



**Centre City  
Development  
Corporation**

341  
7/31

REPORT NO. CCDC 07-29  
CCDC-07-15

DATE ISSUED: July 25, 2007

ATTENTION: Honorable Chair and Members of the Redevelopment Agency  
Council President and City Council  
Docket of July 31, 2007

ORIGINATING DEPT.: Centre City Development Corporation

SUBJECT: Proposed 11<sup>th</sup> Amendment to the Redevelopment Plan for the  
Centre City Redevelopment Project and Amendments to the  
Downtown Community Plan, Centre City Planned District  
Ordinance, Marina Planned District Ordinance, and the Mitigation  
Monitoring and Reporting Program of the 2006 Final  
Environmental Impact Report for the Downtown Community Plan,  
Centre City Planned District Ordinance, and Redevelopment Plan  
for the Centre City Project Area – Areawide – *JOINT PUBLIC  
HEARING*

COUNCIL DISTRICTS: Districts 2 & 8

REFERENCE: None

STAFF CONTACT: Brad Richter, CCDC Principal Planner, 619-533-7115

REQUESTED ACTION: That the Redevelopment Agency (“Agency”) and City Council (“Council”) consider the proposed amendments to land development regulations for the Downtown Community Planning Area, including the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City Planned District Ordinance (PDO), and adoption of the proposed Addendum to the 2006 Final Environmental Impact Report (FEIR).

In addition, that the Agency/Council continue the public hearing with respect to (1) additional proposed amendments to the Downtown Community Plan and Centre City PDO with respect to regulations affecting historical resources, (2) proposed amendments to the Mitigation Monitoring and Reporting Program (MMRP) of the 2006 FEIR, and (3) proposed amendments to the Marina PDO until September 25, 2007.

STAFF RECOMMENDATION:

That the Agency:

- Adopt a Resolution certifying that the information contained in the Addendum to the 2006 FEIR for the Downtown Community Plan, Centre City PDO, and Redevelopment Plan for the Centre City Project Area FEIR has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Addendum has been reviewed and considered by the Agency pursuant to California Public Resources Code Section 21081; and,
- Adopt a Resolution approving the 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, approving the Report to City Council pertaining thereto, and authorizing the submission of the proposed 11th Amendment to the Redevelopment Plan, and the Report to City Council, to the City Council of the City of San Diego.

And, that the Council:

- Adopt a Resolution certifying that the information contained in the Addendum to the 2006 FEIR for the Downtown Community Plan, Centre City PDO, and Redevelopment Plan for the Centre City Project Area FEIR has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Addendum has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081; and,
- Adopt a Resolution approving proposed amendments to the Downtown Community Plan; and,
- Approve an Ordinance adopting amendments to the Centre City PDO; and,
- Approve an Ordinance approving the proposed 11th Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

And, that the Agency and Council:

- Continue the public hearing with respect to (1) additional proposed amendments to the Downtown Community Plan and Centre City PDO with respect to regulations affecting historical resources, (2) proposed amendments to the MMRP of the 2006 FEIR, and (3) proposed amendments to the Marina PDO until September 25, 2007.

SUMMARY: Centre City Development Corporation (CCDC) is proposing specific amendments to the land development regulations for the Downtown Community Planning Area, including the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City PDO. The purpose of these proposed amendments include providing better implementation of the policies of the Downtown Community Plan, creating consistency among

planning documents, streamlining documents, enhancing the performance of the Floor Area Ratio (FAR) Bonus Programs and urban design standards, and minor clean-ups.

FISCAL CONSIDERATIONS: None.

CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION:

On May 30, 2007, the CCDC Board of Directors voted 5-0 to support the proposed amendments, with the exception of the proposed reduction in parking requirements for Single Room Occupancy (SRO) and Living Unit projects. The Board did not support the proposed reductions at this time as CCDC is commencing a wide-ranging parking study that will include re-evaluating parking requirements for all uses downtown; therefore, the Board felt that consideration of the new parking ratios should be considered after the report is completed.

PLANNING COMMISSION RECOMMENDATION: On June 28, 2007, the Planning Commission held a public hearing to consider the amendments and voted 4-0 to recommend approval of the various amendments as recommended by staff and the CCDC Board, with one exception. The Commission voted to support the reduced parking requirements for SRO and Living Unit projects, even though these had not been supported by either the Centre City Advisory Committee (CCAC) or the CCDC Board.

CENTRE CITY ADVISORY COMMITTEE: On May 23, 2007 the CCAC, downtown's community planning group, and the Project Area Committee (PAC) split their recommendation into three votes as follows: the CCAC voted 19-4 and the PAC voted 16-4 to oppose changes to the proposed reduced parking requirements for SROs and Living Unit projects; the CCAC voted 12-11 (passed) and the PAC voted 9-11 (failed) to oppose the proposed amendment allowing for case-by-case consideration of modifications to the development standards for Social Service and Homeless Facility uses, including the requirements for a quarter-mile separation between such uses; and, the CCAC and PAC voted unanimously to support the remainder of the proposed amendments.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: Since the beginning of the year, staff has held public workshops for the proposed amendments before the CCAC and its subcommittees, the CCDC Board and its subcommittees, and the Planning Commission.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

The proposed amendments affect land use regulations throughout the downtown planning area, and therefore affect property owners, businesses, developers, residents, and visitors to the area.

BACKGROUND

The Centre City Redevelopment Project Area includes approximately 1,500 acres of the metropolitan core of San Diego, bounded by Interstate 5 on the north and east and San Diego Bay on the south and southwest. The City's Strategic Framework Element of its General Plan recognizes downtown San Diego as the regional center, promoting greater residential

development densities as well as its role as the business, government, and cultural hub. Because downtown San Diego is both a Community Planning Area as well as a Redevelopment Project Area, development downtown is subject to both the Community Plan and Redevelopment State law.

On February 28, 2006, the San Diego City Council adopted the Downtown Community Plan, Redevelopment Plan for the Centre City Redevelopment Project, and Centre City PDO, the framework for downtown land development. At the time of adoption, staff anticipated it would be necessary to amend these documents within a year to make a variety of refinements based on the lessons learned in implementation of the new programs and policies. Staff proposes to amend these documents to make a variety of changes and to address other issues that have developed since plan adoption, including land use and other map changes, and adjustments to far bonus calculations.

On April 24, 2007, the City Council formally initiated the proceedings for the proposed amendments.

These proposed amendments advance the Visions and Goals of the Downtown Community Plan and the Objectives of the Centre City Redevelopment Project by:

- ensuring that the Downtown Community Plan accurately reflects the goals and policies of stakeholders;
- refining zoning incentives to achieve goals outlined in the City of Villages Strategy and Downtown Community Plan; and,
- establishing consistent zoning practices throughout downtown.

#### DISCUSSION

The current effort proposes a package of amendments to the following land use documents: the Redevelopment Plan for the Centre City Redevelopment Project; the Downtown Community Plan; and, the Centre City PDO. There are a variety of reasons for amending these documents today including creating consistency among planning documents, streamlining documents, enhancing the performance of the Centre City PDO Floor Area Ratio (FAR) Bonus Programs and urban design standards, and minor clean-ups.

After preparation of the draft amendments, CCDC staff made a number of public presentations on the proposed amendments including to the CCAC, downtown's Project Area Committee/Community Planning Group, and its subcommittees; the CCDC Board of Directors and its Real Estate Committee; a presentation to the Council to initiate the amendment proceedings late this past April; a public workshop a week later in May; and, a workshop before the Planning Commission.

## SUMMARY OF PROPOSED REVISIONS TO DOCUMENTS

There are five documents proposed to be amended in this effort, as described below.

### 1. Proposed 11<sup>th</sup> Amendment to the Redevelopment Plan (Tab 1)

The Proposed 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project contains changes necessary to consolidate the land use and project maps. The consolidation of the two maps will streamline the Redevelopment Plan and eliminate the need to amend the Redevelopment Plan in order to make a land use change. Currently, if land use change is proposed to the Downtown Community Plan and/or Centre City PDO, all three documents (including the Redevelopment Plan) must be amended to make the change(s).

The proposed consolidation would replace references to specific Land Use Districts (Ballpark, Core, etc.) in the Land Use Map with more generalized Project Area descriptions and map. The references address land uses and the types of structures (low-, mid-, and high-rise) permitted within each of the districts. Land Use descriptions would be replaced with a general listing of the mix of uses, and, instead of detailing the types of structures permitted in individual districts, the Redevelopment Plan would list the types of structures allowed within the Project Area.

A few clean-up items are also proposed with this amendment, including old language pertaining to specific projects that is no longer necessary, and minor clean-up changes on the Project Area Map.

### 2. Proposed Amendment to the Downtown Community Plan (Tab 2)

The proposed amendment to the Downtown Community Plan consists of changes to the land use map for consistency with the proposed changes to the PDO and clean-up changes requested by the mapping section of the City of San Diego.

### 3. Proposed Centre City PDO Changes (Tab 3)

There are several areas where amendments are proposed in the PDO including Land Use, FAR Bonus Programs, Urban Design, Procedures/Calculations, Parking, and Signs. In addition to minor clean-ups, the proposed changes include clarifications to the text, additional standards considered necessary to augment existing regulations, and refinements to City-wide regulations for downtown projects.

A. Land Use /Rezoning – There are five areas that are proposed for the zoning to be reclassified, as described below in order to eliminate inconsistencies; better reflect existing, or developing, conditions in the neighborhoods; or, to better implement goals and policies of the Downtown Community Plan. The PDO and Downtown Community

Plan maps would be revised to accommodate these changes (See Existing and Proposed Land Use Map B, pages 97 and 98).

- (1) The six blocks fronting on Broadway between Ninth Avenue and Park Boulevard, from Residential Emphasis (minimum 80% residential required) to Employment Residential Mixed Use. The predominantly residential character required by the Residential Emphasis designation is not the most appropriate land use designation for these areas along downtown's main Ceremonial Street. The proposed category offers property owners much more flexibility to develop uses such as commercial office, institutional, or other non-residential uses, while still allowing residential land uses.
- (2) The small block located at the northeast corner of A Street and 11<sup>th</sup> Avenue, from Residential Emphasis (minimum 80% residential required) to Employment Residential Mixed Use. This 20,000 square-foot site lies at the freeway on-ramps to State Route 163 and Interstate 5 adjacent to City College and was zoned Hotel Residential prior to 2006, and should be classified as a mixed-use zone similar to other blocks to the west along the north side of A Street, consistent with its current use and land use compatibility at this location (eastern half is currently developed with historic building used as a hotel).
- (3) The block bounded by J Street, 13<sup>th</sup> Street, K Street, and Park Boulevard, from Residential Emphasis (minimum 80% residential required) to Ballpark Mixed-Use, which is a more flexible land use district that continues to allow residential land uses. This site is an important terminus at the end of the Park Boulevard diagonal heading north from Harbor Drive, along the new Park to Bay Link, and directly east of the future Main Library and Ballpark. As such, staff believes that other uses, and the potential to achieve distinctive architecture with them, should be accommodated in this location.
- (4) The three blocks along the north side of Ash Street between 7<sup>th</sup> and 10<sup>th</sup> avenues, from Employment Residential Mixed Use to Residential Emphasis (minimum 80% residential required). This reclassification would apply the correct land use designation to reflect the existing predominant residential land use on the blocks, and will partially offset the other reclassifications from Residential Emphasis.
- (5) The block-and-a-half bounded by Interstate 5 and Market, G and 16<sup>th</sup> streets, from Residential Emphasis (minimum 80% residential required) to Ballpark Mixed-Use. This area was identified as a potential relocation site for the Volunteers of America's Inebriate Reception Center (IRC), but the Residential Emphasis designation does not allow such uses. Staff then discovered that the Residential Emphasis designation was inconsistent with the Large Floorplate Overlay designation on the block, which is intended to accommodate developments that include office and other employment uses. The proposed reclassification eliminates this inconsistency and allows a wider variety of land uses.

B. Land Use/Separately Regulated Uses

- (1) Social Services/Homeless Facilities – This proposal would allow the existing City-wide ¼ mile separation regulation and other standards for such facilities to be modified on a case-by-case basis through the Conditional Use Permit (CUP) process, which is typically required for social service institutions and homeless facilities, when one of the following findings are met (Page 95):
  - (a) The proposed institution/facility is relocating from another location within the Centre City Planned District and the previous site vacates any existing CUP or Previously Conforming Use rights for such institution/facility.
  - (b) The institution/facility, due to its unique operations or clientele, will not adversely impact the surrounding neighborhood and there is a demonstrated need for the institution/facility that is not being met by existing services/facilities in the Downtown Community Plan area.
- (2) Living Units – This would increase the maximum average size of Living Units (specialized dwelling unit similar to, but larger than, SRO units) from 275 square feet to 300 square feet to allow greater flexibility in the design of these units (Pages 77, 79).

C. FAR Bonuses - After a year working with the FAR Bonus programs, several programs are recommended to be fine-tuned and/or cleaned-up to better implement the goals of the Downtown Community Plan, as follows:

- (1) Affordable Housing – The PDO currently provides more aggressive bonuses than the State Density Law requires, with for-sale units enjoying a greater bonus than rental units (as these were viewed to be feasible without subsidies from the Agency). However, as a result of public input, equally aggressive bonuses are proposed for rental projects in anticipation of lesser subsidies being required. Currently the Centre City PDO offers a tiered approach to affordable for-sale units, providing greater bonuses to units restricted in perpetuity vs. for first-time sales only (the latter of which meets the City's Inclusionary Housing Ordinance provisions and the State Density Bonus Law). Although the Housing Commission requested that long-term restriction options be eliminated, CCDC believes this policy issue needs further discussion so is requesting that the previously proposed amendments shown in the attachments eliminating long-term restrictions not be adopted at this time, but rather only change the "in perpetuity" provision to 45-year restrictions which meet the State Redevelopment Law obligations for meeting affordable housing needs, as shown in the Errata Sheet. (Pages 33-34 and Errata Sheet dated July 10, 2007).
- (2) Eco-Roofs – certain projects have been able to earn the full maximum 1.0 FAR bonus by providing very little eco-roof area due to the existence of small floorplate towers with large mechanical areas on the roof (exempted from calculation requirements).

Therefore, a sliding scale is proposed where additional Gross Floor Area (GFA) is earned based upon how much actual landscaped roof area is provided, not just by percentage of the net roof area (Page 36).

- (3) Three-Bedroom Units – certain projects that design at least 10% of their residential units as three-bedroom units currently earn a 1.0 FAR Bonus. However, this is available to projects that are primarily non-residential. Therefore, it is recommended that only projects with greater than 50% or 80% of their project GFA devoted to residential uses qualify for this bonus (Page 35).
  - (4) Public Right-of-Way Improvements – this bonus program was envisioned to be developed as an additional funding source for street improvements, but was essentially replaced by the FAR Bonus Payment Program for public parks added late in the Community Plan adoption process last year. As this bonus program will remain undeveloped for the near future, it is proposed to delete this program as it currently creates confusion for developers since it is not available (Page 37).
- D. Urban Design - Since the 2006 Centre City PDO was adopted, several design standards have been identified that need refining in order to clarify intent, practically implement, and/or achieve better quality design, including the following:
- (1) Tower Stepbacks - Allow two faces of the tower to avoid stepbacks in all districts (except the Little Italy neighborhood) on a discretionary basis through the Design Review process. Currently, one face of a tower is allowed to “meet the ground” without the required stepback from the streetwall (two sides of a tower were exempted from the stepback in the Large Floor Plate/Employment Required Overlay districts) (Page 52).
  - (2) Exit Stairways – Most exit stairways on the outside of towers would be prohibited, with the exception of short external stairs (maximum three stories) which connect roof decks of stepped buildings to provide potential additional use of roof tops (Page 60).
  - (3) Little Italy Streetwall Development Standards – Relax minimum streetwall and ground floor heights in Little Italy to conform to the relatively lower scale of the streetwall in this neighborhood and to accommodate lower densities in the northern end of the neighborhood, due to airport restrictions (Pages 48, 53).
  - (4) Urban Open Space Guidelines – Revise landscape standards (number of trees, depth of soil) for urban open spaces located above underground parking structures (Page 74).
  - (5) Structured (Above Ground) Parking – Revise parking encapsulation requirements for projects located on sites 30,000 square feet or larger to apply to cumulative building facades facing street frontages; allow rooftop parking when certain design standards are implemented (Page 82).

(6) Curb Cuts – Reduce the required curb cut separation requirement to provide flexibility to accommodate required loading docks (Page 85).

