

CALIFORNIA COASTAL COMMISSION

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Th14a

ADDENDUM

September 5, 2023

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Th14a**, Local Coastal Program Amendment No. LCP-6-SAN-22-0023-1 (**2020 Land Development Code Update**), for the Commission Meeting of September 7, 2023.

The purpose of this addendum is to delete a suggested modification and replace the remaining two suggested modifications with new language drafted after further discussions with the City of San Diego, as well as update the relevant findings to reflect the changes. Staff recommends the following changes be made to the above-referenced staff report. Deletions shall be marked by ~~strikethrough~~ and additions shall be underlined:

1. On Page 3 of the staff report, the last full paragraph shall be modified as follows:

While many of the City's previous LCP amendments requiring the implementation of VMT-reducing and transit promoting measures are aimed at larger developments, some of those measures are applicable to smaller scale development that may avail itself of the parking reduction allowed in this amendment. Because these documents already exist in the LCP and their use would further consistency in the City's actions to reduce VMT and promote transit, it is appropriate to use the measures contained in the existing Appendix E of the Transportation Study Manual to help offset the public access impacts the removal of vehicle parking spaces can have. Therefore, **Suggested Modification No. 2** 1 requires development under Placemaking that is located in the Beach Impact Area and that converts off-street parking to outdoor dining to select and implement a subsidized transit pass program for its employees and tenants based on the number of parking spaces converted, as well as either one additional or two mitigation measures selected from a list modeled after the VMT-reduction measures in Appendix E to address the transportation impact that the removal of parking in the heavily visited coastal area of the City will have on public access.

2. On Page 3-4 of the staff report, the final paragraph shall be modified as follows:

Similarly, in line with the heightened sensitivity to parking demand and public access in the BIA, **Suggested Modification No. 3** 2 requires that the conversion of required off-street vehicle parking spaces to bicycle parking spaces in the BIA must also provide VMT reducing and transit promoting measures selected from a list that is modeled on some of the measures contained in Appendix E of the Transportation Study Manual, so as to mitigate the impact that deletion of parking will have on the ability of coastal visitors who live too far away to reasonably reach the coast by bike or transit to still be able to be accommodated. The BIA covers a small fraction of the City's coastal zone and a smaller percentage of the 375 square miles of the total area of San Diego. Requiring these measures in just the BIA strikes a balance between the benefits of providing additional bicycle parking with the potential public access impacts resulting from the removal of vehicle spaces. Furthermore, this modification will not unduly interfere with the ability of the City to promote bicycle transit, as the LCP currently has as part of its parking ordinances requirements for the provision of bicycle parking in addition to vehicle parking, which will continue to be in

3. On Page 4 of the staff report, the first full paragraph shall be modified as follows:

Finally, the City, being the largest jurisdiction in the coastal zone and receiving millions of coastal visitors a year, should monitor and evaluate the impact that the removal of various parking requirements throughout the City has and will have to determine if limiting or removing parking does reduce vehicle miles travelled and lead to the creation of adequate alternative forms of access and circulation. It is worth noting that beach parking in the City has been insufficient to meet demand for years but it has not yet resulted in the development of efficient mass transit access to the shoreline. The conversion of outdoor parking to other uses such as outdoor dining would be development that intensifies the use of a site and requires a coastal development permit (CDP). In line with past LCP amendments addressing outdoor dining such as Spaces as Places, Suggested Modification No. 1 allows Placemaking off-street conversions in the coastal zone to apply for a streamlined CDP. As state regulations require the City to provide the Commission with copies of all locally approved CDPs, there will be a record showing the frequency, location, and scope of such conversions to grant a better understanding of parking in the coastal zone. Because no comprehensive public parking study of the coastal area has been conducted by the City, to being implementing such a monitoring system, Suggested Modification No. 1 adds a new ordinance to the Land Development Code requiring the City to collect and transmit to the Commission information regarding the location, scope, and number of permits granted for the conversion of off-street parking, so that all parties may begin to formulate a clearer picture as to the pattern of off-street parking in the coastal area.

