

**CALIFORNIA COASTAL COMMISSION**

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# Th21b

## ADDENDUM

November 13, 2012

To: Commissioners and Interested Persons

From: California Coastal Commission  
San Diego Staff

Subject: Addendum to **Item Th21b**, Coastal Commission Permit Application  
**#CCP-MAJ-4-11-B (City of San Diego)**, for the Commission Meeting of  
November 15, 2012.

Go to the original staff report.

After release of the staff report, dated November 1, 2012, a letter (attached for reference) from Jeff Graham, President of Civic San Diego (applicant), was received on November 9, 2012. Also on November 9, 2012, the Commission received a letter (attached for reference) from Kris Michell, CEO of the Downtown San Diego Partnership, in support of Civic San Diego's response letter. In their response letter, Civic San Diego accepts the majority of Commission staff's suggested modifications; however, a few revisions are also requested.

In response, staff recommends the following revisions and additions to the suggested modifications be made for this item. First, the numbering of the suggested modifications for the Downtown Community Plan should be corrected in the staff report. Second, each suggested modification will be shown with the City/Civic San Diego's position and a staff response, including the addition of any necessary findings. ~~Double strikethrough~~ indicates text deleted from the November 1, 2012 staff report pursuant to this addendum and double underlined indicates text added to the November 1, 2012 staff report pursuant to this addendum, as shown below:

### **In the Downtown Community Plan:**

1. ~~43.~~ Add the following sentence at the end of Section 2.3, Downtown Planning Jurisdictions:

For purposes of the Downtown Community Plan and Local Coastal Program, the development standards and land use plan policies only pertain to properties within the City of San Diego, and exclude those within the San Diego Unified Port District or federal lands.

Civic San Diego requests deletion of Suggested Modification #1.

Commission staff recommends the Commission retain Sug. Mod. #1 and the addition of the following findings:

The City maintains the downtown planning jurisdiction is clearly outlined in the first paragraph of Section 2.3 of the Downtown Community Plan and the modification would be duplicative. However, Section 2.3 essentially describes ownership interests within the downtown planning jurisdictions and it does not mention the LCP. In addition, the note added on many of the plan's figures as a disclaimer only references the Port District. One issue of particular concern is the document's assignment of permitted uses, floor area ratios, height limits and other standards to the Navy Broadway Complex property. On November 2, 2011, the Commission took action and objected to CD-047-90/Department of the Navy finding the project was no longer consistent to the maximum extent practicable with the enforceable policies of the California Coastal Management Program given changed circumstances. It is therefore necessary to clarify that any land use provisions or standards shown for properties, such as the Navy Broadway Complex, are non-binding. Thus, Commission staff recommends retention of Suggested Modification #1.

2. ~~14.~~ Figure 5-1, View Corridors, shall be revised to graphically depict Ivy Street as a view corridor from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway as a view corridor; and F Street as a view corridor from Pacific Highway east to Kettner Boulevard (as shown on Exhibit 2).

Civic San Diego is in agreement with Suggested Modification #2.

3. ~~15.~~ Insert Table 156-0310-B, View Corridor Stepbacks, from the Centre City Planned District Ordinance, into Section 5.1, Street Grid and Views (as shown on Exhibit 3).

Civic San Diego requests deletion of Suggested Modification #3.

The City asserts it is more appropriate to include the table in the implementing documents (Centre City Planned District Ordinance and the Marina Planned District Ordinance), and that any future amendments related to view corridors would require review and certification by the Commission. However, the standard of review for the Implementation Plan is its consistency with and ability to carry out the Land Use Plan; therefore, minimum resource protection standards are necessary within the Downtown Community Plan. For critical elements such as the designation and protection of public view corridors, there must be appropriate specificity in the certified land use plan to direct the implementation measures. Without the inclusion of the View Corridor Stepbacks table in the Downtown Community Plan, the Planned District Ordinances could be amended to provide less protective setbacks and stepback elevations. Thus, Commission staff recommends retention of Suggested Modification #3.

4. ~~46.~~ Add the following policy to Section 5.5, Waterfront:

5.5-P-10 Continue to develop the waterfront as one of downtown's key ~~primary~~ open space, park and recreational areas, which is both physically and visually accessible to the public.

Civic San Diego requests a rephrasing of Suggested Modification #4.

Commission staff concurs and recommends the modification, as shown above, be accepted. The City wants to clarify that the proposed Downtown Community Plan expands downtown's open space system and, rather than focus on one major open space, focuses on a comprehensive and diverse range of outdoor opportunities throughout downtown.

5. ~~47.~~ Goal 5.1-G-2 in Section 5.1, Street Grids and Views, shall be revised as follows:

Protect public views of the San Diego Bay by establishing view corridors, which accentuate key public rights-of-way with appropriate setbacks, stepbacks, and design-development standards, and capture new public views where possible as waterfront sites are redeveloped.

Civic San Diego is in agreement with Suggested Modification #5.

6. ~~48.~~ Add the following policy to Section 7.3, Transit System:

Policy 7.3-P-10: Work with the Port and other appropriate agencies to implement an integrated shuttle system with routing for downtown and bayside shuttles in order to provide connectivity and linkages between key downtown locations and the waterfront.

Civic San Diego is in agreement with Suggested Modification #6.

- 6a. Add the following policy to Section 7.3, Transit System:

Policy 7.3-P-11: The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, the Port District and other stakeholders, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. The shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points.

Civic San Diego requests that Suggested Modifications #11 and #15 be deleted.

After further discussion with Civic San Diego, Commission staff proposed that the language of the modifications be revised, as shown above. The City and Commission staffs now recommend that the revised policy language is more appropriately included within the Downtown Community Plan, rather than the Centre City Planned District Ordinance and the Marina Planned District Ordinance.

7. ~~19.~~ Add the following policy to Section 7.4, Parking:

7.4-P-8 Public parking facilities shall be located near transit corridors and pedestrian priority zones to maintain and enhance public access to the waterfront, in addition to other areas of downtown.

Civic San Diego requests that Suggested Modification #7 be revised.

After further discussion with the City, Commission staff has proposed the additional changes, as shown above, to clarify that public parking facilities need to be located near transit corridors and pedestrian priority zones. However, public parking facilities can also be located in other areas of downtown, as necessary.

8. ~~20.~~ Goal 7.5-G-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

Encourage transportation demand management strategies to minimize energy consumption, vehicle miles traveled, and traffic contributions from new and existing development.

Civic San Diego is in agreement with Suggested Modification #8.

9. ~~21.~~ Policy 7-5-P-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

Implement ~~Mandate~~ Encourage TDM approaches and participation in existing TDM programs, including but not limited to those implemented by SANDAG and MTS, in order ~~various SANDAG programs~~ to:

- Rideshare and carpool in all levels of government with offices and facilities downtown as well as other major downtown employers.
- Make available designated preferential, conveniently located car/vanpool parking areas.
- Provide transit reimbursement and other benefits to other users of non-motorized travel.
- Establish a car/van-pool matching service that could use mechanisms such as sign-ups at individual buildings, or via electronic mail or an Internet website.
- Continue SANDAG's guaranteed ride home for workers who carpool.

- Work with public and private entities to encourage car share programs in downtown.
- Provide flextime and telecommuting opportunities to employees.
- Provide designated shuttle stops for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.

Civic San Diego requests that Suggested Modification #9 be revised.

Commission staff concurs and the City's revised language is incorporated above.

**In the Centre City Planned District Ordinance:**

10. Insert the following new policy as Section 156.0310(d)(1)(G) of the CCPDO, following Table 156-0310-B:

(G) Sky-walks. Elevated pedestrian walkways or "sky-walks," or gross floor area may not be constructed above, over, or within existing or designated view corridors unless compelling reasons exist to ensure safe pedestrian improvements and where no feasible alternatives for pedestrian access are available.

Civic San Diego is in agreement with Suggested Modification #10.

~~11. Insert the following new policy as Section 156.0313(p) of the CCPDO, following Table 156-0313-D:~~

~~a. Integrated Downtown Shuttle System~~

~~The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, and the Port District, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Within the Coastal Zone and as part of the coastal development permitting process, new development is required to participate in and contribute a fair share toward the implementation of a permanent downtown shuttle system that would connect to the Port District's bayside shuttle along the waterfront. In addition, this shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points.~~

Civic San Diego requested that Suggested Modification #11 and #15 be deleted.

Based on further discussion with the City, Commission staff proposed revised language, as shown in Suggested Modification #6a above. Commission staff and the City now agree that the revised language, incorporated as a new Policy 7.3-P-11 in the Transportation

section, is more appropriate as part of the Downtown Community Plan and the original Suggested Modifications (#s 11 and 15) may be deleted.

12. Table 156-0313-D, Transportation Demand Management (TDM), shall be revised, as follows:

<b>Table 156-0313-D: <i>TRANSPORTATION DEMAND MANAGEMENT (TDM)</i></b>	
Points	Measure
20	Five-year, 50% subsidy for transit passes for employee occupants
<del>5</del> 15	<u>Designated shuttle stop, including signage, seating, lighting and ongoing maintenance, for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.</u> <del>Public accessible shuttle to all downtown and airport locations</del>
15	"Shared Use Vehicles" ~a minimum of 1 vehicle shall be provided for every 50,000 square feet of leasable gross floor area.
15	Electric, natural gas, fuel cells, fueling stations ~a minimum of 1 space per 30,000 square feet of office space, a minimum of 1 space per 100 hotel rooms ~a minimum of 50% of the stations shall be electric vehicle charging stations
10	On-site day-care
5	Bicycle storage - a minimum of 1 space for every 10 parking spaces
5	Upgraded transit stop adjacent to new development, including shelter, seating, lighting and ongoing maintenance through an agreement with the appropriate transit agency
5	On-site shower facilities available to all tenants/employees of a building ~a minimum of 1 space per 100,000 square feet of office space ~a minimum of 1 space per 100 hotel rooms
5	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
5	Discounted parking rates for carpools containing three or more adults - minimum 25% discount
5	Preferential parking for car-sharing, carpool and/or vanpool parking (minimum 5% of permitted parking)
5	Discounted parking rates for vehicles with CARB classifications ULEV, SULEV, PZEV, and ZEV - minimum 20% discount
5	On-site transit-pass sale, maps and information.

Civic San Diego is in agreement with Suggested Modification #12.

13. Figure G, View Corridors, shall be revised to graphically depict view corridor stepbacks on: Ivy Street from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway; and F Street from Pacific Highway east to Kettner Boulevard (consistent with Exhibit 2).

Civic San Diego is in agreement with Suggested Modification #13.

14. Table 1511-04D, Transportation Demand Management (TDM), shall be revised, as follows, to be consistent with the TDM Table within the Centre City Planned District Ordinance (Table 156-0313-D), as modified by Suggested Modification #12 above:

<b>Table 1511-04D: <i>TRANSPORTATION DEMAND MANAGEMENT (TDM)</i></b>	
Points	Measure
20	Five-year, 50% subsidy for transit passes for employee occupants
5	Designated shuttle stop, including signage, seating, lighting and ongoing maintenance, for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.
15	"Shared Use Vehicles" ~a minimum of 1 vehicle shall be provided for every 50,000 square feet of leasable gross floor area.
15	Electric, natural gas, fuel cells, fueling stations ~a minimum of 1 space per 30,000 square feet of office space, a minimum of 1 space per 100 hotel rooms ~a minimum of 50% of the stations shall be electric vehicle charging stations
10	On-site day-care
5	Bicycle storage - a minimum of 1 space for every 10 parking spaces
5	Upgraded transit stop adjacent to new development, including shelter, seating, lighting and ongoing maintenance through an agreement with the appropriate transit agency
5	On-site shower facilities available to all tenants/employees of a building ~a minimum of 1 space per 100,000 square feet of office space ~a minimum of 1 space per 100 hotel rooms
5	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
5	Discounted parking rates for carpools containing three or more adults - minimum 25% discount

5	Preferential parking for car-sharing, carpool and/or vanpool parking (minimum 5% of permitted parking)
5	Discounted parking rates for vehicles with CARB classifications ULEV, SULEV, PZEV, and ZEV - minimum 20% discount
5	On-site transit-pass sale, maps and information.

Civic San Diego is in agreement with Suggested Modification #14.

~~15. Insert the following new policy at the end of Section 1511.03402 of the MPDO, following Table 1511-04D:~~

~~The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, and the Port District, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Within the Coastal Zone and as part of the coastal development permitting process, new development is required to participate in and contribute a fair share toward the implementation of a permanent downtown shuttle system that would connect to the Port District's bayside shuttle along the waterfront. In addition, this shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points.~~

Civic San Diego requested that Suggested Modification #11 and #15 be deleted.

Based on further discussion with the City, Commission staff proposed revised language, as shown in Suggested Modification #6a above. Commission staff and the City now agree that the revised language, incorporated as a new Policy 7.3-P-11 in the Transportation section, is more appropriate as part of the Downtown Community Plan and the original Suggested Modifications (#s 11 and 15) may be deleted.



# Civic San Diego

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November 8, 2012

California Coastal Commission  
7575 Metropolitan Drive  
Suite 103  
San Diego, California 92108-4402

Dear Chair and Members of the California Coastal Commission:

On behalf of Civic San Diego, I am writing to request your approval of the proposed amendment to the Local Coastal Program (LCP) for the Downtown Community Plan (DCP) Area, subject to the proposed changes outlined in the attachment to this letter. On November 7, 2012, the Civic San Diego Board of Directors voted 8-0 to endorse the recommendations outlined in this letter.

We have appreciated the Coastal Commission staff's thorough analysis of our planning documents and willingness to work with us over the last year on our LCP amendment. Overall, Civic San Diego accepts the Coastal Commission staff's proposed modifications as outlined in the November 1, 2012 staff report, with only a few revisions as shown in Attachment A. However, we are seeking the deletion of two of the recommended modifications as follows:

## Downtown Shuttle

Coastal Commission staff is proposing that the following language be included in the Centre City Planned District Ordinance (CCPDO) and Marina Planned District Ordinance (MPDO):

"The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, and the Port District, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Within the Coastal Zone and as part of the coastal development permitting process, new development is required to participate in and contribute a fair share toward the implementation of a permanent downtown shuttle system that would connect to the Port District's bayside shuttle along the waterfront. In addition, this shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points."

Civic San Diego, in collaboration with the Downtown San Diego Partnership (DSDP) and other stakeholders, is currently pursuing the implementation of a downtown shuttle. We consider that successful implementation of the shuttle depends on an effective connection to the existing transportation system and other appropriate downtown perimeter locations (including the airport and cruise ship terminals).

However, we do not agree that language related to the downtown shuttle system be included in the CCPDO and MPDO, for the following reasons:

- The CCPDO and MPDO are zoning ordinances that establish land use and development regulations for private development downtown. The inclusion of language in a zoning ordinance related to the creation of a downtown shuttle system and the establishment of a "fair share" fee without adequate back up analysis and nexus findings is inappropriate.
- The creation of the downtown circulator shuttle is already present in the DCP Chapter 7, Transportation, Policy 7.3-P-3; identified as part of the transit network in Figure 7-4 and included in Box 7-2 as part of the overall transit network for downtown.
- The FEIR mitigation measures TRF-A1.1-3 require an update to the Public Facilities Financing Plan (PFFP) to include a transportation element, including transportation improvements, capital improvements to the downtown transit network and timeline/cost/developer impact fees to implement transportation improvements, including the downtown shuttle.

Civic San Diego is currently proceeding with execution of a Memorandum of Understanding (MOU) with the DSDP for the creation of a strategic implementation plan for a comprehensive downtown shuttle system (Attachment B). Relevant tasks associated with the implementation plan include utilizing prior studies and experiences of the various entities that have previously implemented circulator shuttle programs in the San Diego region (including the Port of San Diego and MTS); developing an operating plan that defines shuttle routes and stop locations, operating hours and frequencies; developing a financing plan that defines operating and maintenance expenses; developing an implementation plan, including the development of a pilot program and subsequent full implementation of the shuttle system; and, defining a schedule for each phase of implementation. The findings of the shuttle implementation plan will include estimated capital costs and operating costs for the program. It is anticipated that completion of this plan would occur by summer 2013.

Furthermore, an evaluation of the existing PFFP is currently being conducted by the City of San Diego's Facilities Financing Department in collaboration with Civic San Diego. Staff is compiling a list of specific projects and capital improvements, including potential transportation improvements (such as the downtown shuttle) for potential inclusion in the PFFP.

Both of these efforts are on-going and will result in the appropriate method of implementation for the downtown shuttle. Until these tasks are completed and adopted by the City Council including language and an undetermined fee for private developments only within the Coastal Zone for the downtown shuttle, is premature. Ideally, the costs of a downtown shuttle system will be allocated

on a downtown-wide basis, not solely to the properties within the Coastal Zone. Completion of the implementation plan and update to the PFFP is critical to create a legally defensible "fair share" fee and will result in the successful implementation of a downtown circulator shuttle as envisioned by the DCP.

