

ORDINANCE NUMBER O-~~19749~~¹⁹⁷⁴⁹ (NEW SERIES)
ADOPTED ON MAY 14 2008

AN ORDINANCE AMENDING ORDINANCE NO. O-18087 TO
EXPAND THE ADAMS AVENUE BUSINESS IMPROVEMENT
DISTRICT TO INCLUDE KENSINGTON BUSINESS CORE.

WHEREAS, under and pursuant to the provisions of the Parking and Business Improvement Area Law of 1979 [said Law], the Council of The City of San Diego [Council] approved the formation of the Adams Avenue Business Improvement District [BID] by Ordinance No. O-16479 on July 29, 1985; and

WHEREAS, on July 11, 1994, by Ordinance No. O-18087, the Council modified the BID's zones and assessment amounts to finance the maintenance of landscaping and public improvements within the BID; and

WHEREAS, on March 4, 2008, by Resolution No. R-303447, the Council declared its intention to modify the BID to expand it to include the Kensington business core, and fixed the time and place for the hearing thereof; and

WHEREAS, as specified in Resolution No. R-303447, the Council held a public meeting on April 1, 2008, to permit testimony in support of or in opposition to the levying of assessments on the businesses in the proposed expanded area of the BID; and

WHEREAS, as specified in Resolution No. R-303447, a hearing concerning the modification of the BID was held before this Council on April 29, 2008, at the hour of 10:00 a.m., in the Council Chambers in the City Administration Building, 202 C Street, San Diego, California 92101; and

WHEREAS, at said hearing, all protests, both written and oral, made or filed,

were considered and duly overruled and denied and the Council determined there was no majority protest within the meaning of Sections 36524 and 36525 of said Law; and

WHEREAS, the Council desires to amend the original ordinance to include the Kensington business core; NOW, THEREFORE,

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

Section 1. Pursuant to the Parking and Business Improvement Area Law of 1979 [said Law], the parking and business improvement area known as "Adams Avenue Business Improvement District," [BID] is expanded to include the Kensington business core. The area to be included in the BID includes the Normal Heights and Kensington community area within the following address ranges:

<u>Street Name</u>	<u>Address Range</u>	<u>BID Zone No.</u>
Adams Avenue	3350 – 3465	ZONE 1
Hawley Boulevard	4700 - 4732 (even numbers only)	ZONE 1
Adams Avenue	2400 - 3349 & 3466 – 4248	ZONE 2
Arizona Street	4600 – 4799	ZONE 3
Hamilton Street	4600 – 4799	ZONE 3
Oregon Street	4600 – 4799	ZONE 3
Idaho Street	4600 – 4799	ZONE 3
Utah Street	4600 – 4799	ZONE 3
Kansas Street	4600 – 4799	ZONE 3
30th Street	4600 – 4799	ZONE 3
Ohio Street	4600 – 4799	ZONE 3
Boundary Street	4600 – 4799	ZONE 3
West Mountain View Drive	4600 – 4799	ZONE 3
Iowa Street	4600 – 4799	ZONE 3
32nd Street	4600 – 4799	ZONE 3
Bancroft Street	4600 – 4799	ZONE 3
33rd Street	4600 – 4799	ZONE 3
Felton Street	4600 – 4799	ZONE 3
34th Street	4600 – 4799	ZONE 3
Hawley Boulevard	4600 – 4799 & 4701 - 4731 (odd numbers only), &	

	4733 - 4799	ZONE 3
Mansfield Street	4600 - 4799	ZONE 3
35th Street	4600 - 4799	ZONE 3
Wilson Street	4600 - 4799	ZONE 3
36th Street	4600 - 4799	ZONE 3
Cherokee Street	4600 - 4799	ZONE 3
East Mountain View Drive	4600 - 4799	ZONE 3
39th Street	4600 - 4799	ZONE 3
Biona Street	4600 - 4799	ZONE 3
Edgeware Street	4600 - 4799	ZONE 3
Kensington Drive	4600 - 4799	ZONE 3
Marlborough Drive	4600 - 4799	ZONE 3
Park Place	4100 - 4199	ZONE 3
Terrace Drive	4600 - 4799	ZONE 3
Vista Street	4600 - 4726	ZONE 3
42nd Street	4600 - 4799	ZONE 3

A map depicting the BID is attached hereto as Exhibit A and incorporated herein.

Section 2. The purpose of the BID is to provide revenue to defray the cost of any of the following:

- A. The acquisition, construction, or maintenance of parking facilities, landscaping and other street right-of-way improvements for the benefit of the area.
- B. Decoration of any public place in the area.
- C. Promotion of public events which are to take place on or in public places in the area.
- D. Furnishing of music in any public place in the area.
- E. The general promotion of business activities in the area.

