

ORDINANCE NUMBER O- 17766 (NEW SERIES)

ADOPTED ON MAY 11 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 19, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 103.1951, 103.1952, 103.1953, 103.1954, 103.1955, 103.1956, 103.1957 AND 103.1958 RELATING TO THE PROVISION AND PRESERVATION OF TRANSIT AND PARKING FACILITIES FOR THE CENTRE CITY COMMUNITY PLAN.

WHEREAS, the Transportation Element of the Progress Guide and General Plan for The City of San Diego adopted by the City Council finds in pertinent part that:

a. Transportation planning and implementation are of enormous importance in guiding the development of the City and the region;

b. Despite continuing efforts to provide and encourage the use of alternative forms of transportation, most of this additional travel is expected to occur by private auto. This, in turn, will necessitate the construction of new streets and highways, and improvements in the traffic handling capacity of many existing roads. Without these additional facilities and improvements, roadway congestion could reach unacceptable levels for sustained periods over much of the City's street system;

c. Much expensive urban land is committed to roadways and parking areas which contribute little to the enjoyment of the city but add to the cost of development. Vehicle traffic significantly increases community noise, creating annoying and

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sometimes unhealthful living conditions. Motor vehicles consume tremendous quantities of energy, about one-half of the total energy used in the region for all purposes. San Diego's occasionally unhealthful air pollution levels are in large part attributable to auto emissions;

d. Much of San Diego's prime urban land is devoted almost exclusively to parking, preempting what are regarded as more desirable land uses and adding appreciably to the cost of development. Surface lots, parking structures, and on-street parking are dominant visual features in many neighborhoods and detract from the aesthetic qualities of the area;

e. High density areas such as Centre City...are often choked with traffic...[and]...could benefit greatly from...improved transit services...[to] reduce auto travel and its associated parking demand;

f. Increasingly, mass transit is coming to be recognized as an essential public service which provides important benefits to the entire community. For San Diegans who are unable to drive or do not have use of an auto, transit offers mobility and access to jobs, schools, shopping, and other activities beyond the immediate neighborhood. Transit benefits non-users as well by augmenting the capacity of the road system during peak traffic hours, reducing the amount of parking needed at major activity centers, and helping to minimize air pollution and energy consumption;

g. Efforts to increase the effectiveness and efficiency of transit services within the constraints of available funding are

reflected in the short-range (five-year) plans prepared and updated annually by the Metropolitan Transit Development Board (MTDB) and several individual transit operators including the San Diego Transit Corporation;

WHEREAS, the Progress Guide and General Plan identifies the following goals of the Transportation Element of the Plan which are of relevance to the Centre City:

a. Assure revenues to cover the costs of constructing, operating, and maintaining planned transportation facilities and providing needed transportation services;

b. Incorporate transit...facilities...in the plans for improving existing roads;

c. Give priority to bus and rail transit vehicles in the design, improvement, and operational management of streets and highways;

d. Continue working with transit operators to determine the type and level of transit services to be provided within San Diego, and to coordinate such services with the transit system;

e. In programming capital improvements, give priority to projects associated with heavily congested, high volume arterial streets in urbanized areas;

f. Encourage and support intensified efforts to greatly increase transit patronage; thereby reducing traffic congestion, parking demand, energy consumption, and air pollution;

g. Support the improvement of bus transit service at the fastest rate consistent with demonstrable travel demand and available capital and operating funds;

- h. Support efforts to increase the effectiveness and productivity of transit services;
- i. Support expansion of the rail transit system at the fastest rate consistent with demonstrable travel demand and available capital and operating funds;
- j. Authorize revision of the transportation element of the Centre City Community Plan to better accommodate rail transit service, as well as to improve overall access and mobility within the downtown area;
- k. Aggressively pursue all potential sources of funding, including private sector participation to finance the construction, operation, and maintenance of needed transportation facilities and services;
- l. Support legislation to increase transportation user and benefit fees, and to index such fees to keep pace with inflation, in order to provide the additional revenues for needed transportation facilities and services;
- m. Support measures to develop and implement a continuing funding program, including private sector participation and an equitable fare structure, to fund the construction, operation, and maintenance of transit facilities and services;
- n. Support the evaluation and implementation of innovative transportation financing mechanisms such as local tax increment districts, benefit assessment districts, and joint development and use of transportation centers.

WHEREAS, this City Council additionally finds with respect to traffic impacts in Centre City that:

a. The Centre City Transportation Action Program Study, completed in May 1985, analyzed existing and future transportation conditions in Centre City and recommended a multi-modal action program for transportation improvements to serve increased travel demand that would occur in Centre City in relation to the increases in activities and densities projected to occur. The findings of the study were as follows:

1. A total of 286,000 vehicle trips crossed the Centre City cordon into downtown everyday. With an average vehicle occupancy of 1.38, automobile person trips across the cordon total about 389,000 daily. There were further 57,000 daily passenger trips by transit across the cordon. Therefore, a total of approximately 446,000 person trips crossed the cordon into Centre City each day, of which 12.5% were by transit. While virtually all of the auto trips were actually destined for Centre City, many of the transit trips were trips passing through downtown, either on direct transit service or transferring between bus routes. Best available estimates at that time indicated that 5%-8% of trips destined to downtown on a daily basis use transit.

