

Draft Clairemont Community Plan Implementation Regulations Summary

The Community Plan establishes a framework to guide future development within the Clairemont community, ensuring alignment with the plan's vision, goals, and policies. To support its implementation, the Community Enhancement Overlay Zone (Formerly known as the Community Plan Implementation Overlay Zone) will be introduced through the Municipal Code. Community specific regulations within the Municipal Code will apply to specific sites within Clairemont Community Planning Area as shown in Figure 1 below. These areas align with village areas in the second draft Clairemont Community Plan, which increase opportunities for homes and jobs, and will help the City meet its Climate Action Plan goals. These regulations will supplement underlying base zone regulations to ensure that new development in these growth opportunity areas will be supported by community enhancements including pedestrian access, *public spaces*, and connectivity improvements. Regulations applying to the Clairemont community are identified below.

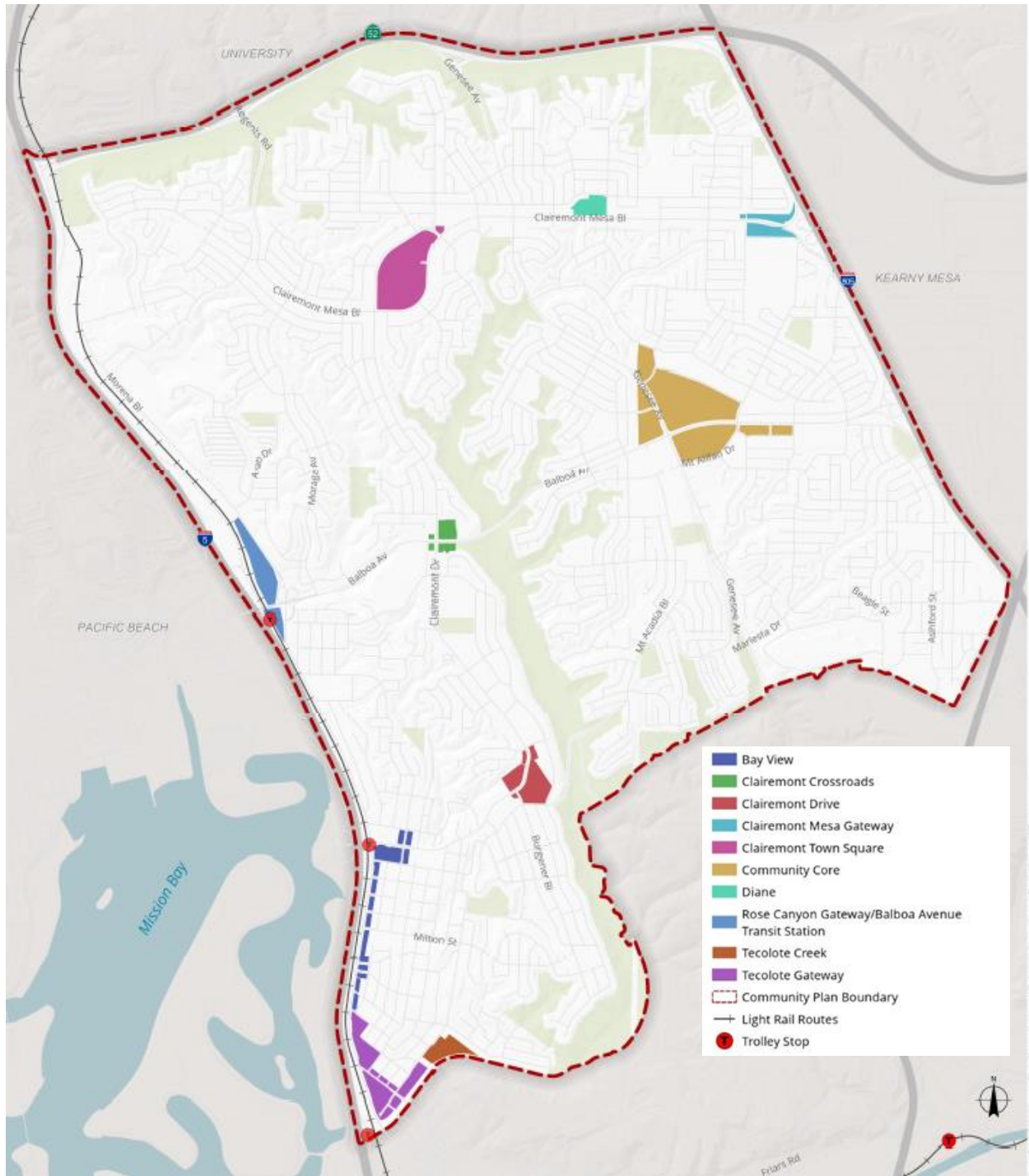


Figure 1 – Community Enhancement Overlay Zone Illustrative Figure

Public Spaces

Public spaces provide space for social interaction and recreation. These spaces may include (but are not limited to) play areas, fitness and circuit equipment, sports courts, game tables, performance or gathering areas, splash pads or water features, useable lawn areas, off-leash dog areas, community gardens, *urban greens*, *podiums*, *plazas*, and *greenways* or *paseos* that enhance connectivity.

Applicability

These spaces are accessible from a street and apply to:

- A property that is equal to or greater than 10,000 square feet and that proposes a total *gross floor area* of new *development* equal to or greater than a *floor area ratio* of 0.5; or
- A property less than 10,000 square feet, the applicant shall receive a *floor area ratio* bonus of 1.0 if an applicant elects to provide *public space*; or
- A property equal to or greater than 10,000 square feet and that proposes a subdivision, the *public space* requirements shall apply to *development* on all lots.

The requirement to provide *public spaces* is not applicable to a *development* that qualifies for an exemption from the Citywide Park Development Impact Fees by constructing on-site park improvements in accordance with San Diego Municipal Code Section 142.0640 and City Council Policy 600-33.

