

| Type of Amendment     | Item Number | Name of Item   | Why is this amendment needed?   | What would this amendment do?   | Code Section(s)      |
|-----------------------|-------------|--|---|---|----------------------|
| <b>Align the Code</b> | <b>1</b>    | <b>Sports Arenas and Stadiums*</b>   | The current development regulations for sports arenas and stadiums do not include adequate requirements for multi-modal transportation amenities to allow for walking, biking, and transit access and need to be amended to align with the Climate Action Plan. Sports arenas and stadiums must also obtain a separate Conditional Use Permit, even if permitted as part of a specific plan.  | Proposes additional development regulations for sports arenas and stadiums to align with the Climate Action Plan's goals and policies to focus more on active transportation. It includes new parameters for design elements for buildings and parking structures. It specifies that sports arenas and stadiums included in a specific plan will be exempt from the requirement to obtain a Conditional Use Permit. | 141.0622             |
| <b>Clarifications</b> | <b>2</b>    | <b>Notice of Right to Appeal (NORA) Environmental Determination - Environmental Documents*</b>                   | A posted NORA Environmental Determination is required for activities subject to the California Environmental Quality Act. This includes a decision to adopt or certify an environmental document without a public hearing. To improve transparency, the specific environmental documents subject to this action need to be referenced in this section.  | Replaces the term environmental documents with negative declarations, mitigated negative declarations, and environmental impact reports to provide transparency regarding when a NORA Environmental Determination posting is required when these documents are adopted or certified without a public hearing.   | 112.0310(a)          |
|                       | <b>3</b>    | <b>Rules for Calculation and Measurement - Property Lines*</b>   | Property lines define the perimeter of a lot and are used to determine the maximum permitted density, maximum gross floor area and applicable setbacks. A clarification needs to be made that when a development includes dedications for streets or alleys, the property lines used are those in place before the dedication.  | Clarifies that when a development includes dedications for streets or alleys, the property lines used to calculate maximum permitted density, maximum gross floor area, and applicable setbacks are those in place before the dedication.   | 113.0246             |
|                       | <b>4</b>    | <b>Calculating Gross Floor Area - Parking Structures</b>   | There is an inconsistency regarding what uses are allowed to exclude parking structures from gross floor area calculations, as only multiple family homes and commercial developments are the only specific uses listed. This exclusion should be applied to other uses (e.g., industrial and mixed-use development) that build a parking structure with specific design standards.   | Clarifies the applicability of an exemption for parking structures from gross floor area calculations if the parking structure contains certain design guidelines. The gross floor area of garages or carports that serve single family homes or duplex developments will continue to apply to a development's gross floor area, and changes are not being proposed to this provision.                              | 113.0234(d)          |
|                       | <b>5</b>    | <b>Specific Plan and Community Plan Implementation Overlay Zone (CPIOZ) Supplemental Development Regulations</b> | The purpose of CPIOZs are to provide supplemental development regulations that are tailored to specific sites within community plan areas of the City. However, these supplemental development regulations can conflict with a base zone. To improve application, guidance is needed when a base zone development regulation differs from a supplemental development regulation for an approved specific plan or a CPIOZ specified in Chapter 13, Article 2, Division 14. | Specifies that when there is a conflict between the development regulation of an applicable base zone and the supplemental development regulations for an approved specific plan or a CPIOZ in Chapter 13, Article 2, Division 14, the supplemental development regulations for an approved specific plan or a CPIOZ applies.   | 122.0107<br>132.1405 |

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| <b>Clarifications</b> | 6           |  | <b>This item has been removed.</b>   |   |   |  |
|                       | 7           | <b>Utilized Development Permits - Complete Communities Housing Solutions Regulations</b> | A project with a utilized development permit can alter its scope and remain a Process One, if it adheres to the development regulations of the base zone and overlay zone. This is also applicable to developments that use an incentive or waiver granted through the Affordable Housing Regulations to deviate from a development regulation, but is not applied to developments that use an incentive or waiver given through the Complete Communities Housing Solutions Regulations. | Extends the Process One allowance currently granted to projects that comply with the Affordable Housing Regulations to projects that comply with Complete Communities Housing Solutions Regulations. To ensure that Complete Communities Housing Solutions projects, with a utilized development permit, can remain a Process One ministerial building permit when altering the scope of a utilized development permit if the project adheres to the development regulations of the base zone and overlay zone. | 126.0113(a)(2)  |  |
|                       | 8           | <b>Public Right-of-Way Permits - Traffic Control Permits</b>                             | An applicant must obtain a traffic control permit and a Public Right-of-Way permit before any work can occur in the public right-of-way or within a public service easement. The order of obtaining the permits is not specified.  | This clarifies that a traffic control permit must be obtained concurrently with a public right-of-way permit before work in the public right-of-way can begin to ensure public safety.  | 129.0742  |  |
|                       | 9           | <b>Visitor Accommodations</b>  | Visitor accommodations are a commercial use to support visitors and tourism and the code does not limit the length of stay allowed for visitor accommodations. This proposed amendment clarifies that visitor accommodations shall not be used for a length of stay longer than 30 consecutive days. Single room occupancy (SRO) hotels and SRO hotel rooms may be permitted as visitor accommodations and are exempt from this stay limitation.   | Clarifies that visitor accommodations shall not be used for more than 30 consecutive days and exempts SRO hotels and SRO hotel rooms from this stay limitation. Visitor accommodations or development with a deemed complete application submitted for visitor accommodations prior to the effective date of the 2024 LDC Update shall not be subject to the length of stay limitations   | 131.0422- Table 131-04B<br>131.0522- Table 131-05B<br>131.0707- Table 131-07A |  |
|                       | 10          | <b>Commercial Zones - Commercial Neighborhood Zone Use Hours</b>                         | Uses within the Commercial-Neighborhood zones are prohibited from operating before 6 a.m. and after midnight due to a footnote applying to the entire zone. This footnote was incorporated when this zone was established and was not updated when additional uses were added over time.   | Clarifies which uses within the Commercial-Neighborhood zones are prohibited from operating before to 6 a.m. and after midnight. Allows uses such as vehicle charging stations to operate at all times.   | 131.0522 - Table 131-05B  |  |

