



THE CITY OF SAN DIEGO  
REPORT TO THE **PLANNING** COMMISSION

DATE ISSUED: November 12, 2004 REPORT NO. PC-04-220  
ATTENTION: Planning Commission  
Agenda of November 18, 2004  
SUBJECT: Workshop on Issues related to the draft General Plan Land Use Element  
REFERENCE: City Manager Report No. 03-206

SUMMARY

THIS IS A WORKSHOP ON POLICY ISSUES RELATED TO THE ROLE, PURPOSE AND FORMAT OF THE LAND USE ELEMENT RELATIONSHIP BETWEEN THE GENERAL PLAN, COMMUNITY AND OTHER LAND USE PLANS, AND THE LAND USE PLAN AMENDMENT PROCESS.

BACKGROUND

On October 23, 2002, with the adoption of Strategic Framework Element, the City Council directed the Planning Department to begin a comprehensive update of the 1979 Progress Guide and General Plan (General Plan). As part of that action, the Council directed staff to prepare a Land Use Element to clearly identify community plans as one of its major components and to provide guidance on community plan format. The City Council also directed staff to review and revise the community plan preparation and amendment process to ensure its integrity. The Council further directed that criteria be established for community plan amendments, which increase residential density and provided an initial list of factors to be considered. Planning staff is working with a group of public and private sector planners and community planning group members in addition to a subcommittee of the Community Planners Committee (CPC) to draft a new land use element and plan amendment policies.

*Government Code Requirements and Office of Planning and Research Guidelines*

As defined by state law, the Land Use Element of a General Plan is one of the seven mandatory elements. The Government Code 65302 requires that a land use element must “. . . designate the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and

- the provision of public facilities, the provision of affordable housing, among other planning and implementation objectives.
- Initiation requests that are subject to the supplemental set of criteria currently must meet all four. Could there be a different threshold, such as meeting a majority or a super majority of the revised set of criteria?
  - When necessary, such as a proposed increase in density or intensity of use, should there be a requirement for a companion amendment to the facilities financing plan at the time of amendment adoption?
  - The existing supplemental criteria refer to a project offering a public benefit. Should this be increased to extraordinary or some increased level of benefit and how should it be defined or should it be defined?
  - Based upon the fact that the Planning Department budget assumes that a portion of each community planner's time will be allocated to amendment processing, should the availability of staff remain as a criteria?
  - Should a proposal to increase or add density and/or intensity be considered where communities are experiencing substantial public facility deficiencies? If so, what could an applicant propose to be considered? Could this be addressed with a finding at the time of plan amendment adoption to delay the effective date of the land use plan change until a particular community specific threshold is met?
  - Should the initiation criteria remain in the Land Development Code (with the addition of plan amendment adoption findings) or be included in the land use element?

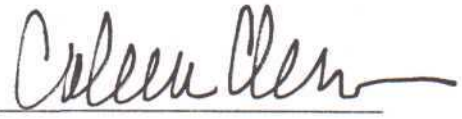
#### WORKSHOP FORMAT

The purpose of the workshop is to present the status of the preparation of the land use element, the major topic areas and questions that have arisen during the research and development of draft policies. We hope that the report and presentation will allow for a good discussion, Planning Commission input, and direction on the element format, content, and especially the plan amendment initiation and adoption process.

Respectfully submitted,



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Attachments:

1. Strategic Framework Element (under separate cover)
2. Sample Element
3. Draft Land Use Designation Matrix
4. Draft Commercial and Industrial Categories

enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities and other categories of public and private uses of land. The element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan.” The statute also requires that the land use element identify areas subject to flooding, and designate lands as timber producing if zoned by the state for such use. The state and the courts consider land use elements as the vehicle to address and provide guidance on: issues of citywide significance, a consistent structure for the entire General Plan, including all of its components and the other elements (mandatory and optional, and community plans), and how a city or county will evolve and mature over a period of time.