Size

Public spaces must adhere to the Public space Design Requirements as follows:

- A minimum of 5 percent of the property shall be provided as a *public space*. The size of the required area of a public space cannot be greater than 75,000 square feet of the premises.
- For development that exceeds the minimum required area of a public space for a premises, the development may receive a floor area ratio bonus of 0.2 for every 1,000 square feet of the provided public space up to a maximum of 5,000 square feet. The floor area ratio bonus for public space shall not exceed 1.0

- If archaeological, tribal cultural, historical, or environmental resources limit the ability to meet the required area of a *public space*, the area may be reduced to avoid the resource subject to approval of a Process Two Neighborhood Development Permit.
- If required stormwater, public utility, or transit infrastructure or facilities limit the ability to meet the required area for the public space, the required area may be reduced to locate the required infrastructure or facilities to the satisfaction of the City Engineer.
- The applicant may purchase a reduction in the required size of the public space at a rate of \$170 per square foot of reduction, up to a maximum of 25 percent of the total required public space amenity size. Payment shall be deposited into the Citywide Park Development Impact Fee Fund prior to final inspection.

Type

- Type. An applicant can choose to satisfy its public space requirements through the provision of one or more of the following:
- A plaza, urban green, or podium shall meet the following requirements:
 - A minimum area of 1,200 square feet; and
 - A minimum dimension of 20 feet in any direction.
- A greenway shall have a minimum width of 8 feet measured perpendicular from the parkway to the street wall or in accordance with Table 132-16E.
- A paseo shall have a minimum width of 8 feet

Amenities

- A *public space* shall include amenities in accordance with the *public space* Amenity Type table (Table 1 and 2 below).
- All amenities shall be open and available to the public per the public access requirements.
- A development shall not utilize the following amenity more than once: Interactive/Technology Element; Placemaking Elements; Performance/Event/Cultural Space; Splash Pad; or Sports Court with Lighting
- Amenities in category 2 shall satisfy two single amenities requirements.

