



City of Del Mar Agenda Report

TO: Honorable Mayor and City Council Members

FROM: Amanda Lee, Principal Planner
Adriana Jaramishian, Associate Planner
Karen Brindley, Planning and Community Development Director
Via Ashley Jones, City Manager

DATE: March 18, 2024

SUBJECT: Housing-Related Amendments to the Central Commercial and Public Facilities Zones Including Adoption of a Resolution to Amend the Del Mar Community Plan and Introduction of an Ordinance to Amend the Zoning Code and Certified Local Coastal Program to Implement Housing Element Programs 1C and 1H

REQUESTED ACTION/RECOMMENDATION:

It is recommended that the City Council take the following actions in compliance with the City's certified 6th Cycle Housing Element (2021-2029) to increase the local housing stock capacity as required per California Government Code Section 65863 and Housing Element Program 1C Central Commercial (CC) Zone and Program 1H Public Facilities (PF) Zone:

- 1) Approve the California Environmental Quality Act (CEQA) determination for the project per CEQA Guidelines Section 15162 based on substantial evidence in the record that the certified 6th Cycle Housing Element Final Program Environmental Impact Report (PEIR) covers the proposed actions and no further environmental document is required; and
- 2) Adopt a Resolution (Attachment A) to amend the Del Mar Community Plan (General Plan) by General Plan Amendment (GPA24-001); and
- 3) Introduce an Ordinance (Attachment B) to amend the Del Mar Municipal Code (DMMC) Central Commercial (CC) Zone regulations in Chapter 30.22 and Public Facilities (PF) Zone regulations in Chapter 30.31 that are within the City's Zoning Code and certified Local Coastal Program (LCP) by Zone Code Amendments (ZA24-001/ZA24-002) and LCP Amendments (LCPA24-001/LCPA24-002).

PLANNING COMMISSION ACTION:

On February 21, 2024, the Planning Commission voted 3-0 (with Commissioners McGreal and Grewal recused) to recommend approval to the City Council of the staff recommendation to: 1) approve the CEQA environmental determination, 2) adopt an amendment to the Del

City Council Action:

Mar Community Plan, and 3) adopt amendments to the Zoning Code and Local Coastal Program with a stipulation of applying the maximum height of the certified LCP based on the local topography that slopes down east to west, existing public scenic views, and the need to maintain the existing pedestrian scale in accordance with the Del Mar Community Plan and certified LCP.

At the meeting, the Planning Commission reviewed and considered the CC/PF amendments and the deliberations focused heavily on the fact that the amendments will allow a base zone density of up to 20 dwelling units per acre, which will make certain properties eligible to apply for processing of a density bonus project per State Density Bonus Law (DBL). The primary concern of the Planning Commission was whether the zoning amendments could result in height increases and impacts to public and private scenic views for future density bonus eligible projects that include affordable housing. Staff explained the proposed amendments retained all existing zoning development standards (such as height, lot coverage, floor area, etc.) and that any future density bonus eligible project would be required to comply with the Coastal Act and certified LCP policies and regulatory protections for public scenic views because DBL does not supersede the Coastal Act.

To minimize risk of State enforcement, the Planning Commission crafted a recommendation to move the item forward to City Council. The recommendation accounts for the unique circumstances in the CC zone (i.e., small-scale pedestrian oriented character and public scenic views throughout the zone due to topography that slopes down towards the South Beach shoreline to the west) and expresses that the City must continue to hold development, including Density Bonus projects, to the existing height limits in the LCP, which are a maximum of 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar.

There was one member of the public who spoke at the hearing and submitted written correspondence requesting that the City rezone the 5.3 acres Shores Park sites from PF Zone to Public Parkland (PP) Zone as a measure to prevent housing from being developed at Shores Park. Staff clarified that the proposed amendments explicitly do not allow housing use at Shores Park. The Planning Commission Report and correspondence can be viewed on the City's website at links below:

PC Report - <https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02132024-3385>

PC Red Dots - <https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02132024-3386>

BACKGROUND:

The proposed amendments to the Del Mar Community Plan, Zoning Code, and certified Local Coastal Program (LCP) are required per State law to be adopted by the City Council by April 2024 to implement the City's 6th Cycle Housing Element (2021-2029) commitments identified in Program 1C (Central Commercial) and Program 1H (Public Facilities) in order to maintain compliance with State law and avoid decertification of the 6th Cycle Housing Element.

Over the past decade, State housing laws have continued to reduce local control and impose regulatory mandates that conflict with local procedures that typically require discretionary review, public participation, and public hearings. However, State housing laws are not preempted by the California Coastal Act, which as a voter approved initiative would make it unlikely to be substantially changed by legislative action. At the local level, the Coastal Act is implemented by the City's certified LCP. Because coastal cities are uniquely situated, implementation of some State housing laws requires a complex case-by-case analysis with protection of coastal resources receiving the highest of priorities.

One concern expressed during the Planning Commission meeting was how the State Density Bonus Law (DBL) in Government Code Section 65915 relates to the proposed zoning amendments. The DBL is one example of a State law that applies the Coastal Act protections for environmental resources, public scenic views, coastal access, and public safety in coastal hazard areas to ensure they will not be compromised by housing development. The DBL allows housing development with five or more dwelling units to be approved at a density above the maximum set in the Del Mar Community Plan and Zoning Code. In exchange for increased density, a certain number of units in the project must be income-restricted and reserved for affordable housing (very low, low, or moderate-income households). Applicants must provide reasonable documentation to explain how requests for incentives will reduce development costs to build a project and demonstrate how waiver requests would physically preclude development of a project.

See Attachment F for a summary of DBL and the report analysis below for details on how DBL would apply in the CC Zone once the proposed amendments take effect. Initially, staff identified only 14 housing sites in the CC Zone that may be eligible for DBL. However, following Planning Commission's review, seven additional small sites were added to the list of eligible sites to account for State DBL rules that provide for rounding up of the allowable unit count to the nearest whole number (e.g., rounding up 4.2 units to 5 units) instead of traditional rounding to the nearest whole number. As a result, staff identified there are 18 sites in the CC zone with development potential for four units or less per lot (20 du/ac), and that the remaining 21 potential housing sites would allow 5 units or more per lot and therefore may be eligible to process Affordable Housing Density Bonus projects per State DBL.

Housing Element Commitments and State Enforcement

The City's last two housing cycles have involved Housing Element plans that cover eight-year housing cycles including the 5th Cycle (2013-2021) and 6th Cycle (2021-2029). Since 2013, State law has imposed performance standards and binding commitments in Housing Elements that are subject to enforcement. State law requires the City to create and maintain a capacity of adequate sites that can accommodate a variety of housing types at a range of household income levels consistent with the adopted Housing Element. The California Department of Housing and Community Development (HCD) has determined through the force of State law that 20 dwelling units per acre is the minimum density that is feasible to

support development of affordable housing in a jurisdiction the size of Del Mar. The tables below compare the proposed CC/PF amendments that are required for the 6th Cycle (to increase local housing stock capacity per Government Code Section 65863) and similar programs required in the 5th Cycle Housing Element that resulted in State enforcement actions.

Under the 5th Cycle Housing Element, the City did not timely complete the required legislative actions required for the lower income Regional Housing Needs Allocation (RHNA) sites and creation of new sites with sufficient density in accordance with its 5th Cycle Housing Element commitments:

5 th Cycle HE Program	Program Requirement	State Enforcement
5th Cycle Program 2G – Rezone of Watermark Sites and Amendments to Allow Density of 20 du/ac	Certified HE identified the Watermark-owned vacant sites as the City’s adequate sites commitment to produce 22 lower income units to meet 5 th Cycle RHNA. Amendments to the Del Mar Community Plan, Zoning Code, and Local Coastal Program and a rezone were required to allow residential development at 20 du/ac (minimum density required for cities the size of Del Mar).	City did not timely process the amendments/rezone by 2014; and City’s HE was decertified. To re-establish compliance, the State imposed a higher density (20-25 du/ac) and “by right” permit process, and required the City adopt the amendments, and rezone (specific to the Watermark sites) by April 15, 2021. Complete: City Council adoption April 2021; CCC final certification July 2022
5th Cycle Program 2E – Amendment to Allow 20 du/ac in North Commercial (NC) Zone	Certified HE identified these two program actions to create additional capacity at 20 du/ac for production of lower income housing units beyond the assigned 5 th Cycle RHNA by amending the Del Mar Community Plan, Zoning Code, and Local Coastal Program	City did not timely adopt the amendments by 2016; and City’s HE was decertified. To re-establish compliance, the State required the City complete the amendments by April 15, 2021.
5th Cycle Program 2F – Amendment to Allow 20 du/ac in (PC) Professional Commercial Zone		Complete: City Council adoption Sep/Oct 2020 and March 2021; CCC final certification May 2022

Under the 6th Cycle Housing Element, the City committed to expand the availability of housing opportunities by implementing Programs 1C (Central Commercial) and Program 1H (Public Facilities) to allow a base zone density of 20 du/ac. These programs are similar to the 5th Cycle Programs 1E (North Commercial) and 1F (Professional Commercial) described above. The City is mandated to timely adopt the 6th Cycle CC/PF amendments by April 2024.

6 th Cycle HE Program	Program Requirement	Risk of Enforcement
6th Cycle Program 1C – Amendment to Allow 20 du/ac for mixed use projects with lower income housing component in Central Commercial (CC) Zone	Certified HE identified this program action to create additional capacity at 20 du/ac for production of lower income housing units beyond the assigned 6 th Cycle RHNA on privately owned sites.	Decertification of the Housing Element and State enforcement
6th Cycle Program 1H – Amendment to Allow 20 du/ac for projects with lower income housing component in Public Facilities (PF) Zone	Certified HE identified this program action to create additional capacity at 20 du/ac for production of lower income housing units beyond the assigned 6 th Cycle RHNA on publicly owned sites.	Decertification of the Housing Element and State enforcement

Following is a description of how the proposed amendments relate to the adopted housing strategy in the current Housing Element and facilitate a transition to the next housing cycle:

6th Cycle Housing Element (2021-2029)

- In 2020, the City Council certified a Program Environmental Impacts Report (PEIR) covering environmental analysis of potential sites citywide for the 6th Cycle Housing Element sites inventory. Only a portion of the sites were selected for the certified Housing Element. For example, Shores Park was studied as a potential site in the PEIR, then the City Council decided to explicitly exclude this site from inclusion in the Housing Element.
- The certified 6th Cycle Housing Element relies on sites at the State Fairgrounds, 941 Camino del Mar Specific Plan, NC and PC zones, and two vacant City-owned PF zone sites on 10th Street and 28th Street.
- In June 2022 and January 2023, the City completed feasibility studies of various sites (Fairgrounds, PF, NC, PC, CC, RM-South, and Del Mar Plaza) that identified site-specific concepts of potential development with a base zone density of 20 du/ac and future circumstances for sites that qualify for density bonus project processing.
- CC and PF amendments (Programs 1C/1H)
- Objective Design Standards (Program 6G)
- Updates for compliance with State law: Density Bonus (Program 1G) and Inclusionary Housing (Program 4D)/Condominium Conversions (Program 4E)

- Site-Specific Incentives (Programs 1D and 1I)

Next Housing Element (7th Cycle 2029-2037)

The 7th Cycle Regional Housing Needs Allocation (RHNA) assessment and allocation process will begin towards the end of the 6th Cycle Housing Element. To meet the prospective 7th Cycle Housing Element RHNA, the City will be able to rely on the amended PF zone and CC zone capacity and other sites (allowing 20 du/ac density) to meet State law requirements. Specific sites will be determined during the planning process for the 7th Cycle Housing Element. When land use and zoning criteria are adopted during the prior housing cycle, it has allowed local jurisdictions to maintain their discretionary authority over housing development with some exceptions in State law as identified in the Analysis section below. Here, the CC and PF Zones are being modified during the 6th Cycle to explicitly allow residential development at 20 du/ac.

For additional information on Housing Element implementation, refer to the City's website: <https://www.delmar.ca.us/852/6th-Cycle-Housing-Element-Program-Implem>

DISCUSSION/ANALYSIS:

This action consists of a General Plan Amendment (amending the Del Mar Community Plan) and amendments to the Local Coastal Program and Zoning Code (Del Mar Municipal Code Title 30) to allow 20 dwelling units per acre density in the CC Zone and PF Zone subject to specific criteria and context specific factors that are applicable to the respective zones. The proposed amendments are consistent with State law requirements by requiring land use and zoning designations for a particular site to be consistent (Government Code Section 65860).

As required by the certified 6th Cycle Housing Element, the purpose of the zoning amendments is to facilitate production of affordable housing for lower income households. The amendments would allow multi-unit residential development in the CC and PF Zones only if the project includes a lower income-housing component (units for very low-income and low-income households). Generally, the minimum amount of lower income units in a project would be required to comply with the DMMC Chapter 24.21 (Dedication: Affordable Housing), which is also known as the City's inclusionary housing ordinance requirement.

Central Commercial (CC) - DMMC Chapter 30.22

The CC Zone applies to the majority of land within the City's Village Center, which is a pedestrian-oriented downtown that runs along Camino del Mar between 9th Street and 15th Street. This area is characterized by small-scale commercial development that is pedestrian oriented. The existing regulations implement Community Plan and Local Coastal Program policies to maintain this area as Del Mar's principal commercial, visitor-serving, small-scale, pedestrian oriented downtown, including its scenic blue water ocean views, through existing limits on building height to 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar known as "horizontal zoning", to maintain visitor-serving commercial uses (i.e., community services/cultural uses, personal service uses,

restaurants, and retail) within tenant spaces on the ground floor fronting Camino del Mar to maintain active street frontages thereby promoting pedestrian activity. The applicable Community Plan and LCP policies reflect the community vision to maintain the unique, small-town character and strong community identity through building design, which preserve ocean views and promote an open space small-town atmosphere. As previously mentioned, this was a central issue of concern during the Planning Commission meeting.

The CC General Plan land use designation in the Land Use Element/Community Development Section would be amended as follows (Attachment A):

Central Commercial

This land use category is intended to allow activities that preserve and enhance the Village Center District of Del Mar. ~~Permitted uses would include~~ including pedestrian oriented retail activities, commercial services and a limited number of offices; and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

The LCP Land Use Plan land use designation would be similarly amended. See Ordinance Sections Four and Five (Attachment B) and strikeout-underline (Attachment C).

The CC zone (DMMC Section 30.22.031) would also be amended to allow residential development up to a density of 20 dwelling units per acre for projects that include a lower income affordable housing component. See Ordinance Sections One and Two (Attachment B) and strikeout-underline (Attachment C).

The existing CC Zone development standards would continue to apply to future development, including controls for allowable lot areas, setbacks, height, floor area ratio, lot coverage (DMMC Sections 30.22.060 and 070); land use in street frontage spaces (DMMC Sections 30.22.032 and 033); and building design requirements in DMMC Section 30.22.080.

CC Zone Development Standards	
Lot Area	No lot shall be less than 6,000 square feet in area, have a lot width of less than 50 feet, lot depth of less than 90 feet, or a street frontage of less than 35 feet.
Setbacks	Minimum ten-foot wide landscaped setback from a common boundary with property zoned R1, RM, R2.
Height	Maximum 26 feet above grade; and maximum 14 feet for structures fronting the west side of Camino del Mar measured from the curb level adjacent to the structure.
Floor Area	Maximum 45 percent or 2,000 square feet, whichever is greater.
Lot Coverage	Maximum 60 percent or 2,500 square feet, whichever is greater.

Horizontal Zoning	Residential use is not permitted on the street frontage in buildings having frontage along either Camino Del Mar or 15th Street. This applies to the portion of a building closest in elevation and alignment to Camino Del Mar or 15th Street.
Building Design	Development shall maintain a pedestrian-oriented, predominantly retail village character, with attractive walkways and courts, to encourage social interaction and taking advantage of ocean vistas.
Parking	Off-street parking is required in accordance with DMMC Chapter 30.80 (Parking) or State DBL, as applicable, where: <ul style="list-style-type: none"> • DMMC Chapter 30.80 requires one space per 1-bedroom unit, two spaces per 2-3 bedrooms, three spaces for four or more bedrooms, and 0.25 spaces per unit for guest parking; and • State DBL provides reduced ratios of one space per 0-1 bedroom unit, 1.5 spaces per 2-3 bedroom unit, 2.5 spaces per unit with four or more bedrooms, and no guest parking. Parking for non-residential use would be required in addition.