E. Procedures/Calculations - A few procedural changes and calculation clarifications are proposed to respond to frequently encountered issues in downtown, including:

(1) Previously Conforming Uses – Allow 100% expansion of a previously conforming use (that which was legally established under previous legislation but would no longer conform to land use regulations in effect) with approval of a Neighborhood Use Permit (Process 2, requires public noticing, and appealable to CCDC Board of Directors) (Page 22).

(2) Streetwall Height – Add language to specify where streetwall height measurements are to be taken (Page 49).

(3) FAR Exemptions – Clarify that enclosed mechanical penthouses on buildings not classified as *historical resources* do not contribute to FAR calculations and that required ground floor active commercial uses do not count toward the maximum allowed 20% commercial uses in the Residential Emphasis District (Pages 15, 18, 38-39).

F. Parking – Proposal to reduce the parking requirement for SRO and Living Unit projects in order to make such projects more economically feasible.

(1) Single Room Occupancy (SRO) Hotel/Living Unit Parking – Decrease the parking standard pertaining to Living Units and SROs from 0.5 to 0.3 spaces per unit for Market-Rate Units and 0.2 to 0.1 spaces per unit for units restricted at 50% AMI (Pages 77, 79).

*This proposal is no longer supported by staff as both the CCAC and the CCDC Board did not support these changes at this time, due to the commencement of a downtown parking study that will examine parking ratios for all uses. However, the Planning Commission did vote to support the reduced parking requirements for these uses.*

G. Signs - Refine the City's sign regulations to include the following provisions:

(1) Logos - Prohibit logos on upper towers of high rise residential projects (Page 87).

Environmental Review/Addendum to the 2006 FEIR (Tab 6) - In accordance with the California Environmental Quality Act (CEQA), an Addendum to the 2006 FEIR for the Downtown Community Plan, Centre City PDO, and Redevelopment Plan for the Centre City Project Area was prepared to evaluate the proposed amendments to determine if additional detail beyond that analyzed in the 2006 FEIR met any of the requirements for the preparation of a Subsequent or Supplemental EIR, per Sections 15162-15163 of the State CEQA Guidelines. Based on the results of the Initial Study prepared for the Addendum, none of the amendments or the

circumstances under which they are being undertaken would result in any new significant impacts not discussed in the FEIR, or any substantial increase in the severity of impacts identified by the FEIR. In addition, no new information of substantial importance has become available since the FEIR was prepared regarding new significant impacts, or feasibility of mitigation measures or alternatives that apply to the proposed project.

### CONCLUSION

The proposed amendments would make a variety of changes that create consistency among planning documents, streamline documents, and enhance the performance of Centre City PDO programs and urban design standards. While the amendments include proposed rezonings and other land use changes, the majority of changes reflect relatively minor clean-up and clarification changes to the documents. Therefore, staff recommends that the Agency and Council take the following actions:

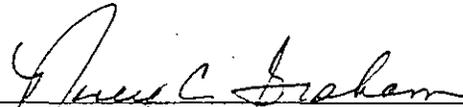
1. Consider the Addendum to the 2006 FEIR for the Downtown Community Plan, Centre City PDO, and Redevelopment Plan for the Centre City Project Area, with the FEIR; and
2. Approve the proposed amendments to the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City PDO as outlined in the attached documents.
3. Continue the public hearing with respect to (1) additional proposed amendments to the Downtown Community Plan and Centre City PDO with respect to regulations affecting historical resources, (2) proposed amendments to the MMRP of the 2006 FEIR, and (3) proposed amendments to the Marina PDO, until September 25, 2007.

Respectfully submitted,

Concurred by:



Brad Richter  
Principal Planner



Nancy C. Graham  
President

Attachments: Proposed Plan Amendments Binder  
Addendum to the 2006 Final Environmental Impact Report (FEIR) for the  
Downtown Community Plan, Centre City Planned District Ordinance, and  
Redevelopment Plan for the Centre City Project Area

EXECUTIVE SUMMARY SHEET

REPORT NO. CCDC-07-29  
CCDC-07-15

DATE REPORT ISSUED: July 25, 2007  
ATTENTION: Honorable Chair and Members of the Redevelopment Agency  
Council President and City Council  
Docket of July 31, 2007  
ORIGINATING DEPT.: Centre City Development Corporation  
SUBJECT: Proposed 11<sup>th</sup> Amendment to the Redevelopment Plan for the  
Centre City Redevelopment Project and Amendments to the  
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for the Centre City Project Area – Areawide – **JOINT PUBLIC  
HEARING**  
COUNCIL DISTRICTS: Districts 2 & 8  
STAFF CONTACT: Brad Richter, CCDC Principal Planner, 619-533-7115

REQUESTED ACTION: That the Redevelopment Agency (“Agency”) and City Council (“Council”) consider the proposed amendments to land development regulations for the Downtown Community Planning Area, including the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City Planned District Ordinance (PDO), and adoption of the proposed Addendum to the 2006 Final Environmental Impact Report (FEIR). In addition, that the Redevelopment Agency/City Council continue the public hearing with respect to (1) additional proposed amendments to the Downtown Community Plan and Centre City Planned District Ordinance with respect to regulations affecting historical resources, (2) proposed amendments to the MMRP of the 2006 FEIR, and (3) proposed amendments to the Marina Planned District Ordinance until September 25, 2007.

STAFF RECOMMENDATION: Centre City Development Corporation (CCDC) recommends approval of specific amendments to the land development regulations for the Downtown Community Planning Area, including the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan, and Centre City Planned District Ordinance.

EXECUTIVE SUMMARY: CCDC is proposing specific amendments to the land development regulations for the Downtown Community Planning Area, including the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City PDO. The purpose of these proposed amendments include providing better implementation of the policies of the Downtown Community Plan, creating consistency among planning documents, streamlining documents, enhancing the performance of the Floor Area Ratio (FAR) Bonus Programs and urban design standards, and minor clean-ups.

FISCAL CONSIDERATIONS: None.

CENTRE CITY DEVELOPMENT CORPORATION RECOMMENDATION: On May 30, 2007, the CCDC Board of Directors voted 5-0 to support the proposed amendments, with the exception of the proposed reduction in parking requirements for Single Room Occupancy (SRO) and Living Unit projects. The Board did not support the proposed reductions at this time as CCDC is commencing a wide-ranging parking study that will include re-evaluating parking requirements for all uses downtown; therefore, the Board felt that consideration of the new parking ratios should be considered after the report is completed.

PLANNING COMMISSION RECOMMENDATION: On June 28, 2007, the Planning Commission held a public hearing to consider the amendments and voted 4-0 to recommend approval of the various amendments as recommended by staff and the CCDC Board, with one exception. The Commission voted to support the reduced parking requirements for SRO and Living Unit projects, even though these had not been supported by either the CCAC or the CCDC Board.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On May 23, 2007 the CCAC, downtown's community planning group, and the Project Area Committee (PAC) split their recommendation into three votes as follows: the CCAC voted 19-4 and the PAC voted 16-4 to oppose changes to the proposed reduced parking requirements for SROs and Living Unit projects; the CCAC voted 12-11 (passed) and the PAC voted 9-11 (failed) to oppose the proposed amendment allowing for case-by-case consideration of modifications to the development standards for Social Service and Homeless Facility uses; including the requirements for a quarter-mile separation between such uses; and, the CCAC and PAC voted unanimously to support the remainder of the proposed amendments. Since the beginning of the year, staff has held public workshops for the proposed amendments before the CCAC and its subcommittees, the CCDC Board and its subcommittees, and the Planning Commission.

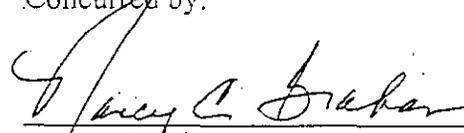
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Respectfully submitted,

Concurred by:



Brad Richter  
Principal Planner



Nancy C. Graham  
President

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO AMENDING THE DOWNTOWN COMMUNITY PLAN,  
ADOPTED APRIL 28, 2006.

WHEREAS, on April 28, 1992, the Council of the City of San Diego (Council) adopted the Centre City Community Plan by Resolution No. 279876, on file in the office of the City Clerk as Document No. 279876; and,

WHEREAS, on April 28, 2006, the Council repealed the Centre City Community Plan and adopted the Downtown Community Plan by Resolution No. 302563, on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_; and

WHEREAS, in order to better implement the goals of the Downtown Community Plan, it is proposed that certain provisions of the Downtown Community Plan be amended; and

WHEREAS, the Council initiated the proposed amendments by adopting Resolution No. R-302563 on April 27 2007; and

WHEREAS, the Planning Commission of The City of San Diego held public hearings on June 28, 2007 to consider the proposed amendments; and

WHEREAS, the Planning Commission provided its recommendations for approval and adoption of the proposed amendments; and

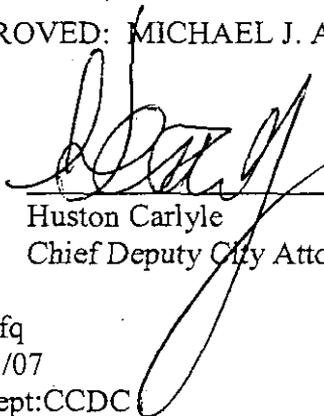
WHEREAS, the Council held a public hearing to consider its approval and adoption of the proposed amendments to the Downtown Community Plan; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council hereby approves the proposed amendments to the Downtown Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_.

BE IT FURTHER RESOLVED, that the provisions of the Downtown Community Plan and amendments thereto shall not be applicable within the Coastal Zone until the day the California Coastal Commission unconditionally certifies the Downtown Community Plan, as amended, as a local coastal amendment; and until such certification, the provisions of the 1992 Centre City Community Plan, and all amendments thereto, shall be applicable within the Coastal Zone. If the Downtown Community Plan is not certified, or is certified with conditions or modifications by the California Coastal Commission and such conditions or modifications are not accepted by The City of San Diego, the provisions of the Downtown Community Plan shall be null and void within the Coastal Zone and the provisions of the 1992 Centre City Community Plan, and all amendments thereto, shall be applicable in the Coastal Zone.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



\_\_\_\_\_

Huston Carlyle  
Chief Deputy City Attorney

HC:cfq  
07/13/07  
Or.Dept:CCDC  
R-2008-65  
MMS#5116  
Redevelopment:Companion RA-2008-17, RA-2008-18

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor

**DOWNTOWN COMMUNITY PLAN  
STRIKEOUT/UNDERLINE VERSION**

1) Chapter 3, Page 3-22, Specific Amenities and Improvements:

In specific locations, increases in FARs (beyond the Base FARs) are allowed for provision of improvements or amenities over and beyond those required as part of normal development requirements. These may include urban open spaces, green roofs, family units, ~~right-of-way improvements~~, and employment uses. Criteria for fulfilling these requirements ~~is~~ are spelled out in detail in the PDO. Total FAR bonuses with all incentives (for Specific Amenities and Improvements, through Bonus Payment, and Transfer of Development Rights) are shown in Figure 3-11.

2) Chapter 3, Page 3-22, TDR Program for Parks (second paragraph), ~~strikeout sentence~~ moves to Page 3-26:

Development rights resulting from new parks have been carefully matched with those on "receiving" sites to ensure an adequate market for the rights. ~~The Centre City Development Corporation (CCDC) or the Redevelopment Agency/City of San Diego may set up a "TDR Bank" or other mechanisms to facilitate transfers.~~

RESOLUTION NUMBER R- \_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THAT THE REDEVELOPMENT AGENCY HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN THE PROPOSED ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT [FINAL EIR] FOR THE CENTRE CITY REDEVELOPMENT PROJECT, THE DOWNTOWN COMMUNITY PLAN, THE CENTRE CITY PLANNED DISTRICT ORDINANCE AND THE TENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR CENTRE CITY REDEVELOPMENT PROJECT WITH RESPECT TO THE PROPOSED 11<sup>TH</sup> AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTRE CITY REDEVELOPMENT PROJECT AND AMENDMENTS TO THE DOWNTOWN COMMUNITY PLAN AND CENTRE CITY PLANNED DISTRICT ORDINANCE.

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary and appropriate to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project [Redevelopment Project]; and

WHEREAS, the Centre City Development Corporation [CCDC], acting on behalf of the Agency, prepared a Draft Environmental Impact Report [Draft EIR] in July 2005 to assess the potential environmental impacts of the Downtown Community Plan, amendments to the Centre City Planned District Ordinance, and Tenth Amendment to the Redevelopment Plan [Proposed Activities], and circulated such Draft EIR for a 45-day public review, comment and consultation with citizens, professional disciplines and public agencies pursuant to the California Environmental Quality Act of 1970 [CEQA], and related guidelines and regulations adopted pursuant thereto; and

WHEREAS, the Final EIR relating to the Proposed Activities and responding to the concerns raised during the review period; the Findings of Fact for the City Council of the City of San Diego and the Redevelopment Agency of the City of San Diego Certifying the Final Environmental Impact Report for the Downtown Community Plan, Centre City Planned District Ordinance and the Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project [Findings]; the Statement of Overriding Considerations; and the Mitigation Monitoring and Reporting Program [MMRP] were prepared pursuant to CEQA and said guidelines and regulations; and

WHEREAS, the Council, in connection with its consideration of the approval of the Proposed Activities, certified a Final EIR, and adopted Findings, a Statement of Overriding Considerations, and an MMRP on March 14, 2006; and

WHEREAS, in order to carry out the Redevelopment Project, the Council is considering amendments to the Redevelopment Plan for the Centre City Redevelopment Project, Downtown Community Plan and Centre City Planned District Ordinance [Amendments]; NOW,

THEREFORE,

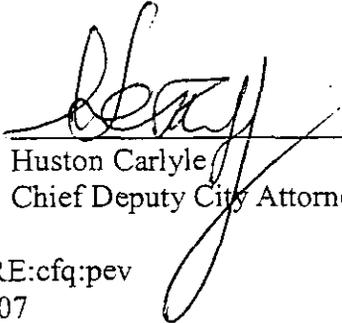
BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Council has reviewed and considered the Addendum to the Final EIR (on file in the Office of the City Clerk as Document No. RR-\_\_\_\_\_), and the proposed Amendments, and finds that these documents have been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto.
2. The Council hereby further certifies that the Addendum to the Final EIR represent the Council's independent judgment and analysis.
3. The Council hereby finds and determines that:

- a. The Amendments will not result in any new significant environmental effects beyond those previously identified in the Final EIR, as described in the findings.
- b. Changes or alterations have been required in, or incorporated into, the Amendments, as identified in the Addendum to the Final EIR.
- c. No changes or additions are necessary to the previously certified Final EIR, and no conditions calling for the preparation of a subsequent or supplemental EIR are present.
- d. An explanation of the decision not to prepare a subsequent EIR is included in the Addendum to the EIR, and the explanation is supported by substantial evidence.
- e. No substantial changes are proposed in the Amendments which will require major revisions of the EIR.
- f. No substantial changes have occurred with respect to the circumstances under which the Amendments are being undertaken which will require major revisions in the EIR.
- g. No new information of substantial importance, which was not known and could not have been known at the time the EIR was certified as complete, has become available.
- h. The Addendum need not be circulated for public review but is attached to the Final EIR.
- i. The Council has considered the Addendum with the Final EIR prior to making a decision on the Amendments.

4. The City Clerk or designee is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Addendum to the Final EIR upon adoption of the Amendments.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Huston Carlyle  
Chief Deputy City Attorney

HC:SRE:cfq:pev  
07/23/07  
Or.Dept:CCDC  
R-2008-66  
MMS#5166  
Redevelopment:Companion RA-2008-18

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO,  
APPROVING AND ADOPTING THE PROPOSED ELEVENTH  
AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE  
CENTRE CITY REDEVELOPMENT PROJECT.

This is an ordinance which amends the Redevelopment Plan for the Centre City Redevelopment Project, for the purpose of making necessary changes to consolidate the land use and project maps in order to create consistency among planning documents.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

HC:cfq  
07/19/07  
Or.Dept:R.A.  
O-2008-6  
MMS#5116

(C)

(O-2008-6)

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING THE PROPOSED ELEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTRE CITY REDEVELOPMENT PROJECT.