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| <b>Clarifications</b> | <b>11</b>   | <b>Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) - Street Tree Requirements</b> | The street tree requirement for lots that contain two or more ADUs and any JADU is calculated based on the lot area. This calculation does not consider undeveloped areas such as open space and environmentally sensitive lands.  | Clarifies that a lot, with a combination of two or more ADUs and any JADU located in the Open Space-Residential zone or on a parcel that contains environmentally sensitive lands, can calculate the required number of street trees based on the allowable developable area. | 141.0302(b)(2)(E)  |
|                       | <b>12</b>   | <b>Density Calculation Exclusions - Live/Work Quarters and Watchkeeper's Quarters</b>                         | Live/work quarters and watchkeeper's units are allowed in commercial zones and provide opportunities for business owners to live and work in the same area. The code is unclear whether the square footage from live/work quarters and watchkeeper's quarters count toward the maximum allowable density of the underlying base zone or land use plan. Please note that these uses are not allowed in residential zones. | Provides clarification that the square footage from live/work quarters and watchkeeper's quarters do not count toward the maximum allowable density of the underlying base zone or land use plan.   | 141.0311<br>141.0314(f)  |
|                       | <b>13</b>   | <b>Sign Regulations - Signs with More than Two Faces</b>  | The development standard language for signs with more than two faces is different for projecting signs, roof signs and ground signs in commercial and industrial zones.  | Simplifies the development regulations for signs with two or more faces by stating that signs may have more than two faces but cannot exceed twice the permitted sign area for projecting signs, roof signs, and ground signs in commercial and industrial zones.             | 142.1230 - Table 142-12D<br>142.1235 - Table 142-12F<br>142.1240 - Table 142-12H |
|                       | <b>14</b>   | <b>Affordable Housing Regulations - Floor Area Ratio (FAR) Exemption</b>                                      | The Affordable Housing Regulations are unclear regarding the applicability of the FAR exemption to affordable housing density bonus projects.  | Adds language specifying that affordable housing density bonus projects that use the land use plan density to calculate a bonus are eligible for an FAR exemption.  | 143.0720(l)(13)  |
|                       | <b>15</b>   | <b>Transit Priority Area (TPA) Clarifications</b>   | The code was amended to require that projects must be located within a Sustainable Development Area (SDA) to be eligible for specific programs. In addition, state-mandated programs would still be eligible if they were located with a TPA.  | Specifies that state-mandated density bonus programs and the Multi-Dwelling Unit and Urban Lot Split Regulations apply to projects within the SDA or TPA. This proposal does not expand the use of either of these programs.  | 143.0720(i)<br>143.0720(l)(7)<br>143.0740(e)<br>143.1310(a)(3)                   |
|                       | <b>16</b>   | <b>Complete Communities Housing Solutions - Airport Land Use Compatibility Zone</b>                           | The Complete Communities Housing Solutions regulations are silent on whether a waiver can be granted if a project is inconsistent with the Airport Land Use Compatibility Zone regulations.  | Clarifies that waivers granted to Complete Communities Housing Solutions projects must also be consistent with Airport Land Use Compatibility Zone regulations.   | 143.1010(i)(2)(E)  |

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| <b>Clarifications</b> | 17          | <b>Complete Communities Housing Solutions - Pedestrian Circulation Space</b>   | Complete Communities Housing Solutions includes supplemental development requirements for pedestrian circulation improvements, including width requirements for a clear path of travel and the inclusion of a buffer area for tree plantings. These requirements may be different than the requirements in the Street Design Manual. This proposed amendment clarifies the pedestrian circulation space improvement requirements for Complete Communities Housing Solutions projects. | Clarifies the pedestrian circulation space requirements for Complete Communities Housing Solutions projects and requires an urban parkway of at least 14 feet in width, with a clear path of travel of at least 8 feet in width and a buffer area of at least 6 feet in width. If there is a conflict between these regulations and the Street Design Manual, the greater applies. Premises less than 25,000 square feet may continue to provide an infrastructure amenity instead of the urban parkway.                                       | 143.1025(a)(1)  |
|                       | 18          | <b>Complete Communities Housing Solutions - Transition Planes</b>              | Complete Communities Housing Solutions projects must incorporate a transition plane if they are adjacent to RS (Residential-Single Unit) zones to ensure properties are adequately spaced. The existing regulations need to be expanded to include lots that are irregularly shaped.  | Clarifies that for Complete Communities Housing Solutions Projects adjacent to RS (Residential-Single Unit) zones, the transition plane is measured from the existing grade of the shared property line and extends 1/3 of the lot depth or width, or 25 feet, whichever is less. Lot depth is used when the shared property line is a rear property line and lot width is used when the shared property line is a side property line. Buildings, architectural projects or encroachments are not allowed to extend into the transition plane. | 143.1025(e)(2)  |
|                       | 19          | <b>Climate Action Plan - Consistency Regulation Applicability*</b>             | The Climate Action Plan Regulations apply to development that results in three or more dwelling units, however the regulations are unclear if they apply to existing or new dwelling units.   | Clarifies that the Climate Action Plan Regulations apply to new developments that bring the total number of dwelling units to three or more dwelling units on a premises.  | 143.1403(a)(1)  |
|                       | 20          | <b>La Jolla Shores Planned District - Minor in Scope Development Criteria*</b> | The La Jolla Shores Planned District needs to be amended to codify Information Bulletin 621, which clarifies protocols to determine whether an addition and/or alternation is minor in scope.   | Clarifies that the following types of development in La Jolla Shores Planned District may be determined to be minor in scope and can be approved or denied in accordance with a Process One Building Permit: applications for improvements, additions, or alterations that increase the existing floor area by 10 percent or less or applications for improvements to patio covers, decks, fences, retaining walls, uncovered swimming pools, unlighted tennis courts, or single family residences.  | 1510.0201(d)    |

