



CITY OF SAN DIEGO  
 COUNCILMEMBER SHERRI S. LIGHTNER  
 DISTRICT ONE

MEMORANDUM

DATE: December 30, 2010

TO: Council President Anthony Young

FROM: Councilmember Sherri S. Lightner, Chair, Land Use & Housing Committee 

SUBJECT: Response to December 22, 2010 Memo from Council President Anthony Young regarding Land Use & Housing Committee Priorities for 2011

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In response to your memorandum dated December 22, 2010, this memo presents the framework that will be used to address Land Use and Housing Committee (LU&H) issues in 2011.

More details on the first 90-day action plan for LU&H will be provided in early January after the Committee Consultant has been hired and responses from the other Councilmembers to my December 14, 2010 memo are received and incorporated in the action plan. The action plan will also be adjusted as we receive additional comments from the Mayor's Office, City Attorney, Independent Budget Analyst and the communities regarding issues that are of importance to them.

The framework will include an active community outreach program similar to "San Diego Speaks", which was used successfully by the Budget Committee. Additionally, the committee will work on issues identified by the Community Planners Committee the Technical Advisory Committee and the Code Monitoring Team as well as appropriate City Departments.

Several ongoing issues need to be addressed by LU&H, including: facilitation of community gardens, creation and funding of affordable housing, modification of the Sustainable Energy Building Policy to include more sustainability features, revision of the environmental review process to increase public participation and transparency, and provision of more publicly accessible information related to development project databases and historical properties.

Additionally, the committee will review whether certain Council Policies are working as envisioned or should be revised. These policies include: extension of time for building permits and delay of the collection of Future Benefit Assessment Fees, the use of linkage fees to create

additional affordable housing and the use of economic incentives to attract, retain and grow businesses.

Hopefully, the Council will also begin work to adopt a comprehensive water policy this year (see attached memo dated December 15, 2010), and LU&H can work on appropriate Land Development Code implementation of this policy.

Thank you, and please contact my office if you have any questions.

#### Attachment

cc: Honorable Mayor  
Councilmembers  
City Attorney Jan Goldsmith  
Independent Budget Analyst Andrea Tevlin  
Kelly Broughton, Director, Development Services Department  
Bill Anderson, Director, Community Planning and City Investment  
Roger Bailey, Director, Public Utilities Department  
Dominika Bukalova, LU&H Committee Consultant

# Attachment 1



CITY OF SAN DIEGO  
COUNCILMEMBER SHERRI S. LIGHTNER  
DISTRICT ONE

## MEMORANDUM

DATE: December 15, 2010 DTID: SL1012-003

TO: Councilmember David Alvarez, Chair, Natural Resources & Culture Committee

FROM: Councilmember Sherri S. Lightner 

SUBJECT: Developing a Comprehensive Policy for a Sustainable Water Supply in San Diego

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San Diego's economy and quality of life depend on a reliable and relatively inexpensive supply of water. The City of San Diego needs to establish guiding principles through which we will ensure that our water supply remains both secure and affordable. A document of guiding principles has been useful in our work on ending the structural budget deficit, and a similar document for water will guide the City Council's deliberation on the Urban Water Management Plan, future updates to the Long-Range Water Resource Management Plan and other future water-related decisions.

The City's existing guiding principles for water can be found in a patchwork of incompatible and out-of-date Council Policies, including Council Policies 400-09, 400-11, and 400-12. We must start the process of creating a new "Comprehensive Policy for a Sustainable Water Supply in San Diego" (hereafter, "Comprehensive Water Policy") to contain our guiding principles for water and replace these outdated Council Policies.

This memo first highlights some of the limitations of our existing Council Policies regarding water. It then provides suggested components of a new "Comprehensive Water Policy." City Council should begin by discussing the proposed new policy at the Natural Resources and Culture Committee and then work with the City Attorney's office, Water Department staff, the Independent Rates Oversight Committee (IROC), stakeholder groups and the public to craft a final version of the policy. After City Council approval, the elements of this policy will serve as San Diego's guiding principles in seeking a secure water future.

## EXISTING POLICIES

The existing Council Policies related to water were all developed ten or more years ago and were adopted at different times. They contain different goals and objectives which are not always consistent.

Some of the limitations of the existing policies are as follows:

- CP 400-09, "Action Plan for City's Future Water Supply,"<sup>1</sup> does not include implementation goals, timelines, or performance measurements. The policy was made effective October 6, 1998, which was over 12 years ago.
- CP 400-11, "Action Plan for Implementation of Water Conservation Techniques,"<sup>2</sup> dated September 21, 1987, is over 23 years old. While it includes implementation goals and timelines, they include dates as early as 1983.
- CP 400-12, "Implementation of Water Reclamation/Reuse,"<sup>3</sup> contains few achievement benchmarks, is dated November 28, 1988, which was over 22 years ago, and is in conflict with parts of CP 400-09.

These three policies should be replaced by the "Comprehensive Water Policy." Additional problems with existing policies are identified in my October 1, 2009 memo entitled "Updating the City Council's Water Policies" (Attachment 1).

## COMPREHENSIVE POLICY FOR A SUSTAINABLE WATER SUPPLY IN SAN DIEGO

The following are my suggestions for the general guiding principles of the new "Comprehensive Water Policy." Principles should include:

- Cohesive elements that are financially and environmentally sound.
- Goals which reflect current water treatment, storage, distribution and usage technologies and allow the consideration of new technologies or opportunities.
- Consideration of the long-term costs of inaction, such as deferring maintenance.
- An implementation plan with timelines and performance measures defined.
- Identification of ways in which the City can collaborate with other users and agencies in order to improve efficiencies.

