



THE CITY OF SAN DIEGO

## Report to the Planning Commission

**DATE ISSUED:** October 21, 2021

**REPORT NO. PC-21-043**

**HEARING DATE:** October 28, 2021

**SUBJECT:** 2021 Update to the San Diego Municipal Code and Local Coastal Program Package;  
Process 5

### **SUMMARY**

**Issue:** Should the Planning Commission recommend City Council approval of the 2021 Code Update package to the San Diego Municipal Code and the Local Coastal Program, including the formal adoption of the implementing plans referenced in the proposed regulations?

**Staff Recommendation:** Recommend City Council approval of the proposed 2021 Code Update package.

**City Strategic Plan Goal and Objectives:** Goal #3: Create and sustain a resilient and economically prosperous City. Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.

**Environmental Review:** The Environmental Policy Section of the Planning Department has reviewed the 2021 Update to the Land Development Code and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified Environmental Impact Report (EIR) for the Land Development Code EIR No. 96-0333/SCH No. 96081056; the 2008 General Plan EIR No. 104495/SCH No. 2006091032, certified by the City Council on March 10, 2008, Resolution No. R-303473; the 2020 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Housing Element Update, certified by the City Council on June 18, 2020, Resolution No. R-313099; the 2021 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Recreation Element Update, certified by the City Council on August 3, 2021, Resolution No. R-313686; the Final Environmental Impact Report (FEIR) for Complete Communities: Housing Solutions and Mobility Choices, certified by the City Council on November 9, 2020, Resolution No. R-313279; the FEIR for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724)

and July 14, 2014 (City Council Resolution R-309115); and the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Amendments are also covered under the following documents, all referred to as the "CAP FEIR": FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency. The CEQA evaluation memo is included as Attachment 4.

**Housing Impact Statement:** The proposed amendments would apply citywide. The proposed amendments streamline regulatory requirements, reduce constraints, and provide additional incentives to increase the supply of housing.

## **BACKGROUND**

The Land Development Code (LDC) provides the City's regulations for the development and use of property within the City of San Diego and provides information on zoning, subdivisions, grading and other related land use activities. In December 1997, the City Council adopted a comprehensive update to the LDC and directed the development of a code monitoring and update process to address changes anticipated as part of implementing the code. Council recognized the importance of code revisions that removed unnecessary barriers to simplify and streamline permitting processes. Through these regular updates, the LDC will be more responsive to address the City's changing land use issues.

The 2021 Code Update includes 35 issue items. The amendments are being processed to: streamline and clarify the permit process; clarify regulations; correct references, grammatical errors and formatting; and comply with state law.

## **DISCUSSION**

The 35 issue items are separated into three categories that include regulatory reforms, compliance with state law, and corrections/clarifications. The items are separated into two ordinances, General Zoning (34 items) and Fiber Optic (1 item) (Attachments 2 and 3). A majority of the regulatory reforms are listed below. The item numbers correspond to the Code Update Item Matrix (Attachment 1) which includes further descriptions of all items.

### **A. Regulatory Reforms**

There are 17 regulatory reforms included in the 2021 Code update. A non-exhaustive list of some of the regulatory reforms is described below. Each item has a corresponding number within the attached Matrix (Attachment 1).

Fiber Optic Equipment (Item No. 24)

Allows certain fiber optic equipment within the public right-of-way that does not exceed three feet above grade and not greater than four feet in diameter to be processed as a ministerial permit.

#### Parks and Development Impact Fees (Item No. 29)

Provides for the streamlined delivery of onsite parks for new development projects and exempts projects from payment of the park component of a Development Impact Fee (DIF) if onsite parks are provided that meet the requirements set forth in the Parks Master Plan and the regulations. Revises the timing of payment of DIF to before final inspection and removes the requirement to enter into a Fee Deferral Agreement prior to building permit issuance.

#### La Jolla Shores Planned District Ordinance (LJSPDO) (Item Nos. 26 & 8)

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. Cites the La Jolla Design Manual and fence regulations within the LJSPDO.

#### Public Notice- Increase Size (Item No. 32)

Adds requirements specifying the size and material of posted notices, making them easier to read for the public.

#### Centre City (Downtown) and Gaslamp Planned District Ordinance (Item No. 22)

Updates outdated language for consistency with CALGreen standards, clarifies language for floor area ratio calculation exemption for historic buildings, allows Artisan Food & Beverage and Pet Boarding and Vet Clinics as additional uses, revises the Employment Overlay Zone to allow increased flexibility for additional housing, while encouraging employment uses throughout all of downtown, and codifies greenway street improvements to implement the 2016 Downtown Mobility Plan, including the formal adoption and ratification of the 14<sup>th</sup> Street Promenade Master Plan (2016) (Attachment 6) and the E Street Greenway Master Plan (2021) (Attachment 7). The 14<sup>th</sup> Street Master Plan and E Street Greenway Master Plan help to implement the guidelines and principles of the Downtown Community Plan and Downtown San Diego Mobility Plan to provide guidance to further enhance the physical character and livability of Downtown through a clear network of greenway street linkages between Downtown's neighborhoods and open spaces and create unique, attractive corridors for pedestrians. These documents provide guidance for the construction of improvements that enhance the quality of the pedestrian environment focusing of safety, convenience, and encouraging walking, thus helping to implement the City's mobility and climate goals, consistent with the Downtown Community Plan and Mobility Plan.

#### Community Gardens (Item No. 21)

Allows community gardens in the OP-1-1 and OP-1-2 zones as a limited use in already-developed areas. Creates regulations to ensure community gardens are designed, constructed and maintained to the satisfaction of the Park and Recreation Director. Environmentally Sensitive Lands regulations would continue to apply as applicable.

#### Old Town San Diego - Process Level Change for Signs (Item No. 28)

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).

#### Personal Storage for Multi-Unit Residential (Item No. 30)

Allows for additional flexibility for onsite personal storage requirements for new multi-family residential development.

#### Transit Priority Area (TPA) Implementation (Item No. 34)

Advances climate goals by disallowing new drive throughs in TPAs. Auto-oriented uses, such as drive throughs are inconsistent in areas that are prioritized for active transportation and transit uses. Drive through uses are inconsistent with the City's mode share goals set forth in the Climate Action Plan. To achieve these mode share goals, the City must plan for land uses that are consistent with not only transit use, but also with an active and thriving pedestrian environment, that also achieves the City's Vision Zero goals. Existing drive throughs would continue to be allowed in accordance with previously conforming use and development regulations.

#### Artisan Food and Beverage Use (Item No. 35)

Allows artisan food and beverage uses in all industrial zones for consistency with the light manufacturing use.

### **B. Compliance with State Law**

#### Outdoor Lighting (Item No. 14)

The current outdoor lighting regulations are less restrictive than the California Green Building Standards Code require updating to ensure consistency with these state requirements.

#### Organic Material added to Refuse and Recycling regulations (Item No. 13)

Currently the Land Development Code only includes refuse and recycling material. Per state law (SB 1381), 'Organic' material and storage requirements for organic material must be included. Additionally, a new section is included in the update related to construction and demolition debris.

### **C. Corrections/Clarifications**

There are 16 corrections/clarifications included in the 2021 Code Update, including but not limited to, missing parenthesis, spacing, citing manuals, adding commas, additional explanation, consistency, eliminating redundancies, and italicizing existing defined terms.



## **Outreach**

Six virtual public workshops were held in July and August to review the items and gather feedback on the draft language.

## **Recommendations**

Community Planners Committee (CPC): On September 28, 2021, staff presented this item, including all items discussed in this staff report, to the Community Planners Committee (Attachment 5). CPC moved to have three items be removed from the Code Update. The three items recommended to be removed included the Personal Storage Requirements for Multi-Family Residential (Item No. 30), Artisan Food and Beverage Producer (Item No. 35), and the Transit Priority Area Implementation items (Item No. 34). That passed by a vote of 21-6-2.

## **CONCLUSION**

Staff recommends approval of the proposed 2021 Code Update package, including two ordinances (General Zoning and Fiber Optic), as well as the implementing plans for Item No. 22 (14<sup>th</sup> Street Master Plan, and E Street Greenways Plan). The package is consistent with the adopted Land Development Code goals to simplify land development regulations, to make the code more adaptable, to eliminate redundancies and contradictions, to standardize the land development code framework, and to increase predictability in application of the regulations.

Respectfully submitted,



Heidi Vonblum  
Deputy Director  
Planning Department



Renee Mezo  
Development Project Manager  
Planning Department

HV/RM

Attachments:

1. Code Update Item Matrix
2. Draft Ordinance Language - General Zoning
3. Draft Ordinance Language - Fiber Optic
4. California Environmental Quality Act Memo dated October 18, 2021
5. Community Planning Group - 9/28/21, Draft Minutes
6. [14<sup>th</sup> Street Promenade Master Plan](#)
7. [E Street Greenway Master Plan](#)

## 2021 Code Update Item Matrix

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)	<b>Affordable and Inclusionary Housing Programs - construction timing and unit mix</b>	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	<b>Affordable Housing Waiver Clarification</b>	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	<b>Complete Communities Clarifications</b>	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)	<b>CPIOZ Clarification</b>	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	<b>Encanto and Southeastern San Diego (SESD) Development Regulations</b>	Clarification	Additional clarification is needed to ensure consistency between the lot size development regulations applicable to Encanto and SEDS and the RS-1-7 development regulations.	Clarifies that the development regulations for a 5,000 sf lot in Encanto and SEDS are to be consistent with the RS-1-7 zone.
6	General Zoning	113.0270	<b>Height - structure height clarification</b>	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)	<b>Interim Residential Use - density clarification</b>	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	<b>La Jolla Shores Planned District Ordinance (LJSPDO) Design Manual - cite in code</b>	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)	<b>Micro-Units - Clarify Post-Density Bonus Units are Micro-Units</b>	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)	<b>Mobility Choices</b>	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)	<b>Parking - ADA Parking within the Parking Standards Transit Priority Area Regulations</b>	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	<b>Planned Development Permit (PDP) relating to density bonus</b>	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.

## 2021 Code Update Item Matrix

Item No.	Ordinance Name	Code Sections	Name of Item	Type of Amendment	Why is the amendment needed?	What does the amendment do?
13	General Zoning	126.0117 141.0103(a) 142.0801 142.0803 142.0805 142.0810 142.0820 142.0830 142.0831(new section)	<b>Organic Waste - Add to Refuse and Recyclable Regulations</b>	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)	<b>Outdoor Lighting Regulations</b>	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.
15	General Zoning	113.0103	<b>Definition of Interested Person</b>	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	<b>Environmentally Sensitive Lands Regulations- Capital Improvement Projects</b>	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	<b>Use Table - Commercial Zones - Dairies</b>	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.	<b>Use Table-Mixed Use Zones - Incompatible Uses</b>	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)	<b>Architectural Projections - Allow Balconies</b>	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 more outdoor area for residents.	Adds balconies to list of allowed architectural projections in all residential multi-unit zones.
20	General Zoning	131.0546(b)	<b>Childcare Facilities - maximum floor area</b>	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	<b>Community Gardens</b>	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 <del>156.0308(b)(2)</del>	<b>Downtown Amendments- Centre City Planned District Ordinance</b>	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
23	General Zoning	126.0402 143.0110 Table 143-01A 131.0718	<b>Environmentally Sensitive Lands Regulations - lot line adjustment</b>	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)	<b>Fiber Optic Equipment</b>	Regulatory Reform	The amendment is needed to ensure the process level for the placement of fiber optic or wire communication facilities within the public right-of-way is consistent with best practices. Further	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)	<b>Home Occupation - Reduce Parking</b>	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	<b>La Jolla Shores Planned District Ordinance (LJSPDO) - apply citywide Floor Area Ratio regulations</b>	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.

## 2021 Code Update Item Matrix

Item No.	Ordinance Name	Code Sections	Name of Item	Type of Amendment	Why is the amendment needed?	What does the amendment do?
27	General Zoning	1510.0107(a)	<b>La Jolla Shores Planned District Ordinance (LJSPDO) - fences &amp; retaining wall height</b>	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.
28	General Zoning	1516.0139 (d)(1) Table 1516-01A	<b>Old Town San Diego - Process Level Change for Signs</b>	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	<b>Parks - Development Impact Fees</b>	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)	<b>Personal Storage Requirements for Multi Unit Residential Uses</b>	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)	<b>Private Exterior Open Space Requirements for Multi Unit Residential Uses</b>	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)	<b>Public Notice - increase size</b>	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	<b>Refuse Storage - Alternative Compliance for Refuse</b>	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	<b>Transit Priority Area Implementation</b>	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	<b>Use Table-Industrial Zones - Artisan Food and Beverage Producer</b>	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.

**STRIKEOUT ORDINANCE****OLD LANGUAGE: ~~Struck-Out~~****NEW LANGUAGE: Double Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 112.0304; AMENDING CHAPTER 11, ARTICLE 2, DIVISION 6 BY AMENDING SECTION 112.0604; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 BY AMENDING SECTION 113.0103; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 2 BY AMENDING SECTION 113.0270; AMENDING CHAPTER 12, ARTICLE 6, DIVISION 1 BY ADDING SECTION 126.0117; AMENDING CHAPTER 12, ARTICLE 6, DIVISION 4 BY AMENDING SECTION 126.0402; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 131.0222; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0431, REPEALING SECTION 131.0454, AND AMENDING SECTIONS 131.0455 AND 131.0461; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 BY AMENDING SECTIONS 131.0522 AND 131.0546; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 BY AMENDING SECTION 131.0622; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 7 BY AMENDING SECTION 131.0707, 131.0709 AND 131.0718; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 1 BY AMENDING SECTION 141.0103; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 141.0203; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 3 BY AMENDING SECTIONS 141.0308 AND 141.0309; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTION 142.0528; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 6 BY RETITLING AND AMENDING SECTION 142.0640; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 7 BY AMENDING SECTION 142.0740; AMENDING CHAPTER 14, ARTICLE 2, BY RETITLING DIVISION 8, RETITLING AND AMENDING SECTION 142.0801, ADDING SECTION 142.0803, RETITLING AND AMENDING SECTIONS 142.0805, 142.0810, 142.0820, 142.0830, AND ADDING SECTION 142.0831; AMENDING CHAPTER 14, ARTICLE 2, DIVISION 13 BY AMENDING SECTION 142.1304; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 1 BY AMENDING

SECTION 143.0110; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 2 BY AMENDING SECTION 143.0260 ; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 7 BY AMENDING SECTIONS 143.0720 AND 143.0740; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 10 BY AMENDING SECTIONS 143.1001, 143.1002, 143.1005, 143.1010, 143.1015, 143.1020, 143.1025, AND 143.1030; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 11 BY AMENDING SECTION 143.1102 AND 143.1103; AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 BY AMENDING SECTIONS 156.0302, 156.0304, 156.0307, 156.0308, 156.0309, 156.0310, 156.0313, AND 156.0315; AMENDING CHAPTER 15, ARTICLE 7, DIVISION 3 BY AMENDING SECTION 157.0304; AMENDING CHAPTER 15, ARTICLE 10, DIVISION 1 BY AMENDING SECTION 1510.0107; AMENDING CHAPTER 15, ARTICLE 10, DIVISION 3 BY AMENDING SECTIONS 1510.0301 AND 1510.0304; AMENDING CHAPTER 15, ARTICLE 16, DIVISION 1 BY AMENDING SECTIONS 1516.0107 AND 1516.0139, RELATING TO THE 2021 SAN DIEGO LAND DEVELOPMENT CODE/MUNICIPAL CODE UPDATE.

#### **§112.0304 Posted Notice**

When this division requires a Notice of Application or a Notice of Future Decision to be posted, the *applicant* shall post the notice in the following manner.

- (a) Placement of Notice. The *applicant* shall post copies of the Notice of Application or Notice of Future Decision along the *street frontage* of the property that is the subject of the application. The notices shall not be spaced more than 200 feet apart. No more than three notices are required for any property. If the *street frontage* is less than 200 feet, only one notice is required.
  - (1) The notice shall be printed in black ink on foam core board and located in a conspicuous place on the property abutting a street not more than 10 feet inside the *property line* but no closer than five feet to a *property line*.

- (2) The notice shall be 12 feet square in sign area, generally measuring three feet by four feet.
- (3) Signs may be placed in commercial display windows, attached to perimeter fencing or supported on four-inch by four-inch wood posts not exceeding six feet in height from the ground level. If the property is surrounded by fences, walls, or hedges at or near the street *property line*, additional height may be provided as necessary to ensure visibility of the sign from the *public right-of-way*.
- (4) The notice shall not be illuminated.
- (5) The notice shall remain in place until the expiration of the appeal period following the decision by the decision maker. If the application has been appealed, a new notice with the appeal hearing date shall be posted. The notice shall be removed within 10 *business days* of either the conclusion of the appeal period or the final decision, whichever occurs later.

(b) through (d) [No change in text.]

#### **§112.0604 Process CIP/Public Project-Five**

An application for a Site Development Permit for a *capital improvement program project* or a *public project* that deviates from the ~~Environmentally Sensitive Land Regulations~~ or Historic Resources Regulations; or a City-issued Coastal Development Permit in the *appealable area* of the Coastal Overlay Zone, shall be acted upon in accordance with Process CIP/Public Project-Five. An application

for a Process CIP/Public Project-Five decision may be approved, conditionally approved, or denied by the City Council. A Process CIP/Public Project-Five decision shall be made in the following manner.

(a) through (b) [No change in text.]

### **§113.0103 Definitions**

*Abutting property through Important archaeological site* [No change in text.]

*Interested person* means a person who ~~was present~~ spoke at a public hearing from which an appeal arose ~~and who had filed a speaker slip with the decision maker at that public hearing~~ or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing.

*Interior Court through Yard* [No change in text.]

### **§113.0270 Measuring Structure Height**

(a) *Structure Height of Buildings and Structures (Excluding Fences, Retaining Walls, or Signs)*

(1) [No change in text.]

#### **Diagram 113-02JJ**

#### **Maximum Permitted Structure Height**

[No change in text.]

(2) A two-part calculation is required to measure *structure height* including:

(A) Plumb line measurement. The *structure height* is measured from all points on top of a *structure* to *existing grade* or *proposed grade*, whichever is lower, directly below each

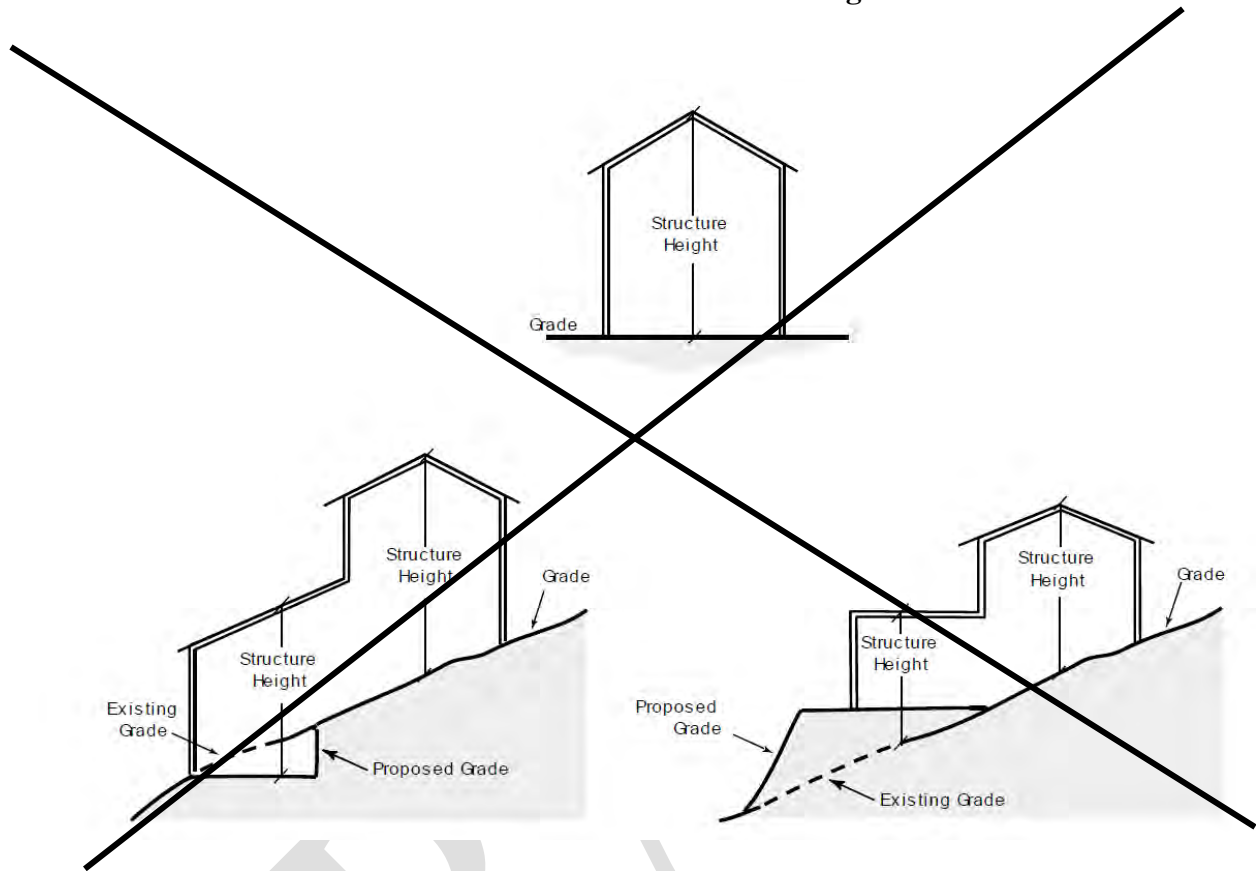


point, except as described in Section 113.0270(a)(4). This measurement is taken vertically through the *structure* at each point where *structure height* is being measured, as shown in Diagram 113-2KK.

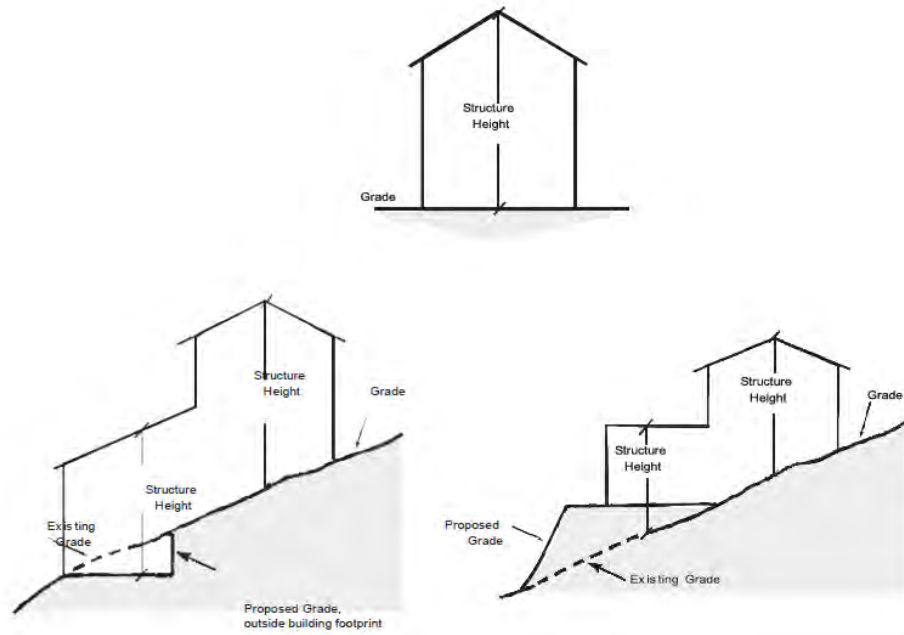
DRAFT

**Diagram 113-02KK**

**Measurement of Structure Height**



**Diagram 113-02KK**  
**Measurement of Structure Height**



**BUILDING ELEVATIONS**

(B) [No change in text.]

(3) through (5) [No change in text.]

(b) through (c) [No change in text.]

**§126.0117**      **Provision of Refuse, Organic Waste and Recyclable Material Collection and Management**

- (a)      All existing and new *development* that generates *refuse, organic waste,* and/or *recyclable material* shall provide for the *collection and management* of these materials pursuant to Chapter 6, Article 6. *Development* shall provide adequate storage space for these materials as set forth in Sections 142.0801 through 142.0830.
- (b)      To be considered for City-provided services under Section 66.0127, as it may be amended, a *development* shall comply with all applicable requirements of Chapter 6, Article 6 and applicable waste management regulations issued by the City including, but not limited to, storage space and container set-out space requirements.
- (c)      All *development* shall comply with the Construction and Demolition Debris Diversion Deposit Program in Chapter 6, Article 6, Division 6, as applicable.

**§126.0402**      **When a Neighborhood Development Permit Is Required**

(a) through (q) [No change in text.]

- (r)      A Neighborhood Development Permit is required for a Lot Line Adjustment on a *premises* containing *environmentally sensitive lands.*

**§131.0222**      **Use Regulations Table for Open Space Zones**

The uses allowed in the open space zones are shown in Table 131-02B.

**Legend for Table 131-02B**

[No change in text.]

DRAFT

**Table 131-02B**  
**Use Regulations Table for Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones							
	1st & 2nd >>	OP-		OC-		OR <sup>(1)</sup> -		OF <sup>(1)</sup> -	
		3rd >>	1-	2-	1-	1-	1-	1-	
		4th >>	1	1	1	1	2	1	
Open Space through Commercial Stables [No change in text.]		[No change in text.]							
Community Gardens		- <u>L</u>	<del>N</del> <u>L</u>	-	N		L		
Equestrian Show & Exhibition Facilities through Theater <i>Marquees</i> [No change in text.]		[No change in text.]							

**Footnotes for Table 131-02B**

[No change in text.]

**§131.0431 Development Regulations Table for Residential Zones**

The following development regulations apply in the residential zones as shown in Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

(a) [No change in text.]

(b) RS Zones

**Table 131-04D**  
**Development Regulations for RS Zones**

[No change in text.]

**Footnotes for Table 131-04D**

<sup>1</sup> through <sup>6</sup> [No change in text.]

<sup>7</sup> In the Encanto and Southeastern San Diego Community Planning areas, the *lot* size shall be a minimum of 5,000 square feet, and all development regulations of the RS-1-7 zone shall apply for subdivisions.

<sup>8</sup> [No change in text.]

(c) through (d) [No change in text.]

(e) RM Zones

**Table 131-04G**  
**Development Regulations for RM Zones**

<b>Development Regulations</b> [See Section 131.0430 for Development Regulations of Residential Zones]	<b>Zone Designation</b>	<b>Zones</b>					
	1st & 2nd >>	RM-					
	3rd >>	1-	1-	1-	2-	2-	2-
	4th >>	1	2	3	4	5	6
<b>Maximum permitted density<sup>(1),(2)</sup></b> (sf per DU) through <b>Lot consolidation regulations</b> [See Section 131.0453(a)] [No change in text.]		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]
<b>Storage requirements</b> [See Section 131.0454]		applies	applies	applies	applies	applies	applies
<b>Private exterior open space</b> through <b>Dwelling Unit Protection Regulations</b> [See Chapter 14, Article 3, Division 12] [No change in text.]		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]

<b>Development Regulations</b> [See Section 131.0430 for Development Regulations of Residential Zones]	<b>Zone Designator</b>	<b>Zones</b>					
	1st & 2nd >>	RM					
	3rd >>	3-	3-	3-	4-	4-	5
	4th >>	7	8	9	10	11	12
<b>Maximum permitted density<sup>(1),(2)</sup></b> (sf per DU) through <b><i>Lot consolidation regulations</i></b> [See Section 131.0453(a)] [No change in text.]		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]
<b>Storage requirements</b> [See Section 131.0454]		applies	applies	applies	applies	applies	Applies
<b>Private exterior open space through <i>Dwelling Unit Protection Regulations</i></b> [See Chapter 14, Article 3, Division 12] [No change in text.]		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]

**Footnotes for Table 131-04G**

[No change in text.]

**§131.0454 Storage Requirements in the RM Zones**

~~In all RM zones, each dwelling unit shall have a fully enclosed, personal storage area outside the unit that is at least 240 cubic feet with a minimum 7 foot horizontal dimension along one plane.~~

**§131.0455 Private Exterior Open Space in the RM Zones**

(a) through (d) [No change in text.]

(e) In the RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM-4-11, and RM-5-12 zones, where private exterior open space is not provided at the quantity required above, an equal amount of common exterior open space in



addition to the requirements of Section 131.0456 shall be provided.

**§131.0461 Architectural Projections and Encroachments in Residential Zones**

(a) through (b) [No change in text.]

(c) In the RM-2-4, RM-2-5, RM-2-6, RM-3-7, RM-3-8, RM-3-9, RM-4-10, RM- 4-11, and RM-5-12 zones, *architectural projections* and *encroachments* listed in Section 131.0461(a) are permitted with the following limitations. No permitted *architectural projection* or *encroachment* may be located in required *yards* within view corridors that are designated by *land use plans* in the Coastal OverlayZone, in a required *visibility area*, a required turning radius, or vehicle back-up area except where *development* regulations may allow.

(1) through (5) [No change in text.]

(6) Projecting balconies may encroach up to 4 feet into the required minimum front and street side yard subject to the following requirements:

(A) One unenclosed projecting balcony per dwelling unit is permitted for each story above the first story;

(B) Support posts to the ground below are not permitted unless the area below the balcony serves as a projecting entry and provides shelter for an access door to the dwelling unit; and

(C) The maximum permitted width of projecting balconies shall not exceed 10 feet or 50 percent of the width of the

habitable portion of the building elevation, whichever is greater.

#### **§131.0546 Maximum Floor Area Ratio**

Maximum *floor area ratio* is specified in Tables 131-05C, 131-05D, 131-05E and is subject to the following additional regulations:

(a) [No change in text.]

(b) *Floor Area Ratio* Bonus for Child Care Facilities

In the CR-1-1, CR-2-1, CO-1-2, CO-2-2, CO-3-1, and CO-3-2 zones, a *floor area ratio* bonus over the otherwise maximum allowable *gross floor area* is permitted at the rate of 4-10 square feet of additional *gross floor area* for each 1 square foot of *gross floor area* devoted to the *child care facility* to be added to the total area of the *premises* when determining the *floor area ratio* for a *development*. The area designated for the *child care facility* must be used for child care maintain an 'E' occupancy permit for a minimum of 10 years from the time of construction permit issuance and must be in compliance with the requirements of Section 141.0606 (Child Care Facilities).

#### **§131.0522 Use Regulations Table for Commercial Zones**

The uses allowed in the commercial zones are shown in Table 131-05B.

##### **Legend for Table 131-05B**

[No change in text.]

##### **Table 131-05B Use Regulations Table for Commercial Zones**

Use Categories/Subcategories  [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
	1st & 2nd >>  3rd >>  4th >>	CN <sup>(1)</sup> -						CR-		CO-						CV-		CP-	
		1-						1-	2-	1-	2-	3-	1-	1-					
		1	2	3	4	5	6	1	1	1	2	1	2	1	2	3	1	2	1
Open Space through Aquaculture Facilities [No change in text.]																			
Dairies		[No change in text.]																	
Horticulture Nurseries & Greenhouses through Social Service Institutions [No change in text.]																			
Solar Energy Systems through Small Family Child Care Homes [No change in text.]		[No change in text.]																	
Eating and Drinking Establishments with a Drive-in or Drive-through Component <sup>20</sup>		[No change in text.]																	
Fairgrounds through Theater <i>Marquees</i> [No change in text.]																			

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																														
	1st & 2nd >>	CC-																														
	3rd >>	1-			2-					3-					4-					5-												
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5
Open Space through <i>Social Service Institutions</i> [No change in text.]																																
Solar Energy Systems through Small Family Child Care Homes [No change in text.]		[No change in text.]																														
Eating and Drinking Establishments with a Drive-in or Drive-through Component <sup>20</sup>		[No change in text.]																														
Fairgrounds through Theater <i>Marquees</i> [No change in text.]																																

**Footnotes for Table 131-05B**<sup>1</sup> through <sup>19</sup> [No change in text.]<sup>20</sup> Eating and Drinking Establishments with a Drive-in or Drive-through Component shall not be permitted within a *transit priority area*.

**§131.0622 Use Regulations Table for Industrial Zones**

The uses allowed in the industrial zones are shown in Table 131-06B.

**Legend for Table 131-06B**

[No change in text.]

**Table 131-06B**  
**Use Regulations Table for Industrial Zones**

<b>Use Categories/ Subcategories</b> [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	<b>Zone Designator</b>	<b>Zones</b>									
	1st & 2nd > >	IP-			IL-			IH-		IS-	IBT-
	3rd >>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>	1	1	1	1	1	1	1	1	1	1
<b>Open Space</b> through <i>Social Service Institutions</i> [No change in text.]											
Solar Energy Systems through Small Family Child Care Homes [No change in text.]		[No change in text.]									
Eating and Drinking Establishments with a Drive-in or Drive-through Component <sup>22</sup>		[No change in text.]									
Fairgrounds through Trucking & Transportation Terminals [No change in text.]		[No change in text.]									
<b>Separately Regulated Industrial Uses</b>											
Artisan Food and Beverage Producer		-P	-P	-P	-P	-P	-P	-P	-P	-P	-P
<i>Cannabis Production Facilities</i> through Theater <i>Marquees</i> [No change in text.]		[No change in text.]									

**Footnotes for Table 131-06B**

<sup>1</sup> through <sup>21</sup> [No change in text.]

<sup>22</sup> Eating and Drinking Establishments with a Drive-in or Drive-through Component shall not be permitted within a transit priority area.

**131.0707 Use Regulations Table for Mixed-Use Zones**

The uses allowed in the mixed-use zones are shown in Table 131-07A.

**Legend for Table 131-07A**

[No change in text.]

**Table 131-07A**  
**Use Regulations Table for Mixed-Use Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
<b>Open Space</b> through <i>Social Service Institutions</i> [No change in text.]							
Solar Energy Systems through <b>Retail Sales</b> [No change in text.]		[No change in text]					
<b>Building Supplies &amp; Equipment</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Food, Beverages and Groceries</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Consumer Goods, Furniture, Appliances, Equipment</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Pets &amp; Pet Supplies</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Sundries, Pharmaceutical, &amp; Convenience Sales</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Wearing Apparel &amp; Accessories</b>		P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>	P <sup>(87)</sup>
<b>Separately Regulated Retail Sales Uses</b> through <b>Business Support</b> [No change in text.]							
<b>Eating &amp; Drinking Establishments</b>		P <sup>(43)</sup>	P <sup>(43)</sup>	P <sup>(43)</sup>	P <sup>(43)</sup>	P <sup>(43)</sup>	P <sup>(43)</sup>
<b>Financial Institutions</b> through <b>Radio &amp; Television Studios</b> [No change in text.]		[No change in text]					
<b>Tasting Rooms</b>		P <sup>(54)</sup>	P <sup>(54)</sup>	P <sup>(54)</sup>	P <sup>(54)</sup>	P <sup>(54)</sup>	P <sup>(54)</sup>
<b>Visitor Accommodations</b> through Adult Entertainment Establishments [No change in text.]		[No change in text]					
Adult Book Store		-	-	-	L -	L -	L -
Adult Cabaret		-	-	-	L -	L -	L -
Adult Drive-In Theater		-	-	-	L -	L -	L -
Adult Mini-Motion Picture Theater		-	-	-	L -	L -	L -
Adult Model Studio		-	-	-	L -	L -	L -
Adult <i>Motel</i>		-	-	-	L -	L -	L -
Adult Motion Picture Theater		-	-	-	L -	L -	L -

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st >>	RMX			EMX		
	2nd >>	1	2	3	1	2	3
Adult Peep Show Theater		-	-	-	L -	L -	L -
Adult Theater		-	-	-	L	L -	L -
Body Painting Studio		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]
Massage Establishment		[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]	[No change in text.]
Sexual Encounter Establishment		L -	L -	L -	L -	L -	L -
Assembly and Entertainment Uses, Including Places of Religious Assembly through Small Family Child Care Homes [No change in text.]							
<u>Eating and Drinking Establishments with a Drive-in or Drive-through Component</u>		-	-	-	-	-	-
Fairgrounds through Private Clubs, Lodges and Fraternal [No change in text.]							
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size		C <sup>(65)</sup>	C <sup>(65)</sup>	C <sup>(65)</sup>	C <sup>(65)</sup>	C <sup>(65)</sup>	C <sup>(65)</sup>
Pushcarts through <b>Heavy Manufacturing</b> [No change in text.]							
<b>Light Manufacturing</b>		-	-	-	P <sup>(3)</sup>	P <sup>(3)</sup>	P <sup>(3)</sup>
<b>Marine Industry</b> through Wrecking & Dismantling of Motor Vehicles [No change in text.]		-	-	-	-	-	-
<b>Signs</b>							
<b>Allowable Signs</b>		P <sup>(76)</sup>	P <sup>(76)</sup>	P <sup>(76)</sup>	P <sup>(76)</sup>	P <sup>(76)</sup>	P <sup>(76)</sup>
<b>Separately Regulated Signs</b> Uses through Theater <i>Marquees</i> [No change in text.]							

