

PHONE-IN TESTIMONY PERIOD NOW OPEN FOR

ITEM 4: San Diego Municipal Code Amendment to Section 131.0431 Development Regulations Table 131-04D Related to RS-1-2 Zones in the Encanto Neighborhoods and Southeastern San Diego Community Planning Areas

To call in and make public comment on this item:


Telephone - Dial 669-254-5252 or (Toll Free) 833-568-8864



When prompted, input Webinar ID: **160 758 6412**

How to Speak to a Particular Item or During Non-Agenda Public Comment



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San Diego Municipal Code Amendment to Section 131.0431 Development Regulations Table 131-04D Related to RS-1-2 Zones in the Encanto Neighborhoods and Southeastern San Diego Community Planning Areas

Planning Commission
December 19, 2024

Issue – Proposed Amendment to the SDMC

- Removal of Footnote 7 from Table 131-04D in Section 131.0431
- Footnote 7 for the RS-1-2 Zone:
 - Applies the development regulations of RS-1-7 zones to subdivisions
 - Only within the Encanto Neighborhoods and Southeastern San Diego Community Planning Areas

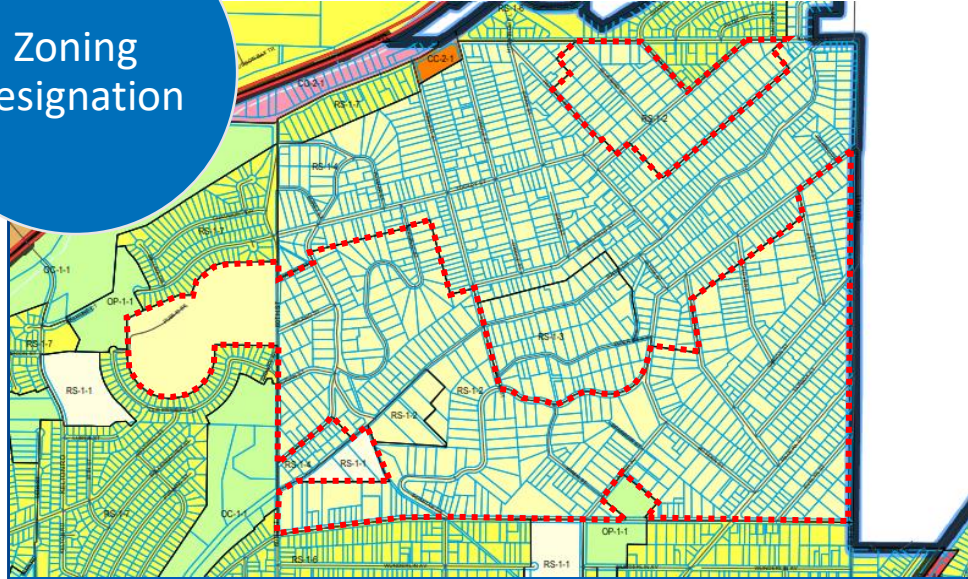
Background - Encanto Neighborhoods Community Plan Update and Zoning (2015)

Land Use
Plan
Designation



Residential - Very Low (0-4 du/ac)

Zoning
Designation



RS-1-2: 20,000 square foot lots

Background - Footnote 7 Adoption (2020)

12th Update, Phase 2 (2020)

- In the Encanto Neighborhoods and Southeastern San Diego Community Planning areas, in the RS-1-2 zone, the lot size shall be a minimum of 5,000 square feet (20,000 square feet in all other communities remains).

Single family zoning remains

Subdivisions must still be consistent with the Community Plan's density of 4 units per acre

Background - Footnote 7 Amendment (2022)

2021 Land Development Code Update (2022)

- ... and all development regulations of the RS-1-7 zones shall apply to subdivision

Can use development regulations of the RS-1-7 Zone

Cannot exceed Community Plan's density of 4 units per acre

Proposed Amendment to the SDMC



Proposed Amendment

- Ensure consistent application of development regulations Citywide by removing footnote 7 from Table 131-04D

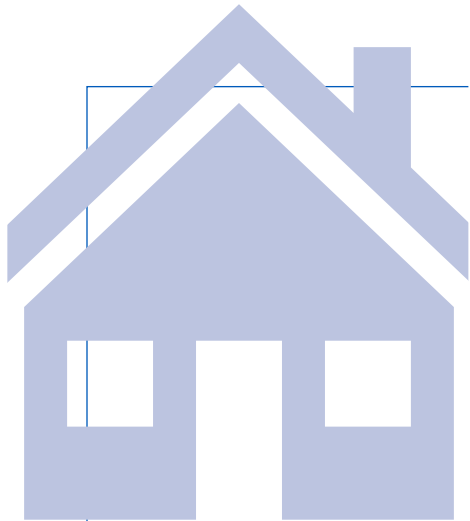
Proposed Amendment to the SDMC



Repealing Footnote 7

- Restore the 20,000 square foot minimum lot size requirement in the RS-1-2 base zones
- Consistent with citywide development regulations for the RS-1-2 base zones
- Projects can request a rezone to achieve Community Plan densities

