

2021 Code Update Item Matrix

11/9/2021

Item No.	Ordinance Name	Code Sections	Name of Item	Type of Amendment	Why is the amendment needed?	What does the amendment do?
1	General Zoning	143.0745(c) 142.1304(e)(2)	Affordable and Inclusionary Housing Programs - construction timing and unit mix	Clarification	Affordable Housing Density Bonus and Inclusionary Housing programs have different requirements for off-site affordable housing regarding construction timing and the calculations for bedroom mix which makes implementation challenging.	Achieves regulatory consistency between each program regarding construction timing and unit bedroom mix.
2	General Zoning	143.0740(b) & (c) and Table 143-07B	Affordable Housing Waiver Clarification	Clarification	While Assembly Bill 2345 is modeled on City of San Diego's affordable housing program and there is an inconsistency in the number of incentives in exchange for a percentage of affordability achieved.	Corrects the number of incentives to ensure compliance with the Assembly Bill.
3	General Zoning	143.1002 & 1005 143.1010 143.1015 142.1020 143.1025 142.1030	Complete Communities Clarifications	Clarification	Multiple clarifications/corrections of items have been identified as part of the implementation of Complete Communities.	Clarification of various items such as: -Floor Area Ratio based calculation -Rounding clarification -Language for number of trees and spacing -Incentives and Waivers -Additional options for recreational amenities -Adding units to sites with existing development -Adjust distance from highways
4	General Zoning	132.1202 132.1402 143.0740(b)(1)	CPIOZ Clarification	Clarification	The permit requirements of the Mission Trails Design District Overlay Zone (MTDDOZ) and Community Plan Implementation Overlay Zone (CPIOZ) are inconsistent with State density bonus law.	Amends the MTDDOZ and CPIOZ in compliance with State law to allow for an incentive to be used to waive the requirement of a permit.
5	General Zoning	131.0431 Table 131-04D, Footnote 7	Encanto and Southeastern San Diego (SESD) Development Regulations	Clarification	Additional clarification is needed to ensure consistency between the lot size development regulations applicable to Encanto and SESD and the RS-1-7 development regulations.	Clarifies that the development regulations for a 5,000 sf lot in Encanto and SESD are to be consistent with the RS-1-7 zone.
6	General Zoning	113.0270	Height - structure height clarification	Clarification	To clarify and add additional description for Diagram 113-02KK. This diagram illustrates the measurement of structure height.	Clarifies that the three images in the diagram are building "elevations" not building sections and that the grade depicted is outside the building footprint.
7	General Zoning	141.0309(d)	Interim Residential Use - density clarification	Clarification	During implementation, clarification has been needed on whether the residential units in an Interim Residential Use area are calculated in the project density.	Adds language that residential units for this use are not calculated in the project density and clean up the reference to the findings.
8	General Zoning	1510.0301	La Jolla Shores Planned District Ordinance (LJSPDO) Design Manual - cite in code	Clarification	In 1974, the City Council adopted the La Jolla Shores Design Manual (LJSDM) and the LJSPDO. Although the LJSDM was adopted it is not clearly referenced within the LJSPDO.	Add language to specifically cite the LJSDM in the LJSPDO.
9	General Zoning	143.0720(l)(9)	Micro-Units - Clarify Post-Density Bonus Units are Micro-Units	Clarification	There is some ambiguity in the Affordable Housing Regulations for micro-unit development density bonuses on what type of units the post-density bonus units need to be.	Add language to clarify that pre- and post-density bonus units within micro-unit developments are required to be micro-units.
10	General Zoning	143.1102(e) 143.1103(b)(6) and (d)	Mobility Choices	Clarification	Clarify that for development in Mobility Zones 1-3, additional VMT reduction measures are required where the development provides more than the minimum required parking.	If the development provides more than the minimum parking, additional VMT Reduction measures will be required.
11	General Zoning	142.0528(a)-(b)	Parking - ADA Parking within the Parking Standards Transit Priority Area Regulations	Clarification	The Parking Standards Transit Priority Area Regulations would benefit from having specific requirements to provide to ADA accommodations, parking and loading zones.	Revise language to require on-street ADA parking and loading zones even if no parking spaces area required.
12	General Zoning	143.0402 Table 143-04A 143.0455	Planned Development Permit (PDP) relating to density bonus	Clarification	Currently a PDP is required for development that increases the density of the land use plan. Per State Density Bonus Law, a PDP for the increase cannot be required.	Removes the requirement for a PDP if a land use plan required a PDP to increase the density of the land use plan.
13	General Zoning	126.0117 141.0103(a) 142.0801 142.0803 142.0805 142.0810 142.0820 142.0830 142.0831(new section)	Organic Waste - Add to Refuse and Recyclable Regulations	Compliance with State Law	Current regulations need to reflect Assembly Bill 1383 which added regulations for the storage of organic waste.	Adds organic waste storage regulations to the Refuse and Recyclable regulations.
14	General Zoning	142.0740(c)(2)(B)	Outdoor Lighting Regulations	Compliance with State Law	The current Outdoor Lighting regulations are less restrictive than the California Green Building Standards Code.	Makes the regulations consistent with California Green Building Standards Code.