Civic San Diego would be pleased to provide the Coastal Commission with a status update within the next 6-12 months related to the on-going implementation efforts towards the creation of the downtown shuttle.

View Corridor Stepback Table

Coastal Commission staff is requesting that Table 156-0310-B, View Corridor Stepbacks, from the CCPDO be included in Section 5.1, Street Grid and View of the DCP. Civic San Diego does not agree that this table be inserted into the DCP for the following reasons:

- The DCP establishes goals and policies to be implemented by regulatory documents. The CCPDO and MPDO (PDOs), not the DCP, are the implementing documents containing development regulations and controls related to land use, intensity, building massing and a number of other development standards, including view corridor setbacks and stepbacks.
- There are currently a number of other development regulations, which contain detailed regulatory tables in the PDOs which are not in the DCP including Street Level Active Uses (Figure 3-7), Employment Required, Large Floor Plate and Fine Grain Overlays (Figure 3-14), Minimum and Maximum Street Wall Heights, and Affordable Housing Bonus Tables.
- Maintaining the table in the PDOs will ensure that view corridor setback and stepback standards are enforced through the review and entitlement of private developments.
- The Coastal Commission staff report states (page 32, paragraph 2), "If the table were removed, the Coastal Commission would not have assurance in the future that specific implementing ordinances in the PDO would be adequate to protect view corridors in the Coastal Zone towards the San Diego Bay". The PDO is the Coastal Commission certified implementing regulatory document of the DCP. Any future amendments related to view corridors or any other development regulations affecting the Coastal Zone, which the Coastal Commission oversees, would require review and certification in the future prior to becoming effective, thereby assuring adequate protection of views to the San Diego Bay. Adding the table into the DCP provides no additional assurance to the Coastal Commission.

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We appreciate the opportunity to explain our position on these issues and request that you approve the proposed LCP amendment consistent with the requested revisions to Coastal Commission staff's proposed modifications and consistent with the issues outlined in this letter. Thank you for your consideration.

Sincerely,



Jeff Graham  
President

Attachment: A – Response to Proposed Coastal Commission staff modifications  
B – Strategic Implementation Plan for Downtown Shuttle System MOU

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## ATTACHMENT A

The purpose of this list is to summarize Civic San Diego's response to the Coastal Commission staff's suggested modifications to the proposed plan and ordinance amendments (numbers correspond to the proposed modifications in the Staff Report dated November 1, 2012, pages 11-16):

### Civic San Diego agrees with the following modifications proposed to the Downtown Community Plan:

14. Figure 5-1, View Corridors, shall be revised to graphically depict Ivy Street as a view corridor from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway as a view corridor; and F Street as a view corridor from Pacific Highway east to Kettner Boulevard.

17. Goal 5.1-G-2 in Section 5.1, Street Grids and Views, shall be revised as follows:

Protect public views of the San Diego Bay by establishing view corridors, which accentuate key public rights-of-way with appropriate setbacks, stepbacks, and design standards, and capture new public views where possible as waterfront sites are redeveloped.

18. Add the following policy to Section 7.3, Transit System:

Policy 7.3-P-10: Work with the Port and other appropriate agencies to implement an integrated shuttle system with routing for downtown and bayside shuttles in order to provide connectivity and linkages between key downtown locations and the waterfront.

20. Goal 7.5-G-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

Encourage transportation demand management strategies to minimize energy consumption, vehicle miles traveled, and traffic contributions from new and existing development.

### Requested changes to Coastal Commission staff's proposed modifications to the Downtown Community Plan

13. Add the following sentence at the end of Section 2.3, Downtown Planning Jurisdictions:

For purposes of the Downtown Community Plan and Local Coastal Program, the development standards and land use plan policies only pertain to properties within the City of San Diego, and exclude those within the San Diego Unified Port District or federal lands.

*The downtown planning jurisdiction is clearly outlined in the first paragraph of Section 2.3 of the DCP. The requested addition of the language above is not necessary and duplicative. Therefore this language should not be included as part of the proposed modifications.*

16. Add the following policy to Section 5.5, Waterfront:

5.5-P-10 Continue to develop the waterfront as one of downtown's key ~~primary~~-open space, park and recreational areas, which is both physically and visually accessible to the public.

*Civic San Diego accepts this modification with revisions as shown above. The 1992 Community Plan identified the waterfront as the primary open space for downtown. The new DCP expands downtown's open space system and rather than focus on one major open space, focuses on a comprehensive and diverse range of outdoor opportunities throughout downtown. Therefore, while the waterfront is still a critical open space asset to downtown, it is more appropriate to identify the waterfront as one of the key open spaces for downtown residents, workers and visitors.*

19. Add the following policy to Section 7.4, Parking:

7.4-P-8 Public parking facilities are encouraged to ~~shall~~ be located near transit corridors and pedestrian priority zones to maintain and enhance public access to the waterfront.

*Civic San Diego accepts this modification with the revised language. The DCP goals and policies are intended to encourage and prefer public parking facilities to be located near transit corridors and pedestrian zones where feasible; however, there is concern that the use of the term "shall" could be interpreted to preclude the location of public parking facilities in other areas of downtown.*

21. Policy 7-5-P-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

~~Mandate~~ Implement TDM approaches and participation in existing TDM programs, including but not limited to those implemented by SANDAG and MTS, in order to:

- Rideshare and carpool in all levels of government with offices and facilities downtown as well as other major downtown employers.
- Make available designated preferential, conveniently located car/vanpool parking areas.
- Provide transit reimbursement and other benefits to other users of non-motorized travel.
- Establish a car/van-pool matching service that could use mechanisms such as sign-ups at individual buildings, or via electronic mail or an Internet website.
- Continue SANDAG's guaranteed ride home for workers who carpool.
- Work with public and private entities to encourage car share programs in downtown.
- Provide flextime and telecommuting opportunities to employees.
- Provide designated shuttle stops for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.

*Civic San Diego generally accepts the requested modification. However, is recommending that the language state "Implement" rather than "Mandate". The TDM measures apply only to developments containing 50,000 square feet or more of commercial or hotel development and while Civic San Diego agrees that "encouraging" the use of TDM measures is somewhat weak, Civic San Diego does not agree with the use of the word "mandate" in the DCP and is therefore recommending alternative language.*

Civic San Diego agrees with the following modifications as proposed to the Centre City Planned District Ordinance:

10. Insert the following new policy as Section 156.0310(d)(1)(G) of the CCPDO, following Table 156-0310-B:

(G) Sky-walks. Elevated pedestrian walkways or “sky-walks,” or gross floor area may not be constructed above, over, or within existing or designated view corridors unless compelling reasons exist to ensure safe pedestrian improvements and where no feasible alternatives for pedestrian access are available.

12. Table 156-0313-D, Transportation Demand Management (TDM), shall be revised (consistent with the table shown on Page 14 of the Coastal Commission staff report dated November 1, 2012).
13. Figure G, View Corridors, shall be revised to graphically depict view corridor stepbacks on: Ivy Street from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway; and F Street from Pacific Highway east to Kettner Boulevard (consistent with Exhibit 2).

Civic San Diego agrees with the following modifications as proposed to the Marina Planned District Ordinance:

14. Add Table 1511-04D, Transportation Demand Management (TDM), shall be revised, to be consistent with the TDM Table within the CCPDO (Table 156-0313-D), as modified by Suggested Modification #12 above.

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN  
CIVIC SAN DIEGO AND THE DOWNTOWN SAN DIEGO PARTNERSHIP  
REGARDING CREATION OF A STRATEGIC IMPLEMENTATION PLAN FOR A  
DOWNTOWN SHUTTLE SYSTEM**

This Memorandum of Understanding ("MOU") is made and entered into this 26 day of October, 2012, by and between Civic San Diego ("CSD"), a non-profit public benefit corporation, and the Downtown San Diego Partnership ("DSDP"), a non-profit business organization formed under section 501(c)(6) of the Internal Revenue Code. CSD and DSDP are sometimes referred in this MOU jointly as the "Parties" and individually as a "Party." This MOU is entered into in light of the following recited facts (each a "Recital.")

**RECITALS**

A. DSDP advocates for the economic growth and revitalization of the downtown area of the City of San Diego ("Downtown") by working with business organizations and government agencies to identify needs, develop strategies, and implement programs that strengthen the business climate and quality of life in Downtown.

B. CSD engages in economic development, land use permitting and project management services Downtown, and serves as the Downtown Community Parking District Advisory Board. Consistent with the Downtown Community Plan, CSD works to create a twenty-four hour, livable Downtown.

C. The Parties have identified a need for a Downtown transit circulation system ("Shuttle System") that will connect Downtown with regional bus rapid transit, the Coaster, the Trolley, the Lane Field Shuttle, the Port of San Diego Shuttle, and with neighborhood employment centers, as well as connect downtown destinations with peripheral parking facilities and promote fluid pedestrian mobility throughout the Centre City.

D. Development and implementation of a Shuttle System will further the Parties' respective missions by providing frequent, peak hour alternatives for the business community, improving mobility for visitors, providing the downtown workforce and residents with a "green lifestyle" alternative to automobile transportation, alleviating demand for parking in impacted areas, and improving connectivity consistent with a livable and sustainable Downtown.

E. The Parties desire to enter into this MOU to coordinate their financial and planning resources for the creation of a stakeholder group and strategic implementation plan for the Shuttle System.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the Parties hereby agree as follows:

**AGREEMENT**

1. Incorporation of Recitals. The above listed Recitals are true and correct and are hereby incorporated by reference and adopted as part of this MOU.



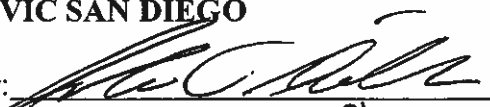
2. Term of MOU. Unless earlier terminated by thirty (30) days' advance written notice by either Party, this MOU shall be effective from the date of execution through September 30, 2013. The term of this MOU may be extended by mutual written agreement of the Parties.
3. Contributions. CSD shall contribute up to One Hundred Thousand Dollars (\$100,000) and DSDP shall initially contribute up to Fifty Thousand Dollars (\$50,000) to be used for the Strategic Implementation Plan Tasks identified in paragraph 4 of this MOU. CSD's contribution shall be monetary. DSDP's contribution may be in staff time and through other resources. DSDP shall provide CSD with documentation to support any non-monetary contributions claimed to fulfill its obligations under this paragraph 3. Should the cost of hiring the consultant, in accordance with paragraph 5 of this MOU, to perform the Strategic Implementation Plan Tasks identified in paragraph 4 of this MOU exceed CSD's \$100,000 monetary contribution limit, DSDP shall be solely responsible to pay the remaining costs, up to a monetary contribution of Fifty Thousand Dollars (\$50,000), in addition to its other contribution described in this Paragraph 3. If the total monetary contribution required to fund the Consultant exceeds One Hundred and Fifty Thousand Dollars (\$150,000), DSDP shall not award the contract or shall immediately cause the Consultant to suspend all work on the contract. The Parties shall meet and confer to determine whether to continue work on the contract and, if so, who shall be responsible for the monetary contributions necessary to fund the remaining work. In no case shall CSD have a monetary obligation beyond the not to exceed amount of One Hundred Thousand Dollars (\$100,000) described in this paragraph 3, unless the CSD Board by formal action authorizes an additional monetary contribution.
4. Strategic Implementation Plan Tasks. The Parties agree to utilize good faith efforts to cooperate toward accomplishing the following tasks, which are necessary for the creation and implementation of the Shuttle System and shall be funded with and supported by the contributions set forth in paragraph 3 of this MOU:
  - a. Research previously performed studies of existing Downtown circulation systems, including available literature and current practices, existing service design, operating guidelines, funding mechanisms, and related services; utilize the prior studies and experiential know-how of the various entities that have previously implemented circulator shuttle programs in the San Diego region including, but not limited to, the Port of San Diego, Little Italy Association, MTS and various universities; and
  - b. Develop a market analysis that empirically defines the market demand including a needs assessment and review of the current modes of transportation available to residents, businesses, and visitors; and
  - c. Develop an Operating Plan that defines proposed service, ridership and capacity, alignment, shuttle stop locations, and operating hours and frequency; and
  - d. Develop a Fare Structure Plan; and

- e. Develop a Capital Plan that defines vehicle requirements, recommendations, acquisition options, and capital funding opportunities; investigate the use of alternative energy vehicles as well as consider opportunities to partner with the local universities that are developing these technologies; and
  - f. Develop a Financial Plan that defines operating and maintenance expenses, capital expenses and their funding sources; the potential for advertising revenue; and
  - g. Develop a Marketing Plan that addresses start-up, short term, and longer term programs; and
  - h. Develop a Shuttle Service Provider outsourcing plan, including a draft Request for Proposals for the procurement of a service provider; and
  - i. Develop an Implementation Plan, including the development of a pilot program and subsequent full implementation of the Shuttle System; and define a schedule for each phase of implementation; and
  - j. Identify, convene, and facilitate the support of key stakeholders, including but not limited to the Port of San Diego, the San Diego Association of Governments ("SANDAG"), the Centre City Advisory Committee ("CCAC"), resident and business associations, and land owners in Downtown.
5. Consultant. The Parties agree that DSDP shall hire an independent consultant ("Consultant") to advise the Parties, the Advisory Committee identified in paragraph 7 and to implement the Strategic Implementation Plan Tasks identified in paragraph 4 of this MOU. DSDP shall put out the request for qualifications ("RFQ") and gather information from potential candidates for the Consultant position. DSDP shall follow any and all DSDP policies and procedures applicable to the RFQ, which shall not be subject to CSD's contracting policies and procedures. DSDP will enter into the contract with the Consultant. CSD shall have no contractual obligation to the Consultant, and DSDP shall cause the Consultant to so acknowledge in the contract. DSDP shall indemnify and hold CSD harmless from any claims or causes of action asserted by the Consultant regarding the contract, except for a claim or cause of action arising from CSD's failure to make the monetary contribution described in paragraph 3 of this MOU. DSDP shall cause the Consultant to acknowledge in the contract that CSD is not a party to the contract and that Consultant shall have no claims or causes of action against CSD related to the contract. Consultant shall comply with all deadlines set forth in Exhibit "A" hereto.
6. Equal Decision-Making Power. The Parties will work jointly with equal decision-making power. All final actions to approve or implement the Strategic Implementation Plan shall require the vote of both CSD and DSDP boards. In the event that the two boards do not agree on a final action, there will be a meet and confer process to resolve the dispute. All preliminary decisions shall be handled administratively by the Advisory Committee identified in paragraph 7. The awarding of the Consultant contract shall be subject to approval by the DSDP Board.

7. Advisory Committee. An Advisory Committee comprised of no less than seven (7) and no more than nine (9) total members, with two (2) members selected by and representing each Party, will oversee the selection of the Consultant and the implementation of the Strategic Implementation Plan Tasks identified in paragraph 4 of this MOU. The remaining three (3) to five (5) members of the Advisory Committee will be selected jointly by the members representing each Party. The Consultant identified in paragraph 5 will support the Advisory Committee and submit a report to the Advisory Committee on the status of the Strategic Implementation Plan Tasks on an ongoing basis. Should the Advisory Committee deem it necessary, the Advisory Committee may select a Selection Committee comprised of 3 to 5 members of the Advisory Committee, 2 of whom will represent CSD, for the effective and efficient selection of the Consultant. If established, the Selection Committee will make recommendations to the Advisory Committee on its proposed Consultant selection. The Advisory Committee will review the Selection Committee's recommendation and provide a final recommendation to the DSDP Board. Upon final recommendation by the Advisory Committee, the DSDP Board shall make the final award to the Consultant.
8. Time Frame. The Strategic Implementation Plan Tasks shall be addressed and completed according to the Strategic Implementation Plan Schedule attached hereto as Exhibit "A" and hereby made a part of this MOU.
9. Amendments. Any amendment to this MOU shall be memorialized in a written instrument signed by the Parties.
10. Authority. Each Party hereby represents that the persons executing this MOU on behalf of the respective Party has full authority to do so and to bind the respective Party to perform pursuant to the terms and conditions of this MOU.

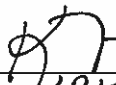
IN WITNESS WHEREOF, CSD and DSDP have signed this MOU as of the dates set forth below their signatures. The later date on which the duly authorized representative (excluding legal counsel) of CSD or DSDP has executed this MOU shall be inserted as the reference date in the Preamble of this MOU.

