accessory indoor veterinary and grooming services	X	P	P	P	X	
Pharmacy	P	P	P	P	X	16
Photocopying and other retail office services for the general public	P	P	P	P	X	
Photographic studio including ancillary photo finishing services	P	P	P	P	X	
Plant nursery	X	X	P	P	P	1
Pool hall or billiards parlor	X	X	C	C	X	3
Prefabricated storage containers used for short term storage	T	T	T	T	T	
Private security company with watch dogs	X	X	C	C	C	1, 3
Private security company without watch dogs	P	P	P	P	P	
Public assembly	X	X	C	C	C	
Recreational facility	MUP	MUP	MUP	MUP	MUP	
Resource recovery center	X	C	C	C	C	17
Restaurant	P	P	P	P	C	8, 9, 18
Restaurant, take-out only	P	P	P	P	C	19
Restaurant (full-service) with alcoholic beverage production use	P	X	C	C	X	8, 9
Seasonal outdoor businesses such as Christmas tree lots	T	T	T	T	T	

	O-P	C-N	C-G	C-R	C-M	Notes
Secondhand merchandise store or kiosk including buying of gold, precious metals, gemstones, jewelry, or electronics	X	X	C	C	X	1, 3, 32, 33
Service and repair of consumer electronics	X	P	P	P	X	
Shoe sales and shoe repair	X	P	P	P	X	
Single room occupancy (SRO) housing	X	X	C	X	X	
Skilled nursing facility	C	C	C	C	C	1
Special training and schooling conducted indoors	P	P	P	P	P	
Special training and schooling conducted outdoors	X	X	X	X	MC	
Sporting goods, bicycles, and toy stores	X	P	P	P	X	
Supermarket	X	P	P	P	X	
Surplus store	X	P	P	P	X	1
Swap meet and flea market	X	X	X	C	X	1, 3
Tailoring, alteration, and sewing services	P	P	P	X	X	
Tattoo and body piercing studio	X	X	P	P	X	1
Thrift or resale shop	X	P	P	P	X	1, 3
Ticket sales office	P	P	P	P	X	
Tobacco and smoke shop, electronic/vapor substance inhalation shop	C	C	C	C	X	1, 20
Tool and equipment repair and sharpening services excluding heavy equipment repair	X	X	P	P	X	1
Trailer and camper sales, non-motorized	X	X	P	X	P	
Travel agency	P	P	P	P	X	
Vehicle storage lot	T	X	T	T	T	
Veterinary and small animal hospital, indoors only	X	X	P	P	P	1
Video sales and rentals including video game sales and rentals	X	P	P	P	X	
Vocational and trade school (conducted indoors)	X	P	P	P	P	9
Vocational and trade school (conducted outdoors)	X	X	X	X	C	9
Volume discount store (including 99¢ and closeout stores)	X	X	P	P	X	1
Watch, clock, and jewelry sales and repair	P	P	P	P	X	
Other similar uses	D	D	D	D	D	21
Light Industrial Uses						
Contract construction services	X	X	X	X	P	
Direct selling organizations (baked goods, ice cream trucks, bottled water vendors, catering wagons, etc.)	X	X	X	X	P	
Food and beverage processing	X	X	X	X	P	
Heavy equipment service and repair	X	X	X	X	C	
Laundry services, industrial, including linen, diaper, and uniform cleaning, alteration and repair services	X	X	X	X	P	
Light manufacturing	X	X	X	X	P	

