

## **Sustainable Development Area Code Revision Timeline**

### **Executive Summary**

SDAs were introduced into the 2022 LDC update mid-review and remain a moving target with something changing in every SDA presentation. The current code is materially different from what was presented to the Community Planners Committee, at public workshops, to the Planning Commission and at the Land Use & Housing Committee. To date there are no published maps of the Mobility Zones and they are not included in the ArcGIS overlays for SDAs.

The proposed SDA impacts over 20 sections of San Diego's codes. The impact should be analyzed and reported on each of these codes. The LDC update, intended for minor building code revisions, is being misappropriated to introduce a major revision. SDAs should be considered as a standalone item and fully revisited for their scope, impact, and conformity to their stated goals. The maps and acreage calculations for each of the SDA code components (now expanded to include mobility zones, opportunity zones and specific plans) should be available for understanding and evaluation of their individual and combined impacts.

The magnitude of the development and density changes allowed by the SDA at one mile from transit, the significant increase of 7,533 acres outside current transit priority areas, the density which would now be allowed that would previously not have been permitted in these areas, and the concerning impact this construct will have on San Diego's Climate Action Plan (recognizing that SDAs incentivize infill sprawl) necessitate an Environmental Impact Report be done on Sustainable Development Areas.

Accordingly, the City Council should remove SDAs from the 2022 LDC update to allow the Planning Department to finalize the proposed code and associated maps, and then restart the public review process giving this significant new planning construct the thorough evaluation it warrants.

### **Timeline of SDA code changes:**

- 9/27/22 Planning Department (PD) proposed to CDC a new TPA definition
  - With  $\frac{3}{4}$  mile walking distance to transit
  - Adds "or applicable regional transportation plan" to planning horizon in transportation improvement program

- 10/5/22 PD introduces SDA for public workshops with  $\frac{3}{4}$ -1 mile walking distance to transit based on mobility zones (MZ) to take effect **1/1/24**
- 10/13/22 PD changes definition of MZ 2 as part of SDA
- 10/27/22 PD presents to Planning Commission (PC)
  - Shows draft SDA maps with no metrics
  - Changes effective date of SDA areas not previously in TPA to sometime in **2023** after passage of LDC update
- 12/1/22 PD changes definition of MZ 4 to add in opportunity zone criteria
- 12/8/22 PD returns to PC re: SDAs
  - Provides estimates of increased acreage SDAs impact for Complete Communities and ADU bonus programs
  - Planning Department does not provide:
    - Maps of areas newly impacted by SDAs for each of these codes or the other codes impacted by SDAs
    - Maps of the newly redefined Mobility Zones
      - Maps of the impact of adding Opportunity Zones to the definition of MZ 4
      - ARCGIS data for any of these maps or areas allowing public corroboration or exploration
      - Any explanation of how DSD will keep on top of changing VMT numbers for MZ 2&4 and annually adjusted Opportunity Zones for MZ4 when mapping SDAs to apply each of these codes.
- 1/3/23 Planning Department
  - Announces SDAs will take effect immediately on 2023 effective date of LDC code for areas in SDA that were not in TPA
  - Changes definition of Mobility Zone 4 to be in relation to VMTs
  - Adds code language regarding inclusion of specific plans section 122.0107(a)
    - Neglects to include this new language in either the 1/3/23 LDC matrix or the SDA definition in the 1/3/23 Staff Report to the LU&H Committee
- 2/8/23 Planning Department
  - Adds code language regarding inclusion of specific plans section 122.0107(a) to the 1/25/23 Staff Report to City Council and associated LDC Matrix

The timeline of Transit Priority Areas and Sustainable Development Areas is detailed in the table below.

### KEY

GREY SHADING indicates Transit Priority Area (TPA) definitions

YELLOW SHADING indicates Sustainable Development Area (SDA) definitions

RED indicates change from previous version.

DATE	LEGISLATION / DOCUMENT	TOPIC	CODE IMPACTED	CHANGES VS. PREVIOUS ITERATION	NOTES
9/27/13	CALIFORNIA CODE SB743 CREATES TPA	TPA	CA CODES	<p>“Transit priority area” means an area <b>within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program</b> adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” SB743 (TIP)</p>	65088.4 (a) It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments <b>within walking distance of mass transit facilities</b> , downtowns , and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs.
Current Municipal Code (6/21/18)	<p><b>City of San Diego</b> Municipal Code Chapter 11, Article 3, Division 1, Page 28</p> <p>SOURCE:  <a href="https://docs.sandiego.gov/municode/MuniCodeChapter11/Chapter11Art03Division01.pdf">https://docs.sandiego.gov/municode/MuniCodeChapter11/Chapter11Art03Division01.pdf</a></p>	TPA	Local Codes and Implementation of State Codes	<p><i>Transit priority area</i> means the area defined in <b>California Public Resources Code Section 21099</b>, as may be amended, or an area within one-half mile of a <i>major transit stop</i> that is existing or planned, if the planned <i>major transit stop</i> is scheduled to be completed within the planning horizon included in a <b>Transportation Improvement Program</b>.</p>	CA PRC 21099: “Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.

