

PROJECT REPORT

BIRD

ROCK

PLANNED

DISTRICT

ORDINANCE

FORM-BASED CODE:



# BIRD ROCK PROJECT REPORT

## A FORM-BASED CODE APPROACH

MARCH 20, 2007

### PREPARED BY:

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### PREPARED FOR:

CITY OF SAN DIEGO COUNCIL DISTRICT 1

BIRD ROCK COMMUNITY COUNCIL AND

CITIZENS

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Introduction

City Council Direction

Bird Rock Community  
Traffic-Calming  
Follow Up:

City and Community  
Planning Regulations

# INTRODUCTION

In March, 2006, District 1 Council Member Scott Peters issued a letter to consultants regarding developing a Form-Based Code in the Bird Rock commercial district of the La Jolla neighborhood. In his letter to request qualifications, Council Member Peters stated, “The fundamental dilemma is how to protect the quality of life for the residential homes adjacent to the retail/commercial corridor while maximizing its economic and aesthetic potential. This has not happened in Bird Rock with conventional land use-based zoning and the possibility of finding a creative solution with Form-Based Coding (FBC) is exciting to those of us who have been working in the trenches. Furthermore, the objective role of an outside facilitator is needed to educate the community, bring confidence into the process and solidify the diverse opinions of the community into a single plan.”

Council Member Peters was confident about the benefits of this community-based approach because several years earlier the community had come together to develop a traffic calming plan for Bird Rock using the expertise of Dan Burden. That effort resulted in a street improvement plan-already partially implemented-to address the neighborhood’s traffic problems. This plan includes roundabouts, street median, and landscaping.

Recent developments in Bird Rock had raised questions regarding the ability of the La Jolla Planned District Ordinance (PDO) to produce new development in keeping with the existing and desired character of this seaside neighborhood. Once the five roundabouts are completed-two are already in place- the character of the street will change substantially and necessitate a development code to reflect this new character. Michael Stepper and Howard Blackson were retained by Councilman Peters’ office to conduct a public process and, from that process, prepare an FBC and related recommendations for consideration by the Bird Rock community.

Bird Rock:  
The Corridor is Located on the Slope Between Mount Solidad and the Pacific Ocean.



In a departure from routine City practices, the consultant team was charged to act independently in working with the neighborhood and other interested parties. To ensure that independence, the contract was paid to the consultants in its entirety at the beginning of the study process.

To develop the information and recommendations for an FBC, an intensive participatory process was undertaken with the citizens of Bird Rock, assisted by the Bird Rock Community Council (BRCC). The process included three evening workshops and a four consecutive day design charrette with development professionals and experts in architecture, planning, landscape architecture, parking management, sustainable design, retail and a local artist assisting the community in determining Bird Rock's future development character and potential along La Jolla Boulevard.

The consultant team began with and built upon the community's prior planning efforts:

- The La Jolla Community Plan
- The La Jolla Planned District Ordinance
- The Traffic Calming Study conducted by Dan Burden and the Community of Bird Rock and the resulting street improvement plans
- The Recommendation of the PDO Task Force
- The Work of the Maintenance Assessment District (MAD), the Micro-Business Improvement District (BID), the La Jolla Parking District, and the Bird Rock Community Council (BRCC).

In developing this report and the recommendations, the design team followed the

## BACKGROUND

Professionalism:  
The Team Included  
Proven Development  
Professionals,  
Such as the Late  
Ted Dingley.



policy guidelines in the City of San Diego's 1979 *Progress Guide and General Plan*:

"The fitting-in of new development is, in a broad sense, a matter of scale. It requires a careful assessment of each building site in terms of the size and texture of its surroundings and a very conscious effort to achieve balance and compatibility in the design of the new building. Good scale depends upon a height that is consistent with the total pattern of the land and of the skyline, a bulk that is not overwhelming, and an overall appearance that is complementary to the building forms and other elements of the city. Scale is relative, therefore, since the height, bulk and appearance of past development differ among the districts of the city."

And the following from the *La Jolla Community Plan Area Recommendations*:

#### Bird Rock - Neighborhood Commercial

Due to its proximity to the community of Pacific Beach, this district is considered to be the gateway into La Jolla from the south and should be developed in a traditional boulevard manner with streets trees and median landscaping, where feasible, within the public right-of-way.

1. Redevelop structures within this retail district to include mixed-use and residential/commercial development in order to provide opportunities for more affordable housing in La Jolla.
2. Maintain consistency with the La Jolla Commercial and Industrial Sign Control District of the citywide sign regulations for all commercial signs.
3. Enhance sidewalk with decorative or uniform paving to beautify streetscape.

4. Install street median or island landscaping near the boundary between the La Jolla and Pacific Beach communities.
5. Provide decorative lighting, street trees, benches and other pedestrian amenities to create a stronger pedestrian-oriented image to this commercial district.

The design team also intentionally built upon the below Bird Rock PDO subcommittee's "*Vision-A Work in Progress...*"

A Bird Rock business district that:

Presents an inviting diverse atmosphere in which business may locate and operate

Offers an enhanced pedestrian-oriented atmosphere

Offers a wide variety of shopping and dining

Includes residential and professional services

Relies on the Bird Rock community for primary support

Respects its residential neighbors

Operates in a positive regulatory atmosphere for thoughtful redevelopment and uses

The last point was especially important to the work of the team. The FBC process is based on collaborative interaction with the community and asks, "What do we want to see happen?" rather than the usual process that asks, "What do we not want to see happen?" The team's role was to take the neighborhood's comments, concerns, and suggestions and put together an implementable complete package.

Recommendations

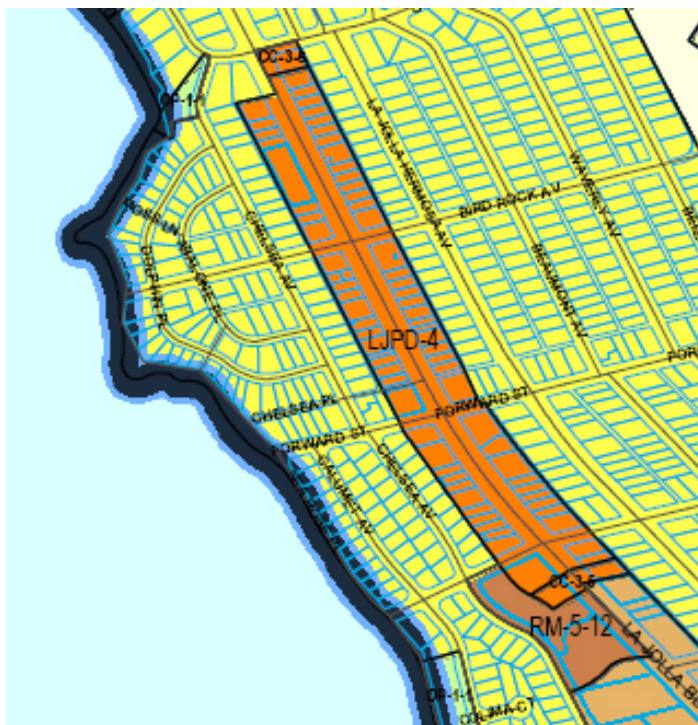
Bird Rock  
Community Plan Area 4A

General  
Recommendations

# DESIGN TEAM RECOMMENDATIONS

- REGULATORY RECOMMENDATIONS
- PUBLIC IMPROVEMENT RECOMMENDATIONS
- MANAGEMENT RECOMMENDATIONS

Regulatory:  
The Team Recommends Making the Entire District Whole in order to Better Define its Sense of Place.



