

Transferable Rights Allocation to Downzoned Properties

In order to implement the Transfer of Development Rights program, it is necessary to establish a consistent method for estimating how many units could have realistically been applied to any property under the existing General Plan and Ordinances. Once this number is determined, it should be modified based on site constraints. Finally, the revised number should be compared to how many units would be allowed under the Proposed General Plan.

The Department of Planning and Land Use methodology used to estimate the existing “Effective Density” for properties downzoned included two steps as follows. The Constraints Exhibits are available at www.sdcounty.ca.gov/dplu/gpupdate/tdr.html.

1. The “Ordinance Density” was determined by taking the most restrictive of each property’s General Plan Density, Zoning Density and density determined by the Groundwater Ordinance and Groundwater Limitations Map.
2. Constraints were then applied to each Assessor’s Parcel Number (APN), and a Potential Yield was determined for each APN. *It is important to note that an Assessor’s Parcel Number is not the same as having a Legal Lot (see Zoning Counter Form 88), proof of which would be required prior to transfer of units.* The Following Constraints were applied such that a certain percentage of density reduction on the area was assumed where the constraint occurs. In the case of multiple constraints, the most restrictive constraint was applied rather than adding them together.
 - a. Steep Slopes – Areas with greater than 25% slope were assigned a 50% density decrease to reflect the average avoidance requirement applied to project sites with steep slopes
 - b. Tier 1 Habitat – Identified Tier 1 Habitat areas were assigned a 75% density decrease because these types of resources typically require a 3:1 mitigation ratio
 - c. Wetlands / Floodways – Resource Protection Ordinance defined Wetlands and Floodways were given a 100% constraint (zero density) since residential subdivisions are required to avoid these features
 - d. Fire Travel Time Greater than 20 Minutes – Areas that have a greater than 20-minute travel time from a recognized and fully staffed fire station were given a 100% constraint (zero density) to reflect the inability of these areas to subdivide under the existing General Plan (Public Facilities Element)
 - e. Distance from Publicly Maintained Road – Areas more than a quarter mile in linear distance from a Publicly maintained road, highway or freeway were given a 50% density decrease based on existing General Plan and Fire Code restrictions (this constraint was applied to one version of the exhibit, with another version showing calculations without this constraint)

Attachment B

Once this methodology estimated the units that a property could achieve under the Existing General Plan, a calculation based on the General Plan Update Planning Commission Recommendation Map (April 2010) is completed to show the difference in number of units available for development. The Constraints Exhibits are available at www.sdcounty.ca.gov/dplu/gpupdate/tdr.html.

Additional items can be considered into the methodology for determining effective densities and units lost. Two particular items that should be considered in the future is existing multi-family developments that received moderate density changes to reflect actual development, such as in Spring Valley, as well as better incorporate the existing Forest Conservation Initiative into the modeling.