- Development shall not utilize this specific amenity more than once.
- An alternative compliance determination will be made by the City Manager for amenities not listed in the public space Amenity Table.
- The applicant may purchase amenity points, up to a maximum of 25 percent of the total required amenities based on the premise size of the development (with a minimum of 1 amenity point) at a rate of \$480,835 per amenity point and will rise. Payment shall be deposited into the Citywide Park Development Impact Fee Fund prior to final inspection.

Landscaping

- A minimum of 20 percent of a *public space* area shall be comprised of landscaping in addition to the landscape regulations in Chapter 14: General Regulations, Article 2: General Development Regulations, Division 4: Landscape Regulations.
- At least 30 percent of all paving within the *public space* shall be shaded by tree canopy form, standard trunk, evergreen species, at a minimum 24-inch box size. A minimum of one, 24-inch box canopy street tree is required for each 30 feet of public space on a ground level abutting a street frontage. The tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide.

Trash and Recycling Containers

- At least 1 one trash and recycling container shall be provided with a minimum of one for every 1,000 square feet of *public space*.

Seating and Tables

- A minimum of one linear foot of seating shall be provided for every 100 square feet of *public space*. All or a portion of the required seating can be moveable. Tables and seating operated by on-site commercial tenants or the record owner may be included within the *public space* if they are accessible to the public and are limited to no more than 20 percent of the *public space* area.

Lighting

- A *public space* shall have lighting provided on either poles or bollards at the entrance, pedestrian pathways and edges. The lighting design within the *public space* shall be coordinated with the architectural lighting of the abutting building. A minimum of 50 percent of a public space at a ground level shall be free of physical barriers or obstructions to ensure universal access.

Access and Visibility

- A *public space* on a ground level shall be designed to be visible from the abutting building and parkway. The *public space* at a ground level shall use different paving material from the *public right-of-way* to delineate the area maintained by the record owner.

Hours of Public Access

- A *public space* and amenities shall be publicly accessible from 7:00 a.m. to 8:00 p.m. seven days a week or during record owner's general hours of operation.
- A minimum of 1 wayfinding *sign* shall be provided per 100 feet of street frontage. The *sign(s)* shall be at least 2 square feet in size, located along and legible from the public right-of-way, advise the public of the hours of public access, and direct the public to any *public spaces* not located adjacent to a *public right-of-way*.

Maintenance

- A *public space* shall be maintained by the property owner.

Building Façade

- A minimum of one building façade shall face the *public space*. The abutting *public space* shall be accessible from the adjacent building entrances including each commercial tenant space or residential dwelling unit or a common area for building with retail tenant space or residential units.

- An upper story of a building with a finish floor elevation of more than 25 feet above a *public space* at a ground level may have balconies, building elements or habitable space that projects over the *public space*.

Common Open Space

- A *public space* may be counted towards common open space requirements of the base zone.

Garage Entrance or Driveway

- A garage entrance or driveway is only allowed within a *public space* or if the property does not have access to another *public right-of-way*, subject to the satisfaction of the City Engineer.

Parking, Loading and Utilities

- Automobile parking spaces, loading berths/zones, trash storage facilities, utility boxes, as well as the access or service for these facilities are not permitted within the *public space*.

Stormwater

- Best management practices for stormwater may be constructed within the landscaped area of a *public space* at ground level in accordance with Chapter 4: Health and Sanitation, Article 3: Environmental Health Quality Controls, Division 3: Stormwater Management and Discharge Control SDMC Section 43.0301, so long as pedestrian access to and within a *public space* is not hindered by the best management practices.

Mixed-Use Base Zones

- Development on a property with a mixed-use base zone with a property greater than five acres shall be exempted from the *public space plaza* requirements of the base zone if the development provides *public spaces* in accordance with the Community Enhancement Overlay Zone.

