

SI (O-2012-84) (D) 4/24

ORDINANCE NUMBER O- 20155 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 07 2012

AN ORDINANCE AMENDING ORDINANCE O-20117, SECTION 1, AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY REVISING SECTIONS 156.0304(e)(1)(C)(ii), 156.0309(g)(2)(B), AND 156.0309(g)(4), ALL RELATING TO THE CENTRE CITY PLANNED DISTRICT.

WHEREAS, the City Council of the City of San Diego has, by ordinance, determined that certain land use processing and approvals required participation or approvals by the Redevelopment Agency of the City of San Diego; and

WHEREAS, due to the passage of Assembly Bill x1 26 (AB 26), Statutes of 2011, the Redevelopment Agency of the City of San Diego was dissolved, effective February 1, 2012; and

WHEREAS, amendments to the Centre City Planned District Ordinance were made in 2012 pursuant to Ordinance O-20117, but have not yet been certified as local coastal program amendments by the California Coastal Commission; and

WHEREAS, the above ordinance needs revision to remove reference to the land use approval authority of the Redevelopment Agency of the City of San Diego and replace this reference with references to the City; and

WHEREAS, all other amendments made by the above ordinance retain their legal effect; NOW, THEREFORE,

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

Section 1. That ordinance O-20117, section 1, amending Chapter 15, Article 6, Division 3 of the San Diego Municipal Code is revised as to sections 151.0304(e)(1)(C)(ii), 151.0309(g)(2)(B), and 156.0309(g)(4) to read as follows:

**§156.0304 Administration and Permits**

(a) through (d) [No change in text.]

(e) Centre City Development Permit Process

(1) Review Procedures. Centre City Development Permits shall be subject to the following rules:

(A) through (B) [No change in text.]

(C) Public Notice. Public notice shall be provided before a decision is made on an application for a permit in the Centre City Planned District in accordance with the following procedures:

(i) [No change in text.]

(ii) *Development* proposals requiring *Design Review* approval by the *CCDC Board* or approval by the City Council shall be noticed in accordance with Section 112.0302 of the Land Development Code. A Notice of Application shall be mailed to the persons entitled to notice listed in Section

112.0302(b). Further notice shall also be provided

to all persons requesting notice of review meetings  
or decisions.

(iii) [No change in text.]

(D) through (F) [No change in text.]

(2) [No change in text.]

(f) through (h) [No change in text.]

**§156.0309 FAR Regulations and TDRs**

(a) through (f) [No change in text.]

**TABLE 156-0309-A: FAR BONUS**

[No change in text.]

**TABLE 156-0309-B: FAR BONUSES (%)**

[No change in text.]

**TABLE 156-0309-C: GREEN BUILDING FAR BONUS**

[No change in text.]

(g) *Transfer of Development Rights (TDR) Program*

(1) [No change in text.]

(2) [No change in text.]

(A) [No change in text.]

(B) The *historical resource* is in need of preservation, rehabilitation, or restoration and the ability to transfer *gross floor area* is needed to assist in the funding of such preservation, rehabilitation, or restoration. In order to qualify as a *sending site*, the *applicant* must submit a study acceptable to the *CCDC President* verifying the financial

costs of such rehabilitation and preservation and the need for the transfer of *gross floor area* as a funding source. The *CCDC President* has sole discretion to approve any transfer of *gross floor area* to a *receiving site*. The City Manager has sole discretion, upon recommendation from *CCDC*, to approve a transfer of *gross floor area* to a *TDR* bank to be maintained and tracked by the *CCDC President* on behalf of the City. The amount of *gross floor area* approved for transfer shall be determined based on the permitted transferable *gross floor area*, the extent of the rehabilitation and preservation costs needed for the *historical resource*, and the potential for appropriate future *development* on the *sending site* to achieve the goals and policies of the Downtown Community Plan and this Section.

- (3) [No change in text.]
- (4) Allowable Transfers. All of the allowable *gross floor area* on a *sending site* may be transferred in its entirety, to a single *receiving site* or entity, or in separate increments to several *receiving sites* in accordance with the procedures of Section 156.0309(g)(7). *Gross floor area* may be transferred either directly from the owner of the *sending site* to the owner of a *receiving site*, or to a *TDR* bank maintained and tracked by the *CCDC President* on behalf of the City. The City may acquire the *gross floor area* from the owner of

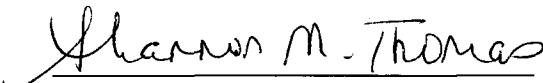
a *sending site* and maintain such *gross floor area* for subsequent transfers to *receiving sites*.

(5) through (7) [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

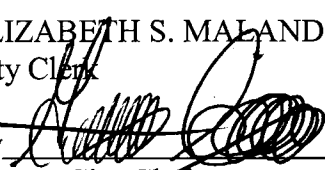
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
3/12/2012  
Or.Dept:DSD

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 24 2012.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-9-12  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor

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