

DATE ISSUED: April 5, 2012 **REPORT NO. PC-12-046**

ATTENTION: **Planning Commission, Agenda of April 12, 2012**

SUBJECT: PROPOSAL TO AMEND THE DOWNTOWN COMMUNITY PLAN AND CENTRE CITY PLANNED DISTRICT ORDINANCE TO REZONE BLOCKS FOR PUBLIC FACILITIES AND EXPAND THE EXISTING FLOOR AREA RATIO PAYMENT BONUS PROGRAM

**OWNER/
APPLICANT:** Centre City Development Corporation (CCDC)

SUMMARY

Issue(s): Should the Planning Commission (“Commission”) amend the San Diego Downtown Community Plan (DCP) and Centre City Planned District Ordinance (CCPDO) rezoning properties purchased for public parks and public facilities and expand the existing Floor Area Ratio (FAR) Payment Bonus Program?

Staff Recommendation: Centre City Development Corporation (“Corporation”) staff recommends that the Commission recommend that the City of San Diego City Council (“City Council”):

- Introduce and adopt an ordinance amending the CCPDO (San Diego Municipal Code Chapter 15, Article 6, Division 3);
- Adopt a resolution amending the DCP; and,
- Adopt a resolution establishing the FAR Payment Bonus Program

Corporation Board Recommendation: On March 28, 2012, the Corporation Board of Directors voted 5-0 (Kilkenny, Shaw, Jones, Relyea, and Oncina; Morgan recused) to recommend that the City Council approve the staff recommendation.

Community Planning Group Recommendation: On March 21, 2012, the Centre City Advisory Committee (CCAC) voted 20-0 to recommend that the Corporation recommend that the City Council approve the staff recommendation.

Environmental Review: The proposed DCP and CCPDO amendments are covered under the Final Environmental Impact Report (FEIR) for the DCP, CCPDO, and 10th Amendment to the Centre City Redevelopment Plan, certified by the Agency on March 14, 2006 (Resolution R-04001) and subsequent addenda to the FEIR certified by the Agency on August 3, 2007 (Agency Resolution R-04193), April 21, 2010 (Agency Resolutions R-04508 and R-04510), and August 3, 2010 (Agency Resolution R-04544).

The FEIR is a "Program EIR" prepared in compliance with the State of California Environmental Quality Act (CEQA) Guidelines Section 15168. The proposed DCP and PDO amendments do not change the maximum allowable FARs analyzed in the FEIR or the permitted and/or contemplated public facilities and park uses analyzed in the FEIR; therefore, the proposed DCP and CCPDO amendments do not result in any new potential environmental impacts that were not already addressed in the FEIR. In accordance with the State of California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15168, no further environmental documentation is required with respect to the proposed DCP and CCPDO amendments.

Fiscal Impact Statement: None.

BACKGROUND

In 2006 the City Council adopted the DCP and major amendments to the CCPDO. The DCP established Guiding Principles ("Principles"), which included creating a distinctive world-class downtown, which would be the center of the region and create an intense, yet livable environment with substantial and diverse residential population while sustaining itself as a nucleus of economic activity. In order to achieve these Principles, the DCP anticipated increasing development opportunities and densities, creating an open-space system and establishing a strong framework of public facilities for downtown.

DISCUSSION

FAR Bonus Programs

As part of the development and adoption of the DCP and CCPDO it was determined that FARs downtown would need to increase to achieve higher residential and employment figures envisioned by the DCP. As a result, a series of FAR Bonus Programs were adopted, whereby densities could be "earned" through the provision of public amenities and benefits. These programs included Affordable Housing, Eco-Roof, Three-Bedroom Units, Urban Open Space, Employment Uses and the FAR Payment Bonus Program.

Over the years, staff has been tracking projects to evaluate whether the FAR Bonus Programs have been utilized as envisioned and what has been achieved. An FAR Bonus Program Tracking summary has been included as Attachment B to this report. Overall, it has been found that the programs have been attractive to developers and have been successful in increasing densities and have resulted in the provision of public amenities and benefits. The FAR Payment Bonus Program has resulted in the purchase of approximately 110,515 square feet of gross floor area (approximately \$1.7M of funds for the potential implementation of public parks and enhanced public right-of-way improvements).

The FAR Payment Bonus Program was established by Resolution R-04145 by the City of San Diego ("City") Redevelopment Agency ("Agency") in 2007, to allow developers to acquire additional FAR (over the Base Maximum allowed for a development site) for

proposed development projects by providing a FAR Bonus payment. The resolution approving the FAR Payment Bonus Program initially set the FAR Bonus payment at \$15 per square foot, with annual adjustments for inflation based on the Consumer Price Index (CPI). With the annual cost adjustments, the cost is currently \$16.15 per square foot. The fees collected from the FAR Payment Bonus Program are used to fund the acquisition, design and development of public parks, and enhanced public right-of-way improvements.

Due to the recent elimination of redevelopment, additional funding sources need to be identified to ensure the long-term implementation of the downtown open-space system. Therefore, staff is currently proposing that the City adopt the FAR Payment Bonus Program. Staff is also proposing amendments to the FAR Payment Bonus Program to expand the areas where FAR can be purchased, as well as increasing the amount of FAR that can be purchased through the Program. The proposed amendments to the FAR Payment Bonus Program do not preclude developers from continuing to earn density bonuses through the other FAR Bonus Programs.

Parks/Open Space and Public Facilities

Another essential component for downtown's potential as a livable place and a regional center is the creation of a strong open-space system. Downtown's planned open-space system emphasizes physical and functional linkages between residential areas, parks and neighborhood centers, along with improved connections to Balboa Park and the waterfront. The open-space system established in the DCP identified specific sites downtown to be developed as parkland. While amendments to the CCPDO, approved in 2006 concurrently with the adoption of the DCP, identified sites designated as future parks and established an Open Space Overlay Zone, it did not specifically rezone privately owned sites into the Park/Open Space (OS) zone. However, it was anticipated that as properties were acquired for public parks, they would be rezoned to reflect their future use as public parks and/or open space.

Along with the need for an open-space system, the growing population downtown will also increase the demand for fire and emergency services. In order to implement a public facility framework for downtown, which includes fire and emergency service facilities, staff is proposing to amend the CCPDO to include a Public Facilities (PF) land use district. In addition, staff is proposing to amend the CCPDO to reclassify certain properties acquired by the former Agency and now owned by the City intended to be utilized for the development of public facilities, including parkland and fire stations.

SUMMARY OF PROPOSED REVISIONS TO THE DCP/CCPDO

The proposed amendments to the DCP/CCPDO include the following:

1. FAR Payment Bonus Program – The CCPDO currently identifies areas of downtown where additional FAR can be purchased. Depending on a site's location within those areas, developers can choose to purchase between 1.0 and 2.0 additional FAR. Staff is

proposing to increase the amount of FAR that can be purchased by approximately 50 percent. These amendments will increase the amount of FAR that can be purchased and will help further provide funding for the development of downtown parks and open space as envisioned by the DCP. Additionally, they will provide more flexibility for developers to produce higher density developments, which in turn help to achieve the residential population and employment goals of the DCP. In addition, changes to the language in the existing FAR Bonus Program (Attachment C) are being revised. Staff is requesting that the City adopt the FAR Payment Bonus Program.

- a. Figures (Figure J, CCPDO) (Figure 3-10, DCP) – As part of the amendments to the FAR Payment Bonus Program, Figure J and Figure 3-10 of the CCPDO and DCP, Maximum FAR through Bonus Payment, will be revised and expanded to coincide with the areas identified in Figure K and Figure 3-11, Bonus FAR for Specific Amenities and/or Parks TDR (Attachment D). The existing, proposed and final drafts of Figures J and 3-10 have been included as attachments to this report.

Changes made to the CCPDO that are not made in the DCP are as follows:

1. Land Use Districts (*Section 156.0307*) and Land Use Table 156-0308A – As part of the amendments, staff is proposing to create a PF Land Use District. The PF district is intended primarily to preserve areas for official and public use and provide recognition of lands containing publicly owned facilities, including fire safety, emergency services and other uses serving the needs of the general community. Mixed-use developments are permitted within the PF district, provided a public facility is located within the development.
2. Land Use/Rezoning (*Figure B, Land Use*) – The following sites will be rezoned from their existing land use designations to OS or PF in Figure B, Land Use as follows:

Parks/Open Space

- a. The full block bounded by F, G, 13th and 14th streets and seven parcels located on the block bounded by F, G, 14th & 15th streets were acquired by the Agency for the implementation of East Village Green, identified in the DCP as a proposed 4.1 acre multi-block neighborhood park in the East Village neighborhood. The site is proposed to be rezoned from its existing land use designation of Residential Emphasis (RE) to OS.
- b. The four parcels located on the block bounded by Beech and Ash streets, Fourth and Third avenues were also acquired for the implementation of St. Joseph's Park identified in the DCP as a proposed 1.4 acre full-block neighborhood park in the Cortez Hill neighborhood. These parcels are proposed to be rezoned from their existing land use designation of RE to OS.

Fire Stations

- c. The 10,000 square-foot parcel located on the south east corner of Cedar Street and Pacific Highway in the Little Italy neighborhood was acquired for the implementation of a 19,000 square-foot fire station building (Fire Station No.2). The site is currently zoned Employment/Residential Mixed-Use (ER) and is proposed to be rezoned to PF.
- d. The 5,000 square-foot parcel located on the north east corner of J Street and Eighth Avenue in the East Village neighborhood is an existing fire station building (Fire Station No. 4) owned by the City. This parcel is currently zoned Ballpark Mixed-Use (BP) and is proposed to be rezoned to PF.
- e. The 20,000 square-foot parcel located along the north side of Broadway between 13th and 14th streets in the East Village neighborhood. This property was acquired for the implementation of a fire station (East Village Fire Station) as part of a mixed-use development. This parcel is currently within the Neighborhood Mixed-Use Center (NC) and is proposed to be rezoned to PF.

DCP/CCPDO CONSISTENCY

The proposed amendments would facilitate the goals of the DCP and CCPDO by:

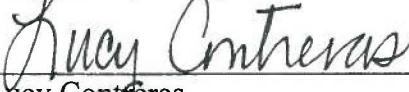
- Providing a land use and development framework to guide downtown's evolution as a premier regional and global center of commerce, residences, the arts, education and recreation;
- Creating a framework for the implementation of downtown's parks and open space systems-covering policy, maintenance, operation, funding, programming and design;
- Working closely with fire and police department representatives on facility improvement and expansion, paying close attention to siting and accessibility requirements; and,
- Maintaining a range of development intensities to provide diversity, while maintaining high overall intensities to use land efficiently and permit population and employment targets to be met

CONCLUSION:

Corporation staff recommends that the Commission recommends that the City Council:


- Introduce and adopt an ordinance amending the CCPDO (San Diego Municipal Code Chapter 15, Article 6, Division 3);
- Adopt a resolution amending the DCP; and,
- Adopt a resolution establishing the FAR Payment Bonus Program

Respectfully submitted,




Lucy Contreras
Senior Planner

Concurred by:



Jeff Graham
Vice President, Redevelopment



Brad Richter
Assistant Vice President, Planning

Attachments: A – Proposed DCP/CCPDO Amendments
B – FAR Bonus Tracking Summary
C – FAR Payment Bonus Program Strikeout/Underline
D – Figure K and Figure 3-11, Bonus FAR for Specific Amenities and/or Parks TDR