2. Many of the key freeway ramps, primarily those to I-5 between Front and Sixth avenues, the SR-163 and SR-94 ramps, were operating close to or at capacity during the peak period. Of the 23 freeway ramps serving Centre City, 10 ramps carry 70% of the

total traffic volume. There is a lack of direct freeway access to the west side of Centre City.

3. There was a significant level of transit usage both to and through Centre City. A high volume of transit transfers occurred in downtown, due largely to the radial nature of the bus system.

4. Transit routing options through Centre City were limited, due primarily to the extensive one-way street patterns, the high number of closed (discontinuous) streets, and severe grades in the northeast quadrant of Centre City.

b. The Centre City Transportation Action Program Study also found that:

1. Based upon the projected growth in auto travel to Centre City almost 27,000 additional parking spaces would be needed to be provided off-street.

2. Any shortages in available parking, should future supply not match demand, may place more demand on improved transit service.

3. Significant increases would occur in both transit service (system capacity) and transit passenger levels. The level of trolley service into Centre City was expected to quadruple with additional capacity provided by the lines planned in the RTP. Express Bus service capacity into Centre City was expected to double, while it was anticipated that local bus service

for Centre City would remain largely at then current levels.

4. Transit passenger volumes into Centre City were projected to increase by about four times over the 1985 levels, consistent with the planned increases in transit capacity. Transit would thus clearly play an increasingly significant role in the overall Centre City transportation system, as its share of travel movement increased. The increasing emphasis would be towards the light rail lines planned to serve Centre City.

5. Trips into Centre City would increase by 97%. Total trips in and out of Centre City would increase from a daily total of 402,000 to a future total of 803,000. Trips by automobile would almost double while transit trips would increase about four-fold.

6. SR-163 was projected to be significantly over-capacity, as were I-5 north of Centre City, and SR-94. In the immediate vicinity of Centre City, I-5 would operate close to or at capacity.

7. The key capacity deficiencies for freeway ramps during the evening peak period would be I-5 NB at Elm, and SR-163 NB at Eleventh, and to a lesser extent I-5 SB at Fifth, SR-94 EB at G, and I-5 SB at First.

8. Capacity shortfalls would be most pronounced in the "core" area west of Sixth Avenue, due to the primary development locations assumed for Centre City.

The lack of direct connections from I-5 to the west side of Centre City would effectively funnel traffic across the northern cordon between Front and Sixth avenues. Many streets would be over-capacity, including Harbor Drive (V/C ratio of 1.14), First (1.01), Second (1.08), Third (1.26) and Fifth (1.00).

9. As access routes to I-5 in the north of Centre City become congested, traffic from the east would increasingly travel across Centre City to destinations in the west of downtown. This was reflected in the high volumes and capacity deficiencies forecast for Broadway. Also, Harbor Drive would grow in importance as a route for Centre City access from the southeast, leading to capacity problems on Fifth Avenue.

10. High volume/capacity ratios would be reached for all east-west streets except "C" Street. Beech, Broadway and "G" streets were projected to be above capacity, while Ash, "A", Market and Harbor would be close to or at capacity. Broadway at this location would be 60% over-capacity. The lack of a through connection for "B" Street, and heavy Broadway volumes, would thus apply significant pressures on other east-west streets in Centre City.

c. In response to its findings, the Centre City Transportation Action Program Study made the following recommendations:

1. The most successful form of management may be to provide maximum parking ratios on a square footage basis by building type, rather than block limits or a parking lid. An essential part of the program would be the need to integrate such measures with specific policies and action programs for peripheral parking, transit improvements, ride share programs, and transit use incentives.

2. Potential new funding sources would need to be considered, and two sources would seem to merit the most attention for Centre City. One would be the local option sales tax. The other would be various fees and exactions levied on Centre City private property owners and developers. Considerable funds could accrue for transportation improvements which could be applied towards local roads, freeway reconstruction and bus transit needs.

3. Assessments upon Centre City property owners and developers could be reserved exclusively for Centre City-related improvements. This would compare favorably with the competition that would characterize use of a sales tax-based account. These fees could contribute to funding many local transportation improvements in Centre City, including improved transit facilities, pedestrian and bicycle measures, as well as TSM programs and Centre City street improvements.

4. Centre City is, in many cases, in direct competition with other areas of both the City and County for funding sources. A re-assessment of City and County-wide priorities could be necessary to ensure that Centre City projects receive the appropriate priority. It is also evident that many other capital projects elsewhere in the region are either already on funding programs, or are "in line" for those programs. As Centre City transportation planning has fallen behind in the regional perspective, unless regional priorities are significantly changed or re-ordered, Centre City projects will essentially join the back of the funding queue.