The following three categories contain the design team’s main recommendations derived from the public workshops and design charrette, and our professional opinions:

## REGULATORY

La Jolla Boulevard in Bird Rock is a neighborhood commercial area in the La Jolla Community Plan. The Form-Based Code (FBC) is recommended to be adopted as Subarea 4A in the La Jolla Planned District Ordinance. As described later in this report, the proposed FBC can be adopted in different formats in the City of San Diego Municipal Code.

The proposal also recommends that motel parcels south of Midway be added to the Subarea 4A to ensure that should these parcels be redeveloped, they will be redeveloped in the desired character for Bird Rock.

The La Jolla Community Plan recommends: “Designate as Neighborhood/Commercial the La Jolla Boulevard property at the southeast corner of Comino de la Costa as well as the adjacent property to the south. Rezone the southerly property from CC to LJ-4 (La Jolla PDO Zone 4).” Both of these areas are included in the proposed Subarea 4 and the FBC.

Designate Bird Rock FBC area as Subarea 4A: Define as Neighborhood/Commercial; not as auto-oriented Commercial.

The FBC shall serve as the mandatory land use regulation for the areas delineated on the official San Diego zoning map as Sub-Area 4A of the La Jolla (Bird Rock) Planned District Ordinance (PDO) per Division 12, La Jolla Planned District, Sub-Area 4, Municipal Code Chapter 10, Article 3. Where not otherwise specified in this Code, the provisions for Zone 4 of the La Jolla PDO shall apply. Where there is a conflict between the FBC and the PDO, the FBC shall apply.



Bird Rock Study Area:  
The Code Assists in Crafting a 'Sense of Place' for La Jolla Boulevard.



## PUBLIC IMPROVEMENTS

The addition of new civic space as a trade-off and requirements of the FBC. The report also recommends that civic spaces be designated to take advantage of the street and parks as proposed in the community plan.

The continued enhancement of the Bird Rock commercial area as a "Place."

## MANAGEMENT

This report provides recommendations for area management that is part of the implementation of the community plan. These include management strategies for the following activities that are operational and not best regulated by planning and zoning ordinances:

Parking Demand Management Plan

Civic Space Maintenance Plan

Banners and Lighting Branding Plan



The Process

Why a  
Form-Based Code?

The Bird Rock  
Public Process

# THE PROCESS

## WHY A FORM-BASED CODE

The stated purpose of Form-Based Codes (FBCs) is to legally enable for ‘great places.’ By shaping a high-quality public realm, the place promotes healthy civic interaction and economic viability. FBCs achieve a more predictable physical result as they are prescriptive (clearly stating what a community wants) rather than proscriptive (what they don’t want), which is typical of conventional zoning. Citizen groups and non-professionals find FBCs easier to use than zoning documents because they are shorter, more concise and organized visually. This graphic feature makes it easier to determine whether compliance has been achieved.

The FBC necessitates collaborative public participation as it intends to clearly depict what is expected by citizens and neighbors. This ease of understanding is reinforced by the public process as it also educates the public as well. The public process allows for a higher comfort level and understanding about urban design and planning issues. Those who participate and see their ideas and vision crafted into the code become champions with a pride of ownership that can only come from the actions of many independent players operating within a communally agreed upon vision and legal framework.

FBCs work well in established communities as it effectively defines and codifies a neighborhood’s character and aspects that people love. Local building types and qualities can be easily replicated, promoting incremental infill that is compatible with surrounding structures. Because they regulate

development at the scale of an individual building or lot, FBCs encourage independent development by multiple property owners. This eliminates the need for large land assemblies and the mega projects that are frequently proposed. FBCs are equitable between multiple parcel and single parcel ownership.

Design Guidelines have proven to be difficult to enforce and to apply consistently. An important aspect of Design Guidelines is that they afford too much room for subjective interpretation. FBCs merge the design requirements of Design Guidelines with the enforcement of zoning ordinances and require less oversight by discretionary review bodies. Because of this combination, FBCs foster a less politicized planning process that delivers huge savings in time and money.

The FBC, as a component of the Planned Development Ordinance (PDO), will be comprehensively crafted to significantly streamline the approval process for new projects. Because of the building design requirements, which were collected through the public process, any new project is expected to be ready for design review at submittal and, consequently, the entitlement process is streamlined. Infill development in the Bird Rock area would be stimulated because properties would be coded for a greater mix of uses, and thus, become more viable with increased flexibility. The market would be more able to dictate economic value than the applied zoning policies and entitlement process time.

FBCs provide the opportunity to develop a new plan based on universal and traditional planning principles of walkability, sustainability, and mixed-use. This is important politically as now the development process will be principle-based, thereby giving the plan structure and a credible outcome through being tested by public participation. Therefore, the resulting FBC cannot be perceived as either coercive or lacking authority.

# THE BIRD ROCK FORM-BASED CODE PROCESS

To develop the information and recommendations for the FBC, an intensive process was undertaken with the neighborhood in addition to the review and analysis of current plans, ordinances, policies and proposals. This effort was assisted by the BRCC and dedicated, involved and interested community members. The process included field surveys by the consultants, meeting with individual community members, neighbors, developers, experts and meetings with the initial three evening meetings before the intense four consecutive day charrette. These were followed by a community presentation on January 23, 2007 and a series of four information meetings conducted by the BRCC in February 2007.

## PUBLIC WORKSHOP #1 SEPTEMBER 19, 2006 BIRD ROCK ELEMENTARY SCHOOL

## INTRODUCTION MEETING

The kick-off meeting was held at the Bird Rock Elementary School. At that meeting, the consultants discussed the format and context of a Form-Based Code. A self-guided tour questionnaire was handed out to the approximately 100 participants who attended. 180 people eventually participated in the questionnaire within the first two weeks of this meeting. The following topics were discussed:

### *Form-Based Codes*

Structure and Intention

### *Great Places*

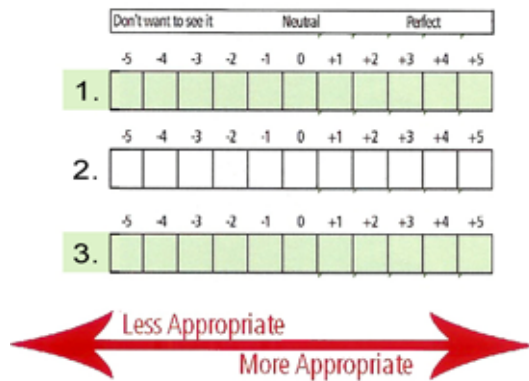
Santa Barbara, Ventura, and Coronado were critiqued

### *Homework*

Self-Guided Tour Map  
Bird Rock Places that are:  
Exceptional  
Acceptable  
Regrettable



PUBLIC WORKSHOP #2  
 OCTOBER 4, 2006  
 BIRD ROCK MASONIC LODGE



PUBLIC WORKSHOP #3  
 OCTOBER 18, 2006  
 BIRD ROCK MASONIC LODGE

VISUAL PREFERENCE SURVEY MEETING

At this workshop, the findings of the questionnaire were presented. The participants rated buildings and places in Bird Rock as Exceptional, Acceptable and Regrettable. Most of the buildings identified as Exceptional were favorite restaurants and meeting places, such as the new Starbucks, Coffee Roasters and Baumonts; Acceptable were the older shops between Forward and Bird Rock; and, Regrettable were the vacant lots, auto-oriented businesses and places, and most importantly, Seahaus had greatest negative response.