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<sup>1</sup> City of San Diego Council Policy 400-09 "Action Plan for City's Future Water Supply" (10/6/98).

[http://docs.sandiego.gov/councilpolicies/cpd\\_400-09.pdf](http://docs.sandiego.gov/councilpolicies/cpd_400-09.pdf)

<sup>2</sup> City of San Diego Council Policy 400-11 "Action Plan for Implementation of Water Conservation Techniques" (09/21/87).

[http://docs.sandiego.gov/councilpolicies/cpd\\_400-11.pdf](http://docs.sandiego.gov/councilpolicies/cpd_400-11.pdf)

<sup>3</sup> City of San Diego Council Policy 400-12 "Implementation of Water Reclamation/Reuse" (11/12/88).

[http://docs.sandiego.gov/councilpolicies/cpd\\_400-12.pdf](http://docs.sandiego.gov/councilpolicies/cpd_400-12.pdf)

## I. BASIC PRINCIPLES

1. **Water Quality:** The revised policy should give direction that is consistent with prior Council goals of providing potable water that meets or exceeds all health standards established by regulatory agencies. In addition, we must ensure the quality of reclaimed water by eliminating contaminants of concern, and developing additional levels of treatment, as needed.
2. **Local Economy and Development:** All City Council decisions regarding water should be economically sound. An affordable and reliable water supply is needed to attract, expand, and retain businesses. The City Council must also carefully evaluate large developments that may greatly impact the City's water supplies. Proper land-use planning and increased local water supplies will allow the City to support economic growth and development.
3. **Best Available Technologies:** San Diego is home to large clusters of tech businesses. The City needs to take advantage of these industry clusters to incentivize development of innovative technologies for the treatment, storage and transport of water. This is a way to create local jobs and help provide more economical and environmentally-friendly sources of water in San Diego.
4. **Climate Change:** Planning for the effects of climate change is an important part of a new water policy. San Diego is home to the Scripps Institution of Oceanography (SIO), which is a leading research organization in the climate change field. The City should partner with SIO to develop priorities in water and wastewater infrastructure planning based on what is predicted about the future effects of climate change.
5. **Council Updates:** Prior Council policies pre-date the adoption of our current "Strong Mayor" form of government. The "Comprehensive Water Policy" should reflect the need for a feedback mechanism in the form of regular updates from the Mayor's office to the City Council. The updates should include the status of the City's current and future water supplies and the Intergovernmental Relations Department's work on Federal and State legislation related to water. The City Council (or a select Council committee) should also receive bi-annual updates from the City's representatives on the Metropolitan Water District of Southern California (MWD) and the San Diego County Water Authority (CWA). Finally, the City Council (or a select Council committee) should receive bi-annual updates from IROC.

## II. CONSERVATION PRINCIPLES

Conservation is the easiest, most cost-effective way to increase the usefulness of our water supply. A new "Comprehensive Water Policy" should support an approach to conservation that contains the following guiding principles:

1. **Rate Structures:** The City should move to a tiered rate structure. Multi-class, tiered rates that encourage conservation and discourage waste should be implemented as a

market-based conservation measure. The multi-class structure should include the following categories: single-family residential, multi-family residential, commercial, industrial, institutional, irrigation, and agricultural. The rate structure should take into account geographic zones with different evapotranspiration rates, the parcel size and the number of residents for a given customer. This new rate structure should consider economic impacts to all customers and should account for the needs of our private sector businesses, including the tech and hospitality industries. This is an important area for public participation.

2. **Economic Incentives:** The City should provide local customers with economic incentives to save water and limit wastewater going into the sewer system and through the Point Loma Treatment Plant. Economic incentives, such as rebates, should be developed for water efficient fixtures, rainwater catchment systems, graywater systems, drought tolerant landscaping, industrial pre-treatment systems and other conservation and treatment measures. The City Council should also continue to partner with MWD and CWA to develop additional incentives and rebates.
3. **Public Outreach:** The City and its partners must continue outreach to customers on the importance and value of conservation measures. In fiscal year 2010, San Diegans on average conserved 11% of their water use compared to fiscal year 2009.<sup>4</sup> A strong public outreach campaign helped surpass the Mayor's 8% conservation goal. Some customer classes conserved more than others: residential users conserved 10.7%, irrigation users conserved 20.4%, and commercial/industrial user conserved 7.5%. Public outreach on water awareness needs to stress the mutual benefit of reduction efforts and water efficient technologies and provide up-to-date information on economic incentives for all customers.
4. **Public and Private Building Codes:** Currently, Council Policy 900-14<sup>5</sup> guides the City in how it sustainably builds and maintains City facilities. CP 900-14 should be referenced in the "Comprehensive Water Policy." Additionally, private sector building policies should include water conservation elements. Emphasis on Leadership in Energy and Environmental Design (LEED) and Low Impact Development (LID) should be included in the "Comprehensive Water Policy" and sustainable building policies.
5. **Language Reflecting Updated Water Emergency Restrictions Policy:** The San Diego Municipal Code currently establishes water emergency regulations.<sup>6</sup> The "Comprehensive Water Policy" must reflect updated conservation regulations during drought conditions.