WHEREAS, This City Council additionally finds with respect to traffic impacts in Centre City that:

a. The Regional Air Quality Strategy identifies transportation control measures which include trip reduction programs, alternative transportation mode capacity expansion, and transportation system management as means to reduce motor vehicle emissions.

b. As in most urban areas, high short-term concentrations of carbon monoxide, known as "hot spots," can be a problem in San Diego County. Hot spots typically occur in areas of high motor vehicle use, such as in parking lots and along highways. Since CO build-up typically occurs at locations where traffic is congested, CO concentrations are correlated with levels of service on street segments. Significant concentrations of carbon

monoxide sometimes occur (depending on temperature, wind speed, and other variables) where level of service (LOS) is rated as D or worse.

c. The Transportation Element for the proposed Community Plan and Redevelopment Plan EIR (1991) reports current operational levels for street segments in the Planning Area. Of the 75 street segments analyzed, only three street segments (Hawthorn Street and Laurel Street, and 2nd Avenue between Beech Street and Cedar Street) currently have the potential to operate with congestion due to the morning peak rush hour. In addition, five freeway ramp segments and eight freeway segments currently operate at LOS D or worse during the AM peak hour. These ramps and segments that experience LOS D or worse have the potential for being CO hot spots which may adversely affect localized air quality conditions.

d. Motor vehicle emissions not only contribute to the degradation of regional air quality, they also adversely affect local air quality near street segments within the Planning Area with poor levels of service. As mentioned previously, three street segments currently operate at LOS D or worse. Forty-six street segments are projected to operate at LOS D or worse during the morning peak hours. In addition, nine and eight freeway ramp segments are expected to operate at LOS D or worse in the AM and PM peak hours, respectively. Six freeway segments along I-5, Route 163 and Route 94 will also operate at an LOS of D or worse in the AM peak hours. All the freeway segments, ramps, and street segments projected to operate at LOS D or worse will be

potential CO hot spots which may lead to adverse air quality conditions.

e. Mitigation measures are required to offset the expected air quality impacts of the Centre City Community and Redevelopment Plans. Mitigation for air quality impacts is limited primarily to minimizing emissions from construction activities and reducing, to the extent practical, the impacts from vehicular traffic.

f. Mitigation of the increased trip generation consists primarily of upgrading available mass transit alternatives and implementing all available Transportation Control Measures which include: parking and transportation demand management measures, on-site parking limitations, the provision of preferential car and vanpool parking, bicycle storage facilities, shower and locker facilities, on-site transit amenities, transit pass sales and information areas, commuter and carpool waiting areas, and a transit improvement fee to improve transit facilities serving the Planning Area.

g. It is projected that in 2025, a AM peak hour level of service (LOS) of F would occur on Broadway westbound, Harbor Drive northbound, Beech Street westbound at Front/Union, Pacific Highway north and southbound, State Street northbound and Second Avenue southbound near Beech Street, and Fifth Avenue northbound at E/F streets. A AM peak hour LOS of E would occur on Ash Street and Broadway eastbound west of Kettner, Imperial Avenue westbound at 14th/15th streets, India Street northbound and North

Harbor Drive southbound at Beech Street, and Third Avenue southbound near C Street.

h. These levels of service would create significant adverse traffic circulation impacts on these roadway segments. The City of San Diego Transportation Planning Department has indicated that mitigations were to be developed for the locations on the future network under the proposed Community Plan where conditions are projected to be worse than LOS D.

i. A freeway LOS of F would be expected on I-5 between Route 94 and Route 163, on Route 163 between I-5 and Quince Street and on Route 94 between the beginning of the freeway and 25th Street, in the peak hour. The section of I-5 between Hawthorn Street and Laurel Avenue will operate at Los E in the peak hour by year 2025.

j. In the morning peak hour, there were nine ramps with an LOS of E or worse. In the evening peak hour, there were eight ramps with an LOS of E or worse. These ramps generally carried the same LOS for AM and PM peak, and included:

1. I-5 Northbound off to J Street and 19th Street;
2. I-5 Northbound on from Pershing Drive and B Street on;
3. I-5 Northbound off the 6th Avenue;
4. I-5 Northbound on from 1st Avenue; and
5. SR-163 Northbound ramp on from 11th Avenue.

All of the above would operate at LOS F in both AM and PM peak conditions. On I-5, the southbound off ramp to Front Street

would operate at LOS E in the AM peak, and the southbound off ramp to 2nd Avenue as well as the northbound off ramp to Hawthorn Street would operate at LOS F in the AM peak. In the PM peak, the southbound on ramp from Grape Street would operate at LOS F and the northbound off ramp to Hawthorn Street would operate at LOS E. Finally, the last bound SR-94 on ramp from G Street would operate at LOS F in the PM peak hour.

k. In 2025, 128,182 parking spaces will be required to accommodate all future demand. If all on-street parking can be retained, parking supply will be 9,618 spaces short. If on-street parking is eliminated, the parking supply will be 18,810 spaces short in the worst case. This is considered a significant adverse impact.

l. The proposed Community Plan requires a total of approximately 150 buses and 107 trolley cars during the AM peak hour for routes serving the Planning Area in the year 2010, along with 19 commuter rail cars. In the year 2025, it is estimated that the 40% transit split scenario requires a total of 290 buses, 205 trolley cars and 36 commuter rail cars during the AM peak hour for routes serving the Planning Area.