**CIVIC SAN DIEGO**

By:   
Name: Andrew T. Phillips  
Title: Vice President & CFO

Dated: November 8, 2012

**DOWNTOWN SAN DIEGO PARTNERSHIP**

By:   
Name: KRIS MICHELL  
Title: President & CEO

Dated: 10/26/2012

APPROVED AS TO FORM:

  
Shawn Hagerty  
Corporate Counsel  
Civic San Diego

**EXHIBIT A**  
**Strategic Implementation Plan Schedule**

**November 16, 2012** – Release of RFQ/P.

**December 19, 2012** – RFQ/P responses due.

**December 19, 2012 – January 11, 2013** – Circulator Shuttle Advisory Committee reviews responses and makes initial selection.

**January 22, 2013** – DSDP Board approves selection and enters contract with consultant.

**January 23, 2013** – Consultant begins work on Strategic Implementation Plan.

During the selection process, the consultant shall submit a schedule by which the Strategic Implementation Plan Tasks will be completed. The selected consultant will follow the agreed-upon schedule to complete the following tasks, and will have until no later than June 28, 2013 to complete all of the tasks required. To the extent reasonably possible, the selected consultant shall be required to accomplish time-sensitive tasks in sufficient time to facilitate the budgeting process for the 2014 fiscal year.

- a. Research previously performed studies of existing Downtown circulation systems, including available literature and current practices, existing service design, operating guidelines, funding mechanisms, and related services; and utilize the prior studies and experiential know-how of the various entities that have previously implemented circulator shuttle programs in the San Diego region including, but not limited to, the Port of San Diego, Little Italy Association, MTS and various universities; and
- b. Develop a market analysis that empirically defines the market demand including a needs assessment and review of the current modes of transportation available to residents, businesses, and visitors; and
- c. Develop an Operating Plan that defines proposed service, ridership and capacity, alignment, shuttle stop locations, and operating hours and frequency; and
- d. Develop a Fare Structure Plan; and
- e. Develop a Capital Plan that defines vehicle requirements, recommendations, acquisition options, and capital funding opportunities; and investigate the use of alternative energy vehicles as well as consider opportunities to partner with the local universities that are developing these technologies; and

- f. Develop a Financial Plan that defines operating and maintenance expenses, capital expenses and their funding sources; the potential for advertising revenue; and
- g. Develop a Marketing Plan that addresses start-up, short term, and longer term programs; and
- h. Develop a Shuttle Service Provider outsourcing plan, including a draft Request for Proposals for the procurement of a service provider; and
- i. Develop an Implementation Plan, including the development of a pilot program and subsequent full implementation of the Shuttle System; and define a schedule for each phase of implementation; and
- j. Identify, convene, and facilitate the support of key stakeholders, including but not limited to the Port of San Diego, the San Diego Association of Governments ("SANDAG"), the Centre City Advisory Committee (CCAC), resident and business associations, and land owners in Downtown.

**June 28, 2013** – Final draft of Strategic Implementation Plan due to the Downtown Circulator Shuttle Advisory Committee.

**July/August, 2013** – Strategic Implementation Plan goes to the DSDP and CSD boards for approvals.



THE VOICE OF DOWNTOWN

November 9, 2012

California Coastal Commission  
7575 Metropolitan Drive  
San Diego, CA 92108

To Whom It May Concern:

On behalf of the Downtown San Diego Partnership, I am writing in support of Civic San Diego's recommendation to the California Coastal Commission to certify an amendment to the Local Coastal Program for the Downtown Community Plan Area, as outlined in their letter to you, dated November 9, 2012.

The Downtown San Diego Partnership is currently working closely with Civic San Diego to create a comprehensive downtown shuttle system that will help alleviate some of downtown's parking issues. During this process, we've carefully drafted an implementation plan that will make the shuttle user-friendly, accessible, and affordable. With this shuttle, the downtown community becomes more accessible. We are hopeful that this plan will be completed in the summer of 2013.

The Downtown San Diego Partnership and Civic San Diego are both committed to working with businesses, residents, and organizations to ensure that enhancements to our region are done in a safe and responsible manner. If I can be of further assistance, please do not hesitate to contact me at (619) 234-0201.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kris Michell", with a long horizontal flourish extending to the right.

Kris Michell  
President/CEO

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(805) 585-1800

# Th21b



November 1, 2012

**TO:** Commissioners and Interested Persons

**FROM:** Sherilyn Sarb, Deputy Director, San Diego Coast District  
Deborah Lee, District Manager, San Diego Coast District  
Kanani Brown, Coastal Program Analyst, San Diego Coast District

**SUBJECT:** City of San Diego Local Coastal Program Amendment No. CCP-MAJ-4-11-B (2006, 2007, 2010, 2011, and 2012 Centre City Amendments) for Public Hearing and Commission Action at the November 15, 2012 Commission Meeting

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## **SYNOPSIS**

The City of San Diego submitted Local Coastal Program (LCP) Amendment 4-11-B to the Commission on August 18, 2011. The subject amendment was deemed complete and filed on August 18, 2011. Pursuant to Section 30512 of the Coastal Act and California Code of Regulations, Title 14, Section 13522, an amendment to the certified LCP that combines changes to the Land Use Plan (LUP) and Implementation Plan (IP) must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. Pursuant to Section 30517 of the Coastal Act, the time limit for this amendment was extended for one year at the November 4, 2011 Commission hearing. As such, the last date for Commission action on this item is November 15, 2012. This report addresses only one part of the submittal; a separate report on the first part of the original submittal (LCPA No. CCP-MAJ-4-11-A) regarding the expansion of the number of zones where community gardens would be permitted by right or with an approved discretionary permit is also on the agenda for the November hearing.

## **SUMMARY OF AMENDMENT REQUEST**

The City of San Diego is requesting an amendment to the LUP and IP portions of its certified LCP to: 1) replace the Centre City Community Plan, in its entirety, with the proposed Downtown Community Plan, 2) replace the Centre City Planned District Ordinance, in its entirety, with a revised ordinance to maintain consistency with the proposed Downtown Community Plan, 3) amend the Centre City Redevelopment Plan to maintain consistency with the proposed Downtown Community Plan, 4) amend the Marina Planned District Ordinance to maintain consistency with the proposed Downtown Community Plan, and 5) rezone a 10,000 sq. ft. parcel located at 1595 Pacific Highway from Employment/Residential Mixed Use (ER) to Public Facilities (PF) to allow for the construction of a fire station building.



The proposed amendment would depart from the existing LCP by establishing new land use districts, overlay districts and neighborhoods oriented around mixed-use centers; further increasing the intensity and density of land uses; establishing minimum Floor Area Ratios (FAR); creating a new FAR Bonus Payment Program where developments may increase their FAR by providing certain project amenities or public benefits; creating a new Transfer of Development Rights (TDR) program to allow current property owners of designated future public park sites to sell their FAR to other designated sites within downtown to ensure acquisition and development of public park land; increasing resident and employment populations; increasing parking standards; providing more park space; and connecting downtown's neighborhoods through the establishment of a new street system and promotion of alternate transit.

The effect of the proposed amendment will be limited, as the majority of the land in Centre City within the Coastal Zone, including the land along the waterfront, is not under the coastal permit authority of the City of San Diego. Those areas west of the Mean High Tide Line (MHTL) are within the jurisdiction of the Port of San Diego and are covered by the certified Port Master Plan. Additionally, the County Administration Center is an area of deferred certification in the City's LCP and thus, remains within the coastal permit jurisdiction of the Commission at this time. Therefore, the only area within the City's permit jurisdiction covered by the subject LCP Amendment (LCPA) is the one to two-block wide, approximately two mile long area bounded by Harbor Drive on the south, Pacific Highway on the west, Laurel Street to the north, and Kettner Boulevard to the east as far north as Ash Street, and then California Street north of Ash Street. In addition, there is a small area in the southernmost portion of downtown that is also covered by the subject LCPA – the area bounded by Commercial Street on the north, the Centre City Development Corporation (CCDC) boundary on the east (16<sup>th</sup> Street, Newton Avenue, Sigsbee Street, Harbor Drive, Beardsley Avenue), and generally Harbor Drive to the west (see Exhibit 1). Although the City's coastal permit jurisdiction covers only a few blocks, the entire waterfront is shown in the City's LCP and given land use designations for planning purposes only.

### **SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending denial of the City of San Diego's proposed amendment to the LUP (Downtown Community Plan) and IP (Centre City Planned District Ordinance, Marina Planned District Ordinance) portions of its certified LCP, then approval with suggested modifications. The amendment is generally consistent with the Chapter Three policies of the Coastal Act; however, staff suggests several modifications regarding the protection of public access and recreation and public views to ensure the proposed LCPA is consistent with the Coastal Act.

The major issues in the proposed Downtown Community Plan (DCP) have to do with view corridors, and policies and goals pertaining to several sections of the DCP, including the Waterfront, Street Grids and Views, Transit System, Parking, and Transportation Demand Management. The City is proposing to delete the table in the certified Centre City Community Plan (CCCP) showing view corridor stepback requirements; however, staff is recommending that the table be retained to assure

development along designated view corridors is consistent with the view protection policies of the Coastal Act. While identified public view corridors are recognized, it is also important to establish development standards, such as setbacks from parcel boundaries, to ensure that new development or redevelopment is appropriately setback within the view corridor.

The City is also supporting the implementation of a downtown shuttle service for local trips to connect key downtown locations with the wider transit network, referenced in several locations throughout the DCP (Policy 7.3-P-3, Figure 7.4, Policy 7.5-P-1). Staff recommends Suggested Modification #6 to provide a policy for the integration of the proposed shuttle service with other shuttle services, such as the Port District's bayside shuttle. This policy provides clear direction that all shuttle systems serving the downtown area should work together to provide a comprehensive network that maintains and enhances public access downtown and to the waterfront for downtown residents, businesses and their employees, as well as regional visitors.

Other suggested modifications have been added to ensure the DCP retains important policy language from the certified Centre City Community Plan. The proposed goals and policies of several sections within the DCP, including Waterfront, Street Grids and Views, Transit System, Parking, and Transportation Demand Management, have been somewhat generalized from the originally certified language. Therefore, suggested modifications have been incorporated to retain the more specific and in some cases, more protective, policy language of the certified CCCP.

The major issue in the proposed Centre City Planned District Ordinance (CCPDO), is that a few policies have been omitted to ensure that the CCPDO is consistent with and specific enough to implement the goals and policies of the DCP. Staff recommends the following suggested modifications to achieve consistency with the DCP: prohibit the construction of elevated pedestrian walkways within existing or designated view corridors; and require new development within the Coastal Zone to contribute a fair share to the implementation of a permanent downtown shuttle system. At the request of Civic San Diego, a suggested modification has been included to revise the TDM table to clarify that applicants may receive 5 points for providing a designated shuttle stop, instead of 15 points for a comprehensive shuttle service.

Similarly, the proposed Marina Planned District Ordinance (MPDO), as submitted, is inconsistent with the DCP and inadequate to implement the goals and policies of the DCP. Thus, a suggested modification has been added to incorporate the updated TDM table as suggested to be modified. An additional suggested modification has been made to include policy language requiring new development within the Coastal Zone to contribute a fair share to the implementation of a permanent downtown shuttle system.

The appropriate resolutions and motions begin on Page 8. The suggested modifications begin on Page 11. The findings for denial of the LUP Amendment, as submitted, and approval, if modified, begin on Page 16. The findings for denial of the IP Amendment, as submitted, and approval, if modified, begin on Page 36.

## **BACKGROUND**

For purposes of developing an LCP, the City of San Diego's Coastal Zone was divided into twelve segments, each with its own LUP. In the case of the Centre City community planning area, otherwise known as downtown San Diego, the Centre City Community Plan and Centre City Redevelopment Plan serve as the LUP for the downtown area. The Centre City Planned District Ordinance (PDO), Marina PDO, and Five-Year Implementation Plan for the Centre City Redevelopment Plan serve as the City's IP for the downtown area. Altogether, these documents serve as the LCP for the City of San Diego's downtown area located within the Coastal Zone.

Once separate redevelopment projects, the Columbia, Marina, and Gaslamp Quarter Redevelopment Project areas were merged in 1992 to become the Centre City Redevelopment Project area and the corresponding Centre City Redevelopment Plan was adopted on May 11, 1992. As part of this comprehensive redevelopment project, the boundaries were extended to include East Village (formerly Centre City East), Little Italy (formerly Harborview), and Cortez Hill. Together, the Horton Plaza Redevelopment Project and the Centre City Redevelopment Project areas now encompass the entirety of downtown.

The 1992 Centre City Community Plan was adopted concurrently with the Centre City Redevelopment Plan as one component of the City of San Diego's General Plan and Progress Guide. The Centre City Community Plan outlines the objectives related to future development downtown, and defines planning policies for land use; housing; circulation; urban design; open space; and historic preservation.

The Centre City Community Plan and Centre City Planned District Ordinance were amended in 2004 upon adoption of the North Embarcadero Visionary Plan, approved by the Commission on July 11, 2001. The North Embarcadero Visionary Plan was a result of a coordinated planning effort by the North Embarcadero Alliance, a planning body made up of officials from the Port District, City of San Diego, County of San Diego, Centre City Development Corporation, and U.S. Navy. The Alliance developed a Visionary Plan in 1998 to guide the development of the North Embarcadero area and the amendment implemented the Visionary Plan's design concepts and goals.

The subject amendment consists of adoption of a new Downtown Community Plan and Centre City Planned District Ordinance, as well as subsequent amendments made by the City of San Diego in 2006, 2007, 2010, 2011 and 2012 to the Downtown Community Plan, Centre City Redevelopment Plan, Centre City Planned District Ordinance and Marina Planned District Ordinance.

## **ADDITIONAL INFORMATION**

Further information on the City of San Diego LCP Amendment No. CCP-MAJ-4-11-B may be obtained from Kanani Brown, Coastal Program Analyst, at (619) 767-2370.

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## **EXHIBITS**

<b>Exhibit 1.</b>	<b>Jurisdictional Boundaries</b>
<b>Exhibit 2.</b>	<b>Proposed Figure 5-1, View Corridors</b>
<b>Exhibit 3.</b>	<b>Proposed View Corridor Stepbacks Table</b>
<b>Exhibit 4.</b>	<b>2006 Amendment to Downtown Community Plan</b>
<b>Exhibit 5.</b>	<b>2006 Amendment to Centre City Planned District Ordinance</b>
<b>Exhibit 6.</b>	<b>2006 Amendment to Centre City Redevelopment Plan</b>
<b>Exhibit 7.</b>	<b>2007 Amendment to Downtown Community Plan</b>
<b>Exhibit 8.</b>	<b>2007 Amendment to Centre City Planned District Ordinance</b>
<b>Exhibit 9.</b>	<b>2007 Amendment to Centre City Redevelopment Plan</b>
<b>Exhibit 10.</b>	<b>2007 Amendment to Marina Planned District Ordinance</b>
<b>Exhibit 11.</b>	<b>Follow-up 2007 Amendment to DCP/CCPDO/MPDO</b>
<b>Exhibit 12.</b>	<b>2010 Amendment to Downtown Community Plan</b>
<b>Exhibit 13.</b>	<b>2010 Amendment to Centre City Planned District Ordinance</b>
<b>Exhibit 14.</b>	<b>2010 Amendment to Marina Planned District Ordinance</b>
<b>Exhibit 15.</b>	<b>2011 Amendment to Centre City Planned District Ordinance</b>
<b>Exhibit 16.</b>	<b>2012 Amendment to Downtown Community Plan</b>
<b>Exhibit 17.</b>	<b>2012 Amendment to Centre City Planned District Ordinance</b>
<b>Exhibit 18.</b>	<b>2012 Amendment to Marina Planned District Ordinance</b>

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## **I. OVERVIEW**

### **A. LOCAL COASTAL PROGRAM HISTORY**

The City of San Diego has a long history of involvement with the community planning process; as a result, in 1977, the City requested that the Coastal Commission permit segmentation of its Land Use Plan (LUP) into twelve parts in order to have the Local Coastal Program (LCP) process conform, to the maximum extent feasible, with the City's various community plan boundaries. In the intervening years, the City has intermittently submitted all of its LUP segments, which are all presently certified, in whole or in part. The earliest LUP approval occurred in May 1979, with others occurring in 1988, in concert with the implementation plan. The final segment, Mission Bay Park, was certified in November 1996.

When the Commission approved segmentation of the LUP, it found that the implementation phase of the City's LCP would represent a single unifying element. This was achieved in January 1988, and the City of San Diego assumed permit authority on October 17, 1988 for the majority of its Coastal Zone. Several isolated areas of deferred certification remained at that time; some of these have been certified since through the LCP amendment process. Other areas of deferred certification remain today and are completing planning at a local level; they will be acted on by the Coastal Commission in the future.

Since effective certification of the City's LCP, there have been numerous major and minor amendments processed. These have included everything from land use revisions in several segments, to the rezoning of single properties, and to modifications of citywide ordinances. While it is difficult to calculate the number of land use plan revisions or implementation plan modifications, because the amendments often involve multiple changes to a single land use plan segment or ordinance, the Commission has reviewed a significant number of both land use plan revisions and ordinance amendments. Most amendment requests have been approved, some as submitted and some with suggested modifications; further details can be obtained from the previous staff reports and findings on specific amendment requests.

