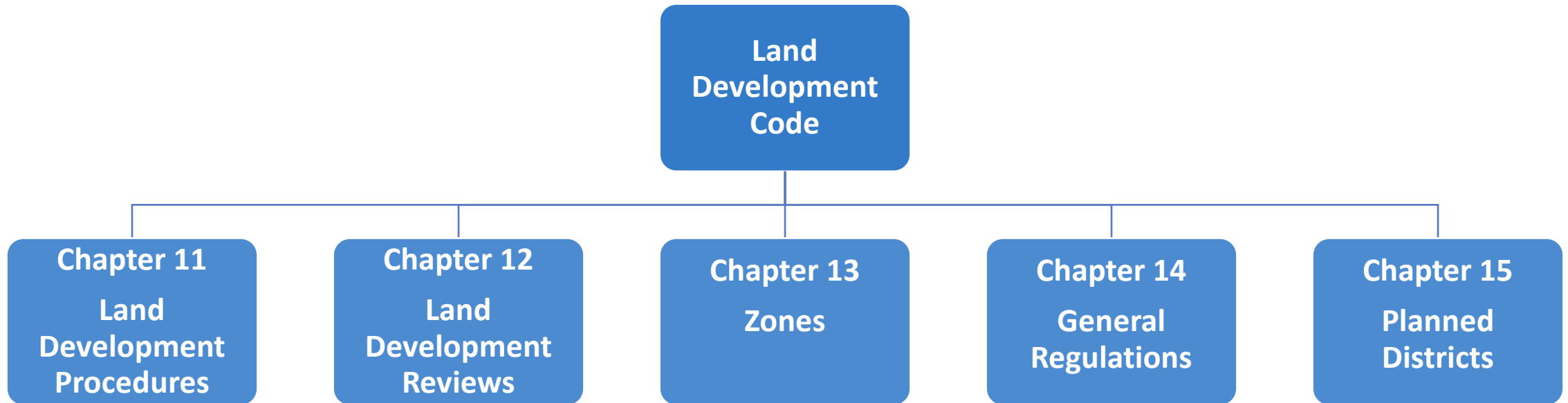


2024 Land Development Code Update

Land Use and Housing Committee

May 17, 2024

What is the Land Development Code?



2024 Land Development Code Update

99 Proposed
Amendments

72 Citywide

27 Downtown

Code Update Request Process



2024 LDC Update Summary – Citywide

Align the
Code with
Climate,
Equity and
Housing
Goals (1)



Clarifications
(22)



Compliance
with State
Law (9)



Corrections
(19)



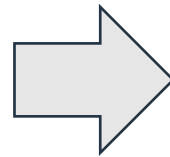
Regulatory
Reforms (21)





Sports Arenas and Stadiums (Item 1)

Regulations for sports arenas and stadiums need to be updated to incorporate multi-modal transportation to implement the Climate Action Plan



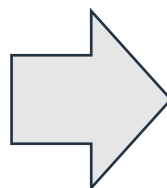
Adds active transportation regulations to align regulations to sports arena and stadiums

Includes new design parameters for building and parking structures

Sports arenas and stadiums included in a specific plan exempt from obtaining a Conditional Use Permit

Calculating Gross Floor Area - Parking Structures (Item 4)

Universal application needed when calculating gross floor area when a development contains a parking structure

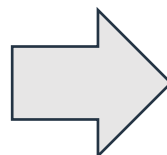


Clarifies that parking structures are exempt from gross floor area calculations if certain design guidelines are met

Only applicable to multi-level parking structures

Visitor Accommodations (Item 9)

Visitor accommodations are permitted as a commercial use that supports visitors and tourism



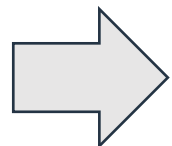
Clarifies that visitor accommodations can only be used for stays of up to 30 consecutive days

Exempts existing and new SRO Hotels from the 30-day limitation

Exempts existing Visitor Accommodations

Complete Communities Housing Solutions (CCHS) – Pedestrian Circulation Space (Item 17)

Pedestrian circulation space requirements for CCHS projects may conflict with Citywide requirements in the Street Design Manual

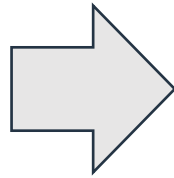


Requires an urban parkway with an 8 foot path of travel and 6 foot buffer

Conflict between CCHS and the required widths in the Street Design Manual, greater width would apply