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<sup>4</sup> City of San Diego Public Utilities Department. <http://www.sandiego.gov/publicutilities/>

<sup>5</sup> City of San Diego Council Policy 900-14 "Sustainable Building Policy" (05/18/10).

[http://docs.sandiego.gov/councilpolicies/cpd\\_900-14.pdf](http://docs.sandiego.gov/councilpolicies/cpd_900-14.pdf)

<sup>6</sup> City of San Diego Municipal Code (67.0801-11) <http://docs.sandiego.gov/municode/MuniCodeChapter06/Ch06Art07Division38.pdf>

### III. IMPORTED WATER PRINCIPLES

1. **Sustainable Imported Water Goals:** San Diego will continue to rely on some imported water in order to maintain our economy and quality of life, but increasing cost and limited supply mean we must reduce the amount of imported water we use. Setting achievable goals in multiple year increments as to how much the City expects to rely on imported water sources should be a part of the newly updated policy. The imported water goals must reflect the reality that as we produce more local sources of potable water, we will still require some outside sources.

### IV. LOCAL & REGIONAL WATER SUPPLY PRINCIPLES

To ensure a sustainable supply of water, San Diego must develop a strategy that includes a diverse local and regional water supply portfolio.

1. **Non-Potable Recycled Water:** We should continue expansion of the non-potable recycled water (purple pipe) system in the City of San Diego. Purple pipe water should be made available to businesses, parks and golf courses that are currently using potable water for industrial and irrigation purposes. The effectiveness of the City's water recycling facilities rests solely with our ability to deliver purple pipe water to the community. Our water recycling facilities are operating at as much as 85% below capacity.<sup>7</sup> The 2000 Updated Water Reclamation Master Plan and 2005 Recycled Water Master Plan Update<sup>8</sup> called for a phased expansion of the purple pipe system, but funding has disappeared and build-out has stalled. Smaller "satellite" water recycling facilities could be used to augment the system and help deliver this resource to our communities. The City needs to continue to pursue cost-effective strategies to deliver purple pipe water. We also must identify the most affordable projects for expansion of the system in order to operate the North City and South Bay Reclamation Plants at full capacity.
2. **Indirect-Potable Reuse (IPR):** The investment in technology to treat water to potable standards has been successful as an option for the expanded use of reclaimed wastewater in other communities. IPR could comprise a portion of San Diego's local water supply in the future.
3. **Graywater:** Efforts should be made toward incentivizing and educating the public about the use of graywater collection systems. Among water reuse methods, graywater collection systems used to irrigate residential and commercial property are one of the most affordable ways to conserve potable water for landscaping use and reduce the flow of otherwise valuable water into the City's sewer systems.<sup>9</sup> The City recently updated its

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<sup>7</sup> Lee, Mike "Reclaimed Water Law is Largely Forgotten." San Diego Union Tribune. March 8, 2008.

<http://legacy.signonsandiego.com/news/metro/20080308-9999-1n8pipes.html>

<sup>8</sup> City of San Diego Recycled Water Master Plan Update. September 2005.

<http://www.sandiego.gov/water/pdf/050927waterreuse.pdf>

<sup>9</sup> "San Diego's Water Sources: Assessing The Options" Equinox Center. July 2010.

[http://www.equinoxcenter.org/assets/files/SD\\_Water\\_Sources\\_Assessing\\_the\\_Options%281%29.pdf](http://www.equinoxcenter.org/assets/files/SD_Water_Sources_Assessing_the_Options%281%29.pdf)

permitting processes for residential graywater systems. The City of San Diego should consider ways in which we can incentivize this practice and encourage the use of graywater systems in commercial and residential settings. Consideration should be made to require these systems in new buildings, perhaps starting with a pilot program.

4. **Rainwater Collection:** Residential and commercial rainwater collection should be included in the "Comprehensive Water Policy". Other jurisdictions have policies and incentives to encourage rainwater collection systems. One 1,000 square foot roof can yield 600 gallons of harvested water from one inch of rainfall.<sup>10</sup> The City of San Diego should consider ways in which we can incentivize this practice and encourage the use of rainwater collection systems in commercial and residential settings. Consideration should be made to require these systems in new developments, perhaps starting with a pilot program.
5. **Seawater Desalination:** The City should support cost-effective, environmentally-friendly desalination projects to assist in creating a sustainable local water supply. The process is proven safe and effective. Energy and production costs and environmental impacts are being reduced as technology improves. San Diego's tech and maritime industries could partner with the City to develop innovative technologies that produce desalinated water with less energy and less impact to the marine environment. We should also partner with neighboring jurisdictions, including Mexico, to make future seawater desalination facilities regional assets.
6. **Brackish Groundwater Desalination:** The City's San Pasqual<sup>11</sup> and Mission Valley<sup>12</sup> Brackish Water Desalination Projects, for which studies are currently underway, are two additional sources of local water that could be added to our portfolio. City estimates show that we could sustainably produce 7,800 to 9,800 acre-feet per year of potable water with these two projects. We should follow the planning studies carefully and if successful, support implementation of these projects as soon as possible.
7. **Increase Storm Water Diversion to Above and Below Ground Storage:** We should develop ways to divert a higher percentage of storm water to local reservoirs for collection. Storm water leaving the City into the Pacific Ocean has costs in the form of regulatory permits, potential for violations and water that could potentially be used by customers. The City Council should continue to adhere to (and possibly exceed) Council Policy 400-04, "Emergency Storage of Water" benchmarks. The "Comprehensive Water Policy" should also include ways for the City to improve storm water transport into groundwater supplies, where feasible. The City's Water and Storm Water Departments should collaborate to identify LID projects for storm water diversion.