That evening, a Visual Preference Survey (VPS) was taken. The VPS asked people to rate from +5 to -5 images of buildings and places presented in a slide show. The places shown were discussed in the previous meeting and included images of Bird Rock, to get an indication of the kinds of places they would like to see built in Bird Rock.

POSSIBILITIES MEETING

The result of the Visual Preference Survey was presented at this workshop. The survey indicated that the participants did not want to see in Bird Rock buildings that were bulky, blocky and that did not respect the fine-grained parcelization of 4,000 square-foot lots. Bird Rock citizens did understand how storefronts should relate to the street and sidewalk with ample of landscaping and civic amenities. They also favor buildings that create civic space on the corner where people could gather, socialize and stroll that was in scale with their neighborhood. The benefits and need for Civic Spaces and properly scaled buildings stood out from the surveys.

*Survey Results*

- Quality Streetscape: Starbucks' Building
- Need for Civic Spaces: Sidewalk Cafes
- Vacant Lot Infill Opportunities

- Seahaus as “what NOT to allow/build”
- Auto-Oriented businesses not appropriate for La Jolla Blvd.
- East Side of La Jolla Blvd. is not as loved as the West Side

Also at this meeting, Betsy McCullough of the City Planning and Community Investment Department and Amanda Lee of the Development Services Department described the ordinances and tools that might accommodate the community’s vision and recommendations. Amanda and Betsy thankfully took the time to explain the process and policy structure necessary to update the current PDO. They expressed thanks to the community for taking the initiative themselves.

*City Staff Overview*

- Community Plan Implementation Overlay Zone (CPIOZ)
- PDO Update and Zoning Combined to implement FBC

DESIGN CHARRETTE  
NOVEMBER 3 - 6, 2006  
BIRD ROCK MASONIC LODGE



DAILY COLLABORATIVE WORKSHOPS

The charrette was held in the center of Bird Rock and the doors were open to the public from 8 am to 9 pm every day. It was well-advertised and hosted hundreds of people between Friday and Monday . At the charrette, a team of architects, designers and experts analyzed the comments from the community, reviewed past studies, plans and regulations; met with individuals who walked in and who participated in daily scheduled meetings; and, who developed a series of recommendations. The community’s introduction to the charrette was held Friday morning; on Saturday, a meeting with the merchants and the team’s retail consultant was held; and, on Sunday, the residents whose homes abutted the alleys presented their concerns to the design team. Also, the design team met with developers and property owners during the four days. Wrap-up presentations were held each day at 6 pm.

## DAY 1 RECOMMENDATIONS

Density is a form of measurement and not a place-making tool. Twenty-Nine Du/Acre can be built at one, two or three stories. Design matters to place making and the team presented several building plan studies and the idea of three stories being restricted to the middle of the block. By breaking the lots into horizontal building zones, (1-3) and place the oddly-proportioned 30' height in middle of the block, Zone 2. Suggested allowing Granny Flats on single-family parcels in common alley, where available, with the Commercial District parcels.

## DAY 2 RECOMMENDATIONS

Floor Area Ratio is a form of measurement and not a place-making tool. General proposals, such as Entry Features, Roundabout Landscape Quality, Corners and Curve of La Jolla Boulevard of importance. Mid-block crossings, pocket parks at the Pacific Ocean, and side street parking management. All proposals were accepted by the community.

## DAY 3 RECOMMENDATIONS

First proposed Regulating Plan and diagrams for the Heart, Center and Edge. Upper Floors setback from Street and Alley and were discussed. The community felt the proposed 'Heart' was 'too urban.' We gained consensus on all other issues presented such as the form of the Edge and Middle areas.

## DAY 4 RECOMMENDATIONS

Final overall proposal of Regulating Plan and Code Framework that gained community consensus on the upper level setbacks in the Center, Middle and Edge, and the overall regulating plan.



Illustrations:

The Team Designed and Illustrated the Building Types to be Allowed within the District and to Inform Potential Developments of the Character Expected.



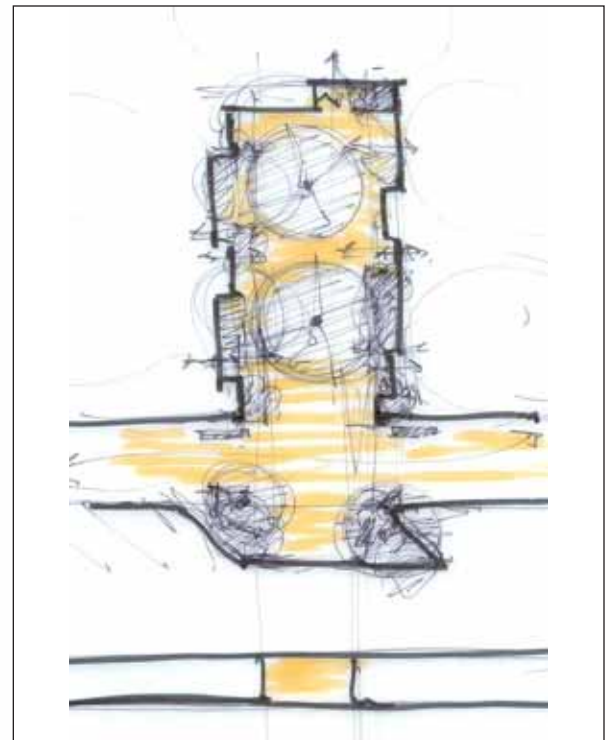
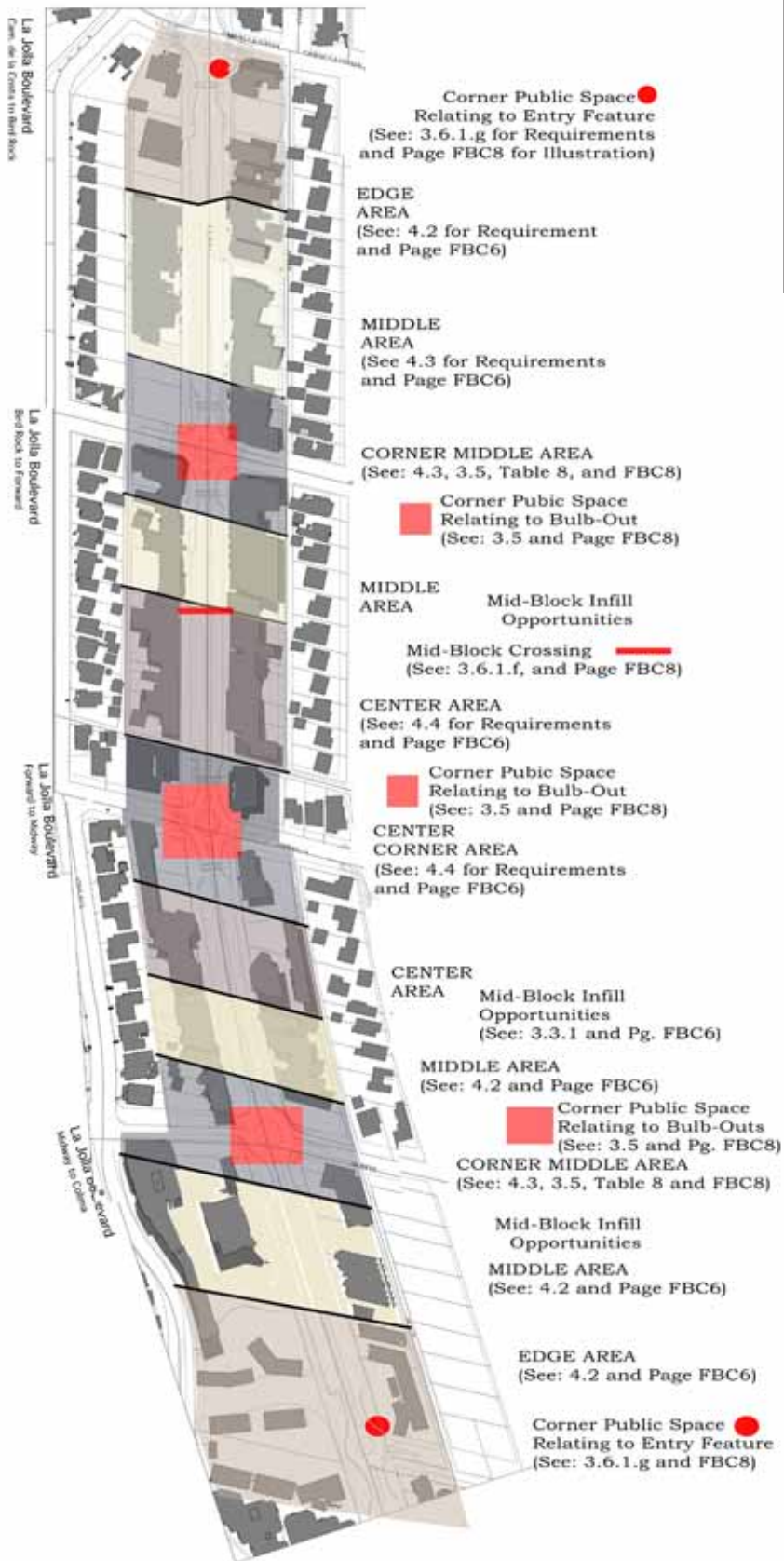
Building Intensity:

The Team Recommends Making the Center (above) Buildings More Intense than the Buildings on the Edge (below) of the District.



Building Districts:

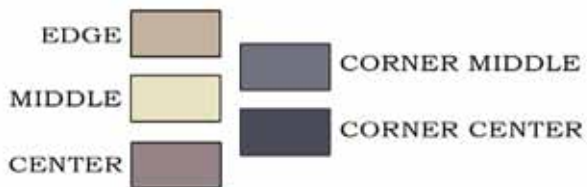
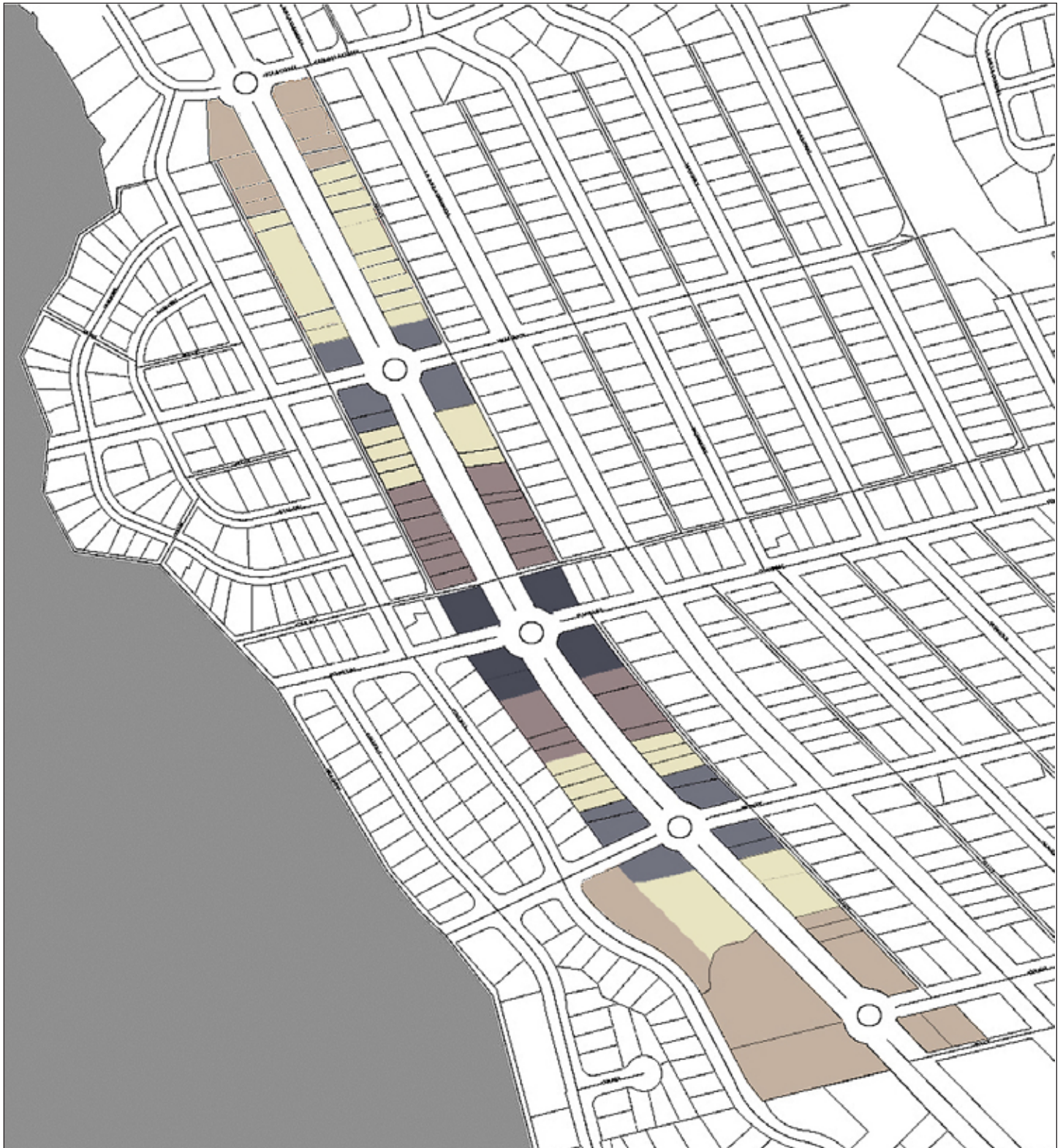
The Team Recommends Putting the Right Built Forms in the Right Places. The Edge and Middle Areas (Lower Left Images) Transition the Commercial District to the Quieter Neighborhood Areas, While the Center Areas (top left image) Buildings are Closer Together with More Uses and Intensity.



Urban Design Framework:

The Team Recommended Enhanced Entry Features (above) to Begin the Branding Process of Crafting the Character of Bird Rock Visually (above) and Physically (below) with Mid-Block Crossings to Shorten the Blocks for Shopping and Walking Convenience.

Each Place-Based Area (left) has Design Intentions to Create a Distinct Character for Each Place along La Jolla Boulevard.



Regulating Plan:

The Team Recommends Replacing the Use-Based PDO Plan with a Place-Based Regulating Plan (above) that Defines Bird Rock Commercial District from Center to Middle to Edge following the Urban Design Framework (previous page) and Form-Based Code for Each Area.