Accessory Dwelling Units (ADUs) – Front Yard Setback Development Regulations (Item 25)

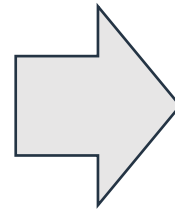
AB 2221 (Quick-Silva 2022) states that a front yard setbacks cannot be used to prohibit the construction of an ADU of 800 SF or less



Specifies that the front setback cannot be used to prohibit the construction of an ADU that is 800 square feet or less

Affordable Housing Regulations – 100% Affordable Projects (Item 27)

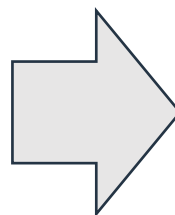
AB 2334 (Wicks – 2022) expanded the applicability of State Density Bonus Law, allowing an unlimited density bonus for 100% affordable development to apply in VMT efficient communities



Expands density bonus program allowing unlimited density for 100% affordable projects to apply in Mobility Zone 3 - defined as a community planning area boundary with a Vehicle Miles Traveled (VMT) efficiency that is 85% or less of the regional average

Consolidating of Processing (Item 48)

When a development requires multiple approvals, it is automatically consolidated and subject to the highest decision-making authority

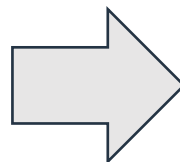


Allows flexibility by not consolidating public right-of-way vacations and public service easements with other development applications unless requested

Requires public right-of-way vacation or public service easement approvals that are not consolidated to be recorded before any other permit approvals

Behavior Health Facilities (Item 52)

Behavioral health facilities, classified as Residential Care Facilities in the code, require a CUP if they house 7+ people. A streamlined approval process would help more people with mental illness and substance use disorders

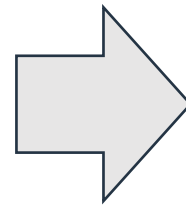


Residential Care Facilities for 7+ people in Multifamily and Commercial Zones – Limited Use

Residential Care Facilities for 7+ people – CUP still required if within 500 feet of a school, playground, or childcare facility

Mixed Use Base Zones- EMX (Employment Mixed-Use) Zones (Item 56)

Residential development on parcels zoned EMX may only be a secondary use. This may limit home development on parcels with existing large retail shopping centers

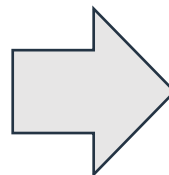


Allows the primary use to be residential on parcels that contain or are adjacent to parcels with at least 500,000 square feet of retail sales and/or restaurants zoned EMX

Creates more opportunities for homes on parcels with existing shopping centers

Community Plan Implementation Overlay Zone (CPIOZ) Alternative Compliance (Item 58)

CPIOZ supplemental development regulation for mid-block public right-of-way improvements can be difficult or unsafe to implement



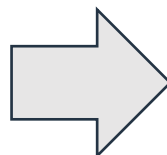
Allows for alternative compliance through the payment into a citywide infrastructure fund

The City Engineer must determine that the improvement would create undesirable drainage, traffic, or pedestrian circulation conditions



Accessory Dwelling Units (ADUs) – Interior Side and Rear Yard Setback Requirements (Item 60)

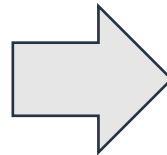
The setback requirements for ADU structures over 16 feet in height may be more restrictive than the interior side and rear yard setbacks of the base zone



Aligns the interior side and rear yard setbacks by allowing the ADU to follow the base zone side setback or the standard ADU 4-foot setback, whichever is less

Monitored Perimeter Security Fence Systems (Item 61)

The existing fence regulations do not allow for Monitored Perimeter Security Fence Systems



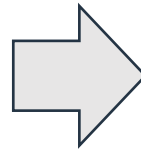
Adds design and general regulations for Monitored Perimeter Security Fence Systems

These fence systems would only be allowed in Industrial zones

Requires a perimeter fence that is non-electrified in front of the electrified fence

Off-Street Loading Spaces – Research and Development Uses (Item 62)

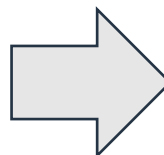
Research and Development uses may need fewer off-street loading areas than other Industrial Uses



Reduces the required number of off-street loading spaces for Research and Development Uses by aligning the requirements with the Commercial Use Subcategory

Complete Communities Housing Solutions - Public Space Alternative (Item 63)

CCHS regulations include an option for a promenade on the longest street frontage. The requirement can be difficult to implement.

