

ORDINANCE NUMBER O- 13948 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 06 2010

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 11, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 1511.0401, 1511.0402, 1511.0403, AND 1511.0404, PERTAINING TO THE PARKING REGULATIONS FOR THE MARINA PLANNED DISTRICT.

WHEREAS, the primary purpose of the Marina Planned District Ordinance is to implement the San Diego Downtown Community Plan [Downtown Community Plan]; and

WHEREAS, the Marina Planned District Ordinance was initially adopted by the Council of the City of San Diego on August 1, 1988, by Ordinance Number O-17123 and amended by Ordinance Number O-17723 on December 9, 1991, Ordinance Number O-17830 on September 14, 1992, Ordinance Number O-18022 on January 3, 1994, Ordinance Number O-18146 on January 9, 1995, Ordinance Number O-18148 on January 9, 1995, Ordinance Number O-18405 on April 7, 1998, and Ordinance Number O-18844 on September 12, 2000; and

WHEREAS, the Centre City Development Corporation [CCDC], as the agent for the Redevelopment Agency of the City of San Diego within the downtown area, has proposed amendments to the Marina Planned District Ordinance to implement the Downtown Community Plan; and

WHEREAS, the proposed amendments to the Marina Planned District Ordinance have been reviewed and considered by the CCDC Board of Directors and the Centre City Advisory Council; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on June 28, 2007 for the purpose of considering the proposed amendments to the Marina Planned District Ordinance; and

WHEREAS, the Planning Commission of the City of San Diego has found the proposed amendments to the Marina Planned District Ordinance consistent with the Downtown Community Plan and recommended the proposed amendments for approval; and

WHEREAS, this matter was set for public hearing on APR 27 2010; NOW, THEREFORE,

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

Section 1. That Chapter 15, Article 11, Division 4 of the San Diego Municipal Code is amended by amending Sections 1511.0401, 1511.0402, 1511.0403, and 1511.0404, to read as follows:

**§1511.0401 Off-Street Parking and Loading Regulations**

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

The parking requirements in Table 1511-04A and section 1511.0401(a) shall apply to residential uses. All parking spaces required by Table 1511-04A shall be reserved for the exclusive use of residents of the *development*.

**TABLE 1511-04A  
RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS**

| <b>Use Category</b>                     | <b>Minimum</b>   |                     | <b>Notes</b>   |
|---|--|---------------------|--|
| <i>Dwelling units</i>                   | 1 space per <i>dwelling unit</i>                           |                     |  |
| <i>Living Units</i>                     | Market rate unit   | 0.3 spaces per unit | Parking shall be based on the occupancy/rent restriction applied to the specific unit.         |
|   | 50% AMI  | 0.1 spaces per unit |  |
|   | At or below 40% AMI  | None                |  |
| <i>Group Living</i>                     | 0.1 spaces per room  |                     |  |
| <i>Senior Housing*</i>                  | Shall be determined through Conditional Use Permit review. |                     | The intent of this provision is to accommodate requests for reduction in parking requirements. |
| <i>Live/Work or Shop Keeper Unit</i>    | 1 space per unit   |                     |  |
| <i>Residential Care Facilities*</i>     | 1 space per every ten (10) beds                            |                     |  |
| <i>Transitional Housing Facilities*</i> | Shall be determined through Conditional Use Permit review. |                     | The intent of this provision is to accommodate requests for reduction in parking requirements. |

\**Reasonable accommodations* to these parking requirements may be granted if necessary to afford *disabled persons* equal housing opportunities under state or federal law. Please refer to the *reasonable accommodations* provisions of the San Diego Municipal Code section 131.0466.

- (1) **Guest or Service Parking.** Multi-family residential *development* shall provide additional off-*street* parking spaces at a ratio of one space for every thirty units. These spaces shall be permanently reserved and clearly marked for visitor or service use only. *Development* containing fewer than fifty *dwelling units* shall be exempt from this requirement.
- (2) **Off-Street Loading.** The following standards shall apply for multi-family residential *development*:
  - (A) *Developments* containing 100 or more *dwelling units* shall provide at least one off-*street* loading bay that shall be at least 35 feet deep, 13 feet wide, and 13 feet tall (measured from the inside walls);

- (B) Loading bays shall have direct access into the internal circulation system of the *development* and elevators;
  - (C) Loading bays shall share the parking access driveway, unless separate driveways better facilitate access to the loading bay and parking areas and decrease potential conflicts; and
  - (D) Loading bay location shall not create traffic conflicts.
- (3) Motorcycle Parking. One motorcycle parking space shall be provided for every twenty *dwelling units*.
- (4) Bicycle Storage. Secured bicycle storage shall be provided at a ratio of one area reasonably sized to accommodate one bicycle for every five *dwelling units*. Bicycle storage areas shall be enclosed with access restricted to authorized persons. Any common storage area to serve more than one *dwelling unit* shall provide racks or fixtures on which to lock individual bicycles.
- (b) Non-Residential *Off-Street Parking Space* and Loading Bay Requirements. The parking requirements in Table 1511-04B and section 1511.0401(b) shall apply to non-residential uses.