m. The proposed mitigation for the impacts identified for ultimate capacity year 2025 at 40% transit mode split is to increase peak period transit ridership to 60% and to implement the improvements described below.

n. One of the principal mitigation strategies proposed for ultimate capacity at year 2025 is to increase transit ridership to a 60% peak hour mode split. This will have the effect of

accommodating much of the increased trip making on the transit system. The details of this strategy will need to be closely coordinated with, and developed by, MTDB, as it will involve the provision of additional transit service to meet increased passenger demand.

o. Additional service will need to be provided by reducing service headways which will require additional transit vehicles. A preliminary analysis conducted in conjunction with MTDB staff to determine additional transit vehicle needs is discussed under Public Transportation, below.

p. Increased transit service would mitigate congestion on southbound North Harbor Drive, India and State streets northbound, Third Avenue southbound, Fifth Avenue northbound and Imperial Avenue westbound. It would also significantly reduce traffic impacts on other key streets such as Pacific Highway, Broadway and Harbor Drive.

q. Increasing the peak hour transit mode split to 60% would significantly reduce traffic congestion at key freeway segments and ramps for the ultimate capacity in year 2025. Freeway segments would operate at LOS E or better, except Route 163 between I-5 and Quince Street which would operate at LOS F and significantly over capacity. The 60% transit mode split would improve traffic conditions at most ramps to LOS E or better. Four ramps would however operate at LOS F, the worst being the northbound off to 6th Avenue which would operate significantly above capacity.

r. It is anticipated that there will be a shortfall of parking supply in 2025, which suggests that additional off-site remote parking is required beyond what is indicated in the proposed Community Plan. In 2025, with a 60% transit split, the Community Plan provides for an over-supply of stalls. This would allow for a significant reduction in the volume of on-street supply in 2025 and other parking related measures consistent with the treatments proposed to mitigate the anticipated problems on the street system.

s. With the mode split of 60% transit usage being adopted, the on-street parking restrictions could be introduced for most streets, without concern about a deficit in parking supply overall.

t. The suggested mitigation strategy of going to a 60% transit split for work trips into the downtown area in the year 2025 would increase transit demand by 50% overall. This would require further transit capacity in order to avoid severe overcrowding on the transit system. A total of at least 440 buses, 305 trolley cars and 55 commuter rail cars would be required for the routes serving the Planning Area during the AM peak hour, which represents an additional minimum of 150 buses, 100 trolley cars and 18 commuter rail cars relative to the year 2025 with a 40% transit split.

WHEREAS, this City Council additionally finds that:

a. Residential land uses and single room occupancy hotels developed within the Centre City Community Planning Area establish a positive relationship between the job opportunities

located in Centre City and the housing supply available to those employees.

b. The occupants of Centre City residential land uses and single room occupancy hotels are located in close proximity to Centre City employment, business, shopping and entertainment attractions and do not significantly add to the demand for transit and automobile-related peak period work-related trips into Centre City.

c. Residential land uses and single room occupancy hotels contribute to the attainment of reduced transit and automobile-related peak period work-related trips, and the improvement of air quality, and shall be excluded from the imposition of transit and parking fees.

WHEREAS, this City Council additionally finds with respect to the imposition of transit and parking facilities on certain specified commercial development that:

a. The Mayor and City Council appointed the Centre City Planning Committee (CCPC), a 26-member task force of citizens vitally interested in the future of downtown San Diego to revise the 1976 Centre City San Diego Community Plan. The CCPC began their work in the spring of 1987 and produced the Preliminary Centre City San Diego Community Plan, and the Centre City and Balboa Park Parking Management Plan.

b. The goals and objectives relevant to this Division, of the Centre City Community Plan are as follows:

1. That Centre City be accessible by a safe, efficient, and environmentally sensitive transportation

system, that would emphasize mass transit, reduce our long standing dependence on the private auto, relieve congestion on our freeways and downtown streets, and improve the quality of our air.

2. That a comprehensive multi-modal transportation system be developed that supports planned development intensities and land use patterns in Centre City.

3. That it should be the aim of the City that there be increased use of mass transit, especially by daily commuters, and less reliance on automobiles and long-term downtown parking.

4. That a peak period transit mode split of 40% and an all day transit mode split of 12% by 1999 be achieved through improved passenger amenities, by providing transit vehicle priorities where appropriate, and by increasing train, trolley and bus service to and within downtown.

5. That long-term on-site parking downtown be reduced in conjunction with the provision of increased transit in viable parking alternatives. That intercept parking be provided at convenient locations (focus near the points of trip origin) and a parking management plan for downtown be implemented.

c. The CCPC commissioned the Centre City and Balboa Park Parking Management Plan to establish a comprehensive parking

management plan for downtown San Diego. The findings of this study are as follows:

1. Six cities with concentrations of urban development comparable to downtown San Diego were surveyed to provide information to establish the effective transportation and parking policies and criteria in Centre City. The six cities were Portland, Oregon; Seattle, Washington; San Francisco and Los Angeles, California; Denver, Colorado; and Hartford, Connecticut.