	O-P	C-N	C-G	C-R	C-M	Notes
Microbrewery	X	X	C	C	C	35
Printing and publishing services, non-retail and excluding contact with the general public	X	X	P	P	P	
Recycling center for metal, cardboard, glass, e-waste, etc.	X	X	X	X	C	
Scientific and commercial testing laboratories including product research and development	X	X	X	X	P	
Service and repair of light machinery including vending machines, office machines, large household appliances, etc.	X	X	X	X	P	
Service and repair of precision instruments including cameras, optical devices, medical devices and electronic testing equipment	X	X	X	X	P	
Warehousing and distribution	X	X	X	X	P	
Wholesale trade excluding explosives	X	X	X	X	P	
Other similar uses	D	D	D	D	D	21
Transportation, Communication and Utilities						
Ambulance service	C	C	C	C	P	1, 3
Bus passenger terminals, public or private charter	X	X	P	P	P	
Bus parking and maintenance facility	X	X	X	X	P	
Heliport	C	C	C	C	C	
Limousine service	X	X	X	X	P	3
Media production including broadcasting studios, and audio and video recording studios	X	P	P	P	P	
Parking lots and garages, short term	P	P	P	P	P	
Radio, and/or television broadcasting	P	P	P	P	P	22
Solid waste disposal facility	C	C	C	C	C	1
Taxicab terminal	X	X	P	P	P	
Towing services with vehicle storage	X	X	X	X	C	1, 3
Towing services without vehicle storage	X	X	C	X	C	1, 3
Trucking terminal for motor freight including parcel delivery service terminals	X	X	X	X	P	
Utilities, excluding sewage treatment	C	C	C	C	C	
Vehicle storage facility, long term, including lots and structures	X	X	X	X	MUP	1
Wireless communication facilities, freestanding	C	C	C	C	C	23
Wireless communication facilities, architecturally integrated or other stealth design	S	S	S	S	S	23
Other similar uses	D	D	D	D	D	21
Institutional and Charitable Uses						
Botanical garden, and arboretum	P	P	P	P	X	
Educational institution	C	C	C	C	C	
Emergency shelters	X	X	C	C	S	1, 24

	O-P	C-N	C-G	C-R	C-M	Notes
Governmental administrative offices (excluding services)	P	P	P	P	P	
Governmental operation center and service facilities	C	C	C	C	C	
Hospital	C	C	C	C	X	
Library, public	P	P	P	P	X	
Museum	P	P	P	P	X	
Non-profit welfare and charitable organizations and services	X	X	C	C	X	1, 27
Parks and playgrounds, public or private	X	P	P	P	P	
Amateur sports fields	X	MUP	MUP	MUP	MUP	
Religious facilities	C	P	P	P	C	9
Temporary feeding area	C	C	C	C	C	
Transition service center	X	X	C	C	P	1, 24
WIC center	P	P	P	P	X	1
Other similar uses	D	D	D	D	D	21
Residential Uses						
Caretaker's unit	P	P	P	P	P	25
Residential care facility	C	C	C	C	X	1

1. Prohibited in SP 182. However, automotive service and repair uses are permitted with approval of a CUP in the portion of SP 182 that is also a part of Special Development Area No. 10 and zoned C-M.
2. Subject to the provisions of Chapter 17.45 (adult entertainment establishments).
3. Requires a Special Operations License for uses as described in ECMC Chapter 5.16. For towing services, only police towing services require a Special Operations License.
4. Off-site outdoor automobile sales are subject to the provisions of section 17.225.190.
5. Subject to the provisions of Chapter 17.215 (automotive fueling stations).
6. Subject to the provisions of Chapter 5.40 of the El Cajon Municipal Code.
7. Subject to the provisions of section 17.190.270 (billboard signs).
8. Subject to the provisions of Chapter 17.210 (alcohol sales).
9. Subject to parking requirements listed in section 17.185.190.
10. "Check cashing only" services are prohibited in SP 182.
11. Subject to the provisions of Chapter 17.40 (Administrative Zoning Permit), section 17.130.250 (kiosks) and section 17.225.240 (food trucks).
12. Subject to the provisions of section 17.225.070 (massage establishments and services)
13. Subject to the provisions of Chapter 17.230 (motion picture theaters).
14. Subject to the provisions of section 17.225.090 (outdoor dining areas).
15. Subject to the provisions of Chapter 17.235 (personal storage facilities).
16. The retail display area shall not exceed fifteen percent (15%) of the gross floor area in the O-P zone.
17. Subject to the provisions of section 17.225.100 (resource recovery centers).
18. Restaurant size may be limited in the C-M zone.
19. Subject to the provisions of section 17.225.130 (take-out only restaurants).
20. Subject to the provisions of Chapter 17.240 (tobacco, smoke shops, and electronic/vapor inhalation shops).
21. As determined by the director of community development.
22. Excludes wireless communications facilities as defined in Chapter 17.105.
23. Subject to the provisions of Chapter 17.245 (wireless communications facilities).

