

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: December 9, 2004

TO: Members of the Planning Commission

FROM: Coleen Clementson, General Plan Program Manager
Patsy Chow, Senior Planner

SUBJECT: Agenda of December 16, 2004 - Continued Item: Draft Ordinance Regulating Large Retail Development

REFERENCE: Planning Commission Report PC-04-138

BACKGROUND

On December 2, 2004, the Planning Commission considered a draft ordinance that would apply a building size limitation, discretionary review at specified thresholds, additional design and landscape regulations, and incentive-based requirements to large retail development in some areas of the City. More specifically, the Planning Department recommended ordinance proposes:

- (1) No building size limit in areas designated for Regional Commercial uses;
- (2) Limiting the size of large retail establishments to 150,000 square feet except in the CR (Commercial--Regional) zones and the Centre City Planned District Ordinance (CCPDO);
- (3) Establishing a Process 2 Neighborhood Development Permit (NDP) at 50,000 square feet of building size in the CC (Commercial--Community) zones, CR zones, IL-2-1 (Industrial--Light) zone, IL-3-1 (Industrial--Light) zone, and planned districts, except in the CCPDO;
- (4) Establishing a Process 4 Site Development Permit (SDP) at 100,000 square feet of building size in the CC zones and planned districts;
- (5) Including incentive-based requirements; and
- (6) Establishing additional design and landscape regulations in the CC zones, CR zones, IL-2-1 zone, IL-3-1 zone and planned districts.

As presented in the Planning Commission report, the City Council-adopted General Plan Strategic Framework Element directs new growth into mixed-use village opportunity areas accessible to transit. Additionally, the Strategic Framework Element promotes walkable communities and transit-oriented development in the City of San Diego. The subject ordinance could reduce inefficient use of land near transit for auto-oriented development that does not support adopted General Plan policies. Additionally, it would direct large retail development to be located in specified zones. This ordinance also intends to address community character and promote economic viability and diversity of uses within potential future village areas. Furthermore, the promotion and protection of mixed-use villages reinforce the Strategic

Framework policy to better integrate land use and transportation planning to help improve mobility in the city.

PLANNING COMMISSION MOTIONS

During the December 2, 2004 hearing, three separate motions were made with regard to the proposed ordinance. The motions are described below:

1) First motion was made to support the following items from the staff's recommendation:

- (1) No building size limit in areas designated for Regional Commercial uses;
- (2) Limit the size of large retail establishments to 150,000 square feet except in the CR (Commercial--Regional) zones and the Centre City Planned District Ordinance (CCPDO);
- (3) Establish a Process 2 Neighborhood Development Permit (NDP) at 50,000 square feet of building size in the CC (Commercial--Community) zones, CR zones, IL-2-1 (Industrial--Light) zone, IL-3-1 (Industrial--Light) zone, and planned districts, except in the CCPDO; and
- (4) Establish a Process 4 Site Development Permit (SDP) at 100,000 square feet of building size in the CC zones and planned districts.

PLUS

- (7) Require an economic impact analysis for 100,000 square feet and larger establishments.

It was decided that the design-related requirements would be dealt with under a separate motion.

(First motion failed - vote of 3-4)

2) Second motion was made to support the following items from the staff's recommendation:

- (3) Establish a Process 2 Neighborhood Development Permit (NDP) at 50,000 square feet of building size in the CC (Commercial--Community) zones, CR zones, IL-2-1 (Industrial--Light) zone, IL-3-1 (Industrial--Light) zone, and planned districts, except in the CCPDO;
- (4) Establish a Process 4 Site Development Permit (SDP) at 100,000 square feet of building size in the CC zones and planned districts; and
- (6) Establish additional design and landscape regulations in the CC zones, CR zones, IL-2-1 zone, IL-3-1 zone and planned districts.

PLUS

- (7) Require an economic impact analysis for 100,000 square feet and larger establishments;
- (8) Establish additional design requirements for 50,000 square feet and larger establishments (building massing and distinct masses at 50,000 square feet via offsetting planes and rooflines; parking in smaller bases with landscaping in

- between areas; major pedestrian linkages between buildings and public transit; 5,000 square feet of public plaza for every 50,000 square feet of building);
- (9) Incorporate as part of the ordinance **and/or** resolution the purpose and intent of the ordinance that is directly associated with the City of Villages strategy and Strategic Framework Element; and
 - (10) Convert incentives under **staff's** recommendation into standards or requirements that apply starting at the base line of 150,000 square feet of building size.

(Second motion carried - vote of 5-2)

3) Third motion was made to continue the item to December 16, 2004, and for staff to return with information reflecting design suggestions discussed on December 2, 2004.

(Third motion carried - unanimously)

PLANNING COMMISSION COMMENTS AND SUGGESTIONS

At the December 2, 2004 hearing, Planning Commission made four suggestions as part of the second motion. Each suggestion is addressed below in italics.