## **B. STANDARD OF REVIEW**

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of and conforms to Chapter 3 of the Coastal Act. Specifically, it states:

### Section 30512

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present. (14 CCR § 13542.)

In those cases when a local government approves implementing ordinances in association with a land use plan amendment and both are submitted to the Commission for certification as part of one LCP amendment, pursuant to Section 13542(c) of the Commission's regulations, the standard of review of the implementing actions shall be the land use plan most recently certified by the Commission. Thus, if the proposed land use plan amendment is conditionally certified subject to local government acceptance of any suggested modifications, the standard of review shall be the conditionally certified land use plan.

## **C. PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to its submittal to the Commission for review. The City has held Planning Commission and

City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

## **II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN AMENDMENT**

Following public hearing, staff recommends that the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and the staff recommendation is provided prior to each resolution.

### **A. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED**

**MOTION I:**     *I move that the Commission **CERTIFY** Amendment CCP-MAJ-4-11-B to the City of San Diego Land Use Plan, as submitted by the City of San Diego.*

#### **STAFF RECOMMENDATION TO DENY:**

Staff recommends a **NO** vote. Following the staff recommendation will result in denial of Land Use Plan Amendment CCP-MAJ-4-11-B, as submitted, and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

#### **RESOLUTION TO DENY:**

The Commission hereby **DENIES** certification of Land Use Plan Amendment CCP-MAJ-4-11-B, as submitted by the City of San Diego, and adopts the findings set forth below on the grounds that the Land Use Plan, as submitted, does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the LUP amendment would not meet the requirements of the California Environmental Quality Act because there are feasible alternatives and/or mitigation measures that could substantially lessen any significant adverse impacts that the Land Use Plan amendment may have on the environment.

## **B. CERTIFICATION OF THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS**

**MOTION II:** *I move that the Commission CERTIFY Amendment CCP-MAJ-4-11-B to the City of San Diego Land Use Plan, if modified as suggested in this staff report.*

### **STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

Staff recommends a **YES** vote. Passage of the motion will result in the certification of Land Use Plan Amendment CCP-MAJ-4-11-B with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only by an affirmative vote of the majority of the appointed Commissioners.

### **RESOLUTION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

The Commission hereby **CERTIFIES** Amendment CCP-MAJ-4-11-B to the City of San Diego Land Use Plan if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment, with suggested modifications, will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment, if modified as suggested, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Land Use Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan if modified.

## **III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LOCAL IMPLEMENTATION PLAN AMENDMENT**

Following public hearing, staff recommends that the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and the staff recommendation is provided just prior to each resolution.

### **A. DENIAL OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED**



**MOTION I:** *I move that the Commission **REJECT** the City of San Diego Local Implementation Plan Amendment CCP-MAJ-4-11-B, as submitted.*

**STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the Local Implementation Plan Amendment CCP-MAJ-4-11-B and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO DENY CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby **DENIES** certification of City of San Diego Local Implementation Plan Amendment CCP-MAJ-4-11-B, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan amendment, as submitted, does not conform with and is inadequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment as submitted.

**B. CERTIFICATION OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS**

**MOTION II:** *I move that the Commission **CERTIFY** City of San Diego Local Implementation Plan Amendment CCP-MAJ-4-11-B if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

The Commission hereby **CERTIFIES** the City of San Diego Implementation Plan Amendment CCP-MAJ-4-11-B, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan amendment if

modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

#### **IV. SUGGESTED MODIFICATIONS TO THE LAND USE PLAN AMENDMENT**

Staff recommends the following suggested revisions to the proposed LCP amendment be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

##### **In the Downtown Community Plan:**

13. Add the following sentence at the end of Section 2.3, Downtown Planning Jurisdictions:

For purposes of the Downtown Community Plan and Local Coastal Program, the development standards and land use plan policies only pertain to properties within the City of San Diego, and exclude those within the San Diego Unified Port District or federal lands.

14. Figure 5-1, View Corridors, shall be revised to graphically depict Ivy Street as a view corridor from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway as a view corridor; and F Street as a view corridor from Pacific Highway east to Kettner Boulevard (as shown on Exhibit 2).
15. Insert Table 156-0310-B, View Corridor Stepbacks, from the Centre City Planned District Ordinance, into Section 5.1, Street Grid and Views (as shown on Exhibit 3).
16. Add the following policy to Section 5.5, Waterfront:

5.5-P-10 Continue to develop the waterfront as downtown's primary open space, park and recreational area, which is both physically and visually accessible to the public.

17. Goal 5.1-G-2 in Section 5.1, Street Grids and Views, shall be revised as follows:

Protect public views of the San Diego Bay by establishing view corridors, which accentuate key public rights-of-way with appropriate setbacks.

stepbacks, and design-development standards, and capture new public views where possible as waterfront sites are redeveloped.

18. Add the following policy to Section 7.3, Transit System:

Policy 7.3-P-10: Work with the Port and other appropriate agencies to implement an integrated shuttle system with routing for downtown and bayside shuttles in order to provide connectivity and linkages between key downtown locations and the waterfront.

19. Add the following policy to Section 7.4, Parking:

7.4-P-8 Public parking facilities shall be located near transit corridors and pedestrian priority zones to maintain and enhance public access to the waterfront.

20. Goal 7.5-G-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

Encourage transportation demand management strategies to minimize energy consumption, vehicle miles traveled, and traffic contributions from new and existing development.

21. Policy 7-5-P-1 in Section 7.5, Transportation Demand Management, shall be revised as follows:

Mandate Encourage TDM approaches and participation in existing TDM programs, including but not limited to those implemented by SANDAG and MTS, in order various SANDAG programs to:

- Rideshare and carpool in all levels of government with offices and facilities downtown as well as other major downtown employers.
- Make available designated preferential, conveniently located car/vanpool parking areas.
- Provide transit reimbursement and other benefits to other users of non-motorized travel.
- Establish a car/van-pool matching service that could use mechanisms such as sign-ups at individual buildings, or via electronic mail or an Internet website.
- Continue SANDAG's guaranteed ride home for workers who carpool.
- Work with public and private entities to encourage car share programs in downtown.
- Provide flextime and telecommuting opportunities to employees.
- Provide designated shuttle stops for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.

## V. SUGGESTED MODIFICATIONS TO THE LOCAL IMPLEMENTATION PLAN AMENDMENT

Staff recommends the following suggested revisions to the proposed LCP amendment be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

### In the Centre City Planned District Ordinance:

10. Insert the following new policy as Section 156.0310(d)(1)(G) of the CCPDO, following Table 156-0310-B:

(G) Sky-walks. Elevated pedestrian walkways or “sky-walks,” or gross floor area may not be constructed above, over, or within existing or designated view corridors unless compelling reasons exist to ensure safe pedestrian improvements and where no feasible alternatives for pedestrian access are available.

11. Insert the following new policy as Section 156.0313(p) of the CCPDO, following Table 156-0313-D:

a. Integrated Downtown Shuttle System

The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, and the Port District, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Within the Coastal Zone and as part of the coastal development permitting process, new development is required to participate in and contribute a fair share toward the implementation of a permanent downtown shuttle system that would connect to the Port District’s bayside shuttle along the waterfront. In addition, this shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points.

12. Table 156-0313-D, Transportation Demand Management (TDM), shall be revised, as follows:

<b>Table 156-0313-D: TRANSPORTATION DEMAND MANAGEMENT (TDM)</b>	
Points	Measure
20	Five-year, 50% subsidy for transit passes for employee occupants
<del>5</del> 15	<u>Designated shuttle stop, including signage, seating, lighting and ongoing maintenance, for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.</u> <del>Public accessible shuttle to all downtown and airport locations</del>
15	"Shared Use Vehicles" ~a minimum of 1 vehicle shall be provided for every 50,000 square feet of leasable gross floor area.
15	Electric, natural gas, fuel cells, fueling stations ~a minimum of 1 space per 30,000 square feet of office space, a minimum of 1 space per 100 hotel rooms ~a minimum of 50% of the stations shall be electric vehicle charging stations
10	On-site day-care
5	Bicycle storage - a minimum of 1 space for every 10 parking spaces
5	Upgraded transit stop adjacent to new development, including shelter, seating, lighting and ongoing maintenance through an agreement with the appropriate transit agency
5	On-site shower facilities available to all tenants/employees of a building ~a minimum of 1 space per 100,000 square feet of office space ~a minimum of 1 space per 100 hotel rooms
5	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
5	Discounted parking rates for carpools containing three or more adults - minimum 25% discount
5	Preferential parking for car-sharing, carpool and/or vanpool parking (minimum 5% of permitted parking)
5	Discounted parking rates for vehicles with CARB classifications ULEV, SULEV, PZEV, and ZEV - minimum 20% discount
5	On-site transit-pass sale, maps and information.

13. Figure G, View Corridors, shall be revised to graphically depict view corridor stepbacks on: Ivy Street from Kettner Boulevard west to Harbor Drive; Beech Street west of Pacific Highway; and F Street from Pacific Highway east to Kettner Boulevard (consistent with Exhibit 2).

**In the Marina Planned District Ordinance:**

14. Table 1511-04D, Transportation Demand Management (TDM), shall be revised, as follows, to be consistent with the TDM Table within the Centre City Planned District Ordinance (Table 156-0313-D), as modified by Suggested Modification #12 above:

<b>Table 1511-04D: <i>TRANSPORTATION DEMAND MANAGEMENT (TDM)</i></b>	
Points	Measure
20	Five-year, 50% subsidy for transit passes for employee occupants
5	Designated shuttle stop, including signage, seating, lighting and ongoing maintenance, for the publicly accessible shuttle serving the downtown area, with routing to include key destination points, such as the airport, hotels, and visitor-serving facilities.
15	"Shared Use Vehicles" ~a minimum of 1 vehicle shall be provided for every 50,000 square feet of leasable gross floor area.
15	Electric, natural gas, fuel cells, fueling stations ~a minimum of 1 space per 30,000 square feet of office space, a minimum of 1 space per 100 hotel rooms ~a minimum of 50% of the stations shall be electric vehicle charging stations
10	On-site day-care
5	Bicycle storage - a minimum of 1 space for every 10 parking spaces
5	Upgraded transit stop adjacent to new development, including shelter, seating, lighting and ongoing maintenance through an agreement with the appropriate transit agency
5	On-site shower facilities available to all tenants/employees of a building ~a minimum of 1 space per 100,000 square feet of office space ~a minimum of 1 space per 100 hotel rooms
5	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
5	Discounted parking rates for carpools containing three or more adults - minimum 25% discount
5	Preferential parking for car-sharing, carpool and/or vanpool parking (minimum 5% of permitted parking)
5	Discounted parking rates for vehicles with CARB classifications ULEV, SULEV, PZEV, and ZEV - minimum 20% discount
5	On-site transit-pass sale, maps and information.

15. Insert the following new policy at the end of Section 1511.03402 of the MPDO, following Table 1511-04D:

The City of San Diego shall pursue implementation of an integrated downtown shuttle system, in conjunction with Civic San Diego, SANDAG, MTS, and the Port District, to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Within the Coastal Zone and as part of the coastal development permitting process, new development is required to participate in and contribute a fair share toward the implementation of a permanent downtown shuttle system that would connect to the Port District's bayside shuttle along the waterfront. In addition, this shuttle system should include linkages to the airport, MTS transportation hubs, and key downtown destination points.

## **VI. FINDINGS FOR DENIAL OF THE LUP/IP AMENDMENT, AS SUBMITTED, AND APPROVAL OF THE LUP/IP AMENDMENT, IF MODIFIED AS SUGGESTED**

### **A. AMENDMENT DESCRIPTION AND BACKGROUND**

For purposes of developing an LCP, the City of San Diego's Coastal Zone was divided into twelve segments, each with its own LUP. In the case of the Centre City community planning area, otherwise known as downtown San Diego, the Centre City Community Plan and Centre City Redevelopment Plan serve as the LUP for the downtown area.

In 2006, the City of San Diego repealed the Centre City Community Plan and adopted the proposed Downtown Community Plan. In addition, the Centre City Redevelopment Plan and Centre City Planned District Ordinance were also amended to ensure consistency amongst all of the planning documents that comprise Centre City's LCP. The City then made subsequent amendments to the Downtown Community Plan, the Centre City Redevelopment Plan, the Centre City Planned District Ordinance, and Marina Planned District Ordinance in 2007 and 2010, discussed in greater detail in the sections below; however, the City did not submit these amendments to the Commission for certification until August 2011. Staff notes that the 2011 and 2012 amendments were subsequently submitted at a meeting in August 2012 and City staff requested that they be incorporated into the subject submittal.

The planning area includes the downtown core of San Diego which is approximately 1,445 acres in size. The surrounding communities include Barrio Logan and Logan Heights to the south, Golden Hill and Sherman Heights to the east, Uptown and Balboa Park to the north, and the City of Coronado to the west across the San Diego Bay. The downtown planning area is bounded by Interstate 5 and Laurel Street on the north;

Interstate 5, Commercial Street, 16<sup>th</sup> Street, Sigsbee Street, Newton Avenue, Harbor Drive, and the extension of Beardsley Street on the east; and San Diego Bay on the west and south (see Exhibit 1). The major north-south access routes to downtown include Interstate 5, Pacific Highway, and State Route 163. The major east-west access route to downtown is State Route 94.

The effect of the proposed amendment will be limited, as the majority of the land in Centre City within the Coastal Zone, including the land along the waterfront, is not under the coastal permit authority of the City of San Diego. Those areas west of the Mean High Tide Line (MHTL) are within the jurisdiction of the Port of San Diego and are covered by the certified Port Master Plan. The County Administration Center is an area of deferred certification in the City's LCP and remains within the coastal permit jurisdiction of the Commission at this time. Thus, the only area within the City's permit jurisdiction covered by the subject LCP Amendment (LCPA) is the one to two-block wide, approximately two mile long area bounded by Harbor Drive on the south, Pacific Highway on the west, Laurel Street to the north, and Kettner Boulevard to the east as far north as Ash Street, and then California Street north of Ash Street. In addition, there is a triangular area in the southernmost portion of downtown that is also covered by the subject LCPA – the area bounded by Commercial St on the north, the Centre City Development Corporation (CCDC) boundary on the east (16<sup>th</sup> St, Newton Ave, Sigsbee Street, Harbor Dr, Beardsley Ave), and generally Harbor Drive to the west (see Exhibit 1). Although the City's coastal permit jurisdiction covers only a few blocks, the entire waterfront is shown in the City's LCP and given land use designations for planning purposes.

Downtown San Diego is characterized by a high intensity and array of urban land uses, including high-rise commercial office, hotel, multi-family residential, retail, entertainment, and institutional/government uses. Downtown's residential growth is currently very strong, as evidenced by the fact that the downtown population has grown from 2,000 to over 20,000 since 1975, when redevelopment commenced. The upward residential market is secured by downtown amenities such as the business and government offices in the Core and Little Italy and visitor-serving attractions such as the Convention Center, Seaport Village, the historic Gaslamp District, Petco Park, and Horton Plaza. The business economy downtown has also experienced significant growth. Downtown's location along the waterfront of the San Diego Bay and proximity to Balboa Park, affords downtown San Diego with access to regional open space. There are also opportunities to experience art and culture at various theaters, music halls, galleries, Copley Symphony Hall, and the Civic Theatre.

### **1. Downtown Community Plan**

In 2006, the City of San Diego repealed the 1992 Centre City Community Plan and adopted the proposed Downtown Community Plan (DCP). The DCP was subsequently amended by the City in 2007, 2010, and 2012. The proposed DCP establishes new neighborhoods, land use districts, and overlays that permit increased land use densities and intensities in downtown San Diego. The primary modifications in the proposed DCP include: increase of the allowable number of dwelling units from 33,890 to 53,000;



increase residential buildout population to 90,000 people and employment level to 165,000 jobs; establish new parks and other public amenities; and establish Floor Area Ratio (FAR) minimums.

Under the proposed Downtown Community Plan, downtown at build-out would consist of a connected network of eight distinct neighborhoods and districts oriented around mixed-use centers and connected by boulevards, green streets, and freeway “lids” (concrete shelves that cover the freeway below, allowing development on top of them). Downtown would be partitioned into the following neighborhoods: Civic/Core, Columbia, Convention Center, Cortez, East Village, Gaslamp Quarter/Horton Plaza, Little Italy, and Marina. All neighborhoods would contain a mix of employment, residential, retail, cultural, visitor-serving, and open space components. Specifically, each neighborhood would contain: a “main street” or neighborhood center with a mix of retail, services, housing, employment, civic, and cultural uses that reinforce distinctive neighborhood traits; a significant park or open space feature; linkages to the rest of downtown and neighborhoods surrounding downtown through “green streets”; and urban form that protects sunlight in major parks and the smaller neighborhood center/main street areas. With the exception of the Civic/Core, Cortez, and Gaslamp Quarter/Horton Plaza neighborhoods, a portion of all of these neighborhoods would fall within the Coastal Zone. The neighborhoods contained in the existing Centre City Community Plan (Little Italy, Columbia, Marina, Core, and Cortez) would remain in the proposed DCP and their boundaries are generally unchanged. The boundaries of new neighborhoods and districts are based on existing character, expected development types, and walkability.