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<sup>10</sup> "Rainwater Harvesting Supply From the Sky" City of Albuquerque Publication. September 1998.

<http://www.ose.state.nm.us/water-info/conservation/Albu-brochures/rainwater-harvesting.pdf>

<sup>11</sup> San Pasqual Basin Brackish Groundwater Desalination Project. <http://www.sandiego.gov/water/pdf/supply/pasqualdesal.pdf>

<sup>12</sup> Mission Valley Basin Brackish Groundwater Desalination Project. <http://www.sandiego.gov/water/pdf/supply/mvbasin.pdf>

This will save water, prevent pollutants from entering storm water channels and help replenish groundwater basins.

8. **Groundwater Development:** The "Comprehensive Water Policy" should support programs to recharge and improve the yield from local groundwater basins. We should also seek regionally integrated solutions with neighboring water agencies. For example, the Borrego Water District, facing overdraft of its large groundwater basin, continues to seek new solutions for basin recharge involving partnerships with adjacent agencies for banking water supplies.
9. **Increase Local Storage Capacity:** We should support the construction of regional storage reservoirs or enlargement of existing reservoirs to augment our local storage capacity.

## CONCLUSION

Facing future water shortages and rate increases due to our nearly 90% imported water supply,<sup>13</sup> the City must have a consistent, comprehensive and up-to-date policy to guide our decision-making. In tandem, we need to maintain an open dialogue on potential implementation of new and emerging technologies that may assist us in providing San Diegans with a reliable water supply. One "panacea" that will solve all of our water problems does not exist. City Council can develop a "Comprehensive Water Policy" which contains focused guiding principles that will help us to achieve a sustainable water future in the City of San Diego.

Thank you for your consideration, and please contact my office with any questions.

## Attachment

cc: Honorable Mayor  
Honorable Councilmembers  
Honorable City Attorney  
Andrea Tevlin, Independent Budget Analyst  
Roger Bailey, Director, Public Utilities  
Independent Rates Oversight Committee members

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<sup>13</sup> City of San Diego Water Reuse Study March 2006 (pp. v)  
<http://www.sandiego.gov/water/waterreuse/waterreustudy/news/fd2006.shtml>

# Attachment 1



CITY OF SAN DIEGO  
COUNCILMEMBER SHERRI S. LIGHTNER  
DISTRICT ONE

MEMORANDUM

DATE: October 1, 2009

TO: Honorable Jerry Sanders, Mayor  
Honorable Jan Goldsmith, City Attorney  
Honorable Donna Frye, Chair, Natural Resources & Culture Committee  
Honorable Todd Gloria, Chair, Land Use & Housing Committee  
Honorable Ben Hueso, Chair, Rules, Open Government & Intergovernmental Relations Committee

FROM: Councilmember Sherri S. Lightner

A handwritten signature in black ink, reading "Sherri S. Lightner", written over the printed name.

SUBJECT: Updating the City Council's Water Policies

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I have reviewed the San Diego City Council water policies and have reached three distressful conclusions.

1. The policies are outdated and do not work together to form a comprehensive water plan that can sustain San Diego's economy and quality of life.
2. The policies are silent regarding gray water reuse and nonpotable (purple pipe) water, including the use and exchange of purple pipe credits for land development. Furthermore, there is no mechanism for tracking the amount of purple pipe water allocated to existing or proposed projects throughout the city.
3. The City might incur legal liability for approving development projects without a nonpotable water policy and tracking system.

Attachment 1 to this memo contains a summary of council policies which mention water. Many were enacted over 30 years ago. A large number of these policies need to be updated. The table in the attachment indicates suggested actions for each of the Council Policies. A time and cost estimate for the updating is requested. None of these policies address the use of water credits or exchanges, or the tracking of purple pipe water.

For clarity, I want to define some terms used in this memo. Nonpotable water is water which has not approved for consumption. Purple pipe is used to transport nonpotable water, usually for irrigation, to differentiate it from regular drinking water. Gray water is non-industrial, non-toilet wastewater generated from showers, sinks, faucets and laundry.

Currently, It has been estimated that 55% of San Diego's drinking water is used for landscaping. Gray water comprises 70-80% of residential wastewater. Gray water reuse could help San Diego avoid mandatory water restrictions and help provide for sustainable development, but without a strong policy we cannot capitalize on this underutilized resource.

By California State law, every development project larger than 500 units must show it can provide enough water to meet the needs of that development for at least 20 years. Within the last few years, the City has developed a habit of approving these sorts of projects by using nonpotable/potable water exchanges. It is critical that the Council and the public understand the long term consequences of approving additional potable/nonpotable water exchanges for developers without an accounting of previous purple pipe commitments made by the City.

A number of projects have been approved or conditioned on the installation of purple pipes for irrigation and the promise to connect those pipes to the City's purple pipe system once it is accessible. These existing developments have claim to the finite amount of purple pipe water.