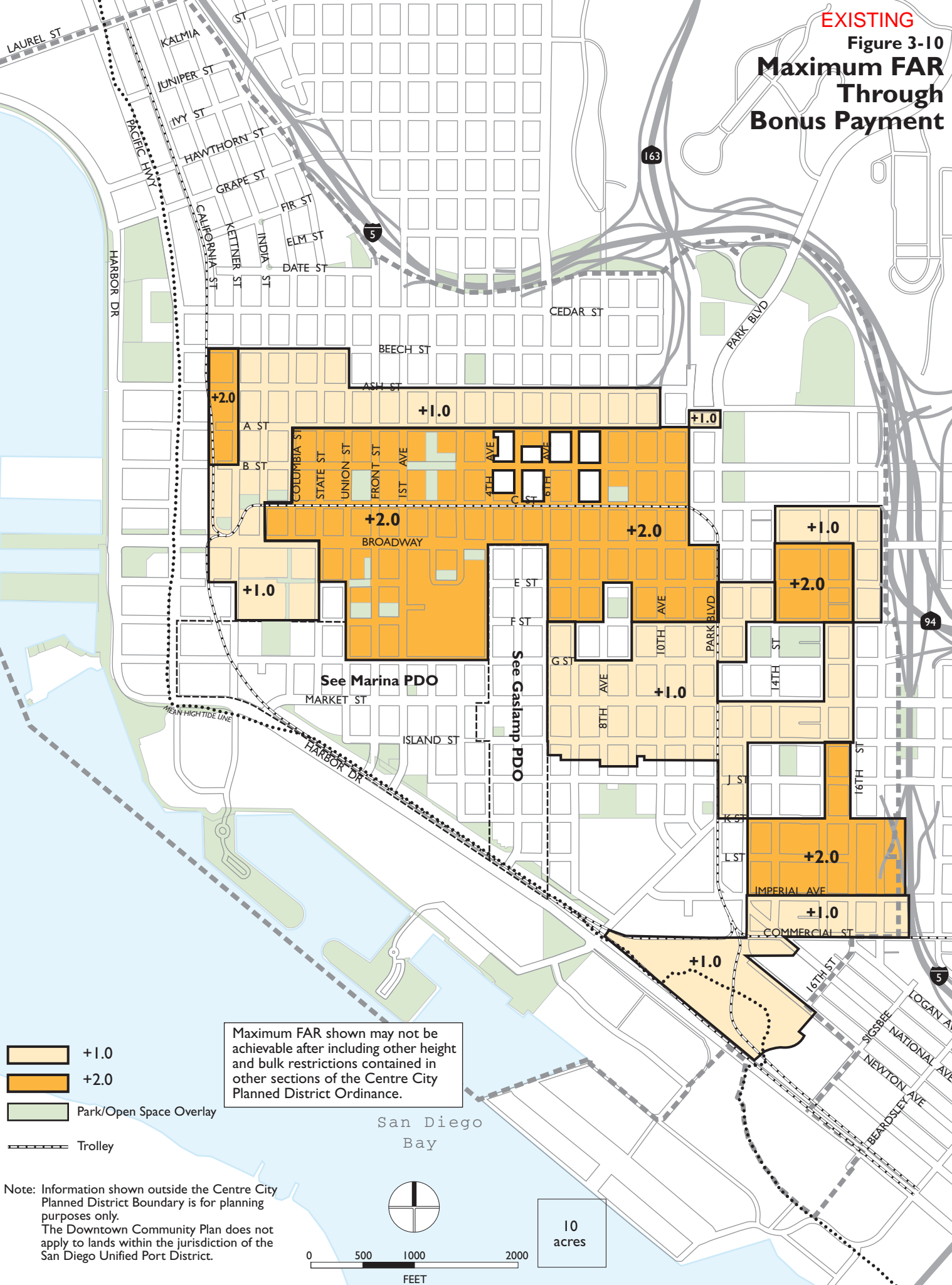
Downtown Community Plan and Centre City Planned District Ordinance Amendments

DOWNTOWN COMMUNITY PLAN	AMENDMENT
Chapter 3 - Land Use and Housing Page 3-18	Bonus Program for Parks and Public Infrastructure. In specific locations, increases in FAR's (beyond base FAR's shown on Figure 3-9) are available through payment into the FAR Bonus Payment Program, in order to promote downtown parks and public infrastructure. The maximum bonus FAR available under this program is shown on Figure 3-10. The Redevelopment Agency City of San Diego City Council is authorized to establish a Floor Area Ratio (FAR) Bonus Payment Program within the Redevelopment Project Areas covered by the Downtown Community Plan to permit projects to obtain increased FARs through the FAR Bonus Payment Program consistent with Figures 3-9, 3-10, 3-11 and 3-12.
Figure 3-10, Maximum FAR Through Bonus Payment	See attached existing, proposed and final Figure 3-10
CENTRE CITY PDO	AMENDMENT
Definitions Section 156.0302	<u>Public Safety Facility means a facility operated by the City of San Diego or its Contractor which is utilized for public safety and emergency services, including police and fire protection.</u>
Land Use Districts Section 156.0307 Page 20-22	<u>(13) Public Facilities (PF). This district is intended to accommodate one or more existing or proposed public safety facilities. Mixed-Use developments are allowed within this district provided the public safety facility is located within the development.</u>
Table 156.0308-A Centre City Planned District Use Regulations Table Pages 27-33	See attached Draft Table 156-0308-A
Figure B, Land Use Districts	See attached existing and proposed Figure B
Figure J, Maximum FAR Through Bonus Payment	See attached existing, proposed and final Figure J

EXISTING

Figure 3-10 Maximum FAR Through Bonus Payment

CENTRE CITY COMMUNITY PLAN

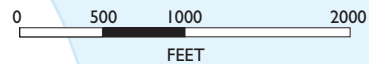


- +1.0
- +2.0
- Park/Open Space Overlay
- Trolley

Maximum FAR shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

San Diego Bay

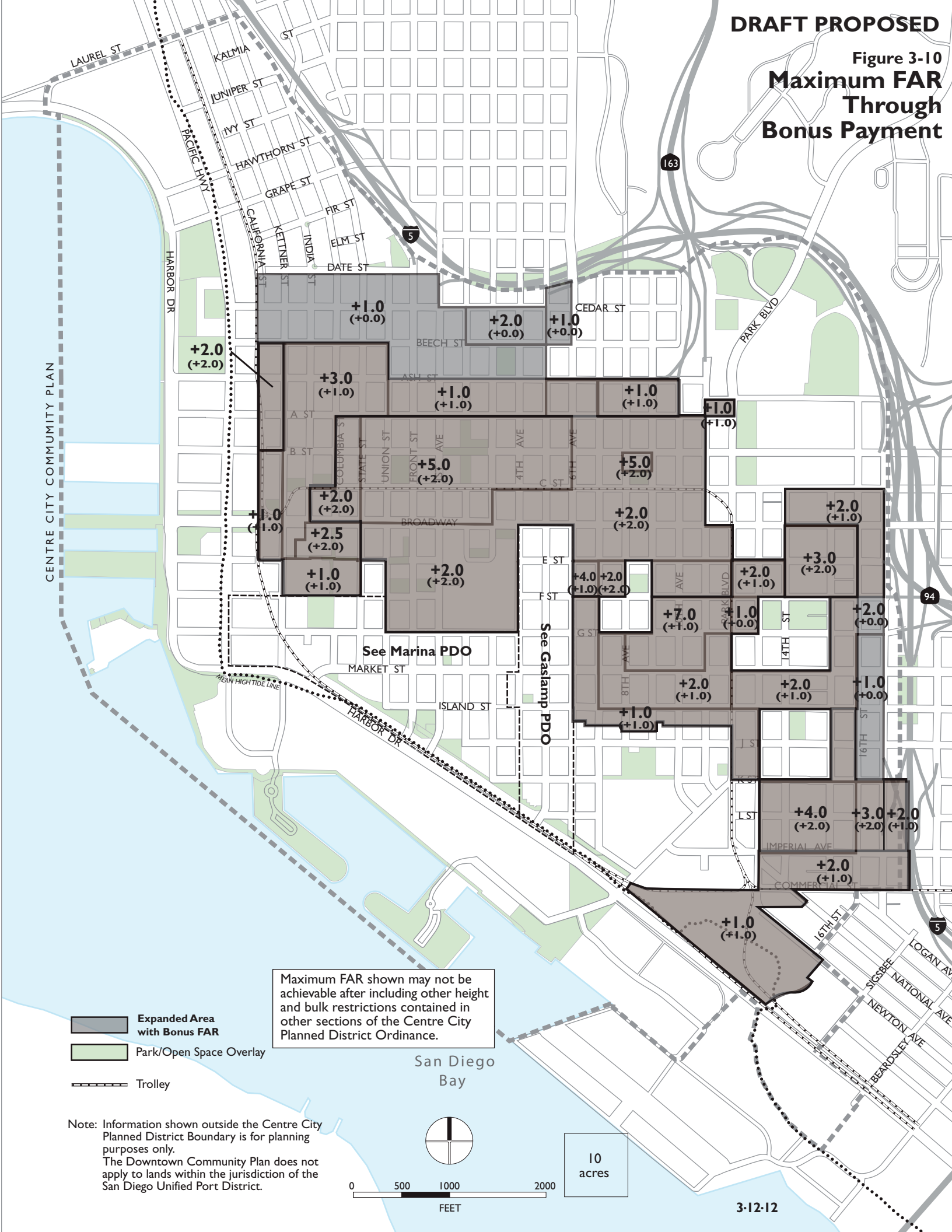
Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only. The Downtown Community Plan does not apply to lands within the jurisdiction of the San Diego Unified Port District.



10 acres

Figure 3-10
Maximum FAR
Through
Bonus Payment

CENTRE CITY COMMUNITY PLAN



Maximum FAR shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

- Expanded Area with Bonus FAR
- Park/Open Space Overlay
- Trolley

Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only. The Downtown Community Plan does not apply to lands within the jurisdiction of the San Diego Unified Port District.