24. Subject to the provisions of section 17.225.180 (transition service centers and emergency shelters).
25. Only one caretaker's unit permitted per lot in association with an authorized primary use occupying the same property. Must be attached to the primary structure on the lot, if such a structure exists.
26. May only be operated as an ancillary use to 1) a bona fide non-profit club, society, professional organization, union hall, fraternal organization, and similar (non-profit) use, with a valid conditional use permit for the primary use, and 2) a restaurant. Subject to additional card room regulations listed in Chapter 5.28 (Card rooms) of Title 5 and Chapter 17.225 (Miscellaneous Special Uses and Regulations) of this Title. Non-profit status must be in place prior to application submittal, as applicable.
27. Non-profit medical and dental clinics are permitted uses. They do not require a CUP and are not prohibited in SP 182.
28. Subject to the parking requirements for places of assembly listed in Table 17.185.190.
29. Subject to the provisions of Chapter 17.205 (agriculture and animals).
30. Excludes businesses purchasing items as an accessory use to a primary retail sales use.
31. Subject to the provisions of section 17.225.200 (Alternative Lending).
32. Subject to the provisions of Chapter 17.250 (Secondhand Merchandise Stores and Pawn Shops).
33. Prohibited in the boundaries of SP 462.
34. Subject to the provisions of section 17.225.220 (Farmer's Market).
35. Subject to the provisions of section 17.225.230 (Microbrewery).

SECTION 18. Section 17.185.140 of Chapter 17.185 of the El Cajon Municipal Code is hereby repealed.

SECTION 19. A new section 17.185.140 of Chapter 17.185 of the El Cajon Municipal Code is hereby added to read as follows:

17.185.140 JOINT USE DRIVEWAYS.

The joint use of abutting driveways on adjacent properties may be permitted upon acceptance by the city of legal arrangements granting joint access. Such joint driveways shall conform to all other provisions of this title relating to length, width and access. "Legal arrangements," as used in this section, shall mean a recorded easement or other agreement that shall be recorded so that it appears in the chain of title of each affected property.

SECTION 20. Section 17.185.190 of Chapter 17.185 of the El Cajon Municipal Code is hereby repealed.

SECTION 21. A new section 17.185.190 of Chapter 17.185 of the El Cajon Municipal Code is hereby added to read as follows:

17.185.190 Commercial zone parking requirements.

The table below lists the minimum parking requirements for non-residential developments and uses.

**Table 17.185.190
Commercial Zone Parking Requirements**

Unique uses	
Caretakers unit	Two (2) spaces in addition to any other parking required at the site
Institutional uses, utilities, and places of assembly	
Religious facilities, theatres, auditoriums, and similar places of assembly	One (1) space per every five (5) fixed seats, or one (1) space for every two hundred (200) square feet of gross floor area whichever is greater.
Public buildings including utilities and related facilities	As determined by CUP
Vocational or trade schools	One (1) space for every thirty-five (35) square feet of laboratory or work area plus one (1) space for every two hundred (200) square feet of remaining floor area at the school.
Commercial uses	
General office uses and general retail commercial uses not specified elsewhere in this table	One (1) space per two hundred fifty (250) square feet of gross floor area up to ten thousand (10,000) square feet, plus one (1) space per three hundred (300) square feet of gross floor area for the next fifteen thousand (15,000) square feet, plus one (1) space per four hundred (400) square feet of gross floor area above twenty five thousand (25,000) square feet
Dance halls	One (1) space per fifty (50) square feet of dance floor, or one (1) space per three hundred (300) square feet of gross floor area, whichever is greater
Restaurants, cocktail lounges, and similar eating and drinking establishments	One (1) space per one hundred (100) square feet of gross floor area, except as follows: In shopping centers over two (2) acres in size, the parking requirement for restaurants is the same as for other general retail uses in that center; at an existing commercial property, the parking requirement for restaurants is the same as for other general retail uses.
Hospitals	One (1) space per bed.
Hotels and motels	One (1) space per room, plus one (1) space per three hundred (300) square feet of gross floor area dedicated to offices, restaurants and lounges located within the hotel or motel.
Automobile fueling station	See Chapter 17.215.