## Footnotes for Table 131-07A

<sup>1</sup> through <sup>2</sup> [No change in text.]<sup>3</sup> ~~Permitted in an enclosed space with up to 7,500 square feet of gross floor area; the use of more space requires a Conditional Use Permit.~~ Activities that would require a permit from the Hazardous Materials Management Division of the County of San Diego or from the San Diego Air Pollution Control District require a Conditional Use Permit.

- <sup>43</sup> Eating and drinking establishments abutting an existing residential base zone shall only operate ~~only~~ between 6:00 a.m. and 12:00 a.m.
- <sup>54</sup> Tasting rooms are only permitted as an *accessory use* to a beverage manufacturing plant or an artisan beverage producer.
- <sup>65</sup> The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- <sup>76</sup> All mixed-use zones shall use Category A within Section 142.1220.
- <sup>87</sup> *Development* of a large retail establishment is subject to Section 143.0302.

### **§131.0709 Development Regulations Table for Mixed-Use Zones**

The following development regulations apply in the mixed-use zones as shown in Table 131-07B.

**Table 131-07B  
Development Regulations for RMX and EMX Zones**

Development Regulations	Zones					
	RMX-			EMX-		
	1	2	3	1	2	3
<b>Minimum Lot Area (sf) through Refuse and Recyclable Material Storage</b> [See Section 142.0805] [No change in text.]	[No change in text.]					
<b>Storage Requirements for Residential Only</b> [See Section 131.0454]	Applies					
<b>Dwelling Unit Protection Regulations</b> [See Chapter 14, Article 3, Division 12] [No change in text.]	[No change in text.]					

#### **Footnotes for Table 131-07B**

[No change in text.]

### **§131.0718 Supplemental Regulations for Premises Greater Than Five Acres**

The purpose and intent of these regulations is to break down larger sites into approximately two-acre segments to enhance a sense of place; facilitate pedestrian



circulation; reduce walking distances; improve connections to the *public right-of-way* or private drives, transit, and adjoining neighborhoods; and promote the livability and vitality of such *development*. A Lot Line Adjustment cannot be used to reduce the size of *premises* to eliminate the applicability of these requirements.

(a) through (d) [No change in text.]

#### **§141.0103 Applicable Regulations for Separately Regulated Uses**

(a) Except as specifically provided in this Article, separately regulated uses are subject to the following regulations unless a variance has been approved in accordance with Chapter 12, Article 6, Division 8:

(1) [No change in text.]

(2) All applicable regulations of Chapter 13, Article 2 (Overlay Zones); ~~and~~

(3) All applicable regulations of Chapter 14 (General Regulations); ~~and~~  
and

(4) All applicable regulations of Chapter 6, Article 6 (Collection, Transportation and Disposal of Refuse and Solid Waste).

#### **§141.0203 Community Gardens**

Community gardens are *premises* that are used for crop cultivation by individuals or collectively, and may be divided into multiple plots. Community gardens are permitted as a limited use in the zones indicated with an “L” and may be permitted with a Neighborhood Use Permit in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) through (h) [No change in text.]

- (i) Community gardens located within a public park shall be designed, constructed, and maintained to the satisfaction of the Parks and Recreation Director.

#### **§141.0308 Home Occupations**

Home occupations are businesses conducted by residents on the *premises* of their homes. Home occupations, including cottage food operations authorized pursuant to California Government Code section 51035, are permitted as a limited use in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations. An *applicant* may deviate from the requirements in Section 141.0308(k) through (n) by obtaining a Neighborhood Use Permit in accordance with Section 126.0203.

(a) through (b) [No change in text.]

- (c) ~~The home occupation shall not result in the elimination or the reduction of~~  
may reduce required off-street parking spaces by one, so long as the  
reduction does not result in the elimination of all off-street parking.

(d) through (n) [No change in text.]

#### **§141.0309 Interim Ground Floor Residential**

Residential *development* within commercial zones is permitted only when a commercial *structure* exists on the *premises* or is a part of the proposed *development*. Residential use is restricted on the ground *floor* in accordance with Section 131.0540. The residential *density* shall not be counted towards the maximum allowable *density* of the underlying zone or community plan. Interim

ground floor ~~residential~~ may be permitted within existing commercial space in accordance with Process Two in the zones indicated with an “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations:

- (a) through (c) [No change in text.]
- (d) The decision maker shall make the findings in Section 126.0205(a) and (c)-through(d).
- (e) New residential development permitted in accordance with this Section is required to pay Development Impact Fees in accordance with Section 142.0640(b)(7).

**§142.0528 Parking Standards Transit Priority Area Regulations**

The Parking Standards Transit Priority Area Regulations establish the parking requirements for *multiple dwelling unit residential development* where all or a portion of the *premises* is located within a Parking Standards Transit Priority Area. For purposes of this section, Parking Standards Transit Priority Area means the area defined in California Public Resources Code Section 21099, as may be amended, or an area within one-half mile of a *major transit stop* that is existing or planned, if the planned *major transit stop* is scheduled to be completed within the San Diego Association of Governments (SANDAG) Regional Transportation Improvement Program (RTIP). The RTIP covers five fiscal years and incrementally implements the long range Regional Transportation Plan for the San Diego region. *Multiple dwelling unit residential development* that involves four or fewer *dwelling units*, or that includes at least 20 percent on-site housing

that is affordable to persons with a household income equal to or less than 50 percent of the area median income as determined in accordance with California Health and Safety Code section 50093 and is subject to an affordability restriction for a minimum of 55 years, is exempt from the *unbundled parking* requirement in subsection 142.0528(b)(1). Reasonable accommodations to parking requirements shall be granted if necessary to afford ~~disabled persons~~ people with disabilities equal housing opportunities under state or federal law, in accordance with Section 131.0466. *Multiple dwelling unit residential development* in the Centre City and Gaslamp, and Marina Planned Districts is exempt from the transportation amenity requirement in subsection 142.0528(c).

(a) Parking Requirement. *Off-street parking spaces* are not required.

(1) through (2) [No change in text.]

(3) The *development* shall provide a passenger drop-off and loading zone along the *street frontage* near the main accessible entrance unless there is an existing compliant passenger drop-off and loading zone within 200 feet from the main accessible entrance of the *development*. The passenger drop-off and loading zone shall comply with the City of San Diego Standard Drawings for Public Works Construction. In addition, the *development* shall provide an accessible route within the boundaries of the *premises*, from the accessible main accessible entrance of the *development* to the drop-off and passenger loading zone, in accordance with the California Building Standards Code.

(4) The *development* shall provide an on-street accessible parking space along the *street frontage*, unless existing compliant on-street parking spaces within the block perimeter are within a ratio of 1 accessible space for every 25 standard spaces. The accessible on-street parking spaces shall comply with the City of San Diego Standard Drawings for Public Works Construction.

In addition, the *development* shall provide an accessible route within the boundaries of the *premises*, from the main accessible entrance of the *development* to the designated accessible on-street parking space, in accordance with the California Building Standards Code.

(b) Provided Parking. If one or more *off-street parking spaces* are provided in a *development*, then the following requirements apply:

(1) through (2) [No change in text.]

(3) The number of off-street electric vehicle charging spaces shall be provided in accordance with Title 24 of the California Code of Regulations (California ~~Green~~-Building Standards Code).

(4) through (5) [No change in text.]

(c) [No change in text.]

**§142.0640 Development Impact Fees for Financing Public Facilities and Spaces**

(a) [No change in text.]

(b) Payment of Fees

Development Impact Fees (as defined in California Government Code Section 66000) for applicable *development* shall be paid ~~at the time required building permit fees are paid and no later than the first inspection of the development performed by the City prior to requesting a final inspection.~~ A final inspection shall not occur until the applicable DIFs are paid in areas where Development Impact Fees DIFs have been established by City Council resolution or ordinance. Notwithstanding the above, the City Manager may also require the payment of Development Impact Fees DIFs for development that would increase demand for public facilities and/or result in the need for new public facilities. Development Impact Fees DIFs shall not be required for inclusionary dwelling units provided pursuant to Chapter 14, Article 2, Division 13 if the applicant has satisfied all the requirements of Division 13 for inclusionary dwelling units on the same premises as the market-rate dwelling units. The Development Impact Fee required by the City Manager shall be paid at the time required building permit fees are paid and no later than the first inspection of the development performed by the City. The DIF amounts shall be determined by the year in which the DIFs are paid, as set forth in the DIF schedule in effect when the Building Permit was issued, or the DIF schedule in effect when the fees are paid, whichever schedule is lower, plus an automatic increase consistent with Section 142.0640(c) if applicable.

Exemptions:

- (1) through (2) [No change in text.]

- (3) Inclusionary *dwelling units* provided pursuant to Chapter 14, Article 2, Division 13 are exempt from DIFs if the applicant has satisfied all the requirements of Division 13 for inclusionary *dwelling units* on the same *premises* as the market-rate *dwelling units*. In the instance where an applicant provides more than the required affordable *dwelling units* per Chapter 14, Article 2, Division 13, the exemption is applied to the largest applicable affordable *dwelling unit(s)*.
- (6) *Development* that designs and constructs an onsite park that satisfies the *development's* park standard, shall not be subject to the requirement to pay the Citywide Park DIF, where the requirements set forth in San Diego Resolution No. R-313688 have been satisfied.
- Development* that designs and constructs an onsite park that satisfies a portion of the *development's* park requirements, shall be subject to a proportionate share of the DIF for the Citywide Park DIF where the requirements set forth in San Diego Resolution R-313688 have been satisfied. To be eligible for any exemption under this subsection, the following additional requirements shall apply:
- (A) The park shall be designed and constructed in accordance with a General Development Plan approved in accordance with Council Policy 600-33;
  - (B) The park shall be designed and constructed in accordance with the City's standards for design and construction of parks, as applicable;

- (C) The park shall be publicly accessible in perpetuity, in accordance with a recorded recreation easement, or other instrument, to the satisfaction of the Parks and Recreation Director;
- (D) If the *development* is receiving park credit for long-term maintenance in accordance with the Parks Master Plan, a maintenance agreement or other instrument to assure the maintenance shall be recorded with the County Recorder, to the satisfaction of the Parks and Recreation Director.
- (E) A performance bond shall be provided for the design and construction of the park prior to the issuance of the first building permit for any *dwelling units* in the *development*, and no final inspection shall occur for the remaining 75 percent of the total *dwelling units* in the *development* until the park has been completed to the satisfaction of the Parks and Recreation Director;
- (F) Prior to requesting final inspection of the first *dwelling unit* in the *development*, a fee in the amount of 10 percent of the total DIF related to parks that would have otherwise been required, shall be paid to fund park and recreation improvements in the City.
- (G) The otherwise applicable DIF is designated only for park and recreation improvements; if a DIF does not



distinguish separate rates for the park component of the fee, then this subsection 142.0640(b)(6) shall not apply.

- (7) New interim residential *development* that obtains a building permit in accordance with Section 141.0309, shall be required to pay one-third of the applicable residential DIF. At the end of ten (10) years, if the Neighborhood Use Permit (NUP) is renewed or extended beyond the initial ten (10) year period, the project shall be required to pay two-thirds of the applicable residential DIF in effect at the time of the granting of the applicable *development permit* or *construction permit*.

**Table 142-06A**

[No change in text.]

- (c) [No change in text.]

- ~~(d) Fee Deferral~~

~~Notwithstanding Section 142.0640(b), Building Permits or *construction permits*, as applicable, may be issued if the City Manager defers payment of the DIFs in accordance with this Subsection. DIFs due pursuant to the City's Regional Transportation Congestion Improvement Program shall not be deferred under any circumstance.~~

- ~~(1) Unless otherwise specified in Section 142.0640(d)(5), payment of DIFs may be deferred for a maximum period of two years from the effective date of a Fee Deferral Agreement, or until a final~~

~~inspection is requested, whichever occurs earlier. A final inspection shall not occur until the applicable DIFs are paid.~~

- (2) ~~Payment of DIFs shall not be deferred unless and until a Fee Deferral Agreement is entered into to the satisfaction of the City Manager. The Fee Deferral Agreement shall be recorded against the applicable property in the Office of the San Diego County Recorder and shall constitute a lien for the payment of the DIFs. The Fee Deferral Agreement shall be binding upon, and the benefits of the agreement shall inure to, the parties and all successors in interest to the parties to the Fee Deferral Agreement.~~
- (3) ~~Payment of DIFs shall only be deferred if the applicable administrative processing fee, as adopted by City Council resolution, is paid by the *applicant*.~~
- (4) ~~If payment of the DIFs are deferred, the deferred DIFs due shall be determined in accordance with Section 142.0640(b) (c), except that, if the DIFs are paid prior to the end of the deferral period as set forth in Section 142.0640(d)(1), the amount of the DIFs shall be determined by the DIFs rate for the year in which the DIFs are actually paid as set forth in the DIFs schedule in effect when the Fee Deferral Agreement was executed by the City, or a subsequently approved DIFs schedule, whichever schedule is lower, plus an automatic increase consistent with Section 142.0640(c) if applicable. If the DIFs are not paid timely as~~

~~provided for in the Fee Deferral Agreement, the amount of the DIFs shall be determined in accordance with the DIFs schedule in effect when the DIFs are actually paid, or the schedule in effect at the end of the DIFs deferral period as set forth in Section 142.0640(d)(1), plus automatic increases consistent with Section 142.0640(e), whichever amount is greater.~~

- (5) ~~Notwithstanding Section 142.0640(d)(1), for Building Permits or *construction permits* issued between March 1, 2020 and March 1, 2022, payment of DIFs may be deferred for a maximum period of three years from the effective date of a Fee Deferral Agreement, or until a final inspection is requested, whichever occurs earlier. A final inspection shall not occur until the applicable DIFs are paid. For Building Permits or *construction permits* issued between March 1, 2020 and March 1, 2022, notwithstanding Section 142.0640(d)(4), the amount of the DIFs shall be determined by the DIFs rate for the year in which the DIFs are actually paid as set forth in the DIFs schedule in effect when the Fee Deferral Agreement was executed by the City, or a subsequently approved DIFs schedule, whichever schedule is lower, plus automatic increases for the first two years only, consistent with Section 142.0640(e), if applicable.~~

(ed) Waiver or Reduction of Fees

Any party on whom DIFs are imposed, may file an application for a waiver or reduction of the DIFs with the City Manager in accordance with this Subsection. Nothing in this Subsection shall affect the requirements set forth in Section 142.0640(b). The procedures provided in this Subsection are additional to any other procedure authorized by law for protesting or challenging DIFs.

(1) through (2) [No change in text.]

(3) An application for a waiver or reduction of DIFs shall be filed no later than 10 calendar days after ~~either the DIFs are paid or the associated Fee Deferral Agreement has been fully executed by the City, whichever occurs earlier.~~

(4) through (7) [No change in text.]

(f) through (g) [No change in text.]

(h) For any Fee Deferral Agreements that were entered into prior to \*\* [Note to City Clerk: fill in effective date of this ordinance], any liens resulting from the recordation of the Fee Deferral Agreement shall not be due or payable until a final inspection is requested.

#### **§142.0740 Outdoor Lighting Regulations**

(a) through (b) [No change in text.]

(c) General regulations that apply to all outdoor lighting:

(1) [No change in text.]

(2) Shields and flat lenses shall be required to control and direct the light below an imaginary horizontal plane passing through the

lowest point of the fixture, except for:

- (A) [No change in text.]
- (B) Outdoor lighting fixtures less than ~~4,050~~ 6,200 initial  
luminaire lumens, including landscape lighting and  
decorative lighting;
- (C) through (G) [No change in text.]

(3) through (7) [No change in text.]

(d) through (g) [No change in text.]

**§142.0801 Purpose of Refuse, Organic Waste, and Recyclable Materials Storage Regulations**

The purpose of these regulations is to provide permanent, adequate, and convenient space for the storage and ~~collection~~ collection of ~~refuse~~ refuse, organic waste, and recyclable material. The intent of these regulations is to encourage ~~recycling~~ recycling and composting of solid waste to reduce the amount of waste material entering landfills and to meet the ~~recycling~~ recycling and waste reduction goals established by the City Council and mandated by the ~~state~~ State of California.

**§142.0803 Definitions**

All defined terms in this Division appear in italics and are found in San Diego Municipal Code sections 66.0102 or 113.0103. In addition, whenever the following words or phrases are used in this Division, they mean:

Collection means to take physical possession of and remove *refuse, organic waste, or recyclable material* at the place of generation.

Organic waste means commingled yard trimmings, nonhazardous wood waste, food material, or food-soiled paper mixed with food material.

**§142.0805 When Refuse, Organic Waste, and Recyclable Materials Storage Regulations Apply**

~~Refuse~~ Refuse, organic waste, and recyclable materials ~~recyclable materials~~

storage shall be provided for the following types of *development* as indicated in

Table 142-08A:

- (a) ~~New residential *d*Development~~ projects involving two or more of a single dwelling units;
- (b) New residential development projects involving two or more dwelling units;
- (bc) New nonresidential *development*, or
- (ed) Additions to existing *multiple dwelling unit* residential; ~~commercial or industrial~~ existing nonresidential *development* where the *gross floor area* would be increased by 30 percent or more.

**Table 142-08A**

**Refuse, Organic Waste, and Recyclable Material Storage Regulations Applicability**

Type of <i>Development</i> Proposal	Applicable Regulations	Required Permit Type/Decision Process
<i>Development of a single dwelling unit</i>	<del>Exempt from this division</del> <u>Comply with the applicable Waste Management Regulation(s), and Sections 142.0810, and 142.0820, and 142.0831</u>	<del>Exempt from this division</del> <u>No permit required by this division</u>
New residential <i>development</i> involving two or more <i>dwelling units</i>	Sections 142.0810, <u>and 142.0820, and 142.0831</u>	No permit required by this division

Type of Development Proposal	Applicable Regulations	Required Permit Type/Decision Process
<del>New nonresidential</del> <u>New nonresidential development</u>	Sections 142.0810, <del>and</del> 142.0830, <u>and 142.0831</u>	No permit required by this division
Additions to existing <i>multiple dwelling unit</i> residential, <del>commercial, or industrial</del> <u>or existing nonresidential development</u> where the <i>gross floor area</i> would be increased by 30 percent or more	Sections 142.0810, 142.0820, <del>and</del> 142.0830, <u>and 142.0831</u>	No permit required by this division

### §142.0810 General Regulations for Refuse, Organic Waste, and Recyclable Material

#### Storage

New ~~residential~~ development as indicated in Section 142.0805 shall provide on-site areas for the storage of ~~refuse~~ refuse, organic waste, and recyclable material that meet the following standards:

- (a) [No change in text.]
- (b) Location of Material Storage Areas
  - (1) [No change in text.]
  - (2) Material storage areas may be located outside a *structure* in required rear *yards* or in required side *yards*. Exterior material storage areas shall ~~not be located in any front yard, street side yard, street yard area, parking area, landscaped area, or any other area required by the Municipal Code to be constructed or maintained unencumbered according to fire or other applicable building or public safety laws~~ onsite and be accessible to haulers from the public right-of-way. Exterior material storage areas shall not be located in any required landscape area.

~~(3) Material storage areas shall be accessible to occupants and haulers.~~

~~(4)~~(3) Premises served by an *alley* shall provide material storage areas that are directly accessible from the *alley*.

~~(5) One sign identifying the material storage area is required for each area and shall be posted on the exterior of the material storage area near the point of access. The maximum sign copy area permitted for each sign shall be one square foot.~~

~~(6)~~(4) For ~~commercial~~ nonresidential development on premises not served by an *alley*, material storage areas shall be located at least 25 feet from any *street* ~~or sidewalk~~.

(c) Screening of Material Storage Areas. -Material storage areas located outside any *structure* shall be *screened* with a minimum 6-foot-high solid *screening* enclosure that is designed to be architecturally consistent with the primary *structure*. ~~Refuse~~Refuse, organic waste, and recyclable material, and material storage containers shall not exceed the height of the solid *screening* enclosure.

(d) One sign identifying the material storage area is required for each area and shall be posted on the exterior of the material storage area near the point of access. The maximum sign copy area permitted for each sign shall be one square foot.

**§142.0820 Refuse, Organic Waste, and Recyclable Materials Storage Regulations for Residential Development**



Applicable residential *development* in accordance with Section 142.0805, shall provide interior and exterior ~~refuse~~refuse, organic waste, and recycling~~recyclable material~~ storage areas as specified below:

(a) Interior ~~Refuse~~Refuse, Organic Waste, and Recyclable Material Storage.

Each *dwelling unit* shall be equipped with an interior ~~refuse~~refuse, organic waste, and recyclable material storage area.

(b) Exterior ~~Refuse~~Refuse, Organic Waste, and Recyclable Material Storage.

Each *structure* that contains *dwelling units* shall provide at least one exterior refuse, organic waste, and recyclable material storage area. -The total exterior storage area requirement ~~is~~shall be based on the number of *dwelling units* in the *development* as shown in Table 142-08B and includes the sum of all residential material storage areas located outside of individual *dwelling units*.

(c) Alternative compliance via mechanical compactors or other comparable technology and/or via provision of private refuse and recyclable materials hauling scheduled to meet the specific needs of a development may be allowed ministerially during building plan review if it can be demonstrated that the alternative compliance accommodates the same or greater capacity than Table 142-08B requires.

**Table 142-08B**

**Minimum Exterior Refuse, Organic Waste, and Recyclable Material Storage Areas for Residential Development**

Number of Dwelling Units Per Development	Minimum Refuse Storage Area Per Development (Square Feet)	<u>Minimum Organic Waste Storage Area Per Development (Square Feet)</u>	<del>Minimum Recyclable Material</del> Recyclable Material Storage Area Per Development (Square Feet)	Total Minimum Storage Area Per Development (Square Feet)
<u>1</u>	<u>6.25</u>	<u>6.25</u>	<u>6.25</u>	<u>18.75</u>
2-6	12	<u>12</u>	12	<u>24</u> <u>36</u>
7-15	24	<u>24</u>	24	<u>48</u> <u>72</u>
16-25	48	<u>48</u>	48	<u>96</u> <u>144</u>
26-50	96	<u>96</u>	96	<u>192</u> <u>288</u>
51-75	144	<u>144</u>	144	<u>288</u> <u>432</u>
76-100	192	<u>192</u>	192	<u>384</u> <u>576</u>
101-125	240	<u>240</u>	240	<u>480</u> <u>720</u>
126-150	288	<u>288</u>	288	<u>576</u> <u>864</u>
151-175	336	<u>336</u>	336	<u>672</u> <u>1,008</u>
176-200	384	<u>384</u>	384	<u>768</u> <u>1,152</u>
201+	384 plus 48 square feet for every 25 <del>dwelling units</del> <i>dwelling units</i> above 201	<u>384 plus 48 square feet for every 25 <i>dwelling units</i> above 201</u>	384 plus 48 square feet for every 25 <del>dwelling units</del> <i>dwelling units</i> above 201	<u>768</u> <u>1,152</u> plus <u>96</u> <u>144</u> square feet for every 25 <del>dwelling units</del> <i>dwelling units</i> above 201

**§142.0830 Refuse, Organic Waste, and Recyclable Material Storage Regulations for Nonresidential Development and Mixed-Use Development**

- (a) Nonresidential Development. All new nonresidential *development*, or additions to existing ~~commercial or industrial nonresidential development~~ where the *gross floor area* would be increased by 30 percent or more, shall provide at least one exterior ~~refuse~~ refuse, organic waste, and recyclable material storage area for each building. -The total storage area requirement ~~is shall be~~ based on the *gross floor area* of the nonresidential buildings on the *premises*, as shown in Table 142-08C, and includes the sum of all nonresidential ~~refuse~~ refuse, organic waste, and recyclable material recyclable material storage areas.

- (b) Mixed-Use Development with Residential Uses. Where a *development* includes residential as part of a mixed-use project, the *development* shall provide ~~refuse~~ refuse, organic waste, and *recyclable material* storage for the residential portion of the project in accordance with Table 142-08B, in addition to the storage areas required by Table 142-08C for the nonresidential *development*.

**Table 142-08C**

**Minimum Exterior Refuse, Organic Waste, and Recyclable Material Storage Areas for Nonresidential Development**

Gross Floor Area Per Development (Square Feet)	Minimum Refuse Storage Area Per Development (Square Feet)	Minimum Recyclable Material Storage Area Per Development (Square Feet)	<u>Minimum Organic Waste Storage Area Per Development (Square Feet)</u>	Total Minimum Storage Area Per Development (Square Feet)
0-5,000	12	12	<u>12</u>	<del>24</del> <u>36</u>
<del>5,000</del> <u>5,001-10,000</u>	24	24	<u>24</u>	<del>48</del> <u>72</u>
10,001-25,000	48	48	<u>48</u>	<del>96</del> <u>144</u>
25,001-50,000	96	96	<u>96</u>	<del>192</del> <u>288</u>
50,001-75,000	144	144	<u>144</u>	<del>244</del> <u>432</u>
75,001-100,000	192	192	<u>192</u>	<del>384</del> <u>576</u>
100,001+	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	192 plus 48 square feet for every 25,000 square feet of building area above 100,001	<u>192 plus 48 square feet for every 25,000 square feet of building area above 100,001</u>	<del>384-576</del> plus <u>96</u> <u>144</u> square feet for every 25,000 square feet of building area above 100,001

**§142.0831**      **Refuse, Organic Waste, and Recyclable Material Storage of Construction and Demolition Debris**

Development shall provide on-site areas for the storage of refuse, organic waste, and recyclable material generated during construction and demolition activities as follows:

- (a) Size of Material Storage Areas. The size of required material storage areas shall be adequate to separately store all construction and demolition debris generated during the intervals between collection as set forth in section 142.0831(d).
- (b) Location of Material Storage Areas.  
Material storage areas shall be located on-site if possible, although permission to use the public right-of-way may be granted by the Development Services Department (or its successor) on a case-by-case basis, and the storage area shall be accessible to haulers from the public right-of-way.
- (c) Signage. One sign identifying the type of material storage area shall be required for each area. Each sign shall be posted on the exterior of the material storage area near the point of access.
- (d) Type of Material Storage Areas.

  - (1) For development up to 10,000 square feet of building space, one on-site material storage area for the segregated storage of refuse, organic waste, and recyclable material shall be provided.
  - (2) For development greater than 10,000 square feet, except in cases where the Director of the Environmental Services Department

determines that site conditions make it infeasible, the following two separate types of material storage areas shall be provided:

- (A) A separate on-site storage area for *construction and demolition debris* that includes concrete, asphalt, non-contaminated dirt, metal, wood, drywall, and cardboard;  
and
- (B) A separate on-site storage area for other types of *construction and demolition debris*, such as carpet and metal.

#### **§142.1304 Inclusionary Affordable Housing Requirements**

From July 1, 2020 through June 30, 2024, the requirements of subsections (a) and (b) of this Section 142.1304 shall be implemented incrementally as set forth in the Inclusionary Affordable Housing Implementation and Monitoring Procedures Manual on file with the San Diego Housing Commission (Procedures Manual). Effective July 1, 2024, all residential *development* subject to this Division shall include inclusionary *dwelling units* as follows:

- (a) through (d) [No change in text.]
- (e) *Development* of inclusionary *dwelling units* shall be subject to the following:
  - (1) [No change in text.]
  - (2) The inclusionary *dwelling units* shall be comparable in *bedroom* mix, design, and overall quality of construction to the market-rate *dwelling units* in the *development*, as determined by the San Diego

Housing Commission, except that the inclusionary *dwelling units* shall not be required to exceed three *bedrooms* per *dwelling unit*.

The square footage and interior features of the inclusionary *dwelling units* shall be good quality and consistent with current building standards for new housing in the City of San Diego. For purposes of calculating total *bedroom* count for inclusionary *dwelling units* on a different *premise* from the *development*, the applicant may provide different *bedroom* mixes to meet the total *dwelling unit* and *bedroom* count minimums as follows:

- (A) An affordable studio *dwelling unit* or a micro unit shall count as 60 percent of an affordable *bedroom*; and
- (B) An affordable single room occupancy unit shall count as 40 percent of an affordable *bedroom*; and
- (C) Any calculations resulting in fractional units shall round up to the next whole number.

(3) through (4) [No change in text.]

(f) through (h) [No change in text.]

#### **§143.0110 When Environmentally Sensitive Lands Regulations Apply**

This Division applies to all proposed *development* on a *premises* where *environmentally sensitive lands* are present. Outside the Coastal Overlay Zone, *development* on a *premises* that does not contain *environmentally sensitive lands* but is located adjacent to a *premises* that contains *environmentally sensitive lands*

is not subject to this Division, except that the *development* shall comply with Section 143.0110(d).

- (a) [No change in text.]
- (b) Table 143-01A identifies the appropriate development regulations, the required decision process, and the permitted uses applicable to various types of *development* proposals that propose to encroach into *environmentally sensitive lands* or that do not qualify for an exemption pursuant to Section 143.0110(c).
- (1) through (5) [No change in text.]

**Table 143-01A**

**Applicability of Environmentally Sensitive Lands Regulations**

<i>Environmentally Sensitive Lands Potentially Impacted by Project</i>						
Type of Development Proposal		Wetlands, listed species habitat <sup>(1)</sup>	Other Sensitive Biological Resources other than Wetlands and listed species habitat <sup>(6)</sup>	Steep Hill-sides <sup>(6)</sup>	Sensitive Coastal Bluffs and Coastal Beaches	Floodplains
1. through 9. [No change in text.]						
10. Lot Line Adjustments	<u>R</u>	<u>143.0141(a), (b)</u>	<u>143.0141</u>	<u>143.0142</u>	<u>143.0143, 143.0144</u>	<u>143.0145, 143.0146</u>
	<u>P</u>	<u>NDP/ Process Two</u>	<u>NDP/ Process Two</u>	<u>NDP/ Process Two</u>	<u>NDP/ Process Two</u>	<u>NDP/ Process Two</u>
	<u>U</u>	<u>143.0130(d), (e)</u>	<u>==</u>	<u>==</u>	<u>143.0130(a), (b)</u>	<u>143.0130(c)</u>

**Legend to Table 143-01A**

[No change in text.]

**Footnotes for Table 143-01A**

[No change in text.]

(c) through (e) [No change in text.]

**§143.0260 Deviations from the Historical Resource Regulations**

(a) through (b) [No change in text.]

(c) If a deviation for demolition or removal of a *designated historical resource* or a contributing *structure* within a *historical district* is approved, ~~the applicant shall obtain approval~~ a building permit application shall be deemed complete for a the new development on the same *premises* ~~before~~ prior to issuance of a Demolition/Removal Permit.

**§143.0720 Density Bonus in Exchange for Affordable Housing Units**

(a) through (k) [No change in text.]

(l) A *development* proposal requesting an affordable housing *density* bonus is subject to the following:

(1) through (8) [No change in text.]

(9) For micro-unit *development* that provides five or more *dwelling units*; meets the criteria in Sections 143.0720(c)(1), 143.0720(c)(2), 143.0720(d)(1), 143.0720(d)(2), 143.0720(d)(3), 143.0720(e), or 143.0720(f); provides an average of no more than 600 square feet per *dwelling unit* with no *dwelling unit* exceeding 800 square feet; with a portion of the *lot* located within a *Transit Priority Area*; and where the *premises* can be serviced by all required utilities, a *density* bonus of up to 100 percent of the pre-*density* bonus *dwelling units* shall be granted. The post-*density* bonus *dwelling units* shall be micro-units. For *development*



meeting the same criteria within the Centre City Planned District Ordinance, the *development* must comply with Section 156.0309(e)(1)(C).

(10) through (14) [No change in text.]

(m) through (n) [No change in text.]

**§143.0740 Incentives in Exchange for Affordable Housing Dwelling Units**

An *applicant* proposing *density* bonus shall be entitled to incentives as described in this Division for any *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission. The City shall process an incentive requested by an *applicant* as set forth in this Section.

(a) [No change in text.]

(b) Items not considered incentives by the City of San Diego include, but are not limited to, the following:

(1) A waiver of a required permit except as permitted by Sections 132.1202(b) and 132.1402(b);

(2) through (4) [No change in text.]

(c) An incentive requested as part of a *development* meeting the requirements of Section 143.0720 shall be processed according to the following:

(1) Upon an *applicant's* request, *development* that meets the applicable requirements of Section 143.0720 shall be entitled to incentives pursuant to Section 143.0740 unless the City makes a

written *finding* of denial based upon substantial evidence, of any of the following:

(A) through (B) [No change in text.]

(C) The incentive would be contrary to state or federal law.

~~Requested incentives shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no incentive shall be granted without such compliance; or~~

(D) [No change in text.]

~~(2) The granting of an incentive shall not require a General Plan amendment, zoning change, a *development permit*, or other discretionary approval.~~

~~(32)~~ When a *development permit* is otherwise required, the decision to deny a requested incentive shall be made by the decision maker for the *development permit*.

(d) through (f) [ No change in text.]

#### **Table 143-07A**

##### **Very Low Income Density Bonus Households**

[No change in text.]

#### **Table 143-07B**

##### **Low Income Density Bonus Households**

Percent <i>Low Income</i> Units	Percent <i>Density Bonus</i>	Number of Incentives
10	20	1

11	21.5	1
12	23	1
13	24.5	1
14	26	1
15	27.5	1
16	29	1
17	30.5	<del>4</del> <u>2</u>
18	32	<del>4</del> <u>2</u>
19	33.5	<del>4</del> <u>2</u>
20	35	2
21	38.75	2
22	42.5	2
23	46.25	2
<sup>3</sup> 24 – 29	50 <sup>1</sup>	<del>2</del> <u>3</u>
<sup>3</sup> 30	50 <sup>1</sup>	3
31 - 32	50 <sup>1</sup>	4
<sup>3</sup> 33	50 <sup>1</sup>	5

**Footnotes for Table 143-07B**

[No change in text.]

**Table 143-07C****Moderate Income Density Bonus  
Households**

[No change in text.]