4. On Page 5 of the staff report, a new Exhibit 4 shall be added:

[Exhibit 4 – City of San Diego Response Letter](#)

5. On Page 8 of the staff report, Suggested Modification No. 1 shall be deleted.

1. Add new ordinance Section 132.0803 as follows:

132.0803 Exceptions to the Parking Impact Overlay Zone Within the Beach Impact Area

~~Where state law precludes enforcement of parking requirements, the City of San Diego shall track and provide an annual report to California Coastal Commission for projects located within the Beach Impact Area of the Parking Impact Overlay Zone, that includes:~~

- a) ~~the total number of businesses issued coastal development permits during the prior year under Spaces and Places and Placemaking that approved the reduction of required parking spaces;~~
- b) ~~the total number of parking spaces lost by said approvals;~~
- c) ~~the location of said businesses; and~~
- d) ~~any parking complaints received associated with said approvals.~~

6. On Page 8 of the staff report, Suggested Modification No. 2 shall become Suggested Modification No. 1 and be modified as follows:

141.0421 Placemaking on Private Property

Placemaking on private property is 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:

[...]

- (f) A placemaking project shall only occur on premises that are vacant at the time the Temporary Use Permit application is submitted or within parking

lots on premises within transit priority areas, except in existing disabled accessible parking spaces serving the premises.

- 1) Within the Coastal Overlay Zone, a Coastal Development Permit for outdoor dining on private property shall be issued as a Building Permit in accordance with Process One as specific in Chapter 12, Article 9, Division 2.

~~Where state law precludes enforcement of parking requirements, a placemaking project located within the Beach Impact Area of the Parking Impact Overlay Zone that removes parking for outdoor dining that would otherwise be required by the City's Parking Regulations (Chapter 14, Article 2, Division 5) must implement a minimum of two transportation amenities contained in the Transportation Study Manual Appendix E: TDM Strategies and Effectiveness Calculations categories "Neighborhood/Site Enhancement," "Transit System Improvements," "Commute Trip Reduction Programs," or "Commute Trip Reduction Additional Strategies" (excepting Price Workplace Parking). An applicant shall be responsible for implementation of each amenity that it chooses and may not rely on another applicant's completion of the amenity to satisfy its own requirements.~~

- 2) Within the Beach Impact Area of the Parking Overlay Zone (Chapter 13, Article 2, Division 8), an applicant that removes automobile parking spaces for outdoor dining that would be required by Parking Regulations (Chapter 14, Article 2, Division 5) shall provide for the duration of the placemaking project:

A. Standard regional adult monthly transit passes to requesting employees or tenants equal to 2 passes for each automobile parking space replaced, up to the number of on-site employees and tenants. Notice of the availability of monthly transit passes shall be posted by the applicant in an area on the premises where it can easily be seen by the employees or tenants. The notice shall include a statement that the monthly transit passes are required for placemaking pursuant to the San Diego Municipal Code, and

B. One of the following vehicle miles traveled reduction measures on the premises:

- i. Shared bicycle fleet equal to 2 bicycles for each automobile parking space replaced, or 5 bicycles, whichever is greater.
 - ii. Electric battery charging stations for micro-mobility devices that are available to the public equal to 1 charging station for each automobile space replaced, or 5 charging stations, whichever is less.
 - iii. Micro-mobility parking area that is available to the public with a minimum of 2 micro-mobility parking spaces for each automobile parking space replaced.
 - iv. Carpool parking spaces with a minimum of 1 carpool parking space for each automobile parking space replaced.
 - v. Long-term bicycle parking (covered, lockable enclosures for bicycles) equal to 2 per the number of automobile parking spaces replaced, or 5 long-term bicycle parking spaces, whichever is less.
- 3) The vehicle miles traveled reduction measures required in section 141.0421(f) shall be in addition to minimums required in the Parking Regulations (Chapter 14, Article 2, Division 5).