The specific services and programs to be provided are streetscape maintenance, special events, newsletters, and other marketing.

Section 3. All businesses operating in the BID area will be charged a share of the costs of the aforementioned services and programs according to the type of business

and the benefit to be received as determined by the following:

A. Description of the BID Zones:

1. ZONE 1 is property fronting on Adams Avenue from Felton Street to Mansfield Street. Businesses in this area will receive the benefit of the installation and maintenance of public improvements, landscaping and upgraded electrical facilities within the street right-of-way. Businesses in this area will also receive the greatest benefit from the promotional activities of the BID.
2. ZONE 2 is Adams Avenue from Texas Street to Felton Street and from Mansfield Street to 4248 Adams Avenue. Businesses in this area will receive the greatest benefit from the promotional activities of the BID.
3. ZONE 3 is the commercial side streets one block north and one block south of Adams Avenue from Texas Street to 4248 Adams Avenue. It is anticipated that businesses in this Zone will still receive a benefit, but not of the same magnitude as those directly on Adams Avenue.

B. Description of the BID Categories of Benefit:

1. CATEGORY A includes those businesses which will benefit most significantly from the increased awareness of Adams Avenue as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the promotional activities of the BID. This Category includes but is not limited to:

Antiques Dealers
Arcades
Auto Dealers
Auto Repair
Banks and Savings Institutions
Bars and Taverns
Dance Schools

Exercise Studios
Galleries
Gasoline Stations
Grocery Stores
Health Clubs
Hotels and Motels
Pawn Shops
Restaurants
Retail Stores
Theaters

2. CATEGORY B includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased awareness of Adams Avenue as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the promotional activities of the BID. This Category includes but is not limited to:

Accountants/Secretarial Services
Advertising Agencies
Apartments of Six or More Units
Architects
Attorneys
Business Management Firms
Dentists
Designers
Dispensing Opticians
Engineers
Film and Video Production Companies
General Contractors
Hair Salons and Barbers
Hospitals/Medical Services/Health Services
Interior Decorators
Investigative Services
Investment Companies
Laboratories
Medical Doctors
Mortuaries/Funeral Homes
Nonprofit Organizations
Nursery Schools
Optometrists

Pet Grooming
Photography Studios
Psychologists
Real Estate Offices
Security Services
Social Workers
Storage Facilities
Utility Companies
Wholesale Manufacturing/Distributors

3. Businesses not specifically identified in CATEGORIES A or B shall be categorized by the City Treasurer upon application for a City general business license.

C. The charges to be imposed for those BID businesses by Zone and Category of Benefit are as follows:

	<u>CATEGORY A</u>	<u>CATEGORY B</u>
ZONE 1	\$155.00	\$135.00
ZONE 2	70.00	50.00
ZONE 3	60.00	40.00

Each above-described charge is an annual charge and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the general business license. For those businesses licensed for other than an annual license period, the City Treasurer shall determine the charge to be levied upon issuance of the City business license.

The total charge collected from any business under the provisions of the ordinance shall not exceed One Hundred Fifty-Five Dollars (\$155) per annum.

Section 4. The Council finds and determines that public convenience and necessity require the establishment of the BID area and all of the businesses lying within the BID area will be benefited by the expenditure of the funds raised by the

assessments or charges proposed to be levied.

Section 5. All protests, both written and oral, are overruled and denied and the Council finds there is no majority protest within the meaning of Sections 36524 and 36525 of said Law.

Section 6. All of the businesses in the BID area established by this ordinance shall be subject to any and all amendments to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code.

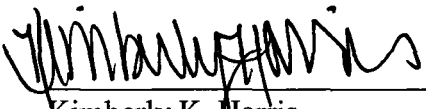
Section 7. All of the charges imposed pursuant to this ordinance be reviewed by the Council annually.

Section 8. The Mayor or his designee is authorized to expand the BID to include the Kensington business core.

Section 9. The Auditor and Comptroller is authorized and directed to accept the annual levy not to exceed One Hundred Fifty-Five Dollars (\$155) per member of the BID, and deposit such funds to the appropriate account.

Section 10. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, but no earlier than July 1, 2008.