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| Clarifications            | 21          | <b>Mission Beach Planned District - Minimum Interior Yards Exceptions</b>      | The Mission Beach Planned District allows minimum interior yard setback exceptions for specific structures. Additional language is needed to clarify the setback exception applicability.   | Clarifies that a structure with a height of 20 feet or less above the existing or proposed grade, whichever is lower, may observe a 3 foot setback and be placed anywhere between the standard 5 foot setback or the 3 foot reduced setback exception. In addition, if any portion of the structure's facade exceeds 20 feet, it shall not exceed a vertical plane established by a 45-degree angle sloping inward from the 3 foot reduced setback to the maximum permitted 30 foot height limit. | 1513.0304(c)(3)(B)  |
|                           | 22          | <b>Mission Beach Planned District - Landscaping</b>                            | The Mission Beach Planned District landscaping guidelines require that 100% of all required yards be landscaped. Additional clarification is needed regarding where the planting locations can be located, their height, and the type of plants and site amenities that can be used to meet the requirements. | Provides additional details regarding the planting area requirements in rear yards, including that ground cover must be living, the planting areas should be at grade, plants must be drought-tolerant and native or non-invasive plant species and amenities are limited to a height of 3 feet.  | 1513.0402(a)(1)   |
| Compliance with State Law | 23          | <b>Calculating Maximum Permitted Density*</b>                                  | AB 1287 (Alvarez - 2023) specifies that if an inconsistency exists between the applicable land use plan density and base zone density, the greatest number of units allowed shall be used when calculating the density bonus for a development.   | Clarifies that the greatest number of units allowed shall be used when calculating the density bonus for a development if the applicable land use plan and the base zone density are inconsistent.  | 113.0222(c)   |
|                           | 24          | <b>Child Care Facilities*</b>  | SB 234 (Skinner - 2019) requires that small and large family child care homes be permitted in any zone that allows for residential.   | Streamlines the limited use regulations for small and large family child care homes to ensure they align with the CA Health and Safety Code and allows small and large child care homes as a limited use in the RM-5-12 (Residential-Multi Unit).   | 131.0422 - Table 131-04B<br>141.0606(b)(1)<br>141.0606(b)(2)(B) |
|                           | 25          | <b>Accessory Dwelling Units (ADUs) - Front Setback Development Regulations</b> | AB 2221 (Quirk-Silva - 2022) includes that a front setback requirement cannot be used to prohibit the construction of an ADU home that is 800 feet or less.   | States that a front yard setback can not be used to prohibit the construction of an ADU home that is 800 square feet or less on a premises with an existing or proposed dwelling unit.  | 141.0302(c)(2)(D)   |
|                           | 26          | <b>Junior Accessory Dwelling Unit (JADU) - Kitchen Requirement</b>             | The JADU kitchen requirements must be amended to ensure the City complies with Government Code Section 65862.22.  | Amends JADU kitchen requirements to state they must include a cooking facility with appliances and storage cabinets and a food preparation counter that are reasonably sized to the JADU.   | 141.0302(d)(2)(C)-(D)   |

