

51A  
5/14/13

ORDINANCE NUMBER O- 20257 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 16 2013

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 6, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 156.0310 AND 156.0313; BY AMENDING TABLE 156-0313-D AND FIGURE G ALL RELATING TO VIEW CORRIDORS AND TRANSPORTATION DEMAND MANAGEMENT IN THE CENTRE CITY PLANNED DISTRICT.

WHEREAS, on April 3, 2006, pursuant to Ordinance O-19471, the Council of the City of San Diego adopted amendments to the Centre City Planned District Ordinance (CCPDO) and Local Coastal Program (LCP) to implement the 2006 Downtown Community Plan; and

WHEREAS, on September 7, 2007, pursuant to Ordinance O-19664, the Council adopted amendments to the CCPDO and LCP including changes to (1) Land Use District designations for certain areas within the Planned District, including but not limited to the following areas: (a) the six blocks bounded by C and E streets, 9th Avenue and Park Boulevard; (b) the three blocks bounded by Ash and Beech streets, 7th and 10th avenues; (c) the block bounded by A Street, Russ Boulevard, 11th Avenue and Park Boulevard; (d) the block bounded by Park Boulevard and J,K, 13th streets; and (e) the blocks bounded by Interstate 5 and Market, G, and 16th streets; (2) changes to regulations affecting Social Service Uses and Homeless Facilities; (3) changes to the Floor Area Ratio (FAR) Bonus Programs involving Affordable Housing, Eco-Roofs, Three-bedroom units, and Public Right-of-Way Improvements; (4) changes to the Transfer of Development Rights program; (5) refinements to the Urban Design Guidelines for new projects; and (6) miscellaneous refinements to procedures, policies and regulations; and

WHEREAS, on May 6, 2010, pursuant to Ordinance O-19949 and O-19947, the Council adopted amendments to the CCPDO and LCP to allows educational facilities, cultural

institutions and places of religious assembly in the Residential Emphasis (RE) District with approval of a Conditional Use Permit (CUP). These uses were previously excluded from the RE District due to concerns over potential land use impacts; and

WHEREAS, on December 7, 2011, pursuant to Ordinance O-20117, the Council adopted amendments to the CCPDO and LCP to include language resulting from policies and goals of the Design Guidelines and Centre City Green, downtown's sustainability plan, and also include refinements and clean-up items to the wording and the on-going implementation of the CCPDO. The amendments included changes to the following areas: (1) Land use; (2) Permit Process, (3) Floor Area Ratio (FAR) Bonus Programs and Transfer of Development Regulations (TDR); (4) Development Regulations including: (a) elimination of setback requirements for ground level units and projects within the Residential Emphasis District; (b) the addition of personal storage requirements; (c) small lot provisions; (d) below-grade parking requirements and; (e) living unit size requirements, (5) Transportation Demand Management (TDM) measures; and (6) Average Daily Trip (ADT) threshold for development within the Ballpark Mixed-Use District; and

WHEREAS, on June 26, 2012, pursuant to Ordinance O-20176, the Council adopted amendments to the CCPDO and LCP to expand the areas in which the Floor Area Ratio (FAR) bonus can be purchased and increase the amount of FAR that can be purchased through the program; included a Public Facilities Land Use District and designated certain properties currently utilized as parks and open space; and

WHEREAS, the California Coastal Act (Public Resources Code Section 30000 et seq.) requires California Coastal Commission certification of implementing actions to implement the approved Local Coastal Program Coastal Plan; and

WHEREAS, on November 15, 2012, the California Coastal Commission approved amendments to the City of San Diego Local Coastal Program as Amendment No. CCP-MAJ 4-11-B (2006, 2007, 2010, 2011, and 2012 Centre City Amendments) contingent on modifications that address view corridors and Transportation Demand Management; and

WHEREAS, the modifications suggested by the California Coastal Commission are before the City Council for consideration; NOW, THEREFORE,

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

Section 1. That the City Council acknowledges receipt of the California Coastal Commission's certification resolution.

Section 2. That the City Council adopts modifications to the Centre City Planned District Ordinance Coastal Program in satisfaction of the terms of the Coastal Commission's certification resolution.

Section 3. That Chapter 15, Article 6, Division 1 of the San Diego Municipal Code is amended by amending section 156.0310, to read as follows:

**§156.0310 Development Regulations**

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

(d) Building Bulk. Building bulk is divided into three main areas of the building: the *building base*, the *mid-zone*, and the *tower*. The *mid-zone* shall be applicable only in the areas within the Large Floorplate and Employment Overlay Districts, as illustrated in Figure C. The *development* standards for building bulk are summarized in Table 156-0310-A:

TABLE 156-0310-A: Development Standards

[No change in text.]