For example, on July 28, 2009, the City Council approved a major land development project that proposes to meet the State's water requirements by installing purple pipes at three sites outside of both the community area plan and the district in which the development will occur. This project required a community plan amendment to significantly increase the dwelling unit density for the project site and a change in use that increased the site's water use requirements. It is not clear when the mitigation (watering three school sites with nonpotable, rather than potable, water) must be completed or how the requirement will be enforced.

Since the amount of nonpotable water is finite, it is important to know how much total nonpotable water exists, how much has already been promised to existing developments, and how much is actually being used. The 2006 Kroll Report criticized San Diego for lacking financial accountability systems. Now we see that, yet in another area, there is no tracking system for nonpotable water and no financial accountability through a comprehensive water policy for meeting the water and related development needs of our community. It is imperative that the Council develop a policy to address, and be able to track, the use of purple pipe water credits and exchanges and that it develop a comprehensive plan that is able to sustain our residents, business and quality of life.

To address these concerns, and to lay the foundation for developing a comprehensive water policy for the City of San Diego, I respectfully request the following information and responses by Oct. 29, 2009.

1. The number of projects with purple pipe irrigation systems that have been approved by the City.
2. The number of projects with purple pipe irrigation systems that are connected to the City's nonpotable water distribution system and the amount of water used annually by each project.
3. The number of projects with purple pipe irrigation systems that are not yet connected to the City's nonpotable water distribution system; the amount of potable water that will be saved annually after these projects are connected; and the timeline for connecting these projects.
4. The number of dual-use projects which have been approved; which of those projects have been connected to the City's nonpotable water distribution; and the annual potable water savings for each project that has been connected to the City's nonpotable water distribution system. Additionally, for those projects that have not been connected to the nonpotable water distribution system, what are the expected annual potable water savings and the timeline for connection to the nonpotable water distribution system?

5. The number of projects approved which allowed some form of off-site nonpotable/potable water exchange, as was exemplified by the recently approved Alvarado Apartments project. Also, for each such project, the amount of potable water credited to the project and the timeline for completing the mitigation, i.e. when is potable water use to be replaced by nonpotable and how much potable water will be saved annually?

The above-requested data is necessary to develop a data base which can be used to evaluate projects that "trade" nonpotable elsewhere for potable on site.

6. By approving a project conditioned on the installation of purple pipes for irrigation and the promise to connect those pipes to the City's purple pipe system, is the City guaranteeing a certain amount of potable water for the site?
7. If permits are conditioned on the use of purple pipe water and there is none available, should the project be denied until nonpotable water is available? Or, alternatively, should the permit be granted without the purple pipe condition?
8. In the case of projects approved or conditioned on the installation of purple pipes for irrigation and the promise to connect those pipes to the City's purple pipe system, what is the City's plan for connecting such developments to the purple pipe system? Is the purple pipe distribution system network planned, and if so, what would it take to implement construction?

I also request an opinion from the City Attorney on this question:

1. Could the City of San Diego be held legally liable for approving development projects that involve purple pipe water in some way, without having a nonpotable water policy and tracking system?

The City should not continue approving development project after development project without reasonable and measurable assurance that water supplies will be able to support San Diego's economy and quality of life. The City Council must update its policies, and the Municipal Code may also need updating, so that San Diego has a comprehensive, legally sufficient, interrelated system of water policies that promote long term planning, sustainability, oversight and accountability.

SL:jm

cc: Honorable Councilmembers  
Bill Anderson, Director, City Planning and Community Investment  
Kelly Broughton, Director, Development Services  
Jay Goldstone, Chief Operating Officer  
Andrea Tevlin, Independent Budget Analyst

# Attachment 1

COUNCIL POLICY	DATE	TITLE	PURPOSE	QUESTIONS OR SUGGESTED ACTION
000-19	10/2/2000	Legislative Policy Guidelines – 2000-2001	"Legislative Policy Guidelines provide policy direction to City Departments and IRD in evaluating State and Federal proposed legislation and in preparing a timely response which sets forth the support or opposition of the City to this legislation."	Update the CP – especially Policy IV. B 3. Water Supply
400-01	11/14/1974	Service of Water Outside of Political Boundaries	Identifies specific instances for which the City will provide water outside of its political boundaries – otherwise because of the need to conserve water at all times, the City will not.	Review for current applicability.
400-02	2/27/1995	Biosolids Beneficial Uses	"To express the City's commitment to a diversified biosolids management program that recognizes that biosolids are a resource suitable for beneficial use" -- This is to be implemented through the <u>Biosolids Beneficial Use Plan</u> .	Does the <u>Biosolids Beneficial Use Plan</u> exist? Does it need to be updated?
400-03	12/15/2008	Self-sustaining Reservoir Recreation Program	"The General Fund will reimburse the Water Department Enterprise Fund for all costs associated with basic levels of public access, community usage and related grounds and facility maintenance (Tier I)." Fees will offset direct costs of Tier II and III activities.	How much money does the General Fund reimburse the Water Department Enterprise Fund and what fees are collected for the Reservoir Recreation Program?
400-04	12/27/1973	Emergency Storage of Water	"To provide a minimum quantity of stored, untreated water to provide for emergencies such as aqueduct failure or aqueduct pump stations outage." This is set at 0.6 of the annual requirement for the City of San Diego.	Query to MWD – do we meet the goal?
400-06	5/2/1974	Replacement, betterment and expansion of water and sewer facilities in previously developed areas	"to provide for an equitable and expeditious means for financing the betterment and expansion of water and sewer facilities in previously developed areas of the City."	