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| <b>Compliance with State Law</b> | <b>27</b>   | <b>Affordable Housing Regulations - 100% Affordable Projects</b>  | AB 2334 (Wicks - 2022) expanded State Density Bonus Law to projects in very low vehicle travel areas, where the driving is less than 85% of the regional or city average.  | Expands the applicability of State Density Bonus Law provisions within the Affordable Housing Regulations to projects located in Mobility Zone 3. Mobility Zone 3 is defined as a community planning area boundary with a Vehicle Miles Traveled (VMT) efficiency of 85% or less of the regional average. | 143.0720(i)<br>143.0720(l)(7)<br>143.0740(e)   |
|                                  | <b>28</b>   | <b>Affordable Housing Regulations - Density Bonus in Exchange for For-Sale and For-Rent Affordable Units</b>      | SB 290 (Skinner—2021) clarified that affordable units may include for-sale units or rental units to qualify for a State Density Bonus.   | Expands incentives and bonuses available to projects containing for-sale units to ensure consistent application of State Density Bonus Law  | 143.0720(l)(2)<br>143.0720(l)(3)<br>143.0720(l)(4)<br>143.0720(l)(8)   |
|                                  | <b>29</b>   | <b>Affordable Housing Regulations - Density Bonus and Incentives*</b>   | State Density Bonus Law prohibits a local agency from requiring the preparation of an additional report or study to grant a density bonus. In addition, granting an incentive can not trigger a land use plan amendment, zoning change, a study or other discretionary approval to grant an incentive. | Updates the State Density Bonus Law provisions in the Affordable Housing Regulations to include that granting a density bonus will not trigger a study and that granting an incentive will not trigger a land use plan amendment, zoning change, study or other discretionary approval.                   | 143.0720(q)<br>143.0740(c)(3)  |
|                                  | <b>30</b>   | <b>Affordable Housing Regulations and Complete Communities Housing Solutions - Incentives and Waivers Denial*</b> | SB 290 (Skinner - 2021) eliminated adverse impacts on the physical environment as a reason a City or County can deny an incentive, concession, or waiver for a density bonus project.  | Updates the Affordable Housing Regulations and Complete Communities Housing Solutions by removing physical environment as a reason to deny an incentive, concession, or waiver and ensures the language is consistent.  | 143.0740(c)(1)(B)<br>143.0743(b)(1)<br>143.1010(i)(2)(A)   |
|                                  | <b>31</b>   | <b>Affordable Housing Regulations - Density Bonus and Incentives for Commercial Development</b>                   | AB 1551 (Santiago - 2022) expanded State Density Bonus Law to commercial development that constructs affordable housing, donates land for affordable housing, or financially contributes to the development of affordable housing units.   | Adds the Density Bonus and Incentives for Commercial Development program to the Affordable Housing Regulations. This program currently expires on January 1, 2028.  | 143.0742(c)<br>143.0748  |
| <b>Corrections</b>               | <b>32</b>   | <b>City Planning Department Name Change</b>   | As part of the Fiscal Year 2024 Budget, the Planning Department's name was changed to the City Planning Department. This change is not reflected in the Municipal Code.  | Updates the San Diego Municipal Code to correctly reference the City Planning Department.   | 22.1801(b)<br>Ch. 2, Article 2, Div 24<br>22.2402(a)<br>22.2402(c)<br>86.2102<br>98.0607<br>Ch. 15, Article 9, Appendix C-<br>Building Color Guide |

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| <b>Corrections</b> | 33          | <b>Airport Approach Overlay Zone and Airport Environs Overlay Zone - Reference Removals</b> | The Airport Approach Overlay Zone and Airport Environs Overlay Zone are no longer applicable and were previously deleted from the code and several references need to be removed.  | Removes references to the Airport Approach Overlay Zone and Airport Environs Overlay Zone under Site Development Permits and deviations for the mixed-use zones in the code as they are no longer applicable.  | 126.0502(e)<br>131.0710(c)   |
|                    | 34          | <b>Coastal Overlay Zone - Coastal Map References</b>  | The Coastal Overlay Zone Development Regulations need to be updated to reflect recent mapping updates.   | Amends references to Map No. C-730.1 (Official Coastal Development Permit Jurisdiction Map) and Map No. C-908 (Coastal Overlay Zone) in the Coastal Overlay Zone Regulations to reflect recent mapping updates. In addition, updates the Diagram 132-04A (Coastal Overlay Zone), which is a reproduction of the Coastal Overlay Zone Boundary. | 126.0702(b)<br>132.0402(a)<br>132.0402 - Diagram 132-04A   |
|                    | 35          | <b>RE (Residential-Estate) Zones - Deletion</b>   | The City does not currently contain any parcels zoned RE.  | Deletes the RE zones and any associated references   | 129.0203(a)(12)<br>131.0402<br>131.0422 - Table 131-04B<br>131.0431<br>131.0431 - Table 131-04C<br>131.0442(a)<br>131.0443(a)<br>131.0445(a)<br>131.0449(a)<br>131.0464(a)<br>132.1202- Table 132-12A<br>132.1205<br>142.0510(g)<br>142.0910(a)<br>143.0350(c)<br>143.0420- Table 143-04B<br>143.1303(a)<br>143.1310 |
|                    | 36          | <b>RS (Residential-Single Unit) Zones - Bedroom Regulations</b>                             | The RS zone development regulations, listed in Table 131-04D, include a reference to Bedroom Regulations, which no longer apply to this zone.  | Deletes the reference to Bedroom Regulations in the RS zone development regulations.   | 131.0431 - Table 131-04D   |
|                    | 37          | <b>RM (Residential Multi-Unit) Zones - Maximum Lot Coverage</b>                             | The maximum lot coverage requirement for the RM-3-7 through RM-4-11 zones is incorrect. The applicable setback and floor area ratio should regulate the development intensity, consistent with the maximum lot coverage requirement for the RM-1-1 through RM-2-6 zones. | Corrects the development regulations for the RM zones to specify that the RM-3-7 through RM-4-11 zones do not have a maximum lot coverage consistent with the RM-1-1 through RM-2-6 zones.   | 131.0431 - Table 131-04G   |