The Little Italy neighborhood, located in the northwest portion of downtown close to the airport, is well established and not anticipated to change substantially. The DCP would designate a mixed-use center along India Street, where there are already a number of cafes, restaurants, and shops that attract visitors and residents alike. Residential development would intensify in the southern portion of the neighborhood near the Civic/Core. The prevalence of lower-scale buildings and wide mix of uses (including commercial/service uses) would continue in the north. A combination of hotel and office with residential would be anticipated closer to the water, alongside existing industrial and civic uses. Major park space would be offered near the waterfront surrounding the historic County Administration Center, which is an area of deferred certification and remains under the permitting authority of the Coastal Commission at this time.

The Columbia neighborhood would be located between the Civic/Core neighborhood and the waterfront, along the western edge of downtown. Though largely established, the DCP anticipates the emergence of two distinct areas within this neighborhood. High-intensity office, residential and hotel buildings would be encouraged inland of Pacific Highway. Plazas, the C Street Corridor, Santa Fe Depot and museums would add cultural and recreational interest. A mixed-use center would be planned for the waterfront between Pacific Highway and the San Diego Bay. Views of the San Diego Bay would be enhanced by extending the existing street grid west to the waterfront. Future development would occur at fairly high intensities; however, building heights would step down toward the water in order to preserve view corridors.

The Marina neighborhood, occupying the southwest quadrant of downtown, is downtown's most complete residential neighborhood and is not anticipated to experience much change as a result of the DCP. Marina's neighborhood center would be located on Market Street between Front Street and 3<sup>rd</sup> Avenue. In addition, Marina currently contains a variety of open space opportunities for the downtown area at Pantoja Park, the Martin Luther King Jr. Promenade, and the South Embarcadero. The DCP anticipates redevelopment at the Navy Broadway Complex and the Port controlled Old Police Headquarters and Seaport Village.

The East Village District would experience some of the greatest amounts of additional development in downtown. The area would develop as a residential district complemented by neighborhood centers, employment areas, flexible use zones and public spaces. A variety of activities, ranging from academic endeavors at City College to entertainment at Petco Park, arts at the anticipated new Main Library and human services would ensure the area maintains an eclectic character. Various portions of East Village would have substantially different characters. As a reflection of these differences, East Village would be divided into the following sub-districts: Ballpark, Northwest, Northeast, and Southeast. Of these four sub-districts, Southeast would be the only one within the Coastal Zone. The Southeast sub-district would be located in the southeast portion of the downtown planning area between the Ballpark and I-5. The DCP would allow a mix of residential, office, retail and convention center growth, while retaining light industrial uses and support infrastructure such as auto repair shops and social services. Residential uses would be permitted throughout the neighborhood, but would concentrate in the northern portion of the neighborhood (north of K St). Southeast would have a neighborhood center surrounding Rose Park, which would be potentially complemented by adjacent convention center activities.

The Convention Center neighborhood would occupy the southeastern corner of downtown and be located adjacent to San Diego Bay and the Marina neighborhood. The overall character of the area is not anticipated to change substantially, as the majority of the neighborhood is already occupied by the Convention Center and rail switching yards, and since the area is primarily under the jurisdiction of the Port District. The DCP would encourage improved access to the water and bayside promenade. A diversity of uses, such as office, residential, light industrial, retail, and social services, would be allowed in the inland portion of the neighborhood at low intensities, other areas would be expected to remain industrial in character.

The certified Centre City Community Plan consists of eight land use districts – of which three fall within the Coastal Zone, including Recreation/Visitor/Marine, Commercial/Office, and Commercial Services; however, the proposed Downtown Community Plan establishes thirteen new land use districts – of which seven fall within the Coastal Zone, including Waterfront/Marine, Employment/Residential Mixed-Use, Mixed Commercial, Core, Transportation, Industrial, and Public Facilities. The Waterfront/Marine district would support a range of maritime-related uses along the waterfront, including ocean-related industry, major tourist and local visitor attractions, trade, office, eating and drinking establishments, markets, retail, parking facilities,

cultural institutions, and hotels, predominantly in the Port District's jurisdiction. The Employment/Residential Mixed-Use district would serve as a transition between the Core and residential neighborhoods, and would permit a variety of uses including office, residential, hotel, research and development, educational, and medical facilities. The Mixed Commercial district would accommodate a variety of uses, including residential, artist studios, live/work spaces, hotels, offices, research and development, and retail. This district would also allow the continued operation of existing service and industrial uses, including light industrial and repair, warehousing and distribution, transportation and communication services. The Core district is intended as a high-intensity office and employment center. The Core operates as a center of regional importance and as a primary hub for businesses, communications, offices, and hotels with fewer restrictions on building bulk and tower separation than in other districts. This district would accommodate mixed-use development including retail, cultural, educational, civic, entertainment, residential, and governmental uses. The Transportation district allows uses related to trolley, passenger and freight rail operations, maintenance and repair, and associated facilities. The Industrial district would permit a range of industrial uses such as light manufacturing, repair and storage, as well as energy-generation facilities, subject to performance standards. Finally, the Public Facilities would permit facilities that serve the general public, including police and fire stations.

In addition, the proposed DCP establishes twelve new Overlay Land Use Districts, including Coastal Zone Overlay (CZ), County Administration Design Overlay (CAC), Employment Required Overlay (ER), and Large Floorplate (LF) in the Coastal Zone. The CZ overlay district applies to lands in the Coastal Zone near San Diego Bay to protect and enhance the quality of public access and coastal resources. Development within this overlay district requires a Process Two Coastal Development Permit in accordance with provisions of the Land Development Code. The CAC overlay ensures that new development surrounding the historic County Administration Center on Pacific Highway is sympathetic in character, scale, and height to this important landmark, and requires development to conform to the Design Guidelines for the Pacific Highway-County Administration Center Design Zone. The ER overlay ensures adequate opportunities for employment based commercial uses by requiring at least 50% of the gross floor area within each development in this overlay to be dedicated to employment uses such as professional office, education, cultural uses, retail, hotel, or similar commercial uses. Thus, residential uses in this district are not to exceed 50% of the gross floor area within any development. Finally, the LF district allows larger floor plates and bulkier buildings at upper levels to accommodate increased employment uses.

The land use intensities assumed by the San Diego Association of Governments (SANDAG) for existing 1992 Centre City Community Plan would be increased by the proposed DCP by further increasing the intensity and density of land uses and increasing resident and employment populations as shown in Table 4.1-1 from the Final Environmental Impact Report:

**TABLE 4.1-1**  
**Downtown Land Use and Demographics under Existing Conditions, the 1992**  
**Centre City Community Plan, and the Proposed Downtown Community Plan**

<b>Land Use/Demographic Category</b>	<b>Existing Conditions</b>	<b>1992 Community Plan Buildout</b>	<b>Proposed Update 2030</b>
Population	27,500	48,000	89,100
Employment	74,500	117,000	167,700
Residential (units)	14,600	30,700	53,100
Office (s.f.)	9,473,000	20,700,000	22,028,000
Office (Civic) (s.f.)	3,671,000	N/A	7,793,000
Culture and Education (s.f.)	1,508,000	N/A	2,560,000
Retail (s.f.)	2,658,000	4,300,000	6,070,000
Hotel Rooms	8,800	15,600	20,000
Other	2,180,000	N/A	2,780,000

For example, the allowable number of dwelling units in Centre City would increase from 33,890 to 53,100. Additionally, the DCP would target residential buildout population of 89,100 people and an overall employment level of 167,700 jobs.

The maximum FAR permitted by the certified Centre City Community Plan ranges from 2 to 7, with the highest FARs located at Broadway and then stepping down in intensity towards the waterfront and to the north and south. The proposed DCP establishes minimum and maximum FARs to ensure that downtown is developed consistent with the proposed population and employment goals, using the certified FARs as base maximum FARs. Although the certified Centre City Community Plan contains provisions for potential increases in FAR, the proposed DCP contains an expanded FAR Bonus Payment Program by which applicants may increase their FARs by providing certain project amenities and/or public benefits including urban open spaces, such as pocket parks and plazas; family housing, such as 3-bedroom units; eco-roofs; employment uses; and affordable housing. Additional FAR exemptions are proposed as incentives for certain uses or project characteristics, such as the retention of historical resources and active commercial uses along designated commercial or main streets. The total bonus FAR available in the Coastal Zone ranges from 0.5 to 5.0 above the base maximum FAR; therefore, the proposed maximum FAR (with bonuses) in the Coastal Zone ranges from 2 to 12, with the greatest FARs located directly west of the Coastal Zone boundary, along Broadway.

A new Transfer of Development Rights (TDR) program is created by the amendment to allow current property owners of designated future public park sites to sell their FARs to other designated sites within downtown, under the review and approval of the City, to ensure that the transferred FAR is between specified permitted sites and that, with the sale of the development rights, the land is conveyed to a public entity for the development of the public park land. Additionally, a much more restricted TDR program is established by the amendment to allow development rights to be sold from a historic building to other property on the same block.

To provide linkages with Uptown, Balboa Park, and neighborhoods to the east, the DCP proposes the construction of one or more freeway lids (concrete shelves that cover a freeway, allowing development on top of them) over I-5, which would be developed with open space and/or cultural amenities. Pedestrians would be able to walk over the lids, which, in the north, would connect Balboa Park and surrounding neighborhoods to downtown's Cortez neighborhood. In the east, the freeway lids would connect Sherman Heights with southeast downtown. One of the lids could allow an extension of Eighth Avenue from Cortez in Balboa Park. In addition to freeway lids, connections would be provided through enhanced streetscapes on important connecting surface streets and improvements to gateways at key access points.

The DCP seeks to provide an adequate supply of parking to serve a growing downtown, while avoiding excessive supplies that discourage transit ridership. While previously certified parking requirements within the North Embarcadero would be maintained, in all other areas (with the exception of the Port District's jurisdiction), the amendment would result in significant increases in parking requirements for downtown projects, including increases from 0.5 to 1.0-1.5 parking spaces for residential units, the requirement for guest parking in residential projects, and creation of commercial parking requirements. Shared parking would be emphasized, including the development of parking facilities that serve multiple uses, locating parking facilities under new parks, and managing metered street parking to correspond with daily activity patterns. Design requirements for parking structures have also been strengthened and transportation demand management practices have been updated to reflect modern practices, including car-sharing programs such as Flex-Car.

Transportation Demand Management (TDM) approaches are proposed to be updated and would promote the following: rideshare and carpool in all levels of government with offices and facilities downtown as well as other major downtown employers; make available designated preferential, conveniently located car/vanpool parking areas; provide transit reimbursement and other benefits to other users of non-motorized travel; establish a car/van-pool matching service that could use mechanisms such as sign-ups at individual buildings, or via electronic mail or an Internet website; continue SANDAG's guaranteed ride home for workers who carpool; work with public and private entities to encourage car share programs in downtown; and provide flextime and telecommuting opportunities to employees.

In the North Embarcadero area, the proposed DCP and CCPDO would maintain height restrictions in effect since 2004 upon the adoption of the North Embarcadero Visionary Plan, with the exception of the block bounded by Pacific Highway, California Street, Ivy Street, and Hawthorn Street. The height for this block is proposed to be changed from a maximum of 60 feet to 85 feet. No other changes in height have been made in the remainder of the areas within the Coastal Zone.

The existing Centre City Community Plan designates view corridors, west toward the San Diego Bay, along the following streets: Laurel Street, Ivy Street, Juniper Street, Hawthorn Street, Grape Street, Fir Street, Date Street, Cedar Street, Beech Street, Ash

Street, A Street, B Street, C Street, Broadway, E Street, F Street, G Street, Market, Fifth Avenue, and Pacific Highway. The proposed DCP and CCPDO have generally maintained the existing view corridors; however the Market and Fifth Avenue view corridors have been deleted, and a Park Boulevard view corridor has been added. The required building setbacks and stepback elevations have generally been maintained, with slight modifications made to the stepback elevation on Cedar Street, Beech Street, Ash Street, Broadway, and Pacific Highway.

In 2007, the City amended the DCP to strengthen language to conform to the City's review process for historical resources; establish preference for the relocation of historical resources in the downtown area when no feasible alternative to incorporate the historical resource in new development is possible; allow expanded opportunities for the transfer of development rights from historical resources in certain circumstances; add a new section allowing a wider range of conditions under which certain uses may occupy historical resources; allow new signs on a historical resource to exceed City sign regulations when it replicates historical signs of its period of significance and with recommendation by the Historical Resources Board and approval of a Neighborhood Use Permit; and minor edits throughout the text for consistency with the City's nomenclature.

In 2010, the City amended the DCP to certify the Second Addendum to the 2006 Final Environmental Impact Report; revise Appendix A (Mitigation, Monitoring, and Reporting Program to the 2006 Final Environmental Impact Report) of the DCP to improve mitigation for historical, archaeological, and paleontological resources; and modify the historic preservation goals and policies for downtown. This amendment would enhance the historic preservation policies and goals for downtown, including the process for review of historical and archaeological resources; create consistency among the planning documents including DCP, CCPDO, and MPDO; and make non-substantive clean up edits to the text.

Finally, in 2012, the DCP was amended to: expand the areas in which a FAR bonus can be purchased and increase the amount of FAR that can be purchased through the program; include a Public Safety Facilities land use district and designate certain properties to be included in this district; and designate certain properties currently utilized as parks as "Open Space." Only two blocks, bounded by Date Street to the north, California Street to the west, Beech Street to the south, and Kettner Street to the east, would be impacted by the proposed expansion of the FAR Payment Bonus Program. Development within this two-block area would be eligible for an additional 1.0 in FAR if the applicant provides certain public benefits or development amenities. The change to the FAR Payment Bonus Program would not increase the maximum FAR for any site. Further, only one parcel within the Coastal Zone would be affected by the new Public Facilities land use district – a 10,000 sq. ft. parcel located at 1595 Pacific Highway in the Little Italy neighborhood would be rezoned from Employment/Residential Mixed Use (ER) to Public Facilities (PF) for the construction of a 19,000 sq. ft. fire station. The subject parcel was obtained by the former Redevelopment Agency for the construction of a new fire station to serve the downtown area.

## **2. Centre City Redevelopment Plan**

In 2006, the City of San Diego processed the 10<sup>th</sup> Amendment to the Redevelopment Plan to maintain consistency with the proposed Downtown Community Plan. The primary modifications include new descriptions of the land use districts and a new land use map to correspond with those found in the proposed DCP. In addition, the allowable number of units in the Centre City planning area is amended from approximately 33,890 to 53,000. Finally, duplication of the listed objectives for many areas was deleted to streamline the document. For example, rather than restating the same objectives for each individual area, the “Project Objectives” area was generalized to encompass all areas collectively. The names of the areas have not changed within the Redevelopment Plan, nor has their status. Additionally, there are no changes to terms of indebtedness, geographic boundaries, or other non-land use related changes.

The Redevelopment Plan was subsequently amended by the City in 2007. This 11<sup>th</sup> Amendment contains changes necessary to consolidate the land use and project maps. The consolidation of the two maps would result in a streamlined Redevelopment Plan and would eliminate the need to amend the Redevelopment Plan for a land use change in the Downtown Community Plan or PDOs. The proposed consolidation would replace references to specific land use districts (e.g., Ballpark, Core) in the land use map with more generalized project area descriptions and map. The references address land uses and the types of structures (low, mid, and high-rise) permitted within each of the districts. Land use descriptions would be replaced with a general listing of the mix of uses, and, instead of detailing the types of structures permitted in the individual districts, the Redevelopment Plan would list the types of structures allowed within the Project Area. There are also a few minor “clean-up” items included in the 2007 amendment, including deleting language relating to specific projects that is no longer necessary, and minor clean-up changes to the Project Area Map.

Staff notes that in 2012, Assembly Bill 26 dissolved the redevelopment agencies of San Diego (including the Centre City Development Corporation), but not specifically redevelopment plans or project areas. Project areas still comprise the geographic boundaries from which former tax increment funds were generated. These funds are now restricted for use by projects deemed to be enforceable obligations. Since redevelopment agencies have been eliminated and replaced with successor agencies (Centre City Development Corporation was replaced by Civic San Diego acting on behalf of the City of San Diego), only enforceable obligations entered into prior to June 27, 2011 for the implementation of redevelopment plans are allowed to continue. Therefore, once existing enforceable obligations have been completed, then the redevelopment plans will essentially have no effect and there will likely be clean-up legislation to deal with this issue.