WHEREAS, the City Council of the City of San Diego [City Council] on May 11, 1992 by Ordinance No. O-17767 approved and adopted the Redevelopment Plan for the Centre City Redevelopment Project [Project] and thereafter approved and adopted a First Amendment (November 28, 1994, Ordinance No. O-18119), a Second Amendment (January 9, 1995, Ordinance No. O-18145), a Third Amendment (November 8, 1999, Ordinance No. O-18708), a Fourth Amendment (November 8, 1999, Ordinance No. O-18710), a Fifth Amendment November 22, 1999, Ordinance No. O-18720), a Sixth Amendment (September 12, 2000, Ordinance No. O-18843), a Seventh Amendment (December 9, 2002, Ordinance No. O-19132), an Eighth Amendment (April 12, 2004, Ordinance No. O-19270), a Ninth Amendment (April 12, 2004, Ordinance No. O-19272), and a Tenth Amendment (April 3, 2006, Ordinance No. O-19472); and

WHEREAS, it is desirable and in the public interest to further amend and modify the Redevelopment Plan for the Centre City Redevelopment Project to provide for the Plan's conformance with the adopted Downtown Community Plan; and

WHEREAS, the Redevelopment Agency of the City of San Diego (Agency) has prepared and submitted to this City Council for review and approval a proposed Eleventh Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, a copy of which is on file in the Office of the City Clerk as Document No. OO-\_\_\_\_\_; and

WHEREAS, a Progress Guide and General Plan for the City of San Diego and a new Downtown Community Plan have been prepared and adopted as a guide for the general development of the City and downtown San Diego; and

WHEREAS, the Planning Commission of the City of San Diego has submitted to the City Council its report and recommendation respecting the proposed Eleventh Amendment to the Redevelopment Plan, and has found that the Redevelopment Plan, as amended by the Eleventh Amendment, is consistent with the General Plan and Progress Guide of the City and the new Downtown Community Plan, and the City Council has duly considered and evaluated the report, recommendations and findings of the Planning Commission; and

WHEREAS, the Agency submitted to the City Council the Report of the Agency on the proposed Eleventh Amendment to the Redevelopment Plan, which Report contains, among other things, the Planning Commission's report and recommendation and the Addendum to the Final Environmental Impact Report (Final EIR) for the San Diego Downtown Community Plan, Centre City Planned District Ordinance, and Tenth Amendment to the Redevelopment Plan for the Centre City Redevelopment Project, which includes the proposed Eleventh Amendment to the Redevelopment Plan in its environmental assessment, and the City Council has duly considered and evaluated the Report of the Agency; and

WHEREAS, the Agency consulted with the Centre City Project Area Committee with respect to the Eleventh Amendment to the Redevelopment Plan, and the Project Area Committee submitted to the City Council its report and recommendation respecting the Eleventh Amendment to the Redevelopment Plan, which City Council has duly considered and evaluated; and

WHEREAS, the Agency and City Council have certified that the Addendum to the Final EIR was prepared and completed in compliance with the California Environmental Quality Act of 1970, and state and local regulations and guidelines adopted pursuant thereto, that the Agency and City Council have reviewed and considered the information contained in the Addendum to the Final EIR and that the Addendum to the Final EIR reflects the independent judgment and analysis of the Agency and City Council, and adopted findings with respect to the environmental impacts of the proposed Eleventh Amendment to the Redevelopment Plan, as required by law; and

WHEREAS, there has been presented to the City Council information and data as a result of studies, surveys and analyses about conditions in the Project Area; and

WHEREAS, after due notice as provided by the California Community Redevelopment Law, a joint public hearing was held by the City Council and the Agency to consider the proposed Eleventh Amendment to the Redevelopment Plan for the Centre City Redevelopment Project; and

WHEREAS, the City Council has considered all aspects of the proposed Eleventh Amendment to the Redevelopment Plan, and has received, considered and evaluated all written and oral evidence and testimony presented for or against all aspects of the proposed Eleventh Amendment to the Redevelopment Plan; and

WHEREAS, all actions required by law have been taken by all appropriate persons and entities, NOW, THEREFORE,

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

Section 1. The purpose and intent of this City Council with respect to the Project Area as affected by the Eleventh Amendment to the Redevelopment Plan are to:

- (1) Provide for the orderly development of the Project Area in accordance with the Progress Guide and General Plan for the City of San Diego and the Downtown Community Plan, in a manner which upgrades the quality of life in downtown San Diego;
- (2) Eliminate environmental deficiencies including, among others, small lot subdivision patterns where appropriate, and inadequate utilization of land;
- (3) Plan, design, develop and redevelop portions of the Project Area, which are stagnant or improperly utilized;
- (4) Provide for development in which a full range of activities and uses may occur where an attractive urban living and working environment exists for the use and enjoyment of all San Diegans;
- (5) Strengthen the economic base of downtown and stimulate new residential and commercial development and employment and economic growth; and
- (6) Comprehensively implement redevelopment, taking into consideration and being supportive of the objectives of the Project Area.

Section 2. The Eleventh Amendment to the Redevelopment Plan for the Project, having been duly reviewed and considered, is hereby approved and adopted, and the City Clerk is hereby directed to file a copy of said Eleventh Amendment to the Redevelopment Plan with minutes of this meeting. Said Eleventh Amendment to the Redevelopment Plan, a copy of which

is on file in the Office of the City Clerk as Document No. OO-\_\_\_\_\_, is incorporated herein by reference and made a part hereof as if fully set out herein.

Section 3. Ordinance No. O-17767 and the Redevelopment Plan adopted pursuant thereto as the official Redevelopment Plan for the Centre City Redevelopment Project, as amended by Ordinance No. O-18119, Ordinance No. O-18145, Ordinance No. O-18708, Ordinance No. O-18710, Ordinance No. O-18720, Ordinance No. O-18843, Ordinance No. O-19132, Ordinance No. O-19270, Ordinance No. O-19272, and Ordinance No. O-19472, are amended as set forth in the Eleventh Amendment to the Redevelopment Plan, so that the Redevelopment Plan adopted by Ordinance No. O-17767, as heretofore amended, and as amended by the Eleventh Amendment to the Redevelopment Plan, is hereby designated as the official redevelopment plan for the Project Area.

Section 4. The City Council hereby finds and determines that:

- (1) The Project Area was and is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law;
- (2) The carrying out of the Eleventh Amendment to the Redevelopment Plan, and the Redevelopment Plan as so amended, will promote the public peace, health, safety, and welfare of the City of San Diego and will effectuate the purposes and policies of the California Community Redevelopment Law;
- (3) The adoption and carrying out of the Eleventh Amendment to the Redevelopment Plan, and the Redevelopment Plan as so amended, is economically sound and feasible;

- (4) The Eleventh Amendment to the Redevelopment Plan, and the Redevelopment Plan as so amended, is consistent with the Progress Guide and General Plan of the City of San Diego and the Downtown Community Plan, including but not limited to, the City's housing element, which substantially complies with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code;
- (5) There are no noncontiguous areas of the Project Area;
- (6) Inclusion within the Project Area of any lands, buildings, or improvements which are not detrimental to the public health, safety or welfare is necessary for effective redevelopment of the area of which they are a part; any area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the California Community Redevelopment Law without other substantial justification for its inclusion;
- (7) The elimination of blight and the redevelopment of the Project Area cannot be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.
- (8) The Project Area is predominately urbanized, as defined by subdivision (b) of Section 33320.1 of the California Community Redevelopment Law; and
- (9) The time limitation and the limitation on the number of dollars to be allocated to the Agency that are contained in the Redevelopment Plan, as amended, are reasonably related to the proposed to the proposed projects to be implemented in

the Project Area and to the ability of the Agency to eliminate blight within the Project Area; and

- (10) The Redevelopment Plan as amended by Eleventh Amendment will redevelop the Project Area in conformity with the California Community Redevelopment Law and in the interests of the public peace, health, safety, and welfare of the City of San Diego.

Section 5. In order to implement and facilitate the effectuation of the Redevelopment Plan, as amended, it will be necessary for the City Council to take certain official actions with reference, among other things, to change in zoning and other public actions, and accordingly, the City Council hereby:

- (1) Pledges its cooperation in helping to carry out the Redevelopment Plan, as amended; and
- (2) Requests the various officials, departments, boards and agencies in the locality having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan, as amended, including the expenditure of money in accordance with the provisions of the Redevelopment Plan, as amended, to effectuate the Redevelopment Plan; and
- (3) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan, as amended, and declares its intention to undertake and complete any proceedings necessary to be carried out by the City of San Diego under the provisions of the Redevelopment Plan, as amended.

Section 6. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan, as amended, subject to the provisions of the Redevelopment Plan, as amended.

Section 7. The City Clerk is hereby directed to record with the County Recorder of San Diego County a description of the land within the Project Area and a statement that the proceedings for the redevelopment of the Project Area are continuing under the California Community Redevelopment Law. The Agency is hereby directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code.

Section 8: The Development Services Department of the City of San Diego is hereby directed in accordance with the Redevelopment Plan, as amended, to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

Section 9. Ordinance No. O-17767, as amended by Ordinance No. O-18119, Ordinance No. O-18145, Ordinance No. O-18708, Ordinance No. O-18710, Ordinance No. O-18720, Ordinance No. O-18843 Ordinance No. O-19132, Ordinance No. O-19270, Ordinance No. O-19272, and Ordinance No. O-19472, shall remain in full force and effect except to the extent they are changed by this amending Ordinance.

Section 10. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 11. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Huston Carlyle  
Chief Deputy City Attorney

HC:SRE:cfq:pev  
07/23/07  
Or.Dept:CCDC  
O-2008-6  
MMS#5116  
Redevelopment:Companion RA-2008-17

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

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO,  
AMENDING SECTIONS 156.0302, 156.0303, 156.0304, 156.0305,  
156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0313, 156.0314,  
AND 156.0315, AND SUBSTITUTING NEW FIGURE B, IN CHAPTER  
15, ARTICLE 6, DIVISION 3, RELATING TO REVISING THE  
CENTRE CITY PLANNED DISTRICT ORDINANCE.

This is an ordinance which amends Chapter 15, Article 6, Division 3, by amending Sections 156.0302, 156.0303, 156.0304, 156.0305, 156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0313, 156.0314, and 156.0315, and by substituting new Figure B, relating to Land Use, FAR Bonus Programs, Urban Design, Procedures/Calculations, Parking, and Signs.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy will be available to the City Council and the public a day prior to its final passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

HC:cfq  
07/19/07  
Or.Dept:R.A.  
O-2008-9  
MMS#5116

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, AMENDING SECTIONS 156.0302, 156.0303, 156.0304, 156.0305, 156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0313, 156.0314, AND 156.0315, AND SUBSTITUTING NEW FIGURE B, IN CHAPTER 15, ARTICLE 6, DIVISION 3, RELATING TO THE CENTRE CITY PLANNED DISTRICT ORDINANCE.

WHEREAS, the primary purpose of the Centre City Planned District Ordinance [PDO] is to implement the Downtown Community Plan [Plan]; and

WHEREAS, the PDO was adopted by the Council of the City of San Diego by Ordinance Number O-17764 on May 11, 1992; and amended by Ordinance O-19471 on April 3, 2006, and

WHEREAS, the Centre City Development Corporation (CCDC), as the agent for the Redevelopment Agency within the downtown area, has proposed amendments to the parking regulations to conform the PDO to the Downtown Community Plan; and

WHEREAS, the proposed amendments to the PDO have been reviewed and considered by the CCDC Board and the Centre City Advisory Committee [CCAC]; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on June 28, 2007 for the purpose of considering the proposed amendments to the PDO; and

WHEREAS, the Planning Commission of the City of San Diego have found the proposed amendments to the PDO consistent with the Downtown Community Plan; NOW, THEREFORE,

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

**§156.0302 Centre City Land Development Manual**

- (a) [No change in text.]
- (b) [No change in text.]
  - (1) [No change in text.]
  - (2) Major amendments to the *CCDC* Land Development Manual shall be approved by the *CCDC* Board of Directors. Major amendments shall include changes that exceeds the requirements to qualify as a minor amendment as provided in Section 156.0302(b)(1).
- (c) and (d) [No change in text.]

**§156.0303 Administration and Permits**

- (a) through (d) [No change in text.]
- (e) *Centre City Development Permit Process*
  - (1) [No change in text.]
  - (2) [No change in text.]
    - (A) through (C) [No change in text.]

**§156.0304 Definitions**

[No change in text.]

*Active commercial uses* mean commercial uses that are accessible to the general public which generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Uses that generate pedestrian activity include retail shops, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal and convenience services, *hotel* lobbies, banks, travel agencies, airline ticket agencies, child care services, libraries, museums and galleries.

*(Base FAR) through Home occupations* [No change in text.]

*Hotel/Motel* means a building containing six or more *guest rooms* that are rented for less than 30 days and used or designed to be used for sleeping purposes. *Hotel* or *motel* does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention homes, or other institution in which human beings are housed and detained under legal constraint. A condo *hotel*, where individual *guest rooms* are owned as condominiums, are also considered *hotels* when the owner occupies the *guest room* for less than 30 days per calendar year and the *guest rooms* are rented out and operated as part of a *hotel* the remainder of the year.

*Living unit* through *Urban open space* [No change in text.]

**§156.0305 Rules of Calculation and Measurement**

[No change in text.]

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

(d) [No change in text]

(1) [No change in text.]

(2) The addition consists of a mezzanine within the structural envelope of a building where the mezzanine is less than one-third of the *floor area immediately below*.

(e) With the exception of buildings or structures that are historical resources, mechanical penthouses do not count against GFA when architecturally integrated into the overall building design.

**§156.0307 Land Use Districts**

[No change in text.]

(a) Base Districts

[No change in text]

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

- (6) *Mixed Commercial (MC)*. This district accommodates a diverse array of uses, including residential, artists' studios, live/work spaces, *hotels*, offices, research and *development*, and retail. Commercial and service uses, including light industrial and repair, warehousing and distribution, transportation, and communication services that are essential for the livelihood of businesses and residents of the downtown area are also permitted. Within the Mixed Commercial District, up to 100 percent of the ground *floor street* frontage may be *active commercial uses*.
- (7) *Residential Emphasis (RE)*. This district accommodates primarily residential *development*. Small-scale businesses, offices, and services, and small-scale ground *floor active commercial uses* (such as cafes and retail stores) are also allowed, subject to size and area limitations. Within the Residential Emphasis District, at least 80 percent of the *GFA* must be occupied by residential land uses. Non-residential land uses may occupy no more than 20 percent of the *GFA*. Floor area dedicated to *active commercial uses* to satisfy the requirements of either the Main Street or Commercial Street overlay districts shall not be counted against the maximum non-residential percentage of *GFA*.

(b) Overlay Districts

[No change in text]

(1) through (3) [No change in text.]

(4) *Commercial Street* Overlay (-CS). On designated *Commercial Streets*, as illustrated in Figure D, a minimum of 60 percent of the ground *floor street* frontage shall contain *active commercial uses*. Along the west side of Park Boulevard, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*. Those uses which are appropriate for locations along *Commercial Streets* are identified in Table 0308-A, under *Main Street/Commercial Street* overlays.

(5) through (9) [No change in text.]

(10) *Main Street* Overlay (-MS). On designated *Main Streets*, as illustrated in *Figure D*, a minimum of 80 percent of the ground *floor street* frontage shall contain *active commercial uses*. Those uses which are appropriate for locations along *Main Streets* are identified in Table 0308-A, under *Main Street/Commercial Street* overlays.

(11) and (12) [No change in text.]

**§156.0308 Base District Use Regulations**

(a) The uses allowed and level of review required in the Centre City Planned District zones are shown in Table 0308-A, below. The “Additional Regulations” column includes special standards applicable to a use that are located following the table (by footnote designation) or in the referenced

section of the City's Land Development Code. If a use is listed as a Separately Regulated Use and there is not an associated reference in the Additional Regulations column, then the standards in the City's Land Development Code may not apply, as determined through the project review process.

(b) Previously Conforming Land Uses

Land uses that were legally established under previous legislation but no longer conform to the land use regulations of this section may continue subject to the provisions of Section 127.0101 et seq of the Land Development Code, with the exception that the *GFA of Previously Conforming Uses* may be expanded up to 100% through a Neighborhood Use Permit.