# Attachment 1

COUNCIL POLICY	DATE	TITLE	PURPOSE	QUESTIONS OR SUGGESTED ACTION
400-07	11/10/1970	Reimbursement Financing of Water and Sewer Facilities in Undeveloped Areas	"It is in the City's interest to provide for an equitable formula whereby water and sewer facilities serving undeveloped lands may be paid for entirely by developers of such lands; and whereby the developer constructing oversized or off-site water and sewer facilities may be reimbursed by those subsequently benefiting from any portion of such facilities."	This should be reviewed and updated, if needed.
400-09	10/06/1998	Action Plan for City's Future Water Supply	"To establish policies to assure an adequate water supply for the City of San Diego." This includes policies categorized as: <ul style="list-style-type: none"> <li>• General</li> <li>• Related to water importation, conservation, surface runoff and groundwater development</li> <li>• Related to reclamation, re-use and desalination</li> </ul>	Update to assure reflects current objectives and use to update CP 000-19
400-10	3/11/1985	Claims related to Water Main Break and Sewer Backups	"to provide uniformity in the investigation and disposition of claims related to water main breaks and sewer backups."	What is the history of implementation and should any policy changes be considered?
400-11	9/21/1987	Action Plan for Implementation of Water Conservation Techniques	"To establish policies which assure that effective City water conservation techniques are identified and implemented."	Update to reflect requirements in SDMC
400-12	11/28/1986	Implementation of Water Reclamation/Reuse	"To establish policies to encourage water reclamation/reuse." The City Council is to: <ul style="list-style-type: none"> <li>• Prepare a Reclamation Facilities Master Plan</li> <li>• Target Goals for Water Reclamation and Reuse</li> <li>• Draft a Mandatory Use Ordinance</li> <li>• Require a Mandatory Water Quality Management Plan</li> </ul>	Implement: <ul style="list-style-type: none"> <li>• Is there a Master Plan?</li> <li>• Reuse 70,000 AF/yr min</li> <li>• C.1, C.2, C.3</li> <li>• D.2</li> <li>• F</li> </ul>

# Attachment 1

COUNCIL POLICY	DATE	TITLE	PURPOSE	QUESTIONS OR SUGGESTED ACTION
600-04	3/19/1990	Standards for Rights of Way and Improvements Installed Therein	Prescribes the general standards for improvements installed in the ROW. Specifically the easements required for the placement of water and sewer pipes and drainage. Refers to the "Drainage Design Manual."	Is the Drainage Design Manual current and is this policy up to date?
600-21	11/25/1993	Subdivision Agreements	"To establish a uniform policy and criteria for the appropriate actions on subdivision agreements which may be any of the following...: (I) Time extension, (II) Agreement amendment, (III) Legal default, (IV) Subdivision map revocation, or (V) Rezoning of property."	Update to include impact of amount of water to be used - especially for rezoning.
600-28	8/11/1980	Requirements for Development Approval in Planned Urbanizing Areas	"to specify the requirements for approval and financing of development in the Planned Urbanizing Area of the City in accordance with the <u>Progress Guide and General Plan</u> , "Guidelines for Future Development."	Are there any "Planned Urbanizing Zones" and where are they? Update policy or eliminate.
600-30	10/26/1993	General Plan Amendments to Shift Land from Future Urbanizing to Planned Urbanizing Area	"to specify the guidelines and requirements for effecting a shift of land from the Future Urbanizing to the Planned Urbanizing in accordance with the progress Guide and General Plan. This policy applies to all such shifts of land prior to the General Plan Amendment."	Are there any "Future Urbanizing" zones to shift? if so, where are they? Update to reflect changes since 1990 or eliminate. Include provisions for potable and nonpotable water use.
600-37	6/6/1989	Development Agreements	"To address and clarify the current [1988] issues concerning development agreements and provide guidelines" for when development agreements are appropriate and to broaden the categories of projects that can be included in the agreements.	Update to include, as a minimum the appropriate section of the SDMC referenced by the CP, and water use planning/costs

# Attachment 1

COUNCIL POLICY	DATE	TITLE	PURPOSE	QUESTIONS OR SUGGESTED ACTION
600-44	5/14/2002	Placement of Wire Communications in Sewer and Storm Water Pipes	"to establish criteria for the installation of wire communications within the City sewer and storm water pipes which safeguard public health and safety while recognizing the advantages of such installations over trenching of City streets."	How many of such installations are there?
600-45	6/27/2005	Protection of Water, Agricultural, Biological and Cultural Resources within the San Pasqual Valley	"to ensure the long-term protection of the significant water resources within the San Pasqual Valley" "... This Council Policy will reinforce the goals of both the General Plan and the San Pasqual Valley Community Plan, which identify the San Pasqual Valley as an agricultural preserve with significant open space values."	Why do the Plans need this CP and do other open space areas require this as well?  e.g. Otay River Valley, San Diego River Valley, Mission Trails, Los Penasquitos Canyon, San Dieguito River Valley
800-04	7/25/1978	Drainage Facilities	1. "To establish guidelines for the construction and maintenance of storm water drainage facilities. 2. To identify and assign general financial responsibilities for the construction of various types of drainage facilities."	Why is zoning discussed in the CP?