Housing projects would remain subject to the City’s inclusionary housing requirements (DMMC Chapter 24.21). State DBL provides for the developer to use the same affordable units to fulfill the inclusionary housing and density bonus provisions. The affordable units would be required to be built on-site without an alternative option to pay an in-lieu fee.

Local discretionary authority over future housing projects will be determined on a case-by-case basis. Each project will involve significant legal analysis to determine the City’s discretionary authority in consideration of State laws including, but not limited to, State DBL, Government Code Section 65913.4 (Streamlined Ministerial Approvals), and the Housing Accountability Act, and their relationship to the California Coastal Act.

It should be recognized that under the Housing Accountability Act (Gov. Code Sec. 65589.5 (d)(1)), the City may be limited to when a housing project with lower income units may be denied or conditionally approved unless very specific criteria is met. Generally, if a local jurisdiction has a Housing Element that has been found by HCD to be in substantial compliance and has met or exceeded its Regional Housing Needs Allocation (RHNA) it may then deny or conditionally approve a project.

Here, the City has yet to meet its 6th Cycle RHNA and the City cannot impose conditions if it renders projects with lower income units infeasible. Therefore, to deny or conditionally approve a housing project (containing different income levels), the City would have to make specific findings that the project may have a significant impact on public welfare and safety, the denial is a result of complying with a state or federal law and there is no feasible method to mitigate the project, the project impacts land set aside for preservation, or the project is inconsistent with the City’s Community Plan that was in place at the time of the application.

A Sites Analysis was prepared analyzing a theoretical housing potential for each parcel in the CC Zone. See Report Attachment E for additional details. Using threshold criteria established in DBL, there are only 21 potential locations in the CC zone, including nine sites on the west side of Camino del Mar, eleven sites on the east side of Camino del Mar, and one site on 15th Street, that would allow at least five units per the base zone density and therefore would be able to process a density bonus project once the Ordinance takes effect as shown below. Of the 21 potential multi-unit housing sites, the privately-owned property on 10th Street/Camino del Mar is the only vacant site opportunity for mixed-use development that includes affordable housing; and only three sites are at least one-half acre (considered adequate size per HCD).

Dwelling Unit (du) Potential in CC Zone – Eligible to Process Density Bonus Project at 20 du/acre					
	Site	Lot Size	Side of CDM	Base Density Units¹ (pre-density bonus)	With Max 50% Density Bonus
1	915 Camino del Mar/300 9th St.	0.39 acres (16,908 sf)	East	8 dus	12 dus
2	910 Camino del Mar	0.34 acres (14,941 sf)	West	7 dus	11 dus
3	APNs 300-172-13, -14 (vacant) 10th Street/CDM	0.44 acres (19,166 sf)	West	9 dus	14 dus
4	1011 Camino del Mar	0.65 acres (28,353 sf)	East	13 dus	20 dus
5	1047 Camino del Mar	0.51 acres (22,188 sf)	East	11 dus	17 dus
6	1135 Camino del Mar	0.30 acres (13,195 sf)	East	6 dus	9 dus
7	1110 Camino del Mar	0.30 acres (13,392 sf)	West	6 dus	9 dus
8	1104 Camino del Mar	0.21 acres (9,461 sf)	West	5 dus	8 dus
9	1101-1105 CDM	0.23 acres (10,216 sf)	East	5 dus	8 dus
10	1125 Camino del Mar	0.24 acres (10,475 sf)	East	5 dus	8 dus
11	1201 Camino del Mar	0.45 acres (19,649 sf)	East	9 dus	14 dus
12	1219-1229 CDM	0.32 acres (14,222 sf)	East	7 dus	11 dus
13	1234 Camino del Mar	0.33 acres (14,739 sf)	West	7 dus	11 dus
14	1310-1312 CDM	0.24 acres (10,650 sf)	West	5 dus	8 dus
15	1330-1342 CDM	0.24 acres (10,779 sf)	West	5 dus	8 dus
16	1327-1349 CDM and 317 14th Street	0.84 acres (36,377 sf)	East	17 dus	26 dus

¹ Base Density Dwelling Unit Potential is calculated by multiplying the lot size (in acres) by the density (20 du/ac)

17	1401 Camino del Mar	0.25 acres (11,029 sf)	East	5 dus	8 dus
18	1431 Camino del Mar	0.44 acres (19,165 sf)	East	9 dus	14 dus
19	1404 Camino del Mar	0.33 acres (14,244 sf)	West	7 dus	11 dus
20	1438 Camino del Mar	0.21 acres (9,375 sf)	West	5 dus	8 dus
21	201-211 15 th Street	0.21 acres (9,300 sf)	N/A	5 dus	8 dus
New Housing Capacity Potential in CC Zone				154 dus	243 dus

Public Facilities

The PF zone applies to ten public facilities, all of which are City-owned with the exception of the County owned Del Mar Library and federally owned U.S. Post Office. A Sites Analysis identified housing development potential for nine public facilities in the PF Zone including: the vacant 10th Street and 28th Street lots in the City’s 6th Cycle Housing Element, Del Mar Civic Center, Del Mar Library, United States Post Office, and four water towers (Pine Needles, Crest, 11th Street, and Zuni). The Post Office, Del Mar County Library, and Del Mar’s Civic Center are located in the Village Center adjacent to the CC Zone between 9th Street and 15th Street. The four water towers are spread throughout the Hills District.

Although evaluated as a potential site in the 6th Cycle PEIR, the Shores Park (APNs 300-200-01, 300-200-02, 300-200-22, 300-200-23) was explicitly excluded as a potential site for housing in the certified 6th Cycle Housing Element and will not allow housing use. See Ordinance Section Three, which explicitly excludes Shores Park from the PF Zone allowance for residential use at 20 du/ac.

The PF General Plan land use designation in the Land Use Element/Community Development Section would be amended as follows (Attachment A):

Public Facilities

This land use category is limited to publicly owned land set aside, or in use, to support public schools and governmental offices and facilities, and multiple dwelling unit residential with affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

The existing LCP Land Use Plan land use designation would be similarly amended. See Ordinance Sections Four and Five (Attachment B) and strikeout-underline (Attachment C).

The PF zone (DMMC Section 30.31.020) would also be amended to allow residential development up to a density of 20 dwelling units per acre or the maximum number of dwelling units specified for the parcel in the certified Housing Element, whichever density is greater. The purpose is to identify potential opportunities for affordable housing for lower income households and provide the ability for the City to pursue affordable housing on the sites

included in the 6th Cycle Housing Element. See Ordinance Section Three (Attachment B) and strikeout-underline (Attachment C).

Properties in the PF Zone are publicly owned. The City will process projects in the PF Zone subject to the typical discretionary process, including Design Review Board review, and subject to the development standards of the PF Zone.

PF Zone Development Standards		
	<u>Existing PF Zone Standards</u>	<u>Proposed PF Zone Standards for Affordable Housing</u>
<u>Density</u>	N/A	Up to 20 du/ac or the maximum number of dwelling units specified for the parcel in the certified Housing Element, whichever density is greater.
<u>Setbacks</u>	Minimum ten-foot-wide setback on properties along common boundary of PF zone with any adjacent residentially zoned property.	No change
<u>Height</u>	26 feet. Additionally, structures on property fronting on the west side of Camino del Mar shall not exceed a height of 14 feet above the curb level(s) adjacent to the site along Camino del Mar.	No change
<u>Floor Area/ Lot Coverage</u>	N/A	Housing development must comply with the maximum floor area and lot coverage applicable to adjacent properties with a common boundary.
<u>Building Design</u>	All development shall be subject to advisory review by Design Review Board. The design, scale, height, bulk, coverage, and exterior appearance of all structures shall be in harmony with neighborhood character and development on nearby lots. Design considerations shall include the preservation of privacy on neighboring residential properties and shall consider a project's potential impact on preservation of views to the ocean from both public and private lands.	
<u>Parking</u>	Off-street parking is required in accordance with DMMC Chapter 30.80 (Parking) or State DBL, as applicable, where:	

	<ul style="list-style-type: none"> • DMMC Chapter 30.80 requires one space per 1-bedroom unit, two spaces per 2-3 bedrooms, three spaces for 4 bedrooms, and 0.25 spaces per unit for guest parking; and • State DBL provides reduced ratios of one space per 0-1-bedroom unit, 1.5 spaces per 2-3 bedroom unit, 2.5 spaces per unit with four or more bedrooms, and no guest parking.
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Sites Analysis for PF Zone

A Sites Analysis was prepared to identify the housing development potential for nine public facilities in the PF Zone including the vacant 10th Street and 28th Street lots in the City’s 6th Cycle Housing Element, and the Del Mar Civic Center, Del Mar Library, United States Post Office, and four water towers (Pine Needles, Crest, 11th Street, and Zuni). All properties are City owned with the exception of the County owned Del Mar Library and federally owned U.S. Post Office. See Report Attachment E for additional details.

As shown in the table below, the Housing Element confirms that the two City-owned vacant lots at 28th Street lot and 10th Street lot (in overall Del Mar Civic Center complex) have existing capacity to develop seven small affordable units. The remaining PF Zone sites can provide additional capacity (up to 86 dwelling units).

Sites in PF Zone – Potential for Housing Development			
	<u>Facility</u>	<u>Lot Size</u>	<u>Dwelling Unit (du) Potential (20 du/ac)</u>
1	28th Street Vacant parcel: Site in Housing Element	0.06 acres (2,614 sf)	3 du per HE
2	10th Street Vacant parcel/Civic Center expansion lot: Site in Housing Element	0.10 acre (4,356 sf)	4 du per HE
3	Civic Center Complex (not including 10 th St lot)	1.46 acres	29 du
4	Del Mar Library	0.27 acres (11,924 sf)	5 du
5	US Post Office	0.79 acres (34,372 sf)	15 du
6	Crest Water Tower	0.31 acres (13,708 sf)	6 du
7	11th Street Water Tower	0.77 acres (33,513 sf)	15 du
8	Zuni Water Tower	0.63 acres (27,479 sf)	12 du
9	Pine Needles Water Tower	0.20 acres (8,728 sf)	4 du
10	Shores Park: No housing per Hsg Element	5.3 acres	N/A

While the Del Mar Civic Center Complex, water towers, Del Mar Library, and United States Post Office facilities are currently being relied upon for public use and are not part of the adopted housing strategy to produce housing for the 6th Cycle, the analysis shows that there are housing opportunities on these sites that could be considered as part of future actions if needed. For example, these sites may be considered for use in future Housing Element cycles or to address the “no net loss” State Housing rules in circumstances when certain housing sites require replacement housing.

The certified Housing Element and proposed Ordinance both explicitly exclude the Shores Park facility as a potential site for housing. A rezone of Shores Park to Public Parkland was requested by members of the public as an alternative approach to prohibit housing use. However, that would not provide the Shores Park property with any additional protections against future housing development, and doing so would be inconsistent with the current uses on-site (Winston school and Del Mar Community Building), which are anticipated to continue on the Shores Park property for the foreseeable future. Instead, the proposed Ordinance retains the Public Facilities zoning that will allow for the current and planned future uses of Shores Park (park, school, community building), while also expressly excluding housing development as an allowed use for the property.

HOUSING IMPACT:

The amendments will increase the City's housing capacity by creating sites allowing 20 dwelling units per acre to facilitate future development of affordable housing in accordance with the certified 6th Cycle Housing Element. Housing Element Program 6B (Affirmatively Furthering Fair Housing) identifies that, "the City is committed to implement a suite of actions to create new opportunities for housing mobility and relocation to and within Del Mar with a goal of creating 100 additional housing opportunities beyond RHNA to improve housing choice and affordability options for moderate income, lower income, and special needs households." As required by the 6th Cycle Housing Element, the proposed amendments are specified actions to create these additional new housing opportunities.

In HCD's approval of the 6th Cycle Housing Element, it requires the City to create and maintain adequate sites for affordable housing within the first three years of the housing cycle (by April 2024). As site capacity for housing is increased through General Plan, Zoning, and LCP amendments, it allows the City to utilize the new housing opportunity sites created to meet future Housing Element requirements.

The new housing opportunity sites may also be used to address the "no net loss" State Housing rules that apply in circumstances when certain housing sites require replacement housing (Government Code Section 65863). Pursuant to the State's rules for no net loss, a local jurisdiction must ensure that development opportunities remain available throughout the Housing Element planning period to accommodate RHNA. If a local jurisdiction approves development on a parcel identified in the Housing Element Sites Inventory with fewer units than shown in the Housing Element, the jurisdiction must either make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by each income category or identify and make available sites to accommodate the remaining unmet RHNA. The City monitors entitlement and permitting activities throughout the housing cycle to ensure there are adequate sites to align with the Housing Element.

Adoption of the CC/PF amendments will confirm the City's existing capacity to develop seven lower income units on two City-owned vacant sites per the 6th Cycle Housing Element; and

will identify new opportunities for lower income housing. This includes potential for 154 to 243 total dwelling units through density bonus projects in the CC zone (a portion of which would be required to be lower income units); and potential for an additional 86 units in the PF zone, that have not been relied upon as sites for the 6th Cycle Housing Element or any prior housing cycle.

FISCAL IMPACT: There is no fiscal action to be taken by the City Council for this agenda item.

ENVIRONMENTAL IMPACT: The 6th Cycle Housing Element Final Program Environmental Impact Report (PEIR) and associated Mitigation, Monitoring, and Reporting Program was certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The Final PEIR is available at:
www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020

These amendments have been analyzed and it has been determined that they would not result in significant effects on the environment or an increase in the severity of effects on the environment as previously analyzed and identified in the Final PEIR. Pursuant to CEQA Guidelines Section 15162, no further environmental documentation is necessary. The 15162 CEQA Analysis prepared for this project is available for review in Report Attachment D.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

Implementation of the identified zoning actions in compliance with the City's 6th Cycle Housing Element is a Tier 1 (Highest) City Council priority that are required per State law and the Housing Element to be completed by April 2024.