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS														
LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required														
Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>8</sup>	MC	R	I <sup>8</sup>	T <sup>8</sup>	PC	OS	CC <sup>8</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
Public Park/ Plaza/Open Space	P	P	P	P	P	P	P	P	P	P	P	P		
Agriculture	--	--	--	--	--	--	--	--	--	--	--	--		
<b>Residential</b>														
Group Living	L	L	L	L	--	L	L	--	--	L	--	--	§131.0423(c)	
Multiple Dwelling Units	P	P	P	P	--	P	P	--	--	P	--	--		
Shopkeeper Units	P	P	P	P	--	P	P <sup>2</sup>	--	--	P	--	--		
Live/Work Quarters	P	P	P	P	--	P	P	--	--	P	--	--	§141.0311	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>a</sup>	MC	R	I <sup>b</sup>	T <sup>b</sup>	PC	OS	CC <sup>c</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
<b>Separately Regulated Residential Uses</b>														
Fraternalities, Sororities and Dormitories	N	N	N	N	--	N	N	--	--	N	--	--	§141.0304 (c)-(e)	
Home Occupations	P	P	P	P	--	P	P	--	--	P	--	--	§141.0308	
Housing for Senior Citizens	C	C	C	C	--	C	C	--	--	C	--	--	§141.031 §156.0303(f)	
Living Units	P	P	P	P	--	P	P	--	--	P	--	--	§156.0315 (b)	
Residential Care Facilities	C	C	C	C	--	C	C	--	--	C	--	--	§156.0303(f) §141.0312	
Transitional Housing	C	C	C	C	--	C	C	--	--	C	--	--	§141.0313 §156.0315(f)	
<b>Institutional</b>														
<b>Separately Regulated Institutional Uses</b>														
Churches & Places of Religious Assembly	P	P	P	P	--	P	--	--	--	P	--	--		C
Communication Antennas														
Minor Telecommunication Facility	L	L	L	L	L	L	N	L	L	L	C	L	§141.0405	
Major Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	§141.0405	
Satellite Antennas	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	§141.0405	
Correctional Placement Centers	C	--	--	--	--	C	--	--	--	C	--	--	§141.0406	
Cultural Institutions	P	P	P	P	P	P	--	--	--	P	P <sup>d</sup>	P		C, E
Educational Facilities	P	P	P	P	P	P	--	--	--	P	--	P		E
Energy Generation & Distribution Stations	C	C	C	C	C	C	--	C	C	C	--	C	§141.0408	C
Exhibit Halls & Convention Facilities	--	--	--	--	--	C	--	C	C	C	--	P		E
Homeless Facilities	C	--	C	C	--	C	--	--	--	C	--	--	§141.0412 §156.0315(f)	
Hospitals, 24-hour	P	C	P	P	--	P	--	--	--	P	--	P		C, E

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>a</sup>	MC	R	I <sup>b</sup>	T <sup>b</sup>	PC	OS	CC <sup>c</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities														
Major Transmission, Relay or Communication Switching Station	C	--	C	C	--	C	--	C	C	--	--	--	§141.0416	
<i>Social Service Institutions</i>	C	--	C	C	--	C	--	--	--	C	--	--	§156.0315(f)	
<b>Retail Sales</b>	P	P	P	P	P	P	P	P	--	P	--	P	§156.0307 (a), (b) & Figure C	M, C, E
<b>Commercial Services</b>														
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	--	--		C, E
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	P <sup>g</sup>	P		C, E
With Outdoor Use Area	N	N	N	N	N	N	--	--	--	N	N <sup>g</sup>	N		
Building Services	P	P	P	P	P	P	--	--	--	P	--	--		C, E
Business Support	P	P	P	P	P	P	P	--	--	P	--	P		C, E
<b>Eating &amp; Drinking Establishments</b>														
<i>Bona Fide Eating Establishments</i>	P	P	P	P	P	P	P	--	--	P	P	P	§156.0315 (a)	M, C, E
<i>Non-Bona Fide Eating Establishments w/Alcohol</i>	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
With Outdoor Use Area	N	N	N	N	N	N	N	--	--	N	P	N		M, C, E
With Live Entertainment & Dancing	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
Financial Institutions	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	--	--		C
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	--	P		C, E

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>6</sup>	MC	R	I <sup>6</sup>	T <sup>6</sup>	PC	OS	CC <sup>6</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
Off-Site Services	P	P	P	P	P	P	--	P	--	--	--	P		
Personal Services	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Visitor Accommodations														
<i>Hotels and Motels</i>	P	P <sup>4</sup>	P	P	P	P	--	--	--	P	--	P		C, E
<b>Separately Regulated Commercial Service Uses</b>														
Animal Hospitals & Kennels	C	--	C	C	--	C	--	--	--	--	--	--	§141.0604(b)(1)	C
<i>Bed &amp; Breakfast Establishments</i>	P	P	P	P	--	P	P	--	--	P	--	--		C
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Instructional Studios	P	P	P	P	P	P	P	--	--	P	--	P		M, C
Parking Facilities ( <i>structure</i> or surface)	C	C	C	C	C	C	C	C	C	C	C	C	§156.0313	M <sup>3</sup> , C <sup>3</sup>
Private Clubs, Lodges and Fraternal Organizations	P	P	P	P	P	P	P	--	--	P	--	P		
<i>Pushcarts</i>	L/N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	L/N	L/N	§141.0619	
<i>Recycling Facilities</i>														
Drop-Off Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (b)	
Reverse Vending Machines	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (c)	
Large Collection Facilities and Processing Facilities	--	--	--	--	--	C	--	C	C	--	--	--	§141.0620 (e)-(f)	
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (d)	
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	N	N	§141.0621	
Single Room Occupancy <i>Hotels</i> (SRO)	P	P <sup>4</sup>	P	P	--	P	P	--	--	--	--	--	§143.0510 - 143.0590	
<b>Offices</b>	P	P	P	P	P	P	P	--	--	P	--	P		

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>#</sup>	MC	R	I <sup>#</sup>	T <sup>#</sup>	PC	OS	CC <sup>#</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>														
Personal Vehicle Sales & Rental Offices	P	P	P	P	P	P	--	P	--	P	--	P		C, E
All Other Vehicle & Vehicular Sales & Service	--	--	--	--	--	C	--	C	C	--	--	--		
<b>Separately Regulated Vehicle &amp; Vehicular Sales &amp; Service Uses</b>														
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	--	--	§141.0801	
<b>Wholesale, Distribution &amp; Storage</b>														
Moving & Storage Facilities	L <sup>S</sup>	--	L <sup>S</sup>	L <sup>S</sup>	P	P	--	P	P	--	--	--		
Warehouses & Wholesale Distribution	L <sup>S</sup>	--	L <sup>S</sup>	L <sup>S</sup>	P	P	--	P	P	--	--	--		
<b>Separately Regulated Wholesale, Distribution &amp; Storage Uses</b>														
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	--	N		
<b>Industrial</b>														
Heavy Manufacturing	--	--	--	--	--	--	--	C	--	--	--	--		
Light Manufacturing	P	--	P	P	P	P	--	P	P	--	--	--		
Marine Industry	--	--	--	--	--	C	--	C	--	--	--	--		
Research & Development	P	--	P	P	--	P	--	P	P	--	--	--		E
Trucking and Transportation Terminals	--	--	--	--	--	C	--	C	C	--	--	--		
<b>Signs</b>														
Allowable Signs	P	P	P	P	P	P	P	P	P	P	P	P	§142.1201 et. seq. §156.0314	
<b>Separately Regulated Sign Uses</b>														

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>1</sup>	MC	R	I <sup>2</sup>	T <sup>3</sup>	PC	OS	CC <sup>4</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
Community Identification Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1104	
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	N	N	§141.1105	
Revolving Projecting Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1101	
Signs with Automatic Changing Copy	N	N	N	C	N	N	N	N	N	N	N	N	§141.1102	
Theatre Marquees	N	N	N	C	N	N	N	--	--	N	N	N	§141.1103	
<b>Other Use Requirements</b>														
Temporary Uses	Temporary Uses and Structures are regulated under Section §123.0401													

### Footnotes to Table 0308-A

<sup>1</sup> Not permitted on State and Federal tidelands.

<sup>2</sup> Commercial floor use area contributes to 20% commercial use allowance and is subject to locational limitations of districts.

<sup>3</sup> Limited to parking structures.

<sup>4</sup> Up to 200 rooms permitted. Requires active ground floor uses along street frontages.

<sup>5</sup> Limited to 20% gross floor area above grade.

<sup>6</sup> Uses designated with -M, Main Street Overlay, -C, Commercial Street Overlay, or -E, Employment Required Overlay are those uses which qualify to meet minimum percentages as specified in sections 156.0307(b)(4), (6), and (10) of this Division, respectively.

<sup>7</sup> Notwithstanding any other section of the Municipal Code, the required quarter mile separation between human service agencies shall not apply to multiple uses on the same premises.

<sup>8</sup> These districts include properties that may be within State Tidelands or under the ownership of the United States Government, County of San Diego, or Port of San Diego. Lands west of the Mean High Tide Line are under the jurisdiction of the Port of San Diego and this Land Use Table is for planning purposes only. For lands owned by the United States Government, development and land uses are regulated by the Federal Government and may be subject to any development agreement (s) executed with the City of San Diego. For lands owned by the County of San Diego, development and land uses are regulated by the County of San Diego and the State of California Coastal Commission, except for private developments which are also subject to the Centre City Planned District Ordinance.

<sup>9</sup> Any enclosed spaces containing parking, assembly, entertainment, or cultural institutions shall be located underground.

<sup>10</sup> Structured parking facilities incorporated into a project that are a secondary, not primary, use shall be permitted by right and not be required to obtain a Conditional Use Permit.

TABLE 0308-B: MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE		
Main Street/Land Use District	Minimum Required Ground Floor Street Frontage for Active Commercial Use	Maximum Permitted Ground Floor Street Frontage for Active Commercial Use
Parcels located along designated <i>Main Streets</i> , in any Land Use District <sup>2</sup>	80 percent	100 percent
Parcels located along designated <i>Commercial Streets</i> , in any Land Use District	60 percent	100 percent
Core (C)	40 percent	100 percent
Neighborhood Mixed-Use Center	40 percent	100 percent
Ballpark Mixed-Use (BP)	40 percent	100 percent
Employment/Residential Mixed-Use (ER)	None	100 percent
Waterfront/Marine (WM)	20 percent	50 percent
Mixed Commercial (MC)	None	100 percent
Residential Emphasis (R)	None	<sup>4</sup> 100 percent
Convention Center/Visitor (CC)	20 percent	50 percent
Public/Civic (PC)	40 percent	100 percent
Park/Open Space (OS)	None	None
Industrial (I)	None	20 percent
Transportation (T)	None	None

<sup>1</sup> Any parcel 10,000 square feet or less is exempt from the minimum and maximums set forth in this table except for those sites on *Main Streets* and/or *Commercial Streets* with a 50 foot *street frontage* or less, in which case, that frontage is required to provide 50% of the frontage in active commercial uses.

<sup>2</sup> Along the west side of Park Boulevard, a minimum of 40 percent of the ground *floor street* frontage shall contain *active commercial uses*.

<sup>3</sup> At no time shall the maximum permitted ground *floor street* frontage result in less than 20 feet of storefront.

### §156.0309 Floor Area Ratio (FAR) Regulations and Transfer of Development Rights (TDRS)

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

(d) Ballpark Mixed-Use District

Within the Ballpark Mixed-Use District, illustrated in Figure B, an *FAR* of 6.5 shall apply throughout the district. To implement the intent and purposes of Ordinance No. O-18613 [New Series], transfers may be approved of any portion of the *floor* area permitted pursuant to this Section from the ballpark parcel to any other property within the district, if in each case such property to which the applicable *floor* area is transferred

(1) is developed pursuant to a common plan or program with the property from which the *floor* area is transferred as approved by the City Council, and (2) if appropriate covenants, conditions and restrictions are imposed on the affected properties to memorialize the reallocation of permitted *floor* areas. However, in no event shall *development* which is issued a *Centre City Development Permit* after November 1999 be allowed in the district which would result in the cumulative average daily traffic (ADT) trips from such *developments* (excluding ADT trips from the ballpark) in excess of 55,128 cumulative ADT trips, where ADT trips for the applicable land uses are calculated based on Centre City Cumulative Trip Generation Rates, as provided in the Centre City Land Development Manual, as applied to the *GFA* areas of the respective *developments*. This limit shall not apply to the block bounded by Park Boulevard, and J, K, and 13<sup>th</sup> streets.

(e) *FAR Bonuses*

[No change in text.]

TABLE 0309-A: FAR BONUS	
Public Benefit/ Project Amenity	FAR Bonus (to be added to Base Maximum FAR)
Affordable/ Senior housing	See (1) below
Urban Open Space	
10% of site	0.5
20% of site	1.0
3-bedroom units	0.5 - See (3) below 1.0 - See (3) below
Eco-Roofs	Up to 1.0 - See (4) below
Employment Uses	See (6) below
Public Parking	See (7) below
FAR Payment Bonus Program	Up to 2.0

(1) [No change in text.]

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

(D) The *bonus FAR* for a project containing affordable/*senior housing* shall be calculated as follows:

Permitted *FAR* = *Base GSF* - NR GSF x Affordable Bonus % + *Base GSF /Site Area*, where:

Permitted *FAR* = Base Gross Square Feet (GSF) permitted on the site (maximum *base FAR* from Figure H times the site area) minus the GSF of non-residential (NR) area, multiplied by affordable/senior bonus percentage (%) as specified in Table 0309-B, plus Base GSF permitted on the site, divided by site area. NR GSF shall not include non-residential area that is earned through one of the other FAR Bonus programs such as Urban Open Space, *Eco-roofs*, Public Parking, and/or FAR Payment Program.

TABLE 0309 B: FAR BONUSES (%)				
% Restricted Units in Base (Pre-Bonus) FAR	Very Low Income Rental (0-50% AMD)	Low Income Rental (Target 51-80% AMD)	Moderate For Sale (81-120% AMD) (Initial Sales per LDC)	Moderate For Sale (81-120% AMD) (Restricted in Perpetuity)
5	20	10	--	10
6	22.5	15	--	15
7	25	20	--	20
8	27.5	25	--	25
9	30	30	--	30
10	35	35	20	35
11	"	"	21	"
12	"	"	22	"
13	"	"	23	"
14	"	"	24	"
15	"	"	25	"
16	"	"	26	"
17	"	"	27	"
18	"	"	28	"
19	"	"	29	"
20	"	"	30	"
21	"	"	31	"
22	"	"	32	"
23	"	"	33	"
24	"	"	34	"
25	"	"	35	"

(E) [No change in text.]

(F) The affordable housing units provided in the project which qualify for the bonus shall be restricted per Chapter 14, Article 3, Division 7, except for those for sale units required to be restricted in perpetuity, per Table 0309 B. For projects requesting Redevelopment Agency financial assistance or other agreements; additional restrictions may

be requested for the units to qualify as affordable units under State Redevelopment Law provisions.

(G) A housing project qualifying for a bonus for affordable/*senior housing* shall enter into an agreement with the City of San Diego Housing Commission to monitor the affordable restrictions for the units qualifying as affordable/*senior units*.

(H) [No change in text.]

(2) [No change in text.]

(3) *Three-Bedroom Units*. In order to encourage larger *dwelling units* to accommodate larger families, projects that provide a minimum of 10 percent of the total amount of residential units within the project as *three-bedroom* units, not to exceed 1,200 square feet in size, shall be entitled to an *FAR bonus*, provided that there are a minimum of 5 *three-bedroom* units provided in the project. For projects containing at least 50% of the GFA in residential uses, the *Bonus* shall be 0.5, while projects containing at least 80% of the GFA in residential uses shall be eligible to earn a *Bonus* of 1.0. Each *bedroom* in the dwelling unit shall contain a minimum of 70 square feet with additional space for an enclosed closet. *CC&Rs* shall be recorded on the property ensuring that the units used for bonuses shall not be reduced in the number of *bedrooms*. Such

*CC&Rs* shall be in a form approved by *CCDC* and the City Attorney's Office.

- (4) *Eco-Roofs*. *Eco-roofs* are encouraged in downtown because they reduce stormwater run-off, lower energy consumption, and counter the increased heat of urban areas and provide visual interest. In order to encourage landscaped and ecologically designed roof tops, a *density* bonus of additional buildable area will be provided based on the amount of landscaped *Eco-roof* area. *Eco-roof* area is defined as only the planted or landscaped area that is designed to sustain and support vegetation. Documentation, drawings and specifications must be provided prior to issuance of building permit that describes all plant varieties, soil depths, soil content, water retention systems, and supporting structural systems.

(A) The amount of *density* bonus allowed for a given project depends on the amount of *Eco-roof* coverage in relation to the building's footprint above thirty-feet from grade. There are three classes as follows:

- (i) The total landscaped area of *Eco-roof* is 10% to 30% of the building's footprint, each square foot of the *Eco-roof* earns one square foot of additional *floor* area.
- (ii) The total landscaped area of *Eco-roof* is 31% to 60% of the building's footprint, each square foot of

the *Eco-roof* earns two square foot of additional *floor* area.