**TABLE 1511-04B  
NON-RESIDENTIAL OFF-STREET PARKING SPACE REQUIREMENTS**

| Use Category                | Minimum                          |                     | Notes  |
|-----------------------------|----------------------------------|---------------------|--|
| Office                      | 1.5 spaces per 1,000 square feet |                     | <i>Developments</i> containing less than 50,000 square feet of office space are exempt.            |
| Commercial/Retail           | 1 space per 1,000 square feet    |                     | <i>Developments</i> containing less than 30,000 square feet of commercial/retail space are exempt. |
| Warehouse & Storage         | 1 space per 10,000 square feet   |                     |  |
| Hotel                       | 0.3 spaces per room              |                     | <i>Developments</i> containing less than 25 guest rooms are exempt                                 |
| Single Room Occupancy Units | Market rate unit                 | 0.3 spaces per unit | Parking shall be based on the occupancy/rent restriction applied to the specific unit.             |
|                             | 50% AMI                          | 0.1 spaces per unit |  |
|                             | At or below 40% AMI              | None                |  |

- (1) Motorcycle and Bicycle Parking. One motorcycle parking space and one bicycle parking space shall be provided for every twenty required vehicle spaces.
- (2) Off-Street Loading.
  - (A) For *developments* containing 30,000 to 100,000 square feet of commercial space, one off-*street* loading bay shall be provided that shall be a minimum of 30 feet deep, 14 feet wide, and 14 feet tall (measured from the inside walls).
  - (B) For *developments* containing over 100,000 square feet of commercial space:
    - (i) One off-*street* loading bay shall be provided that shall be a minimum of 35 feet deep, 14 feet wide, and 14 feet tall;

- (ii) Loading bays shall provide direct access into the internal circulation system of the *development*;
  - (iii) Loading bays shall share the parking access driveway, unless separate driveways better facilitate access to the loading bay and parking areas and decrease potential conflicts; and
  - (iv) Loading bay location shall not create traffic conflicts.
- (c) North Embarcadero *Off-Street Parking Space* Requirements.

The parking requirements in Table 1511-04C shall apply to *development* located west of California Street between Harbor Drive and West F Street.

**TABLE 1511-04C  
NORTH EMBARCADERO OFF-STREET PARKING REQUIREMENTS**

| <b>Use Category</b>                                   | <b>Minimum</b>  |                     | <b>Notes</b>   |
|---|---|---------------------|--|
| <i>Dwelling units</i>                                 | 1 space per <i>bedroom</i>                                |                     | To a maximum of two spaces per unit.   |
| <i>Living Units &amp; Single Room Occupancy Units</i> | Market rate unit  | 0.3 spaces per unit | Based on the occupancy or rent restriction applied to the specific unit.                       |
|   | 50% AMI   | 0.1 spaces per unit |  |
|   | At or below 40% AMI                                       | None                |  |
| <i>Group Living</i>                                   | 0.1 space per room  |                     |  |
| <i>Senior Housing*</i>                                | Shall be determined through Conditional Use Permit review |                     | The intent of this provision is to accommodate requests for reduction in parking requirements. |
| <i>Live/Work or Shopkeeper Unit</i>                   | 1 space per unit  |                     |  |
| <i>Residential Care Facilities*</i>                   | 1 space per every ten (10) beds                           |                     |  |
| <i>Transitional Housing Facilities*</i>               | Shall be determined through Conditional Use Permit review |                     | The intent of this provision is to accommodate requests for reduction in parking requirements. |
| <i>Office</i>   | 2 spaces per 1,000 square feet                            |                     |  |
| <i>Hotel</i>  | 0.5 spaces per room                                       |                     |  |
| <i>Warehouse &amp; Storage</i>                        | 1 space per 10,000 square feet                            |                     |  |
| <i>Retail</i>   | 2.5 spaces per 1,000 square feet                          |                     |  |
| <i>Restaurant</i>                                     | 5.0 spaces per 1,000 square feet                          |                     |  |

\**Reasonable accommodations* to these parking requirements may be granted if necessary to afford *disabled persons* equal housing opportunities under state or federal law. Please refer to the *reasonable accommodations* provisions of the San Diego Municipal Code section 131.0466.