Outdoor venues such as swap meets, farmers markets, athletic fields, and other outdoor recreational facilities	One (1) space for every three (3) people anticipated at maximum attendance as indicated by the required conditional use permit.
Indoor recreational facilities such as bowling alleys, game centers, fitness centers, dance studios, and martial arts facilities.	One (1) space per two hundred (200) square feet of recreation area plus one (1) space per four hundred (400) square feet of non-recreation area; accessory eating and drinking areas to be calculated separately at one (1) space per one hundred (100) square feet.
Outdoor sales areas	One (1) space per one thousand (1,000) square feet of outdoor sales and display. The parking requirement for outdoor sales areas at automobile sales establishments shall be determined at time of the conditional use permit
Transportation facilities (bus depots, trolley stations, etc.)	One (1) space per five (5) fixed seats or one (1) space per four hundred (400) square feet of gross floor area, whichever is greater
Commercial building additions for storage space only	See section 17.130.255

SECTION 22. Section 17.205.030 of Chapter 17.205 of the El Cajon Municipal Code is hereby repealed.

SECTION 23. A new section 17.205.030 of Chapter 17.205 of the El Cajon Municipal Code is hereby added to read as follows:

17.205.030 Ordinary household pets.

The keeping of ordinary household pets shall be permitted in all residential zones, subject to the following regulations:

- A. Not more than four (4) ordinary household pets (dogs or cats) are permitted for each dwelling, together with offspring less than four (4) months of age.
- B. A fifth (5th) ordinary household pet may be authorized for an individual dwelling unit subject to the granting of an administrative zoning permit.

SECTION 24. Section 17.210.080 of Chapter 17.210 of the El Cajon Municipal Code is hereby repealed.

SECTION 25. A new section 17.210.080 of Chapter 17.210 of the El Cajon Municipal Code is hereby added to read as follows:

17.210.080 Conditional use permit required.

- A. Except as provided in subsections B and C, below, all alcoholic beverage establishments to which this chapter is applicable shall obtain a conditional use permit pursuant to Chapter 17.50 of this title and satisfy all pertinent conditions prior to engaging in any alcoholic beverage sales activity.
- B. Unless otherwise required by this chapter, a conditional use permit shall not be required of an alcoholic beverage establishment consisting of a general retail store, a grocery store, or a retail pharmacy, which has (1) at least ten thousand (10,000) square feet of gross floor space, and (2) a maximum of ten percent (10%) of the gross floor area devoted to the sales and display of alcoholic beverages. A conditional use permit shall not be required of an alcoholic beverage production manufacturer with an accessory tasting room. An alcoholic beverage establishment exempt from the requirement of a conditional use permit pursuant to this subsection is deemed to have been approved to conduct alcoholic beverage sales commercial activity subject to the terms and conditions of a conditional use permit required under this chapter provided, however, that if it is found to be in violation of this chapter such an exempt establishment may lose its exemption and be required to obtain a conditional use permit as set forth in section 17.210.260.
- C. All new on-sale alcoholic beverage establishments in the Regional Commercial (C-R) zone shall obtain a minor use permit pursuant to Chapter 17.57 of this title to satisfy all pertinent conditions prior to engaging in any alcoholic beverage sales activity.

SECTION 26. Section 17.210.100 of Chapter 17.210 of the El Cajon Municipal Code is hereby repealed.

SECTION 27. A new section 17.210.100 of Chapter 17.210 of the El Cajon Municipal Code is hereby added to read as follows:

17.210.100 Operational standards—applicable to new, modified, or redeveloped off-sale alcoholic beverage sales activities.

- A. All new, modified, or redeveloped off-sale alcoholic beverage sales activities shall be designed, constructed, and operated to conform to all of the following operational standards:
 - 1. That it does not result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.
 - 2. That it does not jeopardize or endanger the public health or safety of persons residing or working in the surrounding area.

3. That it does not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.
4. That it complies with all provisions of local, state or federal laws, regulations or orders, including but not limited to those of the California Department of Alcoholic Beverage Control, California Business and Professions Code sections 24200, 24200.6, and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders. This includes compliance with annual city business license fees.
5. That its upkeep and operating characteristics are compatible with, and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
6. That it complies with the following alcohol sale limitations:
 - a. No wine shall be displayed, sold or given away in containers of less than seven hundred fifty (750) milliliters, except multipack containers of wine, and multipack wine coolers containing no more than six percent (6%) alcohol by volume.
 - b. No wine shall be displayed, sold or given away with an alcoholic content greater than fifteen percent (15%) by volume unless in corked bottles and aged at least two (two) years.
 - c. No distilled spirits shall be displayed, sold or given away in containers of less than three hundred seventy five (375) milliliters, including but not limited to, airline bottles, except pre-mixed cocktails.
 - d. Notwithstanding subsection (c) above, no distilled spirits shall be displayed, sold or distributed in three hundred seventy five (375) milliliters hip flask containers.
 - e. No beer, ale or malt liquor shall be offered for sale in a container with a volume greater than thirty-two (32) ounces. This restriction is not intended to prohibit the sale of such beverages in kegs or other types of containers, with a volume

of two or more gallons, which are clearly designed to dispense multiple servings.

