

**MEETING CALLED TO ORDER**

6:21 pm

**MEMBERS PRESENT (MARKED WITH "X")**

X 1	Dan Dennison	X 3	Blake Herrschaft	X 6	John Ambert ( <b>Chair</b> )
1	[VACANT]	X 4	Craig Klein	X 6	Tom Gawronski
2	[VACANT]	4	Andrew Waltz	X 7	Valerie Paz
X 2	Nanci Kelly	X 5	Jane Gawronski	X 7	Georgia Sparkman
X 3	Pete Ruscitti	5	[VACANT]	<i>Numbers indicate district</i>	

**ACTION #1: SUSTAINABLE BUILDINGS EXPEDITE PROGRAM**

- *John* – Explained that the purpose of the agenda item is to develop a policy for accepting deviations to the Land Development Code (LDC) under the Sustainable Buildings Expedite Program (SBEP). He emphasized that it is important to understand the specific provisions and findings in the SBEP/LDC that would permit deviations so the policy has a strong basis.
- *Georgia and John* – Provided background on the development permitting process and how the SBEP is implemented by the LDC and City Council Policies 900-14 and 600-27.
  - One key provision is this Supplemental Finding that must be made for a Site Development Permit: “Any deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.” [LDC Section 126.0504(m)]
  - The group discussed at length the definition of “more desirable.”
- *Pete* – Asked whether the Board felt it would be reasonable to adopt a policy accepting no deviations to floor area ratio (FAR) under the SBEP.
  - *Georgia and Dan* – Said that in some cases, an allowance for FAR deviations may be desirable depending on the specific circumstances of the project.
  - *Tom* – Suggested 0.75 FAR (for RM-2-4 zone) with no deviations for parking.
  - *Blake* – Suggested deviation of up to 10% over the allowable FAR.
- *John* – Distributed a draft policy for consideration, which was then discussed at length by the Board and revised (final version shown in **Attachment #1**).

Public Comments:

- Several commenters supported the Board’s efforts to clarify City policy.
- One commenter inquired about the benefit to a developer of a 10% FAR deviation versus the cost of implementing the required sustainability elements. The Board discussed.
- Motion from John to approve draft policy as revised in discussion (**Attachment #1**), seconded by Tom.
  - **Motion passes, 9-1-0.**
  - For: Nanci, Pete, Blake, Craig, Jane, John, Tom, Valerie, Georgia
  - Against: Dan (prefers 15% FAR deviation)

**MEETING ADJOURNED**

8:25 pm



# **OCEAN BEACH PLANNING BOARD**

4876 Santa Monica Avenue #133, San Diego CA 92107

*oceanbeachplanning.org*

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## **Policy for Deviations to Floor Area Ratio (FAR) Under Sustainability Incentive Programs**

October 21, 2015

The Ocean Beach Planning Board recognizes the value of sustainable development in the urban environment. We support the City of San Diego *Climate Action Plan* goal of achieving 100% renewable energy by 2035. In addition, the Ocean Beach Planning Board recognizes California's *Long Term Energy Efficiency Strategic Plan* to make all new residential construction Zero Net Energy by 2020, and all new commercial construction Zero Net Energy by 2030. This element is also noted in Section CE-A.5 of the City of San Diego *General Plan*.

The community of Ocean Beach is committed to assisting San Diego and California in achieving their energy and sustainability goals. The 2015 update of the *Ocean Beach Community Plan and Local Coastal Program* emphasizes sustainability and green building strategies for new construction and major renovation projects:

“Encourage new development to meet the requirements of the US Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification, or equivalent CALGreen standards.” (UD 6 – 4.1.14)

In concert with green building and sustainability, the *Community Plan* also emphasizes the importance of avoiding variances or deviations to the floor area ratio (FAR) maximum limits of 0.7, 0.75, 1.80, and 2.0 for the RM-2-4, RM-1-1, RM-5-12, and CC-4-2 zones, respectively:

“Goal: encourage development that builds on Ocean Beach’s established character as a mixed-used small scale neighborhood.” (Intro 03 – Plan Goals)

“Maintain the community’s small-scale character and avoid exceptions to established floor area ratios (FAR) to the greatest extent possible under the law.” (UD 8 – 4.2.9)

### **Sustainable Building Criteria**

Therefore, in order to encourage sustainable development while minimizing exceptions to the FAR, the Ocean Beach Planning Board mandates that **all new developments and major renovation projects in Ocean Beach seeking deviations to FAR via the Sustainable Building Expedite Program, City Council Policy 600-27, or other incentive programs must implement the following procedures:**

- Discretionary projects must provide 100% of their projected total energy use utilizing renewable energy resources to demonstrate Zero Net Energy.
- Residential projects must demonstrate how they will achieve the highest level of performance available using any of the following rating systems:
  - *CALGreen*: Tier 2
  - *LEED Homes*: Platinum

*(continued)*

- *GreenPoint Rated New Home Single Family (NHSF) and New Home Multifamily (NHMF): Platinum*
- Commercial projects must demonstrate how they will achieve the highest level of performance available using any of the following rating systems:
  - *CALGreen: Tier 2*
  - *LEED New Construction or Core and Shell: Platinum*

As a condition of approval by the Ocean Beach Planning Board, projects must demonstrate all of the following **prior to the issuance of a building permit**:

- The selected green building design solutions have been fully documented in the construction documents and any supporting design documentation, and approved by the applicable reviewing organization as follows:
  - *CALGreen: Project requirements approved by the City project manager*
  - *LEED: Design credits earned prior to the commencement of construction*
  - *GreenPoint Rated NHSF and NHMF: Initial applications completed review*
- Provide a building energy model and signed calculations from a licensed engineer demonstrating the project will be Zero Net Energy via on-site renewable energy generation.

#### **Deviations to Floor Area Ratio (FAR)**

Sustainability is a critical part of the mission to preserve the health and vitality of Ocean Beach, and the community is willing to compromise the most sacred tenet of our land use policy—the FAR—for projects that demonstrate the highest performance criteria for green building.

A deviation of **up to a maximum of 10% of the allowable FAR** would be granted if the Ocean Beach Planning Board finds that the project aligns with these Green Building criteria, provided that the project does not encroach into allowable setbacks or is otherwise inconsistent with the *Community Plan*.

City Council Policy 900-14 is a dated document established in 2003. The Ocean Beach Planning Board recognizes that updates are needed as building codes become more stringent in order to align policy with implementation procedures in developing a more sustainable future.