2. Centre City had more parking spaces per downtown employee than other cities in the survey group. San Diego had 0.71 parking spaces per employee; San Francisco had 0.19; Hartford had 0.23 and the other cities between 0.46 and 0.60. This statistic was a result of very low transit share of work trips to Centre City. Since fewer workers ride transit to San Diego's downtown than drive to other cities' downtowns, more parking spaces were necessary.

3. San Diego's transit mode share and work trips to its downtown is lower than most of the cities in the survey;

4. Cities with strict parking supply constraints also had high transit mode share;

5. Minimum parking requirements were often coupled with incentives to promote transit ridership, ridesharing and other positive commute habits;

6. High transit ridership seemed to be linked to tight parking supply in downtown areas;

7. The most common pricing policies encourage short-term parking and penalize long-term parking.

d. Based on the estimated 41,300 occupied spaces, the average occupancy rate in Centre City was 82% meaning that on typical weekdays 82% of all parking spaces were occupied during the peak hour between 11 a.m. and noon. The 82% occupancy rate in 1988 was a slight increase from the 1984 rate of 79%. The increase in occupancy rate indicated that parking demand had increased at a rate faster than the supply.

e. While the peak hour occupancy rate was 82% for Centre City as a whole, in some sub areas occupancy was extremely high. Parking was at or near capacity in the Central Business District (CBD). In general, parking occupancy in the CBD core area was higher than in other areas.

f. More than 75% of all parking demand stem from work or business related trip purposes.

g. Historically, office development in Centre City has provided less parking than other employment areas in San Diego. The number of spaces provided on-site at office developments was less than the number demanded at the site.

h. Total parking demand will grow by 50% to 60,300 spaces by the year 2000.

i. Doubling peak hour transit mode share by the year 2000 would reduce parking demand by 7,000 spaces.

j. The parking demand in several areas is significantly greater than the available supply meeting to spill over of parking into nearby areas reducing available on-street and off-street parking supply.

WHEREAS, the Council has heretofore approved and adopted the Centre City Community Plan and recognizes the Centre City and Balboa Park Parking Management Plan which are incorporated herein by reference, copies of which are on file with the City Clerk as Documents No. RR-279876, and No. RR-276196. Those documents establish the following:

a. New development is associated with the attraction of employment, work-related business, personal business, shopping, and tourism related trips which create a demand for transportation. Transportation demand associated with these trips can be met through transit ridership (bus and trolley), auto ridership, bicycling, and walking.

b. It is not desirable from the standpoint of economics, aesthetics, quality of transportation service, the overall environment and land use planning goals and objectives to attempt to satisfy all of the transportation needs of a given development through the provision of on-site parking. Upper limits on the amount of parking which a given development can provide on-site should be established. The reduced supply of on-site parking should be satisfied in part by increased transit ridership by other off-site parking, by parking remote to the area and linked by transit services, and by ridesharing and other alternatives to single occupant auto use.

c. Public transit is a means of reducing auto use and parking demand. MTDB is pursuing an aggressive program of regional expansion of light rail and bus services which will lead to a reduction in auto use and an increase in alternative commute mode share. Channeling resources from on-site parking to transit provides the private sector an opportunity to participate directly in transit improvements.

d. Nearly three times the existing available transit capacity is required to provide a 40% transit mode split to Centre City during the peak period.

e. Needed transit improvements include implementation of a proposed Park Boulevard LRT line between Centre City and Mission Valley, completion of other guideway segments and significant improvement of peak period service frequencies on LRT and I-5 corridor bus express routes.

f. Approximately \$338 million in capital funds (1988 dollars) would be needed including the construction of the Park Boulevard LRT line which currently has no identified source of funding, and the additional light rail vehicle and bus equipment required to support the additional transit services. The subsidy costs (operating cost minus fare revenue) necessary to operate the additional services is approximately \$11.5 million per year (1989 dollars).

g. Parking policy should support transit ridership goals by limiting on-site parking and channeling resources from on-site parking to transit.

h. On-site parking at new developments should be limited to the minimum level needed to accommodate transportation needs of the developer. Total transportation demands at work sites should be met by a mix of transportation infrastructure and services which emphasize transit and non-single occupant auto loads. For this reason, on-site parking spaces are limited and high occupancy vehicle commuting is encouraged.

i. Reductions and on-site parking supply should be supported by transit improvements. If on-site parking is limited, transit service must be improved to accommodate transportation demands not accommodated by on-site parking.

j. Based on the transportation demand of given development of each of the three land uses, total supportable fees on non-residential development to mitigate the impact of transportation demand in San Diego were documented at the following levels and as more fully set out in Table 1 of this Division.

k. The Centre City transit fee is based upon the San Diego General Plan, the Centre City Transportation Action Program Study, the draft Master Environmental Impact Report for the Centre City Redevelopment Project and addressing the Centre City Community Plan and related documents, the Centre City Community Plan, and the Centre City Balboa Park Parking Management Plan and quantifies the nexus between development and transit needs.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 3, Division 19, of the San Diego Municipal Code be and the same is hereby amended by

adding Sections 103.1951, 103.1952, 103.1953, 103.1954, 103.1955, 103.1956, 103.1957 and 103.1958 to read as follows:

**SEC. 103.1951 PURPOSE AND INTENT OF THE CENTRE CITY
TRANSIT AND PARKING IMPROVEMENT FUND**

A. It is the intent of the City Council to create a Transit and Parking Improvement Fund as a permanent and renewable source of revenue to meet, in part, the transit and parking needs of the Centre City Community Plan.