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5/16/22	<p><b>City of San Diego</b> Published TPA Map <a href="https://www.sandiego.gov/sites/default/files/transit-priority-map.pdf">https://www.sandiego.gov/sites/default/files/transit-priority-map.pdf</a></p>	TPA	Local Codes and Implementation of State Codes	<p>The Transit Priority Areas map is <b>based on the adopted SANDAG San Diego Forward Regional Plan.</b></p> <p>In accordance with SB 743, "Transit priority area" means "an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a <b>Transportation Improvement Program</b> adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations."</p> <ul style="list-style-type: none"> <li>• Section 450.216 addresses development and content of the statewide transportation improvement program. <b>STIPs cover a period of no less than four years.</b></li> <li>• Section 450.322 refers to development and content of the metropolitan transportation plan. <b>The RTP has at least a 20-year planning horizon.</b></li> <li>• Major Transit Stop, as defined in Section 21064.3, means: "a site containing an existing rail transit station, a</li> </ul>	<p><b>SANDAG-based</b></p> <p>TPA-based</p> <p><b>½-mile "as the crow flies" INCONSISTENT WITH WRITTEN INTENT OF SB743</b></p> <p><b>SECTION 450.216 REFERS TO STATEWIDE TRANSPORTATION PLAN WITH MINIMUM 20-YEAR FORECAST.</b></p> <p><b>SECTION 450.322 DOES NOT MENTION RTP (REGIONAL TRANSPORTATION PLAN) OR A 20-YEAR PLANNING HORIZON.</b></p> <p><b>SECTION 21064.3 IS MISSING THE FOLLOWING "an existing rail or bus rapid transit station"</b></p>

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				ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service of 15 minutes or less during the morning and afternoon peak commute periods."	
Currently online (as of 1/8/23)	<p><b>City of San Diego</b> TPA Map</p> <p>SOURCE: <a href="https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=4efd01a2e06246adb36122fcb136f95d">https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=4efd01a2e06246adb36122fcb136f95d</a></p>	TPA	Local Codes and Implementation of State Codes	<p>The Transit Priority Areas map is <b>based on the adopted SANDAG San Diego Forward Regional Plan.</b></p> <p>In accordance with SB 743, "Transit priority area" means "an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a <b>Transportation Improvement Program</b> adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations."</p> <p>◆ <del>Section 450.216 addresses development and content of the statewide transportation improvement program. <b>STIPs cover a period of no less than four years.</b></del></p> <p>• Section 450.322 refers to development and content of the metropolitan transportation plan.</p>	<p>TPA-based</p> <p><b>½-mile "as the crow flies" INCONSISTENT WITH WRITTEN INTENT OF SB743</b></p> <p><b>SECTION 450.216 IS REMOVED</b></p> <p><b>SECTION 450.322 DOES NOT MENTION RTP (REGIONAL TRANSPORTATION PLAN) OR A 20-YEAR PLANNING HORIZON.</b></p> <p><b>SECTION 21064.3 IS MISSING THE FOLLOWING "an existing rail or bus rapid transit station"</b></p>


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				<p>The RTP has at least a <b>20-year planning horizon.</b></p> <ul style="list-style-type: none"> <li>Major Transit Stop, as defined in Section 21064.3, means: “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service of 15 minutes or less during the morning and afternoon peak commute periods.”</li> </ul>	
9/14/22	City of San Diego DRAFT LCD MATRIX/CODE	TPA	113.0103	<p><i>Transit priority area</i> means the area defined in California Public Resources Code Section 21099, as may be amended, or and an area within a <b>15-minute walking distance on a pedestrian path of travel at an average of three miles per hour that extends no more than one-half mile from a major transit stop</b> that is existing or planned, if the planned <i>major transit stop</i> is scheduled to be completed within <b>the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.</b></p>	<p>TPA-based</p> <p><b>½-mile walking distance</b></p> <p>No SDA</p> <p><b>Moves from current TPA definition of “planning horizon included in a Transportation Improvement Program” to add “or applicable regional transportation plan.”</b></p>
9/27/22	City of San Diego COMMUNITY PLANNERS COMMITTEE – LDC UPDATE PRESENTATION	TPA	113.0103	<p><i>Transit priority area</i> means the area defined in California Public Resources Code Section 21099, as may be amended, or and an</p>	<p>TPA-based</p> <p><b>½-mile walking distance</b></p>