The Code

Bird Rock  
Form-Based  
Draft Code

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# FORM-BASED CODE DRAFT DOCUMENT STRUCTURE

1ST DRAFT DECEMBER 12, 2006

2ND DRAFT JANUARY 15, 2007

## MAJOR RECOMMENDATIONS

### BUILDING FORM RECOMMENDATIONS

## TRANSLATING THE CHARRETTE RESULTS TO A CODE

The charrette informed the FBC and the FBC document's organizational structure is based on the SmartCode Version 8.0 created by Duany Plater-Zyberk Town Planners used by cities across the United States. The following is the Regulatory Scheme and document format:

**Article 1:** General Authority and Purpose of this Plan (this will refer to appropriate sections of the San Diego Municipal Code)

**Article 2:** Regulating Plan and Concept Diagrams

**Article 3:** Infill Development Standards (These are general to all new projects on La Jolla Blvd.)

**Article 4:** Building Scale Plans (These standards are specific to each parcel in each area)

**Article 5:** Tables and Standards (General to La Jolla Blvd.)

**Article 6:** Definitions of Terms

## CONCEPTS IN CODE

Maintain the Existing Entitlements without down zoning or up zoning any parcels.

Set Buildings to Stepback from La Jolla Boulevard (25') and alley frontages (20') to keep the allowed 30' height from imposing itself on the Retail Street and rear neighbors single-family detached homes.

Set intensity zones (Center, Middle, Edge and Corners) to Shape La Jolla Boulevard into Neighborhood Center and less of Commercial Thoroughfare.

Change Land Use requirements to allow for mixed-use Residential and Office building functions on the Ground Floor in the Middle and Edge Areas. Allow Residential and Office on upper floors in all zones.

## THE THIRD STORY RECOMMENDATION

The Third Story Issue: Allow where appropriate and under specific conditions, such as location (Not Allowed in Edge and Middle Areas). Conditions include the provision of public civic spaces at designated and pre-designed locations. The importance of Civic Space and the opportunities the new Roundabout's give to add Civic Space is related to allowing the third story.

- Middle and Center Corner Developments have the greatest potential for Civic Space and Parking District surplus (as retail customers do not have to travel down the neighborhood alley to find parking) and are allowed to achieve Three Stories in return for public parking spaces and public civic spaces.

## DEVIATIONS AND VARIANCES RECOMMENDATION

Adopt specific variance and deviation criteria for Planned Development Permits. The Bird Rock PDO subcommittee has prepared draft criteria that are designed to ensure that there is a return to the community as part of new development.

- Do not allow deviations and variances from the FBC.

## DEVELOPMENT SIZE RECOMMENDATION

Establish a maximum lot size. The established parcel frontage is 40 feet, and no more than two lots may be consolidated per project. This is to help maintain the scale of the community character.

## BASEMENT RECOMMENDATION

Basements. Eliminate "stepdown" first floor definition as basement. Limit allowed uses in the basements. Under the current PDO., the definition of basement allows a first floor that is a stepdown from the street to be defined as a basement, allowing a third floor to be defined as a second floor and resulting in a building/street relationship that is not pedestrian friendly.

## PARKING RECOMMENDATIONS

Parking. Do not allow street frontage parking; e.g., parking between the sidewalk and the building. This condition currently exists at the Strip Shopping Center at the southwest corner of La Jolla Boulevard and Forward Street.

Eliminate customer parking requirement from small lot developments. Require only tenant and employee parking. The customer parking requirement for small lot development makes it impossible to redevelop them. The required parking area is often larger than the use. Also, the parking is difficult to locate, and interferes with alley loading and the residential uses to the east and west. Moreover, the need to move cars from shop to shop discourages customers from visiting Bird Rock.

Add “Minor Addition Parking Requirements” as proposed by the PDO subcommittee.

Do not allow drive-thru parking.

## UNRESOLVED ISSUES RECOMMENDATIONS

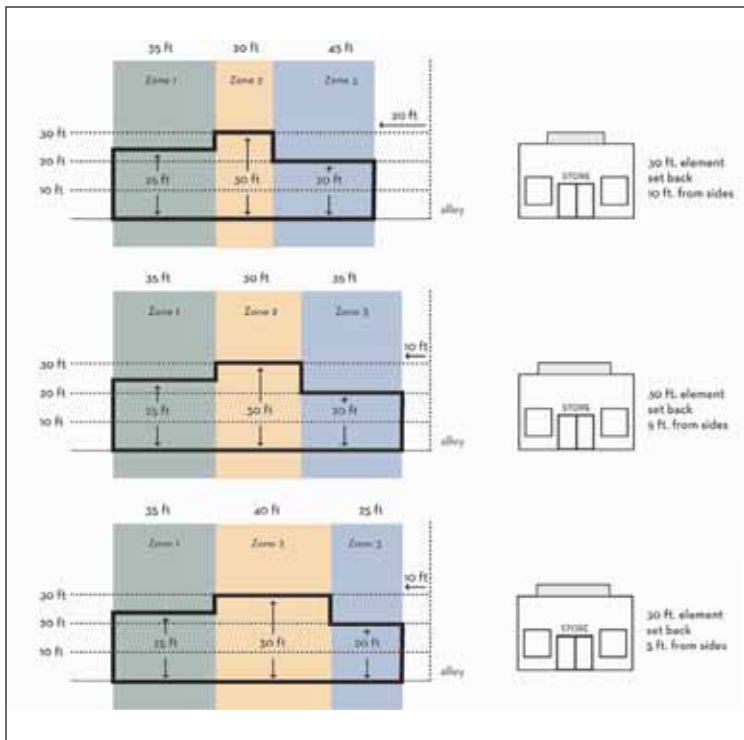
These issues are specific provisions of the proposed FBC that were not fully resolved in the drafting of the code or during the charrette:

**Minimum Size of Corner Middle Developments:** The draft code limits Corner Middle development to two parcels on these important corners. Additionally, two of these corners have current projects proposed that request four parcels in order to have a Third story above the below-grade parking structure in return for expanded civic space. The Design Team recommends for allowing four parcels in Corner Middle Areas to gain the civic spaces and below parking structures spaces.

**Basement Use:** the FBC is not clear on the function of basement spaces. We recommend that basements be limited to parking, storage and building mechanical and service spaces so as to not intensify the parcels.

*A COMPLETE DRAFT OF FBC IS AVAILABLE ON-LINE:  
WWW.HB3URBANDESIGN.COM AND  
WWW.BIRDROCK.ORG*

Form-Based Code Translation:  
 The Design Team's Recommended for the Building Form as Proposed During the Charrette (below), with the Third Story Located in Layer 2 of the Parcel, The FBC Pages that Depict Building Form (right) are Specific to each Area with Greater Detail and Information from the Original Concept.



### 4.3 EDGE AREA (EG)

The EG Area is applied to the edge areas appropriate for the least urban buildings as a transition from the neighborhoods to the Middle (MD). Ground and upper floor mass intended to be primarily offices and residential with limited Retail. Street frontages allow for upper floor access off the La Jolla Boulevard on both sides of the Building Footprint. Upper floors are narrow and 3rd stories are not allowed.

**Building Placement**  
 Setback Lines shall be measured from property lines. Buildings shall be placed within the shaded area as shown.