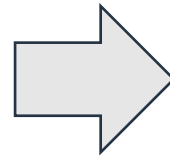


Replaces the promenade with a more flexible 4,000 square foot public space requirement

Promotes the construction of on-site public infrastructure

Child Care Facilities – Floor Area Ratio (FAR) Bonus (Item 67)

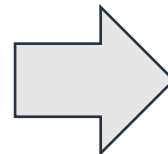
The City provides a child care FAR bonus incentive to encourage their development. This incentive only applies in certain commercial zones that allows child care facilities.



Expands the child care FAR bonus incentive to additional residential, commercial, industrial, and mixed-use base zones

Tentative Maps and Parcel Map Requirements (Item 68)

The Subdivision Map Act allows cities and counties to create ordinances dividing land into smaller lots for development or sale. However, the code is currently more restrictive than what the SMA allows.



Requires a tentative map for any subdivision of land creating five or more parcels of land

Allows for a parcel map under certain conditions in line with the Subdivision Map Act

For parcel and tentative maps, dedications and public improvements may be required by the City Engineer

2024 LDC Update Summary – Downtown

Align the Code with Climate, Equity and Housing Goals (6)



Clarifications (5)



Compliance with State Law (2)



Corrections (7)



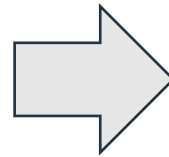
Regulatory Reforms (7)





Downtown: Active Commercial Uses Floor Area Ratio (FAR) Exemption (Item 5)

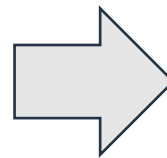
An existing FAR exemption for commercial uses encourages the development of active commercial storefronts on main streets



Expands FAR exemption to include ground-floor active commercial uses along the C Street Corridor and within the San Diego Promise Zone to incentivize greater street-front activation

Downtown: Gaslamp PDO Consolidation (Item 11)

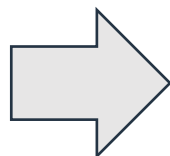
The Gaslamp PDO is currently split into five separate Divisions



Consolidates the five existing divisions of the Gaslamp Quarter PDO into one division and removes outdated references and processes

Downtown: Floor Area Ratio (FAR) Bonus Program (Item 25)

The existing FAR Bonus programs in Downtown have been successful on a small scale in both increasing densities/intensities and providing for pedestrian-oriented infrastructure. Amendments are needed to encourage greater utilization

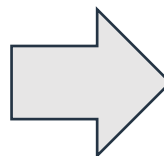


Provides an additional density bonus to projects on sites that currently contain development that is less than the Base Minimum FAR

Provides an additional density bonus to developments that reserve dwelling units as affordable to middle income (150% AMI)

Downtown: Housing Element Accelerator Incentive (Item 25)

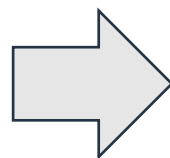
City needs to triple annual housing production to meet RHNA Goals. More residential development Downtown can assist in meeting the goal.



Adds an additional incentive for Building Permit Applications submitted prior to January 1, 2029

Downtown: Outdoor Use Areas (Item 27)

Outdoor use areas on private property that are open to the public and greater than 350 square feet currently require a Process 2 Neighborhood Use Permit, which inhibits the post-pandemic growth of Downtown



Accommodates more outdoor spaces on private property by increasing the size threshold for a Neighborhood Use Permit from 350 to 2,000 square feet

Outreach



Two Public Workshops



Public Comment Portal



Community Planners Committee

Community Planners Committee (CPC)

CPC approved the LDC Update, with the exception of Item 67

Planning Commission Recommendation

Recommend to the City Council approval of the proposed 2024 Update to the San Diego Municipal Code and Local Coastal Program, recommend to the City Council approval of the memo dated 4/29/2024 presented by staff and recommended to the City Council approval of the City Attorney's recommended language on item 48.

2024 LDC Update Timeline



- Planning Commission

- Land Use and Housing Committee

- City Council

Recommendation

Recommend to the City Council approval of the proposed 2024 Update to the San Diego Municipal Code and Local Coastal Program