**§143.0745 Locating Required Affordable Dwelling Units Off-site**

A *development* that complies with the Affordable Housing Regulations may provide all or a portion of the required affordable *dwelling units* off-site in accordance with the following:

- (a) through (b) [No change in text.]
- (c) At a minimum, the same number of affordable *dwelling units* required of the *development* must be provided, at the same affordability levels and the same total *bedroom* count as the *development*. The *applicant* may provide different *bedroom* mixes to meet the total *dwelling unit* and *bedroom* count minimums. For purposes of calculating total *bedroom* count, an affordable studio shall count as 60 percent of an affordable *bedroom* and an affordable single room occupancy unit shall count as 40 percent of an affordable *bedroom*. Any calculations resulting in fractional units shall round up to the next whole number.
- (d) through (f) [No change in text.]

**Chapter 14****Article 3: Supplemental Development Regulations****Division 10: Complete Communities Housing Solutions Regulations****§143.1001 Purpose, Intent, and Definitions**

- (a) [No change in text.]
- (b) Definitions. For purposes of this Division, the following definitions shall apply:
  - (1) [No change in text.]

- (2) FAR Tier 2 means any *premises* where any portion of the *premises* is located in a regional or subregional employment area, as identified in the General Plan Economic Prosperity Element, or within a one-mile radius of any university campus that includes a medical center and is within a *Transit Priority Area* that is located in ~~an area~~ a community planning area within Mobility Zone 3 as defined in Section 143.1103(a)(3) ~~as Mobility Zone 3~~.
- (3) FAR Tier 3 means any *premises* where any portion of the *premises* is located in an area located within a *Transit Priority Area* that is located in an area in ~~an area~~ a community planning area within Mobility Zone 3 as defined in Section 143.1103(a)(3) ~~as Mobility Zone 3~~.
- (4) FAR Tier 4 means any *premises* where any portion of the *premises* is located in an area located within a *Transit Priority Area* that is located in an in ~~an area~~ a community planning area within Mobility Zone 4 as defined in Section 143.1103(a)(4) ~~as Mobility Zone 4~~.
- (5) [No change in text.]

**§143.1002 Application of Complete Communities Housing Solutions Regulations**

- (a) through (b) [No change in text.]
- (c) The regulations in this Division may be utilized to add *gross floor area* to an existing *development* through the construction of additional *dwelling units*. The additional *gross floor area* allowed shall be determined as follows:

- (1) The additional *gross floor area* is determined by multiplying the remaining *lot area* (excluding existing landscaping, open space amenities and sidewalks), by the applicable *floor area ratio* in Section 143.1010(a).

The remaining *lot area* is the difference between the *lot coverage* of the existing *development* and the *lot area*.

- (2) [No change in text.]

- (d) [No change in text.]

- (e) The required number of affordable *dwelling units* shall be calculated in accordance with Section 143.1015 ~~based upon the number of *dwelling units* proposed in accordance with Sections 143.1002(e)(1) and 143.1002(e)(2).~~ For the purposes of calculating the required number of affordable dwelling units, all density calculations resulting in fractional units shall be rounded up to the next whole number. Existing covenant-restricted affordable *dwelling units* shall not be counted towards the affordable housing requirement in this Division.

- (f) [No change in text.]

**§143.1005 Required Replacement of Existing Affordable Units**

- (a) An *applicant* is ineligible for any incentive under this Division if the *premises* on which the *development* is proposed contains, or during the seven years preceding the application, contained, rental *dwelling units* that have had the rent restricted by law or covenant to persons and *families* of

~~moderate income~~, low income, or very low income, or have been occupied by persons and families of ~~moderate income~~, low income, or very low income, unless the proposed *development* replaces the affordable dwelling units, and either:

(1) through (2) [No change in text.]

(b) [No change in text.]

**§143.1010 Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities**

An *applicant* proposing *development* that is consistent with the criteria in Section 143.1002 shall be entitled to the following incentives:

(a) through (d) [No change in text.]

(e) Waiver of ~~the personal storage area requirement in Section 131.0454 and~~ the private exterior open space requirement in Section 131.0455 for all *dwelling units* in the *development* if at least 10 percent of the total *dwelling units* in the *development* are at least three bedroom dwelling units.

(f) [No change in text.]

(g) Waiver of Development Impact Fees for all covenant-restricted affordable *dwelling units* and all *dwelling units* that do not exceed 500 square feet, if the development provides a residential density that is at least 120 percent of the maximum permitted density of the applicable base zone(s) or Planned District.

(h) Waiver of the Neighborhood Enhancement Fee for *development* that meets the affordable housing requirements set forth by this Division and restricts

100 percent of the *dwelling units*, not including any managers units, to households earning no more than 50 percent of the area *median income*.

- (i) Use of up to five Affordable Housing Incentives. An *applicant* utilizing the regulations in this Division shall be entitled to incentives as described in Section 143.1010(i) for any *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission. The City shall process an incentive requested by an *applicant* in accordance with Section 143.1010(i).

(1) through (3) [No change in text.]

- (4) The number of incentives available are as follows:

- (A) [No change in text.]

- (B) Three incentives for a *development* that includes at least ~~40~~ 30 percent of the pre-density *dwelling units* for lower income households, with at least 20 percent reserved for *very low income* households.

- (C) Four incentives for a *development* in which at least ~~50~~ 40 percent of the covenant-restricted *dwelling units* are at least three *bedrooms*.

- (D) [No change in text.]

(j) through (k) [No change in text.]

#### **§143.1015 Required Provision of Affordable Dwelling Units**



- (a) In accordance with Section 143.1002(a)(1), an *applicant* requesting application of the regulations in this Division shall provide a written agreement to provide affordable *dwelling units*, entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission and secured by a deed of trust, that meets the following requirements:

(1) to (3) [No change in text.]

(4) As an alternative to the requirements 143.1015(a) (1)-(3), an *applicant* may provide at least 40 percent of rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under a *floor area ratio* bonus, for rent by *low income* households at a cost, including an allowance for utilities, that does not exceed 30 percent of 50 percent of the area *median income*, as adjusted for household size.

~~(4)~~(5) The number of required affordable *dwelling units* for *development* located in FAR Tier 1 shall be determined by multiplying the proposed number of *dwelling units* in the *development* ~~permitted~~ with the maximum base *floor area ratio*, illustrated in Figure H of the Centre City Planned District Ordinance, then dividing by the proposed floor area ratio of the *development* and multiplying, by the percentages of affordable *dwelling units* required in Section 143.1015(a)(1-~~23~~).

~~(5)(6)~~ For rental *dwelling units* to be counted as affordable and meet the requirements of this Division, the following qualifying criteria shall be met:

(A) and (B) [No change in text.]

(b) [No change in text.]

(c) Notwithstanding Section 143.1015(a), as an alternative to the requirements in Section 143.1015(a)(1)-(3), an applicant may instead provide 100 percent of the total *dwelling units*, not including any managers units, in the development for rent by low income households, including an allowance for utilities, that does not exceed 30 percent of 60 percent of the area median income, as adjusted for household size.

#### **§143.1020 Required Provision of Infrastructure Amenities**

In accordance with Section 143.1002(a)(2), an *applicant* requesting application of the regulations in this Division shall provide infrastructure amenities as follows:

(a) Neighborhood Enhancement Fund. All *developments* shall pay a fee to the “Neighborhood Enhancement Fund”, as established by City Council Resolution R-313282. ~~This fund shall be used for design, construction, or maintenance of neighborhood serving infrastructure amenities.~~

~~(1) The fee shall be set at \$9.00 per square foot of lot area. Structures over 95 feet in height shall pay an additional 25 percent of the established fee.~~

~~(2) The fees paid shall be divided with 50 percent of the fee invested in infrastructure improvements within the same community planning area as the development, and 50 percent of the fee~~

~~invested in infrastructure improvements within Communities of Concern, as determined by the City Manager, until it is defined in the City's General Plan.~~

- (b) Public promenade alternative. In lieu of the fee described in Section 143.1020(a), *development* on a *premises* of 25,000 square feet in area or larger with at least 200 linear feet of *street frontage* or a separately-owned parcel within the *Transit Priority Area* where the *development* is located and with an equivalent-sized *premises* of the *development* or larger with at least 200 linear feet of *street frontage*, may construct public amenities in the form of a public promenade.

(1) through (6) [No change in text.]

- (7) A promenade is a public open space that adjoins or is visible from a public *right-of-way* along the longest *street frontage*. The promenade shall meet the following standards and will be exempt from Council Policy 600-33.

(A) through (K) [No change in text.]

- (L) At least one of the following recreation amenities must be provided:

- (i) Playground equipment;
- (ii) Fitness circuit equipment;~~or~~
- (iii) Game equipment, such as a bocce ball court or an oversized chess set;<sub>2</sub>
- (iv) Basketball court (half or full court);

(v) Rock climbing wall; or

(vi) Skate Plaza.

(M) At least one of the following additional amenities must be provided:

(i) Water feature;

(ii) Recreational interactive Art installation; or

(iii) Food and beverage kiosk;

(iv) Parkour course;

(v) Pump track; or

(vi) Educational kiosk (at least four (4)).

(N) through (P) [No change in text.]

(8) [No change in text.]

#### **§143.1025 Supplemental Development Regulations**

*Development* utilizing the regulations in this Division must comply with the following Supplemental Development Regulations and may not utilize incentives or waivers provided in Section 143.1010(h) to deviate from the requirements in Section 143.1025.

(a) Pedestrian Circulation Space. All *development* shall include the following pedestrian circulation improvements:

(1) [No change in text.]

(2) Street Trees. At least one, 24-inch box canopy form tree is required for each 250 feet of street frontage on each side of the required sidewalk. The street frontage excludes curb cuts and

required clearances for designated bus stops. The trees shall be placed on each side of the sidewalk where feasible. The installed tree spacing, and location may be varied to accommodate site conditions or design considerations; however, the number of trees required shall be accommodated.

(3) through (4) [No change in text.]

(5) Each dwelling unit on the ground floor fronting a public right-of-way or a private drive shall have a separate ground floor entrance or path adjacent to the public right-of-way, or a private drive.

(b) through (c) [No change in text.]

(d) Buffer from Adjacent Freeways. *Development*, except for *development* within the Centre City Planned District, on a *premises* within ~~400~~50 feet of a freeway shall comply with the following:

(1) through (2) [No change in text.]

(e) through (f) [No change in text.]

#### **§143.1030 Division Inapplicability**

This Division shall be applicable and effective for all eligible premises located in all community planning areas except for those community planning areas that contain any portion of a Community of Concern the Division shall only be applicable and effective until the community planning areas has reached 80 percent of the housing capacity identified for the community planning area in the City's Adequate Sites Inventory in the General Plan Housing Element, as determined by the Planning Director or nine years from the effective date,

whichever is later, unless an extension is approved by a majority of the City Council.

#### **§143.1102 When Mobility Choices Regulations Apply**

The Mobility Choices Regulations apply to any *development* for which a Building Permit is issued, except:

- (a) through (d) [No change in text.]
- (e) *Development* located in Mobility Zone 1, except as otherwise required in Section 143.1103(d);
- (f) through (h) [No change in text.]

#### **§143.1103 Mobility Choices Requirements**

- (a) [No change in text.]
- (b) Except as provided in Section 143.1103(b)(5) or (b)(6), all *development* located within Mobility Zone 2 or Mobility Zone 3 shall provide VMT Reduction Measures in accordance with Land Development Manual, Appendix T as follows:
  - (1) through (5) [No change in text.]
  - (6) *Development* in Mobility Zone ~~3~~2 that provides more than the minimum parking required in Chapter 14, Article 2, Division 5 shall ~~not~~ be required to provide 8 points of VMT Reduction Measures in Section 143.1103(b)(2), but accordance with the Land Development Manual, Appendix T. For purposes of this section, the minimum required parking for multiple dwelling units specific to the Parking Standards Transit Priority Standards within

Sections 142.0525 and 142.0528 shall not apply, but shall rather be defined as set forth in Section 142.0525.

(7) Development in Mobility Zone 3 that provides more than the minimum parking required in Chapter 14, Article 2, Division 5 shall be required to provide 11 points of VMT reduction measures in accordance with the Land Development Manual, Appendix T or shall pay the Active Transportation In Lieu Fee referenced in Section 143.1103(c). For purposes of this subsection, the minimum required parking for *multiple dwelling units* in the Parking Standards Transit Priority Standards, Section 142.0528 shall not apply, but shall rather be defined as set forth in Section 142.0525.

(c) [No change in text.]

(d) Development in Mobility Zone 1 that provides more than the minimum parking required in Chapter 14, Article 2, Division 5 shall be required to provide 5 points of VMT reduction measures in accordance with the Land Development Manual, Appendix T. For purposes of this subsection, the minimum required parking for *multiple dwelling units* in Section 142.0528 shall not apply but shall rather be defined as set forth in Section 142.0525.

## **§156.0302 Definitions**

The following definitions apply to this Article. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this

Division or in Chapter 11, Article 3, Division 1 of the Land Development Code appears in the text in italicized letters.

*Active commercial uses* through *Floor plate* [No change in text.]

~~*Group living* means residential or institutional uses licensed by the State of California that provide supportive residential facilities to specified sections of the population.~~

*Greenway* means a *street* that enhances the pedestrian travel experience for people of all abilities, serves as a linear park, and that is identified as a “Proposed Greenway” in the Downtown Community Plan.

*Home occupations* through *Pedestrian entrance* [No change in text.]

~~*Performance Path* means a way to demonstrate that a *development* has exceeded the California Green Building Standards Code (CALGreen) by achieving a targeted level of performance in an existing voluntary green building rating system.~~

*PETCO Park* [No change in text.]

~~*Prescriptive Path* means a way to demonstrate that a *development* has improved performance in one or more green buildings options that exceed the California Green Building Standards Code (CALGreen) by selecting from a list of eligible program *Sustainability Indicators*.~~

*Private open space* through *Urban open space* [No change in text.]

#### **§156.0304 Administration and Permits**

(a) [No change in text.]

(b) Permit Required



The following permits are subject to the *development* review and permit procedures in this Article: Neighborhood Development Permits, Neighborhood Use Permits, Conditional Use Permits, Coastal Development Permits, Site Development Permits, Planned Development Permits, and Variances.

(1) through (2) [No change in text.].

(3) Building Permits for new *structures* that exceed \$20 million in value located along a *greenway* shall meet all of the following requirements, as applicable:

(A) For *development* located along 14th Street, *public improvements* consistent with the 14th Street Promenade Master Plan shall be provided.

(B) For *development* located along E Street, *public improvements* consistent with the E Street Greenway Master Plan shall be provided.

(C) For *development* located along any other *greenway* identified in the Downtown Community Plan, the following fronting *public improvements* shall be provided:

(i) Widening of the sidewalk to accommodate the *public improvements* identified in this Section 156.0304(b)(3)(C).

- (ii) A double-row of canopy *street* trees on each side of the sidewalk to the satisfaction of the Director of the Development Services Department.
- (iii) *Street* furniture on each segment of fronting *premises* , including at least two of the following: fixed seating; interactive wayfinding signs; bicycle racks; bicycle repair station; dog relief area; interactive artwork; interpretive elements; educational kiosk; or other design features to sit, rest or play, such as swings, seat walls, ledges, or seating steps.
- (iv) Pedestrian-scale lighting.
- (v) At least two of the following recreation amenities: play equipment; sensory play feature; fitness circuit equipment; dog run; or parkour course.
- (vi) Stormwater treatment features such as bioswales.
- (D) The *greenway* shall be privately-maintained and fully publicly-accessible in perpetuity, and the *applicant* shall obtain a Public Right-of-Way Permit and enter into an Encroachment Maintenance and Removal Agreement in accordance with Chapter 12, Article 9, Division 7.

- (E) Tenant improvements are exempt from the requirement to include public improvements along a greenway as described in Section 156.0304(b)(3).
- (F) The City Manager may waive the requirement to include public improvements along a Greenway as described in Section 156.0304(b)(3) if the installation of public improvements would create undesirable drainage or traffic or pedestrian circulation conditions, as determined by the City Engineer.
- (G) An applicant that provides a greenway in accordance with this Section shall either be exempt or partially exempt from the requirement to pay the Citywide Park Development Impact Fee as set forth in Section 142.0640(b)(6), or shall be eligible for an FAR Bonus of 2.0 to be added to the maximum Base FAR as set forth in Section 156.0309(e)(9). For purposes of this subsection, to be exempt or partially exempt from the requirement to pay the Citywide Park DIF, the requirements set forth in Section 142.0640(b)(6)(A)-(C) shall not apply.

~~(3)~~(4) All development in in the Centre City Planned District shall comply with and incorporate the ~~historical resources~~ mitigation measures listed in the Mitigation, Monitoring, and Reporting

Program (MMRP) listed as Appendix A in the Downtown  
Community Plan, as may be amended.

(c) through (d) [No change in text.]

#### **§156.0307 Land Use Districts**

Twelve land use districts, shown in Figure B, define geographic areas that are subject to specific land use classifications. In addition, twelve overlay districts, shown in Figures C, D, and F, establish areas where additional requirements apply. Permitted land use classifications within each land use district are shown on Table 156-0308-A. Specific requirements for minimum percentages of *active commercial uses* and commercial uses on the ground-floor along *street frontages* are provided

(a) [No change in text.]

(b) Overlay Districts

The following Overlay Districts apply as illustrated in Figures C, D, and F:

(1) through (5) [No change in text.]

(6) Employment Overlay (E). To ensure adequate opportunities for employment based commercial uses, at least 50 percent of the *gross floor area* within each *development* in this overlay district shall be dedicated to *employment uses* such as professional office, education, *cultural uses*, retail, *hotel*, or similar commercial uses. Residential uses in this district shall not exceed 50 percent of the *gross floor area* within any *development*. ~~The 50 percent~~

residential limitation may be exceeded through the Affordable Housing Regulations of Chapter 14, Article 3, Division 7.

*Development* approved through an *OPA* or *DDA* may phase *development* build-out, allowing non-employment phases to precede employment phases, subject to strict performance standards established by set timeframes for *employment use* construction plan completion, plan submittal, and other requirements to ensure timely completion. In order to meet the 50 percent *employment use* requirement, a *development* may not include any employment area for which building permits have been obtained and construction commenced before May 3, 2006. In the E District, existing *floor* area dedicated to *employment use* or similar commercial use shall not be converted to any non-*employment use*, unless at least one of the following conditions are met:

- (A) The *development* includes no less than 90 percent of the Base Maximum *floor area ratio* and a minimum of 70 percent of the ground-floor *street frontage* contains commercial uses as permitted in the base zone, of which up to 30 percent of the ground-floor *street frontage* may consist of *Shopkeeper Units* or *Live/Work Quarters*.
- (B) *Development* that converts existing *floor area* in an existing structure, regardless of the percentage of Base Maximum

floor area ratio, if the development provides either 5% very-low income, 10% low-income, or 15% moderate-income affordable units on-site in accordance with the criteria in Section 143.0720 (c) and (d). An expansion of the existing structure shall be allowed subject to all applicable regulations.

Multiple *developments* on adjoining individually owned *lots* may satisfy the requirements of this section through the recordation of a legal covenant in a form approved by the City Manager and the City Attorney. Uses appropriate for the E overlay are identified in Table 156-0308-A, under Employment Overlay.

(7) through (14) [No change in text.]

**§156.0308 Base District Use Regulations**

(a) [No change in text.]

(b) *Previously Conforming Land Uses and Structures*

Land uses and *structures* that were legally established under previous regulations but that do not conform to the land use regulations of this

Article may continue to exist and operate pursuant to Chapter 12,

Article 7, Division 1 of the Land Development Code, with the exceptions:

(1) [No change in text.]

(2) The *gross floor area of previously conforming uses and structures* may be expanded up to 100 percent of the existing *gross floor*

area of structures on the premises through a Process Two

Neighborhood Use Development Permit.

(3) [No change in text.]

<b>Table 156-0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS</b>															
<b>LEGEND:</b> P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required; MS = Main Street; CS = Commercial Street; E = Employment Overlay															
Use Categories/ Subcategories	C	NC	ER	BP	WM <sup>7</sup>	MC	RE	I <sup>7</sup>	T <sup>7</sup>	PC	OS	CC <sup>7</sup>	Additional Regulations	MS/CS & E Overlays	
<b>Public Park/ Plaza/Open Space</b>	P	P	P	P	P	P	P	P	P	P	P	P			
<b>Agriculture</b>	--	--	--	--	--	--	--	--	--	--	--	--			
<i>Community Gardens</i>	P	P	P	P	--	P	P	--	--	P	P	--	§141.0203		
<b>Residential<sup>1</sup></b>															
<i>Group Living Rooming House</i>	L	L	L	L	--	L	L	--	--	L	--	--	§131.0112(a)(3)		
<i>Multiple Dwelling Units</i> [No change in text.]	[No change in text.]														
<i>Shopkeeper Units</i> through Off-Site Alcohol Beverage Sales [No change in text.]	[No change in text.]														
<b>Commercial Services</b>															
Animal Grooming & Veterinary Offices through <i>Hotels</i> and <i>Motels</i> [No change in text.]	[No change in text.]														
<b>Separately Regulated Commercial Service Uses</b>															
<u>Boarding Kennels/Pet Day Care Facilities</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	=	=	<u>L</u>	=	=	§141.0604	CS, E
<u>Veterinary Clinics &amp; Animal Hospitals &amp; Kennels</u>	<u>N</u> <u>L</u>	-- <u>L</u>	<u>N</u> <u>L</u>	<u>N</u> <u>L</u>	--	<u>N</u> <u>L</u>	<u>N</u> <u>L</u>	--	--	--	--	--	§141.0604 (b)(1) §141.0625		CS, E
Assembly Uses, including Places of Religious Assembly	[No change in text.]														

through Temporary Construction Yards [No change in text.]														
<b>Industrial</b>														
<u>Artisan Food and Beverage Producer</u> <sup>12</sup>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	--	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>\$141.1001</u>	<u>CS, E</u>
Heavy Manufacturing	[No change in text.]													
Light Manufacturing	<u>—</u> <u>P</u>	--	<u>—</u> <u>P</u>	<u>—</u> <u>P</u>	P	<u>P</u>	--	<u>P</u>	<u>P</u>	--	--	--		
Marine Industry	[No change in text.]													
Research & Development	P	-- <u>P</u>	P	P	-- <u>P</u>	P	--	P	P	-- <u>P</u>	--	--		E
<del>Testing Labs</del>	-	-	-	—	-	-	-	-	-	-	-	-		
Trucking and Transportation Terminals through Temporary Uses and <i>Structures</i>	[No change in text.]													

**Footnotes for Table 156-0308-A**<sup>1</sup> through <sup>7</sup> [No change in text.]

<sup>8</sup> Structured parking facilities incorporated into a *development* as an *accessory use* or as part of a mixed-use development that contains at least 50 percent employment uses shall be permitted by right and do not require a Conditional Use Permit.

<sup>9</sup> through <sup>11</sup> [No change in text.]

<sup>12</sup> Accessory retail sales or commercial uses that are accessible to the general public are required along a minimum 25 percent of any street frontage.

**§156.0309 FAR Regulations and TDRs**

(a) through (d) [No change in text.]

(e) *FAR Bonuses*

*Development* may exceed the maximum *base FAR* for the site established

by Figure H if the *applicant* provides certain public benefits or

*development* amenities. Table 156-0309-A shows the maximum amount of



*FAR bonus* that may be earned by providing benefits or amenities, and Figure J shows the maximum *FAR bonus* that may be purchased for a site through the *FAR Payment Bonus Program* (exclusive of bonuses for affordable housing as described in Section 156.0309(e)(1)). *Applicants* utilizing the *FAR bonus* program shall have *CC&Rs* recorded on the property, ensuring that the benefits or amenities provided to earn the bonus are maintained in perpetuity, or in the case of affordable housing, for the duration specified in Section 156.0309(e)(1)(B)(iv). The public benefits and *development* amenities that may earn a *FAR bonus* are the following:

**TABLE 156-0309-A: FAR BONUS**

<b>TABLE 156-0309-A: FAR BONUS</b>	
Public Benefit/ <i>Development</i> Amenity	<i>FAR Bonus</i> (to be added to maximum <i>Base FAR</i> )
Affordable Housing	See (1) below
<i>Urban Open Space</i> 10% of site 20% of site	See (2) below 1.0 2.0
Three-bedroom units	5% of total units 0.5/1.0 – See (3) below 10% of total units 1.0/2.0 – See (3) below
<i>Eco-Roofs</i>	Up to 1.0 – See (4) below
<i>Employment Uses</i>	See (5) below
Public Parking	See (6) below
<i>FAR Payment Bonus Program</i>	See (7) below and Figure J
Green Building	Up to 2.0 – See (8) below
<u><i>Public Improvements along a Greenway</i></u>	<u>2.0 (See 156.0309(e)(9))</u>

- (1) Affordable Housing. An *applicant* proposing a residential *development* that is entitled to a *density* bonus pursuant to the

Affordable Housing Regulations (AHR), Chapter 14, Article 3, Division 7 of the Land Development Code, may increase the permitted *FAR* as specified below.

~~In compliance with the State Density Bonus Law (California Government Code Section 65915), applicants may earn FAR bonus subject to the following:~~

- (A) *Development* utilizing the *density* bonus provisions of Tables 143.07A, 143.07B, and 143.07C of ~~Chapter 14, Article 3, Division 7~~ the AHR shall be entitled to a percent *FAR bonus* equivalent to the percent *density* bonus cited in these tables subject to meeting all other provisions of ~~Chapter 14, Article 3, Division 7~~ the AHR.
- (B) *Development* may provide either rental or for-sale affordable *dwelling units*, regardless of whether the market rate *dwelling units* within the *development* are for rent or sale. *Development* under these provisions shall be subject to the following requirements in addition to those in ~~Chapter 14, Article 3, Division 7~~ the AHR:
  - (i) The permitted *FAR* for a *development* containing affordable housing shall be calculated as follows:  
 Permitted *FAR* equals Pre-AHR bonus *FAR* minus the non-residential ~~FAR~~ FAR, then multiplied by the

AHR bonus percentage, then that total is added to the Pre-AHR bonus *FAR*.

For the purposes of the above calculation:

Pre-AHR bonus *FAR* means the Maximum *Base FAR* found in Figure H plus any additional *bonus FAR* permitted in Figure K earned through Section 156.0309(e) and Section 156.0309(g).

AHR bonus percentage means the percentage bonus for affordable housing found in Tables 143-07A, 143-07B, and 143-07C in the ~~Affordable Housing Regulations~~ (AHR).

- (ii) The number of required affordable *dwelling units* in a *development* utilizing the ~~Affordable Housing Regulations in Chapter 14, Article 3, Division 7~~ AHR is calculated as follows:

Number of required affordable *dwelling units* equals Pre-AHR bonus *FAR* minus the non-residential *FAR*, then divided by the *development's* proposed residential *FAR*, then multiplied by the number of proposed *dwelling units* in the *development*, then multiplied by the AHR bonus percentage.

- (iii) through (iv) [No change in text.]

- (2) through (4) [No change in text.]

(5) *Employment Uses.* To encourage the *development of employment uses* in the Centre City Planned District, a *FAR bonus* may be earned for the provision of *employment uses* within the *development*. In the Employment Overlay District, *development* containing 100 percent *employment uses*, excluding *hotel/motel* uses, may increase their *FAR* by the maximum *FAR* illustrated on Figure L. In all other areas of the Centre City Planned District, any *development* that contains at least 50 percent excluding *hotel/motel* uses, may increase their maximum *FAR* to the maximum *FAR* illustrated in Figure L and may utilize the *development* regulations within the Large Floorplate Overlay District.

(6) through (7) [No change in text.]

~~(8) *Green Building.* The Centre City Green (CCG) Building Incentive Program awards *development* incentives for buildings that exceed the California Green Building Standards Code (CALGreen). Two different paths to earn an *FAR bonus* are available to *applicants* as:~~

(8) ~~(A)~~ *Performance Path.* The *Performance Path* allows ~~*applicants* to~~ Sustainable Building. *Development* that demonstrates a high level of building sustainability by achieving a targeted level of performance in an existing voluntary green building rating system. Approved rating systems include may qualify for a *FAR bonus* of 1.0 or 2.0, subject to the following criteria:

(A) (i) California Green Building Standard Code  
(CALGreen) Tier I & II: As adopted by the State of California, CALGreen includes voluntary performance tiers. Development that complies with CALGreen Tier II is a higher level of performance than Tier I may earn a FAR bonus of 1.0.

(B) (ii) LEED®: The US Green Building Council (USGBC) manages LEED® Core & Shell and LEED® for new construction. Development that achieves LEED® Silver certification may earn a FAR bonus of 1.0 and development that achieves a LEED® Gold or higher certification may earn a FAR bonus of 2.0.

(B) Prescriptive Path allows applicants to select from a menu of green building options that improve performance in one or more CCG Sustainability Indicators. Each prescriptive measure is assigned a point value that represents the extent of impacts to the CCG Sustainability Indicators. Incentives earned depend upon the combined point total of the measures selected by the applicant. For specific details about the green building options, see the CCG Submittal Manual adopted by the former Centre City Development Corporation Board on July 27, 2011 on file in the

office of the City Clerk as Document No. ~~OO-20117.~~

Performance levels determine the extent of *FAR bonuses* and are based on total points earned within the *Performance Path* or *Prescriptive Path*. The *FAR Bonus* for both the *Prescriptive* and *Performance Paths* are summarized in Table 156-0309-C.

<b>Table 156-0309-C: GREEN BUILDING FAR BONUS</b>			
<b>Performance Level</b>	<b><i>Prescriptive Path</i> Requirements</b>	<b><i>Performance Path</i> Requirements</b>	<b><i>FAR Bonus</i></b>
<b>High Performance Green</b>	45-59 CCG Points	CALGreen Tier 2 or LEED® Silver	1.0
<b>Signature Green</b>	60+ CCG Points	LEED® Gold or higher	2.0

~~(C)~~ To qualify for incentives, an *applicant* must select either the *Prescriptive* or *Performance Path* (Paths cannot be combined) at the time of *development* application and complete the steps as outlined in the CCG Submittal Manual.

~~(DC)~~ CC&Rs shall be recorded on the property providing for the *development* and perpetual maintenance of all measures that are identified to earn a *FAR Bonus*. These provisions of the CC&Rs shall be approved by the City Manager and the City Attorney's Office.

~~(ED)~~ All vegetation that is an integral part of a selected path must be maintained in perpetuity.

(FE) If an *applicant* applies for an extension of time under Section 156.0304(e)(1)(F), the *development* shall be subject to all applicable provisions of Section 156.0309(e)(8) at the time the application for the extension is filed.

(GF) *LEED*® Certification Performance Guarantee.  
*Applicants* requesting an *FAR Bonus* who propose to utilize ~~the Performance Path through~~ *LEED*® certification shall, prior to issuance of any building permits, provide a financial surety, deposit, or other suitable guarantee approved by the City Manager and the City Attorney's Office to ensure that the *applicant* completes the *LEED*® certification for the *development* as proposed to obtain an *FAR Bonus* under this Section.

*LEED*® certification must be demonstrated through an independent report provided by the USGBC that confirms achievement of a *LEED*® Silver or Gold (or higher) level of performance. The financial surety, deposit, or other suitable guarantee shall be in an amount equivalent to the value which would be required to purchase an equivalent amount of *FAR* under the *FAR* Payment Bonus Program, including any subsequent amendments in effect at the time of the *development* permit application. Within 180 days of

receiving the final Certificate of Occupancy for a *development*, the *applicant* shall submit documentation that demonstrates achievement of the applicable *LEED*® rating as proposed under this Section.

If the *applicant* fails to submit a timely report or demonstrate *LEED*® certification, payment shall be deducted against the financial security, deposit, or other suitable guarantee and deposited in the *FAR Bonus* Fund established under the *FAR* Payment Bonus Program. The amount of payment shall be calculated according to the following formula:

$$P = FAR \$ \times ((LCP - CPE) / LCP)$$

P = the payment amount which shall be paid to the *FAR Bonus* Fund

*FAR* \$ = the amount of money which would be required to purchase *FAR* under the *FAR* Payment Bonus Program

LCP = *LEED*® Certification Points needed to achieve the proposed *LEED*® certification level (Silver or Gold)

CPE = *LEED*® Certification Points actually earned by the *development* as certified by the USGBC

All funds provided by the *applicant* for the *LEED*® certification surety, deposit, or other suitable guarantee that are not paid to the *FAR Bonus* Fund shall be refunded to the *applicant*. In the event that the *applicant* submits a timely report and demonstrates the necessary level of



*LEED*® certification for the *applicant's* desired *FAR Bonus*, the entire amount of the surety, deposit, or other suitable guarantee shall be refunded to the *applicant*.

- (9) *Greenways. Development that includes public improvements consistent with Section 156.0304(b)(3)(D), shall be entitled to an FAR Bonus of 2.0.*

(f) Exemptions from *FAR* Calculations

The following exemptions apply to the calculations for *FAR*:

- (1) *Historical Buildings.* ~~Any~~ The floor area within the historic building envelope of any designated historical resource shall not be counted as gross floor area for the purposes of calculating the FAR for the development, if the designated historical resource is preserved, rehabilitated, restored, or reconstructed-modified and the development results in no more than minor alterations to the designated historical resource consistent with the Secretary of the Interior's Standards and Guidelines, or the development is approved through the Site Development Permit or Neighborhood Development Permit procedures, in accordance with Chapters 11 through 14, Article 3, Division 2 of the Land Development Code. The floor area within the historic building envelope may also be exempted from the FAR calculations if the designated historic resource is reconstructed consistent with the Secretary of the Interior's Standards and Guidelines as part of the development.

(2) through (5) [No change in text.]

(g) [No change in text.]

### **§156.0310 Development Regulations**

(a) through (f) [No change in text.]

(g) Residential *Development* Requirements

The following standards apply to residential *developments* that contain fifty or more *dwelling units*:

(1) through (2) [No change in text.]

(3) *Private Open Space*. At least 50 percent of all *dwelling units* shall provide *private open space* on a balcony, patio, or roof terrace, with a minimum area of 40 square feet each and an average horizontal dimension of 6 feet in depth and width. Balconies should be proportionately distributed throughout the *development* in relationship to *floor* levels and sizes of units. *Living unit developments* are exempt from this requirement.

(4) through (5) [No change in text.]

(6) Commercial buildings that have been used for commercial uses for at least five years may be converted to residential without meeting the requirements listed in Section 156.0310(g)(1) through (6) above.

(h) through (i) [No change in text.]

### **§156.0313 Parking, Loading, Traffic and Transportation Demand Management Standards**

(a) Residential *Off-Street Parking* Space Requirements.

The parking requirements in Table 156-0313-A and Section 156.0313(a) shall apply to residential uses. *Reasonable accommodations* to the parking requirements shall be granted if necessary to afford *disabled persons* equal housing opportunities under state or federal law, in accordance with Section 131.0466.

**TABLE 156-0313-A**

**RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS**

[No change in text.]

(1) through (2) [No change in text.]

(3) Maximum Parking. *Off-street parking spaces* in tandem or within a mechanical automobile lift are not counted as additional *off-street parking space*. A development may exceed the maximum *off-street parking spaces* identified in Table 156-0313-A ~~if all of the following apply~~ subject to all of the following provisions:

(A) The *development floor area ratio* is no less than 80 percent of the base maximum *floor area ratio*; and

(B) [No change in text.]

(C) The *development* provides transportation amenities in accordance with ~~Section 142.0528(e)~~ Land Development Manual Appendix Q worth at least four points; and

(D) All *off-street parking spaces* that exceed the allowed maximum shall be within an underground parking garage on the same *premises*; and

(E) The *development* shall pay the Active Transportation In Lieu Fee referenced in Section 143.1103(c).

(b) through (n) [No change in text.]