Front Setback (A): 0' minimum - 12' maximum\*  
 80% min. to 80% max. lot frontage on P-Grid and S-Grid  
 Sideyard Setback (B): 5' min. - 12' max.  
 Side Street Setback (C): 5' min. - 12' max.  
 Rear Setback (D): 15' minimum

**Frontage Types** (See Table 4)  
 Storefront  
 Entrance  
 Stoop\* (Requires a 6' min. Front Setback)  
 Patch Front\* (Requires a 6' min. Front Setback)  
 Terrace or Lawn Court\* (Requires a 6' min. Front Setback)

Civic Space (CS) shall be located at the P-Grid Corner.

**Upper Level Placement**  
 No 3rd Floor Allowed  
 Second Floor may not exceed 30' height (Zone 2)

Front Setback (A):  
 25' from Primary Building Facade Setback Line  
 85% max. upper level fronting P-Grid  
 Side Setback (B): 10' from Sideyard Property Line  
 Rear Setback (C): 30' from Rearyard Building Setback Line

Upper Floor shall be accessed from P-Grid Frontage off sidewalk on both sides of the building.

**Building Form Profile and Type**  
 Building Height (at grade/not to include below grade structure)  
 (A) Maximum Height: 2 Floors and 25 feet  
 (B) Maximum Height: 2 Floors or 30 feet  
 (C) Maximum Height: 2 Floors and 20 feet

Zone 1: 25' Depth from Building Facade at 25' Height  
 Zone 2: 30' Depth from Rear of Zone 1 at 30' Height  
 Zone 3: (x) Depth from Zone 2 to Rear Yard Setback at 20' Height  
 \*Determined by Lot Depth as this Varies

**Architectural Building Types** (See Table 9)  
 Courtyard  
 Live/Work  
 Townhouse

12  
 2007 HBD Urban Design - Urban Planning for illustrative purposes only.

### 4.5 CORNER MIDDLE AREA (CM)

The CM Area is applied to the corner areas appropriate for more urban buildings as La Jolla Boulevard transitions from the Edge (EG) to the Center (CN). Uses and Setbacks are the same as MD Mid-Block areas. Building facades and upper floor are less massive and 3rd stories are only allowed when Civic Spaces (CS) are developed within Zone 1 that relate directly to the Public Spaces on the Street Corners.

**Building Placement**  
 Setback Lines shall be measured from property lines. Buildings shall be placed within the shaded area as shown.

Front Setback (A): 0' minimum - 25' maximum\*  
 70% min. to 90% lot frontage on P-Grid and S-Grid  
 Sideyard Setback (B): 5' min. on One Side Each  
 (C) 0' max.  
 Side Street Setback (D): 5' min. - 12' max.  
 Rear Setback (E): 10' minimum

**Frontage Types** (A) See Table 4  
 Arcade  
 Gallery  
 Storefront

Civic Space (CS) shall be located at the P-Grid Corner.

**Upper Level Placement**  
 3rd Floor Allowed with minimum Civic Space Standard applied to Corner in Zone 1 of the Principal Frontage.  
 3rd Floor may not exceed 30' height (Zone 2)

Front Setback (A):  
 25' from Primary Building Facade Setback Line  
 85% max. upper level fronting P-Grid  
 Side Setback (B): 30' from Sideyard Property Line  
 Rear Setback (C): 30' from Rearyard Building Setback Line

Upper Floor shall be accessed from P-Grid Frontage off sidewalk on One Side of the Building.

**Building Form Profile and Type**  
 Building Height (at grade/not to include below grade structure)  
 (A) Maximum Height: 2 Floors and 25 feet  
 (B) Maximum Height: 3 Floors or 30 feet (w/CS)  
 (C) Maximum Height: 2 Floors and 20 feet

Zone 1: 25' Depth from Building Front Facade at 25' Height  
 Zone 2: 30' Depth from Rear of Zone 1 to Zone 3 at 30' Height  
 Zone 3: (x) Depth from Zone 2 to Rear Yard Setback at 20' Height

**Architectural Building Types** (See Table 9)  
 Courtyard  
 Live/Work  
 Townhouse  
 Stacked Flats

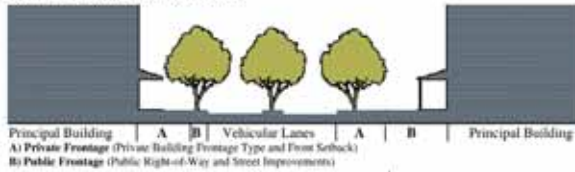
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**BIRD ROCK FORM-BASED CODE**

**ARTICLE 5 TABLES AND STANDARDS**

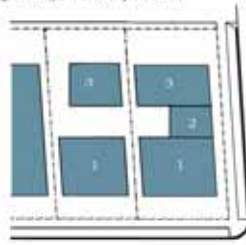
**TABLE 3 - BUILDING FORM ILLUSTRATIONS**

**A. PUBLIC and PRIVATE FRONTAGES**

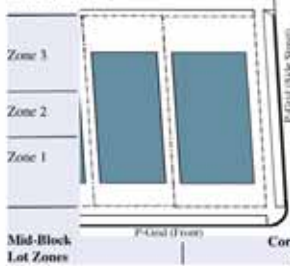


**B. BUILDING DISPOSITION**

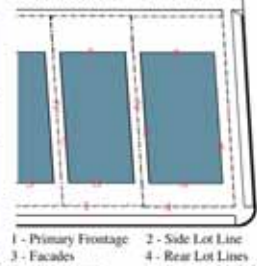
- 1 - Principal Building (Zone 1)
- 2 - Mid-Lot Building (Zone 2)
- 3 - Outbuilding (Zone 3)



**C. LOT ZONES**



**D. FRONTAGES and LOT LINES**



FBC 24

2007 H&B Urban Design - Urban Planning for illustrative purposes only

Form-Based Code:  
The Design Team's Recommended for the Building Form (upper left) Includes how the Building Responds to the Various Streets (below) Relating to the Commercial District on La Jolla Boulevard, such as Alleys, Side Streets, Neighborhood Streets and the Boulevard.

Parking (lower left examples) Simplifies General Building Functions and Encourages Mixed-Use and Shared Parking Rather than just Residential or Commercial. The District is Encouraged to Manage a Parking Program.

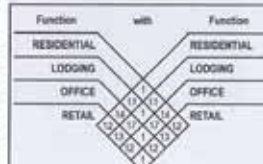


	T3	T4	T5 T6
<b>a. RESIDENTIAL</b>	<b>Restricted Residential:</b> The number of dwellings on each lot is restricted to one within a principal building and one within an ancillary building, with 2.0 parking places for each. Both dwellings shall be under single ownership. The habitable area of the ancillary dwelling shall not exceed 500 square feet.	<b>Limited Residential:</b> The number of dwellings on each lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards. (See Table 10).	<b>Open Residential:</b> The number of dwellings on each lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards. (See Table 10).
<b>b. LODGING</b>	<b>Restricted Lodging:</b> The number of bedrooms available on each lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. Food service may be provided in the a.m.	<b>Limited Lodging:</b> The number of bedrooms available on each lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	<b>Open Lodging:</b> The number of bedrooms available on each lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom. Food service may be provided at all times.
<b>c. OFFICE</b>	<b>Restricted Office:</b> The building area available for office use on each lot is restricted to the first story of the principal or the ancillary building and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	<b>Limited Office:</b> The building area available for office use on each lot is limited to the first story of the principal building and/or to the ancillary building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	<b>Open Office:</b> The building area available for office use on each lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
<b>d. RETAIL</b>	<b>Restricted Retail:</b> The building area available for retail use is restricted to one block corner location at the first story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1000 square feet of net retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood stores or food service seating of no more than 20.	<b>Limited Retail:</b> The building area available for retail use is limited to the first story of buildings at corner locations, not more than one per block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood stores or food service seating no more than 40.	<b>Open Retail:</b> The building area available for retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net retail space.
<b>e. CIVIC</b>	See Table 10	See Table 10	See Table 10
<b>f. OTHER</b>	See Table 10	See Table 10	See Table 10