ATTACHMENTS:

- Attachment A – Resolution to Amend the Del Mar Community Plan
- Attachment B – Ordinance to Amend the City's Zoning Regulations/Certified LCP
- Attachment C – Strikeout-Underline Copy of Ordinance
- Attachment D – CEQA 15162 Analysis
- Attachment E – CC/PF Zone Sites Analysis
- Attachment F – Summary of State Density Bonus Law

RESOLUTION NO. 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA AMENDING THE DEL MAR COMMUNITY PLAN (GENERAL PLAN) GPA 24-001 TO AMEND THE LAND USE DESIGNATIONS FOR CENTRAL COMMERCIAL AND PUBLIC FACILITIES TO ALLOW A DENSITY OF 20 DWELLING UNITS PER ACRE FOR PROJECTS WITH AFFORDABLE HOUSING FOR LOWER INCOME HOUSEHOLDS IN ACCORDANCE WITH PROGRAM 1C (CENTRAL COMMERCIAL) AND PROGRAM 1H (PUBLIC FACILITIES) CONSISTENT WITH THE REQUIREMENTS IN THE CITY'S CERTIFIED 6TH CYCLE HOUSING ELEMENT THAT IS A PART OF THE DEL MAR COMMUNITY PLAN

WHEREAS, the City of Del Mar's certified Housing Element is a part of the Del Mar Community Plan; and

WHEREAS, the Del Mar Community Plan is the City's General Plan; and

WHEREAS, the City of Del Mar Community Plan has an overall goal to "preserve and enhance the special character of Del Mar", this includes maintaining the "village-like community of substantially single family residential character, a picturesque and rugged site, and a beautiful beach" as well as preserving and enhancing "Del Mar's special residential character and small town atmosphere with its harmonious blending of buildings and landscape in proximity to a beautiful shoreline"; and

WHEREAS, in the State of California, the Housing Element is one of many required components of the required General Plan that local jurisdictions must adopt; and

WHEREAS, the City's overall stated housing goal in the Housing Element is to "inspire a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Del Mar"; and

WHEREAS, review for compliance with the Del Mar Community Plan requires review and consideration of the City's policies and program commitments in the certified Housing Element; and

WHEREAS, the certified 6th Cycle Housing Element identifies programs and resources required for the preservation, improvement, and development of housing to meet the existing and projected needs of its population; and

WHEREAS, the certified Housing Element requires the City to accommodate a regional housing need allocation (RHNA) of 163 housing units, comprised of 37 very-low income units, 64 low-income units, 31 moderate-income units, and 31 above moderate-income units and an additional 12 low-income unit "carryover" from the 5th Cycle planning period (2013-2021) for a total obligation of 175 units including 113 lower income units as well as 100 additional opportunities for moderate income households, lower income households, and special needs households; and

WHEREAS, amending the Del Mar Community Plan to allow a density of 20 dwelling units per acre is identified in Housing Element Programs 1C (Central Commercial), 1H (Public Facilities), and Program 6B (Fair Housing) as actions to create sites to meet the City's affordable housing obligations and provide additional opportunities beyond RHNA for moderate income households, lower income households, and special needs households in compliance with State law; and

WHEREAS, the California Department of Housing and Community Development (HCD) stated in its May 31, 2023, Housing Element certification letter that the City must continue the timely and effective implementation of all Housing Element programs to maintain its status of having a certified Housing Element, and HCD has the authority to revoke the City's Housing Element compliance if the City's actions do not comply with State law or the Housing programs are not timely implemented; and

WHEREAS, these amendments to the CC and PF Zones are necessary for the City to meet its 6th Cycle Housing Element commitments and remain in compliance with State law; and

WHEREAS, the Notice of Availability and notice of Planning Commission public hearing for the Community Plan Amendment was posted in the Del Mar Times on January 25, 2024, and individual mailed notices were sent to all interested parties, including the list of required stakeholders in accordance with Government Code Sections 65090 and 65091; and

WHEREAS, on January 25, 2024, letters were mailed to all local tribes who have requested notification in accordance with requirements of California Assembly Bill (AB) 52 and offered consultation in accordance with AB 52, and

WHEREAS, City staff provided responsive information to the San Pasqual Band of Mission Indians upon their request on March 4, 2024, for information related to mitigation, monitoring, and reporting protocols to protect environmental resources, including tribal cultural resources; and

WHEREAS, on February 13, 2024, the Planning Commission recommendation hearing item was adjourned to a duly noticed special meeting to resume the public hearing on February 21, 2024, due to technical audio issues; and

WHEREAS, during the February 21, 2024, noticed public hearing held in accordance with Government Code Section 65353, the Planning Commission recommended the City Council approve the CEQA determination and adopt the amendments to the Community Plan, Zoning Code, and Local Coastal Program with a stipulation of applying the maximum height of the certified LCP based on the local topography that slopes down east to west, existing public scenic views, and the need to maintain the existing pedestrian scale in accordance with the Del Mar Community Plan and certified LCP; and

WHEREAS, the Planning Commission review focused heavily on the fact the amendments will allow a base zone density of up to 20 dwelling units per acre, which

will make certain properties eligible to apply for processing of a density bonus project per State Density Bonus Law; and

WHEREAS, the Planning Commission's recommendation accounted for the unique circumstances in the CC Zone (i.e., small-scale pedestrian oriented character and public scenic views throughout the zone due to topography that slopes down towards the South beach shoreline to the west) and expresses that the City must continue to hold development, including Density Bonus projects, to the existing height limits in the LCP which are a maximum of 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar; and

WHEREAS, on February 29, 2024, the notice of City Council public hearing was published in the Del Mar Times and mailed notices were sent to all interested parties including those who participated through the Planning Commission hearing on February 21, 2024; and

WHEREAS, adoption of this Resolution will amend the Del Mar Community Plan to implement the 6th Cycle Housing Element commitments in order to maintain compliance with State law; and

WHEREAS, the General Plan Amendment (amending the Del Mar Community Plan) to allow 20 dwelling units per acre density for the Central Commercial and Public Facilities land use designations, subject to specific criteria and context specific factors, is consistent with the amendments to the Local Coastal Program and Zoning Code (Del Mar Municipal Code Title 30) in process via a separate Ordinance and State law requirements (Government Code Section 65860) that require the land use and zoning designations for a site to be consistent.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that:

1. The above recitals are true and correct.
2. The City Council hereby adopts the amendment to the Central Commercial land use category in the Community Development Section of the Del Mar Community Plan to read as follows:

Central Commercial

This land use category is intended to allow activities that preserve and enhance the Village Center District of Del Mar including pedestrian oriented retail activities, commercial services and a limited number of offices; and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

3. The City Council hereby adopts the amendment to the Public Facilities land use

category in the Community Development Section of the Del Mar Community Plan to read as follows:

Public Facilities

This land use category is limited to publicly owned land set aside, or in use, to support public schools and governmental offices and facilities, and multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Del Mar, California, at the Regular Meeting held this 18th day of March, 2024.

Terry Gaasterland, Deputy Mayor
City of Del Mar

APPROVED AS TO FORM:

Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2024-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 18th day of March, 2024, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

Sarah Krietor, Administrative Services
Manager/City Clerk
City of Del Mar

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE (ZONING CODE) CHAPTER 30.22 CENTRAL COMMERCIAL (CC) ZONE REGULATIONS AND CHAPTER 30.31 PUBLIC FACILITIES (PF) ZONE; AND THE CITY'S CERTIFIED LCP ALL RELATING TO IMPLEMENTATION OF THE 6TH CYCLE HOUSING ELEMENT PROGRAMS 1C (CC ZONE) AND 1H (PF ZONE)

WHEREAS, the City of Del Mar is a charter City and State Housing law applies to all general law and charter cities in the State of California; and

WHEREAS, the State legislature declared that "Housing is a statewide concern", that California faces a housing crisis, and that local jurisdictions are mandated to comply with applicable State housing laws; and

WHEREAS, the City of Del Mar Community Plan is the General Plan for the City of Del Mar and has an overall goal to "preserve and enhance the special character of Del Mar", this includes maintaining the "village-like community of substantially single family residential character, a picturesque and rugged site, and a beautiful beach" as well as preserving and enhancing "Del Mar's special residential character and small town atmosphere with its harmonious blending of buildings and landscape in proximity to a beautiful shoreline"; and

WHEREAS, the City's certified Housing Element is one of many required components that is part of the Del Mar Community Plan consistent with State laws applicable to General Plans; and

WHEREAS, the certified Housing Element identifies programs and resources required for the preservation, improvement, and production of housing to meet the existing and projected needs of its population which requires the creation of additional affordable housing stock; and

WHEREAS, the certified Housing Element for the 6th Cycle years 2021-2029 requires the City to accommodate a regional housing need allocation (RHNA) of 163 housing units, comprised of 37 very-low income units, 64 low-income units, 31 moderate-income units, and 31 above moderate-income units and an additional 12 low income unit "carryover" from the 5th Cycle planning period (2013-2021) for a total obligation of 175 units including 113 lower income units as well as 100 additional opportunities for moderate income households, lower income households, and special needs households; and

WHEREAS, the proposed amendments to the Del Mar Community Plan, Zoning Code, and Local Coastal Program (LCP) are required per State law to be adopted by April 2024 to implement the City's 6th Cycle Housing Element commitments identified in

Program 1C (Central Commercial), Program 1H (Public Facilities), and Program 6B (Fair Housing) in order to maintain compliance with State law and avoid decertification of the Housing Element; and

WHEREAS, amending the existing Central Commercial (CC) Zone and Public Facilities (PF) Zone to allow a density of 20 dwelling units per acre will maintain adequate sites to meet the City's affordable housing obligations and provide additional opportunities beyond RHNA for moderate income households, lower income households, and special needs households in compliance with State law; and

WHEREAS, the City has made and continues to make progress toward its housing programs and housing production targets in its certified Housing Element; and

WHEREAS, adoption of this Ordinance is a necessary action to continue progress towards production of affordable housing in a way that minimizes impacts to local neighborhoods; and

WHEREAS, the California Department of Housing and Community Development (HCD) indicated in its May 31, 2023, Housing Element certification letter that the City must continue the timely and effective implementation of all Housing Element programs to maintain its status of having a certified Housing Element, and HCD has the authority to revoke the City's Housing Element compliance if the City's actions do not comply with State law or the Housing programs are not timely implemented; and

WHEREAS, over the past decade State laws have continued to reduce local and impose regulatory schemes that conflict with local procedures that typically require discretionary review, public participation, and public hearings; and

WHEREAS, to-date State housing laws have not preempted the California Coastal Act, which at the local level is implemented by the City's certified LCP; and

WHEREAS, the City of Del Mar is located entirely within the "Coastal Zone" boundary and is therefore subject to full compliance with the California Coastal Act; and

WHEREAS, State Density Bonus Law (DBL) is one example of a State law that still applies the Coastal Act protections for environmental resources, public scenic views, coastal access, and public safety in coastal hazard areas to ensure they will not be compromised by housing development; and

WHEREAS, proposed Density Bonus projects must comply with current State DBL, the California Coastal Act, and the City's certified LCP and may be approved at a density above the maximum set in the Del Mar Community Plan, Zoning Code, and LCP if a certain number of units are income-restricted and reserved for affordable housing (very low, low, and moderate-income households); and

WHEREAS, State DBL provides that the California Coastal Act is not superseded, in any way altered, or lessened by its application (Cal. Gov. Code. Sec. 65915) and applicants must provide reasonable documentation to explain how requests for incentives will reduce development costs to build a project and demonstrate how waiver requests would physically preclude development of a project; and

WHEREAS, the City has significant coastal resources that require protection under the Coastal Act, including but not limited to, the protection of scenic public coastal views which are found throughout the community, preservation of public access and recreation opportunities that must be assured including public access to the beach, viewpoints, and trail connections to the bluffs, lagoons, and open space preserve areas along the shoreline, and protection of environmentally sensitive habitat areas and coastal resources such as coastal bluffs, sandstone bluffs, wetlands, lagoons, river inlets, and protected tree species native to the City including Torrey Pines and Monterrey Cypress trees; and

WHEREAS, in order to effectively implement applicable State housing laws, the City must harmonize the Coastal Act and the City's LCP policies and regulations with the State's housing laws to ensure protection of sensitive coastal habitats and resources, public coastal view sheds, coastal parking for public access, and public health and safety; and

WHEREAS, City staff engaged in public outreach to encourage public participation in formulating these draft regulations, which included articles posted on the City's website, multiple announcements made in the City's weekly updates, and multiple announcements made during public meetings including the Planning Commission and City Council meetings; and

WHEREAS, the Notice of Availability and Notice of Planning Commission public hearing for the Amendments to the Community Plan, Zoning Ordinance, and LCP was posted in the Del Mar Times on January 25, 2024, and individual mailed notices, including notices to local tribes per Assembly Bill (AB 52), were sent to all interested parties; and

WHEREAS, City staff provided responsive information to the San Pasqual Band of Mission Indians upon their request on March 4, 2024, for information related to mitigation, monitoring, and reporting protocols to protect environmental resources, including tribal cultural resources; and

WHEREAS, on February 13, 2024, the Planning Commission recommendation hearing item was adjourned to a duly noticed special meeting to resume the public hearing on February 21, 2024, due to technical audio issues; and

WHEREAS, during the February 21, 2024, noticed public hearing, the Planning Commission recommended the City Council approve the CEQA determination and adopt the amendments with a stipulation of applying the maximum height of the certified LCP based on the local topography that slopes down east to west, existing public scenic views,

and the need to maintain the existing pedestrian scale in accordance with the Del Mar Community Plan and certified LCP; and

WHEREAS, the Planning Commission review focused heavily on the fact the amendments will allow a base zone density of up to 20 dwelling units per acre, which will make certain properties eligible to apply for processing of a density bonus project per State Density Bonus Law; and

WHEREAS, the Planning Commission's recommendation accounted for the unique circumstances in the CC Zone (i.e., small-scale pedestrian oriented character and public scenic views throughout the zone due to topography that slopes down towards the South beach shoreline to the west) and expresses that the City must continue to hold development, including Density Bonus projects, to the existing height limits in the LCP which are a maximum of 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar; and

WHEREAS, on February 29, 2024, the notice of City Council public hearing was published in the Del Mar Times and mailed notices were sent to all interested parties including those who participated through the Planning Commission hearing on February 21, 2024; and

WHEREAS, adoption of this Ordinance (allowing 20 dwelling units per acre density in the Central Commercial and Public Facilities Zones, subject to specific criteria and context specific factors) will amend the Del Mar Municipal Code Title 30 Zoning Code and certified Local Coastal Program to implement the 6th Cycle Housing Element commitments in order to maintain compliance with State law and avoid decertification of the Housing Element.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Del Mar, California, based on substantial evidence in the whole of the administrative record, hereby finds and declares the following:

1. The foregoing Findings with the above stated Recitals are true and correct and are incorporated by reference into this action.
2. The General Plan Amendment (amending the Del Mar Community Plan land use designations for Central Commercial and Public Facilities) adopted by separate Resolution and the amendments to the Local Coastal Program and Zoning Code (Del Mar Municipal Code Title 30) in this Ordinance are consistent with State law requirements (Government Code Section 65860) that require the land use and zoning designations for a site to be consistent.
3. The CC Zone applies to the majority of land within the City's Village Center, which is a pedestrian-oriented downtown that runs along Camino del Mar between 9th Street and 15th Street. This area is Del Mar's principal commercial, visitor-serving, small-scale, pedestrian oriented downtown, which includes scenic blue water

ocean views. The existing regulations limit building height to 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar. The applicable Community Plan and LCP policies reflect the community vision to maintain the unique, small-town character and strong community identity through building design and height limits, which preserve ocean views and promote an open space small-town atmosphere.

4. Within the CC Zone, there is one developed multi-tenant commercial property known as “Stratford Square” that is located at 1438 Camino del Mar in the Historic Preservation Overlay Zone. The property is a non-vacant commercial property that is small in size at 0.21 acres (9,375 sf). While the property may become eligible to process a Density Bonus project per State DBL as a result of the density increase to 20 dwelling units per acre, any proposed development would be required to be consistent with State and Federal law, including provisions for protection of historic resources and the public health and safety.
5. The PF zone applies to ten public facilities, all of which are City-owned with the exception of the Del Mar Library (County-owned) and U.S. Post Office (Federally-owned). A Sites Analysis identified housing development potential for nine public facilities in the PF Zone including: the vacant 10th Street and 28th Street lots in the City’s 6th Cycle Housing Element, the Del Mar Civic Center, Del Mar Library, United States Post Office, and four water towers (Pine Needles, Crest, 11th Street, and Zuni). Shores Park was explicitly excluded as a potential site for housing in the certified 6th Cycle Housing Element.
6. Within the PF Zone, there is one vacant property at 28th Street that is located within the floodplain identified by the Federal Emergency Management Agency (FEMA) as subject to periodic inundation due to flooding as identified by best available science, are being exacerbated by climate change and sea level rise (existing and projected). Applicable federal, state, and local regulations ensure that new development in the floodplain will be appropriately sited and constructed so as to avoid hazards to those who will occupy the development; and to avoid damage or hazards to the surrounding area. On a citywide basis, the City is addressing projected flood conditions to minimize flood risk through adaptation mitigation measures. These measures are consistent with the adopted City of Del Mar Sea Level Rise Adaptation Plan (Environmental Science Associates October 2018). Currently, the City has an existing system of shoreline protection along the shoreline in the North Beach neighborhood, which has been maintained in accordance with the Beach Preservation Initiative and the Beach Overlay Zone policies and regulations in the City’s certified Local Coastal Program. In addition, the City has a Sand Compatibility Opportunistic Use Program in place to facilitate sediment management and maintenance of a wide beach and is in process of preparing a conceptual plan for a living levee, vegetated berm system, to provide flood adaptation along the banks of the San Dieguito River in accordance with the City’s adopted Sea Level Rise Adaptation Plan and the Coastal Act. All new development, including the City-owned vacant 28th Street parcel, must

demonstrate how the proposed development will implement adaptation measures to minimize flood damage and avoid flood hazards in accordance with the City's certified LCP and the California Coastal Act Chapter 3, Article 6, Section 30253(a) (Cal. Pub. Res. Code Section 30253(a)).