**§156.0315 Separately Regulated Uses**

(a) through (f) [No change in text.]

(g) *Living Units*

*Living unit developments* are permitted in the zones indicated in Table 156-0308-A subject to the following regulations:

(1) through (10) [No change in text.]

(11) Each *living unit* occupancy and rent, exclusive of the manager's unit or units, shall be restricted to those persons with household income at or below 80 percent of area median income as published by the California Department of Housing and Community Development for San Diego County, as adjusted for a one-person household. The *development* owner shall enter into an agreement with the City of San Diego Housing Commission for the review and enforcement of such restrictions for a period of at least 55 years.

(12) through (13) [No change in text.]

(h) through (k) [No change in text.]

**Chapter 15: Planned Districts**

**Article 7: Gaslamp Planned District**

**Division 3: Zoning and Subdistricts**

**§157.0304 Permitted Uses**

Notwithstanding the uses allowed in Chapter 15, Article 1, Divisions 1 and 4, no building or improvement or portion thereof shall be used except as permitted by this Division. Permitted ground floor uses in the Gaslamp Quarter Planned District are limited to active commercial uses such as restaurants and retail of consumer goods and services. No single user or business shall occupy more than 10,000 square feet on the ground floor of a building except as provided in Section 157.0305(d).

**(a) Permitted Uses on Any Floor of a Building Retail**

Retail of consumer convenience goods and dispensing of consumer services from the following establishments located on any floor of a building:

(1) through (17) [No change in text.]

(18) entertainment centers, either freestanding or operating in conjunction with any other permitted use, ~~which utilize electronic or mechanical games of skill or amusement not to exceed five (5) devices;~~

(19) through (53) [No change in text.]

(b) through (f) [No change in text.]

**Article 10: La Jolla Shores Planned District****Division 1: General Rules****§1510.0107 Applicable Regulations**

- (a) Where not otherwise specified in the La Jolla Shores Planned District, the following provisions of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13, (Zones);

Chapter 14, Article 2, Division 1 (Grading Regulations);

Chapter 14, Article 2, Division 2 (Drainage Regulations);

Chapter 14, Article 2, Division 3 (Fence Regulations);

Chapter 14, Article 2, Division 5 (Parking Regulations);

Chapter 14, Article 2, Division 6 (Public Facility Regulations);

Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations).

- (b) [No change in text.]

## **Article 10: La Jolla Shores Planned District**

### **Division 3: Zones**

#### **§1510.0301 General Design Regulations**

Concurrent with the adoption of the La Jolla Shores Planned District Ordinance, the City Council adopted architectural and design standards, by resolution, to be

used in evaluating the appropriateness of any development for which a permit is applied under the La Jolla Shores Planned District Ordinance; such architectural and design standards ~~shall be~~ has been filed in the office of the City Clerk as a numbered document, San Diego Resolution 210627 adopting the La Jolla Shores Design Manual intended to provide design guidelines for the La Jolla Shores Planned District, a copy of which is filed in the office of the City Clerk as Document No. 747629.

(a) through (d) [No change in text.]

**§1510.0304 Single Family Zone-Development Regulations**

(a) through (h) [No change in text.]

(i) Maximum Floor Area Ratio

(1) Floor Area Ratio for the Single-Family Zones

(A) The maximum permitted *floor area ratio* is based on the lot area in accordance with Table 131-04J:

**Table 131-04J**

<u>Lot Area (square feet)</u>	<u>Floor Area Ratio</u>
<u>3,000 and less</u>	<u>0.70</u>
<u>3,001 - 4,000</u>	<u>0.65</u>
<u>4,001 - 5,000</u>	<u>0.60</u>
<u>5,001 - 6,000</u>	<u>0.59</u>
<u>6,001 - 7,000</u>	<u>0.58</u>
<u>7,001 - 8,000</u>	<u>0.57</u>
<u>8,001 - 9,000</u>	<u>0.56</u>
<u>9,001 - 10,000</u>	<u>0.55</u>
<u>10,001 - 11,000</u>	<u>0.54</u>

<u>Lot Area</u> <u>(square feet)</u>	<u>Floor Area Ratio</u>
<u>11,001 - 12,000</u>	<u>0.53</u>
<u>12,001 - 13,000</u>	<u>0.52</u>
<u>13,001 - 14,000</u>	<u>0.51</u>
<u>14,001 - 15,000</u>	<u>0.50</u>
<u>15,001 - 16,000</u>	<u>0.49</u>
<u>16,001 - 17,000</u>	<u>0.48</u>
<u>17,001 - 18,000</u>	<u>0.47</u>
<u>18,001 - 19,000</u>	<u>0.46</u>
<u>19,001 and greater</u>	<u>0.45</u>

(B) For lots that exceed the minimum lot area required by the applicable zone and where more than 50 percent of the lot area contains steep hillsides, the maximum permitted floor area ratio shall be based on the following:

- (i) The area of the site not containing steep hillsides or the minimum lot area required by the applicable zone, whichever is greater; plus
- (ii) 25 percent of the remaining lot area not included in (i), above.

#### **§1516.0107 Administration and Permits**

(a) through (c) [No change in text.]

**Table 1516-01A**  
**Type of Development Proposal and Applicable Regulations**

	<b>Type of Development Proposal</b>	<b>Applicable Sections</b>	<b>Required Permit /Decision Process</b>



1.	[No change in text.]	[No change in text.]	[No change in text.]
2.	[No change in text.]	[No change in text.]	[No change in text.]
<u>3.</u>	<ul style="list-style-type: none"> <li><u>Signs</u></li> </ul>	<u>1516.0139, 1516.0140, and Appendix E</u>	<u>Sign Permit/Process One</u>
<u>34.</u>	[No change in text.]	[No change in text.]	[No change in text.]

	Type of Development Proposal	Applicable Sections	Required Permit /Decision Process
<u>45.</u>	<ul style="list-style-type: none"> <li>• New construction of any building or primary structure</li> <li>• New construction of any habitable accessory structure</li> <li>• New construction of any non-habitable accessory structure that exceeds 100 square feet in gross floor area</li> <li>• New construction of any non-habitable accessory structure that would be visible from the public right-of-way</li> <li>• <del>Signs</del></li> <li>• Walls or fences</li> <li>• Any addition to or alteration of any non-historical structure which is <i>major in scope</i></li> </ul>	1516.0124, 1516.0125, 1516.0126, 1516.0127, 1516.0128, 1516.0130-1516.0140 <u>38</u> , Appendix A, Appendix B, Appendix C, Appendix D, <del>Appendix E</del> , and Appendix F	Neighborhood Development Permit (NDP)/Process Two
<u>56</u>	[No change in text.]	[No change in text.]	[No change in text.]
<u>67</u>	[No change in text.]	[No change in text.]	[No change in text.]

**§1516.0139 Sign Requirements**

(a) through (c) [No change in text.]

(d) Permit Application Requirements

(1) All proposed signs, except *temporary signs* and *business operations signs*, require a ~~Neighborhood Development Permit Sign~~  
Permit (Process ~~Two~~One).

(2) [No change in text.]

(e) through (n) [No change in text.]

**Table 1516-01H**

[No change in text.]

**Footnote for Table 1516-01H**

[No change in text.]

(d) through (l) [No change in text.]

LNH:cm  
September 15, 2021  
Or.Dept: Planning  
Doc. No.: 2782915

**STRIKEOUT ORDINANCE****OLD LANGUAGE:** ~~Struck-Out~~**NEW LANGUAGE:** Double Underline

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING SAN DIEGO MUNICIPAL CODE CHAPTER 12, ARTICLE 9, DIVISION 7, SECTION 129.0710 AND CHAPTER 14, ARTICLE 1, DIVISION 4, SECTION 141.0420 RELATING TO MINISTERIAL APPROVAL OF CONSTRUCTION OF CERTAIN EQUIPMENT IN PUBLIC RIGHT-OF-WAY.

**§129.0710 How to Apply for a Public Right-of-Way Permit**

An application for a Public Right-of-Way Permit shall be submitted in accordance with Sections 112.0102 and 129.0105. The submittal requirements for Public Right-of-Way Permits are listed in the Land Development Manual. A *development permit* is required prior to issuance of a Public Right-of-Way Permit for the following:

- (a) If the proposed *encroachment* involves construction of a privately-owned *structure* or facility into the *public right-of-way* dedicated for a *street* or an *alley*, and where the *applicant* is the *record owner* of the underlying fee title, a Neighborhood Development Permit is required in accordance with Section 126.0402(j) except for the following, which are subject to approval by the City Engineer in accordance with Process One:
  - (1) through (9) [No change in text.]

(10) Encroachment of equipment into the *public right-of-way* by *applicants* for the fiber optic or *wireless communication facility* industries that can demonstrate installation of equipment cannot be undergrounded, as verified by the City Engineer or designee. The equipment shall not exceed 3 feet above the finished *grade* of the curb line and greater than 4 feet in diameter.

(b) If the proposed *encroachment* is erected, placed, constructed, established or maintained in the *public right-of-way* when the *applicant* is not the *record owner* of the property on which the *encroachment* will be located, a Site Development Permit is required in accordance with Section 126.0502(d)(6), except for the following:

(1) through (5) [No change in text.]

(6) Encroachment of equipment into the *public right-of-way* by *applicants* for the fiber optic or *wireless communication facility* industries that can demonstrate installation of equipment cannot be undergrounded, as verified by the City Engineer or designee. The equipment shall not exceed 3 feet above the finished *grade* of the curb line and greater than 4 feet in diameter.

(c) through (d) [No change in text.]

#### **§141.0420 Wireless Communication Facilities**

*Wireless communication facilities* shall comply with the approval process set forth in Section 141.0420(a) through (c) as applicable to the *development*. All *wireless communication facilities* are subject to the general regulations in Section

141.0420(d), the general design requirements in Section 141.0420(e) and the *Wireless Communication Facilities* Guidelines in the Land Development Manual. Section 141.0420 does not apply to amateur (HAM) radio communication facilities.

(a) Limited Use Regulations

*Wireless communication facilities* are permitted as a limited use decided in accordance with Process One as follows:

(1) through (4) [No change in text.]

(5) Ground-mounted equipment other than a pole to which *wireless communication facility* is attached meeting the requirements in sections 129.0710(a)(10) and 129.0710(b)(6) located in the *public right-of-way*.

(b) [No change in text.]

(c) Conditional Use Permit Regulations

*Wireless communication facilities* may be permitted with a Conditional Use Permit as follows:

(1) Decided in accordance with Process Three, where the *development* meets the following locational criteria:

(A) [No change in text.]

(B) In the *public right-of-way* with ground-mounted equipment exceeding 3 feet above the finished *grade* of the curb line and greater than 4 feet in diameter; other than a pole to which the *wireless communication facility* is attached.

(2) [No change in text.]

(d) through (g) [No change in text.]

LNH:cm  
September 15, 2021  
Or.Dept: Planning  
Doc. No.: 2760940

DRAFT



## THE CITY OF SAN DIEGO

### M E M O R A N D U M

DATE: October 18, 2021

TO: Renee Mezo, Development Project Manager III, Planning Department

FROM: Elena Pascual, Associate Planner, Planning Department

SUBJECT: 2021 Land Development Code Update – CEQA Guidelines Section 15162 Evaluation

---

The Environmental Policy Section of the Planning Department has completed a California Environmental Quality Act (CEQA) Guidelines Section 15162 consistency evaluation in compliance with Public Resources Code Section 21166 for the 2021 Land Development Code (LDC) Update (“Project”). This evaluation was performed to determine if conditions specified in CEQA Guidelines Section 15162 would require preparation of a subsequent Environmental Impact Report (EIR) or subsequent negative declaration (ND) for the project.

As outlined in this memo, the Planning Department has determined that the Project is consistent with the following certified environmental documents:

1. Final Environmental Impact Report (EIR) for the Land Development Code (DEP No. 96-033/SCH No. 1996081056) certified by the San Diego City Council on November 18, 1997 (Resolution R-289458);
2. Final Program EIR (PEIR) for the General Plan (Project No. 104495/SCH No. 2006091032) certified by the San Diego City Council on March 10, 2008 (Resolution R-313099);
3. Addendum to the General Plan PEIR for the Housing Element Update (SCH No. 2006091032) certified by the San Diego City Council on June 18, 2020 (Resolution R-313099);
4. Addendum to the General Plan PEIR for the Recreation Element Update (SCH No. 2006091032 ) certified by the San Diego City Council on August 3, 2021 (Resolution R-313685);
5. Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (SCH No. 2019060003) certified by the San Diego City Council on November 9, 2020 (Resolution R-313279);
6. Final EIR for the Downtown Community Plan (SCH No. 2003041001) certified by the former Redevelopment Agency and San Diego City Council on March 14, 2006 (Resolution No. R-04001 and R-301265, respectively);
7. Final Supplemental EIR (SEIR) for the Downtown San Diego Mobility Plan (SCH No. 2014121002) certified by the San Diego City Council on July 6, 2016 (Resolution R-310561); and
8. Final PEIR for the Climate Action Plan (Project No. 416603/SCH No. 2015021053) certified by the San Diego City Council on December 15, 2015 (Resolution R-310176).



Implementation of the Project would not result in new or more severe significant impacts over and above those disclosed in the previously certified environmental documents.

### **Background**

The LDC provides the City's regulations for the development and use of property within the City of San Diego and provides information on zoning, subdivisions, grading and other related land use activities. The LDC consolidated development regulations into a sequence of chapters of the San Diego Municipal Code (Chapters 11-15) to simplify the City's land development regulations; make the land development regulations more objective; make the code more adaptable; eliminate redundancies and contradictions; standardize the code framework; and increase predictability in the application of land development regulations.

### **Project Scope and Description**

The 2021 Code Update include 35 issue items, which are separated into three categories: corrections/clarifications, regulatory reforms, and compliance with state law. The topics of the amendments relate to the following areas of the Land Development Code: Housing and Housing Incentives, Environmentally Sensitive Lands, Noticing, Building Heights, Development Impact Fees, Refuse Regulations, La Jolla Shores, Centre City and Old Town Planned Districts, Childcare Facilities, Artisan Food uses, Incompatible uses, Community Gardens, Parking/Mobility, Outdoor lighting, and Fiber Optics. The proposed amendments streamline regulatory requirements, reduce constraints, and provide additional incentives to increase the supply of housing. Table 1 (CEQA Guidelines Section 15162 Consistency Evaluation Matrix) provides a description of the proposed amendments.

### **Previously Certified CEQA Documents**

#### *Final EIR for the LDC (1997)*

The LDC EIR analyzed the environmental effects associated with adoption and implementation of the proposed LDC, related regulations, amendments, and appeals. The LDC EIR identified significant unmitigated impacts in the following issue areas: Land Use, Biological Resources, Landform Alteration, Historical Resources, Paleontological Resources, and Human Health and Public Safety. Cumulative impacts were also identified to Soils/Erosion Hazard, Air Quality, Hydrology/Water Quality, Biological Resources, Land Use, Transportation/Circulation, Landform Alteration, Historical Resources, and Paleontological Resources. A Mitigation Monitoring and Reporting Program (MMRP) was adopted with the LDC EIR to reduce potentially significant impacts to Land Use, Biological Resources, Historical Resources, Landform Alteration/Neighborhood Character, Paleontological Resources, Natural Resources, and Human Health and Safety.

#### *Final PEIR for the General Plan (2008), Addendum to the General Plan PEIR for the Housing Element Update (2020), and Addendum to the General Plan PEIR for the Recreation Element Update (2021)*

The Final PEIR for the General Plan found that, although significant impacts could be mitigated through a review of discretionary projects, implementation of the General Plan would result in significant and unavoidable impacts to Agricultural Resources, Air Quality, Biological Resources, Geologic Conditions, Health and Safety, Historic Resources, Hydrology, Land Use, Mineral Resources, Noise, Paleontological Resources, Population and Housing, Public Facilities, Public Utilities, Transportation/Traffic/Circulation/Parking, Visual Effects and Neighborhood Character, and Water Quality as site-specific details of future development projects are unknown at this time. An MMRP was adopted with the General Plan Final PEIR to reduce

Page 3  
 Renee Mezo, Planning Department  
 October 18, 2021

potentially significant impacts.

The Addenda to the General Plan for the Housing Element Update and the Recreation Element Update found that implementation of the Housing Element Update and the Recreation Element Update would not result in new or more severe significant impacts than what was previously analyzed in the Final PEIR for the General Plan.

*Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (2020)*

The Final PEIR for Complete Communities: Housing Solutions and Mobility Choices found that implementation of the project would result in significant and unavoidable impacts to Air Quality; Biological Resources; Historical, Archaeological, and Tribal Cultural Resources; Hydrology and Water Quality; Noise; Public Services and Facilities; Transportation; Public Utilities and Infrastructure; Wildfire; and Visual Effects and Neighborhood Character.

*Final EIR for the Downtown Community Plan (2006) and Final SEIR for the Downtown San Diego Mobility Plan (2016)*

The Final EIR for the Downtown Community Plan identified significant and unavoidable impacts related to Air Quality, Historical Resources, Land Use, Noise, Traffic and Circulation, Visual Quality, and Water Quality. The 2016 Final Supplemental EIR for the Downtown San Diego Mobility Plan found that implementation of the Downtown San Diego Mobility Plan would result in significant and unavoidable impacts to Traffic and Circulation. An MMRP was adopted with the Final EIR for the Downtown Community Plan and the Final Supplemental EIR for the Downtown San Diego Mobility Plan to reduce potentially significant impacts associated with implementation of these plans.

*Final PEIR for the Climate Action Plan (2015)*

The Final PEIR for the Climate Action Plan (CAP) identified significant and unavoidable impacts related to Visual Effects and Neighborhood Character, Air Quality, Historic Resources, and Transportation and Circulation. An MMRP was adopted with the Final PEIR to reduce potentially significant impacts associated with implementation of the CAP.

**CEQA Guidelines Section 15162 Criteria**

CEQA Guidelines Section 15162 states:

When an EIR has been certified or an ND adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was

certified as complete or the Negative Declaration was adopted, shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

None of the three criteria listed above has occurred, therefore the Environmental Policy Section of the Planning Department has determined that there is no need to prepare subsequent or supplemental environmental documents for the project.

#### **CEQA Guidelines Section 15162 Consistency Evaluation**

##### *Final EIR for the LDC (1997)*

The Final EIR for the LDC anticipated that regular updates of the LDC would need to occur to improve the clarity of the regulations; ensure objectivity, consistency, and predictability in the regulations; and allow for adaptability in tailoring the regulations to fit the City's needs. The proposed amendments would ensure consistency between the lot size development regulations applicable to Encanto and Southeastern San Diego and the RS-1-7 development regulations (amendment 9); clarify the three images in Diagram 113-02kk in the LDC as it relates to building elevations (amendment 10); revise the Parking Standards Transit Priority Area (TPA) Regulations to require on-street ADA parking and loading zones (amendment 15); add balconies to list of allowed architectural projections in all residential multi-unit zones (amendment 18); revise the La Jolla Shores Planned District Ordinance (LJSPDO) to remove regulations regarding fence and wall height and refer to Citywide regulations (amendment 25); reduce the process level required for all proposed signs except temporary and business operation signs from Process 2 to Process 1 (amendment 26); remove personal storage requirements for multi-unit residential units (amendment 28); allow for alternative compliance when meeting private exterior open space requirements (amendment 29); allow for alternative compliance when meeting refuse and recyclable materials storage space (amendment 31); allow the Artisan Food and Beverage Producer use in all industrial zones as a permitted use consistent with the light manufacturing use (amendment 33); add organic waste storage regulations to the Refuse and Recyclable regulations (amendment 34); and make the Outdoor Lighting regulations consistent with the California Green Building Standards Code (CALGreen; amendment 35). The proposed amendments fulfill the goals of the LDC by providing consistency and improving clarity, reducing complexity, and allowing for flexibility within the City's regulations. Thus the Project would not result in new or more severe significant impacts than what was previously identified in the Final EIR of the LDC.

Page 5  
Renee Mezo, Planning Department  
October 18, 2021

*Final PEIR for the General Plan (2008)*

The City's General Plan provides a long-range, comprehensive policy framework for how the City will grow and develop and provide public services. The Project will implement policies within the City's General Plan that call for creating diverse and balanced neighborhoods through proposed amendments which remove Adult Entertainment as an allowed use in the Mixed-Use zones and remove the requirement for light industrial uses to be limited to 7,500 square feet (amendment 4); amend the Mission Trails Design District Overlay Zone (MTDDOZ) and Community Plan Implementation Overlay Zone (CPIOZ) to allow for an incentive to be used to waive the requirement of a permit in compliance with State law (amendment 6); clarify various requirements in the Complete Communities Ordinance (amendment 8); increase the FAR bonus to incentivize the development of childcare facilities (amendment 19) modify the LJSPDO to specify the method for FAR calculations for the La Jolla Shores single-family zone consistent with Citywide single-family zones (amendment 24); add language to allow alternative compliance to meet the private exterior open space requirement (amendment 29); and allow the Artisan Food and Beverage Producer use in all industrial zones as permitted use to be consistent with light manufacturing use (amendment 33). Proposed amendments which revert the process level for fiber optic and wireless communication facility projects from a discretionary to a ministerial decision (amendment 17); add balconies to the list of allowed architectural projections in all residential multi-unit zones (amendment 18); remove regulations in the LJSPDO regarding fence and wall height (amendment 24); and reduce the process level for signs (amendment 26) help achieve the goals and policies of the General Plan Urban Design Element which encourage creating a pattern and scale of development that provides visual diversity, and minimizing the visual and functional impact of wireless facilities. The Project also includes proposed amendments that will require a Process 2 decision for lot line adjustments in Environmentally Sensitive Lands (ESL; amendment 22); and add organic waste storage regulations to the City's Refuse and Recyclable regulations (amendment 34). These proposed amendments will implement the General Plan Conservation Element's policies that call for applying the appropriate zoning and ESL regulations to limit the development of floodplains and sensitive biological areas, and reducing waste by improving management and recycling programs. Thus, the proposed amendments fall within the scope of the General Plan and would not result in new or more severe significant impacts than what was previously analyzed in the Final PEIR.

*Addendum to the General Plan Final PEIR for the Housing Element Update (2020)*

The Housing Element of the General Plan provides a coordinated strategy for addressing the comprehensive housing needs of the City. The Project will implement the Housing Element's objective to implement permitting process improvements through proposed amendments that achieve regulatory consistency between the City's Affordable Housing Density Bonus and Inclusionary Housing program regarding construction timing and calculations for bedroom mix (amendment 5); amend the permit requirements of the MTDDOZ and CPIOZ to be consistent with State Density Bonus Law (amendment 6); correct the number of incentives in the Affordable Housing Program to be consistent with Assembly Bill 2345 (amendment 7); clarify that residential units in an Interim Residential Use area are not calculated in the project density (amendment 11); and remove the requirement for a Planned Development Permit (PDP) if the development increases the density of the land use plan, consistent with the State's Density Bonus Law (amendment 16). Proposed amendment 13 aligns with the Housing Element's policy of encouraging micro-unit development by clarifying that pre- and post-density bonus units

Page 6

Renee Mezo, Planning Department  
October 18, 2021

within micro-unit developments are required to be micro-units. Thus, the proposed amendments fall within the scope of the General Plan Housing Element Update and would not result in new or more severe significant impacts than what was previously analyzed in the Addendum to the General Plan Final PEIR for the Housing Element Update.

*Addendum to the General Plan Final PEIR for the Recreation Element Update (2021)*

The General Plan Recreation Element Update identifies ways the City can expand its recreational opportunities through implementation of its Parks Master Plan. The Project would implement the City's Parks Master Plan through regulatory reform that would allow gardens in Open Space – Park zones subject to the satisfaction of the City's Parks and Recreation Director (amendment 20), and would modify the Development Impact Fees (DIF) regulations related to onsite parks to help streamline the delivery of onsite parks and make fee payment more efficient (amendment 27). The proposed amendments would achieve the policies of the Parks Master Plan which call for promoting access to nature and stewardship of open spaces through native plant gardens, habitat restoration, and recreation in canyons and other city parklands (policy PP11) and transitioning to a Citywide Park Development Impact Fee structure to allow the City to deliver parks sooner (policy F6). Thus, the proposed amendments fall within the scope of the Parks Master Plan and General Plan Recreation Element Update and would not result in new or more severe significant impacts than what was previously analyzed in the Addendum to the General Plan Final PEIR for the Recreation Element Update. Additionally, the addition of community gardens into these zones would be consistent with other uses allowed in those zones in accordance with the General Plan and applicable zoning.

*Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (2020)*

The Final PEIR for Complete Communities: Housing Solutions and Mobility Choices analyzed the environmental impacts associated with implementing the City's Complete Communities: Housing Solutions (Housing Program) and Complete Communities: Mobility Choices (Mobility Choices) programs. The Project includes amendments (amendments 8 and 14) which clarify language regarding the programs' incentives and waivers, FAR calculation, and the provision of additional vehicle miles travelled (VMT) reduction measures in Mobility Zones 1, 2, and 3; allow for the reduction of one off-street parking space (amendment 23); and prohibit drive throughs in TPAs to encourage active travel and improve the pedestrian experience (amendment 32). The proposed amendments will help implement the Housing and Mobility Choices Programs, reduce parking, and encourage development that promotes active transportation modes of travel and reduces VMT, consistent with the objectives of the Housing Solutions and Mobility Choices Programs. Thus, the proposed amendments fall within the scope of the Housing and Mobility Choices Programs and would not result in new or more severe significant impacts than what was previously analyzed in the Final PEIR.

*Final PEIR for the Downtown Community Plan (2006) and Final SEIR for the Downtown San Diego Mobility Plan (2016)*

The Final PEIR for the Downtown Community Plan analyzed the environmental effects associated with implementing the Downtown Community Plan and the Final SEIR for the Downtown San Diego Mobility Plan analyzed the environmental effects associated with implementing the Mobility Plan. Proposed amendment 21 will clarify the language for the FAR calculation exemption for historic buildings; revise the Employment Overlay Zone to allow affordable housing; and include minor corrections to provide consistency between the Centre City Planned District Ordinance (CCPDO), citywide regulations, and state law. The proposed amendments will clarify and simplify the intent of regulations applicable to the Downtown

community planning area and will achieve the goals and policies of the Downtown Community Plan, which include expanding the supply of affordable housing and encouraging the preservation, rehabilitation, and/or reuse of historical resources. Additionally, the addition of greenways in the Downtown Community Plan area to enhance the public right-of-way are also consistent with the Downtown San Diego Mobility Plan's objective of prioritizing the development of greenways to provide for multi-modal transportation that connects to adjacent communities. The adoption of the 14th Street Master Plan and E Street Greenway Plan, consistency with which is required by the proposed regulations in this update, was anticipated in the Downtown San Diego Mobility Plan to provide guidance to further enhance the physical character and livability of Downtown through a clear network of greenway street linkages between Downtown's neighborhoods and open spaces and create unique, attractive corridors for pedestrians. Thus, the proposed amendment is within what was anticipated in and analyzed by the Final PEIR for the Downtown Community Plan. An analysis of proposed amendment 21's consistency with the City's CAP is included in the discussion of the Final PEIR for the CAP (2015) section, below.

#### *Final PEIR for the CAP (2015)*

The Final PEIR for the CAP analyzed the environmental effects associated with implementing the five strategies of the CAP designed to help the City meet its greenhouse gas reduction targets. Proposed amendment 21 which will update the language in the CCPDO to make it consistent with the CALGreen standards will help implement the CAP's Strategy 1 to increase water and energy efficient buildings. Proposed amendment 21 which will codify required greenway improvements in accordance with the Downtown San Diego Mobility Plan and proposed amendment 32 which will prohibit drive-throughs in TPAs to promote active transportation modes will help implement the CAP's Strategy 3 related to bicycling, walking, and transit and land use. Proposed amendment 34 which will add organic waste storage regulations to the City's Refuse and Recyclable regulations will help achieve CAP Strategy 4 related to Zero Waste. Thus, the proposed amendments are within what was anticipated in and analyzed by the Final PEIR for the CAP and no new or more severe significant impacts would occur.

#### *CEQA Guidelines Section 15060(c)(2)*

Proposed amendments that will correct the definition of an interested person (amendment 1), provide consistency regarding deviations for Capital Improvement Projects (amendment 2), correct formatting errors in the use tables (amendment 3), add language to specifically site the La Jolla Shores Design Manual (LJSDM) in the LJSPDO (amendment 12), and add requirements specifying the size and material of posted notices (amendment 30) are not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2) because the proposed amendments will not result in a direct or reasonably foreseeable indirect physical change in the environment.

#### *Overall Applicability*

In addition to the specific coverage for each of the 35 items as discussed above, items not specifically identified have also been identified as being consistent with the other documents discussed above. For example, amendments that result in public improvements within the public right-of-way are also covered under the Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (2020), which analyzed and anticipated the construction and operation of various improvements within the public right-of-way, such as bicycle lanes, sidewalks, and recreational amenities.

Page 8  
Renee Mezo, Planning Department  
October 18, 2021

**Conclusion**

The Environmental Policy Section has reviewed the proposed amendments included within the 2021 Code Update and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of the Project will not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the abovementioned environmental documents. Alternatively, the changes would not be subject to CEQA as they would not result in any physical changes to the environment, as described in this memorandum.



Elena Pascual  
Associate Planner, Planning Department

RM/ep

Cc: Rebecca Malone, Program Manager, Planning Department  
Heidi Vonblum, Deputy Director, Planning Department

**CEQA Guidelines Section 15162 Consistency Evaluation Matrix  
2021 Land Development Code**

The table below provides a description of the proposed amendments and the associated CEQA determinations. Each proposed amendment is consistent with one of the abovementioned environmental documents or is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2).

<b>Table 1: CEQA Guidelines Section 15162 Consistency Evaluation Matrix</b>			
<b>Amendment No.</b>	<b>Code Section(s)</b>	<b>Amendment Description</b>	<b>CEQA Determination</b>
<b>Correction</b>			
1	113.0103	Amends the definition of an “Interested Person” to provide alternative documentation/recording for people who attend/speak at a public hearing.	CEQA Guidelines Section 15060(c)(2)
2	112.0604	Revises Chapter 11 to be consistent with Chapter 14 in relation to process level for deviations for CIP projects.	CEQA Guidelines Section 15060(c)(2)
3	Table 131-05B	Removes the indent beside “Dairies” to clarify that the text below is not a subcategory for dairies.	CEQA Guidelines Section 15060(c)(2)
4	131.0707 Table 131-07A and footnote 3	Removes Adult Entertainment as an allowed use in the Mixed Use Zones and removes the requirement for light industrial uses to be limited to 7,500 sf.	Final PEIR for the General Plan
<b>Clarification</b>			
5	143.0745(d) 142.1304(e)(2) & (3)	Achieves regulatory consistency between the Affordable Housing Density Bonus and Inclusionary Housing programs regarding construction timing and unit bedroom mix.	Addendum to the General Plan PEIR for the Housing Element Update
6	132.1202 132.1402 143.0740(b)(1)	Amends the MTDDOZ and CPIOZ to allow for an incentive to be used to waive the requirement of a permit in compliance with State Density Bonus Law.	<ul style="list-style-type: none"> <li>Addendum to the General Plan PEIR for the Housing Element Update</li> <li>Final PEIR for the General Plan</li> </ul>
7	143.0740(b) & (c)	Corrects the number of incentives in the City’s Affordable Housing Program to ensure consistency with Assembly Bill 2345.	Addendum to the General Plan PEIR for the Housing Element Update
8	143.1002 143.1010 143.1015 142.1020	Clarifies various items in the Complete Communities Ordinance including but not limited to:	<ul style="list-style-type: none"> <li>Final PEIR for Complete Communities: Housing</li> </ul>



**Table 1: CEQA Guidelines Section 15162 Consistency Evaluation Matrix**

<b>Amendment No.</b>	<b>Code Section(s)</b>	<b>Amendment Description</b>	<b>CEQA Determination</b>
	142.1025 142.1030	<ul style="list-style-type: none"> <li>• FAR based calculation</li> <li>• Rounding clarification</li> <li>• Language for number of trees and spacing</li> <li>• Incentives and Waivers</li> <li>• Additional options for recreational amenities</li> <li>• Adding units to sites with existing development</li> <li>• Adjust distance from highways</li> </ul>	Solutions and Mobility Choices <ul style="list-style-type: none"> <li>• Final PEIR for the General Plan</li> </ul>
9	131.0431 Table 131-04D, Footnote 7	Clarifies that the development regulations for a 5,000 square foot lot in Encanto and Southeastern San Diego are consistent with the RS-1-7 zone.	Final EIR for the LDC
10	113.0270	Clarifies that the three images in Diagram 113-02KK are building "elevations" not building sections and that the grade depicted is outside the building footprint.	Final EIR for the LDC
11	141.0309(d)	Adds language that residential units in an Interim Residential Use area are not calculated in the project density and cleans up the reference to the findings.	Addendum to the General Plan PEIR for the Housing Element Update
12	1510.0301	Adds language to specifically cite the LJSDM in the LJSPDO.	CEQA Guidelines Section 15060(c)(2)
13	143.0720(l)(9)	Adds language to clarify that pre- and post-density bonus units within micro-unit developments are required to be micro-units.	Addendum to the General Plan PEIR for the Housing Element Update
14	143.1102(e) 143.1103(b)(6) and (d)	Clarifies that if a development provides more than the minimum required parking, the parking shall include the standard parking requirements not the Parking Standards TPA requirements. Additional VMT reduction measures will be required if the development provides more than the minimum required amount of parking in Mobility Zones 1, 2, and 3.	Final PEIR for Complete Communities: Housing Solutions and Mobility Choices
15	142.0528(a)-(b)	Revises the language in the Parking Standards TPA Regulations to require on-street ADA parking and loading zones even if no parking spaces are required.	Final EIR for the LDC

<b>Table 1: CEQA Guidelines Section 15162 Consistency Evaluation Matrix</b>			
<b>Amendment No.</b>	<b>Code Section(s)</b>	<b>Amendment Description</b>	<b>CEQA Determination</b>
16	143.0402 Table 143-04A 143.0455	Removes the requirement for a PDP if a land use plan required a PDP to increase the density of the land use plan, consistent with State Density Bonus law.	Addendum to the General Plan PEIR for the Housing Element Update
<b>Regulatory Reform</b>			
17	129.0710(a)(10) and (b)(6)	Reverts the process level for projects involving the placement of fiber optic or wire communication facilities within the public right-of-way from a discretionary decision to a ministerial decision consistent with best practices.	Final PEIR for the General Plan
18	131.0461(c)	Adds balconies to list of allowed architectural projections in all residential multi-unit zones.	<ul style="list-style-type: none"> <li>Final PEIR for the General Plan</li> <li>Final EIR for the LDC</li> </ul>
19	131.0546(b)	Increases the FAR bonus from 4 square feet to 10 square feet to incentivize the development of childcare facilities.	Addendum to the General Plan PEIR for the Housing Element Update
20	141.0203 Table 131-02B	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 City's Parks and Recreation Director.	Addendum to the General Plan PEIR for the Recreation Element Update
21	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)	<ul style="list-style-type: none"> <li>Updates outdated language for consistency with CALGreen standards.</li> <li>Clarifies language for the FAR calculation exemption for historic buildings.</li> <li>Adds language codifying required greenway improvements in accordance with the Downtown Community Plan Mobility Chapter.</li> <li>Revises the Employment Overlay Zone to allow affordable housing.</li> <li>Includes minor corrections to provide consistency between the Centre City Planned District Ordinance, citywide regulations, and State law.</li> </ul>	<ul style="list-style-type: none"> <li>Final PEIR for the CAP</li> <li>Final PEIR for the Downtown Community Plan</li> </ul>