7. On Page 9 of the staff report, Suggested Modification No. 3 shall become Suggested Modification No. 2 and shall be modified as follows:

Section 142.0530 Nonresidential Uses – Parking Ratios

Footnotes for Table 142.05F

1. Eating and Drinking Establishments.
 - a. The minimum automobile parking space ratios apply to eating and drinking establishments that do not have a common parking area with any other uses.
 - b. There is no minimum parking requirement or maximum permitted parking for outdoor dining.
 - c. With Transit Priority Areas, minimum required automobile parking spaces can be replaced by a placemaking project if a Temporary Use Permit is obtained in accordance with Section 123.0402.

- d. Within the CN, CO, and CV zones, the minimum automobile parking spaces required can also be replaced with bicycle parking spaces at a ratio of 2 bicycle parking spaces provided for each required automobile parking space.
2. Within the Beach Impact Area of the Parking Impact Overlay Zone (Chapter 13, Article 2, Division 8), an applicant that replaces automobile parking spaces for bicycle parking spaces that would be required by the Parking Regulations (Chapter 14, Article 2, Division 5) shall install micro-mobility charging stations on the premises that are available to the public equal to 1 charging station for each automobile space replaced, or 5 charging stations, whichever is less.
3. Within the Coastal Overlay Zone, outdoor dining areas such as decks, patios, terraces, etc. are considered part of the eating and drinking establishment's gross floor area and are included in calculating parking requirements.

~~The minimum parking ratios apply to eating and drinking establishments that do not have a common parking area with any other uses. There is no minimum parking requirement or maximum permitted parking for outdoor dining. With Transit Priority Areas, minimum required parking can be replaced by a placemaking project if a Temporary Use Permit is obtained in accordance with Section 123.0402. Within the CN, CO and CV Zones, minimum parking required can also be replaced with bicycle parking at a ratio of 2 bicycle parking spaces provided for every required vehicle parking space. Within the BIA, where state law precludes enforcement of parking requirements, a project that replaces up to one vehicle parking space that would otherwise be required by the City's Parking Regulations for bicycle parking must implement a minimum of one Bicycle TDM contained in the "Neighborhood/Site Enhancement" section of the Transportation Study Manual Appendix E: TDM Strategies and Effectiveness Calculations. Projects that replace more than one such parking space must implement a minimum of two Bicycle TDMs. An applicant shall be responsible for implementation of each amenity that it chooses and may not rely on another applicant's completion of the amenity to satisfy its own requirements. Within the Coastal Overlay Zone, outdoor dining areas such as decks, patios, terraces, etc., are considered part of the eating and drinking establishment's gross floor area and are included in calculating parking requirements.~~

8. On Page 17 of the staff report, the first full paragraph shall be modified as follows:

While many of the City's previous LCP amendments requiring the implementation of VMT-reducing and transit promoting measures are aimed at larger developments, some of those measures are applicable to smaller scale

development that may avail itself of the parking reduction allowed in this amendment. Because these documents already exist in the LCP and their use would further consistency in the City's actions to reduce VMT and promote transit, it is appropriate to use the existing Appendix E of the Transportation Study Manual with the currently proposed amendment. Suggested Modification No. 2 1 requires development under Placemaking that is located in the Beach Impact Area and that converts off-street parking to outdoor dining to select and implement a subsidized transit pass program for its employees and tenants based on the number of parking spaces converted, as well as either one additional or two mitigation measures selected from a list modeled after the VMT-reduction measures in Appendix E, depending on how many parking spaces are converted, to address the transportation impact that the removal of parking in the heavily visited coastal area of the City will have on public access. Specifically, as modified, an applicant that removes automobile parking spaces for outdoor dining that would be required by Parking Regulations must provide for the duration of the placemaking project, standard regional adult monthly transit passes to requesting employees or tenants equal to 2 passes for each automobile parking space replaced, up to the number of on-site employees and tenants.

City of San Diego staff have stated concerns that the requirement to provide transit passes based on the number of parking spaces converted could become cost prohibitive for small businesses that may be overparked, and have suggested placing a cap based on the number of employees as follows:

- Less than 25 full or part time employees – 5 passes max
- 25-50 full or part time employees – 10 passes max
- 50+ full or part time employees – 20 passes max

However, as suggested, the modification only applies in the City's Beach Impact area—a limited area of the City specifically identified as an area with a high parking demand; only to required parking spaces; and only upon request by an employee/tenant. The City has not identified any locations in the BIA where small businesses are “overparked.” Bicycle improvements, while an important component of reducing vehicle miles traveled, do not have universal application, and thus, it is critical that reductions in vehicle parking come with support for shifting to mass transit. The requirement for the provision of transit passes will help achieve this goal.