Site Specific Public Space Requirements

In addition to the Community Enhancement Overlay Zone *public space* requirements, the Clairemont Community Plan identifies additional site-specific requirements for both *Greenways* and *Parkways*.

Greenways

Greenways are linear *public spaces* along streets. The location and minimum widths of *greenways* required by the Clairemont Community Plan are as follows:

Greenways	
Location	Minimum Public space – Greenway Width
South side of Clairemont Drive between Clairemont Mesa Boulevard and Clairemont Mesa Boulevard.	30 Feet
South side of Balboa Arms Drive between Mount Abernathy Avenue and Derrick Drive.	30 Feet
North side of Mount Alifan Drive between Mount Abraham Avenue to Genesee Avenue.	30 Feet

- *Greenways* may also count toward fulfilling the project's *public space* requirements.

Parkways

Parkways are the *public spaces* between the curb and property line that enhance streetscapes by incorporating *throughway zones*, *furnishing zones*, and *frontage zones*. All new development is required to make *parkway* improvements according to the City of San Diego Street Design Manual.

The location and minimum widths of *parkways* required by the Clairemont Community Plan are as follows:

Parkways	
Location	Minimum Parkway Width
South side of Clairemont Drive between Clairemont Mesa Boulevard and Clairemont Mesa Boulevard.	14 Feet
North side of Ingulf Street between Morena Boulevard and Denver Steet.	10 Feet
South side of Clairemont Drive between Morena Boulevard and Denver Street.	10 Feet
South side of Balboa Arms Drive between Mount Abernathy Avenue and Derrick Drive.	14 Feet
North side of Mount Alifan Drive between Mount Abraham Avenue and Genesee Avenue.	14 Feet

- *Improvements* within the parkway shall be designed and constructed in accordance with the requirements of Chapter 14, Article 2, Division 6 and the Street Design Manual of the Land Development Manual.

Paseos

The location and minimum widths of *paseos* required by the Clairemont Community Plan are as follows:

Paseos	
Location	Minimum Public space – Paseo Width
Abutting Tecolote Creek.	14 Feet
Between Denver Steet and Morena Boulevard.	14 feet

Clairemont Specific -Public Parks

The Community Enhancement Overlay Zone includes a community-specific requirement in Clairemont for the inclusion of a public park within the Rose Canyon Gateway Village site.

The location and minimum size of the Public Park required by the Clairemont Community Plan is as follows:

Parks	
Location	Minimum Public space – Public Park
A public park that is a minimum of 3-acres in size and shall include a minimum of 1 paved north-south oriented pedestrian pathway at least 8-feet in width connecting the site to Balboa Avenue.	Minimum of 3 Acres

Definitions

The following definitions are applicable to the Clairemont Community Enhancement Overlay Zone regulations. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply.

Parkway means the area within the public right-of-way between the curb of a street and the *public right-of-way* line. The *parkway* includes the following zones:

- *Frontage zone* means the section of the *public right-of-way* between the *thoroughway zone* and the *public right-of-way* line that may be a building façade, landscaping or fence.
- *Furnishings zone* means the section of the *public right-of-way* between the curb and the *thoroughway zone* in which street trees, lights and street furniture are provided. Street furniture which may include but not limited to trash and recycle receptacles and bicycle parking.
- *Thoroughway zone* means the section of the public right-of-way between the furnishings zone and the frontage zone or the building fronting the street with a sidewalk for pedestrian travel only and clear of obstacles, including, but not limited to driveway aprons.