- (iii) The total area of *Eco-roof* is over 60% of the building's footprint, each square foot of the *Eco-roof* earns three square foot of additional *floor* area.
  - (iv) Total additional *floor* area earned by an *Eco-roof* cannot exceed 1.0 FAR.
- (B) CC&Rs shall be recorded on the property providing for the development and on-going maintenance of the *Eco-roof* to City standards for the life of the project. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.
- (C) All areas improved to meet this bonus shall be designed in accordance with Section 156.0311(i)(5).
- (D) All vegetation must be maintained for the life of the project.
- (5) *Employment Uses*. In order to encourage the *development* of *employment uses* in the Centre City Planned District, projects may earn *bonus FAR* based on the provision of *employment uses* within their projects. In the Employment Required Overlay District, projects containing 100 percent *employment uses*, excluding *hotel/motel* uses, may increase their *FAR* by the maximum *FAR* illustrated on Figure L. In all other areas of the Centre City

Planned District, any project that contains at least 50 percent *employment uses*, excluding *hotel/motel* uses, may increase their maximum *FAR* to the maximum *FAR* illustrated in Figure L.

(6) Public Parking. Allow one square foot of bonus *floor* area for every square *foot* provided in parking areas permanently available for public use. A *public parking* easement shall be executed for such facilities, with restrictions and covenants acceptable to *CCDC* and the *City of San Diego*.

(7) *FAR* Payment Bonus Program. The Redevelopment Agency has established a *FAR* Payment Bonus Program to permit projects to obtain increased *FARs* through the *FAR* Payment Bonus Program. Projects may purchase additional *FAR* through the *FAR* Payment Bonus Program. The maximum amount of *FAR* which may be purchased through this program shall be as shown in Figure J.

(f) Exemptions from *FAR* Calculations

[No change in text.]

(1) Through (2) [No change in text.]

(3) Public Parking. Above-grade parking areas permanently available for public use shall not be counted as *GFA* for the purposes of calculating the *FAR* for the project. A *public parking* easement shall be executed for such facilities with restrictions and covenants acceptable to *CCDC* and the *City of San Diego*.

(4) *Main/Commercial Streets*. All *floor* area located on the ground *floor* or ground *floor* mezzanine that is directly accessible to the *street* and is dedicated to *active commercial uses* on *Main Streets* or *Commercial Streets* shall not be counted as *GFA* for the purposes of calculating the *FAR* for the project.

(5) [No change in text.]

(g) [No change in text.]

**§156.0310 Development Regulations**

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

(d) Building Bulk

[No change in text.]

TABLE 0310-A: DEVELOPMENT STANDARDS						
Land Use Districts	Residential Emphasis (R)	Neighborhood Center (NC)	All Other	Employment Required (-ER) or Large Floorplate (-LF) Overlays	Little Italy Sun Access Overlay (-LISA)	Properties West of Kettner Boulevard
Building Height (ft from ground level)						
Base/Streetwall						
Minimum	45	45	45	45	30/40 <sup>1</sup>	45
Maximum	85	65 <sup>3</sup>	85	85	50/85	85
Mid-Zone						
Maximum	N/A	N/A	N/A	180	125	N/A
Tower	Maximum Height Per Figure F					
Maximum Lot Coverage						
Base	100%	100%	100%	100%	100%	100%
Mid-Zone	N/A	N/A	N/A	80%	N/A	N/A
Tower	50%	50%	50%	60%	50%	50%
Tower Dimensions						
North-South	200	140	200	200	110	140
East-West	130	130	130	150	110	130
Tower Setbacks						
From Public ROW	15 <sup>2</sup>	15 <sup>2</sup> /25 <sup>3</sup>	15 <sup>1</sup>	15 <sup>2</sup>	15	15 <sup>2</sup>
From Interior PL	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>
<sup>1</sup> See Section 156.0310(d)(1)(D)(ii). <sup>2</sup> See Section 156.0310(d)(3)(D) for exemptions. <sup>3</sup> Applied along Main Streets with a general north-south orientation, without exception. <sup>4</sup> See Section 156.0310 (d)(3)(E) for exemptions.						

(1) Building Base

(2) [No change in text]

[No change in text]

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

(D) Minimum Street Wall Height. [No change in text]

(i) through (ii) [No change in text.]

(iii) Within the Little Italy neighborhood, projects may exhibit a reduced minimum *street* wall height of 40 feet north of Beech Street and 30 feet north of Ivy Street.

(iv) [No change in text.]

TABLE 0310-B: VIEW CORRIDOR STEPBACKS		
STREET (refer to Figure G for applicable locations)	REQUIRED STEPBACK (Feet)	STEPBACK ELEVATION (Feet)
Laurel Street	15	30
Juniper Street	15	30
Hawthorn Street	15	30
Grape Street	15	30
Fir Street	15	30
Date Street		
- West of Pacific Hwy	20	Ground Level
- East of Pacific Hwy	15	30
Cedar Street		
- West of India Street	15	Ground Level
- India Street to First Avenue	15	50
Beech Street		
- West of Pacific Highway	20	Ground Level
- Pacific Highway to Kettner Boulevard	15	30
- Kettner Boulevard to Sixth Avenue	15	50
Ash		
- West of Kettner Boulevard	25	50
- Kettner Boulevard to Sixth Avenue (south side only)	15	50
A Street	25	50
B Street	25	50
C Street	25	50
Broadway		
- Harbor Drive to Pacific Hwy (W ½ block)	65	Ground Level
- Harbor Drive to Pacific Hwy (E ½ block)	55	Ground Level
- Pacific Hwy to Kettner Boulevard	40	Ground Level
- Between Kettner Boulevard and Park Boulevard	15	Ground Level
E Street	25	50
F Street	25	50
G Street	25	50
Pacific Highway	25	45 - 130
Park Boulevard (south of K Street)	10	60
	30	90

(E) Maximum *Street Wall* Height. The maximum height of the *street wall* shall be between 50 and 85 feet as specified in Table 0310-A, measured from the average grade of the adjoining sidewalk to the top of the parapet (may be

calculated in 100 foot increments for sites with grades greater than 5%) subject to the following exceptions:

(i) through (iv) [No change in text.]

(F) [No change in text.]

(3) [No change in text.]

(4) *Tower*

[No change in text.]

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

(D) Tower Setback from Public Streets. [No change in text.]

(i) One side of any *tower* shall be exempted from this *setback* requirement, except within the Little Italy Sun Access Overlay District.

(ii) Two sides of a *tower* may be exempted from this *setback* requirement when it is determined through the *Design Review* process that the resulting design is improved and does not result in massing inconsistent with the neighborhood. This provision does not apply within the Little Italy Sun Access Overlay District.

(iii) In *Neighborhood Centers*, the *tower* shall always be set back a minimum of 25 feet from any *property line* along a designated *Main Street* with a general north/south orientation.

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

(e) Ground Floor Heights

[No change in text.]

(1) through (2) [No change in text.]

(3) Average of 20 feet, but not less than 18 feet, for buildings containing ground *floor active commercial uses* within *Neighborhood Centers* or along *Main Streets*, with the exception of the Little Italy Neighborhood Center, which may have a 15 foot minimum ground *floor* height.

(f) [No change in text.]

(g) Residential Project Requirements

(1) [No change in text.]

(2) Pet Open Space. Each project shall provide a minimum area of 100 square feet improved for use by pets clearly marked for such exclusive use. Such areas shall include permeable surfaces, a hose bib, and be drained to the public sewer system (except for at-grade lawn areas).

**§156.0311 Urban Design Regulations**

[No change in text]

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

(c) *Street Level Design*

[No change in text.]

(1) through (4) [No change in text.]

- (5) Utilities. Electrical transformers and generators shall be located below grade, outside the *public right-of-way*, with only the minimum width access hatch to the vault allowed within six feet of the *street* curb. Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the *public right-of-way* and adjoining *developments*, except for utilities required to be exposed by the City or utility company. Backflow prevention devices are to be located in a building alcove, landscaped area, or utility room within the building, outside of the *public right-of-way*, and completely *screened* from view. No utility services may be located above *grade* in the *public right-of-way* within the Centre City Planned District except in instances when no other feasible alternative is available to serve *historic* buildings.

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

(g) *Tower* Design

(1) through (6) [No change in text.]

- (7) Exterior Stairways. Exit stairways shall be incorporated into the enclosed *floor* plate of buildings. Exterior stairs connecting no more than three *floors* may be permitted through the *Design Review* process.

(h) [No change in text.]

(i) Rooftops

- (1) through (4) [No change in text.]
- (j) Encroachments into the Public *Rights-of-Way*  
[No change in text.]
- (k) Building Identification  
[No change in text.]
- (l) [No change in text.]
- (m) Additional Standards for Residential Projects  
[No change in text.]  
(1) through (7) [No change in text.]
- (n) Additional Standards for *Main Streets*  
[No change in text.]
- (o) Additional Standards for Neighborhood Mixed use Center and Fine Grain  
Development Overlay Districts  
[No change in text.]  
(1) through (2) [No change in text.]  
(3) Pedestrian Engagement.  
[No change in text.]  
(A) Within Neighborhood Mixed-Use Centers, the horizontal  
spacing of entry doors to ground *floor* uses shall not exceed  
40 feet. For projects located within Fine Grain  
Development Overlay districts, the maximum horizontal  
spacing of entry doors is 50 feet. Service areas, parking

entries and other support functions should be located at mid-block locations.

(B) [No change in text.]

(p) Ballpark Mixed-Use District Design Guidelines

[No change in text.]

(q) Urban Open *Space* Design Guidelines

[No change in text.]

(1) through (3) [No change in text.]

(4) The *grade* of an *urban open space* can not be more than 3 feet above or below the sidewalk *grade*. On sloping sites, the change in elevation between the sidewalk adjacent *urban open space* must include gracious steps and landings, with features such as low risers and wide treads, and any planter boxes shall include seating ledges.

(5) Plaza lighting shall be provided to ensure adequate security and shall be coordinated in design with the lighting used in the *public-right-of-way* and with the architectural lighting of the building.

(6) *Urban open space* landscaping should complement and extend the materials and design of the adjoining *public right-of-way*.

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

(D) For planting located above an underground structure the minimum planting area shall be as follows:

- (i) Trees shall have a minimum planting area of 40 square feet with a minimum depth of 3 feet measured from grade.
- (ii) Lawn, groundcover, and shrubs shall have a minimum soil depth of 18 inches measured from grade.

(7) [No change in text.]

(8) [No change in text.]

(9) [No change in text.]

- (r) Mid-Block Walkways, *Courts* and Walls

[No change in text.]

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

- (a) through (g) [No change in text.]

- (h) *Structured Parking* Facility Standards

[No change in text.]

(1) [No change in text.]

(2) [No change in text.]

(A) For projects located on sites less than 30,000 square feet, above grade parking does not require encapsulation;

(B) For projects located on sites 30,000 square feet or more, 50 percent of the cumulative *building façades* directly abutting street frontages shall be encapsulated with habitable residential or non-residential uses.

(C) Roof-top parking shall be allowed when all parking spaces, not including drive aisles, are covered with a roof or trellis structure.

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

(3) through (6) [No change in text.]

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

(l) Vehicular Access

(1) through (2) [No change in text.]

(3) No vehicular access curb may be located closer than 65 feet from the curb line of the closest intersection. Curb cuts on the same parcel must be separated by a minimum of 80 feet, with the exception of a curb cut to provide access to an off-street loading bay, which may be closer than 80 feet if the widths of both curb cuts are minimized to the extent possible. Curb cuts shall be located at an appropriate distance from curb cuts located on adjacent parcels in order to minimize conflicts and maximize on-street parking. On parcels of 5,000 square feet or less, the dimensions listed above shall be reduced in half.

(4) [No change in text.]

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

(o) *Transportation Demand Management (TDM)*

In order to reduce single-occupant vehicle trips into the Centre City Planned District, *applicants* shall demonstrate that proposed

commercial and *hotel* projects containing over 50,000 square feet of *GFA* achieve a minimum of 24 points by implementing *TDM* measures as contained in Table 0313-D.

TABLE 0313-D: TRANSPORTATION DEMAND MANAGEMENT (TDM)	
Points	Measure
10	On-site shower facilities available to all tenants/employees of a building
10	On site day-care
10	Provision of, and preferential parking for, "shared use vehicles" for use by property tenants
6	Provision for upgraded transit stop adjacent to new <i>development</i> , including shelter, seating, lighting and ongoing maintenance.
4	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
4	Preferential parking for car-sharing vehicles (at least one space)
4	Preferential carpool and/or vanpool parking (two percent (2%) of permitted off-street maximum)
2	Proximity to public transit stop/station (1,320 feet or fewer)
2	On-site transit-pass sale, maps and information.

#### §156.0314 Sign Regulations

(a) Application

[No change in text.]

(1) through (2) [No change in text.]

(3) *Logos*

*Logos* may not be used on the upper *tower* of a building where more than 50% of the building is in residential uses. *Logos* may be used on the upper *tower* of a non-residential building if the following criteria are met:

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

Table 0314-A [No change in text.]

(4) Ballpark Mixed-Use District Signage

All *development* proposals within the area bounded by J Street, Seventh and Tenth Avenues, Park Boulevard and Harbor Drive (including the ballpark, Park at the Park and mixed use *developments* surrounding the park) shall include a comprehensive *sign* plan. All other *signs* within the Ballpark Mixed-Use District shall comply with the requirements of the Land Development Code Chapter 14, Article 2 Division 12 (*Sign Regulations*). *Signs* which do not meet these criteria may be proposed under a comprehensive *sign* plan. All comprehensive *sign* plans, with the exception of those plans for the ballpark, Park at the Park and mixed use *developments* directly adjacent thereto, within the Ballpark Mixed-Use District, shall be reviewed for consistency with the following objectives:

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

§156.0315 Separately Regulated Uses

(a) [No change in text.]

(b) *Living Units*

[No change in text.]

- (1) Each *living unit* must have at least 150 square feet of net *floor* area. The average size of all *living units* may not exceed 300 square feet. When a *living unit* exceeds 400 square feet in area, existing

underlying zone density and parking standards for a one *bedroom* apartment unit apply.

(2) through (12) [No change in text.]

(c) [No change in text.]

(d) Social Services/Homeless Facilities

Any application for a conditional use permit for *Social Service Institutions* or *Homeless Facilities* may request a modification to the standard *development* regulations found in sections 141.0417 and 141.0412, respectively. Any such request may be granted by the approval body if at least one of the following findings is met:

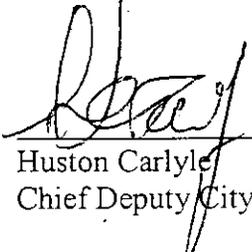
- (1) The proposed institution/facility is relocating from another location within the Centre City Planned District and the previous site vacates any existing Conditional Use Permit or *Previously Conforming Use* rights.
- (2) The institution/facility, due to its unique operations or uses, will not adversely impact the surrounding neighborhood and there is a demonstrated need for the institution/facility that is not being met by existing services/facilities in the Downtown Community Plan area.