- f. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- g. No display, sale or distribution of beer or wine, wine coolers or similar alcoholic beverages shall be made from an ice tub, barrel or similar container.
- h. All display of alcoholic beverages shall be no closer than five (5) feet from the store entrance.

7. That it complies with the following public nuisance prevention measures:

- a. Lighting: Exterior areas of the premises and adjacent parking lots shall be provided with sufficient lighting in a manner that provides adequate illumination for alcohol establishment patrons while not spilling onto surrounding residential and commercial properties. A photometric study may be required to demonstrate compliance.
- b. Litter: Adequate litter receptacles shall be provided on site and in the building. The premises shall be kept free of the accumulation of litter and shall be removed no less frequently than once each day the business is open.
- c. Loitering: The following measures may be required:
 - i. No fixtures or furnishings that encourage loitering and nuisance behavior are permitted on the premises. This includes, but is not limited to chairs, seats, stools, benches, tables, crates, etc.
 - ii. The establishment's operators or employees shall be required to discourage loiterers and to ask persons loitering longer than fifteen (15) minutes to leave the area and contact local law enforcement officials for enforcement of applicable trespassing and loitering laws if persons requested to leave fail to do so.
 - iii. No video or other electronic games shall be located in an off-sale alcoholic beverage establishment.
 - iv. No pay phones are permitted outside of the off-sale establishment.

- d. Cups: The sale or distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging is prohibited.
- e. Signage: There shall be no exterior advertising of alcoholic products, or tobacco and paraphernalia or similarly controlled products as defined in section 8.33.010 of this Municipal Code.
- f. Signs: The following signs shall be required to be prominently posted in a readily visible manner on an interior wall or fixture, and not on windows, in English, Spanish, Arabic and the predominant language of the patrons:
 - i. "California State Law prohibits the sale of alcoholic beverages to persons younger than 21 years of age."
 - ii. "No Loitering or Public Drinking."
 - iii. "It is illegal to possess an open container of alcohol in the vicinity of this establishment."
- g. Presentation of Documents: A copy of the conditions of approval and the California Department of Alcoholic Beverage Control license shall be required to be kept on the premises and presented to any enforcement officer or authorized state or county official upon request.
- h. Mitigating Alcohol Related Problems: The establishment shall be required to operate in a manner appropriate with mitigating alcohol related problems that negatively impact those individuals living or working in the neighborhood including but not limited to sales to minors, the congregation of individuals, violence on or near the premises, drunkenness, public urination, solicitation, drug-dealing, drug use, loud noise and litter.
- i. Drug Paraphernalia: An off-sale alcohol establishment shall be prohibited from selling drug/tobacco paraphernalia products as defined in California Health and Safety Code sections 11014.5 and 11364.5. "Drug paraphernalia" means all equipment products and materials of any kind that are used intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing,

containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the California Uniform Controlled Substances Act commencing with California Health and Safety Code section 11000.

- j. Prohibited Vegetation: Exterior vegetation shall not be planted or maintained that could be used as a hiding place for persons on the premises. Exterior vegetation may be planted and maintained in a manner that minimizes its use as a hiding place.
- k. Window Obstructions: To ensure a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance, no more than fifteen percent (15%) of windows and entry doors shall be blocked by signs, vending machines, shelves, racks, storage, etc.
- l. Training: Each off-sale operator and their employees shall complete the Responsible Beverage Service (RBS) Training component. To satisfy this requirement, a certified program must meet the standards of the Alcohol Beverage Control Responsible Beverage Service Advisory Board or other certifying/licensing body designated by the state of California. Proof of completion shall be submitted to the Community Development department.
- m. Posting of Documents: A copy of these operational standards, any applicable California Department of Alcoholic Beverage Control regulations or city operating conditions, and any training requirements shall be posted in at least one prominent place within the interior of the establishment where it will be readily visible and legible to the employees and patrons of the establishment.