**REQUIRED PARKING (See table 11)**

	T2 T3	T4	T5 T6
<b>RESIDENTIAL</b>	2.0 / dwelling	1.5 / dwelling	1.0 / dwelling
<b>LODGING</b>	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom
<b>OFFICE</b>	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
<b>RETAIL</b>	4.0 / 1000 sq. ft.	4.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
<b>CIVIC</b>	To be determined by warrant		
<b>OTHER</b>	To be determined by warrant		

**SHARING FACTOR**



Next Steps

Regulatory

Public Improvements

Management

# NEXT STEPS

The following are the Design Teams Recommended Stepper to Move Forward with a FBC for Bird Rock's Commercial District:

## REGULATORY RECOMMENDATIONS

Add Form-Based recommendations to the Municipal Code. This could be accomplished as a new section for subarea 4A in the La Jolla PDO., an overlay under the provisions of the CPIOZ. (Community Plan Implementation Overlay Zone), or as a separate zone.

Expand the area included in subarea 4A and map each parcel exactly. Responsibility: BRCC and City of San Diego.

## PUBLIC IMPROVEMENT RECOMMENDATIONS

Add mid-block crossings between Bird Rock Avenue and Forward Street and between Forward Street and Midway Street. The mid-block crossings could serve as loading zones during early morning hours.

Design public spaces at Bird Rock/La Jolla Boulevard intersection, Forward/La Jolla Boulevard intersection, and Midway/La Jolla Boulevard intersection. These public spaces may be part of the trade-offs for additional floors. The public spaces could require an agreement between the MAD, City, and property owner in order to establish integration for maintenance and repair with adjacent public improvements and to provide for public right-of-entry.

Acquire land for a public park and parking on La Jolla Boulevard.

Design entry features for the commercial area.

Create parks at the ocean end of Bird Rock, Chelsea, Forward, and Midway.

Allow for Granny Flats and greater alley intensity for Single-Family homes that share the alley with the Commercial District.

## MANAGEMENT RECOMMENDATIONS

The BRCC, MAD, Micro BID, and the La Jolla Parking District should take the lead and work with the City to identify and acquire a parcel on La Jolla Boulevard that could serve as a public space and provide public off-street parking.

The BRCC, MAD, Micro BID, and the La Jolla Parking District should consider paid parking (parking meters) along commercial frontages to offset the cost of the neighborhood's public improvements.

To prevent spill-over of commercial parking onto residential streets, the BRCC should weigh the potential for a Residential Permit Parking District.

Add banners and lighting along La Jolla Boulevard to enhance further the pedestrian environment.



Frequently Asked Questions

Public Questions

Design Team Response

# QUESTIONS AND RESPONSES

THESE CONSULTANT RESPONSES ARE TO PUBLIC QUESTIONS ASKED DURING THE BIRD ROCK COMMUNITY COUNCIL INFORMATION MEETINGS HELD IN FEBRUARY AND MARCH 2007:

*Question 1) How and why did three stories get added to the proposal?*

RESPONSE: The studies and analyses conducted by the consultants included a field survey by neighborhood participants and a visual preference survey.

The field survey asked the participants to rate buildings on each commercial block as “Exceptional, Acceptable, and Regrettable.” The visual preference survey asked participants to rate buildings and places from areas similar in character to Bird Rock and to rate them on a scale of -5 to +5.

The results of both surveys indicated that the concerns were with buildings that were bulky, blocky, and did not respect the fine-grained parcelization of the 4,000 square-foot lots, or buildings and storefronts that did not relate well to the street and sidewalk.

The respondents were generally in favor of buildings that created places where people could stroll and had a scale that was “neighborhood.” During the discussions of the surveys, the issue of the “third story” was not raised. The proposed FBC does not change the 30’ height limit, the allowable density, or the FAR.

*Question 2) If three stories are allowed: What is the benefit to the community? How many blocks do they allow them on? Are the three-story areas in certain locations for a good reason?*

RESPONSE: The code has been designed to provide for development in keeping with the desired character of Bird Rock. The PDO currently allows three stories throughout subarea 4 if certain conditions are met. Those conditions are loosely worded and do not provide the guidance that is desired by the community.

The consultants propose that three stories be allowed in all areas except the Edge and the Middle Zones.

As indicated in the draft code, on page FBC 4, they are located in the zones that allow them because they help define the commercial area; and, in trade-off for public spaces, pedestrian-friendly areas are added to the boulevard.

#### THE PUBLIC BENEFIT TRADE-OFF

*Question 3) Do all areas that allow three-story projects require that a public benefit be offered to compensate for the height and massing?*

RESPONSE: The proposed FBC in all cases sets requirements that would prohibit the bulky and blocky situations that have allowed the Seahaus the Remax buildings. The 30-foot height limit is allowed under the current PDO no matter the number of stories. This does not change under the proposed FBC.

*Question 4) Is public space the only “community benefit” required by the consultants?*

RESPONSE: Yes.

*Question 5) What does the draft require the public space to be like? Is it dedicated? Is it grass or paved? Does it require features like benches that might invite the public to use the space?*

RESPONSE: The design of the public space would be a function of the approval of a particular project. The consultants are proposing that the public space be accepted through an agreement with the MAD. And, if appropriate, an encroachment permit to guarantee public access, maintenance, and security of the space.

*Question 6) The plan appears to eventually require twelve, 1,000 square-foot civic spaces at three intersections . . . Do we need this many “public spaces”?*

RESPONSE: The corner spaces are designed to take advantage of the waterfront views

that help to make Bird Rock the desirable and unique community that it is. The build-out, if it occurs, would take place over many years. The kinds of spaces that would be provided are the kinds of spaces the participants in the surveys indicated they would like to see in Bird Rock.

However, these spaces are not intended to be a central gathering place. A central gathering space is a project of the MAD and the BRCC.

#### DESIGN AND USE CONCERNS

*Question 7) Three-story projects guarantee a 30-foot high building with a flat roof. Do flat roofs provide the neighborhood character that we envision for Bird Rock? How does the FBC ensure against the monotony of continuous wedding-cake style 30-foot buildings?*

RESPONSE: The existing commercial is characterized by flat roofs at one-story, two-story, and three-story heights. The current provisions of the La Jolla PDO allows the possibility of a continuous 30-foot wall along the length of the La Jolla Boulevard commercial area. The proposed FBC provides for five separate zones with different requirements that would mitigate the potential for a “. . . monotony of continuous wedding-cake style 30-foot buildings.”