B. It is the further intent of the City Council to foster and encourage the private sector to join with the public sector and the non-profit sector to further the goals of Sections 103.1951 through 103.1958.

C. It is the further intent of the City Council to improve and maintain existing public transit facilities and to provide for new such facilities as necessitated by new non-residential development within Centre City.

SEC.103.1952 DEFINITIONS

For purposes of Sections 103.1951 through 103.1958, the following definition shall apply:

"Net Floor Area" means the total horizontal square footage of existing, proposed or potential floors of building(s), as defined in Municipal Code section 101.0101.25 Gross Floor Area, but not including space devoted to parking and common circulation and mechanical equipment areas such as enclosed exterior stairwells, enclosed exterior elevator shafts, interior

elevator shafts, interior stairwells, ramps and mechanical equipment rooms.

SEC. 103.1953 BOUNDARIES

Sections 103.1951 through 103.1958 apply to all property located in the Centre City Community Planning Area shown in Figure 1 of Chapter X, Article 3, Division 19, except for lands located within the jurisdiction of the San Diego Unified Port District which are subject to the provisions of the San Diego Port District Act, the Tidelands Trust and the California Coastal Act of 1976.

SEC. 103.1954 ESTABLISHMENT OF THE CENTRE CITY TRANSIT AND PARKING IMPROVEMENT FUND

A. There is hereby established a fund to be known and denominated as the Centre City Transit and Parking Improvement Fund. The fund shall consist of funds derived from the fees to be paid to the City pursuant to provisions of Sections 103.1951 through 103.1958 and any other appropriations as determined from time to time by legislative action of the City Council. This fund shall be administered by the City pursuant to the provisions of Sections 103.1951 through 103.1958, and in conjunction with the Centre City Community Plan, the Three-Year Program Plan identified in Section 103.1956, the appropriation ordinances and Council policies applicable thereto.

B. Fees shall be calculated by multiplying the new Net Floor Area of the project by the amount of the

Transit and Parking Improvement Fee identified in Table 1 of Section 103.1954.

C. Residential and Single Room Occupancy (SRO) hotel projects are exempt from the requirements of this Section.

D. Fees shall be calculated at the level in effect when the building permit is issued.

E. Fees shall be paid at issuance of the Certificate of Occupancy.

F. Fees shall be valid for not more than two years after the issuance of the building permit. After two years, the level of fees will be calculated at the current level in effect at that time.

G. The payment of fees shall be credited to any citywide or regional transportation fees applied to downtown.

SEC. 103.1955 PURPOSE AND USE OF CENTRE CITY TRANSIT AND PARKING IMPROVEMENT FUND

A. Funds in the fund shall be used solely for programs and administrative support approved by the City Council to meet the transit and parking needs of the Centre City Community Plan. These programs shall include those providing transit and parking facilities and improvements through redevelopment of land within Centre City.

B. It is the intent of the City Council to coordinate with the Metropolitan Transit Development

Board (MTDB) to implement the programs and projects contemplated herein.

C. The provisions of Sections 103.1951 through 103.1058 shall apply to any non-residential construction, erection, conversion, establishment, alteration, enlargement, or change in use in any area of Centre City identified in Municipal Code section 103.1953 that results in an increase in the Net Floor Area of a building by greater than twenty percent (20%) or five thousand (5,000) square feet, whichever is greater.

SEC. 103.1956 CRITERIA FOR EXPENDITURE

While the existing street and transportation system is at capacity in many locations, it is adequate to meet current transportation needs. The redevelopment of the Centre City Community Planning area and the construction of new non-residential development will place unmitigatable demands on the existing street and transportation system.

Funds in the fund shall be used solely for the provision of transit and parking facilities and improvements that benefit the Centre City Community Planning area by increasing the peak period work-related transit mode split with an ultimate goal of forty percent (40%).

This is necessitated by the increased transportation demand generated by new non-residential

development anticipated to occur in the Centre City Community Planning area and as further provided for in the Centre City Community Plan, Centre City Planned District Ordinance, Centre City Parking Ordinance and the Centre City Redevelopment Plan.

To this end, a Three Year Program Plan shall be established that will provide for the timely expenditure of the funds. Projects may include but are not limited to the purchase of transit vehicles, bus shelters, implementation of the Park Boulevard light rail transit line and other guideway improvements.