- B. Failure to comply with these requirements shall constitute grounds for revocation of a conditional use permit.

SECTION 28. Section 17.210.130 of Chapter 17.210 of the El Cajon Municipal Code is hereby repealed.

SECTION 29. A new section 17.210.130 of Chapter 17.210 of the El Cajon Municipal Code is hereby added to read as follows:

17.210.130 New and modified on-sale alcohol establishment standards.

Except as otherwise provided in this chapter, no person shall establish a new on-sale alcoholic beverage establishment or modify an existing on-sale alcoholic beverage establishment in violation of section 17.120.030 of this title or an applicable conditional use permit without first obtaining a conditional use permit or minor use permit (C-R zone) in the manner provided by this chapter. Furthermore, the standards contained in sections 17.210.140 through 17.210.160 require on-sale alcoholic beverage establishments to secure a conditional use permit or minor use permit in the manner provided in this chapter in order to lawfully engage in the sale of alcoholic beverages from premises located in the city of El Cajon; and require such establishments to manage such premises in accordance with the requirements of such permit, including operational standards and any conditions of approval incorporated as conditions of the permit.

SECTION 30. Section 17.210.140 of Chapter 17.210 of the El Cajon Municipal Code is hereby repealed.

SECTION 31. A new section 17.210.140 of Chapter 17.210 of the El Cajon Municipal Code is hereby added to read as follows:

17.210.140 Distance requirements—applicable to new on-sale alcoholic beverage establishments.

- A. No new on-sale alcoholic beverage establishment shall be located within one thousand (1,000) feet of an existing on-sale alcoholic beverage establishment (except in the C-R zone) and/or within six hundred (600) feet of residentially zoned property, public or private schools, health care facilities, religious facilities, parks or playgrounds, and off-sale alcoholic beverage establishments, except:
 - 1. A restaurant with an ancillary bar with less total square footage than the restaurant eating area; or
 - 2. On-sale alcoholic beverage establishment with alcohol sales secondary and incidental to an approved, complementary, principal use within the boundaries of Specific Plan No. 182; or
 - 3. An alcoholic beverage manufacturer such as a craft brewery with an ancillary tasting room or craft brewery with a full service restaurant.
- B. For purposes of this section, distances shall be measured between the closest property lines of the affected locations.
- C. For the purposes of this section, "secondary and incidental," shall mean that the sales of alcoholic beverage shall be limited to not more than twenty-five percent (25%) of the gross annual retail receipts generated by the use on the site, which shall be calculated on a quarterly basis, for the prior twelve

(12) month period ending on the last day of the then concluding quarter of year, and shall further mean that sales of alcoholic beverages are not promoted or advertised in any signs, or the name of the business establishment.

- D. For the purposes of this section, "principal use," may include, but is not limited to, live entertainment, participatory sporting activities, museums, theaters, performing arts center owned by a public agency, hotels, or other, similar uses approved by the city council, so long as the location of the sales of alcoholic beverages occurs on the same premises as the principal use, and the owner of the principal use is the owner of the liquor license.

SECTION 32. Section 17.210.160 of Chapter 17.210 of the El Cajon Municipal Code is hereby repealed.

SECTION 33. A new section 17.210.160 of Chapter 17.210 of the El Cajon Municipal Code is hereby added to read as follows:

17.210.160 Required findings—new on-sale alcoholic beverage sales activities.

In addition to the findings listed in section 17.50.060, the issuance of a conditional use permit or minor use permit to allow a new on-sale alcoholic beverage sales activity shall meet the following findings:

- A. The proposed alcoholic beverage sales activity will not exacerbate existing problems in the neighborhood created by the sale of alcohol such as loitering, public drunkenness, sale of alcoholic beverages to minors, noise and littering.
- B. The proposed alcoholic beverage sales establishment will not detrimentally affect nearby neighborhoods considering the distance of the alcohol establishment to residential buildings, schools, parks, playgrounds or recreational areas, nonprofit youth facilities, places of worship, hospitals, alcohol or other drug abuse recovery or treatment facilities, county social service offices, or other alcoholic beverages sales activity establishments.
- C. The proposed alcoholic beverage sales establishment is not located in what has been determined to be a high-crime area or where a disproportionate number of police service calls occur. In the alternative, if the proposed alcoholic beverage sales establishment is proposed to be located in a high-crime area or where a disproportionate number of police service calls occur, the establishment has or will adopt appropriate safeguards, to be set forth in conditions of approval, reasonably intended to prevent any increase in criminal activities and calls for service.