## **B. LAND USE PLAN CONSISTENCY ANALYSIS AND FINDINGS**

### **1. Public Access, Mobility and Alternate Transit Opportunities**

Section **30210** of the Coastal Act states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section **30211** of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section **30212** of the Coastal Act states, in part:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or...*

Section **30250** of the Coastal Act states, in part:

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas*

Section **30252** of the Coastal Act states, in part:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, [....]*

Section **30253** of the Coastal Act states, in part:

*New development shall...minimize energy consumption and vehicle miles traveled.*

As required by the Coastal Act, maximum public access to and along the coast shall be maintained and enhanced by new development. In addition, new residential, commercial, or industrial development should be located adjacent to existing development that is able to accommodate it or, where such areas are not able to accommodate it, in areas with adequate public services and where it will not have significant adverse effects on coastal resources. Further, new development should ensure that public access to the coast is protected by facilitating the provision or extension of transit service, providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, providing non-automobile circulation



within the development, providing adequate parking facilities or providing substitute means of serving the development with public transportation, and assuring the potential for public transit for high intensity uses such as high-rise office buildings. Finally, new development shall minimize energy consumption and vehicle miles traveled.

Although the majority of the land in Centre City, including the land along the waterfront, is not under the coastal permit authority of the City of San Diego, the increase in residential/employment populations and intensity of land uses envisioned by the proposed Downtown Community Plan and Centre City Planned District Ordinance, is anticipated to impact public access and mobility to and along the coast. Those areas west of the Mean High Tide Line (MHTL) are within the jurisdiction of the Port of San Diego and are covered by the certified Port Master Plan. Thus, the area within the City's permit jurisdiction covered by the subject LCP Amendment (LCPA) is relatively small (see Exhibit 1). Staff notes that the DCP contains several figures which depict development standards (FAR, building height, land uses, etc.) in areas not within the City's jurisdiction, such as the Port District; therefore, Suggested Modification #1 clarifies that for purposes of the Downtown Community Plan and Local Coastal Program, the development standards and land use plan policies only pertain to properties within the City of San Diego, and exclude those within the San Diego Unified Port District or federal lands. Although the City's coastal permit jurisdiction covers a relatively small area in relationship to Centre City's boundary, the maintenance and enhancement of maximum public access to and along the San Diego Bay is still mandated by Chapter 3 of the Coastal Act.

Based on a transportation analysis completed by Wilson & Company for the proposed DCP/CCPDO, evaluating the major forms of transportation including automobile, transit and non-motorized options, as well as parking supply and demand, it is anticipated that some aspects of transportation, circulation, access, and parking would be adversely impacted by the proposed DCP/CCPDO. In estimating the transportation impacts, the analysis notes that a buildout traffic volume that would be generated by a *realistic* rather than *maximum* buildout of the land use type and intensity possible under the proposed Plans and Ordinances was used. Also, potential density bonuses achieved through State affordable housing regulations were not factored in; however, it is not anticipated that State bonus provisions would represent a significant number of residential units. Therefore, the resulting buildout projection is approximately 80% of the worst-case maximum (exclusive of State affordable housing bonus programs), which the City considers a reasonable distribution of potential future growth with respect to allowable FAR ranges, land use types, and projected market potential. It should also be noted that the traffic analysis, as well as the proposed DCP/CCPDO, *assume* implementation of future year transit improvements for the San Diego region and downtown, consistent with the SANDAG Regional Transportation Plan (Revenue-Constrained Scenario), and the development of intra-downtown shuttles connecting key activity nodes, as recommended in the proposed DCP/CCPDO. The downtown shuttle service, as proposed, would link downtown's neighborhoods and the bayfront, running in a loop along Ash Street, A Street, 13<sup>th</sup> Street, Market Street, and Kettner Boulevard.

Existing traffic volumes (based on 2002 data) show that the heaviest traveled streets in the north-south direction are: Harbor Drive, Pacific Highway, Park Boulevard, and First Avenue. The heaviest traveled streets in the east-west direction are F Street, Grape Street, Hawthorn Street and Laurel Street. These roadways carry traffic volumes in excess of 20,000 vehicles per day. Freeway volumes on I-5 through the downtown area range from 160,000 to 220,000 average daily trips (ADT). Volumes on SR-94, just east of downtown are nearing 100,000 ADT, while SR-163, to the north of downtown, carries approximately 101,000 ADT.

Based on the proposed land uses within the DCP/CCPDO and traffic modeling assumptions, buildout of downtown is anticipated to generate a total of 2.7 million daily person trips which is a 120% increase from existing conditions. Of these trips, a total of 1,546,470 average daily automobile trips (ADT) would be generated by automobiles, which represents a 112% increase over existing conditions. Anticipated vehicle trips would represent 863,940 average vehicle miles traveled (VMT) which translates to a 125% increase above existing conditions.

According to the results of the transportation analysis, the increased traffic volumes would result in significant congestion in downtown, in the surrounding neighborhoods, and freeway segments/ramps serving downtown. With buildout of the proposed DCP/CCPDO, 62 of the 275 downtown intersections would operate at an unacceptable level of service (LOS F), including eight (8) within the Coastal Zone. However, it is anticipated that street improvements could be made to at least 50 of these intersections to maintain an acceptable level of service. Up to 12 intersections may not be able to be improved due to constraints of adjacent land uses. Although these 12 intersections are not within the Coastal Zone, several of the impacted intersections are located on major access ways used to reach the waterfront and thus, may have a potentially adverse impact on public access to the coast.

Several mitigation measures in the Mitigation, Monitoring, and Reporting Plan (MMRP) that is an appendix to the DCP address traffic and parking impacts, including Mitigation Measures TRF-A.1.1-1, TRF-A.1.1-2, TRF-A.1.1-3, and TRF-D.1. Mitigation Measure TRF-A.1.1-1 requires CCDC to conduct a downtown-wide evaluation of the ability of the grid street system to accommodate traffic within downtown at five-year intervals and incorporate needed roadway improvements into its Capital Improvement Program or identify another implementation strategy. Mitigation Measure TRF-A.1.1-2 requires a traffic study to be completed prior to approval of any development which would generate more than 2,400 daily trips or 200 trips during a peak hour period and identify necessary roadway improvements. Mitigation Measure TRF-A.1.1-3 requires the City to update the Centre City Public Facilities Financing Plan (PFFP) to include a transportation element, including transportation improvements, capital improvements to the downtown transit network, and timeline/costs/developer impact fees to implement transportation improvements, including the downtown shuttle. Mitigation Measure TRF-D.1-1 requires CCDC to evaluate the parking supply and demand within the downtown area at five-year intervals and incorporate necessary actions into the Capital Improvement Program. However, it should be noted that many of these mitigation measures have not been fully implemented due to the dissolution of the redevelopment agencies and lack of funding.

To minimize congestion and promote traffic flow downtown, the DCP establishes the following goals and policies: develop street typology based on functional and urban design considerations, emphasizing connections and linkages, pedestrian and cyclist comfort, transit movement and compatibility with adjacent uses (7.1-G-1); forge new connections and view corridors as larger sites are redeveloped, opening rights of way at the waterfront, through the Civic Center, and along Cedar Street, among others, and require full vehicle and pedestrian access in new connections except where precluded by existing plans and projects (7.1-P-3); encourage transportation demand management strategies to minimize traffic contributions from new and existing development (7.5-G-1); cooperate with regional transportation planning and demand management programs, and with local agencies for joint use arrangements of transportation and parking facilities during evenings, weekends, and holidays (7.5-G-2); and encourage TDM approaches and various SANDAG programs (7.4-P-1).

As indicated in the transportation analysis and FEIR, under the proposed DCP/CCPDO, the total daily ridership for public transit would represent an increase of approximately 98,000 transit trips or 185% over existing conditions. Total work trips would represent an increase of about 130% over existing conditions. Currently, the downtown area is served by an array of transit services, including intercity passenger rail, commuter rail, light rail, and a network of local bus routes, connecting the downtown area to the rest of the San Diego. Key downtown transit centers include the Santa Fe Depot and the Twelfth and Imperial Transfer Station, which provide linkages between bus routes, light rail lines, and commuter rail services. SANDAG, which is responsible for long-range planning for transit, has indicated that existing and planned transit services are anticipated to have the capacity to meet the increased demand. The DCP includes goals and policies to promote adequate transit service including: increase transit use among downtown residents, workers, and visitors (7.3-G-2); coordinate with the transit agency and other appropriate organizations to implement: internal shuttle service for local trips, connecting key downtown locations with the wider transit network, and using smaller, cleaner vehicles for flexible neighborhood trips, BRT service, and bus service modifications (7.3-P-3); and cooperate with the transit agency on public programs and campaigns to increase transit use for various types of trips – work, shopping, entertainment, etc. (7.8-P-8).

To further augment the transit goals within the DCP, including the provision of connections within downtown and beyond, and support increased transit use among downtown residents, workers, and visitors; Suggested Modification #6 adds another policy to Section 7.3, Transit System. The DCP proposes the implementation of a downtown shuttle service for local trips to connect key downtown locations with the wider transit network and this additional policy provides for the integration of the proposed shuttle service with other existing or planned shuttle services, such as the San Diego Unified Port District's bayside shuttle. Policy 7.3-P-10 states: "Work with the Port and other appropriate agencies to implement an integrated shuttle system with routing for downtown and bayside shuttles in order to provide connectivity and linkages between key downtown locations and the waterfront." This policy provides clear direction that all shuttle systems serving the downtown area should work together to

provide a comprehensive network in order to maintain and enhance public access downtown and to the waterfront.

Downtown San Diego includes a variety of land uses in close proximity, providing many opportunities for non-motorized travel including walking, bicycling, and pedicab modes. Thus, residents, employees, and visitors to downtown are able to accomplish some of their travel requirements without the need for an automobile. Currently, just over 15% of all downtown trips currently take place via these non-motorized modes; however, under buildout of the proposed DCP/CCPDO, non-motorized trips would represent over 20% of all trips. Key pedestrian and bicycle goals within the DCP include: develop a cohesion and attractive walking and bicycle system within downtown that provides links within the area and to surrounding neighborhoods (Goal 7.2-G-1); facilitate development of mixed-use neighborhoods, with open spaces, services, and retail within convenient walking distance of residents, to maximize opportunities for walking (Goal 7.2-G-2); and in Pedestrian Priority Zones, undertake strategic streetscape improvements (such as sidewalk widening, bulbouts, enhanced lighting and signage), lengthen traffic signal walk times for pedestrians, and explore feasibility of “all walk” signalization at intersections with heavy pedestrian flow, and accept lower levels of automobile traffic level of service (Policy 7.2-P-4).

Based on a parking inventory completed by CCDC in August 2003, the total supply of parking in downtown is estimated at 56,880 spaces; of which 69% of these spaces are available to the public. Public parking counts included both on-street and off-street lots and structures which are readily available for public use, while private parking is restricted to specific property owners and/or lessees, and is usually associated with residential uses. Based upon a comparison of the existing supply versus existing demand, a parking deficit of 944 spaces currently exists. Although the DCP/CCPDO establishes minimum parking ratios for new development, these ratios would not satisfy the total demand for parking spaces. According to the results of the transportation analysis and the FEIR, buildout of downtown would create a significant parking impact due to the potential for demand to exceed supply. The total estimated demand generated by the proposed growth as envisioned by the proposed DCP/CCPDO is approximately 100,445 spaces. This is over and above the estimated current demand of 57,824 spaces, and would result in a total downtown parking demand of 158,269 spaces. The proposed parking requirements would result in approximately 65,056 additional parking spaces. When compared with the estimated future growth related demand of 100,445 spaces, an estimated shortfall of 35,389 spaces or about 35% would result. Shared parking is emphasized by the DCP, including the development of parking facilities that serve multiple uses, locating parking facilities under new parks, and managing metered street parking to correspond with daily activity patterns; however, the DCP fails to include policies regarding the provision of public parking in close proximity to key transit and pedestrian corridors, which would help improve circulation.

Thus, Suggested Modification #7 adds another policy to Section 7.4, Parking, to further meet the parking goals within the DCP, including the need to site and design new parking structures to accommodate parking needs from multiple land uses to the extent possible. The modification suggested includes the following new policy: “Public parking facilities

shall be located near transit corridors and pedestrian priority zones to maintain and enhance public access to the waterfront.” None of proposed parking policies reference the provision of public parking near transit corridors and pedestrian routes, which facilitates increased transit use and ensures that residents, employees, and visitors to the downtown area park once and use other modes of transit (bus, rail, walk, bicycle) to travel between downtown locations, including the waterfront.

Transportation Demand Management (TDM) approaches within the DCP/CCPDO are proposed to be updated and would promote the following: rideshare and carpool in all levels of government with offices and facilities downtown as well as other major downtown employers; make available designated preferential, conveniently located car/vanpool parking areas; provide transit reimbursement and other benefits to other users of non-motorized travel; establish a car/van-pool matching service that could use mechanisms such as sign-ups at individual buildings, or via electronic mail or an Internet website; continue SANDAG’s guaranteed ride home for workers who carpool; work with public and private entities to encourage car share programs in downtown; and provide flextime and telecommuting opportunities to employees. However, the goals within the TDM section focus do not encompass all the available benefits of implementing TDM strategies. Therefore, Suggested Modification #8 is required to clarify that one of the main goals of transportation demand management is to minimize energy consumption and vehicle miles traveled – not just traffic.

In addition, Suggested Modification #9 revises Policy 7.5-P-1 in Section 7.5, Transportation Demand Management to *mandate*, instead of encourage, TDM strategies and add another TDM approach included in the 2011 LCPA to the CCPDO. The original language within the TDM table in the CCPDO states that 15 points may be obtained by the applicant if they “provide public accessible shuttle to all downtown and airport locations.” However, the City maintains that this specific TDM measure along with several others was added to the CCPDO in 2011 as a result of the recommendations from Centre City Green, the downtown sustainability master plan, and that this TDM measure was intended to be 5 points for a designated shuttle stop as part of an overall downtown connector shuttle. The City claims that it was not intended for a hotel or commercial developer to earn only 15 points for providing a separate shuttle service serving the general public – but that it is meant to be a designated shuttle stop. At the request of the City, Suggested Modification #9 is included to clarify the intent of this TDM strategy.

The Commission therefore finds that, if modified by the City, as suggested, the proposed LUP portion of the LCP amendment is consistent with Sections 30210, 30211, 30212, 30250, 30252, and 30253 of the Coastal Act.

## **2. Visual Resources**

Section **30251** of the Coastal Act states:

*The 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, to minimize the alteration of natural land forms, to be*

*visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. 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.*

As required by the Coastal Act, the visual qualities of coastal areas shall be protected by maintaining views to and along the ocean and scenic coastal areas. Within the LUP, designated view corridor streets are afforded protection with special “stepback” requirements to ensure that views from and along these streets are maintained. As defined in the CCPDO, a “stepback” means “the distance measured from a property line to the building walls of the upper floors of a building above a specified height.” In practical terms, the stepback requirement involves both a particular distance which a building must be set back from the street and a stepback elevation where the set back must begin. For example, a 25-foot stepback at a 50-foot stepback elevation means that the portion of the building above 50 feet in height is required to be set back 25 feet from the street. A “ground-level” stepback, is what it is more commonly known as a building setback—the distance the entire building must be set back from the street. The intent of stepbacks is to provide visual relief from tall, monolithic structures that go straight up from street level. Stepbacks also provide a varied street appearance and open up views along the street corridors. In general, the larger the stepback, and the lower the elevation of the stepback, the less bulky the building will be and the greater the view protection.

The existing Centre City Community Plan designates view corridors, west toward the San Diego Bay, along the following streets: Laurel Street, Ivy Street, Juniper Street, Hawthorn Street, Grape Street, Fir Street, Date Street, Cedar Street, Beech Street, Ash Street, A Street, B Street, C Street, Broadway, E Street, F Street, G Street, Market, Fifth Avenue, and Pacific Highway. The proposed DCP and CCPDO have generally maintained the existing view corridors; however, the Market View corridor has been deleted because it is outside the Coastal Zone and views are obstructed by a hotel, the Fifth Avenue view corridor has been deleted due to the elimination of views by expansion of the Convention Center, and Park Boulevard (south of K Street) view corridor has been added. The required building setbacks and stepback elevations have generally been maintained, with slight modifications made to the stepback elevations on inland portions of Cedar Street, Beech Street, Ash Street, Broadway, and Pacific Highway.