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| <b>Corrections</b> | <b>38</b>   | <b>Commercial Zones - Maximum Setback Requirements</b>                      | There is an inconsistency between the maximum setback requirements and the corresponding diagram for Commercial-Community, Commercial-Neighborhood, Commercial-Office, and Commercial-Visitor zones. The maximum setback of the base zone should only apply to 70 percent of the street frontage. The remaining 30 percent of the street frontage is not required to observe the maximum setback and may be located farther from the property line. | Edits Diagram 131-05B (Maximum Setback Requirement) to align it with the setback requirements currently in Section 131.0543(a)(2) to clarify that the maximum setback of the base zone applies to only 70 percent of the street frontage. The remaining 30 percent is not required to observe the maximum setback, and it can be located farther from the property line for the Commercial-Community, Commercial-Neighborhood, Commercial-Office, and Commercial-Visitor zones. | 131.0543 - Diagram 131-05B                 |
|                    | <b>39</b>   | <b>Mixed Use Base Zones - Terminology related to Cannabis</b>               | The Mixed Use Base Zones Use Table uses the term "marijuana," which has been replaced with the term "cannabis" to align with State Law.   | Replaces Marijuana Production Facilities and Marijuana Outlets with Cannabis Production Facilities and Cannabis Outlets in the Mixed Use Base Zone Use Table.   | 131.0707 - Table 131-07A                   |
|                    | <b>40</b>   | <b>Community Plan Implementation Overlay Zone (CPIOZ) - Barrio Logan</b>    | The illustration for the Barrio Logan CPIOZ needs to be updated to reflect modifications that the City Council approved to the Barrio Logan Community Plan to depict the buffer zone.   | Updates Diagram 132-14T (Barrio Logan Community Plan Implementation Overlay Zone) with a revised illustration of the Barrio Logan CPIOZ, which depicts the buffer zone.   | 132.1403- Diagram 132-14T                  |
|                    | <b>41</b>   | <b>Airport Land Use Compatibility Plan (ALUCP) - Safety Criteria</b>        | In Table 132-15I (Safety Compatibility Criteria for San Diego International Airport – Uptown, Balboa Park, and Centre City Neighborhoods), the people per acre figure of 240 for Safety Zone 4E was erroneously repeated for the maximum dwelling units allowed. This is incorrect since the Airport Land Use Compatibility Plan states that new dwelling units are prohibited within Safety Zone 4E.   | Corrects Table 132-15I to reflect that new dwelling units are prohibited in Safety Zone 4E.   | 132.1515 - Table 132-15I                   |
|                    | <b>42</b>   | <b>Airport Land Use Compatibility Plan (ALUCP) - Visitor Accommodations</b> | The footnotes for Table 132-15I (Safety Compatibility Criteria for San Diego International Airport – Uptown, Balboa Park, and Centre City Neighborhoods) and Table 132-15J (Safety Compatibility Criteria for the San Diego International Airport – Ocean Beach, Peninsula, Midway-Pacific Highway Neighborhoods) states that visitor accommodations shall have at most 56 rooms. This is an error that should instead state 56 rooms per acre.     | Corrects the footnotes for Table 132-15I and Table 132-15J to state that the allowable density for visitor accommodations is 56 rooms per acre in the ALUCP.  | 132.1515 - Table 132-15I and Table 132-15J |

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| <b>Corrections</b> | <b>43</b>   | <b>Sustainable Development Area (SDA) Additions</b>  | Placemaking on private property and outdoor dining regulations need to be amended to apply to the SDA instead of the Transit Priority Area (TPA).   | Amends Placemaking on private property and outdoor dining regulations to ensure specific provisions apply to the SDA in place of the TPA.   | 113.0103<br>141.0421(f)<br>141.0421(h)<br>141.0628(a)(5) |
|                    | <b>44</b>   | <b>Affordable Housing Regulations - Parking Ratio for Affordable Housing</b>                         | AB 2097 implementation removed parking minimums within half a mile of transit and deleted references to the Parking Standards Transit Priority Areas (PSTPA). Any remaining PSTPA references must be deleted from the code.   | Deletes a reference to the PSTPA in Table 143-07D (Parking Ratios for Affordable Housing).  | 143.0744 - Table 143-07D                                 |
|                    | <b>45</b>   | <b>Affordable Housing Regulations - Affordable Housing For All Incentives and Waivers References</b> | Several sections of the code reference that "development consistent with the criteria in this section shall be entitled to incentives and waivers in accordance with Sections 143.0740 through 143.0743." This is incorrect and should instead say Sections 143.0740 <u>and</u> 143.0743.   | Replaces the word "through" with "and" in this code section.  | 143.0746(a)(5)<br>143.0746(b)(7)                         |
|                    | <b>46</b>   | <b>Complete Communities Mobility Choices - Mobility Zone 4 Definition</b>                            | The definition of Mobility Zone 4 needs to be corrected as some areas qualify as being in both Mobility Zone 3 and Mobility Zone 4 as currently written.  | Corrects the definition of Mobility Zone 4 to state it applies to areas where both the resident and employee Vehicle Miles Traveled (VMT) efficiency is greater than 85% of the regional average. | 143.1103(a)(4)   |
|                    | <b>47</b>   | <b>Central Urbanized Planned District - Floor Area Ratio (FAR) Exemptions</b>                        | A previous code update implemented SB 478 (Weiner), creating maximum FAR standards for housing development projects greater than two units in multifamily zones. As part of this update, an error was recorded in Table 155-02A (Floor Area Ratio Exceptions), where the FAR for the RM-1-1 (Residential Multifamily) zone was changed to 0.1 instead of 1.0 in the Central Urbanized Planned District. | Amends the FAR for the RM-1-1 zone in the Central Urbanized Planned district to reflect the correct maximum FAR of 1.0.   | 155.0231 - Table 155-02A                                 |