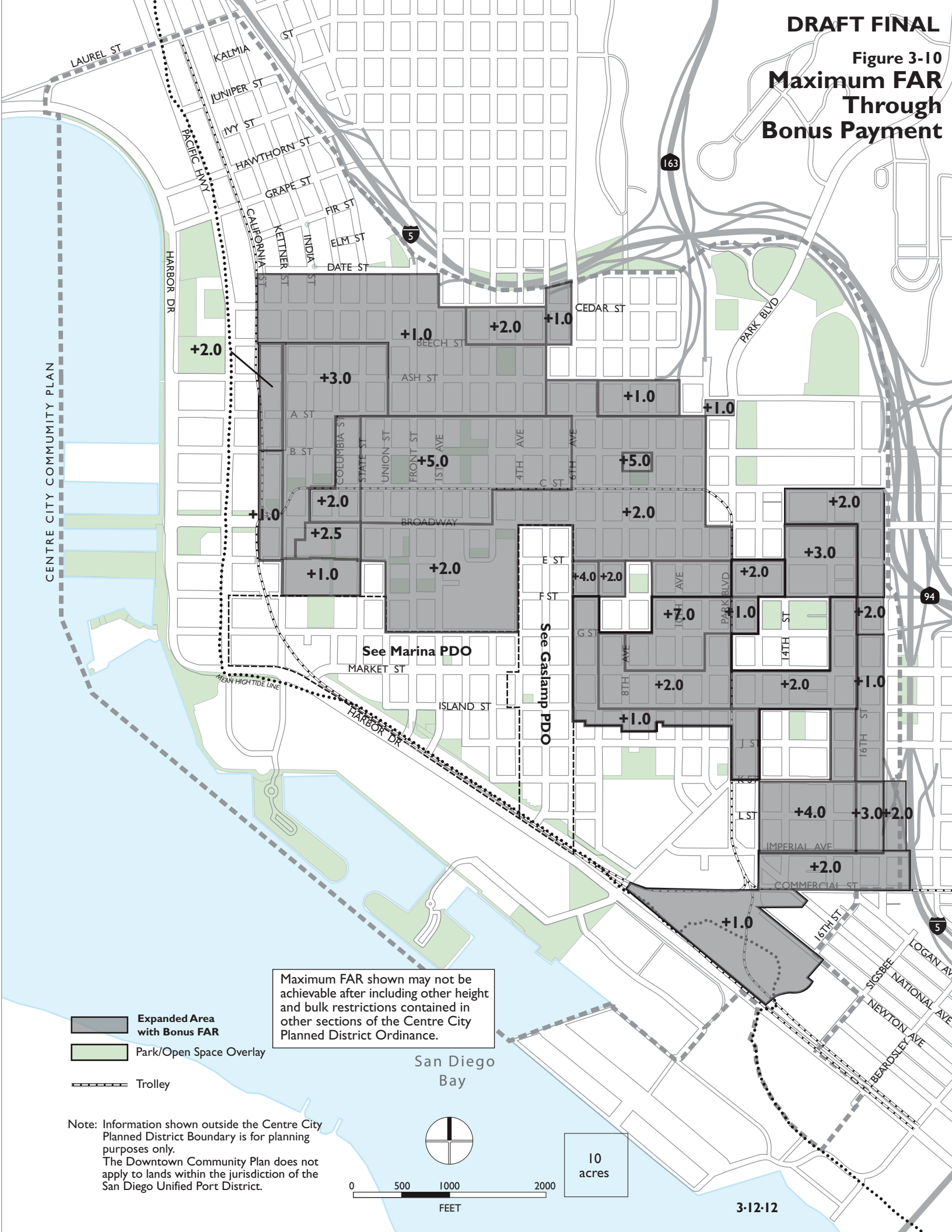


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10 acres

Figure 3-10
Maximum FAR
Through
Bonus Payment

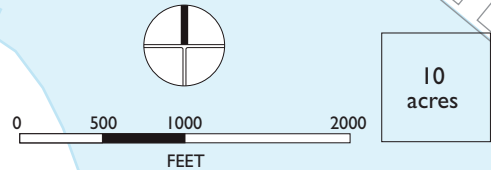
CENTRE CITY COMMUNITY PLAN



Maximum FAR shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

- Expanded Area with Bonus FAR
- Park/Open Space Overlay
- Trolley

Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only. The Downtown Community Plan does not apply to lands within the jurisdiction of the San Diego Unified Port District.



(b) Boundaries and Applicability

This Division applies to all property located in the Centre City Planned District shown in Figure A. Where lands are subject to the jurisdiction of other agencies and organizations, including the United States Government, State of California, San Diego Unified Port District, or County of San Diego, any superseding land use authority of those agencies shall apply.

(Added 4-3-2006 by O-19471 N.S; effective 5-3-2006)

(Renumbered from 151.0301 to 156.0301 by SDMC 11.0207 effective 4-26-2007.)

§156.0302 Definitions

The following definitions apply to this Article. Where not otherwise specified, the definitions found in Chapter 11, Article 3, Division 1 of the Land Development Code shall apply. Each word or phrase that is defined in this Division or in Chapter 11, Article 3, Division 1 of the Land Development Code appears in the text in italicized letters.

Active commercial uses mean commercial uses that are accessible to the general public, that generate walk-in clientele, and that contribute to a high level of pedestrian activity. *Active commercial uses* 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 floor area ratio (Base FAR) means the minimum and maximum *development* potential permitted for a site, which is expressed as a ratio of the amount of *gross floor area* to the size of the parcel. The minimum *base FAR* is the minimum *floor area* which must be built on a site in a new *development*. Maximum *base FAR* is the maximum *floor area* permitted to be built without bonuses or transfers.

Bed and breakfast means a visitor-serving establishment with up to twenty rooms for overnight stays that serves breakfast every morning.

Blank wall means any *street wall* area that is not transparent, including solid doors and mechanical area wall(s).

Bona-fide eating establishment means a place that is primarily used for serving individually prepared meals to guests for compensation. A *bona-fide eating establishment* contains suitable *kitchen* facilities on the *premises* and adequate seating for patrons.

Bonus floor area ratio (Bonus FAR) means the additional *floor area ratio* that may be earned by meeting certain requirements listed in Section 156.0309(e).

Building base means the lower portion of a building located immediately above *grade*.

Building materials mean all materials visible from the exterior of a *development*, including materials used for walls, roofs, windows, doors, and architectural or decorative features applied to the *building façade*.

CCAC means the Centre City Advisory Committee, the official community planning group for the Centre City Planned District.

CCDC means the Centre City Development Corporation.

CCDC Board means the Board of Directors of the Centre City Development Corporation.

CCDC President means the President of the Centre City Development Corporation or the President's designees.

Certificate of transfer means a document prepared in a form acceptable to *CCDC* and the City Attorney that is recorded to certify the *transfer of development rights* between sites.

Commercial streets mean certain *streets* in the Centre City Planned District that are subject to a land use overlay as illustrated in Figure D of this Division.

Common indoor open space means a usable indoor area commonly accessible to all residents and users of the building for passive or active recreation.

Common outdoor open space means usable outdoor area commonly accessible to all residents and users of the building for passive or active recreation.

Community Gardens are *premises* that are used for crop cultivation by individuals or collectively, and may be divided into multiple plots.

Covenants, Conditions, and Restrictions (CC&Rs) mean recorded documents specifying rights and restrictions on a site.

Courtyard means an open space unobstructed to the sky, located at or above-grade level and bounded on two or more sides by building walls.

Cultural institution or *cultural use* means a non-profit institution recognized as a 501(c), displaying or preserving objects of interest in the arts or sciences. *Cultural uses* include libraries, museums, non-profit art galleries, and interpretive centers.

Design Review means the formal review of a proposed *development* through the established process relevant to the size and nature of the proposed *development*.

Disposition and Development Agreement (DDA) means an agreement between the *Redevelopment Agency* and a developer in which the *Redevelopment Agency* conveys property to said developer to implement the *Redevelopment Plan* pursuant to a specified scope of *development*.

Employment uses mean those non-residential uses which provide employment opportunities and include those uses specifically designated in Table 156-0308A.

Eco-roof means an open space area on top of a building roof that is landscaped and maintained according to the requirements of Section 156.0309(e)(4).

Floor area ratio bonus (FAR bonus). See *Bonus Floor Area Ratio*.

Floor plate means the amount of *gross floor area* located on a single *floor* in the *tower* of a building.

Group living means residential or institutional uses licensed by the State of California that provide supportive residential facilities to specified sections of the population.

Home occupations have the same meaning as in Land Development Code Section 141.0308.

LEED® means the Leadership in Energy and Environmental Design green building certification system developed by the United States Green Building Council that provides third-party verification that a building or community was designed and built using strategies aimed at improving performances across a wide range of sustainability metrics.

Living unit means an enclosed space of between 150 and 400 net square feet which is used as a primary residence for a minimum period of one month at a time.

Living unit development means a *development* containing more than twelve *living units*.

Logo means an identifying symbol using graphics, color schemes, figures, hieroglyphics, numerals, letters, or words

Main streets mean certain *streets* in the Centre City Planned District that are subject to a land use overlay as illustrated in Figure D of this Division.

Mass and scale means the visual perception of the organization of the *GFA* of the *structure* compared to adjoining *development*.

Mid-zone means the portion of a building above the *building base* and below the *tower*.

Mixed-use development means *development* that includes two or more land uses.

Mobile Food Facilities are motorized vehicles from which food or drink (prepared on-site or pre-packaged) is sold or served to the general public, whether consumed on-site or elsewhere. *Mobile Food Facilities* do not include *pushcarts* as defined in Section 141.0619 of the San Diego Municipal Code.

Outdoor Activities are temporary uses that include farmer's markets and other markets, arts and cultural events, social or community events.

Outfield Park has the same meaning as in San Diego Municipal Code section 59.0102.

Owner Participation Agreement (OPA) means an agreement between the *Redevelopment Agency* and a property owner specifying terms of a redevelopment action as it affects the owner's property.

Pedestrian entrance means a functional entrance or door that is accessible to the general public from an enclosed occupied space. This does not include entrances to mechanical equipment or storage areas, emergency exits, or decorative nonfunctional doors and entrances.

Performance Path means a way to demonstrate that a *development* has exceeded the California Green Building Standards Code (CALGreen) by achieving a targeted level of performance in an existing voluntary green building rating system.

PETCO Park has the same meaning as in San Diego Municipal Code Section 59.0102.

Prescriptive Path means a way to demonstrate that a *development* has improved performance in one or more green buildings options that exceed the California Green Building Standards Code (CALGreen) by selecting from a list of eligible program *Sustainability Indicators*.

Private open space means an area connected or immediately adjacent to a *dwelling unit*. *Private open space* may include a balcony, porch, ground or above-grade patio or *roof deck* used exclusively by the occupants of the *dwelling unit* and their guests.

[Public Safety Facility](#) means a facility operated by the City of San Diego or its Contractor which is utilized for public safety and emergency services, including police and fire protection.

Pushcart has the same meaning as in Land Development Code Section 141.0619

Redevelopment Agency means the *Redevelopment Agency* of the City of San Diego that exercises governmental functions prescribed by the Community Redevelopment Law of the California Health and Safety Code pursuant to Resolution No. 147378.

Redevelopment Plan means the plan for the Centre City Redevelopment Project, which was adopted on May 11, 1992, by the City Council pursuant to Ordinance No. O-17767, and any subsequent amendments thereto.

Receiving site refers to a site where *gross floor area* is transferred from a *sending site* in accordance with the *Transfer of Development Rights* procedures in Section 156.0309(g).

Reflective glass means a glazing material which obscures vision, reflects surroundings, and has zero or minimal transparent qualities to the exterior.

Residential care facilities have the same meaning as in Land Development Code Section 141.0312.

Screen or *screening* means partial or full enclosure of a space or area by solid materials that are compatible with the materials and architectural design of the *development* in order to block views of the area from nearby *development* or *public rights-of-way*.

Sending site refers to a site where *gross floor area* is transferred to a *receiving site* in accordance with the *Transfer of Development Rights* procedures in Section 156.0309(g).

§156.0307 Land Use Districts

Twelve land use districts, shown in Figure B, define geographic areas that are subject to specific land use classifications. In addition, twelve overlay districts, shown in Figures C, D, and F, establish areas where additional requirements apply. Permitted land use classifications within each land use district are shown on Table 156-0308-A. Specific requirements for minimum and maximum percentages of *active commercial uses* on the ground-floor along *street frontages* are provided.

(a) Base Districts

The purpose of each base district is as follows:

- (1) Core (C). This district serves as a high-intensity office and employment center. The district operates as a center of regional importance and as a primary hub for businesses, communications, offices, and *hotels* with fewer restrictions on building bulk and *tower* separation than in other districts. *Mixed-use development* shall be accommodated as an important component of the area's vitality. Retail, educational, entertainment, residential, civic, governmental, and *cultural uses* are permitted. Within the C District a minimum of 40 percent of the ground-floor *street frontage* shall contain *active commercial uses*.
- (2) Neighborhood Mixed-Use Center (NC). This district ensures *development* of distinctive centers around plazas, parks, and *main streets* that provide a focus to the neighborhoods by supporting a mix of residential and non-residential *developments* that contain *active commercial uses* on the ground *floor*.

A broad array of compatible uses, including retail, eating and drinking establishments, residential, office, educational, indoor recreation, and *cultural uses* are permitted. Building volume restrictions apply to allow sunlight to reach *streets* and public spaces, and design standards seek to establish pedestrian-oriented *development*. Within the NC District, a minimum of 40 percent of the ground-floor *street frontage* shall contain *active commercial uses*. A minimum of 80 percent of the ground-floor *street frontage* along *main streets* shall contain *active commercial uses*.