9. On Page 17 of the staff report, the second full paragraph shall be modified as follows:

Similarly, in line with the heightened sensitivity to parking demand and public access in the BIA, Suggested Modification No. 3 2 requires that the conversion of required off-street vehicle parking spaces to bicycle parking spaces in the BIA must also provide VMT reducing and transit promoting measures selected from a list that is modeled on some of the measures contained in Appendix E of the

Transportation Study Manual, so as to mitigate the impact that deletion of parking will have on the ability of coastal visitors who live too far away to reasonably reach the coast by bike or transit to still be able to be accommodated. The Beach Impact Area of the Parking Overlay Zone generally consists of the three blocks closest to the coast and has been identified by the City as the area where public beach parking is already extremely impacted and thus where any further reduction would have a significant impact on parking availability. The BIA covers a small fraction of the City's coastal zone and a smaller percentage of the 375 square miles of the total area of San Diego. Requiring these measures in just the BIA strikes a balance between the benefits of providing additional bicycle parking with the potential public access impacts resulting from the removal of vehicle spaces. Furthermore, this modification will not unduly interfere with the ability of the City to promote bicycle transit, as the LCP currently has as part of its parking ordinances requirements for the provision of bicycle parking in addition to vehicle parking, which will continue to be in effect.

10. On Page 17-18 of the staff report, the final paragraph shall be modified as follows:

Finally, the City, being the largest jurisdiction in the coastal zone and receiving millions of coastal visitors a year, should monitor and evaluate the impact that the removal of various parking requirements throughout the City has and will have to determine if limiting or removing parking does reduce vehicle miles travelled and lead to the creation of adequate alternative forms of access and circulation. It is worth noting that beach parking in the City has been insufficient to meet demand for years but it has not yet resulted in the development of efficient mass transit access to the shoreline. The conversion of outdoor parking to other uses such as outdoor dining would be development that intensifies the use of a site and requires a coastal development permit (CDP). In line with past LCP amendments addressing outdoor dining such as Spaces as Places, Suggested Modification No. 1 allows Placemaking off-street conversions in the coastal zone to apply for a streamlined CDP. As state regulations require the City to provide the Commission with copies of all locally approved CDPs, there will be a record showing the frequency, location, and scope of such conversions to grant a better understanding of parking in the coastal zone. ~~Because no comprehensive public parking study of the coastal area has been conducted by the City, to be~~ implementing such a monitoring system, Suggested Modification No. 1 adds a new ordinance to the Land Development Code requiring the City to collect and transmit to the Commission information regarding the location, scope, and number of permits granted for the conversion of off-street parking, so that all parties may begin to formulate a clearer picture as to the pattern of off-street parking in the coastal area.

September 1, 2023

California Coastal Commission
San Diego District Office
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108- 4402

Subject: City of San Diego Amendments No. LCP-6-SAN-22-0023-1 (2020 Code Update) and
LCP-6-SAN-22-0025-1 (2021 Code Update)

Dear Coastal Commissioners:

The City of San Diego appreciates the opportunity to comment on the California Coastal Commission (CCC) staff's recommended modifications to the 2020 Code Update and 2021 Code Update. We want to thank Coastal Commission staff for the ongoing dialogue regarding their proposed modifications discussed below. While we appreciate Commission staff's willingness to work with us on language that can best be implemented to achieve our agencies' collective desired outcome to improve coastal access for all users, including those that desire or must travel to the coast without access to a car, we maintain our opposition to any modifications that require the mitigation for the removal of off-street vehicular parking. We thank Commission staff for their diligent efforts to reach a compromise on language that can best be implemented if the Commission ultimately decides to include Coastal staff's proposed modifications.

