

ORDINANCE NUMBER O-17559 (NEW SERIES)

ADOPTED ON DECEMBER 10, 1990

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 9, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0901 RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, Division 9, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0901, to read as follows:

SEC. 101.0901 PLANNED RESIDENTIAL DEVELOPMENTS

A. PURPOSE AND INTENT

The purposes of the Planned Residential Development regulations are to facilitate development of areas designated for residential use (including Mobile Home Parks as defined in Chapter X, Article 1, Division 10 of the San Diego Municipal Code) in adopted community plans, with the exception of projects in the R-1 zones or projects combining areas containing R-1 and any other zone permitting residential uses within the Urbanized communities as defined in the General Plan; to encourage imaginative and innovative planning of residential neighborhoods offering a wide variety of dwelling unit types and site arrangements with well-integrated community facilities and services; to use for development in areas which include steep

slopes, particularly HR zoned properties, in such a manner to achieve minimum disturbance of the natural terrain and vegetation; to permit utilization of this concept in low-density development in agricultural zones; and to permit greater flexibility in design of residential neighborhoods than is possible through strict application of conventional zoning and subdivision regulations.

B. DEFINITION

A Planned Residential Development is a predominantly residential development improved in accordance with an overall project plan and is characterized by the following:

1. and 2. [No change.]

3. A Planned Residential Development may include accessory commercial, office and recreational facilities limited in use, size, and capacity to serve the needs of the occupants of the development and their guests only.

4. Within the Future Urbanizing area as defined in the General Plan, a Planned Residential Development in underlying A-1 zoning districts may be by "Rural Cluster," which shall be accomplished pursuant to Planned Residential Development procedures as specified herein and pursuant to developmental standards and requirements as specified herein. "Rural Cluster" allows for development at densities specified in

the A-1 zoning districts, with the permitted units clustered, while the remainder of the property is preserved in its undeveloped state until complete development at urban densities is appropriate. The "Rural Cluster" alternative promotes more efficient land utilization and land conservation; allows development in patterns more consistent with that occurring in adjacent areas; avoids fragmentation of land ownership patterns which would mitigate against future development opportunities; allows for reasonable present development without foreclosing future development choices; and makes annexation of unincorporated lands more attractive where such lands will be brought into the Future Urbanizing area. The "Rural Cluster" alternative will require the use of covenants, conditions and restrictions to insure that the undeveloped portion of the parcel remains undeveloped until the land is shifted to the Planned Urbanizing area. If such interim period will be for ten (10) years or longer, preferential property tax assessment via the Williamson Act may be available.

C. and D. [No change.]

E. DECISION OF THE PLANNING DIRECTOR OR CITY
COUNCIL

1. through 3. [No change.]
4. In granting a Planned Residential

Development Permit, the Planning Director may impose such conditions as is necessary to protect the public health, safety and general welfare in accordance with the purpose and intent of the zoning regulations. Any regulations of the zone in which the property is situated including, but not limited to, signs, fences, walls, maximum building height, minimum yards, maximum building coverage and off-street parking may be increased or decreased. In the case of Planned Residential Development in the A-1 zoning districts, the Planning Director shall consider the density of development, the "rural" nature of such development and the permanent nature of such low-density development and shall, wherever possible, given the need to protect the public health, safety and general welfare and to conform with General and applicable community plans, impose regulations and standards that are consistent with the low-density, rural character development and the needs created by such development. In the case of "rural cluster" development via PRD in the A-1 zoning districts, the Planning Director shall impose conditions and requirements consistent with the density of development in the clustered portion of the parcel and shall require covenants, conditions and restrictions necessary to insure maintenance of the remainder of the parcel in an

undeveloped state until the land is shifted to the Planned Urbanizing area.

5. and 6. [No change.]