# Attachment 1

COUNCIL POLICY	DATE	TITLE	PURPOSE	QUESTIONS OR SUGGESTED ACTION
800-14	5/30/2008	Prioritizing CIP [Capital Improvement Projects] Projects	"to establish an objective process for ranking CIP projects." Sets up guidelines for the evaluation of projects. "In order to implement a prioritization system, there must be an understanding of the constraints associated with each project's funding source(s), asset type (project category), or phase of development. Projects will not compete across the different funding sources, the different project categories, or the different project phases."	How is this CIP prioritization methodology working?
900-01	6/15/1992	Economic Development	"To provide the framework for a comprehensive economic development program which encourages sustainable economic prosperity throughout San Diego." A part of this Council Policy is to "Provide for a comprehensive Economic Development Program and Strategic Plan which promotes and sustains a healthy diversified economy throughout San Diego."	There is to be an annual review and a biennial submittal of the Economic Development Strategic Plan. Has this been done and where are these plans and their reviews?
900-12	5/15/2001	Business and Industry Incentive Program	"To provide for a Business and Industry Incentive Program designed to attract and retain major revenue, job generating, and revitalization projects throughout the City, along with criteria and procedures to ensure that the Program is equitably and efficiently administered.	City Attorney opinion re: Water and sewer capacity charges on page 2
900-14	5/20/2003	Sustainable Building Policy	"The purpose of this policy is to reassert the City's commitment to green building practices in City facilities, and to provide leadership and guidance in promoting, facilitating, and instituting such practices in the community."	Update so that private sector incentives are only for projects that meet sustainability goals – including those of water use

additional affordable housing and the use of economic incentives to attract, retain and grow businesses.

Hopefully, the Council will also begin work to adopt a comprehensive water policy this year (see attached memo dated December 15, 2010), and LU&H can work on appropriate Land Development Code implementation of this policy.

Thank you, and please contact my office if you have any questions.

cc: Honorable Mayor  
Councilmembers  
City Attorney Jan Goldsmith  
Independent Budget Analyst Andrea Tevlin  
Kelly Broughton, Director, Development Services Department  
Bill Anderson, Director, Community Planning and City Investment  
Roger Bailey, Director, Public Utilities Department  
Dominika Bukalova, LU&H Committee Consultant



**COUNCIL PRESIDENT PRO TEM KEVIN L. FAULCONER  
CITY OF SAN DIEGO  
SECOND DISTRICT**

**MEMORANDUM**

**DATE:** January 7, 2011  
**TO:** Councilmember Sherri Lightner, Chair, Land Use and Housing Committee  
**FROM:** Council President Pro Tem Kevin Faulconer *Kisfalk*  
**SUBJECT:** Land Use and Housing Committee Priorities for 2011

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I appreciate the opportunity to provide my recommendations for the Land Use and Housing Committee 2011 work plan. In response to your December 14, 2010, memorandum, my priorities for this year include:

**1) Support for the Continued Revitalization of Downtown**

In my opinion, past policies discussed by this Committee have weakened Downtown redevelopment efforts. The renewal of Downtown is not complete. Currently, 35,000 residents live Downtown, and the community plan calls for an additional 60,000 residents by 2030. We must focus on ensuring that as growth and development continue, the public investment in parks, streets, sidewalks, fire stations, and other infrastructure keep pace.

The tax increment from CCDC redevelopment must continue to be a driving force behind Downtown which has become one of our region's most reliable economic engines, generating tax revenues that provide for City services throughout every San Diego neighborhood.

**2) Proactive Solutions to the Citywide Homeless Problem**

I am very encouraged by our action last year approving the ENA for the Downtown Permanent Intake Facility. I look forward to the next steps in developing a one-stop homeless service center that will be a model for San Diego County. However, we must remember that this facility is designed to address the Downtown homeless problem specifically.

To address this citywide issue, this City Council must establish similar facilities throughout San Diego. I would like this Committee to begin identifying potential sites for a second Permanent Intake Facility as soon as possible. Additionally, I am requesting this committee

work with the San Diego Housing Commission to identify sites for this year's temporary winter shelter as soon as possible, and no later than April.

**3) Finalizing the City's Medical Marijuana Dispensary Regulations**

On September 19, 2010 the City Council approved regulations for medical marijuana dispensaries. Since that time the City Attorney's Office has been developing an ordinance to enforce the approved regulations. I would request the Land Use and Housing Committee work with the City Attorney's Office to bring forward the ordinance for review and approval as soon as possible.

**4) Protecting Coastal Regulation and Preserving Community Character**

As the Councilmember representing many of San Diego's beaches and bays, it is important to me that we continue to preserve coastal access and protected views. I believe development in the coastal areas should continue to have high level review in order to preserve the quality of life for residents and the community character that all San Diegans and tourists enjoy. Protecting this character includes continuing effective programs to preserve historical structures. I will continue to support the voter approved 30-foot height building limit in coastal zones.

cc: Honorable Mayor Jerry Sanders  
Honorable San Diego City Councilmembers



## OFFICE OF COUNCILMEMBER TODD GLORIA COUNCIL DISTRICT THREE

### MEMORANDUM

**DATE:** January 6, 2011  
**TO:** Councilmember Sherri Lightner, Land Use and Housing Committee Chair  
**FROM:** Councilmember Todd Gloria *Todd Gloria*  
**SUBJECT:** Land Use and Housing Legislative Priorities

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Thank you for the opportunity to share my legislative priorities with you as they relate to Land Use and Housing. There are a number of policy initiatives generated by the Land Use and Housing Committee over the past two years that I am interested in seeing completed. These include the following:

- While some improvements have been made to simplify the process for permitting **community gardens**, there is clearly more that needs to be done. At the December 2010 LU&H meeting community garden advocates proposed that gardens be permitted by right in commercial zones within Redevelopment Areas. I am interested in pursuing this concept, and others that would more easily enable the establishment of community gardens.
- Finish the discussion and make a policy decision on **Commercial Linkage Fees**.
- Continue to **strengthen protections for San Diego's historic resources**.
- Ensure that **community plan updates** continue to move forward.
- While the **Medical Marijuana Dispensaries Ordinance** has already passed through the LU&H Committee, it will remain a priority for me until the final ordinance is adopted by Council.
- Similarly, ordinances concerning **environmentally friendly building requirements** and **abandoned properties** which have been heard by the committee but have not yet been adopted by the City Council will remain high on my list of priorities in the event they are returned to committee.

I appreciate the opportunity to give input into the legislative agenda for the Land Use and Housing Committee, and look forward to a productive year under your leadership.

cc: Members of the City Council  
Amy Benjamin, Mayoral Liaison to LU&H



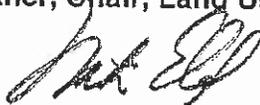


City Of San Diego  
COUNCILMEMBER MARTI EMERALD  
DISTRICT SEVEN

MEMORANDUM

DATE: January 5, 2011

TO: Councilmember Sherri S. Lightner, Chair, Land Use and Housing Committee

FROM: Councilmember Marti Emerald 

SUBJECT: Land Use and Housing (LU&H) Committee Priorities for 2011

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In response to Councilmember Lightner's December 14, 2010 request for a list of priorities and ideas related to Land Use and Housing, I would like to request the following subjects for examination and potential action by the LU&H Committee:

1. Sober Homes. This land use is typically characterized by single family homes being rented to unrelated individuals who are recovering substance abusers. There has been an increase in the proliferation of this land use in single family residential neighborhoods. In some case these facilities have not been operated in a manner that is compatible with the character of these neighborhoods. Existing land use rules have not always been effective at addressing the nuisances created by some of these facilities. Nor have the rules been able to address the abundance of these facilities in certain areas, and the affect on community character. There are also concerns for the effectiveness of some of these facilities. I would like LU&H to examine this matter with an eye to adopting measures to address the compatibility issues. I will be forwarding a task force report under separate cover.
2. Nuisance Rental Housing. In the last few years, the City has adopted a number of measures to address rental housing land uses, such as "mini dorms," which can present compatibility issues when located in single family residential neighborhoods. I believe it is appropriate for LU&H to examine how the implementation of these measures is working and whether they are effective in addressing these issues.
3. Community Plan Updates. The City budget crisis has caused some officials to consider the indefinite elimination of additional Community Plans updates. I believe LU&H should examine what such a course of action might mean to the completion/implementation of the City's General Plan and its goals and objectives. LU&H should also examine the available alternatives, if any, should future Community Plan updates be abandoned.

cc: Honorable Mayor Jerry Sanders  
Dominika Bukalova, LU&H Committee Consultant





**COUNCILMEMBER DAVID ALVAREZ**

**City of San Diego  
Eighth District**

**MEMORANDUM**

**DATE:** January 11, 2011

**TO:** Councilmember Sherri Lightner, Chair, Land Use & Housing Committee

**FROM:** Councilmember David Alvarez, *David Alvarez*

**SUBJECT:** 2011 Land Use and Housing Priorities

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In response to your memorandum of December 15, 2010, the following is a list of issues that I believe are important for the Land Use and Housing (LU&H) Committee to discuss this year:

**Linkage Fees:**

The Housing Trust Fund is partially funded by linkage fees, a fee charged on commercial development within the city. This funding is vital to the city's ability to provide and maintain an adequate supply of affordable housing. The linkage fee was reduced by half in 1996, but I do not believe the original ordinance has been changed to reflect this reduction. As such, this committee should examine the city's current linkage fee and determine if it requires adjustment.

**Redevelopment Area Programmatic EIR:**

The Centre City Redevelopment Area allows applicants for development to work through an expedited process to initiate and complete required environmental review for projects within the boundaries of the redevelopment area. This has been a major benefit in encouraging increased development and revitalizing the downtown area, as such I believe this committee should explore whether the city and redevelopment agency could set up a similar process.

**Community Plan Updates:**

It is essential that the city continue to update its community plans through a community focused process that brings all stakeholders into the discussion. This is vital to provide a clear vision and update the long range development preferences of each community with a planning document that outlines a clear picture of the desired community character.

**Community Garden Land Use Regulations:**

It appears that current sections of city land use regulations restrict, to some extent, community gardens in certain types of zones and redevelopment areas. Community gardens are beneficial to our communities as they provide a local, sustainable source of healthy food, stimulate social interaction between community members, provide a catalyst for future development, beautify our neighborhoods, and often are created on under-utilized, neglected parcels of land. For these reasons, I believe it is important for this committee to consider revising the applicable land use regulations to allow community gardens to exist in areas in which they are now needlessly restricted.

I look forward to serving on the LU&H committee in 2011 and working with each committee member to ensure that the city continues to develop fair and equitable land use policies and procedures.

CC: Honorable City Councilmembers  
Honorable Mayor Sanders  
Andrea Tevlin, IBA

DA/ks