City of San Diego Amendments No. LCP-6-SAN-22-0023-1 (2020 Code Update)

1. San Diego Municipal Code Section 141.0421 - Placemaking on Private Property

CCC Staff recommends modifications requiring projects within the Beach Impact Area of the Coastal Overlay Zone to mitigate the loss of off-street parking spots with additional mitigation measures.

The proposed modification creates a car-centric focus on the loss of parking spaces and discounts the many co-benefits of placemaking on private properties, including increased opportunities for the public to access and enjoy coastal communities. The cost of implementing these mitigation measures will reduce the opportunities for property owners to expand placemaking operations into existing sites within the Coastal Overlay Zone. In addition, it decreases the ability for community members and visitors of all abilities to walk, roll, bike, and take transit, consistent with both the City's and the State's climate goals to reduce greenhouse gas emissions and vehicle miles traveled.

To improve multimodal options to travel to the coast, the City has pursued partnerships for neighborhood electric shuttles, recently introducing a new shuttle in Pacific Beach. These shuttles provide additional access to the coast and businesses around the coast for people of all ages and abilities without the use of a car. The creation of quality pedestrian and bike-friendly spaces improves social connections, builds strong communities, and contributes to the City's achievement of the mode share goals for pedestrians, bicyclists, and transit users set forth in the Climate Action Plan.

The intent of this municipal code amendment was to reduce the over-parking of commercial areas, which increases driving and greenhouse gas emissions. Reducing parking requirements, as originally proposed, ensures greater efficiency of commercial spaces in meeting the needs of customers while benefiting the community through an enhanced pedestrian experience and limiting the oversupply of parking for less productive land uses. This parking reduction is also in line with the State of California's enactment of Assembly Bill 2097 in 2022, which recognized the need for greater flexibility in commercial parking requirements and removed cities' ability to establish parking minimums near transit.

The premise of placemaking on private properties is to opportunities to support the development of quality public spaces in traditionally underserved communities and to ensure that placemaking investments that improve public spaces and enhance the pedestrian environment can be equitably enjoyed across the City. Through increased utilization of activated spaces by walking, rolling, and biking, coastal access can be enhanced. Coastal access opportunities can also be increased without encouraging additional vehicular travel, via shared mobility devices. These other options result in more efficient use of the City's public spaces – allowing for more productive uses of land, such as space for transit, bike, and pedestrian facilities that move people (as opposed to cars).

The City's policies do not align with the proposed modification and mitigation requirements, which favors the less efficient use of public spaces focused on moving people solely by the less efficient use of single-occupant vehicles that are counter to the City's climate goals. We are concerned that the requirements being proposed in Commission staff's modifications will limit the application of the City's policies in the Coastal Zone, resulting in less access to the coast for all users.

2. Section 142.0530 Nonresidential Uses – Parking Ratios

CCC staff is recommending a modification that requires Eating and Drinking Establishments within certain commercial zones within the Beach Impact Areas of the Parking Impact Overlay Zone to provide additional mitigation measures if they convert vehicular parking to bicycling parking at a rate of two to one.

The proposed modification promotes a car-centric focus on the loss of parking spaces which discounts the many co-benefits of this amendment, including increased opportunities for the public to access and enjoy coastal community businesses by bicycle. Reducing parking requirements, as originally proposed, increases opportunities for businesses to create safe parking for bicycle riding patrons and creates an enhanced active transportation experience

for residents and visitors of all abilities consistent with the City's mode share goals set forth in the Climate Action Plan. This is also consistent with the City's and the State's climate goals to reduce greenhouse gas emissions and vehicle miles traveled.

In addition, allowing for the conversion of vehicular spots or bicycling parking provides opportunities to support businesses in traditionally underserved communities to ensure that dining investments that improve public spaces can be equitably enjoyed across the City, especially by those who do not or cannot own a car. More people utilizing activated spaces by bicycle can increase and enhance coastal access.

The City's policies do not align with the proposed modification that penalizes businesses and promotes the less efficient use of spaces focused on moving people solely by the less efficient use of single-occupant vehicles that are counter to the City's climate goals. We are concerned that the requirements being proposed in Commission staff's modifications will limit the application of the City's policies in the Coastal Zone, resulting in less access to the coast for all users.

City of San Diego Amendments No. LCP-6-SAN-22-0025-1 (2021 Code Update)

1. Section 142.0740 Lighting

CCC staff is recommending modifications that would maintain the exemption from light shielding to under 4,050 initial luminaire lumens within the Coastal Overlay Zone. Outside of the Coastal Overlay Zone, the threshold for lighting exempt from shielding requirements would increase to under 6,200 initial luminaire lumens.

In December 2018, the California Energy Commission published the 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6), which included updates to the luminaire shielding requirements for outdoor lighting. Section 130.2 – Outdoor Lighting Controls and Equipment states that Nonresidential, high-rise residential and hotel/motel buildings shall comply with the following Luminaire Cutoff Requirement:

"Luminaire Cutoff Requirements. All outdoor luminaires of 6,200 initial luminaire lumens or greater, shall comply with Backlight, Uplight, and Glare (collectively referred to as "BUG" in accordance with IES TM-1511, Addendum A) requirements as follows:

1. Maximum zonal lumens for Backlight, Uplight, and Glare shall be in accordance with Title 24, Part 11, Section 5.106.8"

Changes in lighting technology, such as improvements in high-efficiency luminaires lighting, such as LED lighting, led to the change in luminaire shielding requirements. As a part of the 2021 Land Development Code update, the City amended the municipal code to update Section 142.0740(c)(2)(B) to ensure initial luminaire lumens shielding remains consistent with the State's Energy Efficiency Standards. Furthermore, the Outdoor Lighting regulations outlined in

Section 142.0740 are intended to minimize the negative impacts of light pollution and minimize conflict caused by unnecessary illumination.

The proposed LDC amendment will allow a higher threshold for luminaire shielding requirements, but developments will also abide by other regulations outlined in Section 142.0740, specifically Section 142.0740(c)(5), which states that all outdoor lighting shall be turned off between 11:00PM and 6:00AM. Likewise, properties adjacent to or containing sensitive biological resources will be required to limit exterior lighting to low-level lights and shields to minimize the amount of lighting entering identified sensitive biological resources, as outlined in Section 142.0740(c)(6). Lastly, prior to the installation of any outdoor light fixture, applicants must obtain an Electrical Permit, which must show BUG rating compliance for each light fixture, as indicated in Section 142.0740(c)(7). Compliance with Section 142.0740 will ensure that properties properly address potential light spillover while satisfying the California Energy Code, local outdoor lighting standards and Green Building Regulations.

Street lighting facilitates the safe operation of traffic, gives pedestrians a safer traveling environment, promotes night use of commercial shopping and visitor-oriented areas, and increases the public perception of safety from crime. The technological improvements and requirements are designed to prevent spillover from streetlights. The amendment will provide well-lit pedestrian areas and transit stops and improve pedestrian comfort, security, and safety on public streets within the Coastal Zone. Increased lighting promotes safety for both pedestrians and motorists by providing better visibility at intersections and on high volume streets. Improved lighting will also aid in reducing crime and creating a better pedestrian experience in coastal communities.

Recommended Revision:

Increase the threshold to 6,200 initial luminaire lumens in areas within the Coastal Overlay Zone that are zoned Commercial, Industrial, Mixed Use and Multi-family Residential and are not adjacent to open space. Other zones within the Coastal Overlay Zone would remain at 4,050 initial luminaire lumens. This would ensure that increased levels of lighting, particularly near commercial areas and transit stops, will benefit from increased lighting to improve the safety of community members using sidewalks, crosswalks, and other pathways to access the coast. Additional levels of lighting can further equitable access for all community members and visitors in the coastal zone, including those in underserved and environmental justice communities.

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California Coastal Commission
September 1, 2023

The City appreciates the California Coastal Commission's consideration of the City's requests outlined above. Please contact Seth Litchney, Program Manager, at SALitchney@sandiego.gov if you have any questions.

Sincerely,



Heidi Vonblum
Planning Director

Cc: Adrian Granda, Director, Government Affairs, Office of Mayor Todd Gloria
Chris Ackerman-Avila, Policy Advisor, Office of Mayor Todd Gloria
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