(d) *Small Lot Reduction.*

For *lots* of 5,000 or fewer square feet, the minimum number of parking spaces required is reduced by 50 percent.

(e) *Enclosed Parking.*

All parking provided within a *development* shall be enclosed and architecturally integrated into, or on top of, a *structure*.

(f) *Below-Grade Parking.*

At least three levels of *below-grade* parking shall be provided prior to the provision of any *above-grade* parking, with the following exceptions:

- (1) *Below-grade* parking is not required for parcels less than 10,000 square feet in area.
- (2) For *development* on sites that contain *designated historical resources*, the *CCDC President* may approve an exception to the *below-grade* parking requirements upon finding that *below-grade* parking is infeasible due to the location or characteristics of the *historical resources*.
- (3) For *development* on sites significantly impacted by the underground water table, the *CCDC President* may approve an exception to the *below-grade* parking requirements upon finding that it would create exceptional financial hardship to the property owner or *applicant*.

(g) *Existing Buildings.*

Buildings may be converted from one land use to another without providing additional parking spaces, unless the conversion is from commercial to residential use. The proposed conversion of a building to a residential use or the expansion of any building that cannot meet the parking requirements may be granted a deviation from the parking



requirements by the *CCDC President* upon approval of a Neighborhood Use Permit in accordance with Chapter 12, Article 6, Division 2 of the Land Development Code.

(h) *Structured Parking Facility Standards.*

The following shall apply to all above-*grade* parking facilities:

- (1) All enclosed ground level parking areas shall be separated from the public sidewalk by habitable residential or non-residential space or utility rooms. The minimum depth of residential space, measured from the exterior building wall to the interior wall separating the habitable space from the parking area, shall be 10 feet. The minimum depth of commercial space, measured from the exterior building wall to the interior wall separating the commercial space from the parking area, shall be 20 feet.
- (2) All parking located above the ground level shall meet the following:
  - (A) *Development* located on a site of fewer than 30,000 square feet does not require encapsulated parking.
  - (B) *Development* located on a site of 30,000 or more square feet shall encapsulate 50 percent of the cumulative *building facades* directly abutting *street frontages* with habitable residential or non-residential uses.

- (C) Roof-top parking is allowed if all parking spaces, not including drive aisles, are covered with a roof or trellis *structure*.
  - (D) Parking levels located above the ground level shall be shielded from view by a solid wall or headlight-obscuring *screen* a minimum height of forty-two inches, measured from the finished *floor* of the adjoining parking space.
  - (E) Any open areas in the exterior *building facade* of the *structure* shall be designed as an integral component of the overall architecture of the *development*.
- (3) All interior surfaces of a parking *structure* visible from the exterior of the garage shall be painted.
  - (4) All duct work or utility functions serving a parking *structure* shall be *screened* from view.
  - (5) All interior lighting fixtures shall be designed so that the light source is not directly visible from the exterior of the garage. Lighting for any roof-top parking levels shall either be wall-mounted or on poles. Light poles shall not exceed a maximum height of fifteen feet, shall be located at least forty feet from any *property line*, and shall be designed so the light source is shielded from view from any *property line*. Lighting levels shall meet the

requirements of the Illuminating Engineers Society's Manual, as amended.

- (6) All parking *structures* open to the sky shall be engineered and circulation designed to accommodate vertical expansion of three additional parking levels or the maximum amount permitted under the *FAR* limits applicable to the site, whichever is less.
- (7) Every vehicular access point to a public parking *structure*, shall have at least one 4 by 4 foot, internally illuminated, cabinet *sign*, clearly visible to pedestrians and motorists with a parking symbol consisting of a white letter "P" on a green background. Additional space may be added to the cabinet *sign* to indicate whether the *structure* is full or to provide information on pricing, ownership, management, or hours of operation, and whether it is private or *public parking*. The 4 by 4 foot area shall not be reduced or encroached upon by this additional information. The 4 by 4 foot area shall not be included in calculations regarding other *signs* for the *structure*.
- (i) Off-Site Parking Provisions.