Proposed Amendment to the SDMC



Development Potential

- Would decrease the allowed development potential in affected communities, absent a rezone
- Result in the same development potential assumed in the community plan update

Affirmatively Furthering Fair Housing (Government Code Section 8899.50)



Meaningful Action

- Address disparities in housing needs
- Replace segregated living pattern



Meaningful Action

- Balanced Communities
- Transform racially and ethnically concentrated areas into areas of opportunity

Fair Housing means expanding housing opportunities and improving access to resources

Housing Impact – Encanto Neighborhoods Community Plan Area

Development
Potential With
Footnote 7

642 single
family
homes

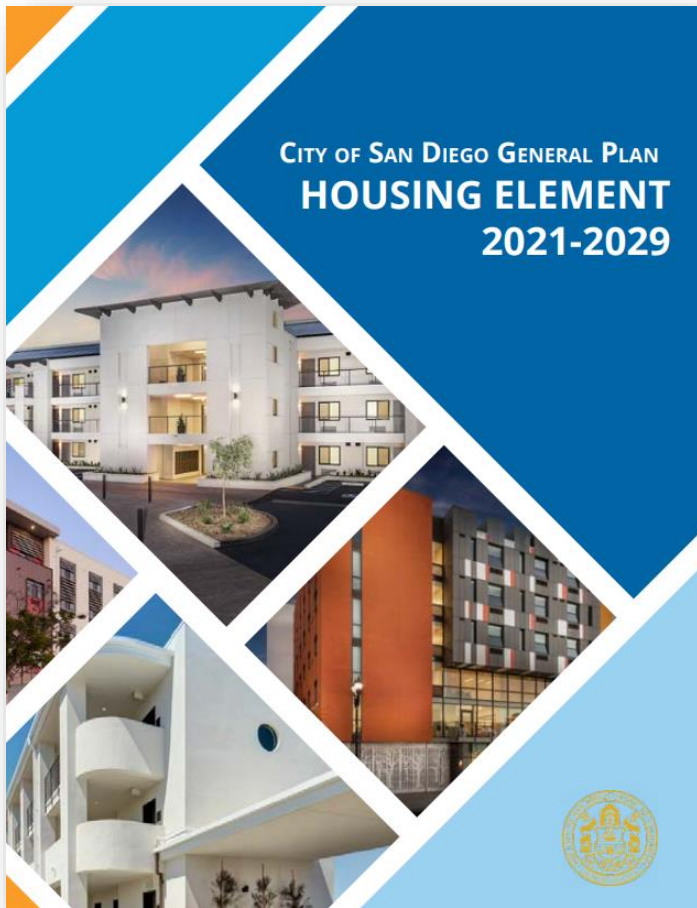
Development
Potential Without
Footnote 7

177
single
family
homes

Difference

465 single
family
homes

Housing Impact – Housing Element Adequate Site Inventory



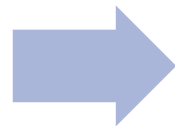
- State requires cities ensure Adequate Site Inventory can still meet housing goals if rezoning reduces capacity
- Adequate Sites Inventory included sites zoned RS-1-2 in the Encanto Neighborhoods
- Repealing footnote 7 would not reduce the residential density identified in the Adequate Sites Inventory below its current allocation

Housing Crisis Act of 2019 – SB 330 (Government Code 66300)

Government Code 66300(b)(1)(A)

- “does not allow a city to change the general plan (community plan) land use designation or zoning of a property to a less intensive use or reduce the intensity of land use within an existing land use designation, or zoning below what was allowed under the land use designation and zoning, as in effect on January 1, 2018, in a manner that would result in a net loss of residential capacity.”

12th Code Update, Phase 2 (2020)



2021 Land Development Code Update (2022)

Community Planning Group Recommendations

Chollas Valley Community Planning Group

- Recommended the Mayor to issue an executive order that 1) No City Official, department, or subdivision of the City administration approval of any project reliant on footnote 7 – whether past, present, or future and 2) footnote 7 is deemed invalid and without effect.

Community Planners Committee Recommendations

Community Planners Committee

- Recommendation endorsing Community Planning Group letter recommending the Mayor to issue executive order that 1) No City Official, department, or subdivision of the City administration approval of any project reliant on footnote 7 – whether past, present, or future and 2) Footnote 7 is deemed invalid and without effect.

Planning Group Recommendation Responses

Executive Order

- Municipal Code regulations remain in effect and must be enforced and applied
- Legislative authority to adopt or repeal such regulations - City Council
- Executive order not to apply these adopted regulations would undermine the City Council's legislative authority, violating the City Charter, Municipal Code, and State law.

Timeline

Chollas Valley CPG Recommendation:
November 2024

Community Planners Committee
Recommendation: November 2024

Planning Commission: December 2024

City Council: January 2025

Staff Recommendation

Recommend the City Council approve an ordinance to repeal footnote 7 from Table 131-04D, Development Regulations for Residential Zones.

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