Section 2: That Chapter 15, Article 6, Division 3, Section 156.0315 of the San Diego Municipal Code is amended by substituting new Figure B, attached hereto, in place of their prior versions.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By  \_\_\_\_\_  
Huston Carlyle  
Chief Deputy City Attorney

HC:SRE:cfq:pev  
07/23/07  
Or.Dept:CCDC  
O-2008-9  
MMS# 5116

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

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

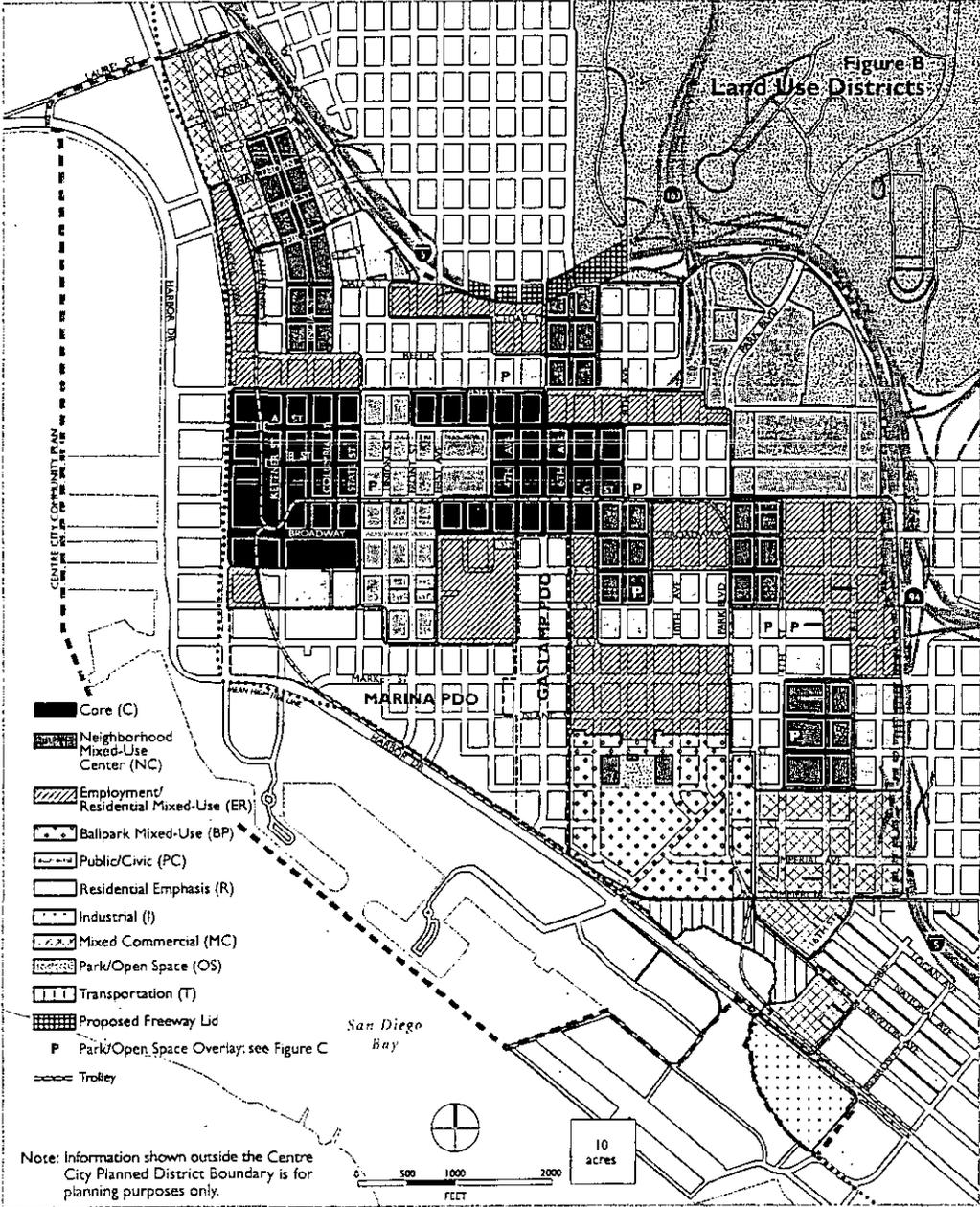
Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor

Figure B  
Land Use Districts



STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~STRIKEOUT~~  
NEW LANGUAGE: UNDERLINE

(O-2008-9)

ORDINANCE NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, AMENDING SECTIONS 156.0302, 156.0303, 156.0304, 156.0305, 156.0307, 156.0308, 156.0309, 156.0310, 156.0311, 156.0313, 156.0314, AND 156.0315, AND SUBSTITUTING NEW FIGURE B, IN CHAPTER 15, ARTICLE 6, DIVISION 3, RELATING TO THE CENTRE CITY PLANNED DISTRICT ORDINANCE.

**§156.0302 Centre City Land Development Manual**

- (a) [No change in text.]
- (b) [No change in text.]
  - (1) [No change in text.]
  - (2) Major amendments to the *CCDC* Land Development Manual shall be approved by the *CCDC* Board of Directors. Major amendments shall include changes ~~the creation or elimination of a chapter or chapters~~ that exceeds the requirements to qualify as a minor amendment as provided in Section 156.0302(b)(1).
- (c) through (d) [No change in text.]

**§156.0303 Administration and Permits**

- (a) through (d) [No change in text.]
- (e) *Centre City Development Permit Process*
  - (1) [No change in text.]

(2) [No change in text.]

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

**§156.0304 Definitions**

[No change in text.]

*Active commercial uses* mean commercial uses that are accessible to the general public which generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Uses that generate pedestrian activity include retail shops, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal and convenience services, *hotels lobbies*, banks, travel agencies, airline ticket agencies, child care services, libraries, museums and galleries.

*Base floor area ratio (Base FAR) through Home occupations* [No change in text.]

*Hotel/Motel* means a building containing six or more *guest rooms* that are rented for less than 30 days and used or designed to be used for sleeping purposes. *Hotel* or *motel* does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention homes, or other institution in which human beings are housed and detained under legal constraint. A *condo hotel*, where individual *guest rooms* are owned as condominiums, are also considered *hotels* when the owner occupies the *guest room* for less than 30 days per calendar year and the *guest rooms* are rented out and operated as part of a *hotel* the remainder of the year.

*Living unit through Urban open space* [No change in text.]

**§156.0305 Rules of Calculation and Measurement**

[No change in text.]

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

(d) [No change in text.]

(1) [No change in text.]

(2) The addition consists of a mezzanine within the structural envelope of a building where the mezzanine is less than one-third of the *floor area immediately below.*

(e) With the exception of buildings or structures that are historical resources, mechanical penthouses do not count against GFA when architecturally integrated into the overall building design.

(3)

**§156.0307 Land Use Districts**

[No change in text.]

(a) Base Districts

[No change in text.]

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

(6) Mixed Commercial (MC). This district accommodates a diverse array of uses, including residential, artists' studios, live/work spaces, *hotels*, offices, research and *development*, and retail. Commercial and service uses, including light industrial and repair, warehousing and distribution, transportation, and communication services that are essential for the livelihood of businesses and

residents of the downtown area are also permitted. Within the Mixed Commercial District, ~~no more than~~ up to 100 percent of the ground *floor street* frontage may be *active commercial uses*.

- (7) Residential Emphasis (RE)~~I~~. This district accommodates primarily residential *development*. Small-scale businesses, offices, and services, and small-scale ground *floor active commercial uses* (such as cafes and retail stores) are also allowed, subject to size and area limitations. Within the Residential Emphasis District, at least 80 percent of the *GFA* must be occupied by residential land uses. Non-residential land uses may occupy no more than 20 percent of the *GFA*. ~~Within the Residential Emphasis District, active commercial uses may not be located more than 50 feet from the property line at any street corner. Floor area dedicated to active commercial uses to satisfy the requirements of either the Main Street or Commercial Street overlay districts shall not be counted against the maximum non-residential percentage of GFA.~~

(b) Overlay Districts

[No change in text.]

(1) through (3) [No change in text.]

- (4) *Commercial Street Overlay (-CS)*. On designated *Commercial Streets*, as illustrated in Figure D, a minimum of 60 percent of the ground *floor street* frontage shall contain *active commercial uses*.

Along the west side of Park Boulevard, a minimum of 40 percent of the ground floor street frontage shall contain active commercial uses. Those uses which are appropriate for locations along *Commercial Streets* are identified in Table 0308-A, under *Main Street/Commercial Street* overlays.

(5) through (9) [No change in text.]

(10) *Main Street Overlay (-MS)*. On designated *Main Streets*, as illustrated in *Figure D*, a minimum of 80 percent of the ground floor street frontage shall contain *active commercial uses*. ~~Along the west side of Park Boulevard, a minimum of 40 percent of the ground floor street frontage shall contain active commercial uses.~~ Those uses which are appropriate for locations along *Main Streets* are identified in Table 0308-A, under *Main Street/Commercial Street* overlays.

(11) through (12) [No change in text]

**§156.0308 Base District Use Regulations**

(a) The uses allowed and level of review required in the Centre City Planned District zones are shown in Table 0308-A, below. The “Additional Regulations” column includes special standards applicable to a use that are located following the table (by footnote designation) or in the referenced section of the City’s Land Development Code. If a use is listed as a Separately Regulated Use and there is not an associated reference in the Additional Regulations column, then the standards in the City’s Land

Development Code may not apply, as determined through the project review process.

(b) Previously Conforming Land Uses

Land uses that were legally established under previous legislation but no longer conform to the land use regulations of this section may continue subject to the provisions of Section 127.0101 et seq of the Land Development Code, with the exception that the GFA of Previously Conforming Uses may be expanded up to 100% through a Neighborhood Use Permit.

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS														
LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required														
Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>d</sup>	MC	R	I <sup>e</sup>	T <sup>e</sup>	PC	OS	CC <sup>e</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
<b>Public Park/ Plaza/Open Space</b>	P	P	P	P	P	P	P	P	P	P	P	P		
<b>Agriculture</b>	--	--	--	--	--	--	--	--	--	--	--	--		
<b>Residential</b>														
<i>Group Living</i>	L	L	L	L	--	L	L	--	--	L	--	--	§131.0423(c)	
<i>Multiple Dwelling Units</i>	P	P	P	P	--	P	P	--	--	P	--	--		
<i>Shopkeeper Units</i>	P	P	P	P	--	P	P <sup>2</sup>	--	--	P	--	--		
<i>Live/Work Quarters</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0311	
<b>Separately Regulated Residential Uses</b>														
<i>Fraternities, Sororities and Dormitories</i>	N	N	N	N	--	N	N	--	--	N	--	--	§141.0304 (c)-(e)	
<i>Home Occupations</i>	P	P	P	P	--	P	P	--	--	P	--	--	§141.0308	
<i>Housing for Senior Citizens</i>	C	C	C	C	--	C	C	--	--	C	--	--	§141.031 §156.0303(f)	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>e</sup>	MC	R	I <sup>e</sup>	T <sup>e</sup>	PC	OS	CC <sup>e</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
<i>Living Units</i>	P	P	P	P	--	P	P	--	--	P	--	--	§156.0315 (b)	
<i>Residential Care Facilities</i>	C	C	C	C	--	C	C	--	--	C	--	--	§156.0303(f) §141.0312	
<i>Transitional Housing</i>	C	C	C	C	--	C	C	--	--	C	--	--	§141.0313 §156.0315(f)	
<b>Institutional</b>														
<b>Separately Regulated Institutional Uses</b>														
<i>Churches &amp; Places of Religious Assembly</i>	P	P	P	P	--	P	--	--	--	P	--	--		C
<b>Communication Antennas</b>														
Minor Telecommunication Facility	L	L	L	L	L	L	N	L	L	L	C	L	§141.0405	
Major Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	§141.0405	
Satellite Antennas	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	§141.0405	
Correctional Placement Centers	C	--	--	--	--	C	--	--	--	C	--	--	§141.0406	
<i>Cultural Institutions</i>	P	P	P	P	P	P	--	--	--	P	P <sup>o</sup>	P		C, E
Educational Facilities	P	P	P	P	P	P	--	--	--	P	--	P		E
Energy Generation & Distribution Stations	C	C	C	C	C	C	--	C	C	C	--	C	§141.0408	C
Exhibit Halls & Convention Facilities	--	--	--	--	--	C	--	C	C	C	--	P		E
Homeless Facilities	C	--	C	C	--	C	--	--	--	C	--	--	§141.0412 §156.0315(f)	
Hospitals, Outpatient Medical Facilities & 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities	P	C	P	P	--	P	--	--	--	P	--	P		C, E
Major Transmission, Relay or Communication Switching Station	C	--	C	C	--	C	--	C	C	--	--	--	§141.0416	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>8</sup>	MC	R	I <sup>6</sup>	T <sup>4</sup>	PC	OS	CC <sup>8</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
<i>Social Service Institutions</i>	C	--	C	C	--	C	--	--	--	C	--	--	§156.0315(f)	
<b>Retail Sales</b>	P	P	P	P	P	P	P	P	--	P	--	P	§156.0307 (a), (b) & Figure C	M, C, E
<b>Commercial Services</b>														
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	--	--		C, E
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	P <sup>9</sup>	P		C, E
<u>With Outdoor     Use Area</u>	N	N	N	N	N	N	--	--	--	N	N <sup>9</sup>	N		
Building Services	P	P	P	P	P	P	--	--	--	P	--	--		C, E
Business Support	P	P	P	P	P	P	P	--	--	P	--	P		C, E
<b>Eating &amp; Drinking Establishments</b>														
<i>Bona Fide Eating     Establishments</i>	P	P	P	P	P	P	P	--	--	P	P	P	§156.0315 (a)	M, C, E
<i>Non-Bona Fide     Eating     Establishments     w/Alcohol</i>	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
<u>With Outdoor     Use Area</u>	N	N	N	N	N	N	N	--	--	N	P	N		M, C, E
<u>With Live     Entertainment     &amp; Dancing</u>	C	C	C	C	C	C	--	--	--	C	--	C	§156.0315 (a)	M, C, E
Financial Institutions	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	--	--		C
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	--	P		C, E
Off-Site Services	P	P	P	P	P	P	--	P	--	--	--	P		
Personal Services	P	P	P	P	P	P	P	--	--	P	--	P		M, C, E
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	--	P		C, E
<b>Visitor Accommodations</b>														
<i>Hotels and     Motels</i>	P	P <sup>4</sup>	P	P	P	P	--	--	--	P	--	P		C, E

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>a</sup>	MC	R	I <sup>b</sup>	T <sup>b</sup>	PC	OS	CC <sup>c</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
<b>Separately Regulated Commercial Service Uses</b>														
Animal Hospitals & Kennels	C	--	C	C	--	C	--	--	--	--	--	--	§141.0604(b)(1)	C
Bed & Breakfast Establishments	P	P	P	P	--	P	P	--	--	P	--	--		C
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	--	P		C, E
Instructional Studios	P	P	P	P	P	P	P	--	--	P	--	P		M, C
Parking Facilities (structure or surface)	C	C	C	C	C	C	C	C	C	C	C	C	§156.0313	M <sup>3</sup> , C <sup>3</sup>
Private Clubs, Lodges and Fraternal Organizations	P	P	P	P	P	P	P	--	--	P	--	P		
Pushcarts	L/N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	L/N	L/N	§141.0619	
<b>Recycling Facilities</b>														
Drop-Off Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (b)	
Reverse Vending Machines	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (c)	
Large Collection Facilities and Processing Facilities	--	--	--	--	--	C	--	C	C	--	--	--	§141.0620 (e)-(f)	
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	--	L	§141.0620 (d)	
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	N	N	§141.0621	
Single Room Occupancy Hotels (SRO)	P	P <sup>d</sup>	P	P	--	P	P	--	--	--	--	--	§143.0510 - 143.0590	
Offices	P	P	P	P	P	P	P	--	--	P	--	P		
<b>Vehicle &amp; Vehicular Equipment Sales &amp; Service</b>														
Personal Vehicle Sales & Rental Offices	P	P	P	P	P	P	--	P	--	P	--	P		C, E
All Other Vehicle & Vehicular Sales & Service	--	--	--	--	--	C	--	C	C	--	--	--		

**Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS**

**LEGEND:** P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

<b>Use Categories/ Subcategories</b> (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>e</sup>	MC	R	I <sup>e</sup>	T <sup>e</sup>	PC	OS	CC <sup>e</sup>	Additional Regulations	Main Street/ Commercial Street/ Employment Required Overlays
<b>Separately Regulated Vehicle &amp; Vehicular Sales &amp; Service Uses</b>														
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	--	--	§141.0801	
<b>Wholesale, Distribution &amp; Storage</b>														
Moving & Storage Facilities	L <sup>s</sup>	--	L <sup>s</sup>	L <sup>s</sup>	P	P	--	P	P	--	--	--		
Warehouses & Wholesale Distribution	L <sup>s</sup>	--	L <sup>s</sup>	L <sup>s</sup>	P	P	--	P	P	--	--	--		
<b>Separately Regulated Wholesale, Distribution &amp; Storage Uses</b>														
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	--	N		
<b>Industrial</b>														
Heavy Manufacturing	--	--	--	--	--	--	--	C	--	--	--	--		
Light Manufacturing	P	--	P	P	P	P	--	P	P	--	--	--		
Marine Industry	--	--	--	--	--	C	--	C	--	--	--	--		
Research & Development	P	--	P	P	--	P	--	P	P	--	--	--		E
Trucking and Transportation Terminals	--	--	--	--	--	C	--	C	C	--	--	--		
<b>Signs</b>														
Allowable Signs	P	P	P	P	P	P	P	P	P	P	P	P	§142.1201 et. seq. §156.0314	
<b>Separately Regulated Sign Uses</b>														
Community Identification Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1104	
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	N	N	§141.1105	
Revolving Projecting Signs	N	N	N	C	N	N	N	N	N	N	N	N	§141.1101	
Signs with Automatic Changing Copy	N	N	N	C	N	N	N	N	N	N	N	N	§141.1102	

Table 0308-A: CENTRE CITY PLANNED DISTRICT USE REGULATIONS

LEGEND: P = Permitted by Right; C = Conditional Use Permit Required; -- = Use Not Permitted; L = Limited Use; N = Neighborhood Use Permit Required; S = Site Development Permit Required

Use Categories/ Subcategories (See Land Development Code §131.0112 for an explanation and description of the Use Categories, Subcategories and Separately Regulated Uses.)	C	NC	ER	BP	WM <sup>8</sup>	MC	R	I <sup>8</sup>	T <sup>8</sup>	PC	OS	CC <sup>8</sup>	Additional Regulations	Main Street/ Commercial Street/Emp- loyment Required Overlays
Theatre Marquees	N	N	N	C	N	N	N	--	--	N	N	N	§141.1103	
<b>Other Use Requirements</b>														
Temporary Uses	Temporary Uses and Structures are regulated under Section §123.0401													

**Footnotes to Table 0308-A**

- <sup>1</sup> Not permitted on State and Federal tidelands.
- <sup>2</sup> Commercial floor use area contributes to 20% commercial use allowance and is subject to locational limitations of districts.
- <sup>3</sup> Limited to parking structures.
- <sup>4</sup> Up to 200 rooms permitted. Requires active ground floor uses along street frontages.
- <sup>5</sup> Limited to 20% gross floor area above grade.
- <sup>6</sup> Uses designated with -M, Main Street Overlay, -C, Commercial Street Overlay, or -E, Employment Required Overlay are those uses which qualify to meet minimum percentages as specified in sections 156.0307(b)(4), (6), and (10) of this Division, respectively.
- <sup>7</sup> Notwithstanding any other section of the Municipal Code, the required quarter mile separation between human service agencies shall not apply to multiple uses on the same premises.
- <sup>8</sup> These districts include properties that may be within State Tidelands or under the ownership of the United States Government, County of San Diego, or Port of San Diego. Lands west of the Mean High Tide Line are under the jurisdiction of the Port of San Diego and this Land Use Table is for planning purposes only. For lands owned by the United States Government, development and land uses are regulated by the Federal Government and may be subject to any development agreement (s) executed with the City of San Diego. For lands owned by the County of San Diego, development and land uses are regulated by the County of San Diego and the State of California Coastal Commission, except for private developments which are also subject to the Centre City Planned District Ordinance.
- <sup>9</sup> Any enclosed spaces containing parking, assembly, entertainment, or cultural institutions shall be located underground.
- <sup>10</sup> Structured parking facilities incorporated into a project that are a secondary, not primary, use shall be permitted by right and not be required to obtain a Conditional Use Permit.