- (3) Employment/Residential Mixed-Use (ER). This district provides synergies between educational institutions and residential neighborhoods, or transition between the C District and residential neighborhoods. The ER district also encompasses Horton Plaza. A variety of uses are permitted in this district, including office, residential, *hotel*, research and development, educational, and medical facilities.
- (4) Ballpark Mixed-Use (BP). This district accommodates *mixed-use developments* that support major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, *hotels*, offices, research and development facilities, *cultural institutions*, residential uses, live/work spaces, and parking facilities. Within the BP District, a minimum of 40 percent of the *ground-floor street frontage* shall contain *active commercial uses*.
- (5) Waterfront/Marine (WM). This district permits a range of maritime-related uses, including ocean related industry, major tourist and local visitor attractions, trade, office, eating and drinking establishments, retail, parking facilities, *cultural institutions*, and *hotels*. Within the WM District, a minimum of 20 percent and a maximum of 50 percent of the *ground-floor street frontage* shall contain *active commercial uses*.
- (6) Mixed Commercial (MC). This district accommodates a diverse array of uses, including residential, artist 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 MC 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, services, and *ground-floor active commercial uses* are allowed, subject to size and area limitations.

Within the RE District, at least 80 percent of the *gross floor area* must be occupied by residential uses. Non-residential uses may occupy no more than 20 percent of the *gross floor area*. Small *lots* of 5,000 square feet or less may apply for a deviation to the percentage requirements of the RE District through the Conditional Use Permit process. *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 *gross floor area*.

- (8) Industrial (I). This district permits a range of industrial uses, including light manufacturing, transportation services, repair and storage, and energy-generation facilities. Within the I District, no more than 20 percent of the *ground-floor street frontage* may be *active commercial uses*.
- (9) Transportation (T). This district accommodates uses related to trolley, passenger and freight rail operations, maintenance and repair, and associated activities. Within the T District, no more than 20 percent of the *ground-floor street frontage* may be *active commercial uses*.
- (10) Convention Center/Visitor (CC). This district provides an area for convention centers, *hotels*, and parks and open spaces for visitor uses. Within the CC District, a minimum of 20 percent and a maximum of 40 percent of the *ground-floor street frontage* shall contain *active commercial uses*.
- (11) Public/Civic (PC). This district provides a center for government, civic uses, *cultural institutions*, educational facilities, and public and support services, and it accommodates residential uses. Within the PC District, a minimum of 40 percent of the *ground-floor street frontage* shall contain *active commercial uses*.
- (12) Park/Open Space (OS). This district provides areas for *public parks* and open spaces. Below-ground parking facilities, eating and drinking establishments, arts and *cultural uses*, and community centers are also permitted.
- (13) Public Facilities (PF). This district is intended to accommodate one or more existing or proposed public safety facilities. Mixed-use developments are allowed within this district provided the public safety facility is located within the development.

Table 156-0308-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; MS = Main Street; CS= Commercial Street; E= Employment Overlay															
Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays
Public Park/ Plaza/Open Space	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P		
Agriculture	--	--	--	--	--	--	--	--	--	--	<u>--</u>	--	--		
<i>Community Gardens</i>	P	P	P	P	--	P	P	--	--	P	<u>--</u>	P	--	§123.0601- 0606, §141.0203	
Residential¹															
<i>Group Living</i>	L	L	L	L	--	L	L	--	--	L	<u>L</u>	--	--		
<i>Multiple Dwelling Units</i>	P	P	P	P	--	P	P	--	--	P	<u>P</u>	--	--		
<i>Shopkeeper Units</i>	P	P	P	P	--	P	P ²	--	--	P	<u>P</u>	--	--		
<i>Live/Work Quarters</i>	P	P	P	P	--	P	P	--	--	P	<u>P</u>	--	--	§141.0311	
Separately Regulated Residential Uses															
<i>Fraternities, Sororities and Dormitories</i>	N	N	N	N	--	N	N	--	--	N	<u>N</u>	--	--	§141.0304 (c)-(e)	
<i>Home Occupations</i>	P	P	P	P	--	P	P	--	--	P	<u>P</u>	--	--	§141.0308	
<i>Senior Housings</i>	C	C	C	C	--	C	C	--	--	C	<u>C</u>	--	--	§141.0310 §156.0309(e)(1)	
<i>Living Units</i>	P	P	P	P	--	P	P	--	--	P	<u>P</u>	--	--	§156.0315 (b)	
<i>Residential Care Facilities</i>	C	C	C	C	--	C	C	--	--	C	<u>C</u>	--	--	§141.0312	
<i>Transitional Housing</i>	C	C	C	C	--	C	C	--	--	C	<u>C</u>	--	--	§141.0313	
Institutional															
<i>Public Safety Facilities</i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>MS, CS, E</u>
Separately Regulated Institutional Uses															
<i>Churches & Places of Religious Assembly</i>	P	P	P	P	--	P	C	--	--	P	<u>P</u>	--	--		CS
Communication Antennas															
<i>Minor Telecommunication Facility</i>	L	L	L	L	L	L	N	L	L	L	<u>L</u>	C	L	§141.0420	
<i>Major Telecommunication Facility</i>	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	§141.0420	

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Satellite Antennas	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	L/C	<u>L/C</u>	L/C	L/C	§141.0405		
Correctional Placement Centers	C	--	--	--	--	C	--	--	--	C	<u>--</u>	--	--	§141.0406		
<i>Cultural Institutions</i>	P	P	P	P	P	P	C ⁹	--	--	P	<u>P</u>	P	P		MS,CS, E	
Educational Facilities	P	P	P	P	P	P	C ⁹	--	--	P	<u>P</u>	--	P		CS,E	
Energy Generation & Distribution Stations	C	C	C	C	C	C	--	C	C	C	<u>--</u>	--	C	§141.0408		
Exhibit Halls & Convention Facilities	--	--	--	--	--	C	--	C	C	C	<u>P</u>	--	P		E	
<i>Historical Buildings Occupied by Uses Not Otherwise Allowed</i>	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	§156.0315(d)		
Homeless Facilities ⁶	C	--	C	C	--	C	--	--	--	C	<u>C</u>	--	--	§141.0412 §156.0315(e)		
Hospitals, 24-hour Emergency Clinics, Intermediate Care Facilities, and Nursing Facilities	P	C	P	P	--	P	--	--	--	P	<u>P</u>	--	P		CS, E	
Major Transmission, Relay or Communication Switching Station	C	--	C	C	--	C	--	C	C	--	<u>--</u>	--	--	§141.0416		
<i>Social Service Institutions</i>	C	--	C	C	--	C	--	--	--	C	<u>C</u>	--	--	§156.0315(e)	CS	
Commercial Services																
Retail Sales	P	P	P	P	P	P	P	P	--	P	<u>P</u>	--	P	§156.0307 (a), (b) & Figure C	MS, CS, E	
Animal Grooming & Veterinary Offices	P	P	P	P	P	P	P	--	--	P	<u>--</u>	--	--		CS, E	
Assembly & Entertainment	P	P	P	P	P	P	--	--	--	P	<u>P</u>	P	P		CS, E	
With Outdoor Use Area	N	N	N	N	N	N	--	--	--	N	<u>N</u>	N	N			
Building Services	P	P	P	P	P	P	--	--	--	P	<u>--</u>	--	--		CS, E	

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Business Support	P	P	P	P	P	P	P	--	--	P	<u>==</u>	--	P		CS, E	
Eating & Drinking Establishments																
<i>Bona Fide Eating Establishments</i>	P	P	P	P	P	P	P	--	--	P	<u>P</u>	P	P	§156.0315 (a)	MS, CS, E	
<i>Non-Bona Fide Eating Establishments w/Alcohol</i>	C	C	C	C	C	C	--	--	--	C	<u>C</u>	--	C	§156.0315 (a)	MS, CS, E	
<i>With Outdoor Use Area</i>	N	N	N	N	N	N	N	--	--	N	<u>N</u>	P	N		MS, CS, E	
<i>With Live Entertainment & Dancing</i>	C	C	C	C	C	C	--	--	--	C	<u>C</u>	--	C	§156.0315 (a)	MS, CS, E	
<i>Mobile Food Facilities</i>	C	C	C	C	C	C	C	--	--	C	<u>C</u>	C	--			
Financial Institutions	P	P	P	P	P	P	P	--	--	P	<u>P</u>	--	P		MS, CS, E	
Funeral & Mortuary Services	P	--	P	--	--	P	--	--	--	--	<u>==</u>	--	--		CS, E	
Maintenance & Repair	P	P	P	P	P	P	P	P	P	P	<u>P</u>	--	P		CS, E	
Off-Site Services	P	P	P	P	P	P	--	P	--	--	<u>==</u>	--	P			
Personal Services	P	P	P	P	P	P	P	--	--	P	<u>==</u>	--	P		MS, CS, E	
Radio & Television Studios	P	P	P	P	P	P	P	--	--	P	<u>==</u>	--	P		CS, E	
Visitor Accommodations																
<i>Hotels and Motels</i>	P	P ³	P	P	P	P	--	--	--	P	<u>P</u>	--	P		CS, E	
Separately Regulated Commercial Service Uses																
Animal Hospitals & Kennels	N	--	N	N	--	N	N	--	--	--	<u>==</u>	--	--	§141.0604(b)(1) §141.0625	CS	
<i>Bed & Breakfast Establishments</i>	P	P	P	P	--	P	P	--	--	P	<u>P</u>	--	--		CS	
Child Care Facilities	P	P	P	P	P	P	P	--	--	P	<u>P</u>	--	P		CS, E	
Instructional Studios	P	P	P	P	P	P	P	--	--	P	<u>P</u>	--	P		MS, CS, E	