The proposed DCP and CCPDO would maintain view corridors and view corridor stepbacks in effect since 2004 upon the adoption of the North Embarcadero Visionary Plan; however, the View Corridors table within the certified Centre City Community Plan that identifies the required stepbacks and stepback elevations for each view corridor street is proposed to be deleted from the DCP and retained only within the CCPDO. The purpose of a community plan (or Land Use Plan) is to provide overarching policies and goals which are then implemented through specific standards contained in the PDO (or implementing ordinances). Although implementation plans can be and usually are more detailed than LUPs, the policy language in an LUP must be fairly specific in order to be found consistent with the Coastal Act, since the LUP, in turn, will become the standard of review for all implementing ordinances. For example, in biologically sensitive areas, an

LUP must have strict policies regarding allowable uses in a wetland to be found consistent with the resource protection policies of the Coastal Act. Then, the detailed development language in the implementing ordinances would be required to conform to the language in the LUP (and thus, the Coastal Act). If the LUP were silent on allowable uses, or contained only vague goals regarding resource protection, then any number of allowable uses in wetlands could potentially be considered consistent with the LUP.

Similarly, the Centre City Community Plan currently requires setbacks on designated View Corridors. The required setback distance and elevation for each view corridor is contained in the View Corridors table. If this table were removed, the Commission would have no assurance in the future that specific implementing ordinances in the PDO would be adequate to protect view corridors in the Coastal Zone and towards the San Diego Bay. Specific setbacks, or at the least, minimum setbacks, are required to be in the Downtown Community Plan, to ensure development along designated view corridors is consistent with the view protection policies of the Coastal Act. Thus, the Commission recommends Suggested Modification #3 that retains the View Corridors table, in Section 5-1, Street Grid and Views, of the Downtown Community Plan (see Exhibit 3).

The proposed DCP has also deleted Figure 19, View Corridor Streets; however, it does retain Figure 5-1, depicting the view corridor streets that have setback requirements. In consultation with the City, it was determined that the view corridor along Ivy was inadvertently excluded. Thus, the Commission recommends Suggested Modification #2, a modification to Figure 5-1, titled “View Corridors,” in Section 5.1 of the Downtown Community Plan to include the Ivy Street view corridor. The modification depicts the Ivy Street view corridor starting from Kettner Street, heading westward to San Diego Bay, and ending at Harbor Drive (see Exhibit 2). In addition, in the previous LCPA #4-2000 (Centre City-North Embarcadero Overlay District), Suggested Modification #9a was included at the request of the City to show extended view corridors along Beech Street (west of Pacific Highway) and F Street (from Pacific Highway east to Kettner Boulevard). However, the extension of these view corridors is no longer shown in the DCP. Thus, the Commission requires Suggested Modification #2, a modification to Figure 5-1, View Corridors, to also include the extended view corridors along Beech Street and F Street.

The goals and policies related to the protection of views in the certified Centre City Community Plan have been somewhat generalized in the proposed DCP and CCPDO; however, the Commission suggests the retention of existing policy language to ensure that visual resources are adequately protected. The Commission suggests a modification to revise Goal 5.1-G-2 in Section 5.1, Street Grids and Views, such that view corridors “accentuate key public rights-of-way with appropriate setbacks, setbacks, and design standards, and capture new public views where possible as waterfront sites are redeveloped.” In addition, Policy 5.1-P-5 prohibits the construction of “sky-walks” or any visible structure in view corridors; however, the policy language within the CCPDO implementing this policy has been deleted. Suggested Modification #10 incorporates the existing CCPDO policy language back into the proposed CCPDO to be consistent with and specific enough to implement the DCP.

The proposed DCP and CCPDO would maintain building height restrictions within the Coastal Zone in effect since 2004 upon the adoption of the North Embarcadero Visionary Plan, with one exception – an increase from 60 to 85 feet for the block bounded by Pacific Highway, California Street, Ivy Street, and Hawthorn Street. For example, the height of development in the North Embarcadero is limited to 12-500 feet, with the tallest building heights permitted directly adjacent to the Coastal Zone boundary, along Broadway, and the shortest building heights along the bayfront, to the north and south of Broadway.

However, increased development in the Centre City community planning area outside the Coastal Zone—particularly, the East Village neighborhood—would interrupt views of San Diego Bay and the Coronado Bridge from public viewing areas outside of downtown, such as Balboa Park and the I-5/SR-94 interchange. However, to minimize potential visual impacts, the proposed DCP/CCPDO would promote slender upper towers on future high-rise buildings to allow intervening views of the Bay and Coronado Bridge. Further, the clustering of high density development within the downtown core would reinforce it as the urban center of the City and reduce visual impacts in more scenic areas of San Diego.

Development intensity, measured by the gross floor area divided by the lot area, would generally remain the same in the Coastal Zone; however, a new FAR Bonus Payment Program and TDR Program would allow some increases in development potential. The maximum FAR permitted by the certified Centre City Community Plan ranges from 2 to 7, with the highest FARs located at Broadway and then stepping down in intensity towards the waterfront and to the north and south. The proposed DCP establishes minimum and maximum FARs to ensure that downtown is developed consistent with the proposed population and employment goals, using the certified FARs as base maximum FARs. Although the certified Centre City Community Plans contains provisions for potential increases in FAR, the proposed DCP contains an expanded FAR Bonus Payment Program by which applicants may increase their FARs by providing certain project amenities and/or public benefits including urban open spaces, such as pocket parks and plazas; family housing, such as 3-bedroom units; eco-roofs; employment uses; and affordable housing. Additional FAR exemptions are proposed as incentives for certain uses or project characteristics, such as the retention of historical resources and active commercial uses along designated commercial or main streets. The total bonus FAR available in the Coastal Zone ranges from 0.5 to 5.0 above the base maximum FAR; therefore, the proposed maximum FAR (with bonuses) in the Coastal Zone ranges from 2 to 12, with the greatest FARs located directly west of the Coastal Zone boundary, along Broadway.

While FAR defines the amount of square footage that can be built on a given site, the physical building envelope within which the FAR must be located is defined by a series of building bulk controls. The CCPDO provides for a number of bulk controls including maximum north/south and east/west tower dimensions, tower lot coverage, tower setbacks from property lines, and building height. These bulk controls have a significant impact on building massing and will minimize any potential adverse impacts to visual resources. The nature of the downtown city core is an intense urban environment; but the



provision of public view corridors to the bay and building setbacks, along with adequate public spaces, has been achieved in the Downtown Community Plan. The Commission therefore finds that, if modified by the City, as suggested, the proposed LUP portion of the LCP amendment is consistent with Section 30251 of the Coastal Act.

### **3. Public Recreation and Priority Uses**

Section **30213** of the Coastal Act states, in part:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section **30222** of the Coastal Act states:

*The use of private lands suitable for visitor-serving commercial recreational facilities designated to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

As required by Section 30213 of the Coastal Act, visitor-serving and recreational facilities that serve the public shall be protected, promoted, and, where feasible, provided. Section 30222 of the Coastal Act also establishes priority uses such as visitor-serving commercial recreational facilities over private residential, general industrial, or general commercial development. As mentioned previously, most of the area within the Coastal Zone is actually within the San Diego Unified Port District's jurisdiction, which uses the Port Master Plan as the standard of review. However, the proposed policies that pertain to the one to two-block portion of the City's jurisdiction within the Coastal Zone are generally consistent with the goals of the Coastal Act regarding the promotion of priority uses and recreational opportunities.

The proposed DCP and CCPDO encourage and allow a variety of priority land uses, including hotels, restaurants, public spaces, and parks, similar to the existing plan. The proposed DCP emphasizes the establishment of new parks and open spaces, as well as improving the quality of the public realm with new streets, such as green streets. For example, Policy 3.1-P-3 requires retail, restaurants, and other similar active commercial uses at the ground level along designated Main Streets; Policy 3.1-P-5 encourages maritime-supporting uses and a diverse mix of uses along the waterfront; Policy 4.1-P-5 requires continued efforts to improve the waterfront open space network according to the North Embarcadero Visionary Plan and connecting to the redeveloped Seaport Village; Policy 5.5-P-5 requires the City to foster development of an active daytime and nighttime retail/commercial district with a downtown/citywide draw and a maritime theme/orientation at Broadway and Harbor Drive, seek continuous active uses along Harbor Drive, Broadway, and the new pedestrian street between and parallel to Harbor and Pacific, and support outdoor cafes in the area; and Policy 5.5-P-7 requires the City to foster unique maritime-related activities, including cruise ships, fishing, restaurants, recreational boating, and commercial uses along the waterfront.

Suggested Modification #4 adds another policy to Section 5.5 (Waterfront) of the DCP to ensure that the City of San Diego “continue to develop the waterfront as downtown’s primary open space, park and recreational area, which is both physically and visually accessible to the public.” This policy is included as an objective in the Open Space (OS) and Urban Design (UD) sections in the certified Centre City Community Plan and should be retained in the proposed Downtown Community Plan so that public recreational uses, such as open space, parks, and recreational facilities are located along the waterfront, consistent with Sections 30213 and 30222 of the Coastal Act. The Commission therefore finds that, if modified by the City, as suggested, the proposed LUP portion of the LCP amendment is consistent with Sections 30213 and 30222 of the Coastal Act.

#### **4. Water Quality**

Section **30231** of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Downtown San Diego is a highly urbanized area that contains very little vacant land and a majority of land is paved with impervious surfaces. As a result, the San Diego Bay experiences water quality problems caused by urban development and associated runoff within its watershed. According to the Final EIR for the proposed DCP/CCPDO, since urban runoff in the downtown planning area has already adversely impacted water quality in the Bay, the addition of any pollutants in urban runoff discharged into the Bay would result in a cumulatively significant impact to water quality. Although regulations, policies and implementation of mitigation measures would reduce direct water quality impacts to below a level of significance, cumulative water quality impacts would be unavoidable.

Mandatory compliance with federal, state, and local regulations regarding interim and permanent control of urban runoff and erosion would serve to reduce the direct impacts of future development on hydrology and water quality in the San Diego Bay. For example, the City’s Jurisdictional Urban Runoff Management Plan contains City-wide programs designed to prevent and reduce storm water pollution within City limits, including downtown. Proposed developments are also reviewed by the California Regional Water Quality Control Board to ensure that they comply with Best Management Practices (BMPs) as part of the local Storm Water Pollution Prevention Plan (SWPPP). The approval of a SWPPP assures short-term water quality impacts during construction are not significant. Any potential long-term groundwater or surface water quality impacts as a result of urban runoff are reduced through the implementation of BMPs required by the local Standard Urban Stormwater Mitigation Program and Stormwater Standards. Adherence to these water quality controls ensures that new downtown development will not directly impact groundwater and surface water quality.

In addition, the proposed DCP/CCPDO contains policies to reduce urban runoff and associated pollutants generated from future development activities, such as eco-roofs, green streets, and Downtown Design Guidelines that encourage the use of abundant vegetation and porous materials which filter pollutants in stormwater runoff. The Commission therefore finds that, if modified by the City, as suggested, the proposed LUP portion of the LCP amendment is consistent with Section 30231 of the Coastal Act.

## **C. LOCAL IMPLEMENTATION PLAN CONSISTENCY ANALYSIS AND FINDINGS**

### **1. Centre City Planned District Ordinance**

In 2006, the City of San Diego replaced the Centre City Planned District Ordinance, in its entirety, with the proposed ordinance to maintain consistency with the proposed Downtown Community Plan. The 2006 amendment includes: creation of new land use districts, including the addition of Neighborhood Mixed-Use Centers; creation of new Overlay Districts (Main St, Commercial St, Employment, Public Park, and Public Park Sun Access Overlay Districts); establishment of minimum FARs and increased FARs; implementation of a TDR Program for the acquisition of parkland and the preservation of historical resources; creation of new development regulations including minimum and maximum street wall requirements, sun access requirements, height limits, new requirements for ground floor heights, provisions for off-street parking, required Transportation Demand Management provisions for hotel and commercial projects; and changes to the development permit process.

The 2006 amendment maintains the parking requirements previously certified for the North Embarcadero from the North Embarcadero Visionary Plan. Changes to the parking standards in all other areas in the Coastal Zone (with the exception of the Port's jurisdiction) include the creation of commercial parking requirements, increases in parking from 0.5 to 1.0 for residential units, and the requirement for guest parking in residential developments. In addition, design standards for parking structures have been strengthened and shared parking approaches have been emphasized to ensure that an adequate parking supply accommodates both public and private development.

In the North Embarcadero area, the proposed DCP and CCPDO would maintain height restrictions in effect since 2004 upon the adoption of the North Embarcadero Visionary Plan, with the exception of the block bounded by Pacific Highway, California Street, Ivy Street, and Hawthorn Street. The height for this block is proposed to be changed from a maximum of 60 feet to 85 feet. No other changes in height have been made in the remainder of the areas within the Coastal Zone.

In 2007, the CCPDO modifications mainly focused on regulations affecting historical resources, but there were a few other minor amendments. The 2007 amendment can be summarized as follows: strengthens language to conform to the City's review process of

historical resources; establishes preference for the relocation of historical resources in the downtown area when no feasible alternative to incorporate the historical resource in new development is possible; allows expanded opportunities for the transfer of development rights from historical resources in certain circumstances; adds new section allowing a wider range of conditions under which certain uses may occupy historical resources; allows new signs on a historical resource to exceed City sign regulations when it replicates historical signs of its period of significance and with recommendation by the Historical Resources Board and approval of a Neighborhood Use Permit; and minor edits throughout the text for consistency with the City's nomenclature.

In 2010, the CCPDO was amended to provide better implementation of the policies of the DCP, create consistency amongst the planning documents (DCP, CCPDO, and MPDO), and enhance the historic preservation policies and goals for downtown. This amendment also included substantive clean up edits to the text.

Again in 2010, the CCPDO was amended to allow educational facilities and cultural institutions in the Residential Emphasis (RE) land use district with approval of a Conditional Use Permit. Prior to this amendment, educational facilities and cultural institutions were precluded from locating within the RE district. Within the RE district, projects are required to devote 80% of gross floor area to residential uses and no more than 20% of gross floor area to non-residential uses. This land use mix requirement precluded educational facilities and cultural institutions from locating within the RE land use district. A number of educational facilities and cultural institutions already exist within or adjacent to the RE district with negligible impacts on surrounding residential land uses. Based on the City's analysis, it was determined that educational uses and cultural facilities could be compatible land uses within the RE district with approval of a Conditional Use Permit. This amendment is specific to properties within the RE district and there are no RE land use designations within the Coastal Zone; thus, there are no impacts to coastal resources as a result of this specific amendment.

In 2011, the CCPDO was amended to include language resulting from policies and goals of the Downtown Design Guidelines and Centre City Green, downtown's sustainability master plan. The Downtown Design Guidelines provide a best practice framework for the design of downtown's major streets, buildings, and public realm. Centre City Green identifies long-term goals and policies to meet sustainability standards and includes a voluntary Green Building Incentive Program, a Green Streets' Program to expand sustainability in public spaces, and a revised Transportation Demand Management Plan. The 2011 amendment also included the following: inclusion of the Ivy Street view corridor within the View Corridors Figure; clean-ups; minor changes to Land Use, Permit Process, FAR Bonus Programs and TDR Programs; revised development regulations such as elimination of setback requirements for ground level units and projects within the RE district, addition of personal storage requirements, small lot provisions, below-grade parking requirements, and living unit size requirements; Average Daily Trip (ADT) threshold for development within the Ballpark Mixed-Use district; and various edits to the text to enhance organization and clarify language.

In 2012, the Redevelopment Agencies of San Diego were dissolved as required by Assembly Bill 26 and the CCPDO was amended to substitute the appropriate decision maker where “Redevelopment Agency” was identified as the land use permitting authority. Certain land use processing and approvals required participation or approvals by the Redevelopment Agency and this amendment removed reference to the Redevelopment Agency and replaced with references to the appropriate agency – generally, the City Council or City Manager of San Diego. It should be noted that the previous permitting authority, the Redevelopment Agency Board, was actually the City Council.

Also in 2012, the CCPDO was amended to: expand the areas in which a FAR bonus can be purchased and increase the amount of FAR that can be purchased through the program; include a Public Safety Facilities land use district and designated certain properties to be included in this district; and designate certain properties currently utilized as parks as open space. Only two blocks, bounded by Date Street to the north, California Street to the west, Beech Street to the south, and Kettner Street to the east, would be impacted by the proposed expansion of the FAR Payment Bonus Program. Development within this two-block area would be eligible for an additional 1.0 in FAR if the applicant provides certain public benefits or development amenities. The change to the FAR Payment Bonus Program would not increase the maximum FAR for any site. Further, only one parcel within the Coastal Zone would be affected by the new Public Facilities land use district – a 10,000 sq. ft. parcel located at 1595 Pacific Highway in the Little Italy neighborhood would be rezoned from Employment/Residential Mixed Use (ER) to Public Facilities (PF) for the construction of a 19,000 sq. ft. fire station (Exhibit X). The subject parcel was obtained by the former Redevelopment Agency for the construction of a new fire station to serve the downtown area.