7. There are no known environmentally sensitive coastal resources or environmentally sensitive habitat areas in the CC Zone or PF Zone. Protection of these natural habitats and environmentally sensitive resources is a cornerstone of the Coastal Act found in the California Coastal Act Chapter 3, Article 6, Section 30240 (Cal. Pub. Res. Code Section 30240). State Density Bonus law specifically provides that coastal resource protections found in the California Coastal Act are not to be superseded or its effects lessened.
8. Within the CC Zone and PF Zone and surrounding neighborhoods there are public scenic view corridors to coastal resources that are protected under the California Coastal Act. Consistent with the Coastal Act Chapter 3, Article 6, Section 30251, these scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas. (See: Cal. Pub. Res. Code Sec. 30251). New development in highly scenic areas such as those designated in the California Coastline preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. (See: cal. Pub. Res. Code Section 30251).
9. State DBL does not supersede or lessen the effect of the California Coastal Act. (Cal. Gov. Code. Sec. 65852.2(l)). Density Bonus project development may not obstruct the public scenic and visual qualities of the City's coastal areas. To be consistent with the mandates of the California Coastal Act, building restricted easements are enforced and certain height restrictions, including the existing certified height limit of 26 feet above grade and a maximum of 14 feet above the curb elevation on the west side of Camino del Mar, may be placed on Density Bonus project development to ensure protection of public scenic coastal vistas.
10. Application of the existing height in the certified LCP for the CC Zone will implement the Del Mar Community Plan and certified LCP Land Use Plan policies to maintain pedestrian scale and preserve public scenic views that exist throughout the CC Zone due to the topography which slopes from the hill above to the east of the CC Zone down toward the south beach shoreline located west of the CC Zone.

NOW THEREFORE, BE IT FURTHER RESOLVED, the City Council of the City of Del Mar hereby ordains as follows:

SECTION ONE: That the title of DMMC Section 30.22.031 for the CC Zone be amended to state "Allowance for Multi-Dwelling Unit Residential Use" and that the section be amended as follows:

30.22.031 Allowance for Multi-Dwelling Unit Residential Use

- A. Multiple dwelling unit residential use (0-20 dwelling units per acre) is an allowed use in the CC zone for mixed use projects that include an affordable housing component for lower income households. The minimum amount of affordable housing units included in a project must be calculated in accordance with Chapter 24.21 and provided on site. Any fractional unit obligation shall be rounded up.
- B. Proposed multiple dwelling unit development shall maintain a pedestrian-oriented, predominately retail village character, with attractive walkways and courts which encourage social interaction.
- C. Project design shall minimize bulk and mass and consider and include design features to preserve privacy on neighboring residential properties.
- D. Project design shall consider and include design features to preserve views to the ocean and shall maintain public scenic views and public access protections consistent with the certified Local Coastal Program.

SECTION TWO: That DMMC Section 30.22.032 for the CC Zone be amended as follows:

30.22.032 Allowable Uses in Non-Street Frontage Building Spaces

The following are, pursuant to existing zoning regulations, permitted uses in non-street frontage building spaces but do not qualify as Street-Frontage Building Spaces:

- A. Any use allowed in Street-Frontage Building Spaces, as identified in this Chapter.
- B. Offices, including Professional, Medical, Real Estate and Financial Institutions.
- C. Multiple dwelling unit residential use in compliance with Section 30.22.031.

SECTION THREE: That DMMC Section 30.31.020 (PF Zone Allowed Uses) be amended as follows:

30.31.020 Allowable Uses

The following uses are allowable in the PF Zone:

- A. Public schools.
- B. Private schools that are open to the public and whose primary function is providing educational programs for pre-school students and students in grades K through 12.

- C. City, county, state and federal buildings and uses, including:
 - Administrative offices
 - Fire and police stations
 - Public works buildings
 - Public meeting rooms or chambers
 - Libraries
 - Postal offices
 - Public parking facilities
 - Public parks and playgrounds
- D. Utility structures, such as: Pump stations and water tanks
- E. With the exception of the Shores Park site (APNs 300-200-01, 300-200-02, 300-200-22, 300-200-23), multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households shall be an allowed use in the PF zone. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.
 - 1. Proposed multiple dwelling unit residential development shall comply with the maximum height and setbacks specified in Section 30.31.070 and with the maximum floor area and lot coverage applicable to adjacent properties with a common boundary in accordance with the certified Local Coastal Program.
 - 2. Project design shall minimize bulk and mass and consider and include design features to preserve privacy on neighboring residential properties.
 - 3. Project design shall consider and include design features to preserve views to the ocean and shall maintain public scenic views and public access protections consistent with the certified Local Coastal Program.

SECTION FOUR: That the City's certified Local Coastal Program Land Use Plan Chapter II Land Use Development policies for the South Beach District and the Village Center District be amended as follows:

C. LAND USE DEVELOPMENT GOALS AND POLICIES - BY DISTRICT

The City of Del Mar is comprised of residential areas with several commercial areas interspersed. The majority of the City's commercial uses are focused along Camino del Mar between Paseo de las Flores to the north and 9th Street to the south.

The following descriptions and policies have been grouped in relation to the individual districts within the City. These separate districts and their respective boundaries are

illustrated on Figure II-B. Figure II-A contains the specific land use designations assigned to property throughout the City and a corresponding identification of the activities and uses allowed in each of the land use designations.

The following policies for specific geographic areas (districts) shall be implemented in concert with the Land Use Designation Map and the general development policies cited above in Section II-B. While the numbered sections below include descriptions of the general boundaries of separate land use designation areas, the Land Use Map (Figure IIA) should be consulted for a determination of boundary lines.

[No change to #1 through 4]

5. South Beach District:

The South Beach district contains a portion of Seagrove Park which is designated as PP (Public Parkland). The Shores Park is designated as PF (Public Facilities) and is developed with a public park, private school, and local non-profit uses and accessory off-street parking. To the south of the school site, the area along the west side of Camino del Mar is designated for VC (Visitor Commercial) with the same restrictions on use as described for the VC designation in the North Beach District. The remainder of the South Beach District is designated for residential uses as follows:

That portion of the district bounded by 15th Street on the north, 9th Street on the south, the AT & SF Railway right-of-way on the west and the Village Center District on the east is designated for R2 (High Density) at a maximum density of 12.5 du/ac. A one block area to the east is designated for RC (Residential Commercial) which allows a mix of residential and commercial uses on each site, provided that no more than 40% of the floor area on site is devoted to commercial uses. Further to the south, the area is designated as RMS (Medium Density Multiple-South) which allows a maximum density of 10.9 du/ac. While the district does allow the development of higher density residential projects, the approval of such projects shall be granted only when they are found to be consistent with the general and specific policies of this Land Use Plan. These policies are intended to minimize traffic and parking impacts associated with such development and to ensure that those higher density projects are aesthetically pleasing.

[No change to #6 through 8]

9. Village Center District

This area is designated primarily as Central Commercial (CC) and is Del Mar's principal commercial, visitor serving and professional area. The Village Center is a pedestrian-oriented downtown that is intended to group housing, retail services, and commercial services with facilities for civic and community activities. It extends along both sides of Camino del Mar, beginning at 9th Street and reaching north to 15th Street. The District contains the site of the U.S. Post Office, City Hall, and City of Del Mar's branch of the County of San Diego Library designated as PF (Public Facilities) on the Land Use Map.

Multiple specific plan areas are also included in the Village District. The Specific Plan for the Del Mar Hotel, (HSP west side of Camino del Mar at 15th Street) generally limits the uses on the site to a hotel, timeshare and short term rental units and associated retail uses. The Specific Plan for the Del Mar Plaza, (PSP east side of Camino del Mar at 15th Street) generally limits the uses on site to restaurant and retail uses with a small percentage allowed for office use. The 941 Camino del Mar Specific Plan (941SP east side of Camino del Mar at 10th Street) generally limits the uses to a combination of restaurant, retail, short term rental, and residential uses. Each of the Specific Plan areas devotes a portion of the property to public and quasi-public use. Each of these specific plans was voter approved and requires a recorded Development Agreement between the City and the developer/property owner. Where a particular conflict arises between the provisions of a valid and recorded Development Agreement and any policies of this Land Use Plan that have been subsequently adopted, the former shall continue to be binding and shall supersede the subsequently adopted policies of this Land Use Plan. Subsequent development agreements or amendments to existing Development Agreements shall be consistent with the Land Use Plan in effect at the time.

The CC (Central Commercial) designation encompasses the majority of land within the Village District. The CC designation allows for a variety of commercial uses aimed at serving the needs of both residents and visitors to the area. Due to the City's popularity as a visitor-destination point, the majority of the property in the CC Zone has been developed with uses that serve both residents and visitors. The Central Commercial area allows pedestrian oriented retail activities, commercial services and a limited number of offices; and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households and is designed consistent with the policy intent to retain a pedestrian-oriented downtown and compliance with the certified Local Coastal Program. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

In order to facilitate the demand for more goods and services, the following policies have been developed to better utilize the commercially designated land in the Village Center District.

- a. In the Village Center District, large single purpose businesses, and businesses catering to an automotive public (drive-through banks, drive through food stands, etc.) shall be discouraged.
- b. In the Village Center District, building designs which incorporate a unique and small-town character shall be encouraged and building designs which are based on a corporate identity or logo shall be discouraged.
- c. In the Village Center District, retail enterprises whose primary purposes are to satisfy the needs of the community and enhance the quality and convenience of life in Del Mar shall be encouraged.

- d. In the Central Commercial portion of the Village Center District, retail uses shall be encouraged over office uses for floor area located at the street level of structures fronting Camino del Mar.
- e. While some office space is desirable, it shall be concentrated in the southern portion of the Village Center District.
- f. In addition to a variety of commercial businesses, the Village Center District should have a Community Center, complete with Council Chambers, City Hall, Library and Communications Center; attractive walkways, and a variety of open spaces such as courts and landscaped areas.
- g. Pedestrian-oriented streetscape which promotes social interaction, pedestrian use and a strong community identity shall be encouraged in the Village Center District.
- h. In the Village Center District, structures shall be in keeping with the pedestrian scale and village character of the community.
- i. In the Village Center District, structures shall be of an architectural style which retains a low scale intensity of development, utilizes designs which preserve ocean views, and promotes an open space small-town atmosphere.

[No change to #10]

SECTION FIVE: That the City's certified Local Coastal Program Land Use Plan Map "Land Use Designations/Allowed Uses" descriptions for the CC Zone and the PF Zone be amended as follows:

LAND USE DESIGNATIONS/ALLOWED USES

[No change to R1-40 through CVPP]

CC - Retailing of goods and dispensing of services, (exclusive of drive-through). Shops, Delis, Restaurants, Cafes, florists, Hardware, Offices, Financial institutions, Pharmacies, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Vet clinics*, Hotels/Motels*, and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

[No change to BC through PP]

PF - Public schools; City, County, State and Federal buildings; Utility structures; and multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

[No change to 941 SP through PSP]

SECTION SIX:

Pursuant to the California Environmental Quality Act (CEQA), the proposed actions have been the subject of prior environmental analysis in the 6th Cycle Housing Element Update Final Program Environmental Impact Report (SCH No. 2020029064) certified by the City Council on October 5, 2020 (Resolution 2020-52), which analyzed and disclosed anticipated impacts of future housing development. Refer to the Final 6th Cycle PEIR: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020

No new or substantially greater impacts would result. As such, pursuant to CEQA Guidelines Sections 15162, and based on the review of the entire record, including without limitation, the Final PEIR referenced above, the proposed action does not require a subsequent EIR or further environmental review.

SECTION SEVEN:

Pursuant to the certified 6th Cycle Housing Element, these amendments are being adopted prior to April 2024 to implement Housing Element Program 1C (Central Commercial Zone), Program 1H (Public Facilities Zone), and Program 6B (Affirmatively Furthering Fair Housing) to ensure the City's certified Housing Element continues to be maintained in compliance with State law. HCD indicated in its May 31, 2023, Housing Element certification letter that the City must continue the timely and effective implementation of all Housing Element programs to maintain its status of having a certified Housing Element, and that HCD has the authority to revoke the City's Housing Element compliance if the City's actions do not comply with State law or the Housing programs are not timely implemented.

SECTION EIGHT:

This Ordinance was introduced by the City Council on March 18, 2024.

SECTION NINE:

The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

SECTION TEN:

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION ELEVEN:

Upon adoption, the Ordinance will be submitted to the California Coastal Commission for certification as a Local Coastal Program Amendment. The Ordinance will take effect and be in force on the date that the Coastal Commission takes action to unconditionally certify the Local Coastal Program Amendment.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 1st day of April 2024.

Terry Gaasterland, Deputy Mayor
City of Del Mar

APPROVED AS TO FORM:

Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No.____, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 1st day of April, 2024, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

Sarah Krietor, Administrative Services
Manager/City Clerk
City of Del Mar

3.12.2024

6th Cycle Housing Element Programs 1C (CC Zone) and 1H (PF Zone) Amendments **Strikeout – Underline Copy**

The Strikeout-Underline copy of the proposed amendments identifies more specific details about the amendments being made to the General Plan, Del Mar Municipal Code (DMMC), and Local Coastal Program (LCP). Text shown in underline is new text that is being added. Text shown in ~~strikeout~~ is text that is being deleted.

Draft General Plan (Del Mar Community Plan) Amendment

Amend the existing Central Commercial land use category in the Del Mar Community Plan Community Development Section to read as follows:

Central Commercial

This land use category is intended to allow activities that preserve and enhance the Village Center District of Del Mar. ~~Permitted uses would include~~ including pedestrian oriented retail activities, commercial services and a limited number of offices; and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

Public Facilities

This land use category is limited to publicly owned land set aside, or in use, to support public schools and governmental offices and facilities, and multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households. State law defines a lower income household as individuals or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

Draft LCP Land Use Plan Amendments

1) Amend LCP Land Use Plan Chapter II Land Use Development “Section C” policies for the South Beach District and Village Center District to increase opportunities for affordable housing, as shown in Section C below. (The Background section and select land use policies/goals from the overall LUP Chapter II – Land Use Development section are included to provide context for the proposed amendments); and

2) Amend the land use category and allowed use descriptions that follow in the LCP LUP as a companion document to the LCP land use and zoning designation maps.

CHAPTER II- LAND USE DEVELOPMENT

A. BACKGROUND [No change]

B. LAND USE DEVELOPMENT GOALS AND POLICIES – GENERAL [No change]

3.12.2024

Excerpt from Chapter II Land Use Development “Section B” - Policies II-4 and II-8 in the certified LCP provided to show the LCP policy text for these amendments:

Policy II-4: Increase the City’s overall housing capacity and capability to accommodate housing units in commercial zones while minimizing potential land use compatibility conflicts and assuring priority for coastal-dependent and coastal related development.

Policy II-8: Retain a pedestrian-oriented downtown which groups housing, retail services, and commercial services with facilities for civic and community activities.

C. LAND USE DEVELOPMENT GOALS AND POLICIES - BY DISTRICT

The City of Del Mar is comprised of residential areas with several commercial areas interspersed. The majority of the City's commercial uses are focused along Camino del Mar between Paseo de las Flores to the north and 9th Street to the south.

The following descriptions and policies have been grouped in relation to the individual districts within the City. These separate districts and their respective boundaries are illustrated on Figure II-B. Figure II-A contains the specific land use designations assigned to property throughout the City and a corresponding identification of the activities and uses allowed in each of the land use designations.

The following policies for specific geographic areas (districts) shall be implemented in concert with the Land Use Designation Map and the general development policies cited above in Section II-B. While the numbered sections below include descriptions of the general boundaries of separate land use designation areas, the Land Use Map (Figure IIA) should be consulted for a determination of boundary lines.

[No change to #1 through 4]

5. South Beach District:

The South Beach district contains a portion of Seagrove Park which is designated as PP (Public Parkland). The site of the Del Mar Shores School and Del Mar Unified School District offices Shores Park is designated as PF (Public Facilities) and is developed with a public park, private school, and local non-profit uses and accessory off-street parking. To the south of the school site, the area along the west side of Camino del Mar is designated for VC (Visitor Commercial) with the same restrictions on use as described for the VC designation in the North Beach District. The remainder of the South Beach District is designated for residential uses as follows:

That portion of the district bounded by 15th Street on the north, 9th Street on the south, the AT & SF Railway right-of-way on the west and the Village Center District on the east is designated for R2 (High Density) at a maximum density of 12.5 du/ac. A one block area to the east is designated for RC (Residential Commercial) which allows a mix of residential and commercial uses on each site, provided that no more than 40% of the floor area on site is devoted to commercial uses. Further to the south, the area is designated as RMS (Medium Density Multiple-South) which allows a maximum density of 10.9 du/ac. While the district does allow the development of higher density residential projects, the approval of such projects shall be granted only when they are found to be consistent with the general and specific policies of this Land Use Plan. These policies are intended to minimize traffic and parking impacts associated with such development and to ensure that those higher density projects are aesthetically pleasing.