SEC. 103.1957 THREE-YEAR PROGRAM PLAN

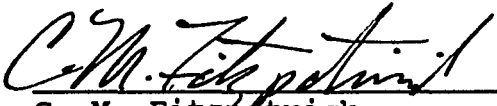
Prior to the commencement of the fiscal year and annually thereafter, Centre City Development Corporation (CCDC) shall adopt a Three-Year Program Plan and present it to Council for action. This document shall plan for the following three (3) years. The Program Plan shall set forth with respect to the three-year period a description of all programs to be funded with funds from the Transit and Parking Improvement Fund specifying the intended beneficiaries of the program. All disbursements from the fund shall be consistent with the Program Plan. The Program Plan shall comply with all of the applicable requirements of California State law.

SEC. 103.1958 RESERVE FUND

The City may establish and maintain a reserve fund account adequate to preserve the ability of the fund to take maximum advantage of unforeseen opportunities in assisting transit and parking facilities and to ensure prudently against unforeseen expenses. The amount to be maintained in this reserve fund shall be determined by CCDC. CCDC shall establish procedures for maintaining such a fund.

Section 2. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage, provided, however, that the collection of fees shall be postponed for an indefinite period of time for later consideration by the City Council.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick
Assistant City Attorney

CMF:lc:wk
04/02/92
04/30/92 REV.1
05/18/92 COR.COPY
Or.Dept:CCDC
O-92-129
Form=o.code

Table 1 of Section 103.1954
TRANSIT AND PARKING IMPROVEMENT FEE

LAND USE CLASSIFICATIONS

(As defined in section
 103.1925)

TRANSIT AND PARKING IMPROVEMENT FEE

A. RESIDENTIAL

Group Residential	-
Live/Work Quarters (Loft)	-
Living Units	-
Multifamily Residential	-
Senior Citizen Housing	-

B. COMMERCIAL/PROFESSIONAL OFFICE

Professional and Business Office	\$3.75 per square foot
Governmental Offices	\$3.75 per square foot

C. COMMERCIAL RETAIL

Food/Grocery Sales	\$1.50 per square foot
Retail Sales	\$1.50 per square foot
Wholesale/Retail Sales	\$0.75 per square foot

D. COMMERCIAL SERVICES

Ambulance Services	\$1.50 per square foot
Animal Hospitals	\$1.50 per square foot
Artist's Studios	\$1.50 per square foot
Banks, Credit Unions, and Savings and Loan Associations	\$1.50 per square foot
Banquet Facilities, Clubs & Lodges	\$1.50 per square foot
Building Materials & Services	\$1.50 per square foot
Business & Home Services	\$1.50 per square foot
Catering Services	\$1.50 per square foot
Commercial Recreation & Entertainment	\$1.50 per square foot
Commercial Communication Facilities	\$1.50 per square foot
Eating & Drinking Establishments	\$1.50 per square foot
Laboratories	\$1.50 per square foot
Mortuaries	\$1.50 per square foot
Nurseries, Plant	\$1.50 per square foot
Personal Improvement Services	\$1.50 per square foot
Personal & Convenience Services	\$1.50 per square foot
Research & Development Services	\$1.50 per square foot