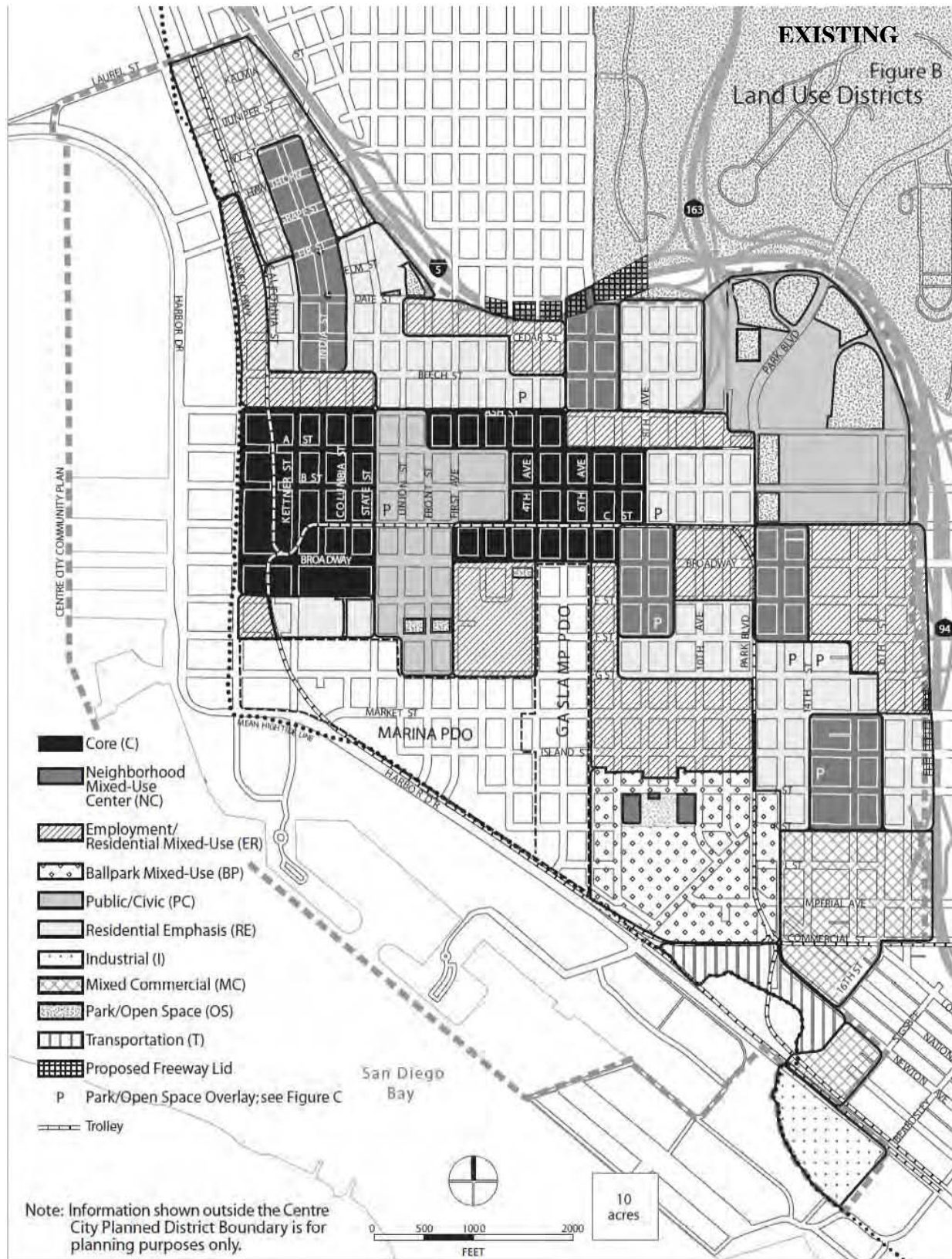
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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Parking Facilities (structure or surface) ⁸	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	§156.0313	MS, CS	
Private Clubs, Lodges and Fraternal Organizations	P	P	P	P	P	P	P	--	--	P	<u>P</u>	--	P			
Pushcarts	L/N	L/N	L/N	L/N	L/N	L/N	--	--	L/N	L/N	<u>L/N</u>	L/N	L/N	§141.0619		
Recycling Facilities																
Drop-Off Facilities	L	L	L	L	L	L	L	L	L	L	<u>--</u>	--	L	§141.0620 (b)		
Reverse Vending Machines	L	L	L	L	L	L	L	L	L	L	<u>--</u>	--	L	§141.0620 (c)		
Large Collection Facilities and Processing Facilities	--	--	--	--	--	C	--	C	C	--	<u>--</u>	--	--	§141.0620 (e)		
Small Collection Facilities	L	L	L	L	L	L	L	L	L	L	<u>--</u>	--	L	§141.0620 (d)		
Small and Large Processing Facilities	--	--	--	--	--	C	--	C	C	--	<u>--</u>	--	--	§141.0620 (f)		
Sidewalk Cafes	N	N	N	N	N	N	N	--	--	N	<u>N</u>	N	N	§141.0621		
SRO Hotels	P	P ³	P	P	--	P	P	--	--	--	<u>--</u>	--	--	§143.0510 - §143.0590		
Offices	P	P	P	P	P	P	P	--	--	P	<u>P</u>	--	P		E	
Vehicle & Vehicular Equipment Sales & Service																
Personal Vehicle Sales & Rental Offices	P	P	P	P	P	P	--	P	--	P	<u>--</u>	--	P		CS, E	
All Other Vehicle & Vehicular Equipment Sales & Services	--	--	--	--	--	C	--	C	C	--	<u>--</u>	--	--			
Separately Regulated Vehicle & Vehicle Equipment & Service Uses																
Automobile Service Stations	--	--	C	C	C	C	--	C	C	--	<u>--</u>	--	--	§141.0801		

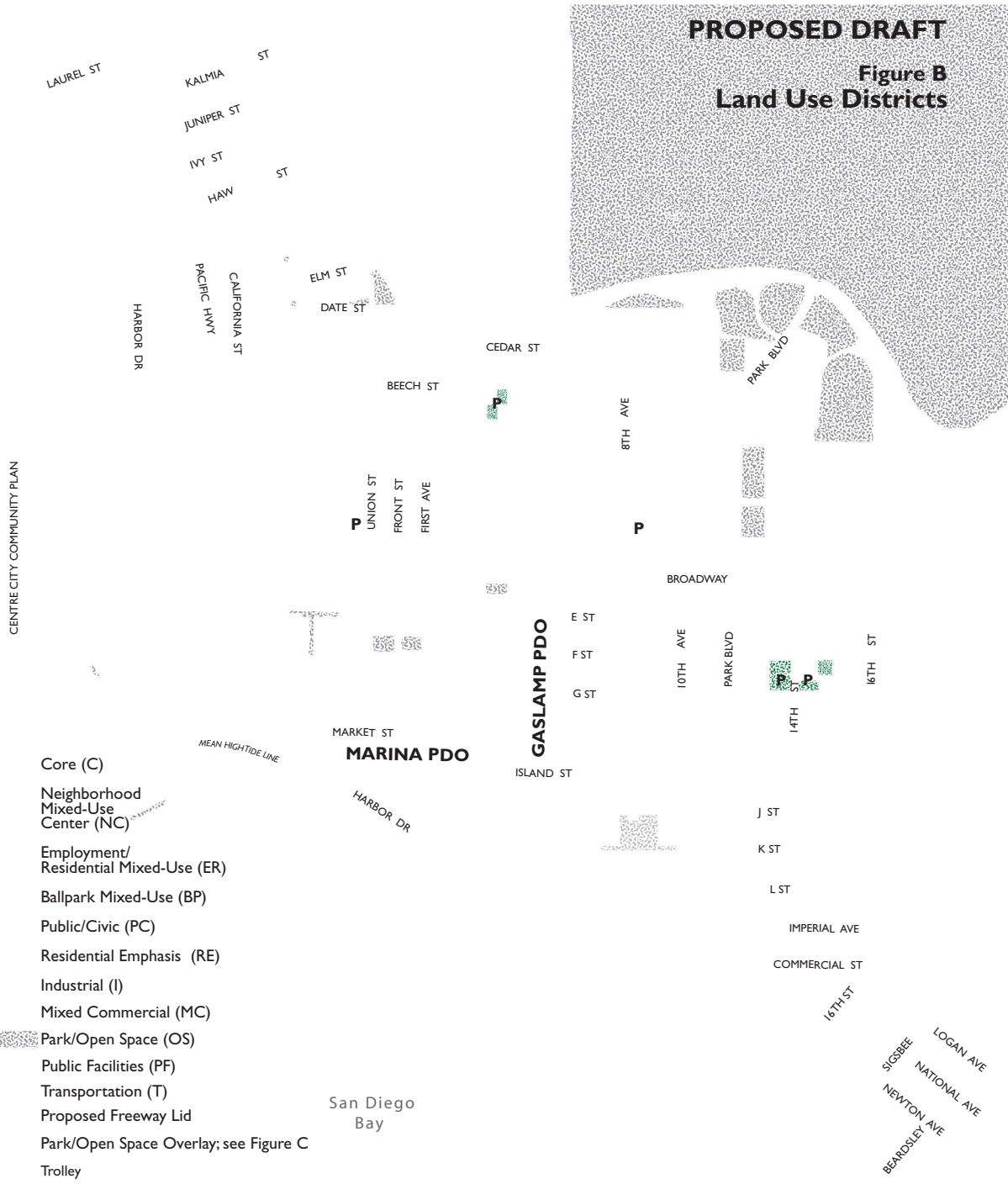
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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Wholesale, Distribution & Storage																
Moving & Storage Facilities	L ⁴	--	L ⁴	L ⁴	P	P	--	P	P	--	<u>≡</u>	--	--			
Warehouses & Wholesale Distribution	L ⁴	--	L ⁴	L ⁴	P	P	--	P	P	--	<u>≡</u>	--	--			
Separately Regulated Wholesale, Distribution & Storage Uses																
Temporary Construction Yards	N	N	N	N	N	N	N	N	N	N	<u>N</u>	--	N			
Industrial																
Heavy Manufacturing	--	--	--	--	--	--	--	C	--	--	<u>≡</u>	--	--			
Light Manufacturing	P	--	P	P	P	P	--	P	P	--	<u>≡</u>	--	--			
Marine Industry	--	--	--	--	--	C	--	C	--	--	<u>≡</u>	--	--			
Research & Development	P	--	P	P	--	P	--	P	P	--	<u>≡</u>	--	--		E	
Trucking and Transportation Terminals	--	--	--	--	--	C	--	C	C	--	<u>≡</u>	--	--			
Signs																
Allowable Signs	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	§142.1201 §142.1292 §156.0314		
Separately Regulated Sign Uses																
Community Entry or Neighborhood Identification Signs	N	N	N	C	N	N	N	N	N	N	<u>N</u>	N	N	§141.1101 §141.1104		
Reallocation of Sign Area Allowance	N	N	N	C	N	N	N	N	N	N	<u>N</u>	N	N	§141.1103		
Revolving Projecting Signs	N	N	N	C	N	N	N	N	N	N	<u>N</u>	N	N	§141.1104		
Automatic Changing Copy	N	N	N	C	N	N	N	N	N	N	<u>N</u>	N	N	§141.1105		
Theater Marquees	N	N	N	C	N	N	N	--	--	N	<u>N</u>	N	N	§141.1106		

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Use Categories/ Subcategories	C	NC	ER	BP	WM ⁷	MC	RE	I ⁷	T ⁷	PC	<u>PF¹⁰</u>	OS	CC ⁷	Additional Regulations	MS/CS & E Overlays	
Other Use Requirements																
Temporary Uses and Structures	L	L	L	L	L	L	L	L	L	L	<u>L</u>	L	L	\$123.0401		
Outdoor Activities	C	C	C	C	C	C	C	--	--	C	<u>C</u>	C	C		MS,CS	

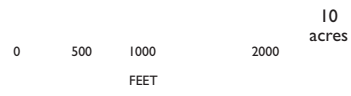
Footnotes to Table 156-0308-A

- 1 Not permitted on state or federal tidelands.
- 2 Commercial use *floor* area contributes to 20 percent commercial use allowance and is subject to locational limits of districts.
- 3 Up to 200 rooms permitted. Requires active ground-*floor* uses along *street frontages*.
- 4 Limited to 20 percent *gross floor area* above *grade*.
- 5 Uses designated with CS, MS, or E must meet minimum percentages specified in sections 156.0307(b) (4), (6), and (10).
- 6 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*.
- 7 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 Table is for planning purposes only. Lands owned by the United States are regulated by the federal government and may be subject to development agreement(s) executed with the City of San Diego. Lands owned by the County of San Diego are regulated by the County of San Diego and the California Coastal Commission, except for private *development* which is also subject to the Centre City Planned District Ordinance.
- 8 Structured parking facilities incorporated into a *development* as an *accessory use* shall be permitted by right and do not require a Conditional Use Permit.
- 9 Educational facilities and cultural institutions are not permitted within the Airport Approach Zone as delineated in the Airport Land Use Compatibility Plan for the San Diego International Airport.
- 10 This district allows all uses listed below but only within a mixed-use development containing a public safety facility.