SECTION 34. Section 17.225.090 of Chapter 17.225 of the El Cajon Municipal Code is hereby repealed.

SECTION 35. A new section 17.225.090 of Chapter 17.225 of the El Cajon Municipal Code is hereby added to read as follows:

17.225.090 Outdoor dining areas.

Outdoor dining areas are permitted in association with otherwise permitted and legally established eating and drinking establishments, subject to the following guidelines of this section. The total area dedicated to outdoor dining shall not exceed the area dedicated to indoor dining. The outdoor dining area shall not be located in the public right-of-way, unless approved by the department of public works. No additional parking is required for the outdoor dining area as long as the area dedicated to outdoor dining is less than the area dedicated to indoor dining.

All outdoor dining uses shall maintain ingress/egress and pedestrian circulation subject to building and fire safety code requirements including Americans with Disabilities Act requirements; and shall comply with the following minimum requirements:

- A. Maintain a minimum four (4) foot wide access in a direct and straight path to the building entrance clear and unimpeded for ingress and egress.
- B. Maintain a minimum four (4) foot wide sidewalk for general pedestrian circulation adjacent to the use.
- C. Maintain a minimum fifteen (15) foot radius from street corner intersections, measured from the back of the curb.

The location and use of the outdoor seating area shall not obstruct the movement of pedestrians, goods or vehicles; required parking spaces; driveways or parking aisles; entrances; legal signs; utilities or other improvements. When located adjacent to parking spaces, driveways or parking lot aisles, a physical barrier such as curb or railing shall be provided.

Furnishings shall be strictly limited to chairs, benches and tables, and single pole table umbrellas designed for outdoor use. All furnishings and barriers shall be maintained free of appendages or conditions that pose a hazard to pedestrians and vehicles.

Table center and freestanding umbrellas are permitted.

The outdoor seating area shall be located proximate to the business providing the seating, such as adjacent to the building or within courtyards. Outdoor seating areas shall not reduce, be located within, or damage any required landscaped area.

Any deviation from the standards listed in this subsection shall require an administrative zoning permit in compliance with Chapter 17.140.

SECTION 36. Section 17.245.040 of Chapter 17.245 of the El Cajon Municipal Code is hereby repealed.

SECTION 37. A new section 17.245.040 of Chapter 17.245 of the El Cajon Municipal Code is hereby added to read as follows:

17.245.040 Permits required.

A conditional use permit processed in accordance with Chapter 17.50 of this title shall be required for all wireless communications facilities proposed to be located in any residential zone. Further, a conditional use permit shall be required for any proposed freestanding facility, including collocation facilities, in any commercial, office or industrial zone. A site development plan permit processed in accordance with Chapter 17.65 of this title shall be required for any architecturally integrated facility in commercial, office or industrial zones only, and any new collocated facilities added to a collocation wireless communications facility approved by a conditional use permit and accompanied by either a negative declaration, mitigated negative declaration, or environmental impact report. Subject to the determination of the director, any modification to existing wireless facilities may require an amendment of the applicable conditional use permit or site development plan.

SECTION 38. Section 17.245.080 of Chapter 17.245 of the El Cajon Municipal Code is hereby repealed.

SECTION 39. A new section 17.245.080 of Chapter 17.245 of the El Cajon Municipal Code is hereby added to read as follows:

17.245.080 Development and design standards.

Every proposed wireless communications facility shall satisfy the following development and design standards:

- A. The installation of wireless communications facilities shall not reduce the number of required parking spaces on any proposed sites in any zone.
- B. All wireless communications facilities and accessory equipment shall meet the required setbacks of the underlying zone, except that in any residential zone, the minimum setback for any antenna or equipment building from any property line shall be twenty (20) feet. Furthermore, any wireless facility located in a commercial or manufacturing zone shall maintain a setback of twenty (20) feet from any adjacent residentially zoned property.
- C. Each service provider with a wireless communications facility in the city shall obtain a city business license.
- D. All proposed wireless communications facilities shall be located so as to minimize their visual impact to the maximum extent feasible, considering

technological requirements, by means of placement, screening and camouflage, as well as landscaping, to be compatible with adjacent uses, existing architectural elements, topography, neighborhood landscaping, and building materials, and other site characteristics.