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| <b>Regulatory Reforms</b> | <b>48</b>   | <b>Consolidating of Processing*</b>   | When an applicant needs multiple approvals for a single development, the applications are automatically consolidated and subject to the highest level of decision-making authority. This can cause delays in approving a project that would otherwise be approved ministerially but would require discretionary approval due to the public right-of-way vacation or public service easement. | Allows flexibility by not consolidating public right-of-way vacations and public service easements with other development applications unless the applicant requests it. In addition, the amendment requires the public right-of-way vacation or public service easement approvals that are not consolidated to be recorded before any other associated construction or building permits are approved. | 112.0103<br>125.0950<br>125.1050           |
|                           | <b>49</b>   | <b>Calculating Gross Floor Area - At Grade Unenclosed Spaces</b>                  | The square footage of an at grade unenclosed space, such as a carport beneath a home, is included when calculating the floor area ratio for residential development. Including this square footage reduces the development potential to expand the square footage of a home or build another home.   | Removes the requirement to include the square footage of at grade unenclosed spaces, located beneath a structure, when calculating the floor area ratio for a residential development.   | 113.0234(b)<br>113.0234- Diagram 113-02P   |
|                           | <b>50</b>   | <b>Determining Property Lines - Resubdivided Corner Lots in Residential Zones</b> | When a corner lot in a residential zone is subdivided into two or more smaller lots, the applicable rear setback is applied to the existing interior side setback, which could limit the developable area for new homes on the newly created lots.   | Determines the property lines for corner lots in residential zones by applying the interior side setback to the newly created side setback and amends Diagram 113-02DD (Setbacks for Resubdivided Corner Lots) to reflect this change.   | 113.0246(f)<br>113.0246 - Diagram 113-02DD |
|                           | <b>51</b>   | <b>Exemptions from a Building Permit - Sidewalk Cafes</b>                         | Sidewalk cafes with a barrier are required to obtain a building permit in addition to other required approvals. This requirement should only apply if the barrier impacts egress.  | Streamlines the development of sidewalk cafes with barriers that do not impact egress by exempting them from the building permit requirement. A building permit will still be required for any sidewalk cafe that impacts egress under Section 129.0203(a)(24)(A).   | 129.0203(a)(24)(B)-(C)                     |

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| Type of Amendment         | Item Number | Name of Item   | Why is this amendment needed?  | What would this amendment do?   | Code Section(s)   |
|---------------------------|-------------|--|--|---|---|
| <b>Regulatory Reforms</b> | <b>52</b>   | <b>Behavioral Health Facilities*</b>                   | <p>To provide services for those in need, a streamlined process for developing behavioral health facilities, classified as Residential Care Facilities in the code, needs to be created to help people with mental illness and substance use disorders.. In addition, Continuing Care Retirement Communities, Residential Care Facilities, Transitional Housing, and Intermediate Care Facilities &amp; Nursing Facilities need to be permitted in a similar process to ensure compliance with The Federal Fair Housing Amendments Act of 1998 (FHAA), which prohibits discrimination in housing regulation and preempts all state laws to the extent that they are less protective.</p> | <p>Streamlines the permitting process for Residential Care Facilities and strengthens the City's commitment to fair housing by permitting Continuing Care Retirement Communities, Transitional Housing, and Intermediate Care Facilities &amp; Nursing Facilities in a similar process. Appropriate regulations for these facilities based on the location and zone of the facility are included to ensure compatibility with surrounding land uses. No changes are being proposed to residential care facilities in single family zones. Residential care facilities for seven or more people in multifamily and commercial zones within 500 feet of a school, playground or childcare will continue to require a conditional use permit. In addition, this item separates Hospitals, Intermediate Care Facilities, &amp; Nursing Facilities into two separate uses.</p> | <p>131.0222 - Table 131-02B<br/>131.0322 - Table 131-03B<br/>131.0422 - Table 131-04B<br/>131.0522 - Table 131-05B<br/>131.0622 - Table 131-06B<br/>131.0707 - Table 131-07A<br/>132.1510 - Tables 132-15D and 132-15E<br/>132.1515 - Tables 132-15G, 132-15H, 132-15I and 132-15J<br/>141.0312<br/>141.0413<br/>141.0423<br/>141.0702(a)(1)<br/>142.0525 - Table 142-05C<br/>155.0238 - Table 155-02C<br/>1516.0112 - Table 1516-01B<br/>1516.0117 - Table 1516-01D<br/>1516.0122 - Table 1516-01F</p> |
|                           | <b>53</b>   | <b>Residential Zones - Commercial Use Regulations*</b> | <p>A footnote should have been included in a previous code update to apply commercial use regulations in the RM (Residential-Multiple Unit) zones to the following uses: Wearing Apparel &amp; Accessories and Instructional Studios. In addition, additional guidance is needed regarding the size limitations for commercial use within a residential zone.</p>  | <p>Modifies the Commercial Use Regulations for residential zones to include that the commercial use may only be on the ground floor of a mixed-use development only and take up 10% of the gross floor area of the building. These regulations are also applied to Wearing Apparel &amp; Accessories and Instructional Studios. In addition, it adds Eating and Drinking Establishments as a permitted use but limits this use to a maximum of 2,000 square feet.</p>   | <p>131.0420(a)(1)<br/>131.0422 - Table 131-04B<br/>131.0423(c)-(e)</p>  |