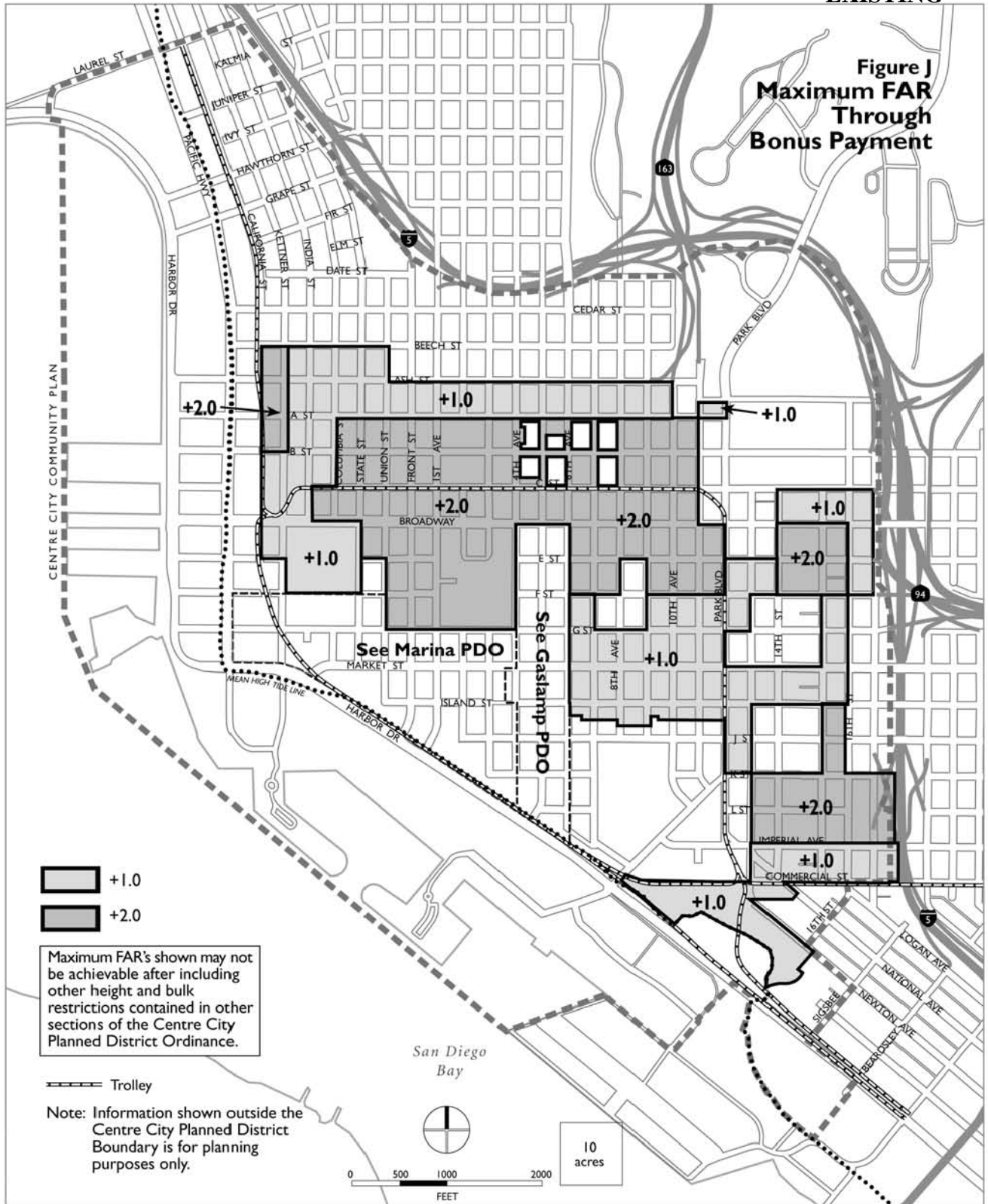


Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only.

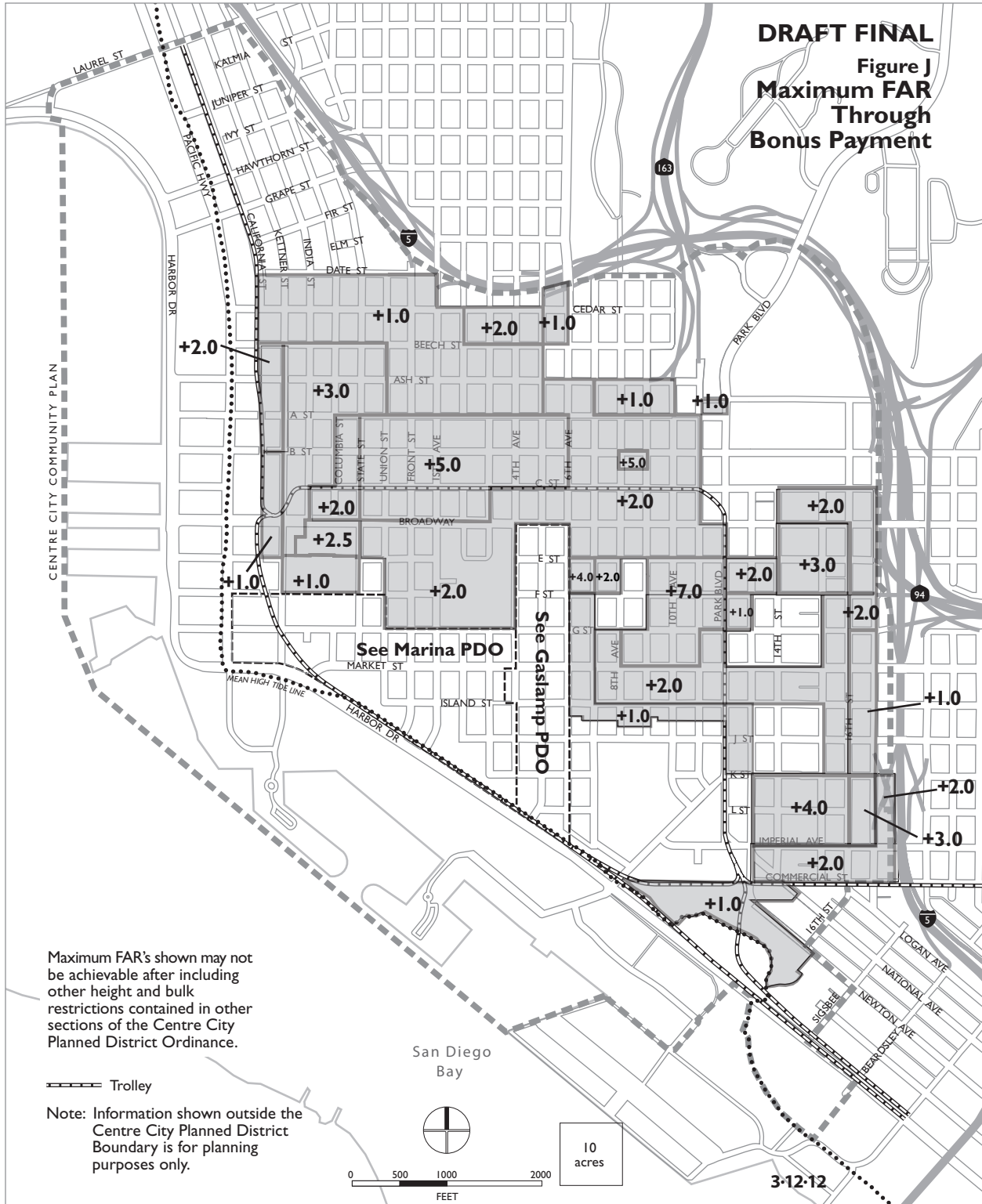


EXISTING

**Figure J
Maximum FAR
Through
Bonus Payment**



DRAFT FINAL
Figure J
Maximum FAR
Through
Bonus Payment

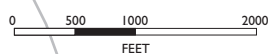


Maximum FAR's shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

— Trolley

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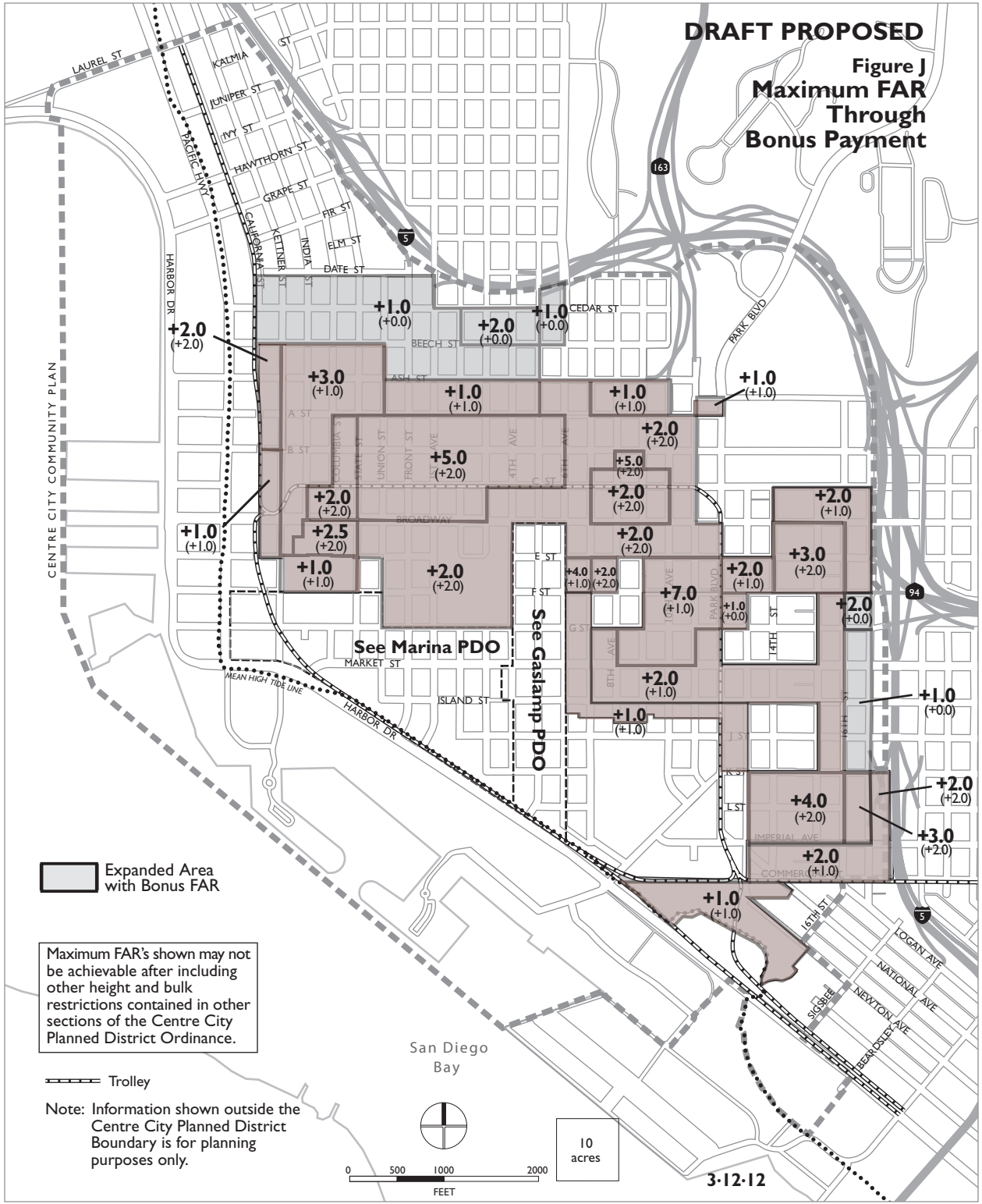
San Diego Bay