## **2. Marina Planned District Ordinance**

In 2007, as part of the City’s update of the Land Development Code, the Marina Planned District Ordinance was reformatted. In a few instances, the Marina Planned District Ordinance incorrectly references the wrong policy sections and this amendment corrected those errors.

In 2010, the Marina Planned District Ordinance was amended to add the parking regulations adopted in the 2006 Centre City Planned District Ordinance. The amendment increased parking regulations in the Marina, consistent with those in the Centre City Planned District Ordinance. For example, a minimum of 0.5 parking spaces per residential unit was previously required; however, the amendment requires a minimum of 1 space per residential unit. With this action, all three downtown Planned District Ordinances (Centre City, Gaslamp Quarter, and Marina) will have consistent parking regulations. In addition, the amendment expanded the Transportation Demand Management policies to be consistent with those in the Centre City Planned District Ordinance.

Finally, in 2012 the Redevelopment Agencies of San Diego were dissolved as required by Assembly Bill 26 and the MPDO was amended to substitute the appropriate decision

maker where “Redevelopment Agency” was identified as the land use permitting authority. Certain land use processing and approvals required participation or approvals by the Redevelopment Agency and this amendment removed reference to the Redevelopment Agency and replaced with references to the appropriate agency – generally, the City Council or City Manager of San Diego. It should be noted that the previous permitting authority, the Redevelopment Agency Board, was actually the City Council.

### **3. Local Implementation Plan Consistency Analysis and Findings**

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP. Because the proposed amendments to the Centre City Planned District Ordinance and Marina Planned District Ordinance are generally consistent with and adequate to carry out the provisions of the proposed LUP (as suggested to be modified), only a few modifications are required.

The proposed CCPDO has deleted language that prohibits elevated pedestrian walkways, or “sky-walks.” Suggested Modification #10 adds language to the CCPDO regarding the prohibition of sky-walks within existing or designated view corridors to adequately protect public views. Both the certified DCP and CCPDO contain policy language to this effect; however, only the proposed DCP retains this policy. Thus, the modification reincorporates the corresponding policy language within the CCPDO to ensure that it is consistent with and specific enough to implement the DCP.

Suggested Modifications #11 and #15 add policy language regarding implementation of an integrated shuttle system downtown, referenced in several locations throughout the DCP, including but not limited to Policy 7.3-P-3, Figure 7.4 (Transit Network), Policy 7.3-P-10 (Suggested Modification #6), and Policy 7-5-P-1 (Suggested Modification #9). The modification adds language requiring new development within the Coastal Zone to participate in and contribute a fair share to the implementation of a permanent downtown shuttle system that would connect to the Port District’s bayside shuttle. In addition, this shuttle system would include linkages to the airport, MTS transportation hubs, and key downtown destination points. The City, in conjunction with Civic San Diego, MTS, SANDAG, and the Port District, would be required to pursue implementation of a shuttle system to maintain and enhance public access to and along the waterfront for residents, workers, and visitors of downtown San Diego. Fair share contributions from downtown development pursuant to Mitigation Measure TRF-A.1.1-3 are anticipated to assist SANDAG in meeting the demand for transit resulting from the proposed plan; however, according to the City, SANDAG is not prioritizing the proposed downtown shuttle service – even though it is one of the local transit improvements assumed by the FEIR, DCP, and transportation analysis. The Development Impact Fees (\$2000/unit) collected since July 1, 2008 are used by the City for regional improvements to roadways, freeways, and transit, including BRT and rail facilities, but not a shuttle service. Thus, the modification adds provisions for new development within the Coastal Zone to participate in and make a fair share contribution to implement the downtown shuttle system described in the DCP.

Suggested Modification #12 revises Table 156-0313-D to clarify the “shuttle” provision added in the 2011 LCPA to the CCPDO. The original language within the TDM table in the CCPDO states that 15 points may be obtained by the applicant if they “provide public accessible shuttle to all downtown and airport locations.” However, the City maintains that this specific TDM measure along with several others was added to the CCPDO in 2011 as a result of the recommendations from Centre City Green, the downtown sustainability master plan, and that this TDM measure was intended to be a designated shuttle stop as part of an overall downtown connector shuttle. The City claims that it was not intended for a hotel or commercial developer to earn only 15 points for providing a separate shuttle service serving the general public – but that it is meant to be 5 points for a designated shuttle stop. At the request of the City, Suggested Modification #12 is included to clarify the intent of this TDM strategy as a “shuttle stop” rather than a “shuttle service.”

In consultation with the City, it was determined that the view corridor along Ivy was inadvertently excluded in the proposed CCPDO. Thus, the Commission recommends Suggested Modification #13, a modification to Figure G, titled “View Corridors,” in the CCPDO to include the Ivy Street view corridor. The modification depicts the Ivy Street view corridor starting from Kettner Street, heading westward to San Diego Bay, and ending at Harbor Drive (see Exhibit 2). In addition, in the previous LCPA #4-2000 (Centre City-North Embarcadero Overlay District), Suggested Modification #9a was included at the request of the City to show extended view corridors along Beech Street (west of Pacific Highway) and F Street (from Pacific Highway east to Kettner Boulevard). However, the extension of these view corridors is no longer shown in Figure G of the CCPDO. Thus, the Commission requires Suggested Modification #13, a modification to Figure G, View Corridors, to also include the extended view corridors along Beech Street and F Street.

Finally, Suggested Modification #14 revises the Transportation Demand Management table in the Marina Planned District Ordinance to be consistent with the Transportation Demand Management table in the Centre City Planned District Ordinance, as suggested to be modified. In 2011, the Centre City Planned District Ordinance was amended to update the TDM table with more modern TDM approaches; however, the most recent 2010 amendment to the Marina Planned District Ordinance only updated the TDM table to be consistent with the 2006 amendment to the CCPDO. Although, only a few blocks of the MPDO are located within the Coastal Zone, the Commission suggests this modification to ensure that the TDM measures are consistent throughout the downtown planning area. As modified, the TDM table and requirements will be consistent between the CCPDO and MPDO. The Commission therefore finds that, if modified by the City, as suggested, the proposed IP portions of the LCP amendment are consistent with and adequate to carry out the provisions of the proposed LUP, as suggested to be modified.

## **VII. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The proposed amendment was the subject of an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA). The EIR was subject to public review and hearing and was adopted by the San Diego City Council. Civic San Diego (formerly Centre City Development Corporation) acting on behalf of the City of San Diego's former Redevelopment Agency is the lead agency and the City of San Diego is the responsible agency for purposes of CEQA. The City has certified a Final EIR (FEIR) for the proposed project.

In the FEIR, the City identified that implementation of the proposed project would have significant direct impacts related to land use/planning; transportation, circulation, access and parking; cultural resources; aesthetics/visual quality; noise; air quality; and paleontological resources. Certain identified direct impacts to land use planning; noise; air quality; and paleontological resources would be mitigated to below a level of significance by adoption of the mitigation measures. Identified direct impacts to land use/planning; transportation, circulation, access and parking; cultural resources; aesthetics/visual quality; and noise were found to be significant and not mitigated to below a level of significance. Direct impacts to public facilities and services; geology; hydrology/water quality; hazardous materials; population/housing; and energy were found not to be significant. Cumulative impacts to energy; geology and seismicity; hazardous materials; land use policy conformance, paleontological resources, population/housing; visual quality; and public facilities and services were found not to be significant in the FEIR. However, cumulative impacts to air quality; cultural resources; hydrology/water quality; land use/planning; noise; and traffic, circulation and parking would be significant and not mitigated to below a level of significance.

The City determined that specific economic, social, and other benefits of the proposed Downtown Community Plan and associated PDOs to implement the Downtown Community Plan outweigh the project's unavoidable adverse environmental effects. In making this determination, the City made statements of overriding considerations also adopted by the City. For example, the City identified the following as overriding considerations: strengthening downtown's role as the regional, residential, administrative, commercial and cultural center for the metropolitan area; accommodating a significant portion of the growth expected in the San Diego region over the coming years in an urban environment; ensuring that intense development is complemented with livability through strategies such as the development of new parks and neighborhood centers; advancing downtown's position as the regional economic and employment center, by ensuring availability of employment land, development of regional destinations, and creation of jobs easily accessed via transit, bicycle or on foot; creating walkable neighborhoods downtown with a mix of uses and easy access to open space, transit, shops, services, amenities, and cultural attractions; and connecting downtown's neighborhoods to the waterfront with new streets and view corridors, reestablishing Balboa Park's relationship to downtown, and integrating downtown with the surrounding neighborhoods. Therefore,



the City determined that the benefits of the project outweigh its significant environmental impacts, and therefore, such impacts are considered acceptable.

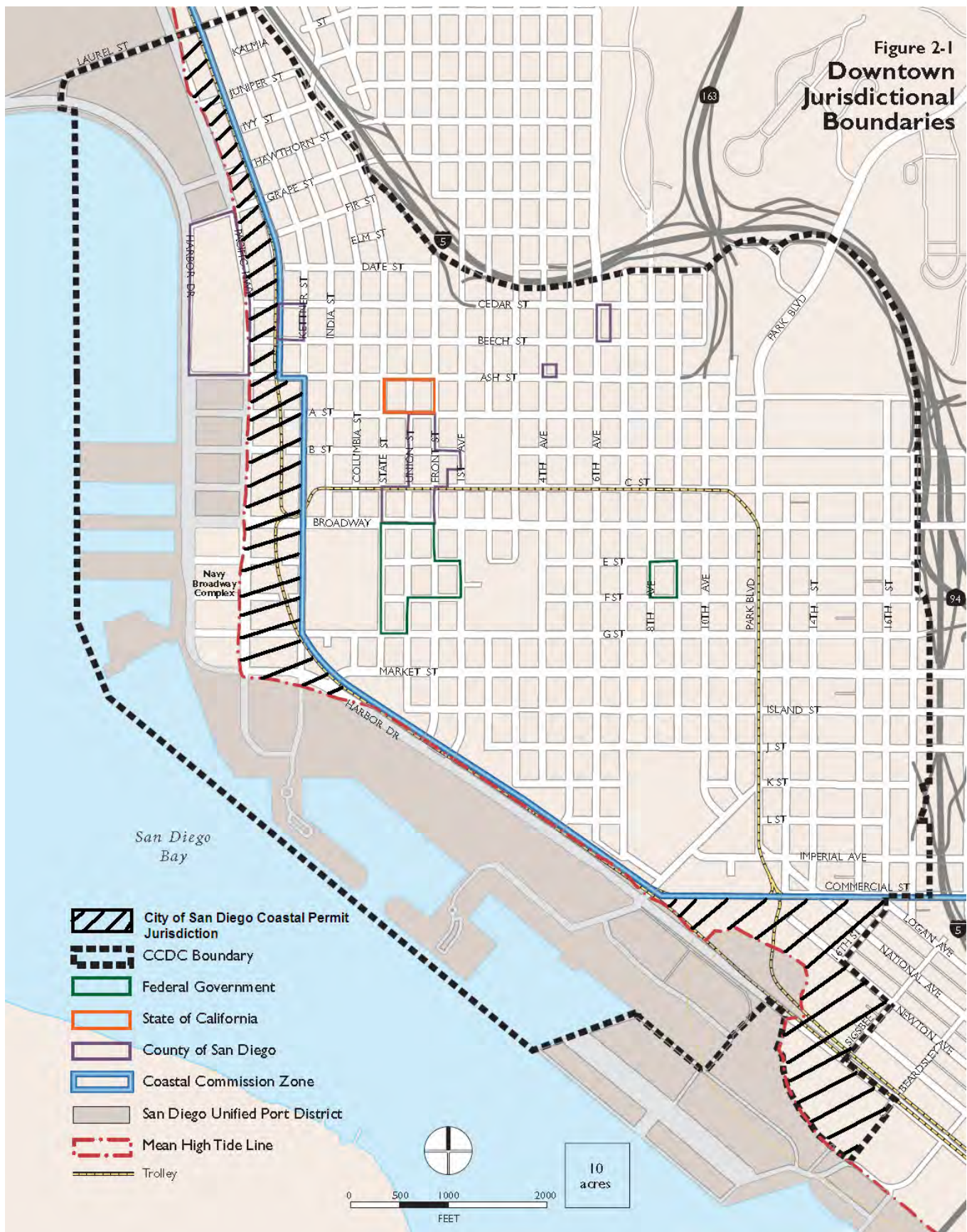
As described above, the Commission has reviewed and evaluated the proposed amendment, and incorporated fourteen suggested modifications to the proposed DCP, CCPDO, and MPDO, to protect public views, augment alternative transit, and strengthen public access and recreational policies. Thus, the Commission finds that the impacts have been mitigated, and that the amendment does not have the potential to result in significant individual or cumulative impacts to coastal resources. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the amendment may have on the environment. The Commission agrees that the benefits of the project include improvements to public access, recreation, visitor serving amenities, and that these outweigh any remaining impacts. The Commission therefore finds the amendment is consistent with the California Environmental Quality Act.

## **APPENDIX 1**

### **Substantive File Documents**

Staff Recommendation on City of San Diego Major LCPA #4-2000, Commission Action on March 14, 2001; Revised Findings on City of San Diego Major LCPA #4-2000, Commission Action on July 11, 2011; Final Environmental Impact Report for the Proposed San Diego Downtown Community Plan, Centre City Planned District Ordinance and 10<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, dated March 2006; EIR Transportation, Circulation and Access Study prepared by Wilson & Company, dated June 30, 2005

**Figure 2-1  
Downtown  
Jurisdictional  
Boundaries**







**TABLE 156-0310-B: VIEW CORRIDOR STEPBACKS**

STREET (refer to Figure G for applicable locations)	Required <i>Stepback</i> (Feet)	<i>Stepback</i> Elevation (Feet)
Laurel Street	15	30
Juniper Street	15	30
Ivy Street	15	30
Hawthorne Street	15	30
Grape Street	15	30
Fir Street	15	30
Date Street		
– West of Pacific Hwy	20	Ground Level
– East of Pacific Hwy	15	30
Cedar Street		
– West of India Street	15	Ground Level
– India Street to First Avenue	15	50
Beech Street		
– West of Pacific Highway	20	Ground Level
– Pacific Highway to Kettner Boulevard	15	30
– Kettner Boulevard to Sixth Avenue	15	50
Ash		
– West of Kettner Boulevard	25	50
– Kettner Boulevard to Sixth Avenue (south side only)	15	50
A Street	25	50
B Street	25	50
C Street	25	50
Broadway		
– Harbor Drive to Pacific Hwy (W ½ block)	65	Ground Level
– Harbor Drive to Pacific Hwy (E ½ block)	55	Ground Level
– Pacific Hwy to Kettner Boulevard	40	Ground Level
– Between Kettner Boulevard and Park Boulevard	15	Ground Level
E Street	25	50
F Street	25	50
G Street	25	50
Pacific Highway	25	45-130
Park Boulevard (south of K Street)	10	60
	30	90

**EXHIBIT NO. 3**

APPLICATION NO.

**SD LCPA 4-11B**

View Corridor Table



California Coastal Commission

## Exhibits 4-18

Due to the large size of Exhibits 4-18, links to the exhibits are provided below. If viewing a hard copy of this staff report, a digital copy with the links to exhibits can be accessed at the California Coastal Commission website, at [www.coastal.ca.gov](http://www.coastal.ca.gov).

- **Exhibit 4. .... 2006 Amendment to Downtown Community Plan**
- **Exhibit 5.....2006 Amendment to Centre City Planned District Ordinance**
- **Exhibit 6.....2006 Amendment to Centre City Redevelopment Plan**
- **Exhibit 7..... 2007 Amendment to Downtown Community Plan**
- **Exhibit 8.....2007 Amendment to Centre City Planned District Ordinance**
- **Exhibit 9.....2007 Amendment to Centre City Redevelopment Plan**
- **Exhibit 10. .... 2007 Amendment to Marina Planned District Ordinance**
- **Exhibit 11.....Follow-up 2007 Amendment to DCP/CCPDO/MPDO**
- **Exhibit 12..... 2010 Amendment to Downtown Community Plan**
- **Exhibit 13. ....2010 Amendment to Centre City Planned District Ordinance**
- **Exhibit 14. .... 2010 Amendment to Marina Planned District Ordinance**
- **Exhibit 15.....2011 Amendment to Centre City Planned District Ordinance**
- **Exhibit 16. .... 2012 Amendment to Downtown Community Plan**
- **Exhibit 17. ....2012 Amendment to Centre City Planned District Ordinance**
- **Exhibit 18..... 2012 Amendment to Marina Planned District Ordinance**

<b>EXHIBIT NO. 19</b>
APPLICATION NO. <b>SD LCPA 4-11B</b>
Proposed Amendment
 California Coastal Commission