**Table 1: CEQA Guidelines Section 15162 Consistency Evaluation Matrix**

<b>Amendment No.</b>	<b>Code Section(s)</b>	<b>Amendment Description</b>	<b>CEQA Determination</b>
		<ul style="list-style-type: none"> <li>Includes the 14<sup>th</sup> Street Promenade Master Plan and E Street Greenway Master Plan.</li> </ul>	
22	126.0402 143.0110 Table 143-01A 131.0718	Requires a Process 2 decision for lot line adjustments in environmentally sensitive lands.	Final PEIR for the General Plan
23	141.0308(c)	This amendment would allow for the reduction of one off-street parking space (if required). A minimum of one off-street parking space would still be required.	Final PEIR for Complete Communities: Housing Solutions and Mobility Choices
24	1510.0304	Modifies the LJSPDO to specify the method for FAR calculations for the La Jolla Shores single-family zone consistent with Citywide single-family zones.	Final PEIR for the General Plan
25	1510.0107(a)	Removes any regulations regarding fence and wall height in the LJSPDO and adds a reference to Citywide regulations for fences and walls.	<ul style="list-style-type: none"> <li>Final PEIR for the General Plan</li> <li>Final EIR for the LDC</li> </ul>
26	1516.0139 (d)(1) Table 1516-01A	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).	<ul style="list-style-type: none"> <li>Final PEIR for the General Plan</li> <li>Final EIR for the LDC</li> </ul>
27	142.0640	Modifies the Development Impact Fees (DIF) related to onsite parks. Revises the timing of DIF payment from “at time of building permit” to “prior to requesting a final inspection” and removes the regulation to defer DIF fees.	Addendum to the General Plan PEIR for the Recreation Element Update
28	Table 131-04G 131.0454 131.0709 Table 131.07B 143.1010(e)	Removes personal storage requirement for multi-unit residential uses.	Final EIR for the LDC
29	131.0455(e)	Adds language to allow alternative compliance in order to meet the private exterior open space requirement. A deficit in required private exterior open space may be	<ul style="list-style-type: none"> <li>Final PEIR for the General Plan</li> <li>Final EIR for the LDC</li> </ul>

<b>Table 1: CEQA Guidelines Section 15162 Consistency Evaluation Matrix</b>			
<b>Amendment No.</b>	<b>Code Section(s)</b>	<b>Amendment Description</b>	<b>CEQA Determination</b>
		met by providing additional common open space.	
30	112.0304(a)(1-5)	Adds requirements specifying the size and material of posted notices.	CEQA Guidelines Section 15060(c)(2)
31	142.0820	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.	Final EIR for the LDC
32	Table 131-05B Footnote 20 Table 131-06B Footnote 22	Prohibits drive-throughs in TPAs to encourage more active travel and improve the pedestrian experience.	<ul style="list-style-type: none"> <li>• Final PEIR for the CAP</li> <li>• Final PEIR for Complete Communities: Housing Solutions and Mobility Choices</li> </ul>
33	131.0622 Table 131.06B	Allows the Artisan Food and Beverage Producer use in all industrial zones as a permitted use to be consistent with the light manufacturing use.	<ul style="list-style-type: none"> <li>• Final EIR for the General Plan</li> <li>• Final EIR for the LDC</li> </ul>
<b>Compliance with State Law</b>			
34	126.0117 141.0103(a) 142.0801 142.0803 142.0805 142.0810 142.0820 142.0830 142.0831 (new section)	Adds organic waste storage regulations to the City's Refuse and Recyclable regulations.	<ul style="list-style-type: none"> <li>• Final PEIR for the CAP</li> <li>• Final PEIR for the General Plan</li> <li>• Final EIR for the LDC</li> </ul>
35	142.0740(c)(2)(B)	Makes the Outdoor Lighting regulations consistent with CALGreen.	Final EIR for the LDC

# Community Planners Committee

Planning Department • City of San Diego  
9485 Aero Drive • San Diego, CA 92123  
SDPlanninggroups@sandiego.gov • (619) 235-5200

## **CPC DRAFT MINUTES FOR MEETING OF SEPTEMBER 28, 2021**

### **MEMBERS PRESENT:**

Philomena Moreno, Barrio Logan (BL)	Michelle Abella-Shon, Miramar Rnch. North (MRN)-Late
Eric Edelman, Carmel Mtn. Rnch. (CMR)	Michele Addington, Mission Valley (MV)
Mary Young, Chollas Valley (CHV)	Deborah Watkins, Mission Beach (MB)
Naveen Waney, Clairemont (CLMT)	Jim Baross, Normal Heights (NH)
Russ Connelly, City Heights (CH)	Andrea Schlageter, Ocean Beach (OB)
Tom Silva, College Area (COL)	Karl Rand, Pacific Beach (PB)
Bill Orabone, Downtown (DNTN)	Mandy Havlik, Peninsula (PEN)
Paul Schumacher, Golden Hill (GH)	Robin Kaufman, Rancho Bernardo (RB)
Kathleen Neil, La Jolla (LJ)	Jon Becker, Rancho Penasquitos (RP)
Deborah Sharpe, Ken-Tal (KT)	Wally Wulfeck, Scripps Ranch (SR)
Fellicity Senofsky, Linda Vista, (LV)	Marc Lindshield, San Pasqual/Lake Hodges (SP/LHJ)
Dike Anyiwo, Midway (MW)	Catherine Stempel, Serra Mesa (SM)
Jeff Stevens, Mira Mesa (MM)	Mario Ingrasi, Torrey Pines (TP)
Brian Gile, Navajo (NAV)	Chris Nielsen, University (UN)
	Tom Mullaney, Uptown (UT)

**VOTING INELIGIBILITY/RECUSALS:** Otay Mesa, Torrey Hills, Kearny Mesa, Skyline/Paradise Hills, San Ysidro

**City Staff/Representatives:** Tony Kempton, Sameera Rao, Seth Litchney

**Guests:** Sandy Wetzel-Smith, Joe La Cava, Terri Enscali, Diane Grace, Tommy Hough

**NOTE:** *The sign-in sheets provided at the entrance to the meeting are used to list CPC Representatives, guest speakers, and staff present at the meeting.*

### **1. CALL TO ORDER/INTRODUCTIONS:**

Chair Wally Wulfeck called the meeting to order at 6:00 pm. Roll Call: BL, CMR, CHV, CH, CLMT, COL, DWNTN, GH, KT, LJ, LV, MW, MM, MB, MV, NAV, NH, OB, PB, PEN, RB, RP, SM, SR, TIRSN, TP, UN, UT

**2. NON-AGENDA PUBLIC COMMENT:**

Joe La Cava gave an update on Council Policy 600-24 being in conflict with the City charter. La Cava said most of what the CPC wants will remain except the CPG's will be more independent. His group is now considering Council Policy 600-09 too and will present their recommendations on both to the CPC at a future meeting.

The chair mentioned amending the City charter to address concerns raised by La Cava.

Guest spoke on marijuana facilities and how access to addictive substances will cause harm to children. Flavors, colors, advertising direct to youth should be stopped. She requested a ban on billboards advertising marijuana.

Guest discussed Carmel Mountain Ranch Trails project and how it represented a disenfranchisement of community residents, especially at Planning Commission where the public voice was stifled. She said the Planning Commission liked the consultant but was not objective.

Tommy Hough, county council candidate, said housing is needed but putting cars on the road is a problem and developments are car oriented. He said more transit is needed.

**3. APPROVAL OF THE MINUTES OF 08-24-21**–Ayes: BL, CMR, CHV, CH, CO, GH, KT, LJ, MW, MM, MB, MV, NAV, NH, OB, PB, RB, RP, SR, SM, UN, UT, Nays: 0, Abstain: CLMT, DNTN, TP, SP.LH, TP, PEN. Passed 22-0-7

**4. MODIFICATIONS AND APPROVAL OF AGENDA.**

Approved without modification.

**5. SPACES AS PLACES (ACTION ITEM).**

Sameera Rao, Development Project Manager, Planning Department presented an update on "Spaces as Places" from the August agenda. Rao said the proposed changes are operational including: hours for streetaries; noise levels within streetaries should be compatible with adjacent uses; streets with streetaries should have a speed limit of 30 mph; streetaries should be permitted on classified streets but not those equal to or greater major streets; a new exclusive use fee is being considered; there should be a minimum 5-foot clear path of travel for ADA compliance.

**Public Comment:**

- The width of the travel lane needs to be defined
  - Who pays for retrenching utilities in the public R-O-W? Staff replied that the burden will be on business owners to remove streetaries to allow utility access
  - Can K-rails be used as barriers: Staff said there is no plan for K-rails
- Guest said streetaries amount to giving public property to private business owners and that enforcement is an issue, particularly for scooters. Staff replied they are considering including Code Compliance with the fee, as well as fire and R-O-W access and prohibition of overhead structures.

- Would businesses need to acquire a CUP for each entertainer or for the district? Staff replied that a live entertainment permit is currently required. A new regulation would allow music with a CUP with interior insulation to keep noise compatible with neighboring residential and mixed-use.

**Motion:**

None taken

**6. 2021 CODE UPDATE (ACTION ITEM)**

Seth Litchney, Program Manager, Planning Department, gave a presentation as part of the annual update to the Land Development Code. Seth mentioned there will be 6 workshops from July to August to present the items and get feedback. There are 36 items proposed, 16 corrections, 18 regulatory reforms, 2 in compliance with state law. Most are general zoning changes (ie. Centre City PDO). Nicole Pare discussed regulatory reform for the Centre City PDO including employing overlay zones to incentivize housing, requiring greenway improvements, adding limited use regulations for pet boarding, day care and vet clinics. Other items include allowing artisan food and beverage producers in all zones, update of the green building incentive standards, clarify FAR calculation historic buildings, add flexibility to allow commercial to residential projects, apply active transportation in-lieu fee for residential development that exceeds maximum parking, and eliminate electronic game limit for entertainment establishments in the Gaslamp quarter. Seth continued with an amendment to the La Jolla PDO, adding language, removing regulations regarding fence height, and other reforms in the PDO regarding parks and the development fee process, personal storage (remove the personal storage requirement for multi-family uses o increase housing development), transit priority area implementation (prohibit new drive thru uses in transit areas to implement CAP and mobility goals, making public notice signs readable and weather proof, childcare incentives, fiber optics within the R-O-W to be ministerial, community gardens in open space zones, complete communities (trees and spacing options for recreational amenities, adding clarification regarding site distance from highways. The update is to be consistent with state law. Next step is to present at Planning Commission on October 27 and Land Use and Housing in November/December 2021.

**Board Comment:**

- Concerns expressed over accessibility regarding the drive-thru ban
- With COVID still impacting the restaurant industry drive-thru's are safer
- Removing storage requirement in multi-family housing would only result in residents putting their storage things in the garage and then parking on the street
- Clarification requested that location of gardens will not be in or adjacent to environmentally sensitive lands of MSCP. Staff replied the regulations do not override protections of MSCP and any exceptions in OP zones would be subject to Park and Recreation
- Concern over prohibition of drive-thru's in Mira Mesa, which is auto-oriented. OK in downtown but outlying areas need drive thru's.

- City needs to recognize a TPA could be two miles from a transit stop based on path of travel, though state law is based on measurement as the crow flies
- Chair proposed continuing to October 26 CPC meeting

**Motion:**

City Heights moved to have Item 32 (storage), Item 34 (drive thru's), Item 27 (industrial next to housing) be removed from Code Update. La Jolla seconded. Ayes: BL, CMR, CHV, CH, COL, KT, LJ, LV, MW, MM, MB, MV, NAV, NH, OB, PB, PEN, RB, RP, SP/H, SM, Nays: CLMT, DWNTN, GH, UN, UT, Abstain: SR, TP. Motion passed 21-5-2

**7. CITY ADU ORDINANCES (ACTION Item)**

Geoff Hueter, Neighbors for a Better San Diego, presented an update on the City's laws regarding Auxiliary Dwelling Units (ADU). Hueter said that the ADU ordinance could allow up to 5 addresses on one property. Hueter called the density bonus program 'egregious' and questioned its necessity. Hueter proposed reducing the square footage on market rate ADU's to no more than 1,000 square feet, replacing the ADU density bonus with a 200 sf size bonus, restrict affordable incentives for very low and low-income, increase affordable deed restriction from 15 years to 30 years, waive the DIF on ADU's greater than 75 sf of deeded affordable, increase the side yard and rear yard setback on new ADU's and Junior ADU's and limit ADU height to 16 feet. Hueter said the current 30-foot height limit is not in keeping with neighborhood character and that the number of ADU's be limited to 4 per lot. He also recommended opposing SB-10, the new state law allowing multiple ADU's in single-family zones.

**Board Comment:**

- There was general hesitancy to vote on this with more discussion called for

**Motion:**

Uptown moved to stick with state guidelines, approve a total of 4 ADU's and not support the ordinance/SB-10 allowing 10 ADU's on a single-family lot. Normal Heights seconded. Ayes: CMR, CH, COL, DWNTN, EAS, MM, NAV, NH, OB, PEN, RP, SP/LH, SR, SM UN, UT, NAV, GH, TP, Nays: 0, Abstain: BL, CHV, CLMT, KT, LJ, LV, MRN, MB, MV, PB, RB. Motion passed 19-0-11

**REPORTS TO CPC:**

- Staff Report – Tony Kempton discussed the teleconference provisions under the Brown Act for the anticipated expiration of the governor's order temporarily suspending the Brown Act. The teleconferencing provisions of the Brown Act are somewhat onerous and would present issues for many members when the Brown Act again becomes active. Members also felt that the alternative to teleconferencing of in-person meetings would present a health hazard for many CPG's with elderly memberships, due to COVID, and that could easily result in many CPG's becoming inactivated. The



Page 5 of 4

chair advised members to contact their state representative and City Council members to request continued suspension of the Brown Act.

- Subcommittee Report – None
- CPC Member Comments – None
- Chair Report – None

**ADJOURNMENT TO NEXT REGULAR MEETING: OCTOBER 26, 2021:**

The meeting was adjourned by Chair Wally Wulfeck at 8:25 PM.

# 14th Street Promenade Master Plan

---

14th Street Promenade  
San Diego, CA

May 31, 2016

Prepared by:



## Introduction

East Village from its beginning has continually reinvented itself, but at its roots, it is a community with strong ties to education, innovation and creativity. At the turn of the century, East Village was a warehouse district providing support to the port, consisting of warehouse buildings and switching yards. It was a working class neighborhood, rich with industry. Over the years it evolved into a central provider for social services to all of San Diego. And in the 1980's and 1990's artists flocked to the area to establish opportunities for live- work lofts. This is the place of Bob Sinclair, a local resident, entrepreneur, and collector, who valued the

architecture and history of the neighborhood. He encouraged other entrepreneurs and filled his buildings in East Village with new, creative tenants. With this tie to innovation and history is also East Village's strong connection to education. The urban art trail was a project envisioned by a City College professor wishing to bring art to the community through painting utility boxes and designing murals on building facades and sidewalks. That tie to education continues with the establishment of new schools such as New School Of Architecture, Urban Discovery Academy and the Thomas Jefferson School of Law. The three districts outlined in the Master Plan celebrate the past and bring forward the future of the neighborhood

creating an urban trail that is uniquely East Village. This is where history unites with today's modern working neighborhood and continues to promote innovation, design, education and art. The design of the 14th Street Promenade will accommodate a variety of passive and active recreation activities, ranging from walking and resting to more activated uses such as children's discovery areas, local art displays, sensory play areas, historical artifacts, and other design elements. The Master Plan for the 14th Street Promenade is based on a series of three branded, context-driven districts, focusing on **San Diego and East Village design expression.**

## Entertainment and Innovation District

Entertainment and Innovation District – the four blocks at the South end of the 14th Street Promenade (between J Street and National Avenue) will become an Entertainment and Innovation District. Because it is near many waterfront industrial uses, design in this zone will **celebrate the history of industry and innovation in San Diego.** The 14th Street Promenade will include **flexible spaces that can be programmed for varied uses and integrating historical artifacts and interpretive elements.** A variety of seating opportunities are provided and plantings will accent the streetscape with color and shade. The Entertainment and Innovation District will showcase unique artifacts of East Village's history including the display of Bob Sinclair artifacts in creative and functional ways.

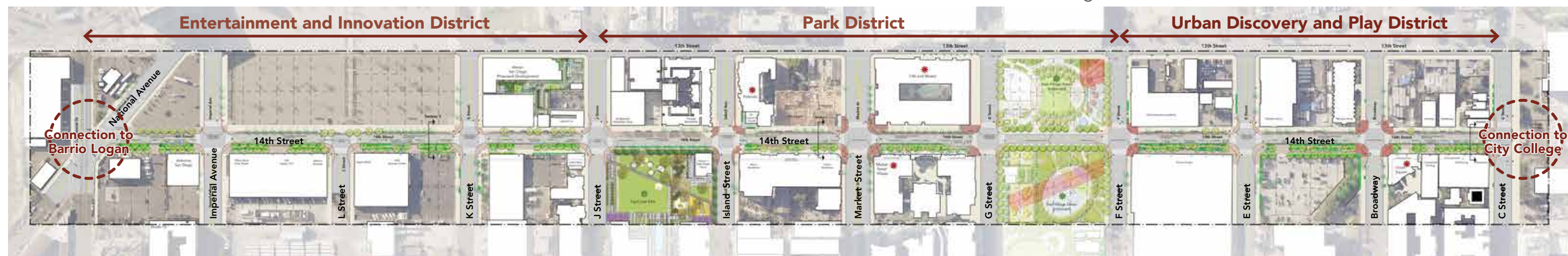
## Park District

Park District – the central four blocks (between F Street and J Street) are bookended with the future East Village Green and new Fault Line Park, and the two middle blocks consist of residential and commercial uses. This Park District will provide a **green oasis** that connects the two parks. Adjacent to the residential blocks between G Street and Island Avenue are areas designed for a variety of seating opportunities and places for active outdoor exercise. The plant palette emphasizes the tree canopy and understory plants with a range of colors and textures.

## Urban Discovery and Play District

Urban Discovery and Play District – the three northernmost blocks (between C Street and F Street) comprise the Urban Discovery and Play District. It is anchored by City College in the north and Urban Discovery Academy in the south. This zone **encourages discovery and creativity**, with opportunities to learn, relax and explore. It is characterized by seating for people to simply **relax and enjoy views** toward the Bay, and interactive elements representing historical information about the history of San Diego and the East Village.

Landscape plantings allow **exploration and discovery**, and include native plants that have been used traditionally in Kumeyaay culture, reflecting that there is a long history to the region.





## Continuous Promenade Elements

Uniting the three districts, are features that are continuous throughout the Promenade. These include the following:

**Planting** – although district plant palettes differ, the 14th Street Promenade will feature additional canopy trees and low growing, low water-use, low maintenance, colorful understory plantings. The planting plan will dominate the corridor creating an inviting space for a variety of uses, yet allowing visual access to the Promenade for policing and easy access for maintenance. Plantings on the east side of the street will occur mostly in the furnishing zone, keeping the thru-way zone clear for pedestrian traffic. Plantings in the frontage zone are encouraged on both sides of the street.

- **Street Trees** - proposed street trees will conform to all requirements in the Streetscape Manual. Additional trees are listed in the individual district plant palettes and will be used as accent to the dominant street tree. Canopy trees will comprise a majority of the Promenade planting, creating shade and a green oasis. Trees will be

- located in the furnishing zone and at specific locations as shown on the plans.
- **Parking Lot Screening** – plants located in the frontage zone will provide a green visual buffer at surface parking lots. Plants should be a combination of canopy trees and low growing shrubs in order to maintain sight lines.
- **Plantings in the Frontage Zone**- opportunities for plantings should be provided , where possible, between the building's set back and/or entrance and the public right-of-way. These areas provide visual interest, integrate the architecture with the pedestrian zone, may be used for wayfinding, and may also be developed to manage storm water runoff.
- **Hanging Baskets and Planters** - accent plantings in hanging baskets or planters offer an opportunity to incorporate plants in existing right-of-ways where there is limited space for planting. Planters should be located in the frontage zone adjacent to building facades. Hanging baskets may be located on street lights poles in the furnishing zone. Planters in the furnishing zone will be evaluated on a case by case basis.

- **Green Walls**- green walls are a means of adding plants in areas with limited space and can be used to create a dramatic vertical design element.

**Paving** – concrete walkways and decomposed granite paths will comprise a common ground plane along the 14th Street Promenade. Concrete walkways will be located in the frontage and thru-way zone with the decomposed granite path located in the furnishing zone. Existing improved sidewalks will remain throughout the streetscape. The addition of the Promenade will protect in place these existing sidewalks, and the new trail and amenities, where applicable, will extend from the back of the existing curb into the public right-of-way. In areas where the sidewalk has not been improved, the sidewalk shall follow the guidelines in the Streetscape Manual for color and pattern and the new trail and amenities will become integral to the overall design of the pedestrian realm.

## West Side 14th Street Improvements

Proposed West Side Improvements are limited to porous paving for parking stalls, bulb outs at all corners per the Master Plan drawings, and hanging baskets supported from existing light poles.



Plantings - Street Trees



Plantings - Screening



Plantings - Plantings in the frontage zone



Plantings - Hanging Baskets and planters



Plantings - Green Walls



Paving - D.G. Paths



Paving - Concrete Walkways



Paving - Existing Paving



**Outdoor furniture** – the outdoor furniture shall be consistent throughout the promenade, yet opportunities exist to accent the public space with unique pieces.

- **Benches** – benches shall be designed to discourage lying down. They shall be constructed of metal, concrete or recycled, wood alternative materials.
- **Movable Seating** – café style seating is encouraged and shall be provided and maintained by adjacent businesses.
- **Trash Receptacles** – receptacles shall conform to the color and type listed in the Streetscape Manual and shall be located at the end of each block per the Manual.
- **Bike Racks** – Bike racks shall be located on every block and shall be the type listed in the Streetscape Manual.
- **Recreation Elements** – opportunities to incorporate creative and/or traditional recreation equipment shall be located in every block. Examples may include:
  - Outdoor exercise equipment

- Sensory play equipment
- Individual and group seating

**Bollards** – bollards define space and create a visual barrier between pedestrian and vehicular traffic.

**Railings and Fencing** - railings and fencing provide a physical barrier and a visual barrier to elements along the streetscape. Fencing shall be used to screen utilities on adjacent buildings and provide security for private access. Railings may be designed to provide a designation of space for a specific use. All fencing and railings shall conform to the guidelines in the Streetscape Manual and Downtown Design Guidelines. Creative treatments and designs shall be encouraged.

**Signage** – signage shall be provided throughout the Promenade and may include:

- **Wayfinding** – a means of informing the pedestrian to the location of other park and recreation facilities in the vicinity

- **Gateway Elements** - San Diego has a history of providing unique gateway elements at a pedestrian scale that help to define neighborhoods. This design will continue that with that tradition by adding unique gateway elements that will define the three individual districts.
- **Building Signs** – creative signs on buildings are encourage to accent the pedestrian zone
- **Banners** - Banners on building facades and light poles can define the Promenade and add visual interest to the corridor

**Street Crossings and Pedestrian Safety** – The design of the street crossings shall provide the maximum amount of security for the pedestrian. Bulb-outs are located at intersections to narrow the pedestrian crossing and shall be designed per the Streetscape Manual. Intersections shall have continental crosswalks to help define the pedestrian crossing.

**Storm Water Treatment** – Bioswales will occur at locations throughout the promenade for storm water collection and cleansing.



Furniture - Informal Seating



Furniture - Bench



Furniture - Moveable Cafe Seating



Furniture - Seating Nooks



Furniture - Trash Receptacle



Furniture - Bicycle Rack and Bike Repair Station



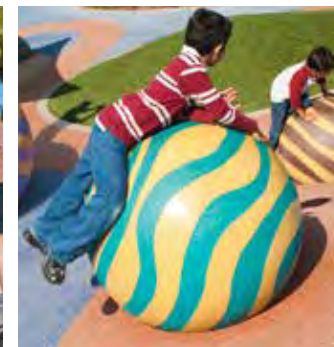
Recreation Elements - Game Tables



Recreation Elements - Outdoor Exercise Equipment



Recreation Elements - Sensory Play Equipment | Interpretive Elements



Railings and Fencing





**Lighting** - Street Lights shall be provided per Streetscape Manual. Additional pedestrian lighting will be provided that complements existing lighting.

**Artwork** – the 14th Street Promenade will ensure a place for public artwork, incorporating permanent and/or temporary art opportunities, allowing space for innovative; unique art in the public realm. These opportunities will be implemented by and/or in association with the City's Commission for Arts and Culture, as funding becomes available.

**Interpretive Elements** - Opportunity exists throughout the corridor to incorporate interpretive elements. They are placemakers, that define the neighborhood and represent the historical and cultural importance of the East Village. The interpretive elements can consist of signage, information panels, or cultural objects, such as the Bob Sinclair artifacts. They can be stand-alone pieces or incorporated in landscape, hardscape, gateway elements or art. The elements will be labeled with signage, to provide interest and value to the promenade.

## A SUSTAINABLE GREEN STREET

Consistent with its designation as a Green Street, the 14th Street Promenade is oriented toward pedestrian uses with traffic-calming measures and enhanced planting. The design will further the Centre City Green program, which emphasizes the following:

Transform downtown streets into places for people and not just for cars

- Create healthier outdoor spaces that are more pedestrian- and bike-friendly, add more greenery, accommodate transit, use less energy and water, improve air quality and reduce storm water pollution
- Devote less of the street right-of-way to vehicles and instead widen sidewalks
- Where possible, incorporate low-impact development (LID) features that include storm water management systems
- Use local and regional materials with high recycled content and energy-efficient pedestrian lighting.

In addition, the 14th Street Promenade will utilize bioswales and porous paving to capture storm water from the roadway, sidewalks and rooftops of adjacent buildings. The bioswales will be planted with plant material appropriate for this condition and will be a prominent attractive feature of the 14th Street Promenade. Opportunity also exists for including interpretive elements within the bioswales to help the pedestrians appreciate the importance of stormwater quality.



Signage - Gateways



Signage - Banners



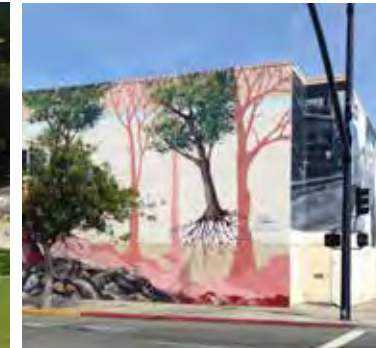
Lighting - Standard Pedestrian



Lighting - Decorative Tree Lights



Artwork - Public Art



Artwork - Furniture



Interpretive - Bioswale



Interpretive - Historical Interpretation



Interpretive - Pavement Markers



Interpretive - Plant Interpretation



Sustainability - Bioswale





DESIGN NARRATIVE - BIOSWALE PLANT PALETTE (ALL DISTRICTS)

SMALL TREES	
Salix lasiolepis	Arroyo Willow
Quercus Tomentella	Channel Island Oak
UNDERSTORY	
Baccharis pilularis 'Pigeon Point'	Pigeon Point Coyote Brush
Calamagrostis foliosa	Mendocino Reed Grass
Carex pansa	California Meadow Sedge
Carex praegracilis	California Field Sedge
Festuca rubra	Creeping Red Fescue
Helictotrichon sempervirens	Blue Oat Grass
Iva hayesiana	Hayes' Iva
Juncus patens	California Gray Rush
Leymus triticoides 'Grey Dawn'	'Grey Dawn' Creeping Wild Rye
Muhlenbergia Rigens	Deergrass



Baccharis pilularis 'Pigeon Point' - Pigeon Point Coyote Brush



Carex praegracilis - Western Meadow Sedge



Iva hayesiana - Hayes Iva



Calamagrostis foliosa - Mendocino Reed Grass



Festuca rubra - Creeping Red Fescue



Juncus patens - California Gray Rush



Carex pansa - California Meadow Sedge



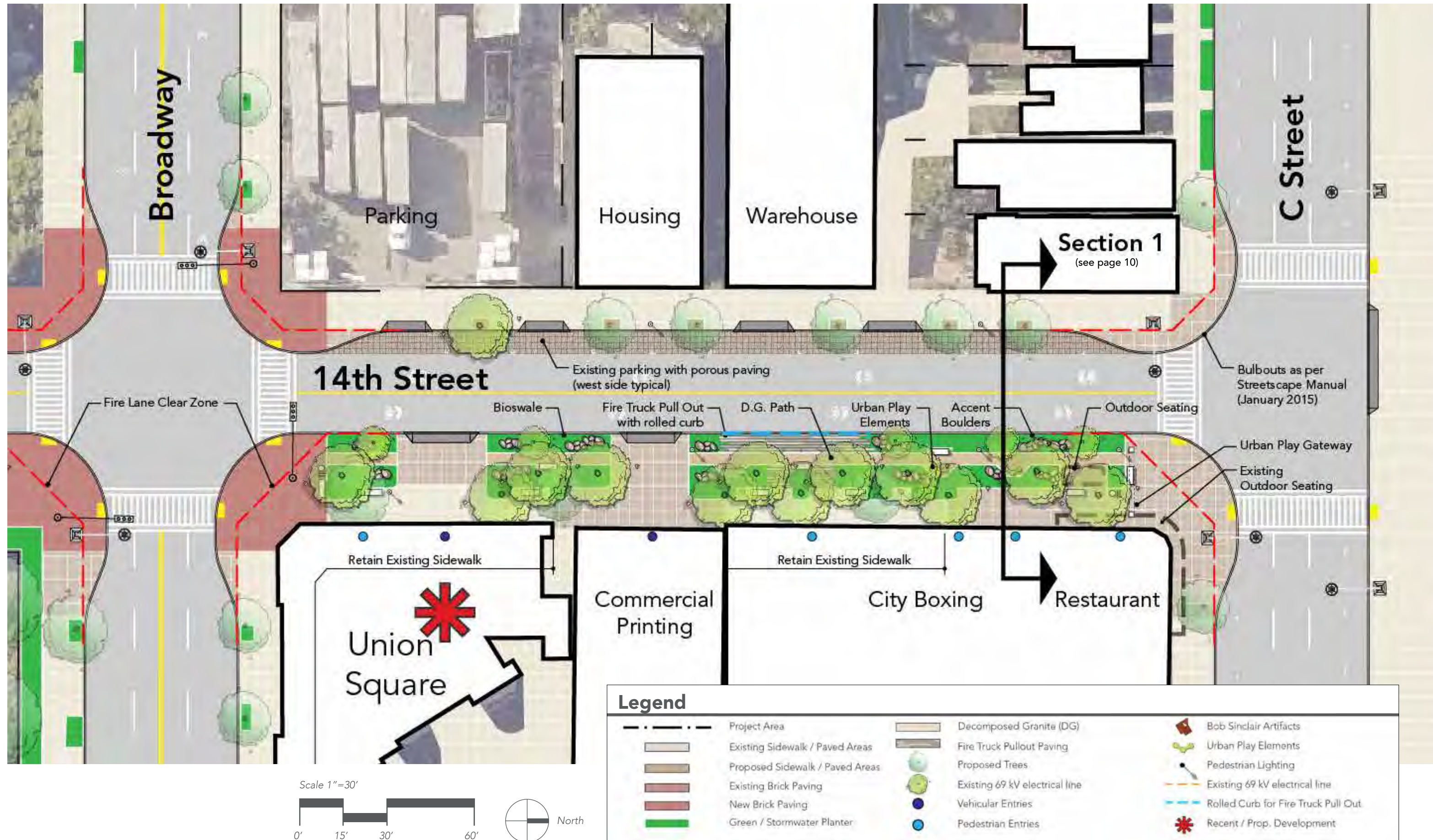
Helictotrichon sempervirens - Blue Oat Grass