7. Within the Future Urbanizing area, Planned Residential Development Permits shall be granted by the City Council, instead of the Planning Director, following the procedures specified herein. In considering an application for development at an increased density not to exceed one dwelling per four acres, the City Council may grant the permit if it finds from the evidence presented that all of the following additional facts exist:

a. The proposed use will assist in accomplishing the goal of permanently preserving lands designated in the General Plan as part of the Environmental Tier through the provision of public and private open space easements and/or dedications, where appropriate.

b. The proposed use will not foreclose future decisions regarding the size of major or primary arterial streets, expressways, or freeways which may traverse the property.

c. The proposed use will be adjacent to areas presently served by water and sewer lines, thereby avoiding leapfrog development.

d. The proposed use will be at least

fiscally neutral, thereby not imposing a burden upon the City's capital and operating budgets.

e. The proposed use will provide housing on-site, affordable to lower income families, as certified by the San Diego Housing Commission. This affordable housing obligation may be fulfilled by: (1) a set aside of no less than 20 percent of the units for occupancy by, and at rates affordable to, families earning no more than 65 percent of median area income, adjusted for family size, or (2) a dedication of developable land of equivalent value. Affordable housing shall be appropriately designed and integrated into the overall development plan. Affordable rates are those that do not exceed 30 percent of designated household income, including a utility allowance. Development incentives available through government programs, including a density bonus where appropriate, may be utilized to meet all, or a portion, of this obligation. Units restricted under this requirement shall remain affordable for the remaining life of the housing unit which is presumed to be a minimum of 55 years. The San Diego Housing Commission will monitor developments for compliance with affordable

housing requirements over time.

f. The proposed use comprehensively addresses framework planning issues including, but not limited to, land use, character and scale of development, environmental resources, and public facilities.

g. The applicant and property owner have agreed that in return for the present increase in density granted by the City Council, no future development rights shall remain on the property.

F. through K. [No change.]

L. MINIMUM DEVELOPMENTAL STANDARDS

A Planned Residential Development shall comply with all the following developmental standards:

1. Density. The number of dwelling units to be built on the property shall not exceed that set forth in either the following table or the adopted community plan (including criteria for residential density) or any other adopted plan, whichever is less. No streets shall be used in the calculation of density. A deviation may be granted by the Planning Director pursuant to Section 101.0307, Affordable Housing Density Bonus. In the event the proposed Planned Residential Development includes property which is shown as part of an open space system on an

adopted community plan or general plan, and is accepted by The City of San Diego as dedicated open space, this property may be included in the calculation of density consistent with underlying zone or community plan, whichever is less. Such property shall be contiguous to an existing open space system and shall be in a natural state and remain undisturbed. If such property is dedicated as open space, it shall remain such in perpetuity.

<u>ZONE</u>	<u>MAXIMUM PERMITTED DWELLING UNITS</u>
A-1-40	<u>Sq. Ft. of Land Area</u> 1,742,400 sq. ft.
A-1-20	<u>Sq. Ft. of Land Area</u> 871,200 sq. ft.
A-1-10	<u>Sq. Ft. of Land Area</u> 435,600 sq. ft. except that in the Future Urbanizing area, the number of permissible dwelling units shall not exceed one per 174,240 sq. ft. provided that no future development rights shall remain on the property.
A-1-5	<u>Sq. Ft. of Land Area</u> 217,800 sq. ft. except that in the Future Urbanizing area, the number of permissible dwelling units shall not exceed one per 174,240 sq. ft. provided that no future development rights shall remain on the property.
A-1-1	<u>Sq. Ft. of Land Area</u> 43,560 sq. ft.
R1-40,000	<u>Sq. Ft. of Land Area</u> 40,000 sq. ft.
R1-20,000	<u>Sq. Ft. of Land Area</u> 20,000 sq. ft.
R1-15,000	<u>Sq. Ft. of Land Area</u> 15,000 sq. ft.

R1-10,000	<u>Sq. Ft. of Land Area</u> 10,000 sq. ft.
R1-8,000	<u>Sq. Ft. of Land Area</u> 8,000 sq. ft.
R1-6,000	<u>Sq. Ft. of Land Area</u> 6,000 sq. ft.
R1-5,000	<u>Sq. Ft. of Land Area</u> 5,000 sq. ft.
R-3,000	<u>Sq. Ft. of Land Area</u> 3,000 sq. ft.
R-2,500	<u>Sq. Ft. of Land Area</u> 2,500 sq. ft.
R-2,000	<u>Sq. Ft. of Land Area</u> 2,000 sq. ft.
R-1,750	<u>Sq. Ft. of Land Area</u> 1,750 sq. ft.
*R-1,500	<u>Sq. Ft. of Land Area</u> 1,500 sq. ft.
RV Coastal Zone)	<u>Sq. Ft. of Land Area</u> 1,500 sq. ft.
R-1,250	<u>Sq. Ft. of Land Area</u> 1,250 sq. ft.
R-1,000	<u>Sq. Ft. of Land Area</u> 1,000 sq. ft.
RV	<u>Sq. Ft. of Land Area</u> 1,000 sq. ft.
R-800	<u>Sq. Ft. of Land Area</u> 800 sq. ft.
R-600	<u>Sq. Ft. of Land Area</u> 600 sq. ft.
R-400	<u>Sq. Ft. of Land Area</u> 400 sq. ft.
R-200	<u>Sq. Ft. of Land Area</u> 200 sq. ft.