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				area within a 15-minute walking distance on a pedestrian path of travel at an average of three miles per hour that extends <b>no more than one-half mile from a major transit stop</b> that is existing or planned, if the planned <i>major transit stop</i> is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.	No SDA
10/5/22	City of San Diego DRAFT LDC MATRIX/CODE	SDA	113.0103 131.0701 141.0302©(2)(G) 141.0420(b)(3) 142.1305(a)(3) 142.1307(a)(3) 142.1307(d)(2) 143.0720(i) 143.0720(l) 143.0740(c) Table 143-07A 143.0742(a)(1) Table 143-07D 143.0745(c) 143.0746(a)(2) 143.0915(b)(2) 143.1001(a) 143.1001(b) 143.1002(a) 143.1010 143.1015(a) 143.1020(b) 143.1102(g) 143.1103(a)(2)	Creates a new definition for geographic designation for certain programs. Sustainable Development Area means the area within an established <b>walking distance along a pedestrian path of travel from a major transit stop that is existing or planned</b> , if the planned major transit stop is included in a transportation improvement program or applicable regional transportation plan, as follows:  (1) Within <b>Mobility Zones 1, 2, and 3</b> , as defined in Section 143.1103, the <b>defined walking distance in 1.0 mile</b> .  (2) Within Mobility Zone 4, as defined in Section 143.1103, the	SDA invented –  Mobility zones 12 & 3 = <b>1 mile</b>  Mobility zone 4 = <b>.75 miles</b>  <b>NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b>  Mobility Zone 2 means <b>a premises within</b> a Sustainable Development Area  TO BE ENACTED 1/1/24

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				<b>defined walking distance in .75 mile.</b>	
10/6/22	LDC PUBLIC WORKSHOP #1	SDA	SAME AS ABOVE	SAME AS ABOVE	SAME AS ABOVE
10/11/22	LDC PUBLIC WORKSHOP #2	SDA	SAME AS ABOVE	SAME AS ABOVE	SAME AS ABOVE
10/13/22	<b>City of San Diego</b> DRAFT LCD MATRIX/CODE		113.0103 131.0701 141.0302(c)(2)(G) 141.0407(b)(3) 142.1305(a)(3) 142.1307(a)(3) 142.1307(d)(2) 143.0720(i) 143.0720(l) 143.0740(e) Table 143-07A 143.0742(a)(1) Table 143-07D 143.0745(c) 143.0746(a)(2) 143.0915(b)(2) 143.1001(a) 143.1001(b) 143.1002(a) 143.1010 143.1015(a) 143.1020(b) 143.1102(g) 143.1103(a)(2)	Creates a new definition for geographic designation for certain programs. Sustainable Development Area means the area within a <b>defined walking distance along a pedestrian path of travel from a major transit stop that is existing or planned</b> , if the planned major transit stop is included in a transportation improvement program or applicable regional transportation plan, as follows:  (1) Within <b>Mobility Zones 1 and 3</b> , as defined in Section 143.1103, the defined walking distance is <b>1.0 mile</b> .  (2) Within Mobility Zone 4, as defined in Section 143.1103, the defined walking distance is <b>.75 mile</b> .	SDA  Mobility zones 1 & 3 = <b>1 mile</b>  Mobility zone 4 = <b>.75 miles</b>  <b>NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b>  Mobility Zone 2 means <b>any premises located either partially or entirely in</b> a Sustainable Development Area.  TO BE ENACTED 1/1/24
10/27/22	<b>City of San Diego</b> PLANNING COMMISSION LDC UPDATE – MEETING #1	SDA	SAME AS ABOVE	<b>Draft maps of TPA vs SDA presented</b> To ensure property owners have sufficient time to plan for these changes, a pipeline provision applicable to the amendments related to the definition of the Sustainable Development is	SAME AS ABOVE