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15	General Zoning	113.0103	Definition of Interested Person	Correction	To align current definition with virtual meeting formats. An "Interested pPerson" is defined as "a person who was present at a public hearing from which an appeal arose and who had filed a speaker slip with the decision maker." Since virtual meetings do not have speaker slips, this language is outdated.	Amended definition to provide alternative documentation/recording for people who attend/speak at a public hearing.
16	General Zoning	112.0604	Environmentally Sensitive Lands Regulations- Capital Improvement Projects	Correction	There is an inconsistency between Chapter 14 and Chapter 11 regarding deviations for Capital Improvement Projects. Chapter 11 states(in error) that deviations are a Process 5 decision while Chapter 14, correctly identifies them as a Process 2 decision.	Revises Chapter 11 to be consistent with Chapter 14 in relation to process level for deviations for CIP projects.
17	General Zoning	Table 131-05B	Use Table - Commercial Zones - Dairies	Correction	The word "Dairies" should be indented on the Commercial Zones use table because everything under it is not a sub category of dairies. All the use tables for the other zones do not have the word indented.	Add the indent for clarity.
18	General Zoning	131.0707 Table 131-07A and footnote 3.	Use Table-Mixed Use Zones - Incompatible Uses	Correction	When the Mixed-Use zones were adopted, some uses which are incompatible with residential uses were allowed.	Remove the Adult Entertainment uses and remove requirement for light industrial uses to be limited to 7,500 sf.
19	General Zoning	131.0461(c)	Architectural Projections - Allow Balconies	Regulatory Reform	Balconies are listed as allowable projections in some but not all multi-family zones. Use of the current inset requirement can result in the appearance of a uniformly flat façade across building elevations. Allowance of balconies as architectural projections could create greater façade articulation in multi-family projects and provide mnore outdoor area for residents.	Adds balconies to list of allowed architectural projections in all residential multi-unit zones.
20	General Zoning	131.0546(b)	Childcare Facilities - maximum floor area	Regulatory Reform	To incentivize childcare facilities by increasing the allowable floor area ratio bonus.	Increases the floor area ratio bonus from 4 square feet to 10 square feet.
21	General Zoning	141.0203 Table 131-02B	Community Gardens	Regulatory Reform	To allow gardens in Open Space-Park zones subject to the satisfaction of the Park and Recreation Director.	Allow gardens in the OP-1-1 and OP-1-2 zones as a limited use. Creates regulations to ensure they are designed, constructed and maintained to the satisfaction of the Park and Recreation Director.
22	General Zoning	156.0302 156.0304(b)(3) 156.0304(4) 156.0308 Table 156-0308-A 156.0308(b)(2) 156.0309(e)(8) 156.0309(f)(1) 156.0310(g)(3) 156.0315(g)(11) 143.0260(c) 157.0304(18)	Downtown Amendments- Centre City Planned District Ordinance	Regulatory Reform	To clarify and simplify the intent of the regulations applicable to Downtown, achieve goals and policies of the Downtown Community Plan, and increase the adaptability and predictability of the code.	-Updates outdated language for consistency with CALGreen standards. -Clarifies language for floor area ratio calculation exemption for historic buildings -Adds language codifying required greenway improvements in accordance with the Downtown Community Plan Mobility Chapter -Revises the Employment Overlay Zone to allow affordable housing -Minor corrections to provide consistency between Centre City Planned District, citywide regulations, and state law.
23	General Zoning	126.0402 143.0110 Table 143-01A 131.0718	Environmentally Sensitive Lands Regulations - lot line adjustment	Regulatory Reform	The correction the is needed to ensure that any lot line adjustment does not impede the protection of sensitive biological resources or implementation of the MSCP.	Requires a Process 2 decision for lot line adjustments in environmentally sensitive lands.
24	Fiber Optic	129.0710(a)(10) and (b)(6)	Fiber Optic Equipment	Regulatory Reform	The amendment is needed to ensure the process level for the placement of fiber optic or wireless communication facilities within the public right-of-way is consistent with best practices. Further clarification on what type of projects falls into this category is also needed for transparency.	The amendment will revert the process level for these types of projects from a discretionary decision to a ministerial decision.
25	General Zoning	141.0308(c)	Home Occupation - Reduce Parking	Regulatory Reform	To provide regulatory relief from parking requirements as people have shifted to working at home in the wake of COVID 19 to reduce parking.	A minimum of one off-street parking space would still be required. This amendment would allow for the reduction of one off-street parking space(if required).
26	General Zoning	1510.0304	La Jolla Shores Planned District Ordinance (LJSPDO) - apply citywide Floor Area Ratio regulations	Regulatory Reform	Currently, there are no numerical measurements for calculating floor area ratio in the La Jolla Shores PDO. Citywide zoning provide rules for measurement of floor area ratio.	Modifies the LJSPDO to specify the method for floor area ratio calculations for the La Jolla Shores single-family zone consistent with Citywide single-family zones.
27	General Zoning	1510.0107(a)	La Jolla Shores Planned District Ordinance (LJSPDO) - fences & retaining wall height	Regulatory Reform	Currently, the LJSPDO does not provide specific rules for height of fences and walls. Typically Planned Districts refer to Citywide regulations regarding standards for fences and walls.	Remove any regulations regarding fence and wall height in the LJSPDO and add a reference to Citywide regulations for fences and walls.