Leymus triticoides - Creeping Wild Rye

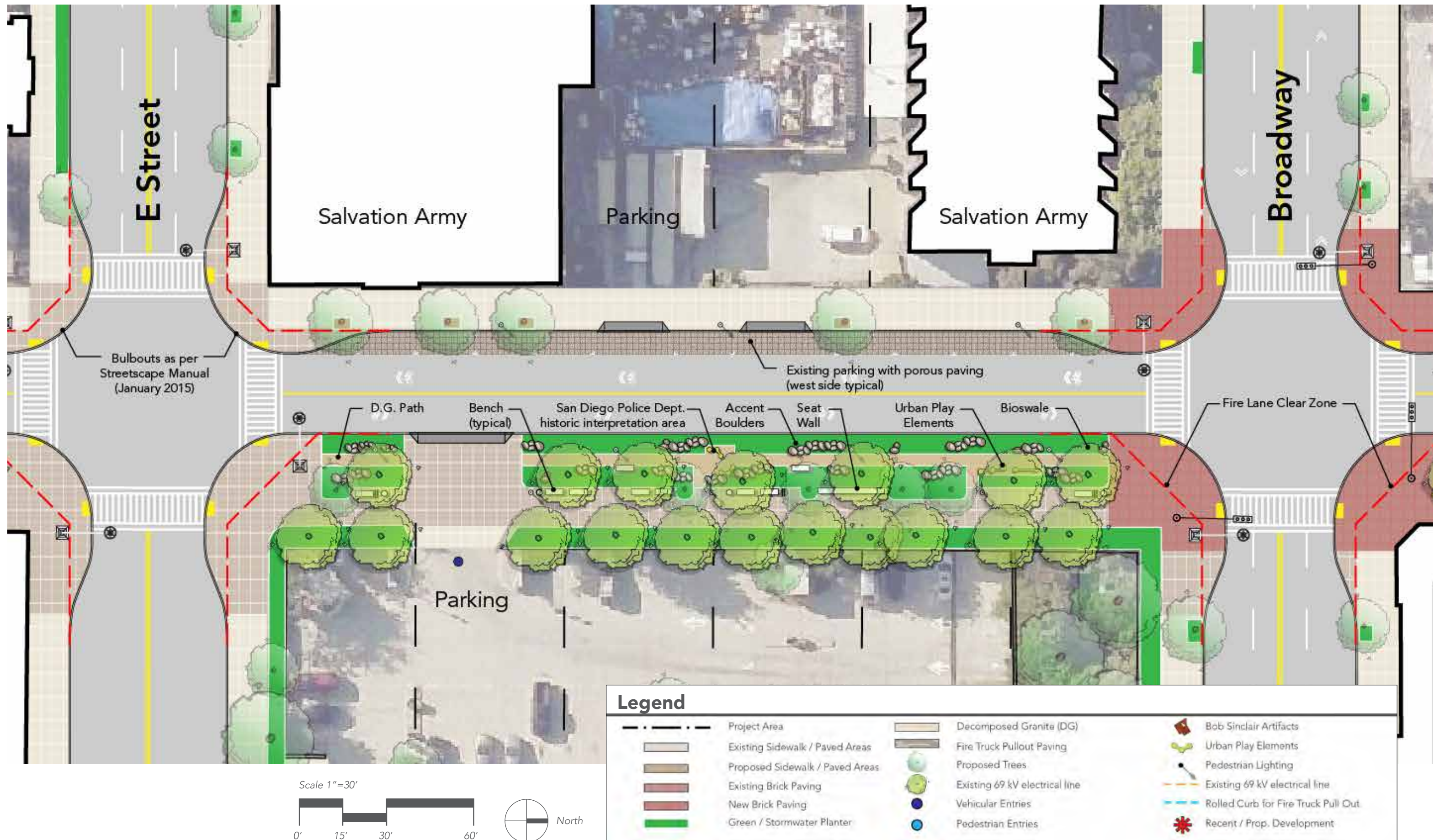


# URBAN DISCOVERY AND PLAY DISTRICT - BLOCK 1



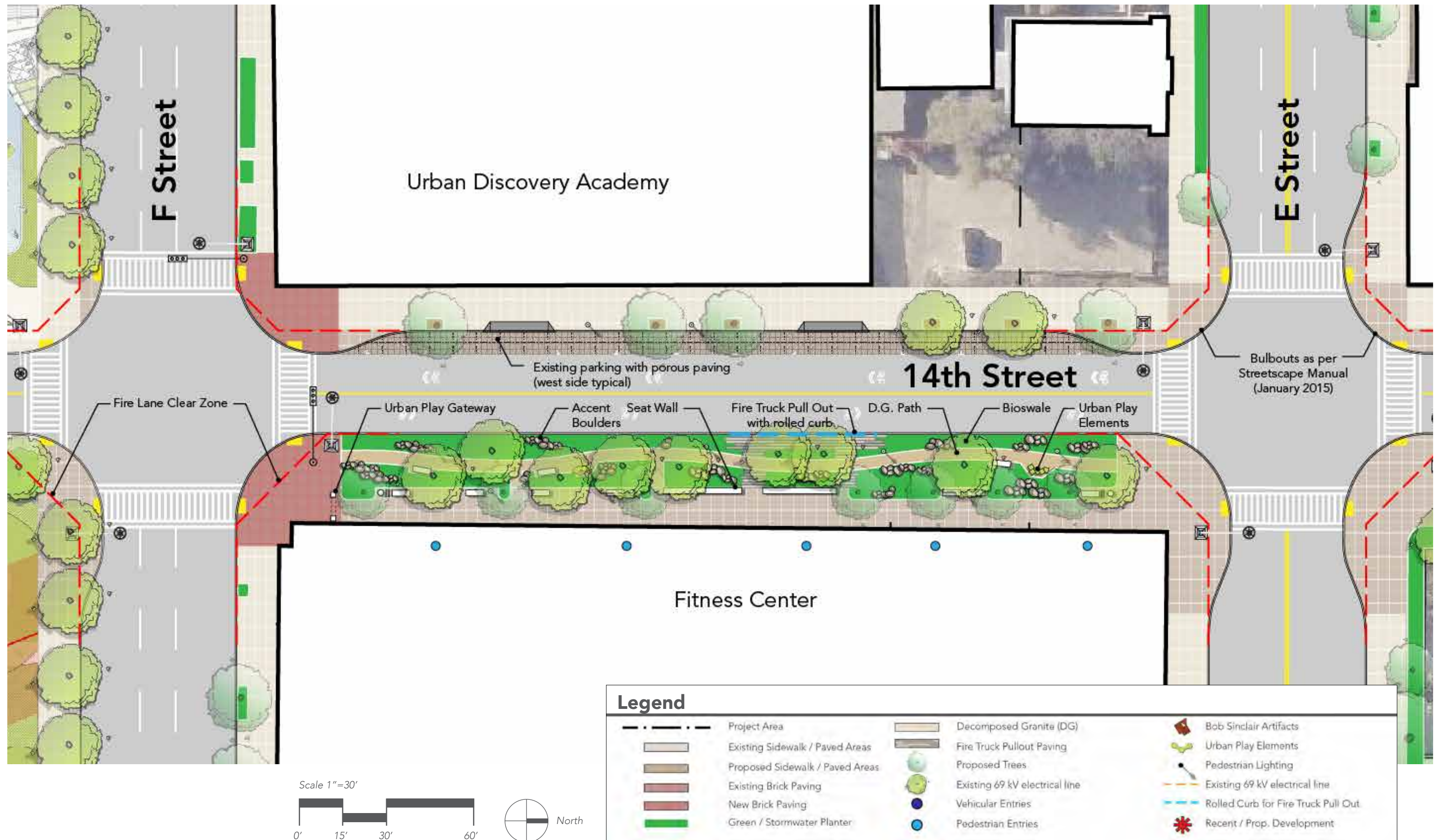


## URBAN DISCOVERY AND PLAY DISTRICT - BLOCK 2

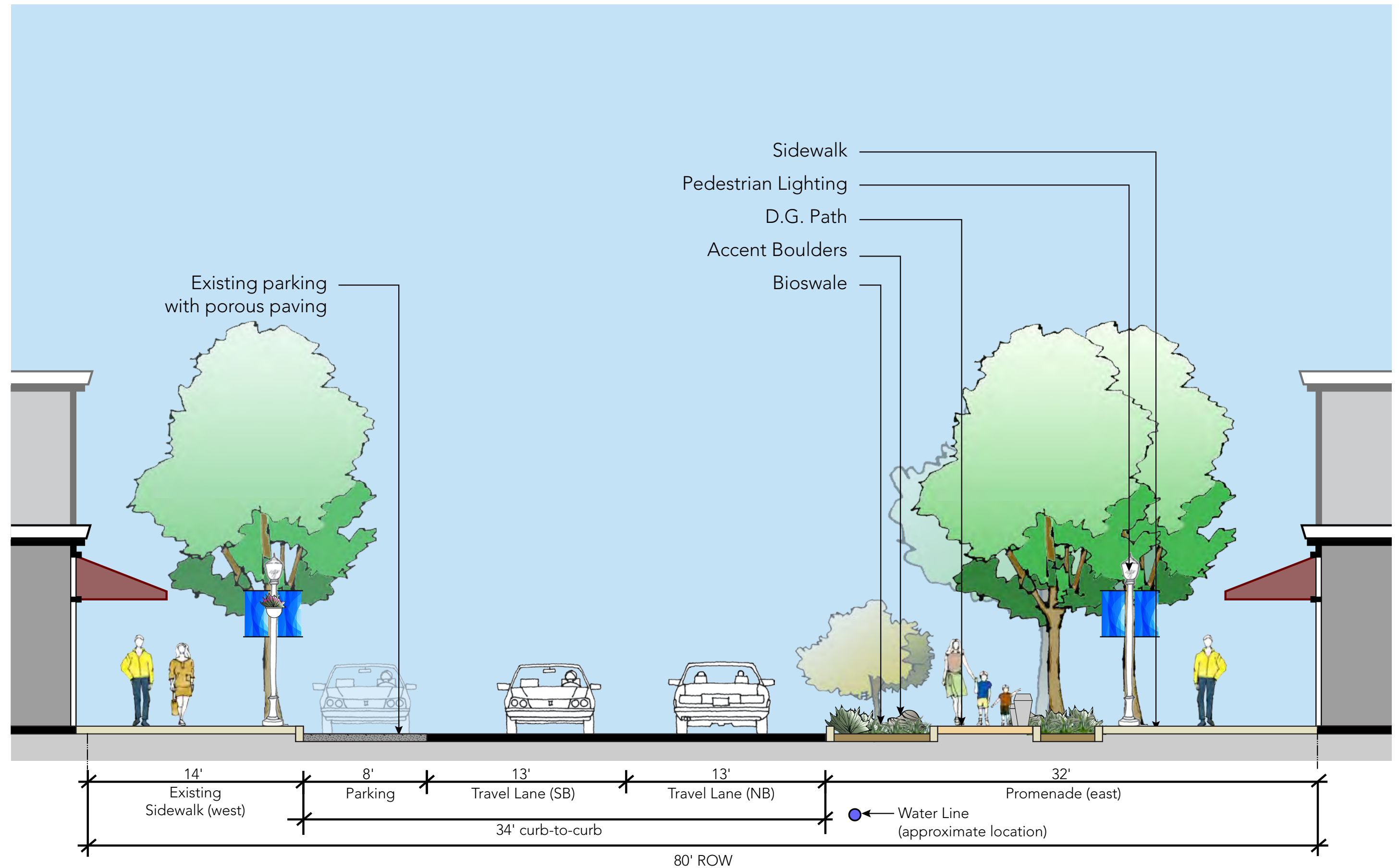




# URBAN DISCOVERY AND PLAY DISTRICT - BLOCK 3



## URBAN DISCOVERY AND PLAY DISTRICT - SECTION 1





URBAN DISCOVERY AND PLAY DISTRICT - PLANT PALETTE

SHADE TREES	
Platanus racemosa	California Sycamore
Ulmus parvifolia	Evergreen Elm
UNDERSTORY	
Aloe 'Johnson's Hybrid'	Johnson's Hybrid Aloe
Arctostaphylos 'John Dourley'	John Dourley Manzanita
Aristida purpurea	Purple Three-awn
Asclepias speciosa	Showy Milkweed
Calamagrostis foliosa	Mendocino Reed Grass
Ceanothus thyrsiflorus griseus 'Yankee Point'	Carmel Creeper
Echeveria 'Afterglow'	NCN
Eriogonum fasciculatum 'Dana Point' -	California Buckwheat
Fragaria californica	Woodland Strawberry
Helichrysum petiolare	Licorice Plant
Muhlenbergia rigens	Deer Grass
Myoporum parvifolium	NCN
Rosmarinus officinalis 'Prostrata'	Creeping Rosemary
Salvia apiana	Purple Sage



Helichrysum petiolare - Licorice Plant



Echeveria 'Afterglow'



Aloe 'Johnson's Hybrid' - Johnson's Hybrid Aloe



Platanus racemosa - California Sycamore



Aeonium arboreum 'Zwartkop'



Muhlenbergia rigens - Deer Grass



Ceanothus thyrsiflorus griseus 'Yankee Point' - Carmel Creeper



Aristida purpurea - Purple Three-awn



Eriogonum fasciculatum 'Dana Point' - California Buckwheat

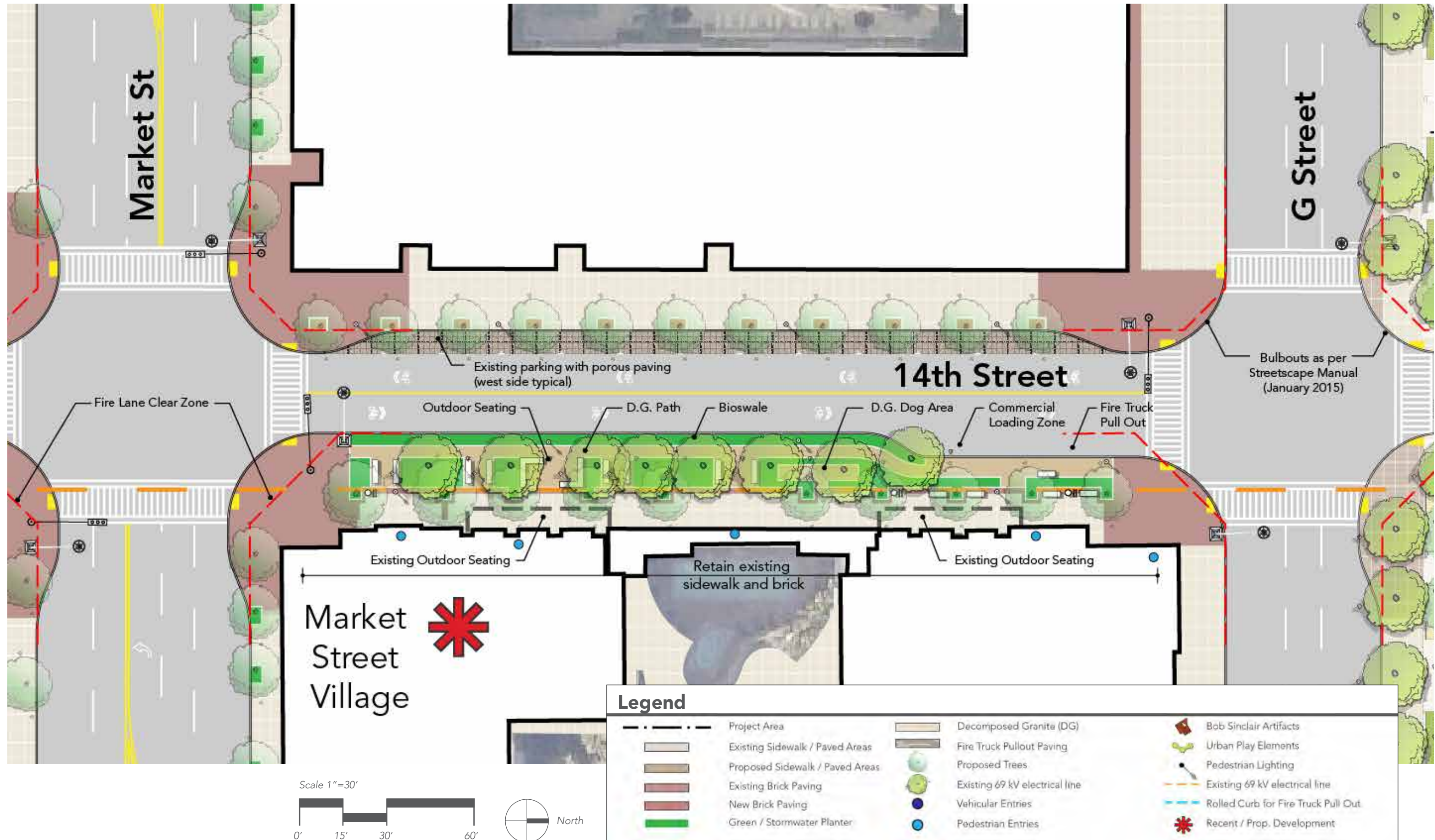


Salvia apiana - Purple Sage

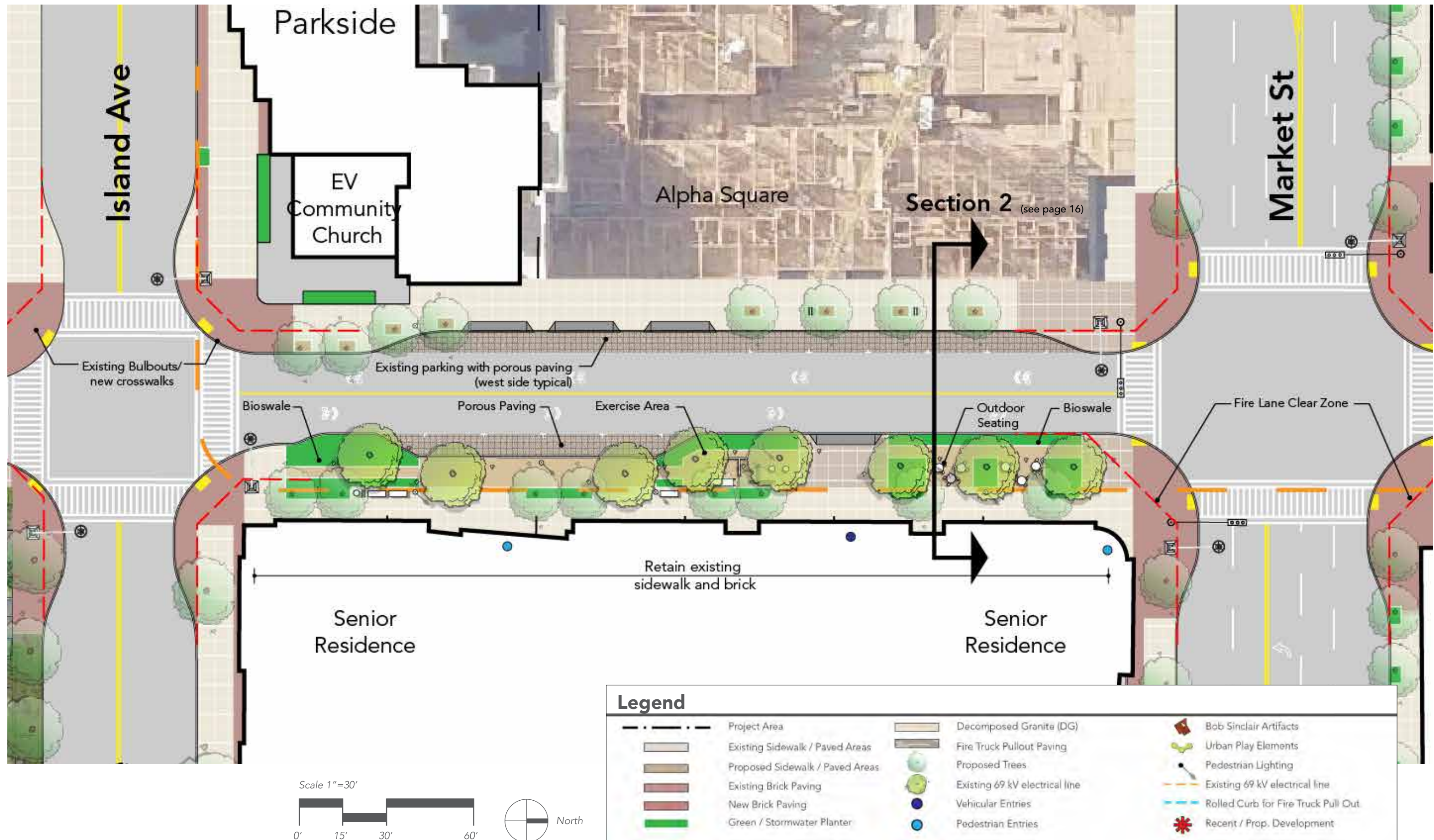










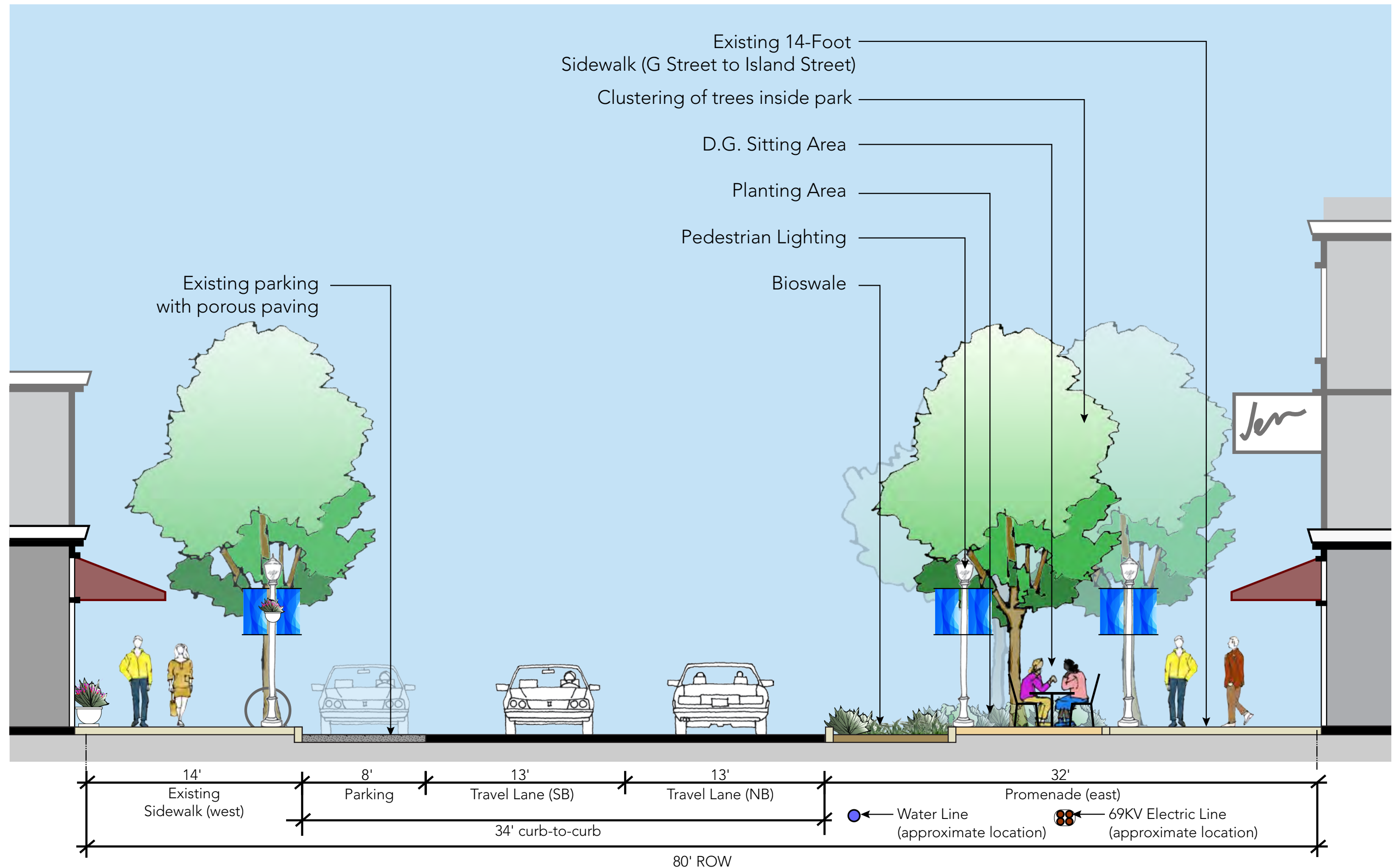








# PARK DISTRICT - SECTION 2





PARK DISTRICT - PLANT PALETTE

SHADE TREES	
Pistacia chinensis	Chinese Pistache
Ulmus parvifolia	Evergreen Elm
UNDERSTORY	
Achillea 'Moonshine'	Yellow Yarrow
Aloe 'Johnson's Hybrid'	Johnson's Hybrid Aloe
Arctostaphylos 'John Dourley'	John Dourley Manzanita
Arctostaphylos 'Pacific Mist'	Pacific Mist Manzanita
Aristida purpurea	Purple Three-awn
Ceanothus thyrsiflorus griseus 'Yankee Point'	Carmel Creeper
Cuphea hyssopifolia	False Heather
Echevaria imbricata	Hen and Chicks
Fragaria californica	Woodland Strawberry
Helictotrichon sempervirens	Blue Oat Grass
Kalanchoe pumila	Flower Dust Plant
Lavandula amgustifolia	English Lavender
Phormium tenax + cultivars	New Zealand Flax
Rosmarinus officinalis 'Prostratus'	Creeping Rosemary
Salvia 'Mrs. Beard'	Mrs. Beard Sage
Santolina chamaecyparissus	Lavender Cotton
Sisyrinchium bellum	Blue-eyed Grass



Achillea 'Moonshine' - Yellow Yarrow



Ceanothus 'Yankee Point' - Carmel Creeper



Phormium tenax + cultivars - New Zealand Flax



Pistache chinensis - Chinese Pistache



Aloe 'Johnson's Hybrid' - Johnson's Hybrid Aloe



Cuphea hyssopifolia - False Heather



Salvia 'Mrs. Beard' - Mrs. Beard Sage



Arctostaphylos 'John Dourley' - John Dourley Manzanita



Lavandula amgustifolia - English Lavender



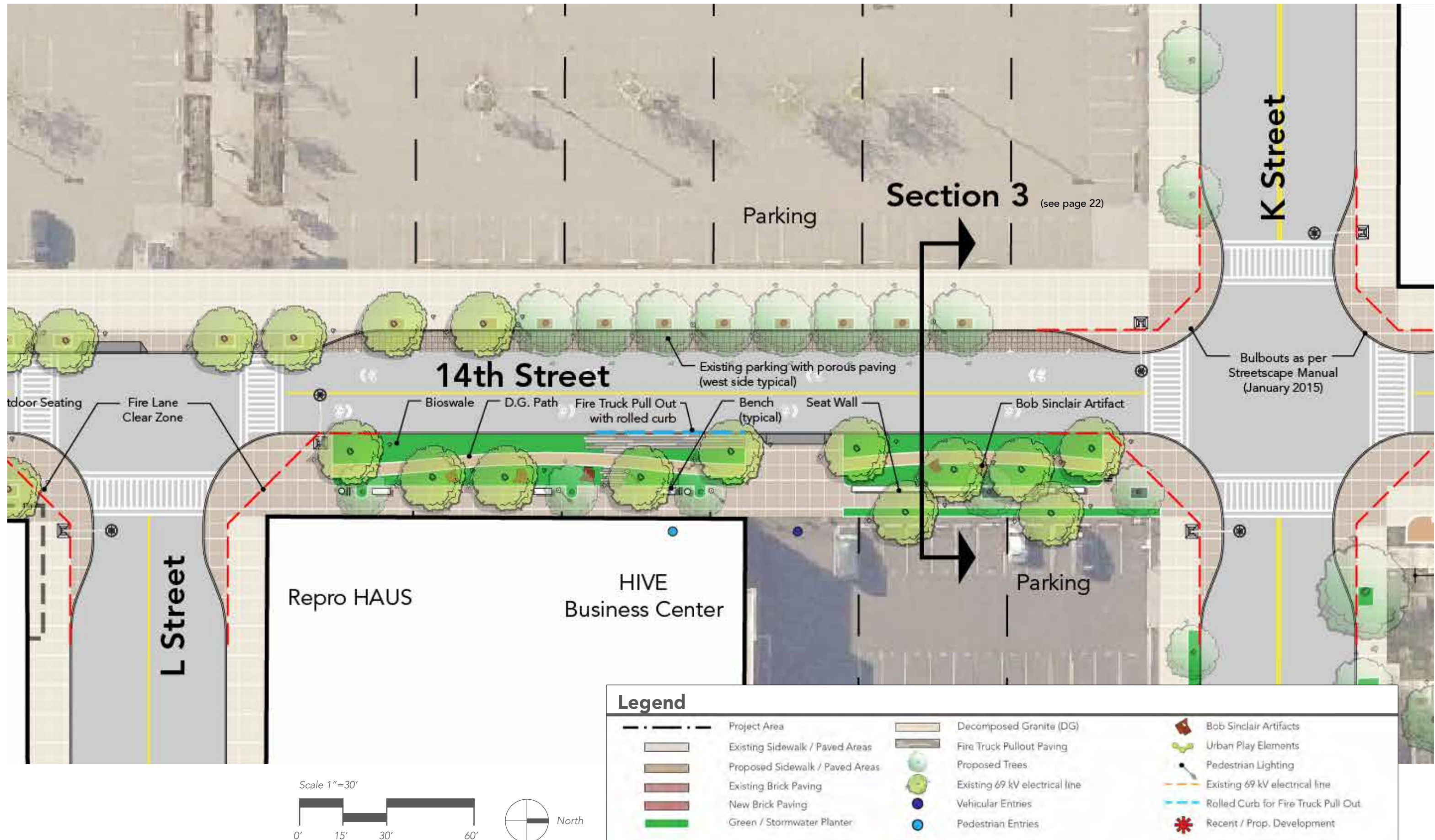
Santolina chamaecyparissus - Lavender Cotton



## ENTERTAINMENT AND INNOVATION DISTRICT - BLOCK 8









# ENTERTAINMENT AND INNOVATION DISTRICT - BLOCK 10



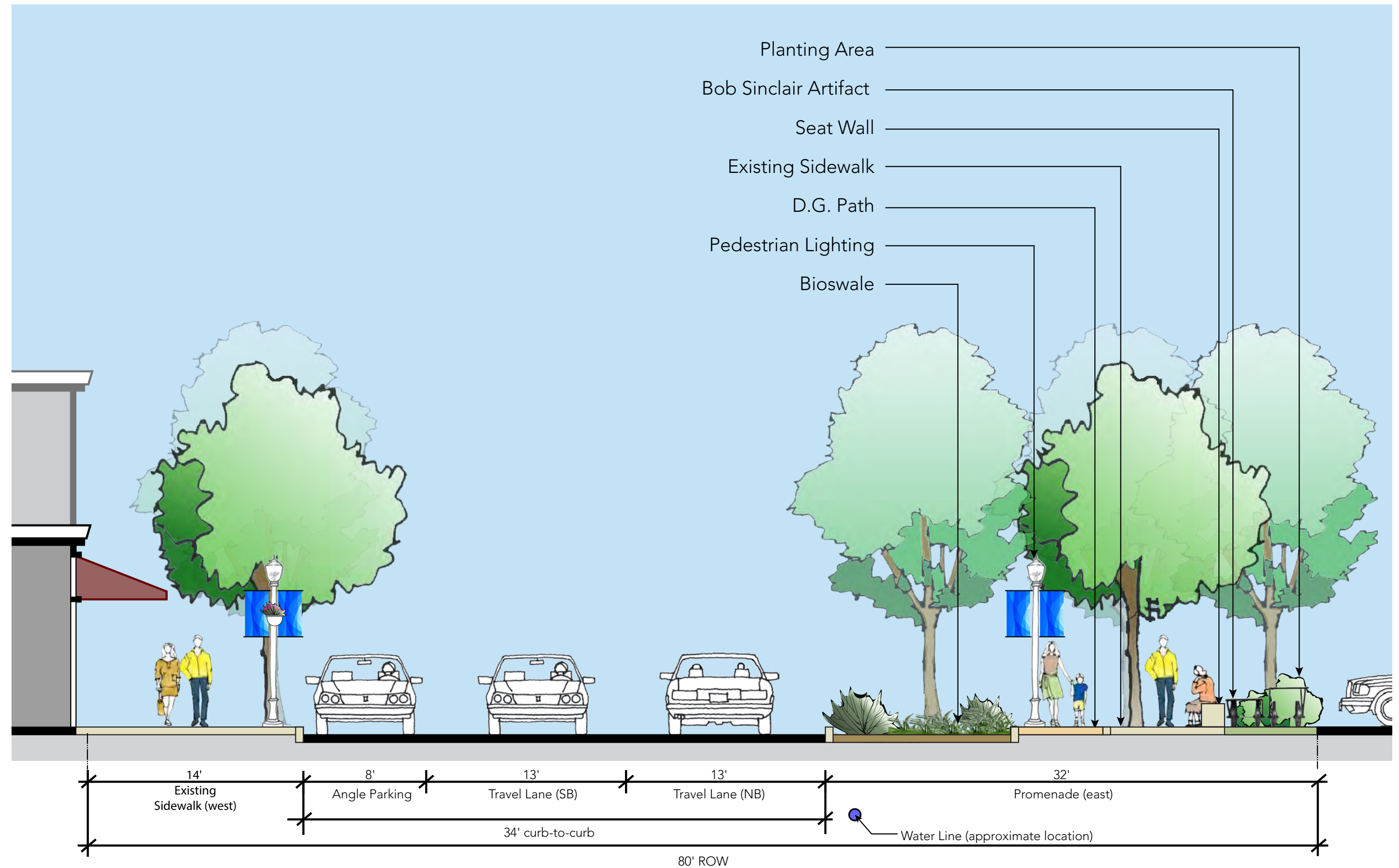


# ENTERTAINMENT AND INNOVATION DISTRICT - BLOCK 11





## ENTERTAINMENT AND INNOVATION DISTRICT - SECTION 3





ENTERTAINMENT AND INNOVATION DISTRICT - PLANT PALETTE

SHADE TREES	
Chitalpa tashkensis	Chitalpa
Fraxinus uhdei	Evergreen Ash
Quercus agrifolia	Coast Live Oak
UNDERSTORY	
Arctostaphylos 'Pacific Mist'	Pacific Mist Manzanita
Aristida purpurea	Purple Three-awn
Calamagrostis foliosa	Mendocino Reed Grass
Carissa macrocarpa 'Tuttle'	Tuttle Compact Natal Plum
Ceanothus thyrsiflorus griseus 'Yankee Point'	Carmel Creeper
Cistus x skanbergii	Rockrose
Cuphea ignea	Cigar Plant
Echeveria imbricata	Hen and Chicks
Eriogonum fasciculatum 'Dana Point'	Dana Point California Buckwheat
Galvezia speciosa	Island Bush Snapdragon
Lantana x 'New Gold'	New Gold Lantana
Phormium 'Jack Sprat'	Jack Sprat New Zealand Flax
Salvia mellifera	Black Sage



Arctostaphylos 'Pacific Mist' - Pacific Mist Manzanita



Echeveria imbricata - Hen and Chicks



Lantana x 'New Gold' - New Gold Lantana



Chitalpa tashkensis - Chitalpa



Aristida purpurea - Purple Three-awn



Galvezia speciosa - Island Bush Snapdragon



Phormium 'Jack Sprat' - Jack Sprat New Zealand Flax



Cistus x skanbergii - Rockrose



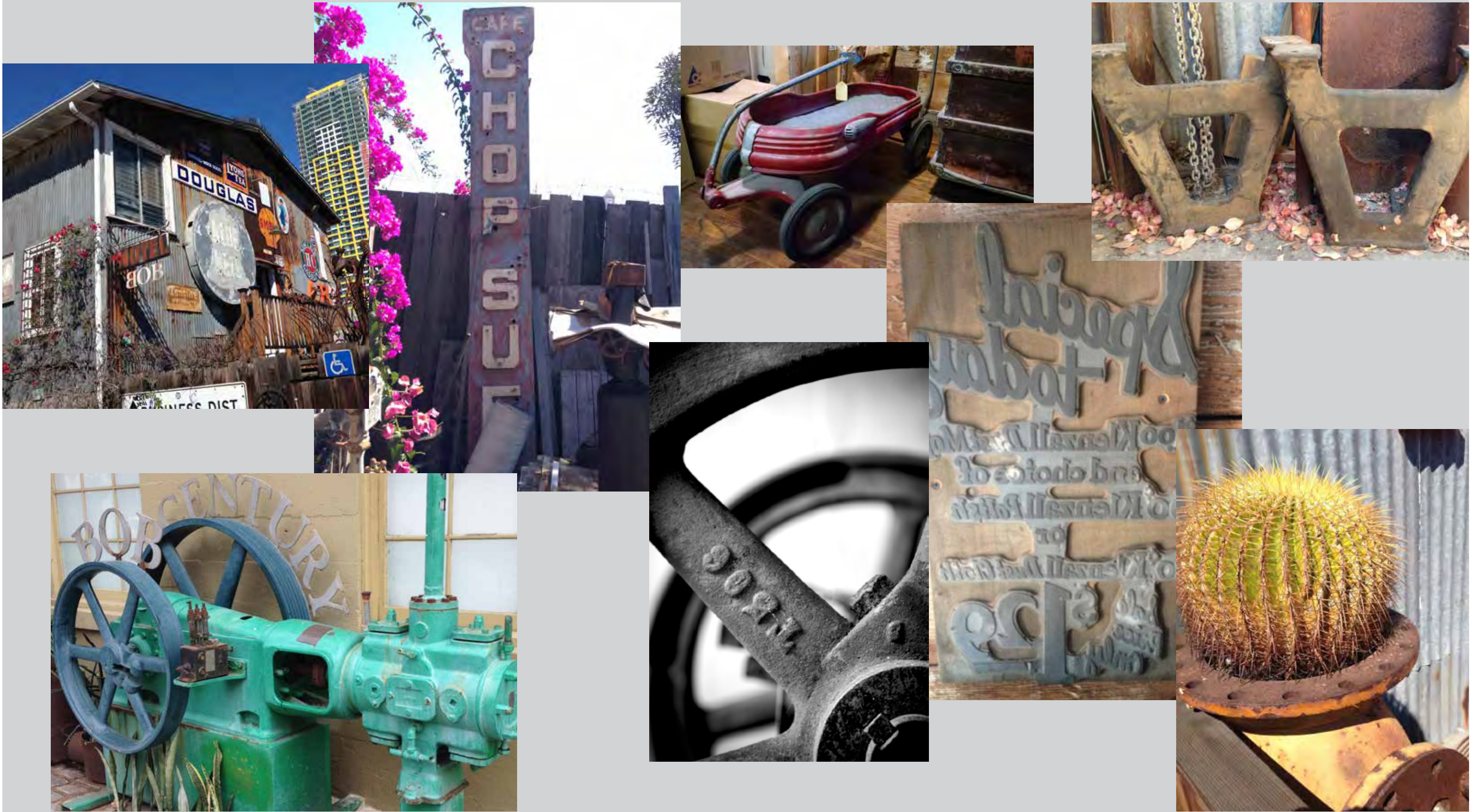
Carissa macrocarpa 'Tuttle' - Tuttle Compact Natal Plum