<b>TABLE 0308-B MINIMUM AND MAXIMUM PERMITTED ACTIVE COMMERCIAL USE<sup>1</sup></b>		
<b>Main Street/Land Use District</b>	<b>Minimum Required Ground Floor Street Frontage for Active Commercial Use</b>	<b>Maximum Permitted Ground Floor Street Frontage for Active Commercial Use</b>
Parcels located along designated <i>Main Streets</i> , in any Land Use District <sup>2</sup>	80 percent	100 percent
Parcels located along designated <i>Commercial Streets</i> , in any Land Use District	60 percent	100 percent
Core (C)	40 percent	100 percent
Neighborhood Mixed-Use Center	40 percent	100 percent
Ballpark Mixed-Use (BP)	40 percent	100 percent
Employment/Residential Mixed-Use (ER)	None	100 percent
Waterfront/Marine (WM)	20 percent	50 percent
Mixed Commercial (MC)	None	100 percent
Residential Emphasis (R)	None	100 percent
Convention Center/Visitor (CC)	20 percent	50 percent
Public/Civic (PC)	40 percent	100 percent
Park/Open Space (OS)	None	None
Industrial (I)	None	20 percent
Transportation (T)	None	None

<sup>1</sup> Any parcel 10,000 square feet or less is exempt from the minimum and maximums set forth in this table except for those sites on *Main Streets* and/or *Commercial Streets* with a 50 foot street frontage or less, in which case, that frontage is required to provide 50% of the frontage in active commercial uses.

<sup>2</sup> Along the west side of Park Boulevard, a minimum of 40 percent of the ground floor street frontage shall contain active commercial uses.

<sup>3</sup> At no time shall the maximum permitted ground floor street frontage result in less than 20 feet of storefront.

**§156.0309 Floor Area Ratio (FAR) Regulations and Transfer of Development Rights**

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

(d) Ballpark Mixed-Use District

Within the Ballpark Mixed-Use District, illustrated in Figure B, an *FAR* of 6.5 shall apply throughout the district. To implement the intent and purposes of Ordinance No. O-18613 [New Series], transfers may be approved of any portion of the *floor* area permitted pursuant to this Section from the ballpark parcel to any other property within the district, if

in each case such property to which the applicable *floor* area is transferred (1) is developed pursuant to a common plan or program with the property from which the *floor* area is transferred as approved by the City Council, and (2) if appropriate covenants, conditions and restrictions are imposed on the affected properties to memorialize the reallocation of permitted *floor* areas. However, in no event shall *development* which is issued a *Centre City Development Permit* after November 1999 be allowed in the district which would result in the cumulative average daily traffic (ADT) trips from such *developments* (excluding ADT trips from the ballpark) in excess of 55,128 cumulative ADT trips, where ADT trips for the applicable land uses are calculated based on Centre City Cumulative Trip Generation Rates, as provided in the Centre City Land Development Manual, as applied to the *GFA* areas of the respective *developments*. This limit shall not apply to the block bounded by Park Boulevard, and J, K, and 13<sup>th</sup> streets.

(e) *FAR Bonuses*

[No change in text.]

TABLE 0309-A: FAR BONUS	
Public Benefit/ Project Amenity	FAR Bonus (to be added to Base Maximum FAR)
Affordable/Senior Housing <i>Senior housing</i>	See (1) below
<i>Urban Open Space</i>	
10% of site	0.5
20% of site	1.0
3-bedroom units	0.5 - See (3) below 1.0 - See (3) below
<i>Eco-Roofs</i>	Up to 1.0 - See (4) below
<i>Public right-of-way improvements</i>	±0
<i>Employment Uses</i>	See (6) below
Public Parking	See (7) below
FAR Payment Bonus Program	Up to 2.0

(1) [No change in text.]

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

(D) The *bonus FAR* for a project containing affordable/*senior housing* shall be calculated as follows:

Permitted *FAR* = *Base GSF* - *NR GSF* x *Affordable Bonus %* + *Base GSF / Site Area*, where:

Permitted *FAR* = *Base Gross Square Feet (GSF)* permitted on the site (maximum *base FAR* from Figure H times the site area) minus the *GSF* of non-residential (*NR*) area, multiplied by affordable/senior bonus percentage (%) as specified in Table 0309-B, plus *Base GSF* permitted on the site, divided by site area. NR GSF shall not include non-residential area that is earned through one of the other FAR

Bonus programs such as Urban Open Space, *Eco-roofs*,

Public Parking, and/or FAR Payment Program.

TABLE 0309.B: FAR BONUSSES (%)				
% Restricted Units in Base (The Bonus) FAR	Very Low Income Rental (0 - 50% AMI)	Low Income Rental (Target 50% - 80% AMI)	Moderate For-Sale (81-110% AMI) 81-120% AMI (Initial Sales per LDC)	Moderate For-Sale (81-110% AMI) 81-120% AMI (Restricted in Perpetuity)
5	20	12.5 10	--	10
6	22.5	14 15	--	15
7	25	15.5 20	--	20
8	27.5	17 25	--	25
9	30	18.5 30	--	30
10	32.5 35	20 35	20	35
11	35 "	21.5 "	21	"
12	"	23 "	22	"
13	"	24.5 "	23	"
14	"	26 "	24	"
15	"	27.5 "	25	"
16	"	29 "	26	"
17	"	30.5 "	27	"
18	"	32 "	28	"
19	"	33.5 "	29	"
20	"	35 "	30	"
21	"	"	31	"
22	"	"	32	"
23	"	"	33	"
24	"	"	34	"
25	"	"	35	"

(E) [No change in text.]

(F) The affordable housing units provided in the project which qualify for the bonus shall be restricted per Chapter 14, Article 3, Division 7, except for those for sale units

required to be restricted in perpetuity, per Table 0309 B.

For projects requesting Redevelopment Agency financial assistance or other agreements, additional restrictions may be requested for the units to qualify as affordable units under State Redevelopment Law provisions.

(G) A housing project qualifying for a bonus for affordable/*senior housing* shall enter into an agreement with the City of San Diego Housing Commission to monitor the ~~long-term~~ affordable restrictions for the units qualifying as affordable/*senior units*.

(H) [No change in text.]

(2) [No change in text.]

~~(3) Three Bedroom Units. In order to encourage larger *dwelling units* to accommodate larger families, a project that provides a minimum of 10 percent of the total amount of residential units within the project as three *bedroom* units, not to exceed 1,200 square feet in size, shall be entitled to an FAR *bonus* of 1.0, provided that there are a minimum of 5 three *bedroom* units provided in the project. Each *bedroom* in the dwelling unit shall contain a minimum of 70 square feet with additional space for an enclosed closet. CC&Rs shall be recorded on the property ensuring that the units used for bonuses shall not be reduced in the number of bedrooms. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.~~

(3) Three-Bedroom Units. In order to encourage larger *dwelling units* to accommodate larger families, projects that provide a minimum of 10 percent of the total amount of residential units within the project as three-*bedroom* units, not to exceed 1,200 square feet in

size, shall be entitled to an FAR bonus, provided that there are a minimum of 5 three-bedroom units provided in the project. For projects containing at least 50% of the GFA in residential uses, the Bonus shall be 0.5, while projects containing at least 80% of the GFA in residential uses shall be eligible to earn a Bonus of 1.0. Each bedroom in the dwelling unit shall contain a minimum of 70 square feet with additional space for an enclosed closet. CC&Rs shall be recorded on the property ensuring that the units used for bonuses shall not be reduced in the number of bedrooms. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.

Eco-Roofs. In order to encourage landscaped and ecologically designed roof tops to reduce energy consumption, projects that improve 75 percent of the net roof areas (i.e., the total gross area of all roofs above a height of 30 feet minus roof areas covered by stairway and elevator penthouses, mechanical equipment enclosures and areas devoted to required common or private outdoor open space areas) shall qualify for an FAR bonus of 1.0 subject to the following standards:

- (4) Eco-Roofs. Eco-roofs are encouraged in downtown because they reduce stormwater run-off, lower energy consumption, and counter the increased heat of urban areas and provide visual interest. In order to encourage landscaped and ecologically designed roof tops, a density bonus of additional buildable area will be provided based on the amount of landscaped Eco-roof area. Eco-roof area is defined as only the planted or landscaped area that is designed to sustain and support vegetation. Documentation, drawings and

specifications must be provided prior to issuance of building permit that describes all plant varieties, soil depths, soil content, water retention systems, and supporting structural systems.

~~(A) CC&Rs shall be recorded on the property providing for the development and on-going maintenance of the *eco-roof* to City standards for the life of the project. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.~~

(A) The amount of *density* bonus allowed for a given project depends on the amount of *Eco-roof* coverage in relation to the building's footprint above thirty-feet from grade. There are three classes as follows:

(i) The total landscaped area of *Eco-roof* is 10% to 30% of the building's footprint, each square foot of the *Eco-roof* earns one square foot of additional *floor area*.

(ii) The total landscaped area of *Eco-roof* is 31% to 60% of the building's footprint, each square foot of the *Eco-roof* earns two square foot of additional *floor area*.

(iii) The total area of *Eco-roof* is over 60% of the building's footprint, each square foot of the *Eco-roof* earns three square foot of additional *floor* area.

(iv) Total additional *floor* area earned by an *Eco-roof* cannot exceed 1.0 FAR.

~~(B) All areas improved to meet this bonus shall be designed in accordance with 156.0311(i)(5).~~

(B) CC&Rs shall be recorded on the property providing for the development and on-going maintenance of the *Eco-roof* to City standards for the life of the project. Such CC&Rs shall be in a form approved by CCDC and the City Attorney's Office.

(C) All areas improved to meet this bonus shall be designed in accordance with Section 156.0311(i)(5).

(D) All vegetation must be maintained for the life of the project.

~~(5) *Public Right-of-Way* Improvements. In order to facilitate the development of specialized public right-of-way improvements consistent with the Downtown Community Plan and Streetscape Manual in a timely and consistent manner, projects that either construct specified improvements, or contribute to an improvements fund, in accordance with a public improvements~~

~~program adopted by the Redevelopment Agency pursuant to this provision, may qualify for an FAR bonus of 1.0.~~

(6) (5) *Employment Uses*. In order to encourage the *development of employment uses* in the Centre City Planned District, projects may earn *bonus FAR* based on the provision of *employment uses* within their projects. In the Employment Required Overlay District, projects containing 100 percent *employment uses*, excluding *hotel/motel* uses, may increase their *FAR* by the maximum *FAR* illustrated on Figure L. In all other areas of the Centre City Planned District, any project that contains at least 50 percent *employment uses*, excluding *hotel/motel* uses, may increase their maximum *FAR* to the maximum *FAR* illustrated in Figure L.

(7) (6) Public Parking. Allow one square foot of bonus *floor* area for every square *foot* provided in parking areas permanently available for public use. A *public parking* easement shall be executed for such facilities, with restrictions and covenants acceptable to CCDC and the City of San Diego. ~~Any above grade public parking areas subject to this Division that is facing a public street shall be encapsulated with habitable space.~~

(8) (7) *FAR* Payment Bonus Program. The Redevelopment Agency has is hereby authorized to established a *FAR* Payment Bonus Program within the Redevelopment Project Areas covered by the Downtown Community Plan to permit projects to obtain increased

*FARs* through the *FAR* Payment Bonus Program. Projects may purchase additional *FAR* through the *FAR* Payment Bonus Program. The maximum amount of *FAR* which may be purchased through this program shall be as shown in Figure J.

(f) Exemptions from FAR Calculations

[No change in text.]

(1) through (2) [No change in text.]

(3) Public Parking. Above-grade parking areas permanently available for public use shall not be counted as GFA for the purposes of calculating the FAR for the project. A public parking easement shall be executed for such facilities with restrictions and covenants acceptable to CCDC and the City of San Diego.

~~(3)~~ (4) Main/Commercial Streets. All floor area located on the ground floor or ground floor mezzanine that is directly accessible to the street and is dedicated to active commercial uses on Main Streets or Commercial Streets shall not be counted as GFA for the purposes of calculating the FAR for the project.

~~(4)~~ (5) [No change in text.]

(g) [No change in text.]

**§156.0310 Development Regulations**

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

(d) Building Bulk

[No change in text.]

TABLE 03105A: DEVELOPMENT STANDARDS						
Land Use Districts	Residential Emphasis (R)	Neighborhood Center (NC)	All Other	Employment Required (-ER) or Large Floorplate (-LF) Overlays	Little Italy Sun Access Overlay (-LISA)	Properties West of Kettner Boulevard
<b>Building Height (ft from ground level)</b>						
<b>Base/Streetwall</b>						
Minimum	45	45	45	45	30/40 <sup>1</sup>	45
Maximum	85	65 <sup>3</sup>	85	85	50/85	85
<b>Mid-Zone</b>						
Maximum	N/A	N/A	N/A	180	125	N/A
<b>Tower</b>						
Maximum Height: Per Figure F						
<b>Maximum Lot Coverage</b>						
Base	100%	100%	100%	100%	100%	100%
Mid-Zone	N/A	N/A	N/A	80%	N/A	N/A
Tower	50%	50%	50%	60%	50%	50%
<b>Tower Dimensions</b>						
North-South	200	140	200	200	110	140
East-West	130	130	130	150	110	130
<b>Tower Setbacks</b>						
From Public ROW	15 <sup>2</sup>	15 <sup>2</sup> /25 <sup>3</sup>	15 <sup>1</sup>	15 <sup>2</sup>	15	15 <sup>2</sup>
From Interior PL	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>
<sup>1</sup> See Section 156.0310(d)(1)(D)(iii). <sup>2</sup> See Section 156.0310(d)(3)(D) for exemptions. <sup>3</sup> Applied along Main Streets with a general north-south orientation, without exception. <sup>4</sup> See Section 156.0310 (d)(3)(E) for exemptions.						

(1) Building Base

(2) [No change in text.]

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

(D) Minimum Street Wall Height. [No change in text.]

(i) through (ii) [No change in text.]

(iii) Within the Little Italy neighborhood, projects north of Ivey Street may exhibit a reduced minimum street wall height of 30-40 feet north of Beech Street and 30 feet north of Ivy Street.

(iv) [No change in text.]