*Development* may provide required *off-street parking spaces* at an off-site location. The off-site location shall be within 500 feet of the *development* served by the parking, measured *property line to property line*, and shall be secured by *CC&Rs* recorded on both properties in a form acceptable to

the City Attorney's Office that ensures the parking use without reduction in spaces in perpetuity, unless another off-site location is secured in compliance with this section.

(j) Parking Space Standards.

All parking spaces required by this Division shall meet City standards in accordance with section 142.0560 of the Land Development Code.

Parking spaces provided in excess of the number of spaces required may deviate from the standards, but the final and permanent size of any non-standard spaces for exclusive use by a *dwelling unit* in a residential *development* shall be disclosed to the resident prior to the execution of a sales or rental agreement.

(k) Vehicular Access.

(1) All driveways shall be perpendicular to the public sidewalk.

(2) The maximum linear feet of curb cut for vehicular access shall be calculated at a ratio of 1 linear foot per 500 square feet of site area. Parcels containing 10,000 or fewer square feet may double this ratio (2 linear feet of curb cut per 500 feet of site area). Curb cuts that serve up to ten parking spaces shall be between 12 and 20 feet wide. Curb cuts that serve over ten parking spaces shall be between 20 and 30 feet wide.

(3) All vehicular access curbs shall be located at least 65 feet away from the curb line of the closest intersection or at least 80 feet from the nearest curb cut on the same parcel, except on parcels of 5,000 or fewer square feet. On parcels of 5,000 or fewer square feet, the vehicular access curb cuts shall be located at least of 32.5 feet from the curb line of the closest intersection or at least 40 feet from the nearest curb cut on the same parcel. Curb cuts shall be located to minimize conflicts and maximize on-*street* parking.

(l) Driveway Slopes and Security Gates.

Driveway slopes shall meet the requirements of section 142.0560(j)(9) of the Land Development Code. There shall be a transition behind the *public right-of-way* not to exceed a gradient of 5 percent for a distance of 10 feet. Security gates shall be located a minimum distance of 10 feet from the front *property line*, and the door swing from any security gate shall not encroach into the 10 foot required minimum distance from the front *property line*.

(m) Marina Cumulative Trip Generation Rates

Marina Trip Generation Rates are as specified in the *CCDC Land Development Manual* and *City of San Diego Land Development Manual*, Appendix N.

**§1511.0402 Transportation Demand Management (TDM)**

To reduce single-occupant vehicle trips into the Marina Planned District, *applicants* for proposed commercial and *hotel* projects with over 50,000 square feet of *gross floor area* shall achieve a minimum of twenty-four points by implementing *TDM* measures in Table 1511-04D.

**TABLE 1511-04D  
TRANSPORTATION DEMAND MANAGEMENT (TDM)**

| <b>Points</b> | <b>Measure</b>   |
|---------------|--|
| 10            | On-site shower facilities available to all tenants/employees of a building   |
| 10            | On-site daycare  |
| 10            | Provision of, and preferential parking for, shared use vehicles for use by property tenants  |
| 6             | Provision for upgraded transit stop adjacent to new <i>development</i> , including shelter, seating, lighting, and ongoing maintenance |
| 4             | Participation by building management and tenants in carpool coordination, ridesharing, and car-sharing programs                        |
| 4             | Preferential parking for car-sharing vehicles (at least one space)   |
| 4             | Preferential carpool and/or vanpool parking (two percent of required <i>off-street parking spaces</i> maximum)                         |
| 2             | Proximity to public transit stop or station (1,320 feet or fewer)  |
| 2             | On-site transit-pass sales, maps, and information  |

**§1511.0403 Mechanical and Utility Equipment Screening Regulations**

- (a) All refuse storage and mechanical equipment shall be *screened* by walls, *fences*, buildings, or combinations thereof to a height of 6 feet.
- (b) All on-site open space or *setback* areas shall be landscaped or architecturally enhanced.

- (c) Mechanical equipment or appurtenances on the roof shall be architecturally *screened*, enclosed, or painted to blend with the roof surface.

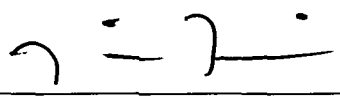
**§1511.0404 Sign Regulations**

Proposed *signs* will be evaluated by the *CCDC President* for conformance with the Marina Urban Design Plan and Development Guidelines. *Signs* shall conform with Chapter 14, Article 2, Division 12 of the Land Development Code.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to the California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
Nina M. Fain  
Deputy City Attorney

NMF:pev  
03/01/10  
Or.Dept:CCDC  
O-2010-15  
MMS #7180

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 27 2010.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-6-10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor