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LCP-6-SAN-22-0023-1 (2020 Land Development Code Update)

September 2023

CORRESPONDENCE

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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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](mailto:SAitchney@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
Randy Wilde, Policy Advisor, Office of Mayor Todd Gloria
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From: Christopher Pederson <cpedersonlaw@gmail.com>
Sent: Friday, September 1, 2023 1:21 PM
To: SanDiegoCoast@Coastal
Cc: Schwing, Karl@Coastal; Lilly, Diana@Coastal; Llerandi, Alexander@Coastal; Mayer, Robin@Coastal
Subject: Public Comment on September 2023 Agenda Item Thursday 14a - City of San Diego LCP Amendment No. LCP-6-SAN-22-0023-1 (2020 Code Update).

Dear Chair Brownsey and Commissioners:

I support staff's recommended suggested modifications to the City of San Diego's 2020 Code Updates LCP amendment. I thank Commission staff for acknowledging the applicability of AB 2097, which restricts the enforcement of automobile parking requirements within one-half mile of public transit. (See Gov. Code, § 65863.2.)

The Commission should embrace the staff recommendation to use transportation demand measures that reduce reliance on the automobile as preferable to outmoded and destructive automobile parking mandates. Staff's recommended approach gives effect both to the Coastal Act's requirement to maximize public access to the coast and to its direction to promote public transit and minimize energy consumption and vehicle miles traveled. (See Pub. Resources Code, §§ 30210, 30252, 30253(d).) I urge the Commission to take this pro-climate, pro-access, pro-environmental justice approach for other matters that come before the Commission, too.

Thank you for your consideration of my comments.

Sincerely,

Christopher Pederson