[No change to #6 through 8]

9. Village Center District

This area is designated primarily as Central Commercial (CC) and is Del Mar's principal commercial, visitor serving and professional area. The Village Center is a pedestrian-oriented downtown that is intended to group housing, retail services, and commercial services with facilities for civic and community activities. It extends along both sides of Camino del Mar, beginning at 9th Street and reaching north to 15th Street. The District contains the site of the U.S. Post Office, City Hall, and City of Del Mar's branch of the County of San Diego Library designated as PF (Public Facilities) on the Land Use Map.

Multiple specific plan areas are also included in the Village District. The Specific Plan for the Del Mar Hotel, (HSP west side of Camino del Mar at 15th Street) generally limits the uses on the site to a hotel, timeshare and short term rental units and associated retail uses. The Specific Plan for the Del Mar Plaza, (PSP east side of Camino del Mar at 15th Street) generally limits the uses on site to restaurant and retail uses with a small percentage allowed for office use. The 941 Camino del Mar Specific Plan (941SP east side of Camino del Mar at 10th Street) generally limits the uses to a combination of restaurant, retail, short term rental, and residential uses. Each of the Specific Plan areas devotes a portion of the property to public and quasi-public use. Each of these specific plans was voter approved and requires a recorded Development Agreement between the City and the developer/property owner. Where a particular conflict arises between the provisions of a valid and recorded Development Agreement and any policies of this Land Use Plan that have been subsequently adopted, the former shall continue to be binding and shall supersede the subsequently adopted policies of this Land Use Plan. Subsequent development agreements or amendments to existing Development Agreements shall be consistent with the Land Use Plan in effect at the time.

The CC (Central Commercial) designation encompasses the majority of land within the Village District. The CC designation allows for a variety of commercial uses aimed at serving the needs of both residents and visitors to the area. Due to the City's popularity as a visitor-destination point, the majority of the property in the CC Zone has been developed with uses that serve both residents and visitors. The Central Commercial area allows pedestrian oriented retail activities, commercial services and a limited number of offices; and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households and is designed consistent with the policy intent to retain a pedestrian-oriented downtown and compliance with the certified Local Coastal Program. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

In order to facilitate the demand for more goods and services, the following policies have been developed to better utilize the commercially designated land in the Village Center District.

- a. In the Village Center District, large single purpose businesses, and businesses catering to an automotive public (drive-through banks, drive through food stands, etc.) shall be discouraged.
- b. In the Village Center District, building designs which incorporate a unique and small-town character shall be encouraged and building designs which are based on a corporate identity or logo shall be discouraged.

3.12.2024

- c. In the Village Center District, retail enterprises whose primary purposes are to satisfy the needs of the community and enhance the quality and convenience of life in Del Mar shall be encouraged.
- d. In the Central Commercial portion of the Village Center District, retail uses shall be encouraged over office uses for floor area located at the street level of structures fronting Camino del Mar.
- e. While some office space is desirable, it shall be concentrated in the southern portion of the Village Center District.
- f. In addition to a variety of commercial businesses, the Village Center District should have a Community Center, complete with Council Chambers, City Hall, Library and Communications Center; attractive walkways, and a variety of open spaces such as courts and landscaped areas.
- g. Pedestrian-oriented streetscape which promotes social interaction, pedestrian use and a strong community identity shall be encouraged in the Village Center District.
- h. In the Village Center District, structures shall be in keeping with the pedestrian scale and village character of the community.
- i. In the Village Center District, structures shall be of an architectural style which retains a low scale intensity of development, utilizes designs which preserve ocean views, and promotes an open space small-town atmosphere.

[No change to #10]

LAND USE DESIGNATIONS/ALLOWED USES

[No change to R1-40 through CVPP]

CC - Retailing of goods and dispensing of services, (exclusive of drive-through). Shops, Delis, Restaurants, Cafes, florists, Hardware, Offices, Financial institutions, Pharmacies, Gasoline service stations*, Bars*, Cocktail lounges*, Theatres*, Vet clinics*, Hotels/Motels*, and multiple dwelling unit residential (0-20 dwelling units per acre) that includes affordable housing for lower income households. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

[No change to BC through PP]

PF - Public schools; City, County, State and Federal buildings; Utility structures; and multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.

[No change to 941 SP through PSP]

Draft LCP Zoning Code Amendments to CC Zone

Chapter 30.22 – CENTRAL COMMERCIAL ZONE (CC)

30.22.030 - Allowable Uses in Street-Frontage Building Spaces. [No change]

The following uses are allowed in Street Frontage Building Spaces, as defined in this Chapter:

- A. Community Services/Cultural Uses. [No change]
- B. Personal Service Uses. [No change]
- C. Restaurant Use. [No change]
- D. Retail Uses. [No change]

30.22.031 - ~~Reserved~~ Allowance for Multi-Dwelling Unit Residential Use

- A. Multiple dwelling unit residential use (0-20 dwelling units per acre) is an allowed use in the CC zone for mixed use projects that include an affordable housing component for lower income households. The minimum amount of affordable housing units included in a project must be calculated in accordance with Chapter 24.21 and provided on site. Any fractional unit obligation shall be rounded up.
- B. Proposed multiple dwelling unit development shall maintain a pedestrian-oriented, predominately retail village character, with attractive walkways and courts which encourage social interaction.
- C. Project design shall minimize bulk and mass and consider and include design features to preserve privacy on neighboring residential properties.
- D. Project design shall consider and include design features to preserve views to the ocean and shall maintain public scenic views and public access protections consistent with the certified Local Coastal Program.

30.22.032 - Allowable Uses in Non Street-Frontage Building Spaces.

The following are, pursuant to existing zoning regulations, permitted uses in non-street frontage building spaces but do not qualify as Street-Frontage Building Spaces:

- A. Any use allowed in Street-Frontage Building Spaces, as identified in this Chapter.
- B. Offices, including Professional, Medical, Real Estate and Financial Institutions.
- C. Multiple dwelling unit residential use in compliance with Section 30.22.031.

Draft LCP Zoning Code Amendments to PF Zone

Chapter 30.31 - PUBLIC FACILITIES ZONE (PF)

30.31.020 - Allowable Uses.

The following uses are allowable in the PF Zone:

3.12.2024

- A. Public schools.
- B. Private schools that are open to the public and whose primary function is providing educational programs for pre-school students and students in grades K through 12.
- C. City, county, state and federal buildings and uses, including:
 - Administrative offices
 - Fire and police stations
 - Public works buildings
 - Public meeting rooms or chambers
 - Libraries
 - Postal offices
 - Public parking facilities
 - Public parks and playgrounds
- D. Utility structures, such as:
 - Pump stations and water tanks
- E. With the exception of the Shores Park site (APNs 300-200-01, 300-200-02, 300-200-22, 300-200-23), multiple dwelling unit residential (at a density of 0-20 dwelling units per acre or the maximum number of dwelling unit specified for the parcel in the certified Housing Element, whichever is greater) that includes affordable housing for lower income households shall be an allowed use in the PF zone. State law defines a lower income household as people or families whose gross income does not exceed 80 percent of Area Median Income (AMI) and includes low income, very low income, and extremely low-income households.
 - 1. Proposed multiple dwelling unit residential development shall comply with the maximum height and setbacks specified in Section 30.31.070 and with the maximum floor area and lot coverage applicable to adjacent properties with a common boundary in accordance with the certified Local Coastal Program.
 - 2. Project design shall minimize bulk and mass and consider and include design features to preserve privacy on neighboring residential properties.
 - 3. Project design shall consider and include design features to preserve views to the ocean and shall maintain public scenic views and public access protections consistent with the certified Local Coastal Program.

3.13.2024

15162 Analysis: CC Zone and PF Zone Amendments

The proposed project involves amendments to the City of Del Mar General Plan (Del Mar Community Plan), Municipal Code, and certified Local Coastal Program (LCP) relating to the Central Commercial (CC) Zone and Public Facilities (PF) Zone to allow residential development at a density of 20 dwelling units per acre. The amendments are required to implement two housing programs (Program 1C and Program 1H) in the City's 6th Cycle Housing Element. The purpose is to create zoning capacity for future development of multi-unit projects that include affordable housing for lower income households.

CEQA Determination

The City as lead agency has determined, pursuant to CEQA Guidelines Section 15162 and based on substantial evidence in light of the whole record that no subsequent or supplemental EIR is required to be prepared for the project. The following analysis was prepared to substantiate this determination.

On October 5, 2020, the 6th Cycle Housing Element Final Program Environmental Impact Report (PEIR) and Mitigation, Monitoring, and Reporting Program (MMRP) was certified by the City Council (State Clearinghouse (SCH) No. 2020029064) covering environmental analysis for the City's Housing Element plan and implementation programs. This Final PEIR analyzed the potential for affordable housing on parcels in the CC zone and the PF zone, including the two City-owned 10th Street and 28th Street vacant parcels that are listed in the City's Housing Element sites inventory.

The 6th Cycle Final PEIR, including the MMRP, is available for review at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020

Pursuant to CEQA Guidelines Section 15162, no subsequent or supplemental EIR is required, in that no substantial evidence has been submitted demonstrating that substantial changes are proposed involving new significant effects or an increase in the severity of previously identified effects; no substantial changes have occurred with respect to the circumstances under which implementation of the Housing Element programs are being adopted; and no new information has demonstrated that new significant effects will occur. Future development in the CC Zone and PF Zone will be subject to additional CEQA analysis at the project level as applicable, and at a minimum will be required to comply with the 6th Cycle PEIR MMRP mitigation measures and the objective standards of the City's certified LCP. In circumstances where State Housing law may impose ministerial permit processing, each Administrative Coastal Development Permit decision would require a finding that the proposed development is consistent with the requirements of the certified Local Coastal Program including the following protections for coastal resources:

- Public access and public recreation policies of Coastal Act Chapter 3, which require preservation of on-street parking to ensure public access to the shoreline will be maintained and account for the prioritization of coastal dependent uses over residential use in commercial zones in certain circumstances;
- Beach Overlay Zone and Setback Seawall Zone provisions and Chapter 3 Policies of Coastal Act relating to shoreline protection;
- Provisions for protection of public scenic views in accordance with the LCP Land Use Plan policies IV-22 through IV-27; and
- Provisions for protection of wetlands and environmentally sensitive habitat areas, which include the City's very high fire hazard severity areas.

CC Zone Analysis

The Program 1C housing strategy to create additional housing capacity in the CC Zone was analyzed in the 6th Cycle Housing Element PEIR. There are 56 parcels in the CC Zone, which were grouped into 39 potential housing sites to reflect locations where contiguous lots are held under the same ownership.

Other than the change in density to allow up to 20 dwelling units per acre, there will be no change to the existing development standards. The existing height limit will continue to apply which is a maximum of 26 feet above grade and an additional height limitation on the west side of Camino del Mar of 14 feet maximum above the curb elevation. The analysis identified that there are existing non-conforming structures in the CC zone that are as high as 30 feet above grade on the east side of Camino del Mar (across from the Civic Center) and that on the west side of Camino del Mar the existing structures generally conform to a maximum 14 feet above the curb elevation on Camino del Mar.

Initially, staff identified only 14 sites in the CC Zone that may be eligible for State Density Bonus law (DBL). However, following Planning Commission’s review, seven additional small sites were added to the list of eligible sites to account for State DBL rules that provide for rounding up of the allowable unit count to the nearest whole number (e.g., rounding up 4.2 units to 5 units) instead of traditional rounding to the nearest whole number. As a result, staff identified 18 sites in the CC zone with development potential at four units or less (20 du/ac), and that the remaining 21 potential housing sites would allow 5 units or more per lot and therefore may be eligible to process Density Bonus projects per State DBL. See tables below.

The 21 potential density bonus sites are spread along the east and west sides of the Camino del Mar commercial corridor and include three sites in the 900 block, two sites in the 1000 block, five small sites in the 1100 block, three sites in the 1200 block, three sites in the 1300 block, four sites in the 1400 block, and one site on 15th Street. The range of housing capacity on these sites at a base density of 20 dwelling units per acre would be 5 to 17 dwelling units (pre-density bonus) with a combined housing capacity ranging between 154-243 units. New development would be required to reserve a percentage of the units as deed restricted lower income. Future housing development in the CC Zone will be subject to additional CEQA analysis at the project level as applicable, and at a minimum will be required to comply with the 6th Cycle PEIR MMRP mitigation measures and the objective standards of the City’s certified LCP.

Dwelling Unit (du) Potential in CC Zone – May be Eligible to Process Density Bonus Project at 20 du/acre					
	Site	Lot Size	Side of CDM	Base Density Units (pre-density bonus)	With Max 50% Density Bonus
1	915 Camino del Mar/300 9th Street	0.39 acres (16,908 sf)	East	8 dus	12 dus
2	910 Camino del Mar	0.34 acres (14,941 sf)	West	7 dus	11 dus
3	APNs 300-172-13, -14 (vacant) 10th Street/Camino del Mar	0.44 acres (19,166 sf)	West	9 dus	14 dus
4	1011 Camino del Mar	0.65 acres (28,353 sf)	East	13 dus	20 dus
5	1047 Camino del Mar	0.51 acres (22,188 sf)	East	11 dus	17 dus

6	1135 Camino del Mar	0.30 acres (13,195 sf)	East	6 dus	9 dus
7	1110 Camino del Mar	0.30 acres (13,392 sf)	West	6 dus	9 dus
8	1104 Camino del Mar	0.21 acres (9,461 sf)	West	5 dus	8 dus
9	1101-1105 CDM	0.23 acres (10,216 sf)	East	5 dus	8 dus
10	1125 Camino del Mar	0.24 acres (10,475 sf)	East	5 dus	8 dus
11	1201 Camino del Mar	0.45 acres (19,649 sf)	East	9 dus	14 dus
12	1219-1229 CDM	0.32 acres (14,222 sf)	East	7 dus	11 dus
13	1234 Camino del Mar	0.33 acres (14,739 sf)	West	7 dus	11 dus
14	1310-1312 CDM	0.24 acres (10,650 sf)	West	5 dus	8 dus
15	1330-1342 CDM	0.24 acres (10,779 sf)	West	5 dus	8 dus
16	1327-1349 CDM and 317 14th Street	0.84 acres (36,377 sf)	East	17 dus	26 dus
17	1401 Camino del Mar	0.25 acres (11,029 sf)	East	5 dus	8 dus
18	1431 Camino del Mar	0.44 acres (19,165 sf)	East	9 dus	14 dus
19	1404 Camino del Mar	0.33 acres (14,244 sf)	West	7 dus	11 dus
20	1438 Camino del Mar	0.21 acres (9,375 sf)	West	5 dus	8 dus
21	201-211 15 th Street	0.21 acres (9,300 sf)	N/A	5 dus	8 dus

Sites in CC Zone – Not Eligible to Process Density Bonus Project per State Density Bonus Law (DBL) (Minimum Base Density of 5 Dwelling Units per Project is Required per DBL)			
	Site	Lot Size	Unit Potential (20 du/ac)
1	318 9 th Street	0.19 acres (8,453 sf)	3 dus
2	240 9 th Street	0.19 acres (8,420 sf)	3 dus
3	944 Camino del Mar	0.19 acres (8,488 sf)	3 dus
4	1130 Camino del Mar	0.16 acres (6,992 sf)	3 dus
5	1140 Camino del Mar	0.09 acres (3,980 sf)	1 du
6	APN 300-092-15 (vacant)	0.09 acres (4,081 sf)	1 du
7	243 12 th Street	0.19 acres (8,580 sf)	3 dus
8	1237 Camino del Mar	0.19 acres (8,454 sf)	3 dus
9	1247 Camino del Mar	0.13 acres (5,938 sf)	2 dus
10	1202 Camino del Mar	0.18 acres (8,151 sf)	3 dus
11	1212 Camino del Mar	0.14 acres (6,081 sf)	2 dus
12	1226 Camino del Mar	0.14 acres (6,122 sf)	2 dus
13	1302 Camino del Mar	0.14 acres (6,063 sf)	2 dus

14	1328 Camino del Mar	0.07 acres (3,412 sf)	1 du
15	1412, 1414 Camino del Mar	0.16 acres (7,100 sf)	3 dus
16	1424 Camino del Mar	0.16 acres (7,100 sf)	3 dus
17	221 15 th Street	0.14 acres (6,230 sf)	2 dus
18	215 15 th Street	0.07 acres (3,100 sf)	1 du

PF Zone Analysis

The Program 1H housing strategy confirms available housing capacity on publicly-owned sites in the PF Zone, excluding the Shores Park site (APNs 300-200-01, 300-200-02, 300-200-22, 300-200-23). The amendments would create nine potential housing sites for small multi-unit development. Each site was previously analyzed in accordance with CEQA in the 6th Cycle Housing Element PEIR as identified above. All future housing development on these sites would be subject to additional CEQA analysis at the project level and the City's typical discretionary design review permit/coastal development permit process.

The 6th Cycle Housing Element identified these two sites for development of seven lower income units:

- **28th Street Vacant lot** (3 small lower income units) – This vacant lot is located in the Floodplain Overlay Zone and Coastal Commission Appeals boundary and would be required to implement all applicable mitigation measures identified in the 6th Cycle Housing Element PEIR; and
- **10th Street Vacant lot at Civic Center complex** (4 small lower income units) – There are no environmentally sensitive resources in this location. Future development would be required to implement all applicable mitigation measures identified in the 6th Cycle Housing Element PEIR.

The additional seven PF zone sites were not identified as housing sites in the 6th Cycle Housing Element. Future development on these sites would be subject to additional CEQA analysis at the project level:

- **Del Mar Library** - up to 5 units on 0.27 acres (11,924 sf)
- **U.S. Post Office** - up to 15 units; 0.79 acres (34,372 sf)
- **Pine Needles Water Tower** – up to 4 units; 0.20 acres (8,728 sf)
- **Crest Water Tower** – up to 6 units; 0.31 acres (13,708 sf)
- **11th Street Water Tower** – up to 15 units; 0.77 acres (33,513 sf)
- **Zuni Water Tower** – up to 12 units; 0.63 acres (27,479 sf)
- **Additional lots at Civic Center Complex** (300-093-15, -16, and -18) – up to 29 units (1.46 acres)

6th Cycle Housing Element PEIR MMRP Mitigation Measures

The 6th Cycle PEIR MMRP is available here: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020. These mitigation measures would be applied to future housing projects to minimize the potential for impacts related to the following potentially significant issue categories: biological resources, cultural resources, geology and soils/paleontological resources, hazards/hazardous materials, noise and vibration, and tribal cultural resources. Future development would also be subject to compliance with the objective standards of the City's certified LCP and additional project-specific mitigation if applicable.

SITES ANALYSIS

The City of Del Mar is an urbanized, small community that has limited capacity for new housing development. The City's Housing Element for the planning period (2021-2029) requires that the City Council take action to amend the General Plan, Local Coastal Program, and Zoning Code to allow residential development at a density to accommodate affordable housing for lower income households, which in Del Mar is a density of at least 20 dwelling units per acre. Generally, there are few vacant lots or lots of a size that can yield multiple dwelling unit projects with low, very low, and extremely low-income units.

This sites analysis identifies detailed information for each potential housing site in the Central Commercial (CC) Zone and Public Facilities (PF) Zone including the following details:

- Assessor Parcel Number (APN) and Address
- Size (Acres)
- Overlay Zones (if applicable)
- Existing On-site Uses and Availability of Land for Residential Development
- Density
- Potential Development Capacity (Dwelling Units)
- Whether Site Location would be eligible to apply for State Affordable Housing Density Bonus
- Maximum Height per Base Zone

There are 56 parcels in the CC zone, which for the purpose of the sites analysis the City organized into 39 potential housing site locations where contiguous parcels with common ownership are considered one site. In the PF zone, the City analyzed 10 public facility locations total and identified Shores Park as a facility that is excluded from the allowance for housing.

For each potential housing site location, the City estimated the potential units based on a density of 20 dwelling units per acre, except for the two vacant parcels in the PF Zone on 10th Street and 28th Street, which the Housing Element identifies a specific unit count for.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the sites in the CC Zone and PF Zone were analyzed in detail in the 6th Cycle HEU Final Program Environmental Impact Report (PEIR) for the Housing Element. The PEIR and associated Mitigation, Monitoring, and Reporting Program (MMRP) were certified by the City Council on October 5, 2020 (State Clearinghouse (SCH) No. 2020029064). The 6th Cycle Final PEIR is available at: www.delmar.ca.us/DocumentCenter/View/7171/Final-PEIR-91020

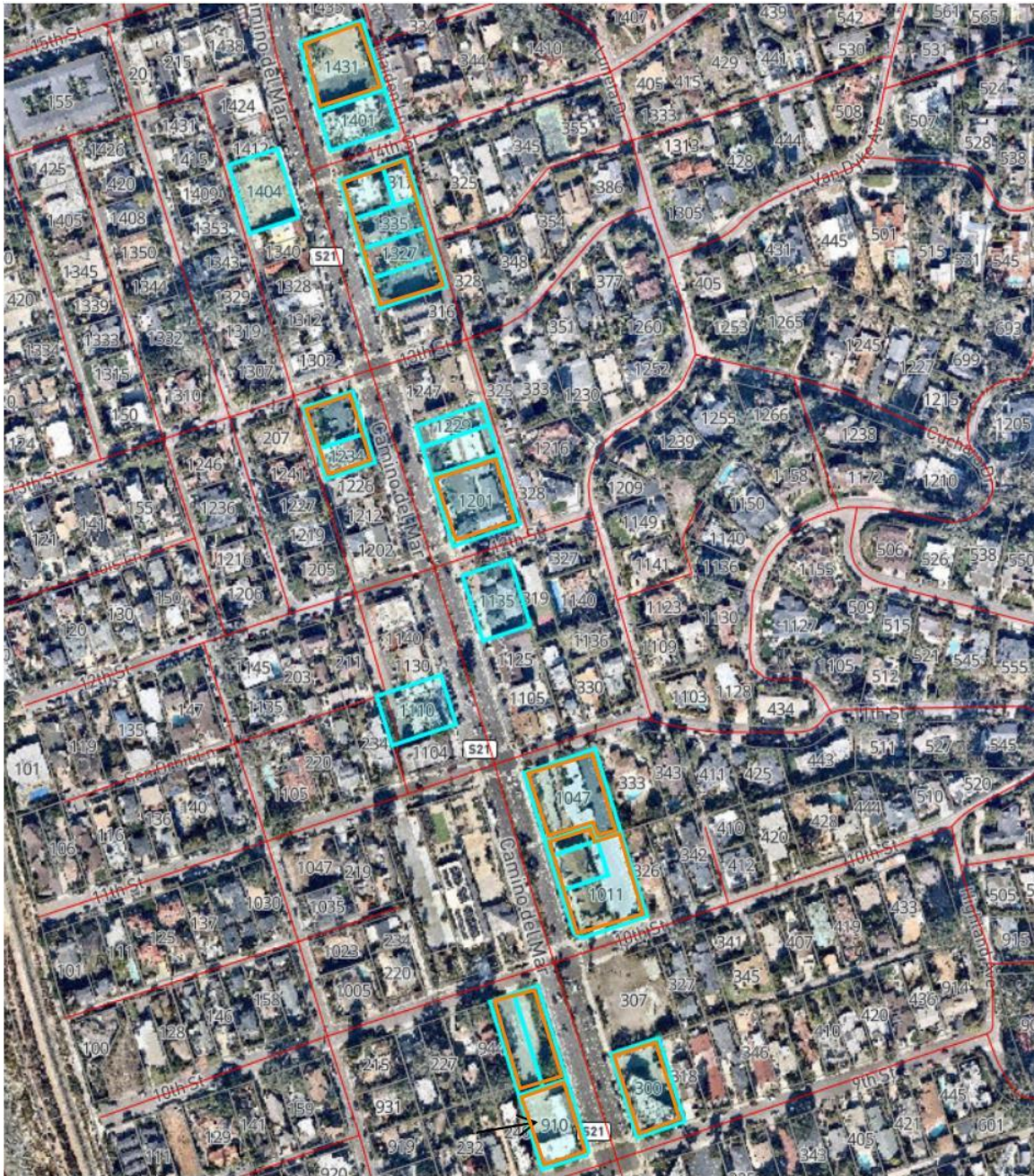
Environmental analysis of future housing potential in the Neighborhood Commercial (NC), Professional Commercial (PC), and Public Facilities (PF) zones was also covered, in part, by a separate PEIR (SCH No. 2019029058) prepared for implementation of the 5th Cycle Housing Element. The NC/PC PEIR was certified by the City Council on September 8, 2020, and is available at: www.delmar.ca.us/Archive.aspx?ADID=1428.




Sites in the Central Commercial (CC) Zone

The CC Zone is the City's main commercial corridor. This zone runs along the westerly and easterly sides of Camino del Mar between 9th Street and 15th Street and is located in the central portion of the City.

There are 56 parcels in the CC zone, which for the purpose of the sites analysis the City organized into 39 potential housing site locations where contiguous parcels with common ownership are considered one site. Based on the City's inclusionary housing requirements and State density bonus requirements, a portion of the potential units would be required to be reserved as affordable units for lower income households. Affordable units are most likely to be created through density bonus projects in accordance with State Affordable Housing Density Bonus law. The analysis identified a total of 14 sites with a unit potential of at least five units that would be eligible to apply for density bonus projects. The remaining 25 potential housing sites analyzed in the CC zone are small lots with a maximum potential of four or fewer units that are not eligible for State density bonuses and less likely to be redeveloped with housing.

Central Commercial Zone Properties Eligible for Density Bonus



<p>1" = 314 ft</p>	<p> Sites Eligible for Density Bonus</p>	<p> Sites with greatest potential</p>	<p> CC Zone Boundary</p>
<p>This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.</p>			


Following is a block-level analysis of existing development locations in the CC Zone.

CC ZONE – Block 9th Street to 10th Street




The west side of this block includes three potential housing sites in the CC zone that would be eligible for density bonus projects and three sites that would not be eligible for density bonus projects. The adjacent zone to the west is the R2 zone, which allows for one-unit and two-unit residential development.


910 Camino del Mar

APN: 300-172-17 Address: 910 Camino del Mar	Multi-Tenant including Personal Services Uses
Total Parcel Size: 0.34 acres (14,941 sq. ft.)	Non-vacant site. Existing Use: Commercial Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 7 units base density; up to 11 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u> Maximum Allowed Height per zone: 26 feet above grade, and 14 feet above curb elevation adjacent to Camino del Mar Height of existing building: 14 feet, as measured from Camino del Mar curb	
Source: https://new.geoviewer.io/	


240 9th Street

APN: 300-172-09 Address: 240 9 th Street	Multi-Tenant Medical Offices
Total Parcel Size: 0.19 acres (8,420 sq. ft.)	Non-vacant site. Existing Use: Commercial Office Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 3 units Maximum Allowed Height: 26 feet	
Source: https://new.geoviewer.io/	

944 Camino del Mar

APN: 300-172-04 Address: 944 Camino del Mar	Les Artistes Hotel
Total Parcel Size: 0.19 acres (8,488 sq. ft.)	Non-vacant site. Existing Use: Hotel
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 3 units Maximum Allowed Height: 26 feet	
Source: https://new.geoviewer.io/	

Vacant Lots at Southwest Corner of 10th Street and Camino del Mar (2 parcels)


<p>APN: 300-172-13; 300-172-14</p>	
<p>Total Parcel Size: 0.44 acres (19,166 sq. ft.)</p>	<p>Vacant sites. Conceptual plan:</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 9 units base density; up to 14 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus</u></p> <p>Maximum Allowed Height per zone: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	
	<p>PERSPECTIVE FROM NORTHEAST Source: Stephen Dalton Architects</p> <p>It is important to note that the site concept above shows massing of a potential development for the purpose of identifying the relative scale of a 9-unit project that meets the zone density (20 du/ac), height (14 feet maximum above curb elevation adjacent to Camino del Mar and maximum 26 feet above grade), and square footage (maximum 45% floor area and maximum 60% lot coverage) in compliance with the base zone. This is not intended as an architectural design or proposed project.</p>

The east side of this block includes one potential CC zone housing site that would be eligible for a density bonus project and one site that would not be eligible for a density bonus project. The adjacent zone to the north is the 941 Camino del Mar Specific Plan. The adjacent zones to the east include the RM-Central zone which is immediately adjacent and the R1-10 zone located in the hillside neighborhood at a higher elevation to the east.

318 9th Street

APN: 300-221-23 Address: 318 9 th Street	Multi-Tenant Medical Office and Personal Services
Total Parcel Size: 0.19 acres (8,453 sq. ft.)	Non-vacant site. Existing Use: Multi-tenant Professional Office Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum Unit potential: 3 units Maximum Allowed Height: 26 feet	
Source: https://new.geoviewer.io/	

915 Camino del Mar (Commercial) and 300 9th Street (Accessory Unit)

<p>APN: 300-221-34 Addresses: 915 Camino del Mar and 300 9th Street</p>	<p>Multi-Tenant Commercial Services and Personal Services</p>
<p>Total Parcel Size: 0.39 acres (16,908 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial Building; and one accessory dwelling unit located in building.</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum Unit potential: 8 units base density; up to 12 units maximum with 50% density bonus</p>	
<p><u>Eligible for State Affordable Housing Density Bonus</u> Maximum Allowed Height: 26 feet Height of existing building: 24.5 feet</p>	
<p>Source: https://new.geoviewer.io/</p>	


CC ZONE – Block 10th Street to 11th Street




The west side of this block does not include any CC zone properties. Along Camino del Mar is the Del Mar Civic Center complex that is located in the PF zone. The adjacent zone to the west is the R2 zone, which allows for one-unit and two-unit development.

The east side of this block includes two CC zone housing sites that would be eligible for density bonus projects. The adjacent zones to the east include the RM-Central zone which is immediately adjacent, and the R1-10 zone located in the hillside neighborhood at a higher elevation to the east.

1011 Camino del Mar (3 parcels)

<p>APN: 300-410-27; 300-410-28; 300-410-29 Address: 1011 Camino del Mar</p>	<p>Multi-tenant Commercial Retail, Personal Services, and Chin's Szechuan Restaurant</p>
<p>Total Size of 3 parcels : 0.65 acres (28,353 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial including Restaurant</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 13 units base density; up to 20 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus</u></p> <p>Maximum Allowed Height: 26 feet</p> <p>Height of existing buildings: 30 feet (legal non-conforming)</p>	
<p>Source: https://new.geoviewer.io/</p>	

1047 Camino del Mar

APN: 300-410-26 Address: 1047 Camino del Mar	Multi-Tenant Commercial Services
Total Size: 0.51 acres (22,188 sq. ft.)	Non-vacant site. Existing Use: Multi-Tenant Commercial
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 11 units base density; up to 17 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus</u> Maximum Allowed Height: 26 feet Height of existing buildings: 20 feet	

Source: <https://new.geoviewer.io/>

CC ZONE – Block 11th Street to 12th Street




The west side of this block includes one CC zone potential housing site that would be eligible for density bonus projects and three sites that would not be eligible for density bonus projects. The adjacent zone to the west is the R2 zone, which allows for one-unit and two-unit development.


1104 Camino del Mar

<p>APN: 300-092-14 Address: 1104 Camino del Mar</p>	<p>Multi-Tenant Commercial including Real Estate and Medical Offices</p>
<p>Total Size: 0.21 acres (9,461 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial Building; property also includes parking in Del Mar Lane alley</p> 
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus Project</u></p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	
<p>Source: https://new.geoviewer.io/</p>	

1110 Camino del Mar

<p>APN: 300-092-13 Address: 1110 Camino del Mar</p>	<p>Multi-Tenant including Bank and Commercial Services</p>
<p>Total Size: 0.30 acres (13,392 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial; property also includes parking in Del Mar Lane alley</p> 
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 6 units base density; up to 9 units maximum with 50% density bonus</p>	
<p><u>Eligible for State Affordable Housing Density Bonus</u></p>	
<p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p> <p>Height of existing building: 14 feet, as measured from Camino del Mar curb</p>	
<p>Source: https://new.geoviewer.io/</p>	

1130 Camino del Mar

APN: 300-092-07 Address: 1130 Camino del Mar	Multi-Tenant Commercial including Medical Office, Commercial Services, and Personal Services
Total Size: 0.16 acres (6,992 sq. ft.)	Non-vacant site. Existing Use: Multi-Tenant Commercial Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum Unit potential: 3 units Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	


Source: <https://new.geoviewer.io/>

1140 Camino del Mar


APN: 300-092-06 Address: 1140 Camino del Mar	Coya Peruvian Secret Restaurant
Total Size: 0.09 acres (3,980 sq. ft.)	Non-vacant site. Existing Use: Restaurant
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum Unit potential: 1 unit Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	

Source: <https://new.geoviewer.io/>

Vacant lot between 1130 Camino del Mar and 211 12th Street (Del Mar Lane)

<p>APN: 300-092-15</p>	
<p>Total Size: 0.09 acres (4,081 sq. ft.)</p>	<p>Non-vacant site. Parcel is utilized as vehicular alley</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 1 unit</p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	
<p>Source: https://new.geoviewer.io/</p>	

243 12th Street


<p>APN: 300-092-16 Address: 243 12th Street</p>	<p>Multi-Tenant Commercial Offices and Commercial Services</p>
<p>Total Size: 0.19 acres (8,580 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial Building; property also includes Del Mar Lane alley</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 3 units</p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	
<p>Source: https://new.geoviewer.io/</p>	

The east side of this block includes one CC zone potential housing site that would be eligible for a density bonus project and three sites that would not be eligible for density bonus projects. The adjacent zones to the east include the RM-Central zone which is immediately adjacent and the R1-10 zone located in the hillside neighborhood at a higher elevation to the east.

1101-1105 Camino del Mar (2 parcels)


APN: 300-401-09; 300-401-10 Address: 1101 and 1105 Camino del Mar	Multi-Tenant Commercial Services and Retail and one accessory unit
Total Size of 2 parcels: 0.23 acres (10,216 sq. ft.)	Non-vacant sites. Existing Uses: Multi-Tenant Commercial Buildings; one dwelling unit located on second floor of 1101
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u>	
Maximum Allowed Height: 26 feet	building Source: https://new.geoviewer.io/

1125 Camino del Mar

<p>APN: 300-401-03 Address: 1125 Camino del Mar</p>	<p>Multi-Tenant Professional Office, Real Estate Office, and Commercial Services</p>
<p>Total Size: 0.24 acres (10,475 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus Project</u></p> <p>Maximum Allowed Height: 26 feet</p>	

Source: <https://new.geoviewer.io/>

1135 Camino del Mar

<p>APN: 300-401-15 Address: 1135 Camino del Mar</p>	<p>Multi-Tenant Commercial Retail and Commercial Services</p>
<p>Total Size: 0.30 acres (13,195 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 6 units base density; up to 9 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus</u></p>	
<p>Maximum Allowed Height per zone: 26 feet</p> <p>Height of existing building: Unknown. Structures on site vary between one story and two story.</p>	


Source: <https://new.geoviewer.io/>

CC ZONE – Block 12th Street to 13th Street



The west side of this block includes one CC zone potential housing site that would be eligible for a density bonus project and three sites that would not be eligible for density bonus projects. The adjacent zone to the west is the R2 zone, which allows for one-unit and two-unit development.


1202 Camino del Mar

APN: 300-074-06 Address: 1202 Camino del Mar	Multi-Tenant Commercial Retail Food/Beverage Services
Total Size: 0.18 acres (8,151 sq. ft.)	Non-vacant site. Existing Use: Multi-Tenant Commercial
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 3 units Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	

1212 Camino del Mar


APN: 300-074-07 Address: 1212 Camino del Mar	Commercial Retail Food/Beverage Services
Total Size: 0.14 acres (6,081 sq. ft.)	Non-vacant site. Existing Use: Commercial Retail Food/Beverage Services
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 2 units Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	

1226 Camino del Mar

<p>APN: 300-074-08 Address: 1226 Camino del Mar</p>	<p>Multi-Tenant Commercial with Real Estate Office, Retail Food and Beverage, and One Accessory Unit</p>
<p>Total Size: 0.14 acres (6,122 sq. ft.)</p>	<p>Non-vacant site. Existing Use: Multi-Tenant Commercial with one accessory dwelling unit</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 2 units</p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	

Source: <https://new.geoviewer.io/>


1234 Camino del Mar (2 parcels)

<p>APNs: 300-074-09; 300-074-10 Address: 1234 Camino del Mar</p>	<p>Vacant Commercial Building</p>
<p>Total Size of 2 parcels: 0.33 acres (14,739 sq. ft.)</p>	<p>Existing use: Vacant Commercial and accessory parking lot</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 7 units base density; up to 11 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus</u></p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p> <p>Height of existing building: 11 feet, as measured from Camino del Mar curb</p>	

Source: <https://new.geoviewer.io/>


The east side of this block includes two CC zone potential housing sites that would be eligible for density bonus projects and two sites that would not be eligible for density bonus projects . The adjacent zones to the east include the RM-Central zone which is immediately adjacent and the R1-10 zone located in the hillside neighborhood at a higher elevation to the east.

1201 Camino del Mar

APN: 300-075-06 Address: 1201 Camino del Mar	Multi-Tenant Commercial including Beeside Balcony, Salt+Lime, and Social Grilling Ibbq Restaurants
Total Size: 0.45 acres (19,649 sq. ft.)	Non-vacant site. Existing Use: Multi-Tenant Commercial Building with Restaurants
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 9 units base density; up to 14 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus</u> Maximum Allowed Height per zone: 26 feet Height of existing building: 26 feet	


Source: <https://new.geoviewer.io/>

1219-1229 Camino del Mar (2 parcels)


APNs: 300-075-04; 300-075-05 Address: 1219 and 1229 Camino del Mar	Multi-Tenant Commercial including Commercial Services, Personal Services, and Real Estate Office
Total Size of 2 parcels: 0.32 acres (14,222 sq. ft.)	Non-vacant. Existing Uses: Multi-Tenant Commercial
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 7 units base density; up to 11 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus</u> Maximum Allowed Height per zone: 26 feet Height of existing building at 1219: 25 feet Height of existing building at 1229: 20 feet	

Source: <https://new.geoviewer.io/>

1237 Camino del Mar

APN: 300-075-09 Address: 1237 Camino del Mar	Multi-Tenant Commercial Offices including Real Estate Offices
Total Size: 0.19 acres (8,454 sq. ft.)	Non-vacant site. Existing Use: Commercial Office Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 3 units Maximum Allowed Height: 26 feet	
Source: https://new.geoviewer.io/	

1247 Camino del Mar


APN: 300-075-01 Address: 1247 Camino del Mar	Zel's Del Mar Restaurant
Total Size: 0.13 acres (5,938 sq. ft.)	Non-vacant site. Existing Use: Restaurant
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 2 units Maximum Allowed Height: 26 feet	
Source: https://new.geoviewer.io/	

CC ZONE – Block 13th Street to 15th Street



The west side of these blocks includes one CC zone potential housing site that would be eligible for a density bonus project and 10 sites that would not be eligible for density bonus projects . The adjacent zone to the west is the Residential-Commercial (RC) zone, which allows for one-unit and two-unit development per the R2 zone. The Stratford Square building at the corner of 15th Street and Camino del Mar is also located in the Historic Preservation Overlay Zone.

1302 Camino del Mar

<p>APN: 300-012-13 Address: 1302 Camino del Mar</p>	<p>Commercial Office</p>
<p>Total Size: 0.14 acres (6,063 sq. ft.)</p>	<p>Non-vacant site. Existing use: Commercial Office Building</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p> <p>Unit potential: 2 units</p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	


Source: <https://new.geoviewer.io/>

1310-1312 Camino del Mar (3 parcels)

<p>APN: 300-012-14; 300-012-33; 300-012-34 Address: 1310 and 1312 Camino del Mar</p>	<p>Multi-Tenant Commercial Office including Real Estate Office</p>
<p>Total Size of 3 parcels: 0.24 acres (10,650 sq. ft.)</p>	<p>Non-vacant sites. Existing uses: Multi-tenant Commercial Office</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p> <p>Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus Project</u></p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	


Source: <https://new.geoviewer.io/>

1328 Camino del Mar

APN: 300-012-17 Address: 1328 Camino del Mar	Del Mar Seaside Grill Restaurant
Total Size: 0.07 acres (3,412 sq. ft.)	Non-vacant site. Existing use: Restaurant
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum Unit potential: 1 unit Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	

Source: <https://new.geoviewer.io/>

1330-1342 Camino del Mar (3 parcels)

APN: 300-012-18; 300-012-19; 300-012-20 Address: 1330, 1340, and 1342 Camino del Mar	Multi-Tenant Commercial Office and En Fuego Restaurant
Total Size of 3 parcels: 0.24 acres (10,779 sq. ft.)	Non-vacant. Existing uses: Commercial Office and Restaurant
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u> Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar	


Source: <https://new.geoviewer.io/>

1404 Camino del Mar

<p>APN: 300-012-35 Address: 1404 Camino del Mar</p>	<p>New Hillstone Restaurant – development pending</p>
<p>Total Size: 0.33 acres (14,244 sq. ft.)</p>	<p>Non-vacant site. Existing use: New Restaurant</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 7 units base density; up to 11 units maximum with 50% density bonus</p> <p><u>Eligible for State Affordable Housing Density Bonus Project</u></p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p> <p>Height of restaurant currently under construction: 14 feet, as measured from Camino del Mar curb</p>	


Source: <https://new.geoviewer.io/>

1412-1414 Camino del Mar (2 parcels)

<p>APNs: 300-012-25; 300-012-26 Addresses: 1412 and 1414 Camino del Mar</p>	<p>Multi-Tenant Commercial Retail Services</p>
<p>Total Size of 2 parcels: 0.16 acres (7,100 sq. ft.)</p>	<p>Non-vacant sites. Existing use: Commercial Retail</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 3 units</p> <p>Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	


Source: <https://new.geoviewer.io/>

1424 Camino del Mar

<p>APN: 300-012-31 Address: 1424 Camino del Mar</p>	<p>Multi-Tenant Commercial Retail and Real Estate Office</p>
<p>Total Size: 0.16 acres (7,100 sq. ft.)</p>	<p>Non-vacant site. Existing use: Commercial Retail and Real Estate</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 3 units Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	


Source: <https://new.geoviewer.io/>

1438 Camino del Mar


<p>APN: 300-012-31 Address: 1438 Camino del Mar</p>	<p>Stratford Square Multi-Tenant including Commercial Real estate Office, Retail Food and Beverage, and Harry's Coffee Shop and Jimmy O's Restaurants</p>
<p>Total Size: 0.21 acres (9,375 sq. ft.)</p>	<p>Non-vacant site. Existing use: Commercial Building</p>
<p>Base Zone: Central Commercial Overlay Zone: Historic Preservation</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u> Maximum Allowed Height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar</p>	

Source: <https://new.geoviewer.io/>


221 15th Street

<p>APN: 300-012-03 Address: 221 15th Street</p>	<p>Real Estate Office</p>
<p>Total Size: 0.14 acres (6,230 sq. ft.)</p>	<p>Non-vacant. Existing use: Commercial Office</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 2 units Maximum Allowed Height: 26 feet</p>	
<p>Source: https://new.geoviewer.io/</p>	

215 15th Street

<p>APN: 300-012-02 Address: 215 15th Street</p>	<p>Sbicca Del Mar Restaurant</p>
<p>Total Size: 0.07 acres (3,100 sq. ft.)</p>	<p>Non-vacant site. Existing use: Restaurant</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 1 unit Maximum Allowed Height: 26 feet</p>	
<p>Source: https://new.geoviewer.io/</p>	


201-211 15th Street (3 parcels)

<p>APNs: 300-012-28; 300-012-29; 300-012-30 Address: 201, 207, and 211 15th Street</p>	<p>Multi-Tenant Commercial including Commercial Retail and Retail Food and Beverage Services</p>
<p>Total Size of 3 parcels: 0.21 acres (9,300 sq. ft.)</p>	<p>Non-vacant sites. Existing uses: Multi-Tenant Commercial</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus</p>	
<p><u>Eligible for State Affordable Housing Density Bonus Project</u></p>	
<p>Maximum Allowed Height: 26 feet</p>	


Source: <https://new.geoviewer.io/>

The east side of these blocks includes three CC zone potential housing sites that would be eligible for density bonus projects. The adjacent zones to the east include the RM-Central zone which is immediately adjacent and the R1-10 zone located in the hillside neighborhood at a higher elevation to the east.

1327-1349 Camino del Mar (5 parcels)


<p>APNs: 300-020-01; 300-020-02; 300-020-03; 300-020-04; 300-020-05 Address: 1327, 1335, and 1349 Camino del Mar and 317 14th Street</p>	<p>Multi-Tenant Medical Offices and Commercial Retail</p>
<p>Total Size of 5 parcels: 0.84 acres (36,377 sq. ft.)</p>	<p>Four non-vacant lots. Existing Uses: Medical Offices and Commercial Retail and accessory parking</p>
<p>Base Zone: Central Commercial Overlay Zone: None</p>	
<p>Proposed density: 20 du/acre maximum Unit potential: 17 units base density; up to 26 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u></p>	
<p>Maximum Allowed Height per zone: 26 feet Height of existing buildings: 20 feet for two-story office buildings; Commercial Retail building is one-story, height unknown</p>	
<p>Source: https://new.geoviewer.io/</p>	

1401 Camino del Mar

APN: 300-030-04 Address: 1401 Camino del Mar	Multi-Tenant Commercial including Medical Offices and Commercial Offices
Total Size: 0.25 acres (11,029 sq. ft.)	Non-vacant site. Existing use: Commercial Office Building
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 5 units base density; up to 8 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u> Maximum Allowed Height per zone: 26 feet Height of existing building: 28 feet	

Source: <https://new.geoviewer.io/>

1431 Camino del Mar





APN: 300-030-83 Address: 1431 Camino del Mar	Medical Office
Total Size: 0.44 acres (19,165 sq. ft.)	Non-vacant site. Existing use: Medical Office
Base Zone: Central Commercial Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit potential: 9 units base density; up to 14 units maximum with 50% density bonus <u>Eligible for State Affordable Housing Density Bonus Project</u> Maximum Allowed Height per zone: 26 feet Height of existing building: 16 feet There is an active Design Review Board project on this site, see DRB23-014, to add a second story element to a portion of the existing one story building.	

Source: <https://new.geoviewer.io/>

Sites in the Public Facilities (PF) Zone

The PF zone applies to nine potential public facilities housing sites. Most of the properties are City-owned (library is County-owned, post office is Federally-owned). **Program 1H** requires the City to amend the PF Zone to make it clear that affordable housing is an allowed use. In June 2022, the City completed feasibility studies and site-specific concepts for two City-owned vacant sites in the PF zone that are listed in the Housing Element Sites Inventory: 10th Street lot (APN: 300-093-17) portion of City Hall Complex. Housing Element Program 3B anticipates the City may develop up to seven lower income units on these sites to meet a portion of the City’s 6th Cycle Housing Element RHNA obligations.