- E. Architecturally integrated wireless communications facilities shall satisfy the following development and design standards:
 - 1. Shall be painted and textured to match the existing structure or building;
 - 2. Shall be constructed at the minimum height possible while complying with the building height requirements of this title to serve the service area and be designed to minimize their visibility from surrounding areas;
 - 3. Shall be integrated architecturally to match the style and character of the structure they are attached to, in conformance with Chapter 17.180; and
 - 4. May be developed as a steeple, spire, clearstory, or similar architectural projection in accordance with section 17.130.115.

- F. Freestanding facilities shall be discouraged unless no reasonable alternative is possible. This type of facility shall satisfy the following development and design standards:
 - 1. Shall be of a stealth design only (e.g., piece of art/sculpture, clock tower, flag pole, tree or other interesting, appropriate and compatible visual form). They shall be painted and designed to blend in with the surrounding area. Landscaping necessary to minimize the visual effect of a stealth freestanding facility shall be provided;
 - 2. Shall be designed to the minimum functional height and width required to support the proposed wireless facility; and
 - 3. Shall not exceed seventy (70) feet in height.

- G. Wireless facility support structures such as equipment buildings, cabinets, cables, air conditioning units and fencing, shall be painted and textured to match the surrounding physical area and screened with landscaping in order to minimize visual impacts.

- H. No advertising signs shall be placed on any facilities or equipment.

SECTION 40. This ordinance shall become effective thirty (30) days following its passage and adoption.

Ord – Zoning Code Omnibus 050219

05/14/19 CC Agenda – 1st Reading

05/28/19 CC Agenda – 2nd Reading



City Council
Agenda Report

DATE: May 28, 2019
TO: City Clerk
FROM: City Attorney/General Legal Counsel
SUBJECT: Closed Session - Conference with Legal Counsel - Anticipated Litigation - pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9: One (1) potential case

RECOMMENDATION:

That the following Closed Session be scheduled for the Tuesday, May 28, 2019, Joint City Council/Housing Authority/Successor Agency to El Cajon Redevelopment Agency agenda at 3:00 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9:

Number of potential cases: 1

Morgan L. Foley
City Attorney/General Legal Counsel

MLF:hms



City Council
Agenda Report

Agenda Item 19.

DATE: May 28, 2019
TO: City Clerk
FROM: City Attorney/General Legal Counsel
SUBJECT: Closed Session - Conference with Labor Negotiators pursuant to Government Code section 54957.6:

Agency Designated Representatives:

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:

El Cajon Police Officers Association
El Cajon Professional Firefighters Association - Local 4603 (ECPFF)
El Cajon Police Officers' Association Management Group
Executive, Unrepresented and Confidential Employees

RECOMMENDATION:

That the following Closed Session be scheduled for the Tuesday, May 28, 2019, Joint City Council/Housing Authority/Successor Agency to El Cajon Redevelopment Agency agenda at 3:00 p.m.

CONFERENCE WITH LABOR NEGOTIATORS – pursuant to Government Code section 54957.6:

NAME OF CASE:

Agency Designated Representatives:

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:

El Cajon Police Officers Association

El Cajon Professional Firefighters Association - Local 4603 (ECPFF)

El Cajon Police Officers' Association Management Group

Executive, Unrepresented and Confidential Employees

Morgan L. Foley

City Attorney/General Legal Counsel

MLF:hms



City Council
Agenda Report

DATE: May 28, 2019

TO: City Clerk

FROM: City Attorney/General Legal Counsel

SUBJECT: Closed Session - Public Employee Performance Evaluation: City Manager

RECOMMENDATION:

That the following Closed Session be scheduled for the Tuesday, May 28, 2019, Joint City Council/Housing Authority/Successor Agency to El Cajon Redevelopment Agency agenda at 3:00 p.m.:

Public Employee Performance Evaluation: City Manager

Morgan L. Foley
City Attorney/General Legal Counsel

MLF:hms