*Question 8) The proposal allows a 25-foot facade along the street. Is there a noticeable difference between a sidewalk facade that is 25 feet and one that is 30 feet all along the street? What kind of design guidelines are planned to ensure high-quality, attractive design and prevent solid unarticulated walls?*

RESPONSE: Perhaps not; but, that is not only what the proposed FBC calls for. The code sets up five zones, each with different requirements. These include the requirement that ground floor shops must be at grade and does not allow a stepping down as is the case at the Promenade Building.

The code also requires a minimum 14-foot height for retail space, requires transparency at the ground floor, and sets the requirement for the location of entries. The current La Jolla PDO does not address any of those design considerations.

*Question 9) People usually prefer not to live above restaurants. If single-story buildings are lost, how can we encourage restaurants to be available in the projects with condos above the main floor?*

RESPONSE: Again, not all development will build out to that which is allowed under the current PDO or the proposed FBC. Restaurants will locate where there is a market. The way the upper stories are required by the FBC may avoid the problems that discourage some people from living above a restaurant.

#### PARKING ISSUES

*Question 10) Does the FBC require more parking or less parking than the current PDO?*

RESPONSE: Yes.

*Question 11) Is there a requirement for projects to provide parking for employees? For residents? For customers?*

RESPONSE: The proposed FBC requires parking for employees and residents. The consultants have proposed that customer parking not be required on-site because the 40-foot lot pattern does not accommodate customer parking. The current requirement under the PDO requires, in some cases, more square footage for parking than the actual square footage of the building.

Moreover, the requirement for individual customer parking behind the buildings discourages customers from visiting more than one shop at a time in Bird Rock because each customer's car must be moved each time the customer wishes to go to a different retail

establishment. The diagonal parking that is part of the street improvements will provide additional customer parking.

In addition, the consultants are recommending that the community consider a Residential Permit Parking District for the adjacent residential streets. The consultants understand that the BRCC, the MAD, and the La Jolla Parking District are exploring the possibility of a parking facility.

#### ENFORCEMENT

*Question 12) How can we ensure that this code would actually have some backbone? What kind of enforcement mechanism is established?*

RESPONSE: The enforcement mechanism is the same that is provided under the current PDO. The difference is that the proposed FBC provides requirements that are clear and tailored to the needs of the Bird Rock community.

#### QUESTIONS RAISED AT BRCC COMMUNITY INFORMATION MEETINGS:

*Question 13) Does the PDO inhibit redevelopment? Similarly, would the FBC facilitate redevelopment?*

RESPONSE: The provisions of the PDO, particularly the parking requirements, give only larger projects feasibility (maximizing build out is necessary in order to pay the cost of providing the required parking).

The required 50% of ground floor retail requirement of the current PDO also discourages redevelopment. There may not be a market for all the required retail square footage.

The need to maximize buildout forces the third story and the boundaries of the building envelope.

The FBC establishes a building envelope

that is in keeping with the desired character of the Bird Rock neighborhood. The restructuring of the parking requirements makes it possible to redevelop and revitalize buildings that respect the 40' lot pattern on La Jolla Boulevard, a pattern that enhances Bird Rock's distinctive character.

*Question 14) Is the FBC properly integrated into the PDO and/or the Municipal Code?*

RESPONSE: The draft Bird Rock Form-Based Code as currently drafted is formatted to be inserted into the La Jolla Planned District Ordinance as Subarea 4A. The new Subarea 4A addresses the form of new development in the Bird Rock/La Jolla Boulevard district. Where items are not addressed in the new subarea, the current provisions and definitions remain in effect.

The draft FBC can be formatted easily to be a Community Plan Implementation Overlay Zone (CPIOZ) or a stand-alone code. The PDO format, however, would be the best way to ensure continuity and compatibility with the rest of the La Jolla community. This approach builds on the suggestions of the PDO 12.

*Question 15) Should we have 1, 2, or 3 areas?*

RESPONSE: Unlike conventional zoning, which is typically more broad-brushed, a form-based code is designed to address the fine grain of urban development. Based on the workshops and charrette work, the draft code identified five areas and conditions that needed to be addressed based on the location and nature of the areas. Those areas are Edge, Corner-middle, Middle, Corner-center, Center. The draft FBC describes this as: "A place-based plan to regulate each parcel on La Jolla Boulevard by type of place. The Edge is less intense than the Middle, which is less intense than the Center. The corners of each place are different from the middle of the block."

*Question 16) Are the regulations across the three areas equitable?*

RESPONSE: The FBC is designed to recognize that location, conditions, etc., make each block and each parcel unique. The FBC is designed to address the goals of the La Jolla Community Plan and the Bird Rock community. The FBC does not reduce the allowable height, density, or FAR.

*Question 17) How should we relax uses over those allowed/required by the PDO? The current draft seems to have eliminated all use restrictions.*

RESPONSE: The FBC does not change the use restrictions with the exception of the Edge Zone where ground and upper floor uses are intended to be primarily offices and residential with limited retail. The PDO has a ground floor retail requirement.

The FBC does not have the detailed list of uses that are found in the PDO. Rather, it uses the encompassing terms of retail and office.

*Question 18) Should the FBC be parking-neutral relative to the PDO?*

RESPONSE: The work leading to the FBC analyzed the parking situation in Bird Rock and those studies led to the following findings:

- The 40' lot pattern makes provision of the PDO parking requirement infeasible.

- The required parking requires more square footage than the square footage of the uses it serves and discourages redevelopment and revitalization.

- The alley parking discourages customers by requiring them to hunt for an often non-existent parking space every time they want to patronize a different shop.

- Employees often park on the adjacent residential streets if parking is not provided for them behind their place of employment.

- Customers will not use structured parking for short-term visits to Bird Rock. (Starbucks customers rarely use the Starbucks parking garage.)

Based on the foregoing findings, the FBC provides that La Jolla Boulevard parking be counted toward the required customer parking for retail uses.

The Bird Rock study also recommends that the MAD and the La Jolla Parking District continue to investigate the development of a parking lot or structure; that cooperative agreements be entered into with developments having excess parking in order to provide public parking; and, further, that the residential community consider establishing a Residential Parking Permit District.

*Question 19) Three stories or not? If not, what else in the FBC must change?*

RESPONSE: Three stories are allowed under the PDO. The FBC regulates the location of the third story and requires the dedication of civic space in exchange for allowing a third story.

*Question 20) Are building height setbacks too restrictive; that is, not allowing architectural freedom and ability to meet building codes?*

RESPONSE: The surveys conducted as part of this study indicate that most people objected to bulky, out-of-scale buildings that did not relate to the street and the adjacent residential neighborhood. Many of the buildings the community objected to met the requirements of the PDO and were built out to the envelope allowed by the PDO. Architectural freedom works best with a set of constraints based on desired form and character.

*Question 21) What is the process to advance the current draft?*

RESPONSE: The consultants will present their final draft to the Council office and City staff for review and comment and to begin the official review process. The community must continue to participate in this process.

*Please Ask Any Additional Questions to:*  
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3620 30th Street, Suite B  
San Diego, CA 92104

# BIRD ROCK PROJECT REPORT

## A FORM-BASED CODE APPROACH

MARCH 20, 2007

PREPARED BY:

STEPNER DESIGN GROUP

HB3 URBAN DESIGN + URBAN PLANNING

PREPARED FOR:

CITY OF SAN DIEGO COUNCIL DISTRICT 1

BIRD ROCK COMMUNITY COUNCIL

AND CITIZENS



*For More Information about Form-Based Codes and Design Charrettes, Please Contact:*



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March 20, 2007  
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