- : exempt from fees

Table 1 of Section 103.1954
TRANSIT AND PARKING IMPROVEMENT FEE

LAND USE CLASSIFICATIONS

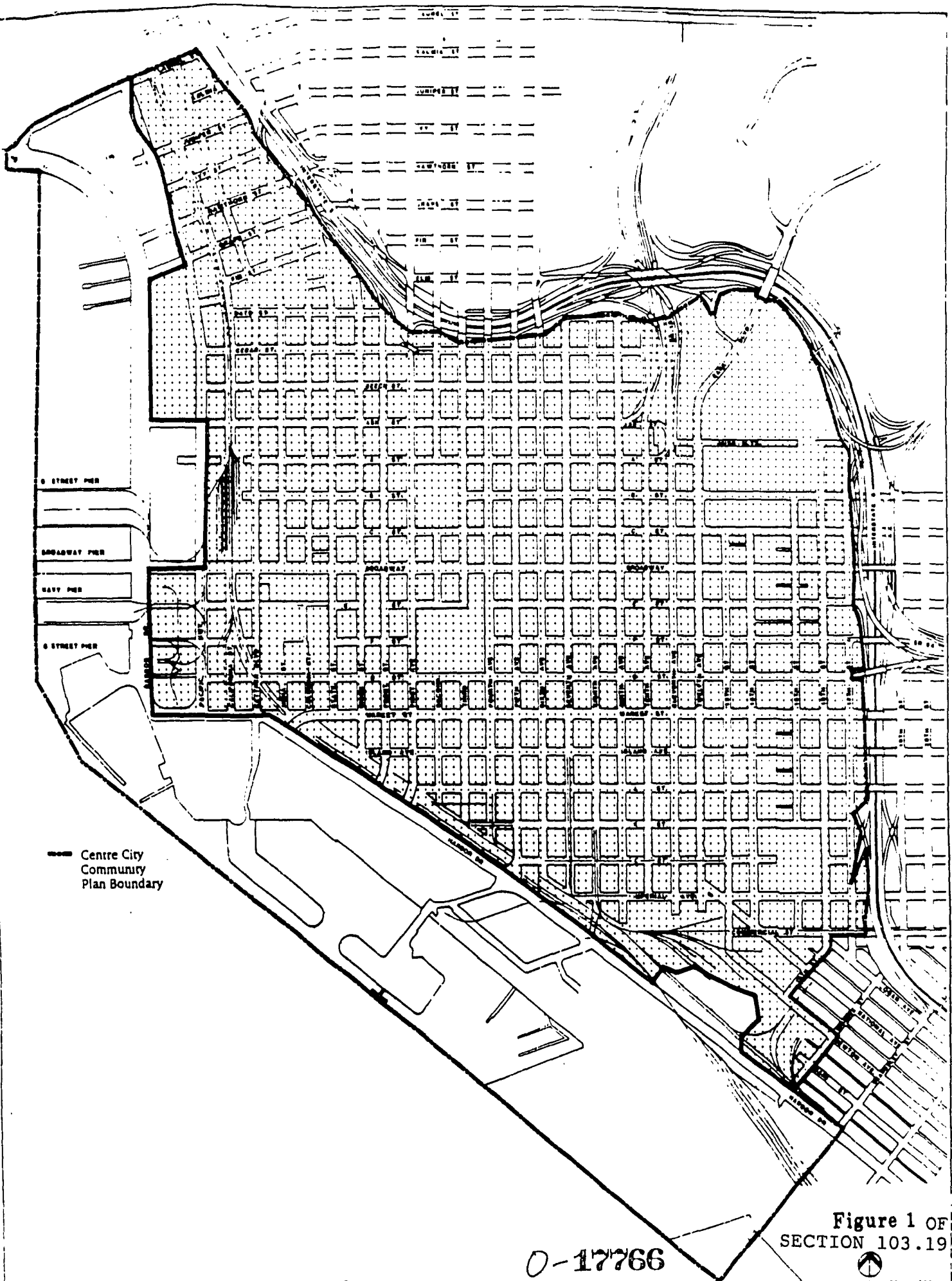
(As defined in section
 103.1925)

TRANSIT AND PARKING IMPROVEMENT FEE

Visitor Accommodations	
Bed & Breakfast Inns	\$1500 per room
Hotels & Motels	\$1500 per room
Single Room Occupancy	-
E. PUBLIC AND SEMIPUBLIC	
Colleges & Universities	\$750 per faculty & staff
Community & Human Care Facilities	\$1.50 per square foot
Correctional Placement Centers	\$1.50 per square foot
Cultural Institutions	\$1.50 per square foot
Hospitals/Clinics	\$1.50 per square foot
Park & Recreation Facilities	\$1.50 per square foot
Performing Arts/Theatres	\$1.50 per square foot
Religious Assembly	\$1.50 per square foot
Schools, Public or Private	\$750 per faculty & staff
Transportation Facilities	
Major	\$1.50 per square foot
Limited	\$1.50 per square foot
F. VEHICLE/EQUIPMENT SALES AND SERVICES	
Automobile Rentals	\$0.75 per square foot
Automobile Washing & Detailing	\$0.75 per square foot
Service Stations	\$0.75 per square foot
Vehicle/Equipment Sale & Rentals	\$0.75 per square foot
Vehicle/Equipment Repair, Limited	\$0.75 per square foot
G. INDUSTRIAL	
Industry	
General	\$0.75 per square foot
Limited	\$0.75 per square foot
Maintenance & Service Facilities	\$0.75 per square foot
Marine Industry	\$0.75 per square foot
Trucking Terminals	\$0.75 per square foot
Utilities	
Major	\$0.75 per square foot
Limited	\$0.75 per square foot
Wholesaling, Distribution and Storage	\$0.75 per square foot

- : exempt from fees

0-17766



— Centre City
 Community
 Plan Boundary

Figure 1 OF
 SECTION 103.1953

O-17766

Centre City Transit Ordinance Boundary



502

Passed and adopted by the Council of The City of San Diego on MAY 11 1992
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By [Signature], Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on APR 28 1992, and on MAY 11 1992

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By [Signature], Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-17766 Adopted MAY 11 1992
Number.....

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
92 JUN -1 AM 9: 52
SAN DIEGO, CALIF.

CK

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BUILDING, 2ND FLOOR
202 C STREET
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING...

I, Corey Donahue, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-17766 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 19 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 103.1951 THROUGH 103.1958 RELATING TO THE PROVISION AND PRESERVATION OF TRANSIT AND PARKING FACILITIES FOR THE CENTRE CITY COMMUNITY PLAN.
This ordinance amends Chapter X of the San Diego Municipal Code by establishing criteria and development for the provision and preservation of transit and parking facilities to implement the Centre City Community Plan.
A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
INTRODUCED ON April 28, 1992
Passed and Adopted by the Council of the City of San Diego on May 11, 1992.
AUTHENTICATED BY:
MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By Suzanne Oliva, Deputy
Pub. May 25 247801

ORDINANCE NUMBER O-17766 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAY 25

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 25th day of MAY, 1992.

Corey Donahue

(Signature)

4'14" = 55.66