- (7) Require economic impact analysis for 100,000 square feet and larger establishments.

*General Plan staff is currently working on the Economic Prosperity Element, which is one of the major action items under goal number 7 of the Strategic Framework Action Plan (Promote Economic Prosperity and Regionalism). The economic impact analysis is another action item under goal number 7 and it involves preparation of a format for a "community economic benefit assessment" report to be applied **citywide** for major development projects. This will require major development projects to be defined to include all types of projects (residential, commercial, and industrial), which could result in community and **citywide** economic and fiscal impacts.*

- (8) Establish additional design requirements for 50,000 square feet and larger establishments.

Based on design-related comments and other suggestions made by the Planning Commission at the December 2nd hearing, staff has created Table 1 (see Attachment 1) to summarize these suggestions.

- (9) Incorporate as part of the ordinance **and/or** resolution the purpose and intent of this ordinance that is directly associated with the City of Villages strategy and Strategic Framework Element.

*A purpose and intent statement can be incorporated in the ordinance **and/or** in the resolution. It could read as follows: "The purpose of these regulations is to*

provide standards for the evaluation of large retail establishments that will address the design, bulk and scale of these establishments. The intent of these regulations is to preserve community character, create a more pedestrian scale environment, promote walkable communities, transit-oriented developments and diversity of uses within potential future village areas in the City of San Diego per the City Council adopted General Plan Strategic Framework Element and City of Villages strategy."

- (10) Converting incentives under staff's recommendation into standards or requirements that apply starting at the base line of 150,000 square feet of building size.

Based on design related comments and other suggestions made by the Planning Commission at the December 2nd hearing, staff has created Table 1 (see Attachment 1) to summarize these suggestions.

CONCLUSION

Based upon analysis of various proposals and numerous meetings with various interests groups during the past several months, the Planning Department continues to recommend the ordinance included in Planning Commission Report No. PC-04-138 (the contents of the ordinance are outlined in the background section of this memo).

The Planning Commission suggestions presented in this memo could be incorporated into an ordinance. Ultimately, the decision will be with the City Council and California Coastal Commission. Both the staff recommendation and the Planning Commission recommendation will be forwarded to the City Council for consideration.

Respectfully submitted,



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Patsy Chow
Senior Planner

CC/PC/je

Attachment: 1. Table 1 - Additional Requirements for Consideration

TABLE 1
Additional Requirements for Consideration
(Based upon Planning Commission suggestions)

Structure Size Requirements	50,000 square feet (sq. ft.) and up to 99,999 sq. ft.	100,000 sq. ft. and up to 149,999 sq. ft.	150,000 sq. ft.	Greater than 150,000 sq. ft.
Public Space	Require 1,500 sq. ft. public use area	Require 3,000 sq. ft. public use area	Require 5,000 sq. ft. public use area	Require 5,000 sq. ft. public use area
Pedestrian Link to Transit	Require major pedestrian link between buildings and public transit	Require major pedestrian link between buildings and public transit	Require major pedestrian link between buildings and public transit	Require major pedestrian link between buildings and public transit
Vehicular Parking Layout and Design	Divide parking areas into 200 parking spaces "blocks" separated by landscape buffers	Divide parking areas into 200 parking spaces "blocks" separated by landscape buffers	Divide parking areas into 200 parking spaces "blocks" separated by landscape buffers	Divide parking areas into 200 parking spaces "blocks" separated by landscape buffers
Building Massing	Divide structures into equal building masses via offsetting planes and rooflines	Divide structures into equal building masses via offsetting planes and rooflines	Divide structures into equal building masses via offsetting planes and rooflines	Divide structures into equal building masses via offsetting planes and rooflines
Economic Impact Report		Require economic impact report	Require economic impact report	Require economic impact report
Sustainable Building Design		Require sustainable building measures	Require sustainable building measures	Require sustainable building measures

Structured Parking			25% of required parking for the entire building must be in structures	25% of required parking for the entire building must be in structures	
			PLUS ONE OR A COMBINATION OF THE FOLLOWING REQUIREMENTS TO BUILD STRUCTURES GREATER THAN 150,000 SQ. FT.		
			50% of required parking for the entire building in structured parking	- Allow an additional up to 20,000 sq. ft.	
			Subterranean or rooftop parking	- Allow an additional up to 10,000 sq. ft.	
			Multi-story establishment where the first floor cannot exceed two thirds of total floor area	- Allow an additional up to 20,000 sq. ft.	
			Liner buildings attached to the large retail establishment (that cover 50% of the street frontage)	- Allow an additional up to 20,000 sq. ft.	
			Mixed-use development per Urban Village Overlay Zone in the Land Development Code	- Allow an additional up to 30,000 sq. ft.	