10 acres

3-12-12

DRAFT PROPOSED
Figure J
Maximum FAR
Through
Bonus Payment

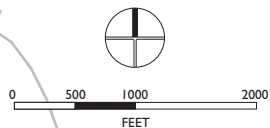


Expanded Area with Bonus FAR

Maximum FAR's shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

Trolley

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



10 acres

3-12-12

Project Summary

Project Name	APNs	Lot Size	Base FAR	Max FAR w/Bonus**	Project FAR	Base FAR Units	Bonus FAR Units	Afford. Units	Total Res'l Units	Retail or Commer.	Exempt from FAR	Eligible for Bonus**	Eligible for FAR Purchase
Completed / Under Construction													
Alta	535-111-17	30,000	6.0	8.0	6.70	160	19	N/A	179	11800 ret	11,800	y	y
Hotel Indigo	535-121-11, -04, -05	17,049	6.0	10.0	8.00				N/A	135,846 ret		y	y
Cedar Gateway	533-382-01, 04-06	23,850	6.5	8.0	4.14				65	6,000 ret		y	n
15th & Commercial ***	535-622-06	60,329	3.0	6.0	2.93				64 + 150 Beds	N/A		y	y
Thomas Jefferson Law School***	535-124-03	30,000	6.0	8.0	5.63				N/A	168,875 edu 6,200 ret		y	y
Ariel Suites	533-325-02, -03, -05, -06	26,247	5.5	10.0	8.50	144	79	N/A	224	17,300 ret		y	y
Strata	535-121-12	20,760	6.0	10.0	8.69	113	50	N/A	163	7,534 ret	7,534	y	y
Broadstone	533-212-06	57,191	6.0	6.0	4.70				201	9730 ret		n	n
13th and Market	535-145-04, -05, -08	60,083	6.0	6.0	4.77				264	20,332 ret		n	n
Columbia and Fir	533-582-07, -08	10,023	6.0	6.0	4.65				40	2,500		n	n
Approved													
Kettner and Ash	533-392-08	45,748	Per Dev. Agreement		12.79				285	11,550		n	n
Juniper Street	533-121-11	20,063	6.0	6.0	2.00				30	3,500		n	n
6th Avenue Hotel	535-116-02	5,000	6.0	8.0	8.00				N/A	90 rm hotel		y	y
Palatine	533-241-04, -11	14,601	6.0	6.0	6.00				101	N/A		n	n
13th/Park/C	534-206-01, 02, 05, 06	30,000	10.0	10.0	4.50				106	9,102 ret		n	n
719 Ash	535-033-01	27,442	8.0	10.0	8.00				2	4,000 ret 328 rm hotel		y	y
777 Beech	534-032-03	20,000	8.0	8.0	6.60				78	15,200 ret		n	n
Bahia View	535-153-14, -11	15,000	6.0	10.0	10.10	57	38	6	95	4,978 ret	4,978	y	y
Citiplace	533-342-07, -08, -13, -14	25,000	8.0	10.0	5.00				141	3,081 ret		y	n
India & Beech	533-324-06, -07	10,004	8.0	14.0	11.00	50	20	N/A	70	10,309 ret	10,309	y	y
Library Tower***	535-371-02 thru -09	40,000	6.0	8.0	8.00	131	43	16	174	10,680 ret	10,680	y	y
Riva Trigoso	533-351-02, 08	14,989	6.0	8.0	4.80				40	22,000 ret		y	n
Staybridge Suites	534-071-01	21,400	8.0	8.0	5.10				N/A	126 rm hotel		n	n
10th and A Hotel	534-063-01, -02, -03	10,760	8.0	8.0	7.77				N/A	123 rm hotel		n	n
Ninth and Broadway***	534-331-01, -15	25,000	10.0	14.0	6.80				N/A	5,774 ret		y	y
Columbia Tower	533-404-01, -07	30,000	8.0	14.0	10.00				6	387 rm hotel		y	y
Under Review													
Stadium View	535-136-09, -10, -11	20,000	6.0	20.0	11.10	64	53	8	117	6,247		y	y
15th and Island	533-235-02, -03, -05	60,000	6.0	6.0	8.00	715	250	72	965	17,127	17,127	n	n
11th and Broadway***	534-333-02, -03, -04, -05	40,000	10.0	14.0	16.03	387	166	39	623	9,783		y	y
Urbana	535-126-09, -10, -11, -12	20,000	6.5	6.5	4.66				96	1,138		n	n
Fat City Lofts	533-114-03, 760-007-22	62,841	5.5	5.5	3.83				237	4,282		n	n
15th and Market	535-144-17	61,800	6.0	6.0	3.91				242	10,000		n	n
1st and Island	535-075-01	67,651	6.5	6.5	6.50				185	12,948		n	n
12th and G	535-146-01 thru -08	45,000	6.0	6.0	4.20				208	5,514		n	n

FAR Bonus Programs*

Eco-Roof	Urban Open Space	Purchase				3-Bed Units		Affordable Units	
Bonus Amt	SF Provided	Bonus Amt (0.5 or 1)	SF Purchased	Bonus Amt (up to 2.0)	Purchase Price	Amt. Paid (not paid)	# units	Bonus Amt (1.0)	# aff units Bonus Amt
			21,153	0.70	\$15/sf	\$317,295			
1.0			16,918	1.00	\$15/sf	\$253,770			
1.0			52,494	2.00	\$15.93/sf	\$836,229			
1.0			19,950	0.66	\$15/sf	\$299,850	17	1.0	
1.0			5,000	1.00	\$16.13/sf	(\$80,650)			
1.0			27,442	1.00	\$15/sf	(\$411,630)			
1.0			15,000	1.00	\$16.13/sf	(\$241,950)			6 2.1
1.0			10,004	1.00	\$15/sf	(\$150,060)	7	1.0	16 2.0
1.0			25,000	1.00	\$15.93/sf	(\$398,250)			
1.0	4000	1.0	20,000	1.00	\$16.13/sf	(\$322,600)			8 2.1
0.89	4,000	0.5					63	1.0	39 3.5

*Public Parking, 100% Employment Use, Green Building and TDR Programs omitted as not used to-date

**Under California State Law and the CCPDO, all projects are entitled to pursue additional square footage via an Affordable Housing Density Bonus

***Project did not take advantage of FAR Purchase

- 34 total projects
- 18 eligible to participate in FAR Bonus Programs (15 eligible to purchase FAR)
- 13 of 18 (72%) eligible projects participated in the FAR Bonus Programs
- 10 of 15 (66%) eligible projects participated in FAR Purchase Program
- If all 13 projects utilizing bonuses are constructed, FAR Bonus Programs will have facilitated the addition of 718 additional market rate units to Downtown's housing stock
- Five (5) projects utilized the Affordable Housing Bonus. If constructed, these projects will add 141 affordable units to Downtown's affordable housing stock

Totals

TYPE OF BONUS USED

Eco-Roof	Urban OS	Purchase	3 Bed	100% Employment	Affordable	TDR
10	2	10	3	0	5	0

~~FAR FLOOR AREA RATIO (FAR) BONUS PAYMENT PROGRAM~~
BONUS PROGRAM

1. PURPOSE

The Floor Area Ratio (FAR) Payment Bonus Program (“Program”) is established to serve the public interest by providing additional funds to be used in conjunction with Development Impact Fees (DIF) to pay for the implementation of downtown parks and enhanced public right-of-way improvements identified and contemplated in the San Diego Downtown Community Plan (DCP). This document outlines the standards and procedures for the establishment and payment of FAR Bonus Payments under the Program. The Program provides an opportunity for a developer to increase the density of a Development Project in exchange for FAR Bonus Payments that will assist in implementing the parks, open space and public infrastructure goals of the DCP. The Program also establishes guidelines for the accounting of expenditure of funds collected under the Program.

1. —

~~At the February 28, 2006 San Diego Redevelopment Agency (“Agency”) Meeting, the Redevelopment Agency directed the Centre City Development Corporation (“CCDC”) to draft a proposed FAR Bonus Payment Program (“Program”) within the Centre City Planned District covered by the San Diego Downtown Community Plan. The Program will enable developers to acquire additional square footage for Development Projects in the Centre City Planned District. The maximum amount of square feet and FAR which may be acquired through this Program is established under San Diego Municipal Code (“SDMC”) Section 151.0309. Development Projects may increase the permitted maximum FAR above the maximum Base FAR through the acquisition of additional FAR and by making a FAR Bonus Payment, which will be deposited into the FAR Bonus Payment Fund, and which FAR Bonus Payment Fund will be used for certain public benefits under the Program. The FAR Bonus Payment will be set and fixed at \$15/ FAR square foot to be applied at the time that the Development Permit application is deemed complete and is payable upon issuance of any construction permit for the project.~~

~~The FAR Bonus Payments collected through the Program shall be deposited into a fund, specifically established for the Program and to be maintained and operated by CCDC. The FAR Bonus Payments collected shall be used for the acquisition, design, and construction of public parks, infrastructure and other eligible public facilities (including but not limited to, parks, public facilities and right of way improvements). Subject to the requirements of California Redevelopment Law, the FAR Bonus payments will be deposited into a separate, dedicated, interest earning fund (FAR Bonus Fund). The FAR Bonus Fund will be used in conjunction with Development Impact Fees (DIF) to pay for the acquisition and construction of downtown parks and public infrastructure identified in the Centre City Public Facilities Financing Plan and associated with new development. The Program is established to serve the public interest by providing public benefits in the form of monetary funds which will be applied to the acquisition, design, and construction~~

~~of public parks, infrastructure and other eligible public facilities. The purpose is to establish standards and procedures for the payment by prospective and current developers to acquire additional square feet (or “Bonus FAR”) for their Development Projects. The Program provides incentives to prospective and current developers in exchange for public benefits to help achieve the Downtown Community Plan and Centre City Planned District Ordinance goals, and to achieve the goals of and assist in implementing the Redevelopment Plan for the Centre City Redevelopment Project. The Program also provides an accounting of expenditure of funds collected under the Program.~~

~~One of the goals of redevelopment is to allocate the total costs of redevelopment between the public and private sectors. This Program is an effort not only meet the obligation of elimination of blight, but also furthers the goals of cost allocation of redevelopment between the public and private sectors through the FAR Bonus Payment by developers wishing to expand their Development Projects and at the same time establishing a fund to provide benefits to the public.~~

~~2.~~ 2. ~~DEFINITIONS~~

~~“Agency” means the Redevelopment Agency for the City of San Diego.~~

~~“Base Maximum Floor Area FAR” (Base FAR) means the minimum and maximum development potential permitted for a site and expressed as a ratio of the amount of gross floor area to the size of the parcel. The minimum base FAR is the minimum floor area which must be built on a site in a new project. Maximum base FAR is the maximum floor area permitted to be built without bonuses or transfers.~~

~~“Bonus FAR” means the additional floor area that may be acquired under the FAR Bonus Payment Program.~~

~~“CCDC” is an abbreviation for the Centre City Development Corporation.~~

~~“Centre City Development Permit” means the permits which are required pursuant to San Diego Municipal Code Chapter 15, Article 16, Division 3.~~

~~“Certificate of Bonus Payment” means a document which is recorded to certify the payment of the FAR Bonus Payment.~~

~~“Community Plan” means the San Diego Downtown Community Plan.~~

~~“Development Permit” means those permits which require development review and are subject to the development permit procedures within the Centre City Planned District, under Chapter 15, Division 3 of the San Diego Municipal Code.~~

——— “*Development Project*” means a building or structure or structural alteration or enlargement of an existing building or structure within the ~~Redevelopment Project Area~~Centre City Planned District.

——— “*FAR Bonus Payment*”~~(s)~~ means the ~~payment(s)~~monetary compensation paid by ~~the a~~ developer of a ~~project~~Development Project in the Centre City Planned District in order to increase the maximum FAR (allowable above grade square footage) for a particular Development Project.

——— “*FAR Bonus Fund*” means the fund established by the ~~Redevelopment Agency~~City of San Diego for the collection of the FAR Bonus Payments.