Public space means a publicly accessible outdoor area that is adjacent to or accessible from a *public right-of-way* or transit station that provides opportunities for public use and recreational activities. A *public space* shall have signs visible from the adjacent public right-of-way or transit station stating that the public space is open to the public. *Public space* can include seating, shade structures and landscaping. *Public spaces* includes the following types:

- *Greenway* means a *public space* parallel to the *public right-of-way* with a pedestrian pathway to enhance the *thoroughway zone*.
- *Paseo* means a pedestrian access way that provides a connection to *streets, alleys, public parks*, and other types of *public spaces* abutting or within a premises.
- *Plaza* means a *public space* primarily composed of hardscape at ground level with a building fronting at least one side in the front or side yard.
- *Podium* means a *public space* on an upper story of building or parking *structure* with public access to the ground level and at least one building entrance. A pedestrian connection can be provided to an adjacent elevated transit station or *development*.
- *Urban green* means a *public space* primarily composed of multi-purpose turf or other active usable ground cover at ground level with a building fronting at least one side in the front or side yard.

Table 1 – Public Space, Number of Required Amenities

<u>Premise Size</u>	<u>Required Amenities</u>
Equal to or greater than 10,000 square feet but less than 100,000 square feet.	1 amenity
Equal to or greater than 100,000 square feet but less than 200,000 square feet.	2 amenities
Equal to or greater than 200,000 square feet but less than 400,000 square feet.	3 amenities
Equal to or greater than 400,000 square feet.	6 amenities

Table 2 - Public Space Amenity Table

<u>Amenity Type</u>	<u>Required Amenity Features</u>	<u>Category</u>
All-Weather Shade Cover/Pavilion with Tables and Seating	Minimum of 400 square feet and a minimum of two sets of fixed or movable tables and chairs. Shade covers shall not replace appropriate tree plantings or count toward tree canopy coverage.	1
Community Garden	Minimum of 1,500 square feet, containing at least 10 plots with a minimum of 100 square feet of soil area per plot or native demonstration, and a dedicated water meter.	1
Fitness Circuit	Minimum of 3 pieces of fitness equipment, clear signage and a connecting path.	1
Interactive/ Technology Element	Provides features which can include but are not limited to: publicly accessible Wi-Fi, solar panel furniture/feature, touchable information board and smart kiosks. The element shall be accessible to the public during operating hours.	1
Multi-Purpose Natural Turf Area	Minimum of 10,000 square feet of continuous natural turf with a slope of 5 percent or less to support universal access. Multi-purpose turf area to be used for athletic competition shall provide a slope 2 percent or less.	1
Off-Leash Dog Area	Minimum of 2,000 square feet of fenced-in area.	1
Placemaking Elements	Minimum of 2 elements which can include but are not limited to: decorative lighting, artwork, interactive playscape, climbing <i>structures</i> , elements of historical or cultural relevance, community activation elements/games,	1

	gathering areas and multifunctional centerpiece furniture.	
Play Area	Minimum of 750 square feet with children's play equipment and safety surfacing. Separate play areas should be provided for children ages 2 to 5 and 5 to 12. A minimum of three play pieces shall be provided per play area.	1
Performance/Event/Cultural Space	Minimum of 2,500 square feet of paved area with seating for a minimum of 40 people, lighting and utilities (power, data and sound).	2
Splash Pad	A Splash Pad (otherwise considered a "water playground") measuring a minimum of 750 square feet.	2
Sports Court with Lighting	Minimum of one full court or two half-courts for sports which can include but are not limited to: basketball, tennis, pickleball and sand volleyball. Lighting appropriate to the sport shall be provided and shall be sited and directed to minimize impacts to nearby residential uses.	2

Draft Clairemont Height Limit Overlay Zone

The Clairemont Height Limit Overlay Zone is amended to align with the community's vision and plan policies. The Clairemont Height Limit Overlay is not being removed or eliminated. As a supplemental overlay zone within Clairemont, the Height Limit takes precedence over the height requirements established by the base zone. The height limit is raised in village areas where new capacity for homes and jobs are located (Figure 2). Raising the height limit in specific village areas will help implement the Community Plan's urban design framework. The height limits by village area will be updated consistent with Figure 2 within the Land Development Code Chapter 13, Article 2, Division 13.