Salvia mellifera - Black Sage

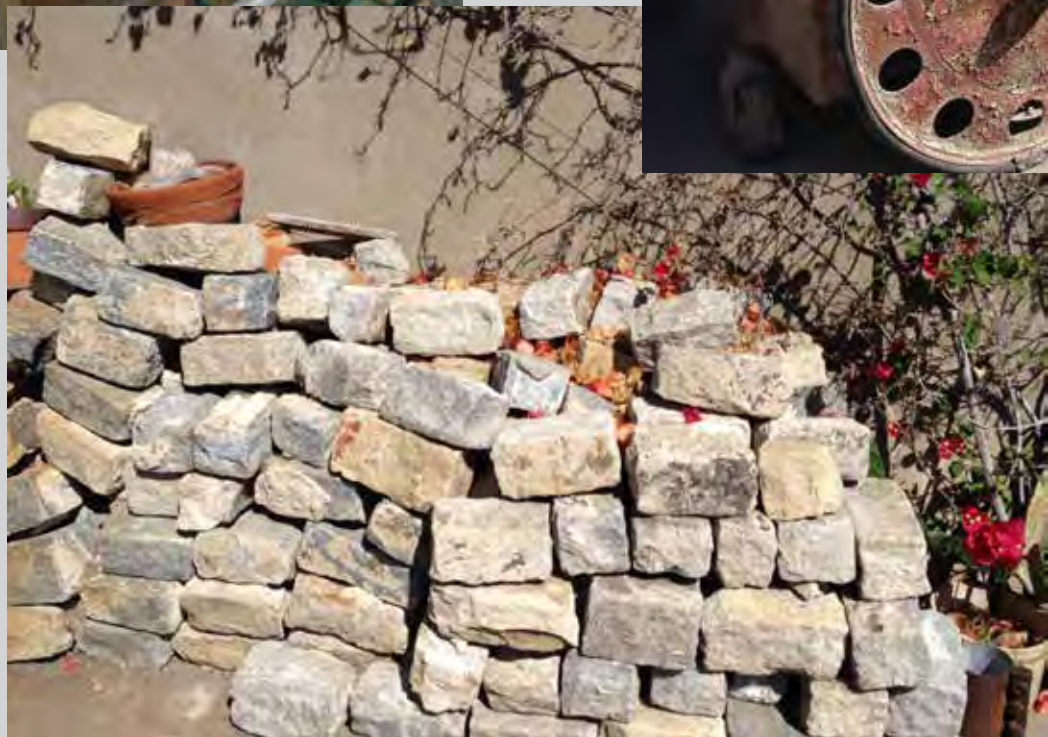


ENTERTAINMENT AND INNOVATION DISTRICT - BOB SINCLAIR INDUSTRIAL ARTIFACTS



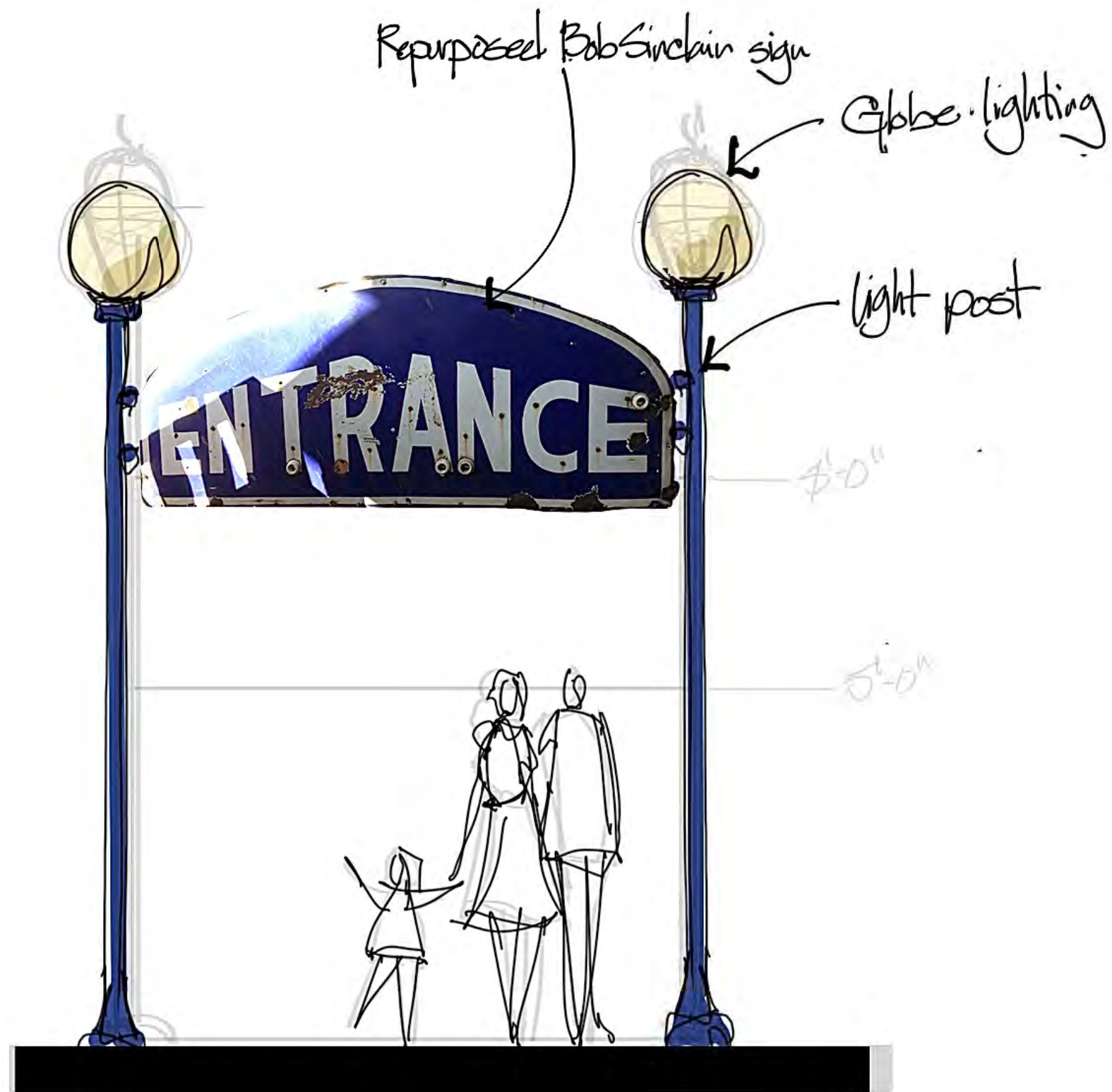


ENTERTAINMENT AND INNOVATION DISTRICT - BOB SINCLAIR INDUSTRIAL ARTIFACTS

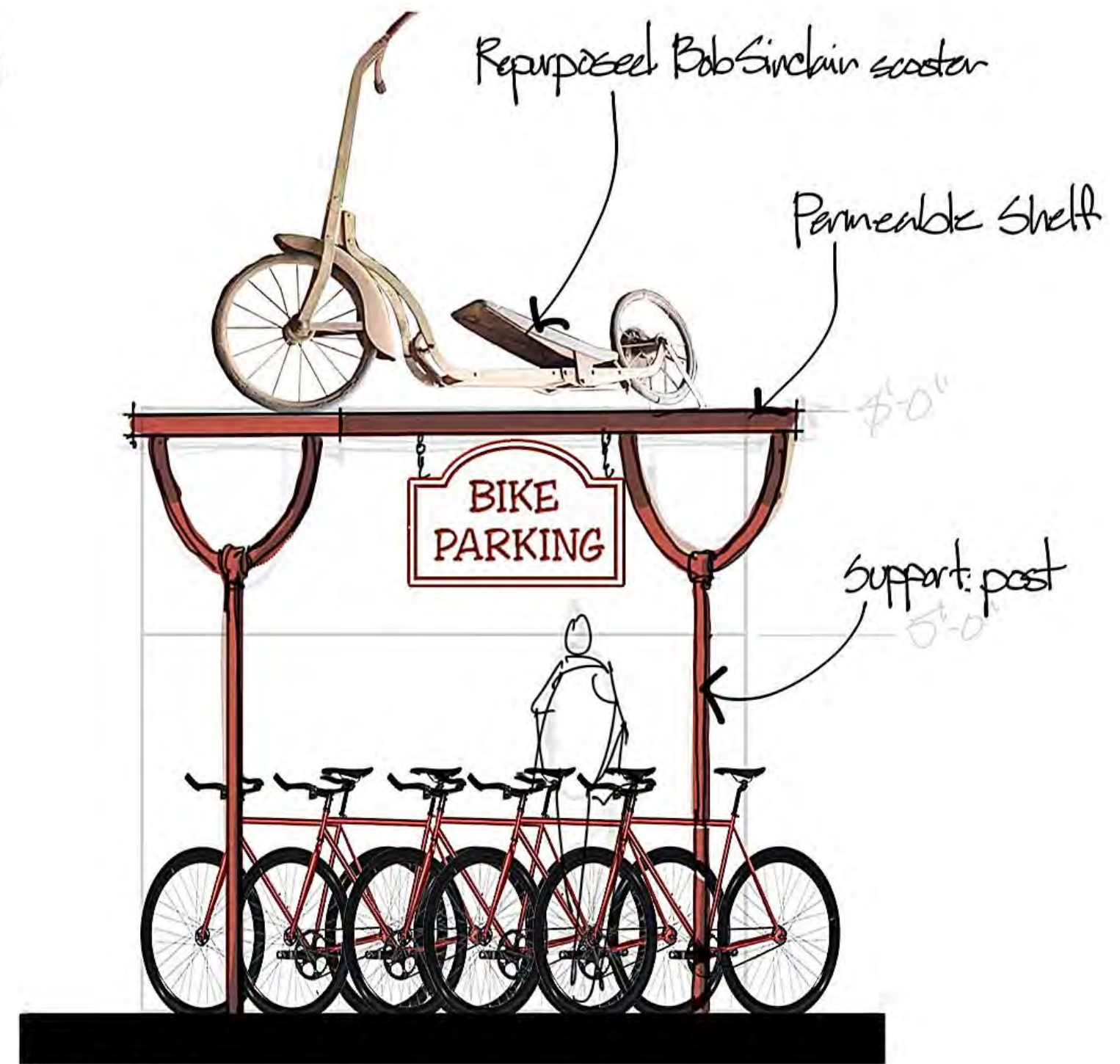




## ENTERTAINMENT AND INNOVATION DISTRICT - CONCEPTUAL USAGE OF INDUSTRIAL ARTIFACTS



Pedestrian Gateway



Thematic Bike Storage

# E STREET GREENWAY MASTER PLAN

E Street | San Diego • CA  
July 9, 2021

Prepared by:



SCHMIDT  
DESIGN  
GROUP





# ACKNOWLEDGEMENTS

## City of San Diego

Brad Richter, Deputy Director, Urban Division  
Kathleen Brand, Senior Planner, Urban Division  
Everett Hauser, Program Manager, Transportation and Storm Water

## Civic San Diego

Daniel Kay, Principal Engineer, Public Works

## Consultants

CR Associates, Ross Duenas, Project Manager  
Schmidt Design Group, JT Barr, Principal

## Gaslamp Quarter Association

Michael Tremble, Executive Director

And a special thanks to all of the community members who were involved in the process and preparation of the E Street Greenway Master Plan





INTRODUCTION

BACKGROUND

Downtown San Diego has always been a living, dynamic collective of vibrant neighborhoods; each with its own unique history and personality. The E Street Greenway unites two of these neighborhoods, the Gaslamp Quarter and East Village. The E Street Greenway will serve as the connective thread stitching together these two historic and unique neighborhoods.



The historic Gaslamp Quarter District was established by Alonzo Horton who purchased the land with the ambition of creating a new gathering place near the bay. In the 20th century this neighborhood underwent an urban renaissance guided by civic leadership to restore its Victorian architecture. These efforts, paired with the construction of Horton Plaza, resulted in significant economic viability transforming the Gaslamp Quarter into a premier destination. Extending from 4th Avenue east to 6th Avenue, and from Broadway south to Harbor Drive, the Gaslamp Quarter still retains its historic character while providing a vibrant atmosphere to live, work, entertain, and play.



The roots of East Village are firmly grounded in industry, serving the City’s manufacturing and warehousing needs. It too has experienced numerous rebirths as a neighborhood. Through the 20th century, East Village was a place where social services were provided to the greater San Diego community. Recently, it has experienced tremendous growth with the construction of several residential developments, bringing a renewed energy to East Village. Starting at 6th Avenue and terminating at 16th Street, the East Village offers a unique tapestry of historic warehouses, homes, education, mixed-use developments, and modern high-rises, also housing the Petco Park. The Greenway will play a critical role in shaping the overall East Village experience as the neighborhood continues to evolve.



Through a strategic reduction of parallel parking on E Street and expansion of the pedestrian realm, the E Street Greenway will provide a living corridor that will strengthen pedestrian connections to open space and promote exploration, connecting two of Downtown’s quintessential neighborhoods.

INTRODUCTION

E STREET MASTER PLAN

To further improve pedestrian safety and comfort in the Downtown area, the Downtown Mobility Plan proposed a system of Greenways along select corridors, linking existing and planned parks and improving connections to adjacent communities.

Greenways

Greenways are sidewalks that can serve as linear parks, providing needed open space. They help create streets that are more pedestrian oriented with prominent landscaping and expanded sidewalk widths. A uniform set of street furnishing (benches, trash cans, street lighting, tree grates, and signage) should be present along these pedestrian corridors to differentiate them from other streets.

The E Street Greenway connects Horton Plaza Park in the Gaslamp Quarter with the northeast quadrant of East Village and will provide a respite between the auto and transit corridors of Broadway and F and G Streets. Similar to the 14th Street Greenway Master Plan, there are opportunities for phased construction with new development, grants and capital improvement projects through the northeast East Village.

Currently a mix of one-way and two-way configurations, the street will be converted to one travel lane in each direction with the removal of the parking lane along the north side to maximize sun exposure along a landscaped corridor. The lane configuration change gives the corridor space to extend the northern curb out into the street to enhance the pedestrian realm.

The Greenway will accommodate a variety of activities and spaces for kids play, adult play, seating, dog runs, and interpretive signage. It will play a critical role in shaping the overall experience for residents and visitors as the Gaslamp Quarter and East Village continue to evolve. Lastly, the E Street Greenway will provide a living corridor connecting two of Downtown’s quintessential neighborhoods.





INTRODUCTION

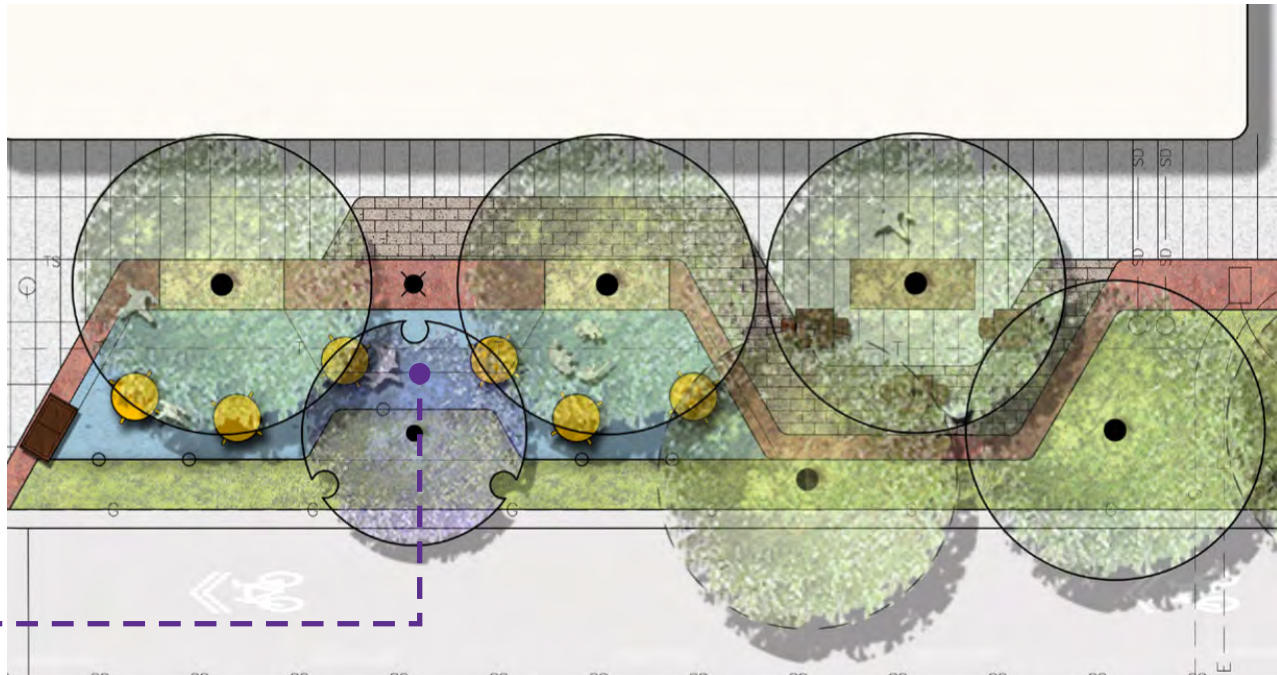
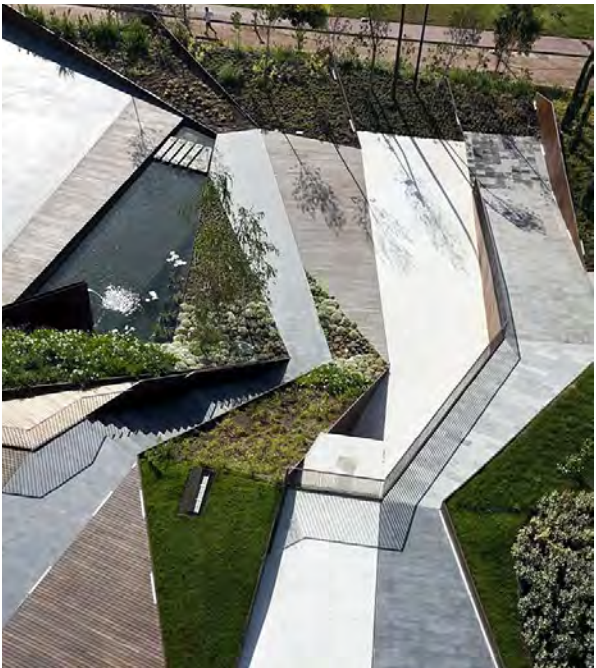
PURPOSE

This Master Plan establishes a framework for cohesive improvement recommendations to the E Street Greenway; providing guidelines on form, amenities, materiality, and landscape. The Master Plan can be utilized by the City to facilitate the construction of the corridor on a block-by-block basis as development and funding opportunities arise. Each block should be designed in response to its adjacent land use to include outdoor gathering and dining responding to the evolving nature of urban redevelopment.

The E Street Greenway Master Plan serves to enhance the pedestrian experience through the removal of on-street parking, traffic calming measures, programmed amenities and enhanced plantings. It is a guide to strengthen linkages between pedestrian and transit planning, develop flexible street designs and functionality, and support each district's uniqueness through streetscape and urban design.

The Master Plan incorporates the following:

- Reduce E Street to a two-way, 2-lane road and widen the northern sidewalk to expand the public realm.
- Create social and experiential spaces throughout the Greenway.
- Provide consistent landscape treatments suited for existing and planned urban conditions.
- Add a double row of street trees to provide shade and reduce the urban heat island effect.
- Encourage the use of low-impact development (LID) features that provide water quality and stormwater treatment.
- Encourage local and regional material use with recycled content and energy-efficient lighting.





INTRODUCTION

SCOPE

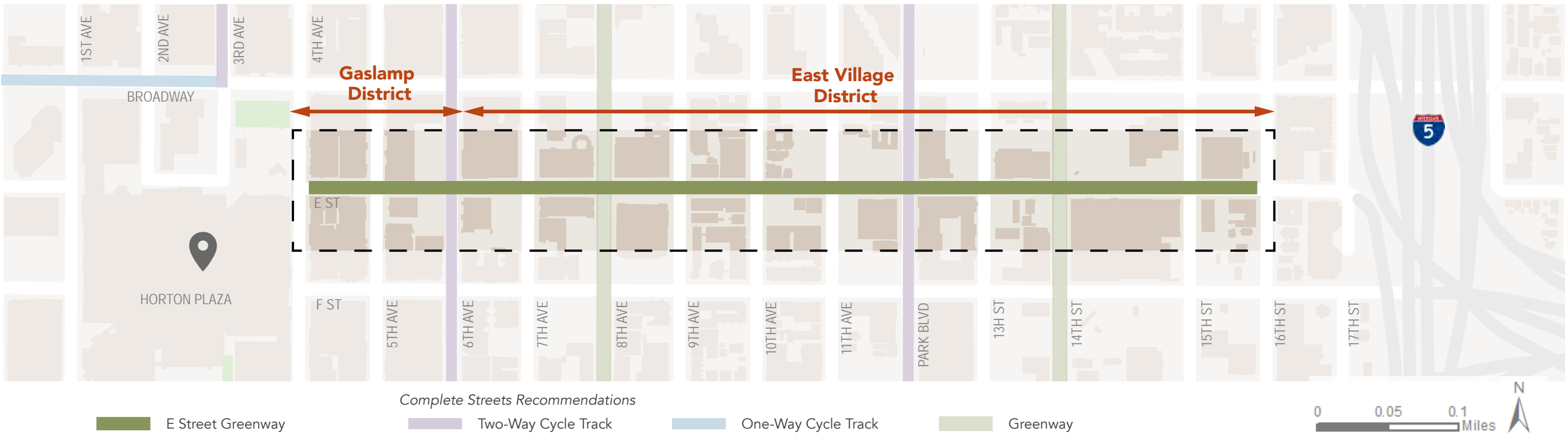
The E Street Greenway is located between Horton Plaza and the Interstate 5 Freeway, starting on 4th Avenue and ending on 16th Street. Other recommended greenways and cycletracks can also be identified in the area. The E Street Greenway intersects the Eight Avenue Greenway, the 14th Street Greenway, and two-way cycle tracks along 6th Avenue and Park Boulevard. Together, these will help to create a strong network for active transportation.

Gaslamp District

The western two blocks of E Street (between 4th Avenue and 6th Avenue) celebrate the history of the Gaslamp Quarter while providing expanded hardscape to accommodate nightlife crowds. This section of the Greenway includes programmed spaces for seating, interactive dance steps etched into the paving, urban rockers, and dog runs. Flexible space incorporates existing sidewalk cafes and pedestrians accessing nearby restaurants and shops.

East Village District

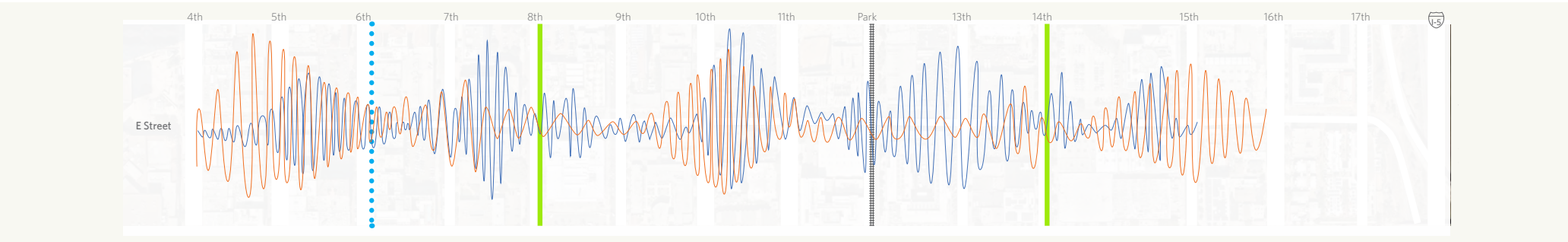
The remaining nine blocks along E Street (between 6th Avenue and 16th Street) alternate between social spaces and park spaces as the Greenway traverses East Village. The Greenway increases the space for seating, play, discovery, dog runs, and landscape. This portion of the Greenway emphasizes adult and children’s play with nodes appearing on nearly every block. The East Village segment also showcases secondary garden trails and interactive sculptural elements.



PROJECT INSPIRATION

VIBRATIONS

Downtown San Diego is an evolving, dynamic environment reverberating with the energy found in it's urban core. This energy is expressed as a vibration, or wavelength, echoing the people, geology and history of Downtown. With this concept, pedestrians experience moments of compression and expansion as they navigate the corridor. Areas of compression offer expanded landscape areas; creating green oases within the rigidity of an urban setting. Moments of expansion frame a series of pause points; each programmed to encourage play, socialization, and discovery.



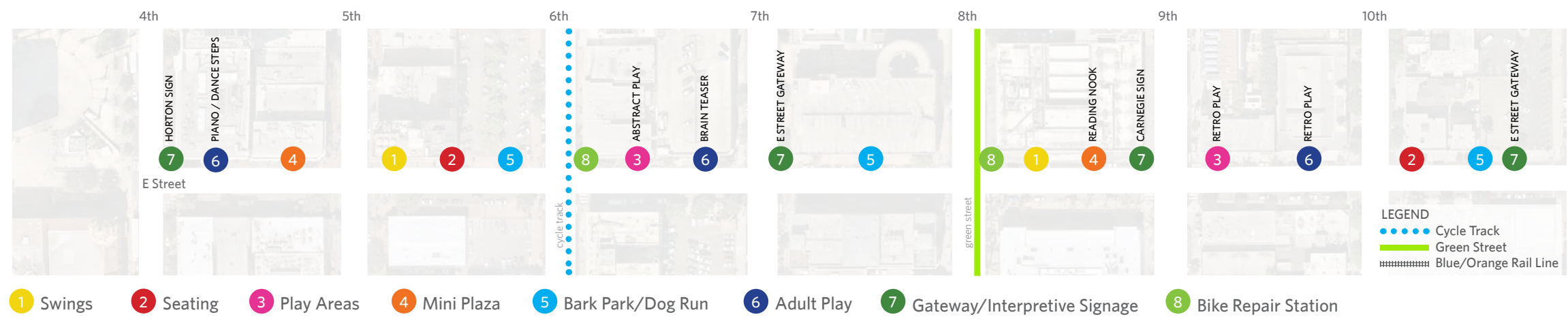
A CONTINUUM OF PLAY

The concept of play is integral to the overall Greenway experience. The Greenway functions as a truly democratic environment; offering robust play opportunities that reflect the diversity of the city's residents and visitors. These spaces have been thoughtfully distributed throughout the Greenway to create a continuum of play. They range in type, activity level, scale, function, and aesthetic. This rhythmic composition encourages users to navigate the entirety of the Greenway and discover all it has to offer.





PROJECT INSPIRATION



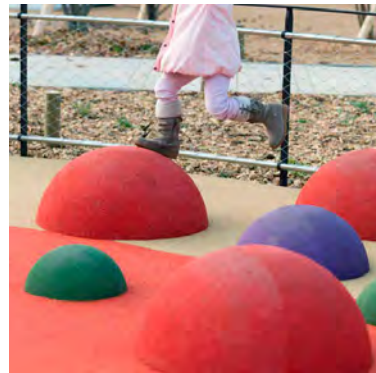
Proposed Amenities



1 Swings



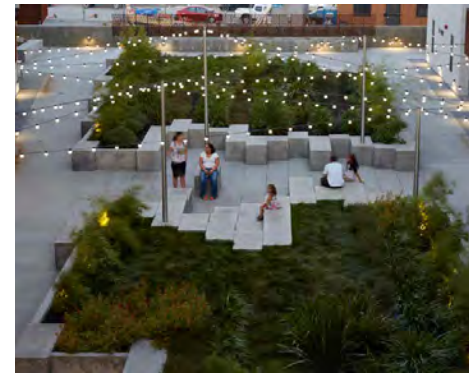
2 Seating



3 Children's Play- Abstract



3 Children's Play



4 Mini Plaza



5 Bark Park/Dog Run



6 Adult Play - Abstract



6 Adult Play - Brain Teaser



6 Adult Play - Retro



6 Adult Play - Dance



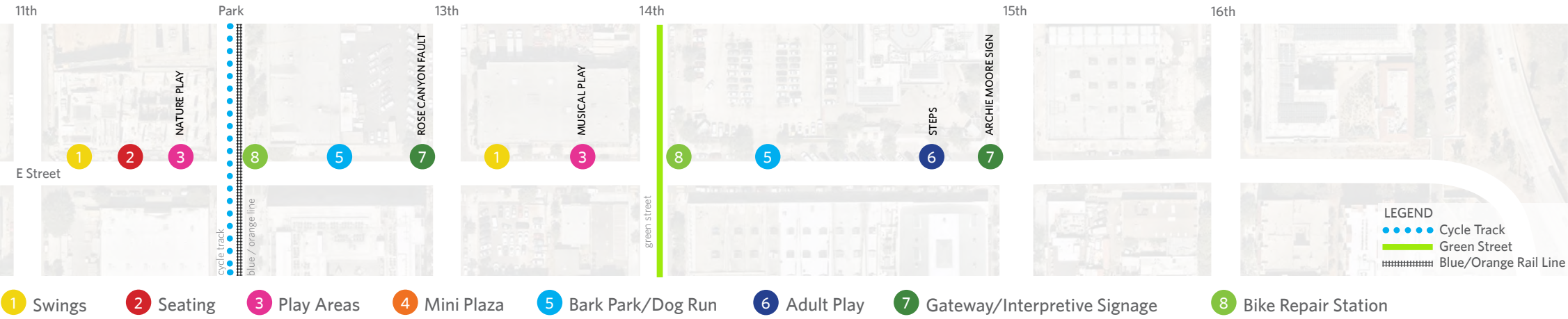
7 Gateway Signage



8 Bike Repair Station



PROJECT INSPIRATION



Proposed Amenities



1 Swings



2 Seating



3 Children's Play - Nature



3 Children's Play - Music



4 Mini Plaza



5 Bark Park/Dog Run



6 Adult Play



7 Interpretive Signage



8 Bike Repair Station



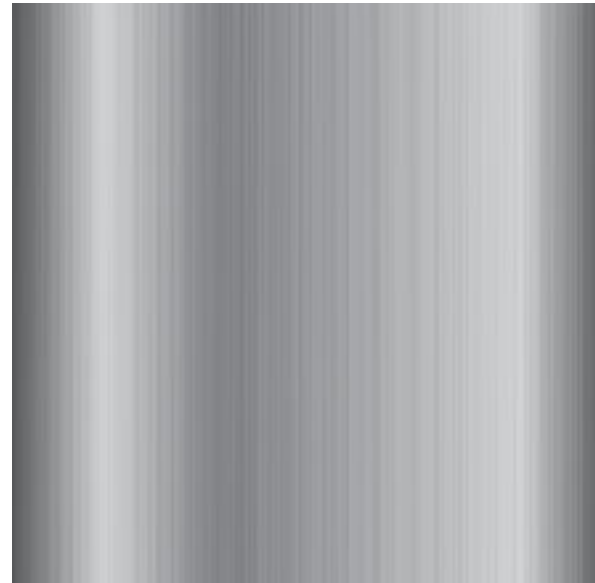
## PROJECT INSPIRATION

## MATERIALS PALETTE

## a. Hardscape

The Greenway's hardscape treatments reflect the movement of the vibrations concept; undulating through the corridor. Two primary materials of brick and concrete are incorporated; weaving together the predominant hardscapes of the Gaslamp Quarter and East Village. An integrally colored concrete ribbon expresses a new linear treatment connecting the greenway from end to end. The hardscape materials and finishes shall be as described below and installed per the approved San Diego Centre City Streetscape Manual.

- i. **Concrete Paving** shall be natural gray with a light acid finish. Scoring in a geometric, rectangular pattern evoking San Diego's urban grid.
- ii. **Brick Pavers** shall be consistent with the Gaslamp Quarter guidelines.
- iii. **Colored Concrete Ribbon** shall be an integral color with a heavy exposed aggregate finish.
- iv. **Decomposed Granite (DG)** shall be used on secondary trails and within tree wells. Trail paving shall be integrally stabilized, color California Gold or equal. Decomposed granite within the tree wells shall be non-stabilized and of a color matching the adjoining integrally colored concrete.
- v. **Resilient Surfacing** shall be used under designated play areas. Surfacing shall be installed to meet the requirements of the City of San Diego's Consultant Guide to Park Design and Development. Colors shall be vibrant, primary colors in a pattern emulating the movement of the surrounding hardscape.
- vi. **Synthetic Turf** shall be installed in dog run areas and graded to provide filtration prior to entering the storm drain.



E Street Furnishings Color



Decomposed Granite



Powdercoated Accent Ribbon



Gaslamp District Brick Paving



E Street Paving

PROJECT INSPIRATION



E Street Seating



E Street Seating (concrete or steel only)

b. Furnishings

Primary furnishings shall be consistent throughout the Greenway; however, opportunities exist to introduce focused, distinctive pieces. This may include concrete “sofas and armchairs” in the reading nooks adjacent to the former library. Furnishing shall consist of the following:

- i. **Benches** shall be organic in form and include intermittent armrests. They shall be constructed of concrete or powder coated steel.
- ii. **Moveable Seating** is encouraged to be bistro style; provided and maintained by adjacent businesses.
- iii. **Urban Rockers** shall be constructed of powder coated plate steel with no overhead structure. Rockers shall utilize internal mechanisms to limit the range of motion to 30 degrees.
- iv. **Bike Racks and Repair Stations** shall be located on blocks adjacent to existing and proposed cycle tracks and transit stops. Bike racks shall be the type listed in the Streetscape Manual, and bike repair stations shall be of complementary design.
- v. **Play Components** can be incorporated as creative and unique elements and shall be located where noted on plans. Examples may include:
  - Resilient Surfacing Mounds
  - Retro Table Games / Brain Teasers
  - Musical / Sensory Play
  - Dance Steps Etched into Paving
  - Hopscotch and Maze Patterns Etched into Paving
- vi. **Trash Receptacles** shall conform to the color and type listed in the San Diego Centre City Streetscape Manual and located per the Master Plan.
- vii. **Raised Planters** shall be rectangular prefabricated planters and dark brown in color. Each planter shall have a modular container irrigation system and maintained by adjacent businesses.
- viii. **Gateways and Signage** shall be provided along the Greenway and shall be designed to emerge from the concrete ribbon. Gateway and interpretive signage shall be powder coated steel with a corten aesthetic. Lettering/iconography to be stainless steel. Signage shall include:
  - Gateway Elements – E Street Greenway entry branding signage/iconography.
  - Interpretive Signage – Educational signage referencing the history and geology throughout the Greenway. Signage topics may include, but are not limited to, D.R. Horton, Archie Moore, the original Carnegie Library, and the Rose Canyon Fault.



## PROJECT INSPIRATION

**c. Railings and Fencing**

Provide a visual and safety barrier from traffic along E Street. Fencing shall be used at dog run areas, while railings shall be used in areas where planting space does not provide a safety barrier from the street. Railings and fences shall be steel and reflect the geometric patterning of the overriding vibrations concept.

**d. Lighting**

Shall be a double row, triangulated on every block and be consistent with CCSM Downtown acorn light standards. Quantity and locations shall be reviewed on a block-by-block basis to ensure sufficient light levels achieved.

**e. Artwork**

Shall be incorporated throughout, including permanent and temporary public art installations. These works shall be implemented by or in association with the City of San Diego's Commission for Arts and Culture as funding becomes available.