The state has also adopted legislation recommending that jurisdictions address issues in the land use element that have emerged as critical topics over the last decade. Some of the critical topics are the transit-oriented development, environmental justice, the impact of land use changes on military readiness, and equitable development, among others. The state has directed the Office of Planning and Research (OPR) to prepare General Plan Guidelines to assist jurisdictions with general plan preparation and adoption. The OPR specifies that the role of the land use element is to address citywide issues such as noise and seismic safety, and, as is necessary in larger, more diverse jurisdictions, to serve as a foundation for more refined and neighborhood specific land use policies within community plans. Community plans are considered a component of the land use element. The OPR has recommended the land use element as the logical place to establish policies to guarantee internal or horizontal consistency within the General Plan (including the community plans).

The guidelines also specifically state that community plans should focus on refining the policies of the General Plan as they relate to a given geographic area. Furthermore, it is not necessary to include policies within a community plan if the issues are addressed at the General Plan level, for example, policies related to storm water runoff, branch library service areas, and fire safety, unless there is need for community specific policy guidance.

#### *Currently Adopted Format*

Presently, the Land Use Element within the General Plan consists solely of a highly generalized land use diagram (2000 scale) and, by statement, over fifty community, specific, precise, and subarea plans. The Guidelines for Future Development (Guidelines) served, in some capacity, to meet the state’s mandate and expectation for land use elements, but its main focus was as a growth management element (an optional element). The Guidelines established a tier system to manage growth and the provision of public facilities and services. The Guidelines, however, did not establish the relationship between each community plan and the General Plan, and to provide a uniform format with respect to land use categories, definitions, terminology and diagrams.

Although the Guidelines have been the subject of amendments in 1985, 1990, 1992, and most recently, 2002, with the adoption of the Strategic Framework Element, the remaining elements have received limited attention since the last comprehensive update in 1979 (the two notable exceptions are the Housing Element, updated every 5 years by law, and the Open Space Element, amended in 1997 with the adoption of the Multiple Species Conservation Program).

Of course, many of the policies are out of date and have limited value for providing policy direction on citywide issues. In such a vacuum, community plan updates have necessarily included policy direction on issues that are more citywide, and even regional, in nature. This has had an impact on the length of time that it takes to complete a community plan update, and, therefore, how many updates can occur within a given time period. The older community plans and those covering communities experiencing significant development and redevelopment activity tend to fall out of date. Consequently, the public has begun to rely, albeit reluctantly, upon the amendment process as a substitute for comprehensive review and update.

One of the primary goals of the preparation of a land use element and updated General Plan is to reduce community plan update timelines and the number of plan amendment requests. Hopefully this will result from the adoption of relevant and timely direction on citywide and regional issues, community plan format recommendations, and a revised land use plan amendment process. This is especially significant as City staff, community residents and developers and property owners work to implement the City of Villages and Smart Growth Strategies.

## DISCUSSION

The Planning Department is proceeding on several work program items to respond to the City Council's overall concern and direction regarding maintaining the integrity of the City's land use plan documents.

### *General Plan Application Fee*

As has been noted, the City has, and will continue to have, a land use element comprised of more than 50 land use planning areas, some containing multiple specific or precise plans. As a result, updating of the Land Use Element and its community plan components is a complex and costly work program. Communities and the Planning Department feel the impact of dated community plans and limited funds to complete community plan updates. The Planning Department is evaluating the current General Plan Application fee, collected at the time that building permits are issued, to determine if it is a viable funding source to maintain the General Plan (including the community plans as components of the land use element) as an adequate and up-to-date document. Upon completion of the comprehensive update of the General Plan, and the three ongoing updates (Otay-Mesa, Ocean Beach, and Mission Valley), the Planning Department will begin as many updates as can be funded.

### *Community Plan Update Prioritization Criteria*

Over the years, the Planning Department has attempted to maintain a community plan update cycle to ensure that all plans are revised to keep up with development trends and redevelopment and revitalization activity. Budget constraints have had a serious impact on the funding of updates (public outreach, technical studies and public hearing costs) and the maintenance of necessary staffing levels, both of which are paid for out of the General Fund. As a result, community plan update timelines are often interrupted and delayed, and historically, the Planning Department has been able to manage only approximately three updates at a time. Planning staff has developed a set of rating criteria to assist in developing the work program to

determine which community plans should have priority for update as staff and funding becomes available.

They are as follows:

- Does the community have significant redevelopment potential?
- Is the community experiencing significant development pressure?
- Do the policies in the plan need to be updated to reflect current directions in planning, for example, the Strategic Framework Element?

A number of plans fall into the top priority category based upon a yes answer to the three general questions. Issues related to the date of the last update, number of times that the plan has been amended, and major project activity are then reviewed to assess how plans should be ranked within that top priority category. Planning staff is also analyzing how grouping of updates according to subarea commonalities such as: circulation, open space networks, shared public facilities, among others, could result in both cost and time savings. This could be especially true for the environmental document preparation.

#### *Land Use Element/Community Plan Format Recommendations*

In preparation for drafting the Land Use Element, planning staff conducted a review of the relevant state code sections, the OPR General Plan Preparation Guidelines, and a sampling of land use elements from other California jurisdictions. The research revealed that the Strategic Framework Element, in conjunction with all of the community and other land use plans already serves many of the proscribed functions of a land use element. Most importantly, together, these documents serve as a guide to planners, the general public, the development community and the decision makers regarding where and how development should occur and where it should not. It contains the City's general policies regarding the topics raised by the citizenry: urban form, mobility, neighborhood preservation, conservation, housing, public facilities and infrastructure, recreation, economic prosperity, and equitable development. Another state requirement, the inclusion of an adequate number of land use categories and density/intensity ranges is met collectively by the community plans. The community plans provide more than a sufficient number of land use categories to classify existing and projected land uses, definitions and general density ranges. Some state code standards and recommendations have yet to be met, but will be addressed through this work program. The recommended structure and additions include:

#### Revised Structure of the Strategic Framework Element as a Land Use Element

(Refer to the Strategic Framework Element when reading the following - Attachment 1)

- The Element does not need to be retitled – the introduction can explain why and how the Strategic Framework Element serves as the Land Use Element consistent with state law and OPR guidelines.
- Remove the Executive Summary and establish it as a separate document (and provide a link and reference to that document).
- Reformat the policies consistent with the policy numbering system as established with the General Plan update (see Attachment 2– Sample Element).

- Section IV. A serves as the overview and description of the “blueprint” for the evolution of the city as a whole (where and how we grow, where and how we preserve open space, general public facility phasing, etc.).
- Section IV. B includes the policies that are citywide in scope, including a description of the Coastal Act and the issue areas that the law requires affected jurisdictions to address. Actual coastal policies will remain in the community plans that are subject to Coastal Act requirements.
- Section IV. C will become the Land Use Plan Format section (see Attachment 3-Draft Land Use Designation Matrix) and reformatted to include:
  - standardized land use categories, definitions, and density and intensity ranges
  - description of the linkage between the general plan and the community plans and explanation of the community planning program
  - community plan format recommendations
  - community plan amendment processing requirements (including the designation of villages)
  - identification of the villages section, including the village categories and locational criteria

Graphics will include the following:

- designated parks, open space, and agriculture
  - general land uses
  - community planning areas
  - transit/land use connections
  - potential annexation areas
  - phasing categories
  - general location of educational and other public facilities
  - areas subject to flooding
- Section V. D will continue to include general implementation strategies, but Part B, Updated Land Use Plans and Policies (pages 57-58) will become part of Part C of Section IV – Land Use Plan Format section. Part D will generally address the phasing of development to replace the tier system. This will be further addressed in the Public Facilities Element, including allocation of City resources and thresholds for development.
  - Delete Section E, the Pilot Village and TOD Design Guidelines (page 68); the Pilot Villages are selected, and the Urban Design Element will include the TOD design guidelines and more detailed village design and site planning recommendations (a reference will be made, however to the importance of the TOD design guidelines in the design of villages).
  - Establish Section VII – Behind the Strategy, as a separate background study (include a link to the study and a reference).

Potential New Industrial and Commercial Land Use Categories – (See Attachment 4 – Draft Commercial and Industrial Categories)

Within the General Plan category of Employment and Commercial Services, proposed community plan land use designations for commercial and industrial uses have been created with the goal of providing communities a menu of potential categories to fit individual conditions and community plan objectives while advancing key citywide economic prosperity goals. Policies are being drafted regarding a number of economic prosperity issues, but the land use categories will be established as part of the land use element.

### Industrial Designations

Maintaining an adequate supply of employment land contributes to the economic health of San Diego in two major ways – creating a wide range of jobs for the City’s residents, and importing dollars from outside the area. Economic diversity is crucial to a region’s ability to weather economic cycles. Providing adequate land for base sector employment in areas with existing infrastructure is the principal way that the General Plan and community plans can influence the economic health of the City.

Industrial businesses tend to have lower profit margins and industrial land, therefore, is generally lower priced. When retail, office, or residential uses encroach on industrial lands, the industrial users cannot compete. Similarly, other uses tend to promote an excess of low return users rather than higher-wage light industrial jobs. The proposed categories address these issues by creating land use designations that strictly limit non-industrial uses as explained below:

- Business Park – This designation would provide for office uses while allowing industrial research and manufacturing uses. It is anticipated to be applied in portions of communities characterized by office development with some light industrial such as Mira Mesa (Sorrento Mesa) and Carmel Valley.
- Business Park/Residential – This designation would implement a collocation land use policy by permitting predominantly office and residential on the same site subject to specified criteria.
- Scientific Research – This category would maintain land for high-tech and bio-tech uses to expand, but not allow corporate headquarters, in order to preserve lands designated for key high value added industries.
- Light Industrial – This designation would permit a wide variety of light industrial uses but is significantly revised from the current category to remove commercial and office uses currently permitted in these areas. For areas currently designated Light Industrial that are adjacent to major transportation corridors, a heavy commercial designation would be created.

### Commercial Designations

In general, the existing commercial designations remain current, and they provide for necessary flexibility to accommodate changes in the retail market. As stated above, a new heavy commercial designation will be created for major corridors where more intense, or clusters, of larger commercial uses could be located. Commercial development policies in the General Plan will provide guidance for the eventual redesignation of some areas to residential or mixed-use to increase the viability of commercial development throughout the City.

Full implementation of the City of Villages strategy will be facilitated by the addition of three mixed-use designations: Neighborhood Village, Community Urban Village, and Regional Urban Village. These designations will then be available for communities to apply at the time of an update or comprehensive amendment. Development consistent with these designations will require residential uses to be located in conjunction with commercial services and/or retail uses, at varying densities and intensities within a range prescribed in the General Plan and further refined at the community plan level.

### *Initiation Criteria – Potential Revisions*

In November 2003, the Land Use and Housing Committee (LU&H) and the Planning Commission held a joint meeting to discuss the initiation and community plan amendment process. The general consensus at that meeting was that the initiation process serves a valuable purpose for the city, applicant, and the community. Council and commission members voiced support for retention of the initiation criteria and the hearing with significant revisions. The council members and commissioners both recognized that land use plan documents require amendments from time to time and that the initiation process must retain some flexibility. Frequent amendments, however, have the potential to diminish the community plan's original vision.

Revisions should focus upon strengthening the initiation criteria to ensure that amendment proposals are consistent with the overall vision of all of the elements of the General Plan, including, of course, the community plan as a component of the land use element. The ideal initiation criteria will not only allow worthy proposals to proceed for further study and amendment processing, but serve as an impediment to those that are clearly inconsistent with the City's overarching goals and policies. Both LU&H and the Planning Commission objected to consolidated hearings or "batching" amendment requests according to geographic sectors. A blackout period or moratorium on initiations during and/or for some period after a community plan update was also suggested as a possible policy.

Staff has met with both the Land Use Element Working Group and a CPC subcommittee to discuss potential revisions to the criteria and council and commission direction. Both groups are still reviewing and discussing those issues, however, some members have reacted negatively to the idea of a moratorium. Staff will present any additional recommendations and comments from both groups during the Land Use Element Workshop. The following is a list of questions and considerations that have emerged as part of the research on this topic and committee discussion:

- Based on the rarity of initiation of a land use plan amendment under the primary set of criteria, should these be eliminated? Proposals that can be categorized as map or text error corrections, or necessary to meet public health, safety, or welfare needs could be exempt from the initiation requirement.
- Should there be findings for plan amendment adoption? Could these be formatted in a matrix form to allocate points to plan amendment proposals and projects? Minimum point totals for approval could be established. Points could be allocated based upon such consideration as: how well a plan amendment implements plan goals, plan/project design,