If the property involved is composed of land falling in two or more residential zones, the

number of dwelling units permitted in the development shall be the sum of the dwelling units permitted in each of the residential zones. Within the Planned Residential Development, the permitted number of dwelling units may be distributed without regard to the underlying zoning.

2. Open Space. The open space provided on the property shall not be less than that shown in the following table.

<u>ZONE</u>	<u>TOTAL REQUIRED OPEN SPACE PER D.U. (sq. ft.)</u>	<u>REQUIRED USABLE OPEN SPACE PER D.U. (sq. ft.)</u>
A-1-1, A-1-5, A-1-10, *T*A-1-20, A-1-40	28,000	14,000
A-1-40, A-1-20, A-1-10, A-1-5 Rural Cluster	3,000	1,500
R1-40000	28,000	14,000
R1-20000	12,000	6,000
R1-15000	9,000	4,500
R1-10000	6,000	3,000
R1-8000	4,800	2,400
R1-6000	3,600	1,800
R1-5000	3,000	1,500
R-3000	1,800	900
R-2500	1,500	750
R-2000	1,200	600
R-1750	1,050	525
R-1500	900	450
R-1250	700	350
R-1000	500	250
R-800	400	200
R-600	300	150
R-400	200	100
R-200	100	50
RV	500	250
RV (Coastal Zone)	900	450

If the property involved is composed of land falling in two or more residential zones, the amount of open space required in the development

shall be the sum of the open space required in each of the residential zones. Within the Planned Residential Development, the required open space may be distributed without regard to the underlying zoning. The usable open space as determined from the above table shall be composed of moderately level land having an overall grade not exceeding ten percent and shall not include land occupied by buildings, structures, streets, driveways or parking areas or any land proposed to be dedicated to the City as open space. The land provided shall be determined by the Planning Director to be functional usable open space which provides for reasonable use by the resident. Functional open space should include a minimum area of 100 square feet with a minimum dimension of six feet on one side. The usable open space may, however, be occupied by recreational facilities, excluding buildings, limited in use, size, and capacity to serve the needs and convenience of the occupants of the development and their guests only, including the following: swimming pools, golf courses, tennis, basketball, volleyball and badminton courts, open handball courts, children's play areas and accompanying equipment, baseball diamonds, shuffleboard courts, croquet and lawn bowling facilities, walks and riding trails, picnic and barbecue facilities and

any other use which the Planning Director may find to be similar in character to the uses enumerated in this paragraph and consistent with the purpose and intent of SEC. 101.0901. That portion of the required total open space not designated as usable open space may be occupied by any improvement limited in use, size, and capacity to serve the needs and convenience of the occupants of the development and their guests only, except buildings. Areas not occupied by improvements may be landscaped or left in their natural state. Areas left in a natural state shall be kept free of litter and debris and shall at no time constitute a health, safety or fire hazard.

All or part of the required open space may be owned in common by the occupants of the development. If open space is to be owned in common, provision acceptable to the City shall be made for its preservation and maintenance.

If an Affordable Housing Density Bonus Agreement or a Density Bonus and Affordable Housing Deviation has been approved, the open space shall be the total of the following:

a. and b. [No change.]

When the property is developed under the rural cluster concept, the total required open space and the required usable open space shall be contained in the area of the cluster development

rather than the total site which is used for
calculating density.

3. through 6. [No change.]

M. through S. [No change.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void within the Coastal Zone.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
07/05/90
11/09/90 REV. 1
11/27/90 REV. 2
02/20/92 REV. 3
Or.Dept:Plan.
o-90-217
Form=o+t

Passed and adopted by the Council of The City of San Diego on DEC 10 1990, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 19 1990

DEC 10 1990

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17559

Adopted DEC 10 1990