(1) *Building Base*

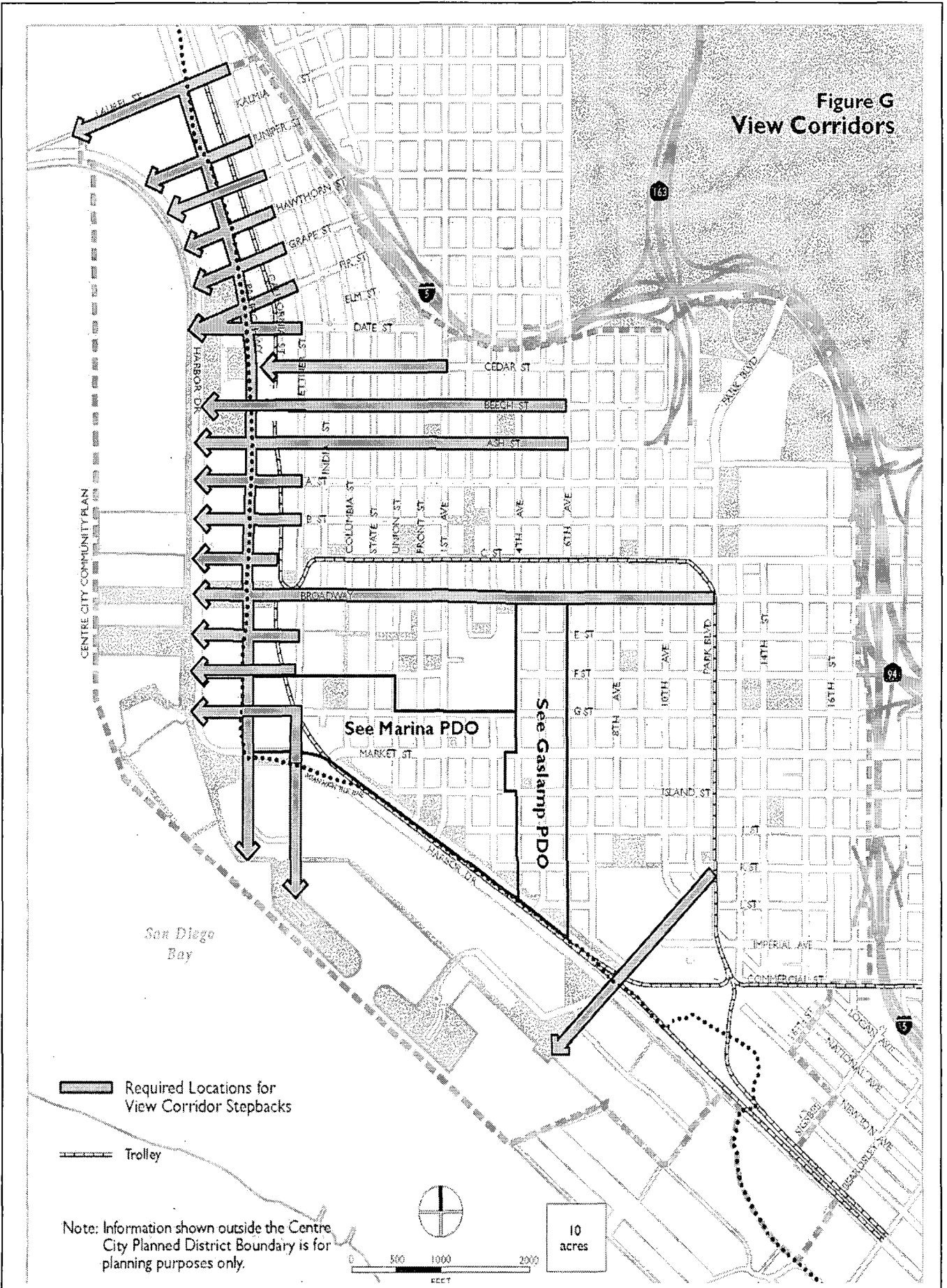
(A) through (F) [No change in text.]

(G) Sky-walks. Elevated pedestrian walkways or "skywalks," 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.

(e) through (g) [No change in text.]

Section 4. That Chapter 15, Article 6, Division 3 of the San Diego Municipal Code is amended by amending Figure G, to read as follows:

Figure G  
View Corridors



Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only.

Section 5. That Chapter 15, Article 6, Division 1 of the San Diego Municipal Code is amended by amending section 156.0313, to read as follows:

**§156.0313 Parking, Loading, Traffic and Transportation Demand Management Standards**

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

(o) *Transportation Demand Management (TDM)*

To reduce single-occupant vehicle trips into the Centre City Planned District, *applicants* for proposed commercial and *hotel development* containing over 50,000 square feet of *gross floor area* shall achieve a minimum of 25 points by implementing *TDM* measures contained in Table 156-0313-D.

<b>TABLE 156-0313-D: TRANSPORTATION DEMAND MANAGEMENT (TDM)</b>	
Points	Measure
20	Five-year, 50% subsidy for transit passes for employee occupants
5	Designated shuttle stop, including signage, seating, lighting and on-going maintenance, for the publicly accessible shuttle serving the downtown area, with routing to include key destination points such as 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 <i>gross floor area</i> .
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 <i>hotel</i> 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 <i>development</i> , including shelter, seating, lighting and ongoing routine maintenance through an agreement with the appropriate transit agency for the life of the improvement.
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 <i>hotel</i> 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 vanpool (minimum 5% of permitted parking)
5	Discounted parking rates for vehicles with CARB classifications ULEV, SULEV, PZEV, and ZEV - minimum 20% discount

Section 6. That a full reading of this ordinance is dispensed 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 7. That this ordinance shall not take effect until the date the California Coastal Commission unconditionally certifies these provisions as a Local Coastal Program amendment, or until the thirtieth day from and after its final passage, whichever occurs later.

Section 8. That after adoption, the Mayor or his designee is authorized to submit this ordinance to the California Coastal Commission for final certification and incorporation into the City's certified Local Coastal Program.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
04/19/13  
Or.Dept:Civic San Diego  
Doc. No. 536844

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 14 2013.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 5/10/13  
(date)

Bob Filner  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor



Passed by the Council of The City of San Diego on MAY 14 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 16 2013

AUTHENTICATED BY:

BOB FILNER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Elizabeth S. Maland*, 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 30 2013

, and on MAY 16 2013

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.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Elizabeth S. Maland*, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20257</u></p>
--