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				<p>proposed to delay the effective date until <b>January 1, 2024. However, an area that is located within the new Sustainable Development Area that was previously not identified in the TPA may elect to opt into these programs at the otherwise applicable earlier effective date.</b></p>	
12/1/22	<p><b>City of San Diego</b> DRAFT LDC MATRIX/CODE</p>		<p>113.0103 131.0701 141.0302(c)(2)(G) 141.0407(b)(3) 142.1305(a)(3) 142.1307(a)(3) 142.1307(d)(2) 143.0720(i) 143.0720(l) <b>143.0740 - Table 143-07A</b> <b>143.0740 - Table 143-07B</b> <b>143.0740(e)</b> <b>143.0742(a)(1)</b> <b>143.0744 - Table 134-07D</b> 143.0745(c) 143.0746(a)(2) 143.0915(b)(2) 143.1001(a) 143.1001(b) 143.1002(a) 143.1010 143.1015(a) 143.1020(b) 143.1102(g) 143.1103(a)(2)</p>	<p>Creates a new definition for geographic designation for certain programs. Sustainable Development Area means the area within a defined walking distance along a pedestrian path of travel from a major transit stop that is existing or planned, if the planned major transit stop is included in a transportation improvement program or applicable regional transportation plan, as follows:</p> <p>(a) Within Mobility Zones 1 and 3, as defined in Section 143.1103, the defined walking distance is 1.0 mile.</p> <p>(b) Within Mobility Zone 4, as defined in Section 143.1103, the defined walking distance is 0.75 miles.</p> <p><b>(c) For parcels located in Mobility Zone 4, in</b></p>	<p>SDA</p> <p>Mobility zones 1 &amp; 3 = <b>1 mile</b></p> <p>Mobility zone 4 = <b>.75 miles</b></p> <p><b>NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b></p> <p>Mobility Zone 2 means <b>any premises located either partially or entirely in</b> a Sustainable Development Area.</p> <p><b>NO MAPS PROVIDED FOR CTCAC HIGH/HIGHEST OPPORTUNITY AREAS AS THEY RELATE TO ZONE 4</b></p>

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				an area identified as a High or Highest Resource California Tax Credit Allocation Committee (CTCAC) Opportunity Area, the defined walking distance is 1.0 mile.	
12/8/22	City of San Diego PLANNING COMMISSION CONTINUATION MEETING #2	SDA	NOT MADE AVAILABLE	<b>DRAFT MAP AVAILABLE SDAs VS. TPAs.</b>  <b>ESTIMATED 5,334 ADDITIONAL ACRES AVAILABLE +688 ACRES FOR COMPLETE COMMUNITIES +4,612 ACRES FOR ADU BONUS PROGRAM</b>	<b>NFABSD BEGAN ASKING FOR ArcGIS SDA FILES ON 12/7/22</b>  <b>NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b>  <b>APPROXIMATELY 90+% OF TRANSIT USERS ACCESS VIA FOOT + 6+% VIA AUTO</b>
1/3/23	City of San Diego LDC MATRIX, CODE AND STAFF REPORT FOR LU&H 1/12/23 MEETING	SDA	SAME AS 12/1/22	<b>An area that is located within the new SDA that was not previously identified in the TPA would be able to be eligible for the application of these new regulations immediately upon the effective date of the ordinance (60 days from final passage).</b>   Code amendments to implement Assembly Bill 2097 (Friedman, 2022), which prohibits jurisdictions from enforcing parking minimums within transit supported areas, will be brought forward for consideration as part of the 2023 LDC Update.	<b>New definition for Mobility Zone 4 introduced.</b>  <b>Adds code language regarding inclusion of specific plans section 122.0107(a), but neglects to include in SDA definition on 1/3/23 LDC Matrix or in LU&amp;H Staff Report.</b>  <b>STILL NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b>  <b>STILL NO ArcGIS DATA PROVIDED</b>

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				<p><b>Mobility Zone 4 means any area within a community planning area with a VMT efficiency that is greater than 85 percent of the regional average for either resident VMT per capita or employee VMT, as determined by the City Manager.</b></p> <p><b>In addition, an adopted specific plan prepared in accordance with section 122.0107(a), shall be within the Sustainable Development Area if the Sustainable Development Area is within a portion of the adopted specific plan.</b></p>	<p><b>NO MAPS OF REVISED MOBILITY ZONES PROVIDED.</b></p> <p><b>ACREAGE ESTIMATES AND SDA MAPS DO NOT REFLECT SPECIFIC PLAN AREAS</b></p>
2/8/23	<p><b>City of San Diego LDC MATRIX AND STAFF REPORT FOR CITY COUNCIL 2/14/23 MEETING</b></p>	SDA	<p>SAME AS 12/1/22</p> <p>Also impacts section 122.0107(a)</p>		<p><b>New addition regarding inclusion of specific plans section 122.0107(a) is added to LCD Matrix and SDA definition in 1/25/23 Staff Report to City Council.</b></p> <p><b>STILL NO DATA PROVIDED TO SUPPORT .75-1.0 WALKING DISTANCE TO TRANSIT</b></p> <p><b>STILL NO ArcGIS DATA PROVIDED</b></p> <p><b>NO MAPS OF REVISED MOBILITY ZONES PROVIDED. ACREAGE ESTIMATES AND SDA MAPS DO NOT REFLECT SPECIFIC PLAN AREAS</b></p>