



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: February 1, 2011

TO: Honorable Councilmember Sherri Lightner and Members of the Land Use and Housing Committee

FROM: Kelly Broughton, Director, Development Services Department

SUBJECT: Proposed Amendments to Community Gardens Regulations

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In recent years, the Land Use and Housing Committee placed the subject of Community Gardens on its agenda. The first hearing was in January 2009 where the discussion focused on the review process associated with the New Roots Community Farm sponsored by the International Rescue Committee which incurred significant costs going through the review process. The Land Use and Housing Committee requested Development Services Department (DSD) review the review process for community gardens. DSD reviewed the submittal, review, and zoning requirements for community gardens including placing the item on the meeting agendas of the February 11, 2009, Code Monitoring Team and the February 24, 2009, Community Planners Committee. The result of those meetings was a streamlining of the review process and the creation of DSD Bulletin 550, "How to Obtain a Neighborhood Use Permit for a Community Garden." The Bulletin explained the process, provided direction of types of sites to avoid (i.e. onsite environmentally sensitive lands, no onsite water service), and simplified submittal requirements. This was reported out to the Land Use and Housing Committee at its March 3, 2010, hearing.

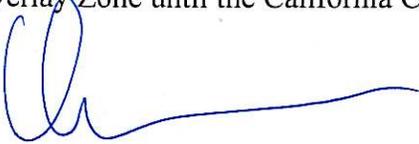
The discussion of where community gardens are required to obtain a Neighborhood Development Permit or are prohibited is still ongoing. On January 11, 2011, SEDC brought forward a three year lease for a community garden on a commercial site within the area regulated by the Mount Hope Planned District Ordinance. Not until late in the lease process was realized that the Mount Hope PDO (as well as the Land Development Code) currently prohibits community gardens in commercial zones. However, the lease was approved by the City Council (Redevelopment Agency), with direction that the City's redevelopment agencies bring forward amendments to permit community gardens by right (as a limited use) within commercial zones in redevelopment areas.

Page 2

Councilmember Sherri Lightner and  
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The issue of allowing community gardens in commercial zones within redevelopment agencies, but not citywide, creates additional inconsistencies in implementing the City's land development regulations. DSD proposes that the City Council direction be expanded to allow community gardens by right (as a limited use) in commercial zones citywide with the possibility of realizing additional reductions in the review process stemming from the amendment process. DSD proposes to fund the effort with assistance from SEDC. Additionally, CPCI and DSD are pursuing a SANDAG grant for community gardens and urban agriculture that may provide an additional source of funding. DSD is committed to fast tracking this process to benefit the community garden lease in Mount Hope.

Staff will follow the LU&H directed procedure for amending the Land Development Code and Planned District Ordinances. That procedure includes presentations to and recommendations from the Code Monitoring Team, the Community Planners Committee, and the Planning Commission prior to a decision by the City Council. In addition to the LU&H procedure, staff routinely sends an e-blast of draft regulations to an interested parties list of approximately 2,000 individuals including all community planning group members. It should be noted that amended regulations will not become effective for portions of the City within the Coastal Overlay Zone until the California Coastal Commission unconditionally certifies the amendment.



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DPJ

cc: William Anderson, Director, City Planning and Community Investment  
Amy Benjamin, Policy Advisor to the Mayor  
Jerome Groomes, President, SEDC  
Nancy Lytle, Vice president, SEDC  
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