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|---------------------------|-------------|---|---|---|---|
| <b>Regulatory Reforms</b> | <b>54</b>   | <b>RS (Residential-Single Unit) Zones - Side and Street Setbacks</b>  | The side and street side setbacks for the RS-1-1 through RS-1-7 zones are determined using a percentage of the lot width. This can lead to variances for similarly situated properties and confusion for applicants and reviews.                          | Streamlines project reviews by replacing the percentage of lot width with a static number for minimum side and street side setbacks in the RS-1-1 through RS-1-7 zones. In addition, it specifies minimums for reallocated side and street side setbacks.   | 131.0431(b) - Table 131-04D<br>131.0443(a)(4) |
|                           | <b>55</b>   | <b>Urgent Care Facilities</b>   | Urgent Care Facilities in the commercial zones are required to obtain a Neighborhood Development Permit. This is inconsistent with the mixed use zones, which allow them as a permitted use.  | Reduces the process level for Urgent Care Facilities in all commercial zones from a Neighborhood Use Permit to a Limited Use. This will ensure that regulations are applied consistently to Urgent Care Facilities.   | 131.0522 - Table 131-05B<br>141.0624          |
|                           | <b>56</b>   | <b>Mixed Use Base Zones - EMX (Employment Mixed-Use) Zones*</b>   | The EMX zones only allow residential uses as a secondary use. This limits the development potential for more homes on premises with existing large commercial properties.   | Allows the primary use to be new residential in an EMX zone if the development is located on a premises or adjacent premises where the total gross floor area is occupied by retail sales or eating and drinking establishment uses, or both, of at least 500,000 square feet.  | 131.0702<br>131.0703<br>131.0704              |
|                           | <b>57</b>   | <b>Community Plan Implementation Overlay Zone (CPIOZ) - Exception Filing Process Change</b>                             | CPIOZ exemptions are currently filed with the City Clerk. This differs from the standard processes for development approvals and creates an unnecessary implementation step.  | Requires that the recording of a CPIOZ exemption with a project's development permit. This improves efficiency by deleting the requirement for a separate filing process.   | 132.1403                                      |
|                           | <b>58</b>   | <b>Community Plan Implementation Overlay Zone (CPIOZ) - Supplemental Development Regulation Alternative Compliance*</b> | Project permitting and implementation delays occur when a development cannot comply with CPIOZ supplemental development regulations for public right-of-way improvements due to the constraints of implementing individual developments along a corridor. | Amends the CPIOZ regulations in Chapter 13, Article 2, Division 14 to allow for alternative compliance through the payment into a citywide infrastructure fund if the City Engineer determines the installation of a supplemental development regulation for a public right-of-way improvement would create undesirable drainage, traffic or pedestrian circulation conditions. | 132.1404                                      |
|                           | <b>59</b>   | <b>Airport Land Use Compatibility Plan (ALUCP) - Airport Land Use Commission Review</b>                                 | A clearly outlined process does not exist for Airport Land Use Commission review for rezones and amendments to land use plans that do not have an associated development project in Review Area 1 of the applicable Airport Land Use Compatibility Plan.  | Requires applicants within Review Area 1 of the ALUCP to submit rezones and land use plan amendments that do not have an associated development project to the Airport Land Use Commission to obtain a consistency determination.   | 132.1550(f)-(g)                               |

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|---------------------------|-------------|--|---|--|--|
| <b>Regulatory Reforms</b> | <b>60</b>   | <b>Accessory Dwelling Units (ADUs) - Interior Side and Rear Yard Setback Requirements</b>                    | ADU structures over 16 feet in height must include a 4 foot interior side or rear yard setback if that property line abuts a residential use. This requirement can be more restrictive than the side and rear setback requirements in certain residential zones. When this occurs, the base zone setbacks should apply. | Aligns the setbacks for ADU structures over 16 feet in height that abut a residential use by allowing the ADU to follow the base zone side setback or the standard ADU 4 foot setback, whichever is less, for the interior side yard and rear yard setbacks.       | 141.0302(c)(2)(G)                                  |
|                           | <b>61</b>   | <b>Monitored Perimeter Security Fence Systems*</b>   | Monitored Perimeter Security Fence Systems are electrically charged security systems installed behind a perimeter fence. The existing fence regulations in the code do not allow for these types of fences.   | Adds design and general regulations for Monitored Perimeter Security Fence Systems. These fence systems would only be permitted in industrial zones.   | 142.0305 - Table 142-03A<br>142.0360<br>142.0390   |
|                           | <b>62</b>   | <b>Off-Street Loading Spaces - Research and Development Uses</b>   | Research and Development uses may need fewer off-street loading areas than other Industrial Uses, such as manufacturing, and align more with the off-street loading space requirements for the Commercial Use Subcategory.  | Reduces the required number of off-street loading spaces for Research and Development Uses and aligns the requirements with the Commercial Use Subcategory. In addition, other clarifying changes were made to Table 142-10B (Required Off-Street Loading Spaces). | 142.1010 - Table 142-10B                           |
|                           | <b>63</b>   | <b>Complete Communities Housing Solutions - Public Space Alternative</b>                                     | Implementing the promenade requirement for Complete Communities Housing Solutions projects is challenging in certain circumstances. Additional flexibility is needed to encourage greater use of the program and the inclusion of more on-site amenities.   | Amends the Infrastructure Amenities section of Complete Communities Housing Solutions to allow for a public space alternative that can be used to meet the former promenade requirement to encourage the construction of more public spaces.                       | 143.1010(c)(6)<br>143.1020(b)<br>143.1025(c)(4)(A) |
|                           | <b>64</b>   | <b>Complete Communities Housing Solutions - Building Standard Exemption for Centre City Planned District</b> | Complete Communities Housing Solutions includes specific design standards for buildings over 95 feet. The Centre City Planned District requires design guidelines that are more detailed than the supplemental design standards contained in Complete Communities Housing Solutions.                                    | Exempts projects within the Centre City Planned District from the Complete Communities Housing Solutions supplemental design for buildings over 95 feet, which is already addressed in the Centre City Planned District.   | 143.1025(c)  |

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|--------------------|-------------|---|--|---|--|
| Regulatory Reforms | 65          | Old Town San Diego Planned District - Design Review Board Removal | The Old Town San Diego Planned District Design Review Board was established to provide additional review to projects proposed in Old Town San Diego. The Design Review Board has not met or been able to obtain a quorum in the past few years. To ensure projects are reviewed promptly, it is necessary to remove the Design Review Board and its review oversight within the Old Town Planned District. | Deletes references to the Design Review Board as it would no longer exist. Additional review oversight will no longer be required for projects within the Old Town San Diego Planned District.  | 1516.0103<br>1516.0106(a)<br>1516.0112 - Table 1516-01B<br>1516.0117 - Table 1516-01D<br>1516.0121(b)<br>1516.0122 -Table 1516-01F<br>1516.0139<br>1516.0139 - Table 1516-01H<br>1516.0140 - Table 1516-01K                                |
|                    | 66          | Indemnification*  | Indemnification language is required on development permits to ensure that applicants agree to defend, indemnify, protect, and hold harmless the City in any action arising from their development application. It is a department standard procedure for the Development Services Department to include indemnification language on development permits.  | Codifies standard indemnification language for development permits to provide greater transparency to applicants and extends its application to construction permits to ensure consistent application.  | 126.0109<br>129.0122   |
| Regulatory Reforms | 67          | Child Care Facilities - Floor Area Ratio (FAR) Bonus              | There is a growing need for child care facilities citywide. The existing child care FAR Bonus incentive only applies to specific commercial zones and needs to be expanded to additional zones that allow this use.  | Expands the child care FAR bonus to more zones that allow child care facilities. The child care FAR bonus allows for 10 square feet of additional gross floor area for each 1 square foot of gross floor area developed for a child care facility. The area designated for the child care facility must maintain an 'E' occupancy permit for at least ten years and comply with the additional separately regulated use requirements. No changes to setbacks or height regulations are included | 131.0431 - Table 131-04G<br>131.0446(e)-(f)<br>131.0531 - Table 131-05C<br>131.0531 - Table 131-05E<br>131.0546(b)<br>131.0631 - Table 131-06C<br>131.0632<br>131.0709 - Table 131-07B<br>131.0719<br>155.0242 - Table 155-02D<br>155.0243 |
|                    | 68          | Tentative Map and Parcel Map Requirements^                        | The Subdivision Map Act allows cities and counties to create ordinances to divide land into smaller lots for development or sale. The code implements the Subdivision Map Act, however it is currently more restrictive than what is allowed.  | Implements the Subdivision Map Act to require a tentative map when a proposed subdivision creates 5 or more lots under certain circumstances and makes changes to reflect when a parcel is required. For any subdivision, the City Engineer may require dedications and public improvements.  | 125.0410   |

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|--------------------|-------------|---|---|--|---|--|
| Regulatory Reforms | 69          | Driveway and Access Regulations - Industrial Uses <sup>^</sup>      | All nonresidential uses on lots greater than 50 feet must comply with the same maximum driveway widths. If a project exceeds this maximum driveway width, an otherwise ministerial building permit may now be considered discretionary, causing permitting delays. An exemption must be made for industrial uses within industrial zones that must exceed the maximum driveway width to accommodate freight-carrying vehicles to reduce review and process approvals. | Allows industrial uses within industrial zones to exceed the maximum driveway widths on lots greater than 50 feet in width if they submit technical documentation that the increase in driveway width is necessary for freight-carrying vehicles and that the proposed driveway would not result in adverse impacts. | 142.0560 - Table 142.05M<br>142.0560(j)   |  |
|                    | Corrections | 70  | Typographic and Formatting Corrections <sup>^</sup>   | Formatting and typographic errors can occur when code sections are reconciled through the code amendment process.  | Corrects various typographic and formatting errors.   | 112.0103(a)<br>131.0522 - Legend for Table 131-05B<br>131.0546<br>142.1305<br>Chapter 14, Article 3, Division 14 Title   |
|                    |             | 71  | Fraternities and Sororities and Student Dormitories Cleanup <sup>^</sup>  | Fraternities and Sororities and Student Dormitories were split into two separate uses as part of a previous code update. This change needs to be reflected consistently throughout the code.   | Amends various use tables to ensure that Fraternities and Sororities and Student Housing are correctly referenced as two separate uses. | 131.0222 - Table 131-02B<br>131-0322 - Table 131-03B<br>131-0422 - Table 131-04B<br>131-0622 - Table 131-06B<br>132.1510 - Tables 132-15D and 132-15E<br>132.1515 - Tables 132-15G, 132-15H, 132-15I and 132-15J<br>155.0238 - Table 155-02C<br>1516.0112 - Table 1516-01B<br>1516.0117 - Table 1516-01D<br>1516.0122 - Table 1516-01F |
| 72                 |             | Single Dwelling Unit Residential Uses - Parking Ratios <sup>^</sup> | There is conflicting information in Table 142-05B (Minimum Required Parking Spaces for Single Dwelling Units and Related Uses), and it needs to be reformatted to ensure a consistent application that automobile parking spots are not required within transit priority areas.   | Updates Table 142-05B, Minimum Required Parking Spaces for Single Dwelling Units and Related Uses, to ensure it clearly states that automobile parking spots are not required within transit priority areas.   | 142.0520 - Table 142-05B  |  |

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