APPROVED: MICHAEL AGUIRRE, City Attorney

By 

Kimberly K. Harris
Deputy City Attorney

KKH:bas
04/08/08
05/02/08 Corr.Copy
Or Dept: CP&CI
O-2008-138
MMS #6128

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 13 2008.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 5-14-08

(date)

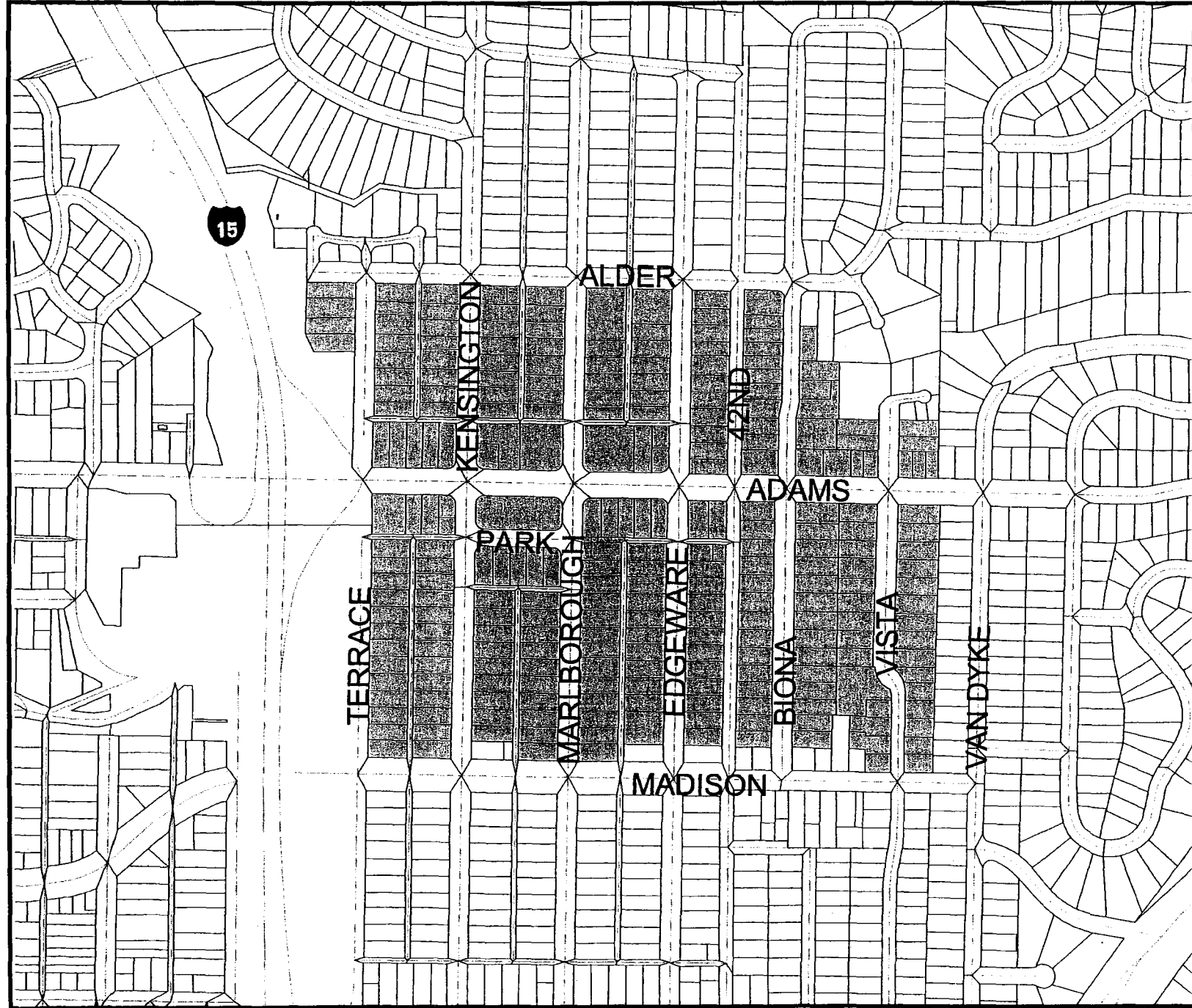


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Adams Avenue BID Expanded



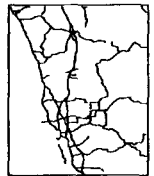
Legend

-  Adams Avenue Expanded Area
-  Parcels
-  Highways
-  Roads



1:360

Vicinity Map



SanGIS
We Have San Diego Covered!

This map is a representation of the information as of the date shown. It is not intended to be used for legal purposes. The information is provided for informational purposes only. The user assumes all responsibility for the use of the information. The information is provided as is, without warranty of any kind. The information is provided for informational purposes only. The user assumes all responsibility for the use of the information.

Plot Date: 8/13/22
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