**f. Infrastructure**

- i. **Storm Water Treatment** - shall occur on every block where storm drain infrastructure is available.
- ii. **Dry Utilities** - where possible, dry utilities shall be relocated to promote additional planting space for trees.



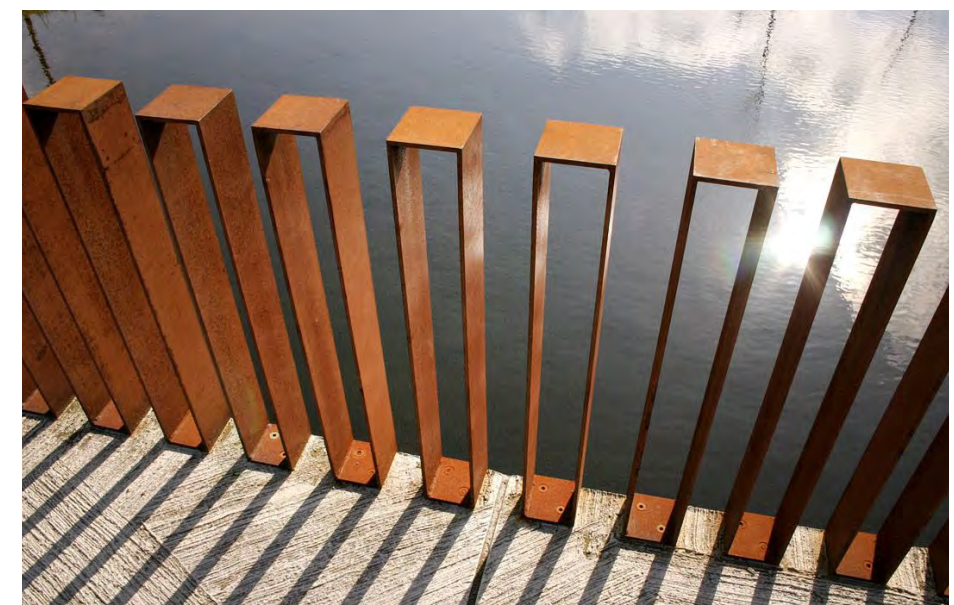
Gaslamp District Lighting



Plant Railing



E Street Lighting



Guardrail



PROJECT INSPIRATION

PLANT PALETTE

Plants play an important role in the overall experience of the Greenway. They provide natural landscape areas that serve as a buffer between the street and sidewalk, increasing pedestrian safety; provide shade; help improve air quality; and increase the aesthetic value.

a. Intent

- i. The Greenway plant palette provides a unified thematic through the entirety of the corridor.
- ii. A combination of shade and accent trees are specified to offer seasonal interest and variation in scale.
- iii. The shrub and groundcover palette includes drought tolerant species having a range of scale, texture, and flower.
- iv. All materials shall be durable and selected to withstand the rigors of an urban environment.
- v. Landscape areas shall be irrigated with drip or bubbler irrigation. Trees shall be independently irrigated with deep root bubblers.
- vi. Weather-based automatic irrigation controllers shall be used per Park & Recreation standards.
- vii. Tree wells shall be a minimum of 4' x 10' or 40 square feet per the San Diego Consultant's Guide to Park Design and Development.
- viii. Subsurface CU structural soil shall be utilized for all street trees. Structural soil zones shall be ten feet by ten feet by five feet deep.

b. Preliminary Plant Palette



Cercis canadensis



Arbutus unedo



Zelkova serrata



Cistus x pulverulentus



Tagetes lemmonii 'Compacta'



Sesleria autumnalis



Dianella 'Little Rev'



Muhlenbergia dubia



Calandrinia spectabilis



Lomandra longifolia 'Breeze'



Muhlenbergia cappilliaris



Juncus patens



Aloe ferox



Grevillea lanigera 'prostrate'



Ulmus parviflora



Koelreuteria bipinnata



## OPERATIONS &amp; INFRASTRUCTURE

## TWO-WAY CONVERSION

The three eastbound travel lanes along the Greenway segment of E Street will be modified to a single lane in each direction, to be consistent with the alignment east of 13th Street. With the removal of the parking lane along the north side, the modification will provide additional right-of-way by extending the curb into the street to implement enhanced Greenway features, such as expanded sidewalk widths, increased landscaping and maximized sun exposure.



## WAYFINDING AND GATEWAY ELEMENTS

Interpretative signage shall be provided throughout the Greenway and may include:

**Wayfinding** – a means of informing pedestrians the location of other points of interest in the vicinity, such as parks and recreation facilities. It serves as a guide for people through the physical environment, enhancing their understanding and experience of the space.

**Gateway Elements** – San Diego has a history of providing unique gateway elements at a pedestrian scale that help to define neighborhoods. This design will continue with that tradition by adding unique gateway elements that will define the two individual districts.



OPERATIONS & INFRASTRUCTURE



STREET CROSSINGS  
AND PEDESTRIAN SAFETY

The design of street crossings shall provide the maximum amount of security for the pedestrian. Bulb-outs are located at intersections to narrow the pedestrian crossing and shall be designed per the Centre City Streetscape Manual. Intersections shall have continental crosswalks to help define the pedestrian crossing.



STORMWATER MANAGEMENT  
AND DRY UTILITIES

Storm water treatment shall occur on every block where storm drain infrastructure is available. All BMP locations shall be installed to be consistent with the City of San Diego Draft Storm Water Standard Drawings.

Storm drain main line infrastructure is proposed for 5 blocks: 4 blocks beginning east of 11th Avenue (upstream), connecting to existing facilities at 7th Avenue (downstream), and 1 block beginning at 14th Street (upstream), connecting to existing facilities at 15th Street (downstream).

Where possible, dry utilities shall be relocated to promote additional planting space for trees.



# CONCEPT PLAN VIEW - 4TH AVE TO 6TH AVE

## BLOCK BY BLOCK



Legend:

- 1 Decomposed Granite Tree Well
- 2 Brick Paving
- 3 Integral Color Concrete Band
- 4 Bioswale (where appropriate)
- 5 Bench Seating
- 6 Dancing Piano
- 7 Bench Swings
- 8 Mini Plaza
- 9 Planting Area
- 10 Shade Tree
- 11 Accent Tree
- 12 Lightpost
- 13 Existing Utilities
- 14 Loading Zone
- 15 Interpretative Signage (Horton)
- 16 Trash and Recycling Receptacles
- 17 Fenced Synthetic Turf Dog Run
- 18 Existing Trees
- 19 Raised Planters
- 20 Relocate Utilities for Shade Tree



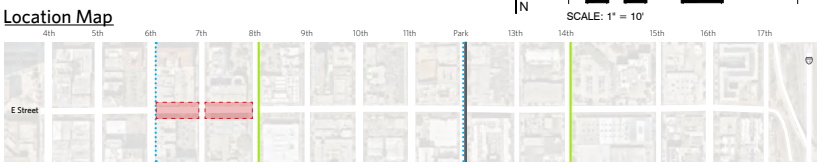
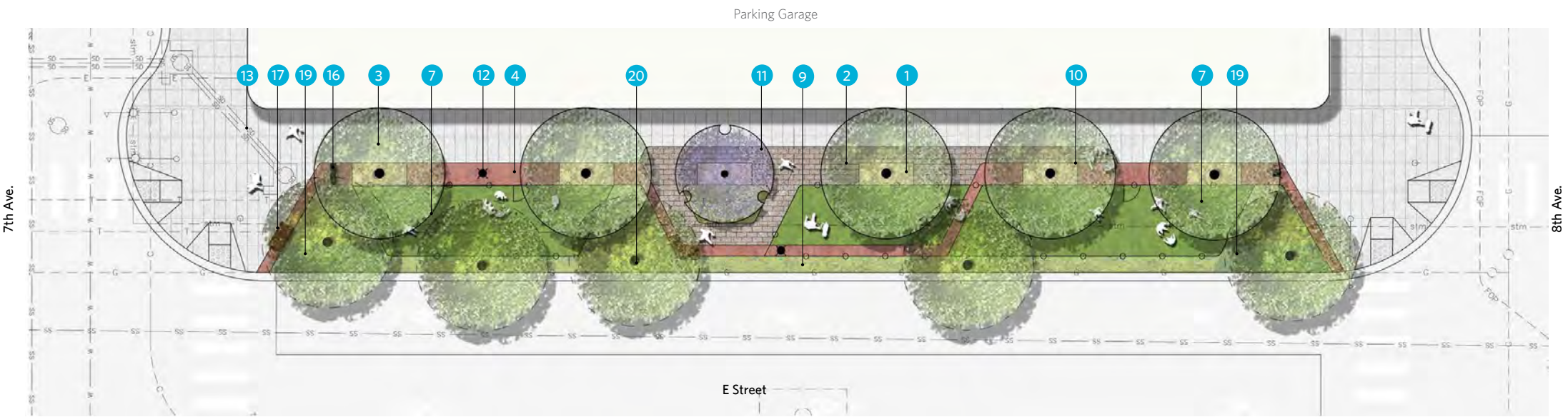
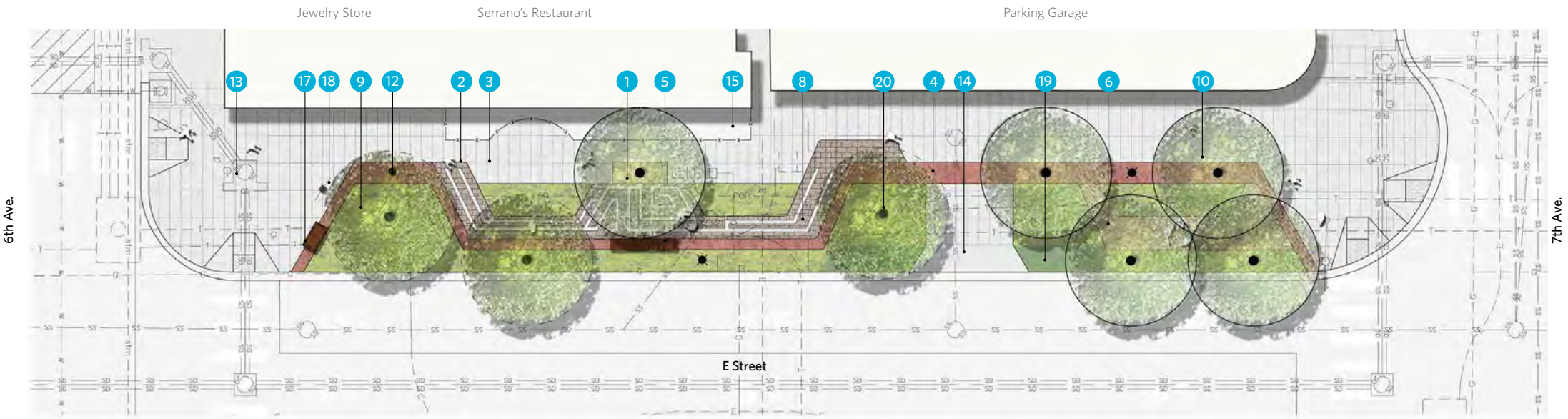


# CONCEPT PLAN VIEW - 6TH AVE TO 8TH AVE

## BLOCK BY BLOCK

Legend:

- 1 Decomposed Granite Tree Well
- 2 Brick Paving
- 3 Concrete Paving
- 4 Integral Color Concrete Band
- 5 Bench Seating
- 6 Decomposed Granite
- 7 Fenced Synthetic Turf Dog Run
- 8 Play Maze With Concrete Path
- 9 Planting Area
- 10 Shade Tree
- 11 Accent Tree
- 12 Lightpost
- 13 Existing Utilities
- 14 Existing Driveway
- 15 Existing Building Patio
- 16 Gateway Signage
- 17 Trash and Recycling Receptacles
- 18 Bike Repair Station
- 19 Bioswale (where appropriate)
- 20 Relocate Utilities for Shade Tree



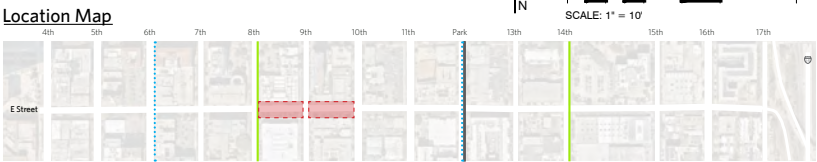
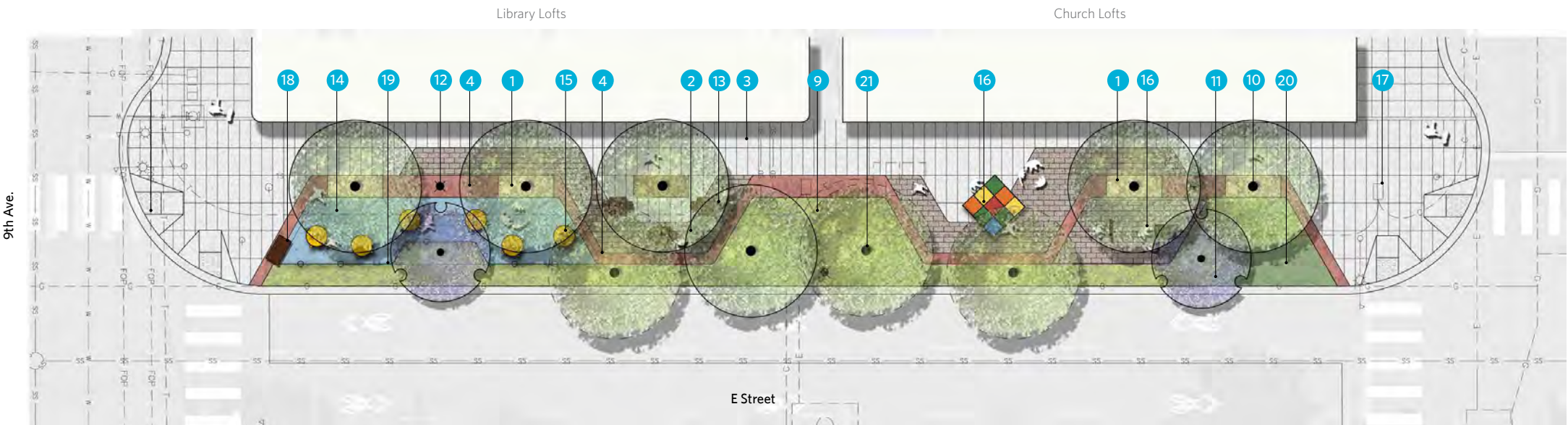
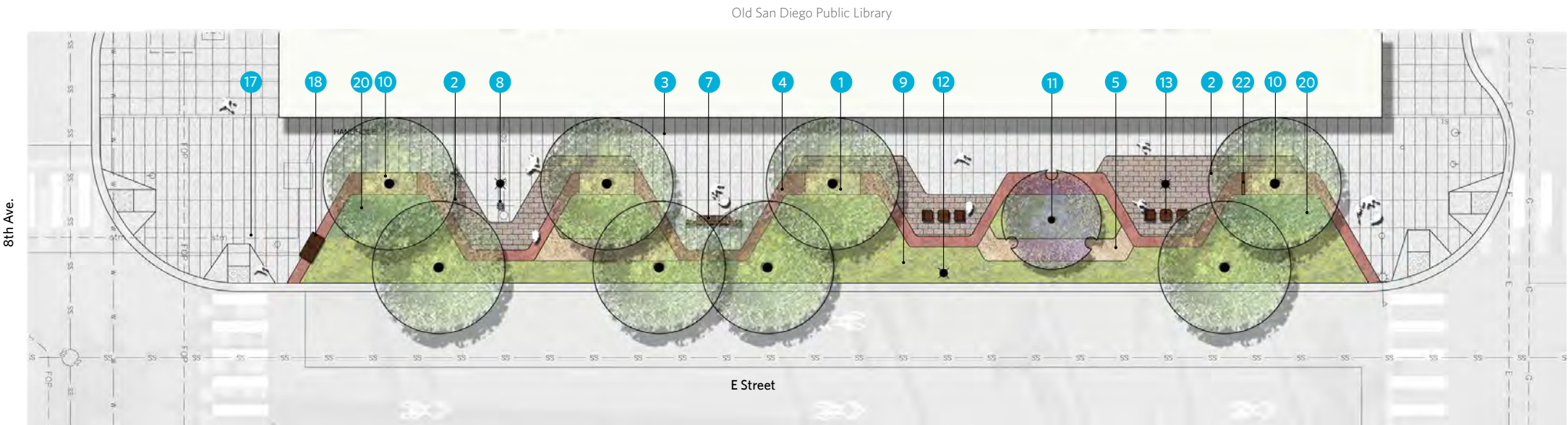


# CONCEPT PLAN VIEW - 8TH AVE TO 10TH AVE

## BLOCK BY BLOCK

Legend:

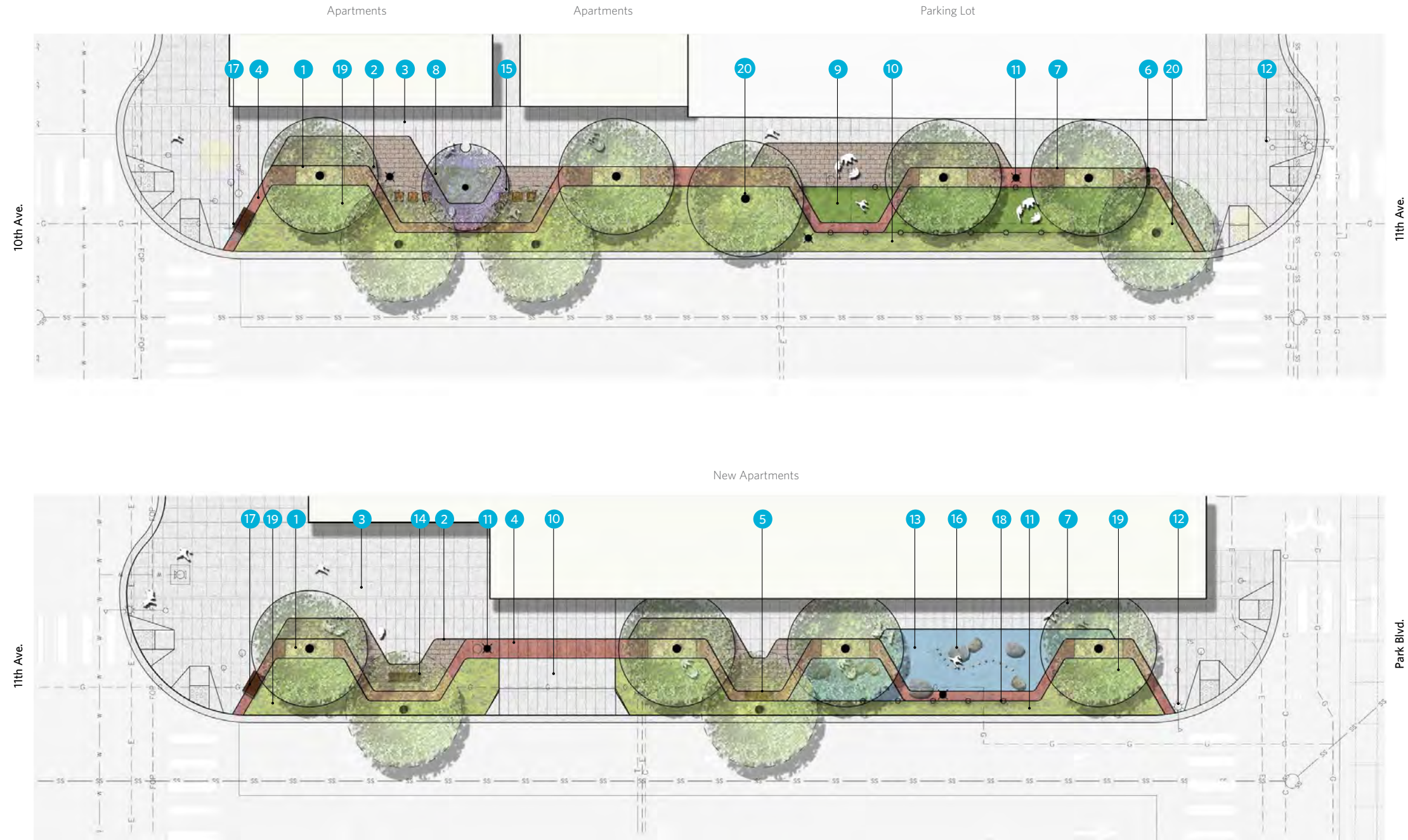
- 1 Decomposed Granite Tree Well
- 2 Brick Paving
- 3 Concrete Paving
- 4 Integral Color Concrete Band
- 5 Decomposed Granite
- 6 Bench Seating
- 7 Bench Swings
- 8 Bike Repair Station
- 9 Planting Area
- 10 Shade Tree
- 11 Accent Tree
- 12 Lightpost
- 13 Concrete Table and Chairs
- 14 Resilient Surfacing
- 15 Children's Play Area
- 16 Retro Play Area / Rubik's Cube
- 17 Existing Utilities
- 18 Trash and Recycling Receptacles
- 19 Safety Railing
- 20 Bioswale (where appropriate)
- 21 Relocate Utilities for Shade Tree
- 22 Interpretive Signage (Carnegie)



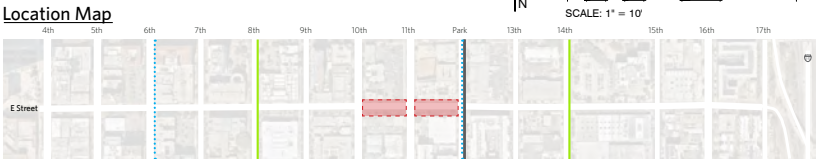


# CONCEPT PLAN VIEW - 10TH AVE TO PARK BLVD

## BLOCK BY BLOCK



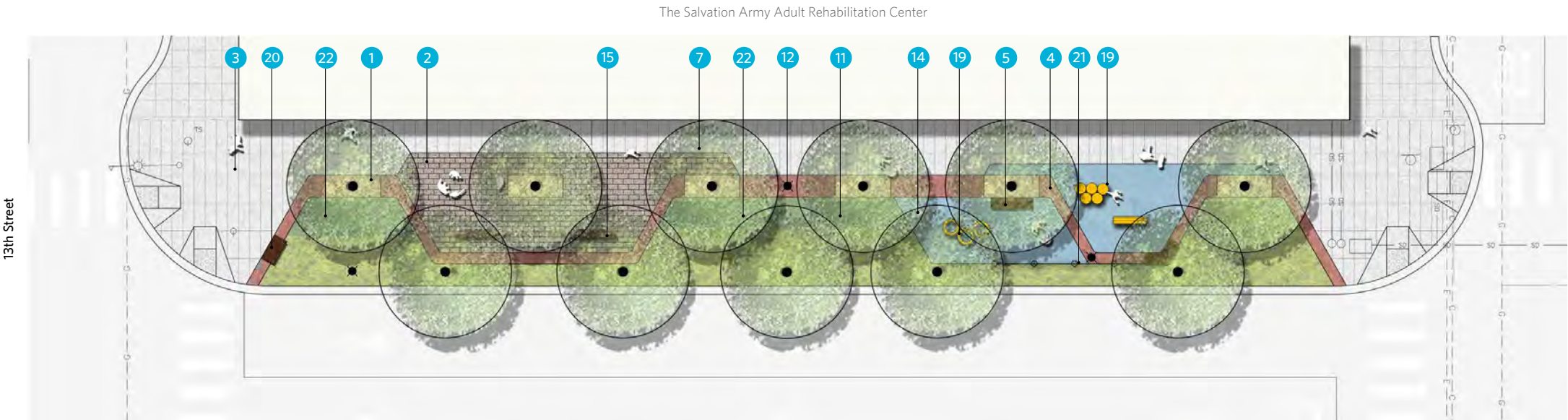
- Legend:**
- 1 Decomposed Granite Tree Well
  - 2 Brick Paving
  - 3 Concrete Paving
  - 4 Integral Color Concrete Band
  - 5 Bench Seating
  - 6 Gateway Signage
  - 7 Shade Tree
  - 8 Accent Tree
  - 9 Fenced Synthetic Turf Dog Run
  - 10 Planting Area
  - 11 Lightpost
  - 12 Existing Utilities
  - 13 Resilient Surfacing
  - 14 Bench Swings
  - 15 Concrete Table and Chairs
  - 16 Boulders
  - 17 Trash and Recycling Receptacles
  - 18 Safety Railing
  - 19 Bioswale (where appropriate)
  - 20 Relocate Utilities for Shade Tree





# CONCEPT PLAN VIEW - PARK BLVD TO 14TH ST

## BLOCK BY BLOCK



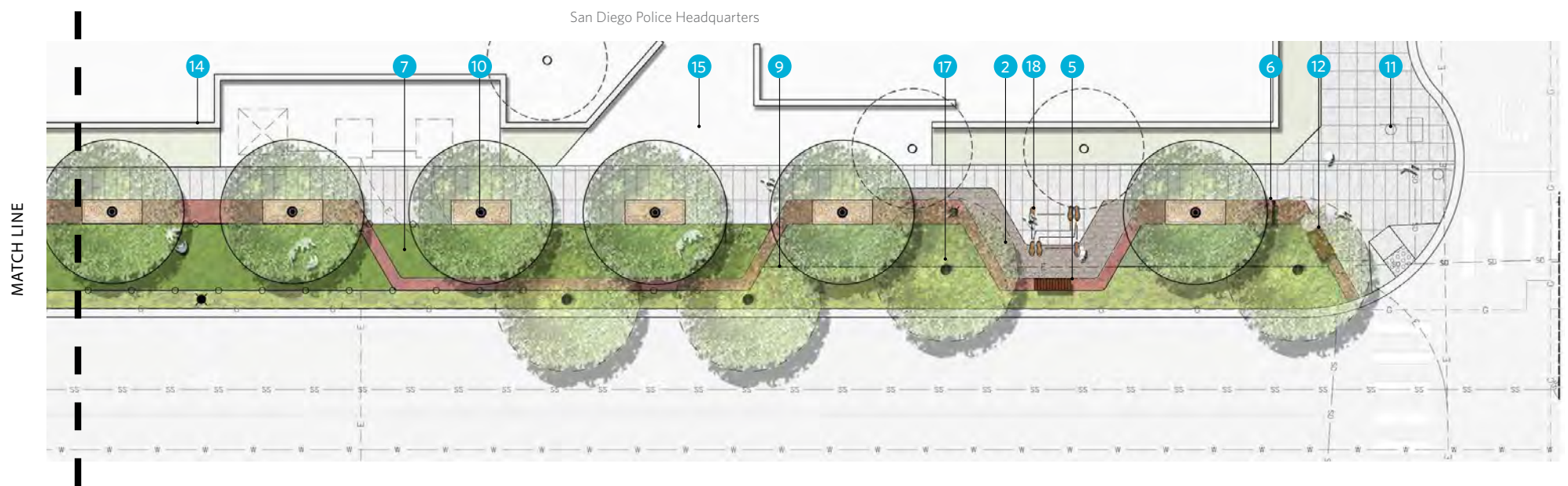
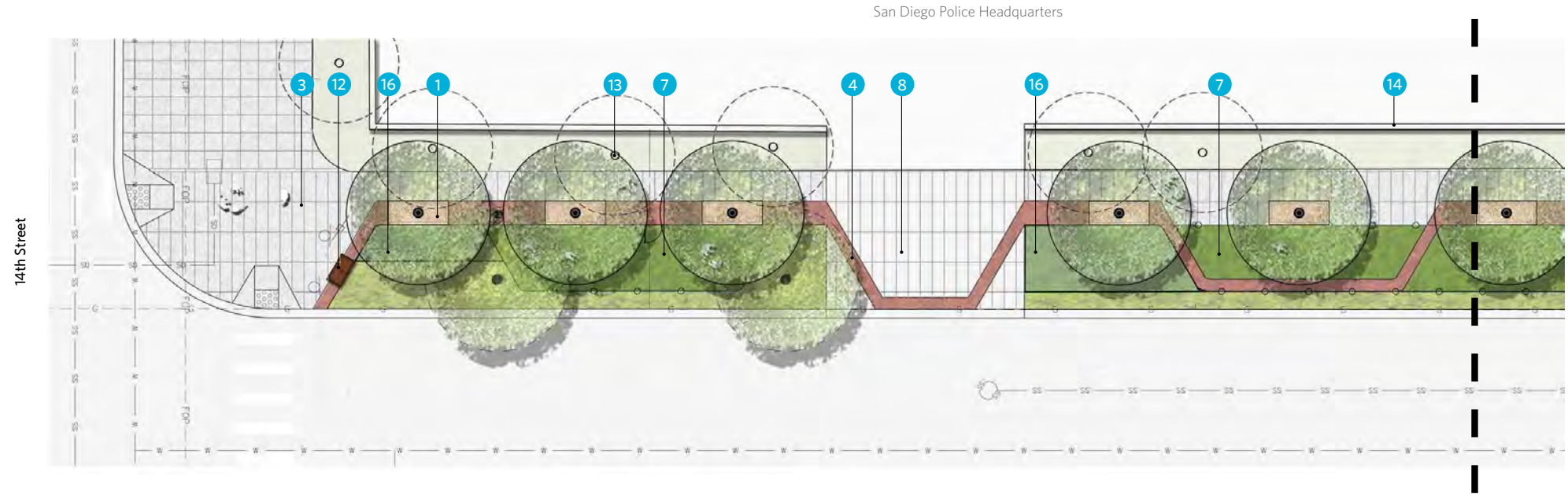
- Legend:**
- 1 Decomposed Granite Tree Well
  - 2 Brick Paving
  - 3 Concrete Paving
  - 4 Integral Color Concrete Band
  - 5 Bench Seating
  - 6 Interpretive Signage (Fault Line)
  - 7 Shade Tree
  - 8 Accent Tree
  - 9 Fenced Synthetic Turf Dog Run
  - 10 Existing Driveway
  - 11 Planting Area
  - 12 Lightpost
  - 13 Existing Utilities
  - 14 Resilient Surfacing
  - 15 Bench Swings
  - 16 Concrete Table and Chairs
  - 17 Boulders
  - 18 Bike Repair Station
  - 19 Children's Musical Play Area
  - 20 Trash and Recycling Receptacles
  - 21 Safety Railing
  - 22 Bioswale (where appropriate)





# CONCEPT PLAN VIEW - 14TH ST TO 15TH ST

## BLOCK BY BLOCK



**Legend:**

- 1 Decomposed Granite Tree Well
- 2 Brick Paving
- 3 Concrete Paving
- 4 Integral Color Concrete Band
- 5 Bench Seating
- 6 Interpretive Signage (Archie Moore)
- 7 Fenced Synthetic Turf Dog Run
- 8 Existing Driveway
- 9 Planting Area
- 10 Shade Tree
- 11 Existing Utilities
- 12 Trash and Recycling Receptacles
- 13 Existing Trees
- 14 Existing Wall
- 15 Existing Entry Plaza
- 16 Bioswale (where appropriate)
- 17 Relocate Utilities for Shade Tree
- 18 Adult Play - Boxing Movements

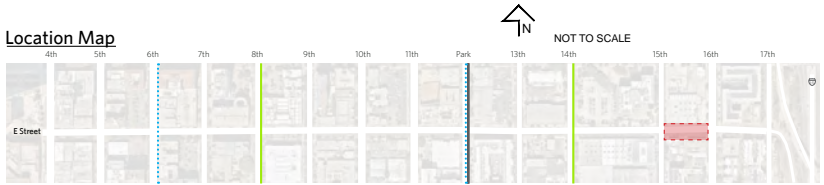
**Location Map**





# CONCEPT PLAN VIEW - 15TH ST TO 16TH ST

BLOCK BY BLOCK



BLOCK 8TH AVE TO 9TH AVE

SECTIONS



Section A: Block 8th to 9th

Existing Building

8'-0" Min. Walkway

Integral Colored Concrete

Planting Area

Garden Trail

Planting Buffer

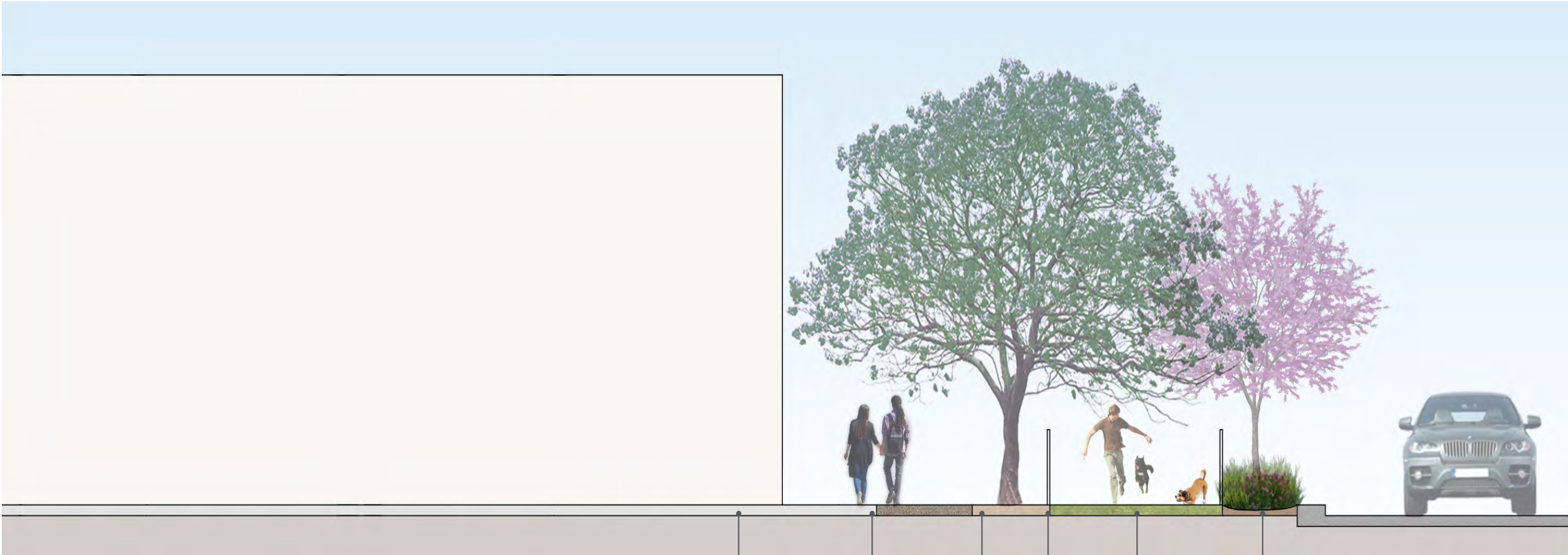
Location Map





BLOCK 10TH AVE TO 11TH AVE

SECTIONS



Section A: Block 10th to 11th

Existing Building

8'-0" Min. Walkway

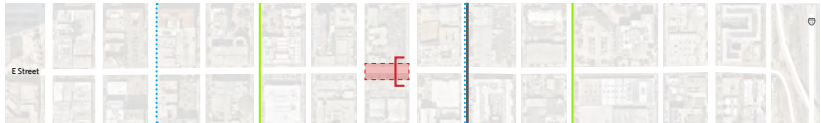
DG Tree Well

Decorative Fence

Dog Run

Planting Buffer

Location Map





BLOCK 5TH AVE TO 6TH AVE

RENDERINGS



5th Avenue looking east.





BLOCK 9TH AVE TO 10TH AVE

RENDERINGS



9th Avenue looking east.





BLOCK 13TH ST TO 14TH ST

RENDERINGS



13th Street looking east.





# E STREET GREENWAY MASTER PLAN

E Street | San Diego • CA  
July 9, 2021

Prepared by:

