



Peninsula Community Planning Board
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Date: March 19, 2024

TO: Mayor Todd Gloria
Councilmember Joe LaCava, District 1
Councilmember Jennifer Campbell, District 2
Councilmember Stephen Whitburn District 3
Councilmember Marni von Wilpert, District 5
Councilmember Ken Lee, District 6
Councilmember Raul Campillo, District 7
Councilmember Vivian Moreno, District 8
Council President Sean Elo-Riviera, District 9

Subject: 2024 Land Development Code Update Items #1, #25, and #60 - Oppose Pending Further Clarification

Dear Mayor Gloria and Councilmembers:

The Peninsula Community Planning Board is writing to express our opposition to three elements of the 2024 Land Development Code Update pending further clarification from the Development Services Department regarding their impact on the Point Loma Community. The items include #1 – Sports Arenas and Stadiums, #25 Accessory Dwelling Units (ADUs) – Front Setback Development Regulations, and #60 – Accessory Dwelling Units (ADUs) – Side and Rear Yard Setback Requirements.

Item #1 – Sports Arenas and Stadiums. This proposal “adds additional development regulations for Sports Arenas and Stadiums to align with goals and policies in the Climate Action Plan to put more of a focus on active transportation. Includes parameters for design elements for buildings and parking structures. Specifies that Sports Arenas and stadiums included in a specific plan are exempt from the requirement to obtain a Conditional Use Permit.”

The PCPB opposes this without further clarification as this appears to be intended to apply to the Midway Rising project in Point Loma, and is unacceptably vague regarding its provisions and impact on a project whose scope is already vague and keeps changing. Furthermore, its unknown why developers are exempt from the requirement to obtain a conditional use permit. The San Diego municipal codes describes a discretionary use permit (aka conditional use permit) as being required when developments may impact the surrounding area due to a proposed use, design feature or project location. It’s unclear why a blanket exemption is being granted when elements of a project could substantially impact the safety, infrastructure, congestion, and neighborhoods of surrounding communities. The PCPB opposes this without further clarification of its necessity, intent, and potential impact.

Item #25 Accessory Dwelling Units (ADUs) – Front Setback Development Regulations. This proposal “adds that an ADU with a gross floor area of 800 square feet or less shall be permitted on a premises with an existing or proposed dwelling unit regardless of the front yard setback.”

Table 131-04D specifies that a single-family RS 1-7 zoned lot shall have a minimum front yard set-back of 15 feet. This proposal would reduce this to zero. PCPB opposes this proposal because it creates slum like overdevelopment in single family neighborhoods where an 800 square foot ADU can be built right up to a street or sidewalk that will eventually turn into dilapidated housing as the structure ages. This will result in a blighted neighborhood, destroy its ambiance, and deplete the values of existing housing of seniors who rely on maintaining the value of their house to fund their retirement and long-term care.

Item #60 – Accessory Dwelling Units (ADUs) – Side and Rear Yard Setback Requirements. This proposal “allows flexibility for setbacks of ADU structures over 16 feet in height that abut a residential use by allowing the ADU home to follow the base zone side setback or the standard ADU 4 feet setback, whichever is less, for the interior side yard and rear-yard setbacks.

Table 131-04D specifies that a single-family RS-1-7 zoned lot shall have shall have a minimum side setback in feet by multiplying the actual lot width by .08. It specifies a minimum rear yard setback of 13 feet. This would reduce the minimum setbacks to 4 feet for large multistory defacto apartment building ADUs. Similar to Item #25 PCPB opposes this proposal because it creates slum like overdevelopment in single family neighborhoods where a multistory ADU (a defacto apartment building) can be built up to four feet from a side and rear yard setback to a neighbor’s house that will eventually turn into dilapidated housing as the structure ages. This will result in a blighted neighborhood, destroy its ambiance, and deplete the values of existing housing of seniors who rely on maintaining the value of their house to fund their retirement and long-term care.

The PCPB therefore opposes Items #25 and #60 of the Land Development Code Update out right; and opposes Item #1 pending further clarification of its necessity, intent and potential impact.

. The letter was approved with a vote of _____.

Sincerely ,



Frederick W. Kosmo, Jr.
PCPB-Chair