TABLE 0310-B: VIEW CORRIDOR STEPBACKS		
STREET (refer to Figure G for applicable locations)	REQUIRED STEPBACK (feet)	STEPBACK ELEVATION (feet)
Laurel Street	15	30
Juniper Street	15	30
Hawthorne Street	15	30
Grape Street	15	30
Fir Street	15	30
Date Street		
- West of Pacific Hwy	20	Ground Level
- East of Pacific Hwy	15	30
Cedar Street		
- West of India Street	15	Ground Level
- India Street to First Avenue	15	50
Beech Street		
- West of Pacific Highway	20	Ground Level
- Pacific Highway to Kettner Boulevard	15	30
- Kettner Boulevard to Sixth Avenue	15	50
Ash		
- West of Kettner Boulevard	25	50
- Kettner Boulevard to Sixth Avenue (south side only)	15	50
A Street	25	50
B Street	25	50
C Street	25	50
Broadway		
- Harbor Drive to Pacific Hwy (W ½ block)	65	Ground Level
- Harbor Drive to Pacific Hwy (E ½ block)	55	Ground Level
- Pacific Hwy to Kettner Boulevard	40	Ground Level
- Between Kettner Boulevard and Park Boulevard	15	Ground Level
E Street	25	50
F Street	25	50
G Street	25	50
Pacific Highway	25	45 - 130
Park Boulevard (south of K Street)	10 30	60 90

(E) Maximum *Street Wall* Height. The maximum height of the *street wall* shall be between 50 and 85 feet as specified in Table 0310-A, measured from the average grade of the adjoining sidewalk to the top of the parapet (may be calculated in 100 foot increments for sites with grades greater than 5%) subject to the following exceptions:

(i) through (iv) [No change in text.]

(F) [No change in text.]

(3) [No change in text.]

(4) *Tower*

[No change in text.]

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

(D) Tower Setback from Public Streets. [No change in text.]

(i) One side of any *tower* ~~may~~ shall be exempted from this *setback* requirement, except within the Little Italy Sun Access Overlay District.

(ii) ~~For projects within the Large Floorplate/Employment Required Overlay Districts,~~ Two sides of a *tower* may be exempted from this *setback* requirement when it is determined through the *Design Review* process that the resulting design is improved and does not result in massing inconsistent with the neighborhood. This provision does not apply within the Little Italy Sun Access Overlay District.

(iii) In *Neighborhood Centers*, the *tower* shall always be set back a minimum of 25 feet from any *property*

line along a designated *Main Street* with a general north/south orientation.

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

(e) Ground Floor Heights

[No change in text.]

(1) through (2) [No change in text.]

(3) Average of 20 feet, but not less than 18 feet, for buildings containing ground floor active commercial uses within *Neighborhood Centers* or along *Main Streets*, with the exception of the Little Italy Neighborhood Center, which may have a 15 foot minimum ground floor height.

(f) [No change in text.]

(g) Residential Project Requirements

(1) [No change in text.]

(2) Pet Open Space. Each project shall provide a minimum area of 100 square feet improved for use by pets clearly marked for such exclusive use. Such areas shall include permeable surfaces, a hose bib, and be drained to the public sewer system (except for at-grade lawn areas).

**§156.0311 Urban Design Regulations**

[No change in text.]

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

(c) *Street Level Design*

[No change in text.]

(1) through (4) [No change in text.]

- (5) *Utilities.* Electrical transformers and generators shall be located below grade, outside the *public right-of-way*, with only the minimum width access hatch to the vault allowed within six feet of the *street curb*. Areas housing trash, storage, or other utility services shall be located in the garage or otherwise completely concealed from view of the *public right-of-way* and adjoining *developments*, except for utilities required to be exposed by the City or utility company. Backflow prevention devices are to be located in a building alcove, landscaped area, or utility room within the building, outside of the *public right-of-way*, and completely *screened* from view. No utility services may be located above *grade* in the *public right-of-way* within the Centre City Planned District except in instances when no other feasible alternative is available to serve *historic* buildings.

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

(g) *Tower Design*

(1) through (6) [No change in text.]

- (7) Exterior Stairways. Exit stairways shall be incorporated into the enclosed *floor plate* of buildings. Exterior stairs connecting no

more than three floors may be permitted through the Design

Review process.

(h) [No change in text.]

(j)(i) Rooftops

(1) through (4) [No change in text.]

~~(5) Eco Roofs. All roof top areas improved to provide eco roofs for an FAR bonus shall meet the following minimum standards:~~

~~(A) Landscaped Area. At least 80 percent of the qualifying eco roof must contain planting area.~~

~~(B) Roof Support. Documentation must be submitted demonstrating that the roof can support the additional load of plants, soil, and retained water, and that an adequate soil depth will be provided for plants to thrive.~~

(j)(k) Encroachments into the Public *Rights-of-Way*

[No change in text.]

(j)(l) Building Identification

[No change in text.]

(j)(m) [No change in text.]

(m)(n) Additional Standards for Residential Projects

[No change in text.]

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

~~(8) Exterior projecting balconies. Projecting balconies facing public streets shall average no less than 40 percent open or transparent above a height of 18 inches above the balcony walking surface.~~

(m)(q) Additional Standards for *Main Streets*

[No change in text.]

(e)(p) Additional Standards for Neighborhood Mixed use Center and Fine Grain Development Overlay Districts

[No change in text.]

(1) through (2) [No change in text.]

(3) Pedestrian Engagement.

[No change in text.]

(A) Within Neighborhood Mixed-Use Centers, the horizontal spacing of entry doors to ground *floor* uses shall not exceed 40 feet. For projects located within Fine Grain Development Overlay districts, the maximum horizontal spacing of entry doors is 50 feet. ~~Entries must be at, or near, corners.~~ Service areas, parking entries and other support functions should be located at mid-block locations.

(B) [No change in text.]

(p)(q) Ballpark Mixed-Use District Design Guidelines

[No change in text.]

(q)(r) Urban *Open Space* Design Guidelines

[No change in text.]

(1) through (3) [No change in text.]

~~(4) For projects that contain an *urban open space* that is provided as an exception to the requirements for *street wall* frontage, a minimum of 75 percent of the ground floor of all buildings facing onto the *urban open space* shall contain *active commercial uses*. Required *active commercial uses* adjacent to the *urban open space* must provide direct entrances onto the *urban open space*.~~

(5)(4) The *grade* of an *urban open space* can not be more than 3 feet above or below the sidewalk *grade*. On sloping sites, the change in elevation between the sidewalk ~~and~~ adjacent *urban open space* must include gracious steps and landings, with features such as low risers and wide treads, and any planter boxes shall include seating ledges.

(6)(5) Plaza lighting shall be provided to ensure adequate security and shall be coordinated in design with the lighting used in the *public-right-of-way* and with the architectural lighting of the building.

(7)(6) *Urban open space* landscaping should complement and extend the materials and design of the adjoining *public right-of-way*.

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

(D) For planting located above an underground structure the minimum planting area shall be as follows:

(i) Trees shall have a minimum planting area of 40 square feet with a minimum depth of 3 feet measured from grade.

(ii) Lawn, groundcover, and shrubs shall have a minimum soil depth of 18 inches measured from grade.

(8)(7) [No change in text.]

(9)(8) [No change in text.]

(10)(9) [No change in text.]

(f)(s) Mid-Block Walkways, *Courts* and Walls

[No change in text.]

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

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

(h) *Structured Parking Facility Standards*

[No change in text.]

(1) [No change in text.]

(2) [No change in text.]

(A) For projects located on sites ~~between~~ less than 30,000 square feet ~~or less~~, above grade parking does not require encapsulation;

(B) For projects located on sites ~~between~~ 30,000 square feet ~~or larger~~, 50 percent of the ~~perimeter property line~~ cumulative building façades directly abutting street frontages shall be encapsulated with habitable residential or non-residential uses.

~~(C) For projects located on full block (60,000 square feet) or larger sites, 100 percent of the perimeter shall be~~

~~encapsulated with habitable residential or non-residential~~  
~~uses:~~

(C) Roof-top parking shall be allowed when all parking spaces, not including drive aisles, are covered with a roof or trellis structure.

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

(3) through (6) [No change in text.]

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

(l) Vehicular Access

(1) through (2) [No change in text.]

(3) No vehicular access curb may be located closer than 65 feet from the curb line of the closest intersection. Curb cuts on the same parcel must be separated by a minimum of 80 feet, with the exception of a curb cut to provide access to an off-street loading bay, which may be closer than 80 feet if the widths of both curb cuts are minimized to the extent possible. ~~or closer than 80 feet from the nearest curb cut on the same parcel.~~ Curb cuts shall be located at an appropriate distance from curb cuts located on adjacent parcels in order to minimize conflicts and maximize on-street parking. On parcels of 5,000 square feet or less, the dimensions listed above shall be reduced in half.

(4) [No change in text.]

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

(o) *Transportation Demand Management (TDM)*

In order to reduce single-occupant vehicle trips into the Centre City Planned District, *applicants* shall demonstrate that proposed commercial and *hotel* projects containing over 50,000 square feet of *GFA* achieve a minimum of 24 points by implementing *TDM* measures as contained in Table 0313-~~ED~~.

TABLE 0313-D: TRANSPORTATION DEMAND MANAGEMENT (TDM)	
Points	Measure
10	On-site shower facilities available to all tenants/employees of a building
10	On site day-care
10	Provision of, and preferential parking for, "fleet-shared use vehicles" for use by property tenants
6	Provision for upgraded transit stop adjacent to new <i>development</i> , including shelter, seating, lighting and ongoing maintenance.
4	Participation by building management and tenants in carpool coordination, ridesharing and car-sharing programs.
4	Preferential parking for car-sharing vehicles (at least one space)
4	Preferential carpool and/or vanpool parking (two percent (2%) of permitted off-street maximum)
2	Proximity to public transit stop/station (1,320 feet or fewer)
2	On-site transit-pass sale, maps and information.

§156.0314 Sign Regulations

(a) Application

[No change in text.]

(1) through (2) [No change in text.]

(3) *Logos*

*Logos* may not be used on the upper tower of a building where more than 50% of the building is in residential uses. *Logos* may be used on the upper tower of a non-residential building if the following criteria are met:

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

[No change to Table 0314-A]

(4) Ballpark Mixed-Use District Signage

All *development* proposals within the area bounded by J Street, Seventh and Tenth Avenues, Park Boulevard and Harbor Drive (including the ballpark, Park at the Park and mixed use *developments* surrounding the park) shall include a comprehensive *sign* plan. All other *signs* within the Ballpark Mixed-Use District shall comply with the requirements of the Land Development Code Chapter 14. Article 2 Division 12 (Sign Regulations) ~~the Centre City Planned District Ordinance as outlined in Section 156.0316.~~ *Signs* which do not meet these criteria may be proposed under a comprehensive *sign* plan. All comprehensive *sign* plans, with the exception of those plans for the ballpark, Park at the Park and mixed use *developments* directly adjacent thereto, within the Ballpark Mixed-Use District, shall be reviewed for consistency with the following objectives:

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

**§156.0315 Separately Regulated Uses**

(a) [No change in text.]

(b) *Living Units*

[No change in text.]

(1) Each *living unit* must have at least 150 square feet of net *floor* area. The average size of all *living units* may not exceed ~~275~~ 300 square feet. When a *living unit* exceeds 400 square feet in area, existing underlying zone density and parking standards for a one *bedroom* apartment unit apply.

(2) through (12) [No change in text.]

(c) No change in text.]

(d) Social Services/Homeless Facilities

Any application for a conditional use permit for *Social Service Institutions* or *Homeless Facilities* may request a modification to the standard development regulations found in sections 141.0417 and 141.0412, respectively. Any such request may be granted by the approval body if at least one of the following findings is met:

(1) The proposed institution/facility is relocating from another location within the Centre City Planned District and the previous site vacates any existing Conditional Use Permit or *Previously Conforming Use* rights.

(2) The institution/facility, due to its unique operations or uses, will not adversely impact the surrounding neighborhood and there is a demonstrated need for the institution/facility that is not being met by existing services/facilities in the Downtown Community Plan area.

Figure B [replace new chart]

Figures C through Figure J [No change in text.]

HC:SRE:cfq:pev  
07/23/07  
Or.Dept:CCDC  
O-2008-9  
MMS# 5116

**REQUEST FOR COUNCIL ACTION**  
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER  
(for auditor's use only) **341**  
*NIA* **7/31**

TO: **002485**  
CITY ATTORNEY

2. FROM: (ORIGINATING DEPARTMENT)  
**CENTRE CITY DEVELOPMENT CORPORATION**

3. DATE  
**June 29, 2007**

4. SUBJECT:  
Proposed 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project and Amendments to the Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and the Mitigation Monitoring and Reporting Program of the 2006 Final Environmental Impact Report for the Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area – Areawide - **JOINT PUBLIC HEARING**  
(Companion to Redevelopment Agency)

5. Primary Contact: (Name, Phone & Mail Sta.)  
Brad Richter, Principal Planner,  
(619)533-7115, MS 51D

6. Secondary Contact (Name, Phone & Mail Sta.)

7. Check BOX if REPORT TO COUNCIL IS ATTACHED

**8. COMPLETE FOR ACCOUNTING PURPOSES**

FUND				
DEPT.				
ORGANIZATION				
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT				

9. ADDITIONAL INFORMATION/ESTIMATED COST:  
**Fiscal Impact:**

**10. ROUTING AND APPROVALS**

ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED
1	CCDC President	Nancy Graham <i>BAG</i>	6/25/07	9	EOC	<i>R. Lewis</i>	7/5/07
2	CCDC Vice President/CFO	Frank Alessi <i>Mac Alonagan</i>	6/29/07	10	EAS	<i>M. H. H.</i>	7/10/07
3	Environmental Review	Beverly Schroeder or Brad Richter <i>BRS</i>	6/29/07	11	City Attorney		
4	Asst. Dir., CPCI, Redevelopment	Janice L. Weinrick <i>JLW</i>	7/2/07	12	Originating Department	Project Manager <i>BRS</i>	6/25/07
5	City Planning & Community Development Director	William Anderson <i>WA</i>	7/2/07	13	Vice President Real Estate Operations	Barbara Kaiser <i>BK</i>	6/25/07
6	Deputy Chief Operating Officer	Jim Waring <i>JW</i>	7/2/07	14			
7	Chief Operating Officer	<i>[Signature]</i>	7/4/07	15	Docket Coord. _____ Council Liaison _____		
8					COUNCIL PRESIDENT <i>[Signature]</i>	<input type="checkbox"/> Spob <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO _____ COUNCIL DATE: <b>7/31/07</b>	

11. PREPARATION OF:  RESOLUTION(S)  ORDINANCE(S)  AGREEMENT(S)  DEED(S)

DOCKET OF: July 31, 2007

11a. STAFF RECOMMENDATIONS:

302486

That the City Council (Council):

- Adopt a Resolution certifying that the information contained in the Addendum to the 2006 Final Environmental Impact Report (FEIR) for the Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area FEIR has been completed in compliance with the California Environmental Quality Act (CEQA) of 1970 and State guidelines, and that said Addendum has been reviewed and considered by the Council and adopting appropriate findings of mitigation, pursuant to California Public Resources Code Section 21081;
- Adopt a Resolution approving proposed amendments to the Downtown Community Plan;
- Approve an Ordinance adopting amendments to the Centre City Planned District Ordinance;
- Approve an Ordinance adopting amendments to the Marina Planned District Ordinance; and
- Approve an Ordinance approving the proposed 11<sup>th</sup> Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 2 and 8

Community Planning Area(s): N/A

Environmental Impact: In accordance with the CEQA, an Addendum to the 2006 FEIR for the Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area was prepared to evaluate the proposed amendments to determine if additional detail beyond that analyzed in the 2006 FEIR met any of the requirements for the preparation of a Subsequent or Supplemental Environmental Impact Report, per Sections 15162-15163 of the State CEQA Guidelines. Based on the results of the Initial Study prepared for the Addendum, none of the amendments or the circumstances under which they are being undertaken would result in any new significant impacts not discussed in the FEIR, or any substantial increase in the severity of impacts identified by the FEIR. In addition, no new information of substantial importance has become available since the FEIR was prepared regarding new significant impacts, or feasibility of mitigation measures or alternatives that apply to the proposed project.

HOUSING IMPACT: N/A

Other Issues: N/A

City Clerk Instruction: Please send copies of the resolution(s) to Lori Young, MS 51D and Project Manager, MS 51D

RECEIVED  
07 JUL 19 PM 4:48  
CITY CLERK'S OFFICE  
SAN DIEGO, CA

CITY ATTORNEY  
07 JUL 11 PM 3:32  
CIVIL DIVISION