City-Owned Vacant Lot - 10th Street - PF Zone

<p>APN: 300-093-17-00</p>	<p>Owner: City of Del Mar</p>
<p>Parcel size: 0.10 acres (4,356 sf) – small site</p>	<p>There are no known environmental constraints</p>
<p>Vacant site within the City’s Civic Center complex</p> 	<p>Existing use: City-owned vacant site</p>  <p>Source: https://new.geoviewer.io/</p>
<p>Potential for 4 small lower income units on a small vacant lot adjacent to residential (R2) zone</p> 	<p>Maximum height: 26 feet Concept: 4 units within structure designed to look like one single dwelling unit</p>  <p>Source: Stephen Dalton Architects</p>




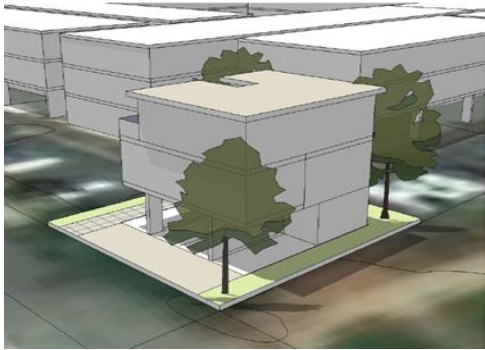

Vacant City-Owned Lot on 10th Street – Site Context



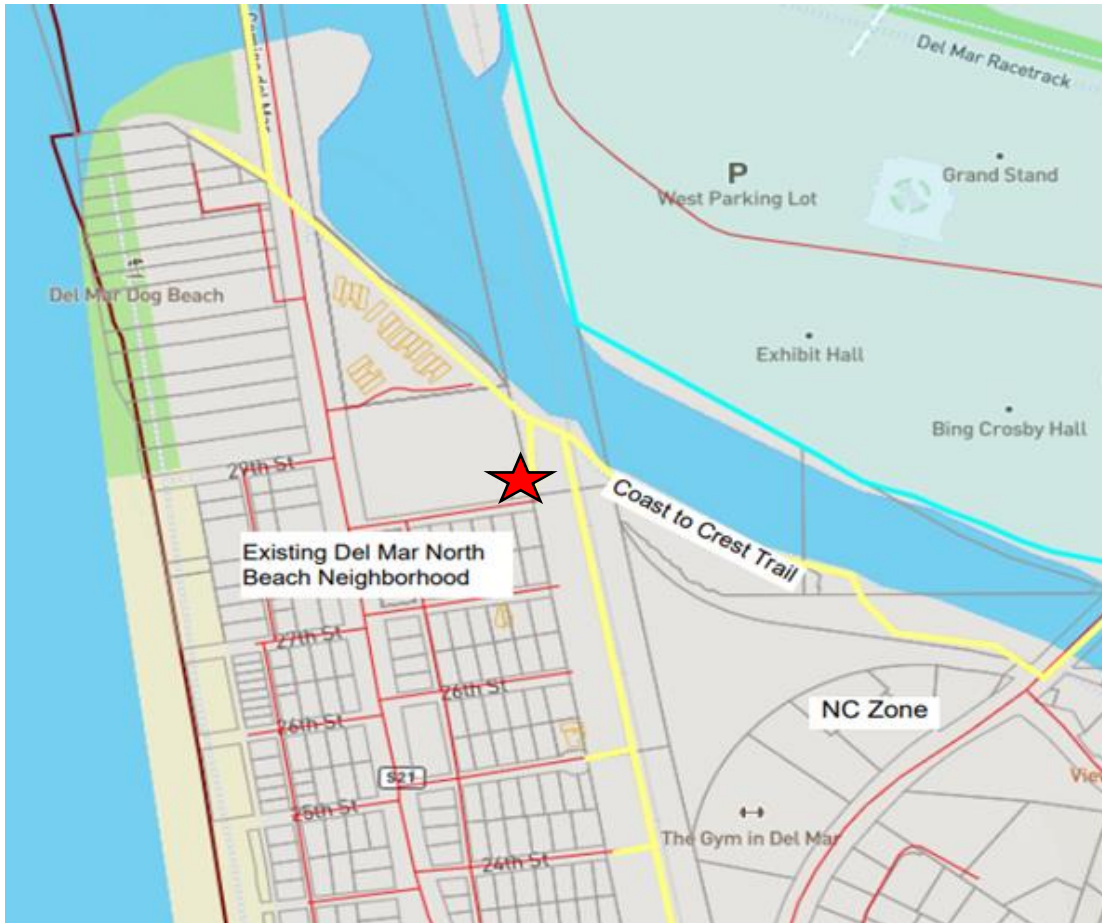
City-Owned Civic Center Lots (Excluding 10th Street Vacant Lot) - PF Zone

<p>APNs 300-093-15, 300-093-16, 300-093-18 Address: 1050 Camino del Mar</p>	<p>Owner: City of Del Mar</p>
<p>Parcel size: 1.46 acres</p>	<p>There are no known environmental constraints.</p>
<p>Proposed density: 20 du/acre maximum Unit potential: 29 units Maximum height: 26 feet above grade and 14 feet above curb elevation adjacent to Camino del Mar This site would provide increased housing capacity opportunities that could be considered by the City Council as potential options to address “no-net loss” circumstances or housing capacity for future housing cycles</p>	<p>Existing use: Civic Center public buildings and adjacent public amenity spaces and parking facilities</p>  <p>Source: https://new.geoviewer.io/</p>

City-Owned Vacant Lot - 28th Street - PF Zone

<p>APN: 299-030-12-00</p>	<p>Owner: City of Del Mar</p>
<p>Parcel size: 0.06 acres (2,614 sf) – small site</p>	<p>Floodplain and Lagoon Overlay Zones</p>
<p>Vacant site adjacent to an existing multi-unit complex in the North Beach neighborhood</p> 	<p>Existing use: City-owned vacant site</p>  <p>Source: https://new.geoviewer.io/</p>
<p>Potential for 3 small lower income units on a small City-owned vacant lot adjacent to RM-East zone</p> 	 <p>Source: <i>Stephen Dalton Architects</i></p>
	<p>The site concept shows massing of a potential 3-unit development for the purpose of showing the relative height (maximum 26 feet above grade) and square footage. These are not architectural designs or proposed projects.</p> <p>This Floodplain site requires that any new habitable areas be located at or above the base flood elevation to minimize effects of flooding and projected sea level rise.</p>

Vacant City-Owned Lot on 28th Street – Site Context




As shown, the City-owned vacant lot on 28th Street, with potential for three lower income units, is located in the North Beach neighborhood, which is a century-old beach level neighborhood that provides public beach access at each street end. The site is located within one block of public transit (101 Bus stop) and within two blocks of the beach. Future units on this lot could be developed to blend in with the existing Beach Colony multiple dwelling unit development that surrounds it to the north and west.

The site is located on the easterly end of 28th Street (east of Camino del Mar) near the San Dieguito River and Lagoon. It is located in the Floodplain Overlay Zone, which means any proposed development would need to be elevated in accordance with federal floodplain management regulations and sited in consideration of projected sea level rise.


The site is connected via a pedestrian path to the Coast to Crest Trail which runs west to east along the San Dieguito River. It is connected to the Riverpath trail loop through Crest Canyon as well as connected to the regional trail system around the San Dieguito Lagoon that runs east to the Volcan Mountain Trailhead in Julian, CA.

Following are PF zone sites that would provide increased housing capacity that could be considered as potential housing sites to address “no-net loss” circumstances or housing capacity for future housing cycles.


Pine Needles Water Tower

<p>APN: 301-025-42</p>	<p>Owner: City of Del Mar</p>
<p>Total Parcel Size: 0.20 acres (8,728 sq. ft.) Parcel size excluding panhandle: 0.16 acres (6,895 sq. ft.)</p>	<p>Located in City's Wildland Urban Interface</p>
<p>Base Zone: Public Facilities Overlay Zone: None</p>	<p>Non-vacant site. Existing Use: City Water Tower</p>
<p>Proposed density: 20 du/acre maximum</p> <p>Unit Potential: 3-4 units</p> <p>Maximum height: 26 feet</p>	 <p>Source: https://new.geoviewer.io/</p>


Crest Water Tower

<p>APN: 300-272-07</p>	<p>Owner: City of Del Mar</p>
<p>Total Parcel Size: 0.31 acres (13,708 sq. ft.)</p>	<p>Located in City's Wildland Urban Interface Steep topography on majority of site</p>
<p>Base Zone: Public Facilities Overlay Zone: None</p>	<p>Non-vacant site. Existing Use: City Water Tower</p>
<p>Proposed density: 20 du/acre maximum</p> <p>Unit Potential: 6 units</p> <p>Maximum height: 26 feet</p>	 <p>Source: https://new.geoviewer.io/</p>


11th Street Water Tower

APN: 300-243-10	Owner: City of Del Mar
Total Parcel Size: 0.77 acres (33,513 sq. ft.)	Located in City's Wildland Urban Interface
Base Zone: Public Facilities Overlay Zone: None	Non-vacant site. Existing Use: City Water Tower
Proposed density: 20 du/acre maximum Unit Potential: 15 units Maximum height: 26 feet	 <p>Source: https://new.geoviewer.io/</p>

Zuni Water Tower


<p>APN: 299-260-45</p>	<p>Owner: City of Del Mar</p>
<p>Total Parcel Size: 0.63 acres (27,479 sq. ft.)</p>	<p>Located in City's Wildland Urban Interface</p>
<p>Base Zone: Public Facilities Overlay Zone: None</p>	<p>Non-vacant site. Existing Use: City Water Tower</p> 
<p>Proposed density: 20 du/acre maximum Unit Potential: 12 units Maximum height: 26 feet</p>	<p>Source: https://new.geoviewer.io/</p>

Del Mar Library

<p>APNs: 300-020-06 and 300-020-07</p>	<p>Owner: City of Del Mar</p>
<p>Total Size of two parcels: 0.27 acres (11,924 sq. ft.)</p>	<p>Non-vacant site. Existing Use: County of San Diego Library building and parking spaces</p>
<p>Base Zone: Public Facilities Overlay Zone: Historic Preservation</p>	
<p>Proposed density: 20 du/acre maximum</p>	
<p>Unit Potential: 5 units Maximum height: 26 feet</p>	

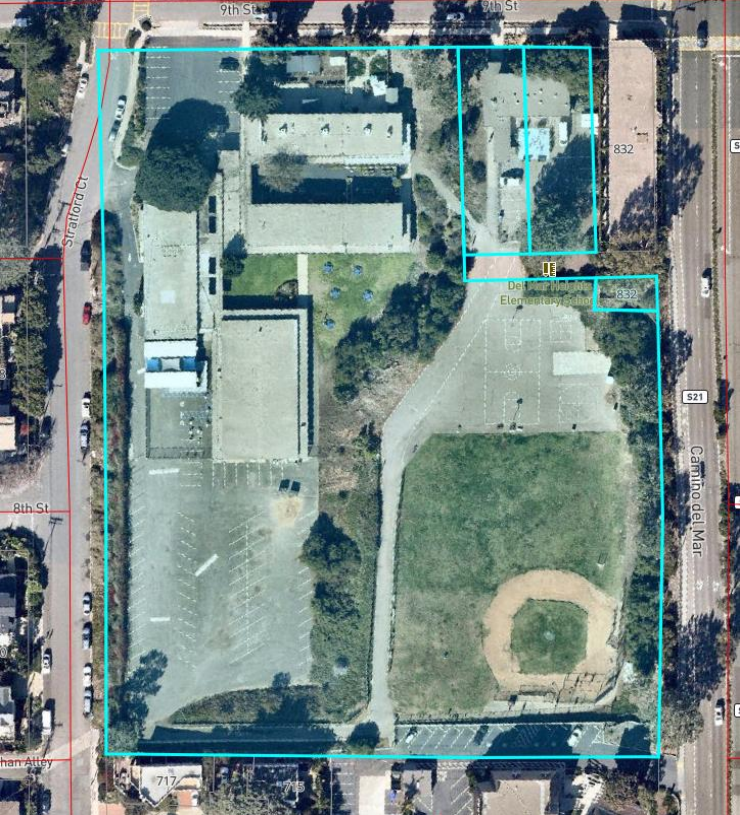
Source: <https://new.geoviewer.io/>

U.S. Post Office

APN: 299-310-02	Owner: United States of America
Total Parcel Size: 0.79 acres (34,372 sq. ft.)	Non-vacant site. Existing Use: United States Post Office
Base Zone: Public Facilities Overlay Zone: None	
Proposed density: 20 du/acre maximum	
Unit Potential: 15 units Maximum height: 26 feet	

Source: <https://new.geoviewer.io/>

Shores Park

<p>APNs: 300-200-01; 300-200-02; 300-200-22; 300-200-23</p>	<p>Owner: City of Del Mar</p>
<p>Total Combined Parcel Size: 5.3 acres Base Zone: Public Facilities Overlay Zone: None</p>	<p>Non-vacant. Existing Use: Public Park, Private School, Del Mar Community Connections (Non-Profit), and accessory parking</p>
<p>Density: No change is proposed.</p> <p>In accordance with City Council direction, the adopted 6th Cycle Housing Element Program 1H excludes the Shores Park sites from the proposed amendments to allow residential use</p>	 <p>Source: https://new.geoviewer.io/</p>

SUMMARY OF DENSITY BONUS LAW

Background on State Density Bonus Law (DBL) - Government Code § 65915

Allows housing or mixed-use development at a density above maximum set in the General Plan (Del Mar Community Plan) and Zoning Code. In exchange for increased density, a certain number of the units must be income-restricted and reserved for very-low income, low-income, or moderate-income households. The Coastal Act and policies of the certified Local Coastal Program apply to DBL projects. DBL provides three types of benefits that qualifying applicants may request from the City to facilitate affordable housing development:

- 1) Incentives or concessions that provide project cost reductions;
- 2) Waivers and reductions of development standards that would physically preclude project development at the density permitted per DBL and with incentives granted per DBL; and
- 3) Reductions in parking requirements per Government Code § 65915(p).

Project Eligibility and Location

Any housing development that proposes five or more dwelling units and incorporates at least one of the housing-related requirements below is eligible for a density bonus:

Density Bonus awarded per Project Type per State Density Bonus Law	
Projects with 5% “Very Low Income”, 10% “Low Income”, or 20% “Moderate Income” rental units restricted for at least 55 years	20% density bonus
Projects with 10% “Very Low Income” units for transitional foster youth, disabled veterans, or homeless restricted at least 55 years	
Senior housing projects that limit age of tenants, not the income (Civil Code § 51.3 and 51.12)	
Projects with 15% “Very Low Income”, 24% “Low Income”, or 44% “Moderate Income” rental units restricted for at least 55 years	50% density bonus
Projects with 100% affordable units (excluding manager unit) with max 20% moderate units	
Projects that donate land (at least one acre) for very low-income (Gov Code § 65915(g))	15% to 35% density bonus
Projects that provide a child care facility (Gov Code §65915(h))	Equivalent square footage of child care facility for bonus units

Potential DBL project locations include the North Commercial and Professional Commercial Zones and will include the Central Commercial Zone (Ordinance pending per Housing Element).

Maximum Density Bonus

Opportunities for a project density bonus are set on a sliding scale based on percentage of units in the project that will be set aside as income-restricted; and number of units in specified household income categories (very low, low, or moderate). The maximum density bonus that can be awarded is 50% of the base units (pre-density bonus), which applies to projects that include at least 44% moderate-income units or 24% low-income units or 15% very low-income units. The density bonus calculation is based on the allowable density of the base zone. No additional density will be awarded beyond the 50% density bonus.

Incentives/Concessions and Determination of Economic Infeasibility

An applicant may request incentives/concessions to reduce costs to build a DBL project with affordable units. Incentives and concessions have the same meaning under DBL. Typically, development projects must comply with design standards and development regulations (i.e., height, floor area ratio, lot coverage, and setbacks). DBL allows projects to deviate from design standards and development regulations if the standard regulations would make the project economically infeasible to build. Requested incentives or concessions must result in identifiable and actual cost reductions for affordable housing development. An applicant shall provide reasonable documentation to explain how the request will reduce costs to build the project. The City may deny an incentive or concession if it finds it would be contrary to state or federal law, or would have a specific, adverse and unavoidable impact on public health, safety or on a listed historic property. DBL allows up to five “incentives” to be requested based on the number of income-restricted units:

Income Category	% of Reserved Units				
Very Low	5%	10%	15%	16%	100% lower income (up to 20% moderate income)
Low	10%	17%	24%	N/A	
Moderate	10% for sale	20% for sale	30% for sale	45% for sale	
Senior	N/A	N/A	100%	N/A	N/A
Maximum Incentives	1	2	3	4	5

Waivers and Determination of Physical Infeasibility

A waiver is a reduction or modification of “development standards” and other regulations when those requirements would make project construction physically infeasible without waiver approval. “Development standards” includes a site or construction condition, including, but not limited to, height, setbacks, floor area, open space requirements or parking. The determination of physical infeasibility considers the density permitted per DBL and scenarios with project incentive(s) granted. There is no limit to the number of waivers an applicant can request. However, waiver requests must be accompanied by reasonable documentation that explains the request and visually demonstrates in exhibits that the existing development standard, if not waived or reduced, would physically preclude development of the project. The City may deny a waiver if it finds it would be contrary to state or federal law, or would have a specific, adverse and unavoidable impact on public health, safety or on a listed historic property.