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28	General Zoning	1516.0139 (d)(1) Table 1516-01A	Old Town San Diego - Process Level Change for Signs	Regulatory Reform	Signs in Old Town require a Neighborhood Development Permit (NDP), Process 2 decision. The length of time and costs associated with this approval have been onerous for small business owners.	Reduces the process level required for all proposed signs (except temporary signs and business operations signs) from a Neighborhood Development Permit (Process 2) to a ministerial Sign Permit (Process 1).
29	General Zoning	142.0640	Parks - Development Impact Fees	Regulatory Reform	Modifies the Development Impact Fees (DIF) related to onsite parks. Revise timing of payment from "at time of building permit" to "prior to requesting a final inspection" and removes the regulation to defer DIF fees.	Streamlines delivery of on site parks and makes fee payment more efficient.
30	General Zoning	Table 131-04G 131.0454 131.0709 Table 131.07B 143.1010(e)	Personal Storage Requirements for Multi Unit Residential Uses	Regulatory Reform	Allow for additional flexibility by having the market determine how much personal storage is needed.	Removes personal storage requirement for multi unit residential uses.
31	General Zoning	131.0455(e)	Private Exterior Open Space Requirements for Multi Unit Residential Uses	Regulatory Reform	Current multi-family regulations do not provide for alternate compliance when meeting private exterior open space requirements.	Adds language to allow alternative compliance to meet the private exterior open space requirement. A deficit in required private exterior open space may be met by providing additional common open space.
32	General Zoning	112.0304(a)(1-5)	Public Notice - increase size	Regulatory Reform	The posting of a Public Notice on the development site is required for many types of permits and processes. The current regulations do not specify the size or material of a notice so posted notices are not always readable from the street or protected from weather.	Adds requirements specifying the size and material of posted notices.
33	General Zoning	142.0820	Refuse Storage - Alternative Compliance for Refuse	Regulatory Reform	Current refuse and recyclable materials storage regulations for residential development do not allow for alternative compliance when meeting the refuse and recyclable materials storage space.	Adds language that allows for a reduction in refuse and recyclable materials storage space where it can be demonstrated that the utilization of compactors or comparable technology and/or private haulers can accommodate the same capacity as required by the current code.
34	General Zoning	Table 131-05B- Footnote 20 Table 131-06B- Footnote 22	Transit Priority Area Implementation	Regulatory Reform	To implement the City's Climate Action Plan and active transportation policies; to achieve Vision Zero and ensure the safety of bicyclists and pedestrians in Transit Priority Areas.	Prohibits drive-throughs in TPAs to encourage more active travel and improve the pedestrian experience.
35	General Zoning	131.0622- Table 131.06B	Use Table-Industrial Zones - Artisan Food and Beverage Producer	Regulatory Reform	Artisan Food/Beverage is not allowed in some of the industrial zones which is inconsistent with the allowed use of light manufacturing.	Allows the Artisan Food and Beverage Producer use in all industrial zones as a permitted use to be consistent with the light manufacturing use.