——— “*FAR Bonus Payment Program*” means the program established by the City of San Diego for the payment by the developer of a project in the Centre City Planned District to increase the FAR for a particular Development Project.

——— “*Financing Plan*” ~~means the Centre City Public Facilities Financing Plan.~~

——— “*Floor Area*” means the total gross floor area (GFA), ~~(as defined in Section 151156.0304-0305~~ of the San Diego Municipal Code~~.)~~ of all buildings(s) on a premise(s).

——— “*Floor Area Ratio*” (FAR) means the numerical value obtained by dividing the Floor Area by total land area of the premises on which the building(s) are located.

——— “*Project-Development Site*” means that real property which is the subject of the proposed Development Project which includes a building or structure or structural alteration or enlargement of an existing building or structure within the Centre City Planned District.

——— “*Public parks*Parks” means parks, plazas, and/or open space open to the public and used for active and/or passive recreational purposes. These areas may be paved or landscaped, but in all cases offer an outdoor area for public use.

——— “*Public facility*” ~~means a recreational facility, community building, structure (e.g. parking facility) or gathering space open to and used by the public.~~

——— “*SDMC*” ~~is an abbreviation for the City of San Diego Municipal Code.~~

3. PROGRAM DESCRIPTION

Within the DCP area, the maximum allowable above grade square footage of a proposed Development Project is controlled by the Development Site’s Base Maximum FAR. The Program is one of a number of FAR Bonus programs available under the Centre City Planned District Ordinance (CCPDO) that allow a developer to acquire additional building square footage, or Bonus FAR, above the Base Maximum FAR established for a

particular development site. Under the Program, a developer can voluntarily purchase Bonus FAR up to a maximum amount established in Figure J of the CCPDO. Far Bonus Payments made under the Program are deposited into an FAR Bonus Fund and are used to provide for certain public benefits within the DCP Area. The FAR Bonus Payment was initially set at \$15/square foot in 2007; however, this amount is adjusted annually for inflation on July 1st of each year based on the Consumer Price Index (CPI) for urban San Diego County. The FAR Bonus Payment for a particular project is set at the time that the Centre City Development Permit application for the Development Project is deemed complete. The FAR Bonus Payment is required to be paid upon issuance of any construction permit for a Development Project.

The FAR Bonus Payments collected through the Program shall be deposited into an FAR Bonus Fund, specifically established for the Program and to be maintained and operated by the City of San Diego (“City”) and/or its designee. FAR Bonus Payments shall be used for the acquisition, design and development of Public Parks and enhanced public right-of-way improvements.

4. ~~3.~~ CONSULTATION

The developer shall consult with ~~the CCDC~~City staff and/or its designee ~~at the earliest reasonable point in~~early in the design and development stage of any Development Project requesting the acquisition of additional FAR and prior to applying for a Development Permit ~~or prior to entering into an agreement with the Agency~~. This consultation shall be used to identify any potential development issues ~~regarding Development Project approval, including but not limited to: parking and transportation requirements and public benefits.~~ and ~~CCDC shall review the pertinent Development Project information provided by the developer and~~ determine the applicable FAR Bonus Payment ~~which would be~~ owed by the developer for the acquisition of additional square footage for the proposed Development Project. ~~The CCDC shall determine the maximum FAR allowed under the City’s Municipal Code for the proposed Project Site. The CCDC shall calculate the FAR Bonus Payment based upon the maximum FAR allowed at the proposed Project Site under the SDMC and the existing FAR on the Project Site, if any. CCDC shall work with developer to establish the amount of FAR Bonus Payment to be collected under the Program.~~

~~5.~~ 4. ~~FAR BONUS PAYMENT PROCEDURES~~

~~The CCDC is responsible for the planning and zoning functions for the City of San Diego within the Centre City Planned District. Centre City Development Permits, Neighborhood Use Permits, Conditional Use Permits, Coastal Development Permits, Site Development Permits and Variances require development review and are required to follow the Development Permit procedures established in SDMC Section 151.0303.~~

~~For new Development Projects requesting~~ For developers requesting an increase ~~in the permitted maximum FAR above the Base Maximum FAR~~ through the ~~FAR Bonus Payment Program~~ Program, ~~for a particular Project Site,~~ the following procedures shall apply:

a. The request for the acquisition of additional FAR shall be made as part of the ~~Centre City~~ Development Permit ~~Application~~ application.

~~b.~~ The price-per-square-foot of the FAR Bonus Payment was set at \$15 per-square-foot in 2007 and shall be adjusted annually for inflation on July 1st of each subsequent year based on the Consumer Price Index (CPI) for urban San Diego County. ~~—~~

~~b.~~ ~~The developer shall be required to provide a~~ The price-per-square-foot of the FAR Bonus Payment ~~shall be set at the time that the Development Permit application for the project is deemed complete.~~ set initially at \$15/FAR square foot.

~~c.~~ The Development Permit application shall not be deemed complete until all the requisite information, including the additional amount of FAR requested, has been submitted by the developer to the ~~CCDC~~ City and/or its designee.

~~e.~~ _____

d. The FAR Bonus Payment for a Development Project must be submitted prior to issuance of a construction permit for the Development Project (not including demolition permits for existing onsite structures). No construction permit shall be issued to the developer for a proposed Development Project until the FAR Bonus Payment is received by ~~the CCDC~~ City and/or its designee.

~~The CCDC~~ The City and/or its designee shall deposit all FAR Bonus Payments received in connection with ~~the~~ the Program into the FAR Bonus Fund.

~~e.~~ _____

~~e.~~ ~~For Development Projects which were permitted before establishment of the Program and who wish to take advantage of the Program, the developer and/or owner shall submit to the CCDC an amended Development Permit~~

~~application, for the acquisition of the additional square footage for the Development Project. The provided FAR Bonus Payment form for the acquisition of the additional square footage shall include the same information, as described above in subsection (a) for new Development Projects.~~

5. FAR BONUS FUND

The FAR Bonus Payments collected by ~~the CCDC~~the City and/or its designee under the Program shall be deposited into a dedicated ~~fund~~FAR Bonus Fund. The fund shall be ~~a fund~~ operated and maintained by the ~~Redevelopment Agency~~City and/or its designee. The ~~FAR Bonus Fund~~fund shall be used for ~~the purpose of~~the acquisition, design and development of Public Parks and enhanced public right-of-way improvements within the DCP area.~~assisting in the acquisition, design, and construction of public parks, infrastructure and other eligible public facilities (including but not limited to, parks, public facilities and right of way improvements) within the Centre City Planned District. The FAR Bonus funds shall be considered as a source of funds when evaluating updates to the Centre City Public Facilities Financing Plan. Expenditures and commitments for expenditures from the FAR Bonus Fund shall only be done after compliance with applicable procedures of the California Redevelopment Law.~~

6. _____

6. GENERAL REQUIREMENTS

The ~~CCDC and Agency~~ City and/or its designee shall establish an accounting of all FAR Bonus Payments collected, and funds expended ~~by the CCDC~~ under the Program ~~and of allocations of public benefit resources in the Centre City Planned District.~~ -The City and/or its designee ~~Agency and CCDC~~ shall maintain a record of the Bonus used and unused ~~FAR obtained for Development Projects eligible under this program within the Centre City Planned District, the amount of Bonus FAR acquired~~ by each Development Project utilizing the Program, the FAR Bonus Payments collected for each Development Project, and other records as may be necessary and desirable to provide an up-to-date accounting of the Bonus FAR within the ~~Centre City Planned District~~ DCP area. The City and/or its designee ~~Agency and CCDC~~ shall maintain an accounting of all public benefit resources derived ~~expenditures from~~ of funds derived from the Program, ~~and an accounting of the allocation of the public benefit resources.~~ The ~~All~~ records shall be available for public inspection.

FLOOR AREA RATIO (FAR) PAYMENT BONUS PROGRAM

1. PURPOSE

The Floor Area Ratio (FAR) Payment Bonus Program (“Program”) is established to serve the public interest by providing additional funds to be used in conjunction with Development Impact Fees (DIF) to pay for the implementation of downtown parks and enhanced public right-of-way improvements identified and contemplated in the San Diego Downtown Community Plan (DCP). This document outlines the standards and procedures for the establishment and payment of FAR Bonus Payments under the Program. The Program provides an opportunity for a developer to increase the density of a Development Project in exchange for FAR Bonus Payments that will assist in implementing the parks, open space and public infrastructure goals of the DCP. The Program also establishes guidelines for the accounting of expenditure of funds collected under the Program.

2. DEFINITIONS

“*Base Maximum FAR*” is the maximum floor area permitted to be built without bonuses or transfers.

“*Bonus FAR*” means the additional floor area that may be acquired under the FAR Bonus Payment Program.

“*Centre City Development Permit*” means the permits which are required pursuant to San Diego Municipal Code Chapter 15, Article 6, Division 3.

“*Development Project*” means a building or structure or structural alteration or enlargement of an existing building or structure within the Centre City Planned District.

“*FAR Bonus Payment*” means the monetary compensation paid by a developer of a Development Project in the Centre City Planned District in order to increase the maximum FAR (allowable above grade square footage) for a particular Development Project.

“*FAR Bonus Fund*” means the fund established by the City of San Diego for the collection of the FAR Bonus Payments.

“*FAR Bonus Payment Program*” means the program established by the City of San Diego for the payment by the developer of a project in the Centre City Planned District to increase the FAR for a particular Development Project.

“*Floor Area*” means the total gross floor area (GFA), as defined in Section 156.0305 of the San Diego Municipal Code, of all buildings(s) on a premise(s).

“Floor Area Ratio” (FAR) means the numerical value obtained by dividing the Floor Area by total land area of the premises on which the building(s) are located.

“Development Site” means that real property which is the subject of the proposed Development Project which includes a building or structure or structural alteration or enlargement of an existing building or structure within the Centre City Planned District.

“Public Parks” means parks, plazas, and/or open space open to the public and used for active and/or passive recreational purposes. These areas may be paved or landscaped, but in all cases offer an outdoor area for public use.

3. PROGRAM DESCRIPTION

Within the DCP area, the maximum allowable above grade square footage of a proposed Development Project is controlled by the Development Site’s Base Maximum FAR. The Program is one of a number of FAR Bonus programs available under the Centre City Planned District Ordinance (CCPDO) that allow a developer to acquire additional building square footage, or Bonus FAR, above the Base Maximum FAR established for a particular development site. Under the Program, a developer can voluntarily purchase Bonus FAR up to a maximum amount established in Figure J of the CCPDO. Far Bonus Payments made under the Program are deposited into an FAR Bonus Fund and are used to provide for certain public benefits within the DCP Area. The FAR Bonus Payment was initially set at \$15/square foot in 2007; however, this amount is adjusted annually for inflation on July 1st of each year based on the Consumer Price Index (CPI) for urban San Diego County. The FAR Bonus Payment for a particular project is set at the time that the Centre City Development Permit application for the Development Project is deemed complete. The FAR Bonus Payment is required to be paid upon issuance of any construction permit for a Development Project.

The FAR Bonus Payments collected through the Program shall be deposited into an FAR Bonus Fund, specifically established for the Program and to be maintained and operated by the City of San Diego (“City”) and/or its designee. FAR Bonus Payments shall be used for the acquisition, design and development of Public Parks and enhanced public right-of-way improvements.

4. CONSULTATION

The developer shall consult with City staff and/or its designee early in the design and development stage of any Development Project requesting the acquisition of additional FAR and prior to applying for a Development Permit. This consultation shall be used to identify any potential development issues and determine the applicable FAR Bonus Payment owed by the developer for the acquisition of additional square footage for the proposed Development Project.

5. FAR BONUS PAYMENT PROCEDURES

For developers requesting an increase above the Base Maximum FAR through the Program, the following procedures shall apply:

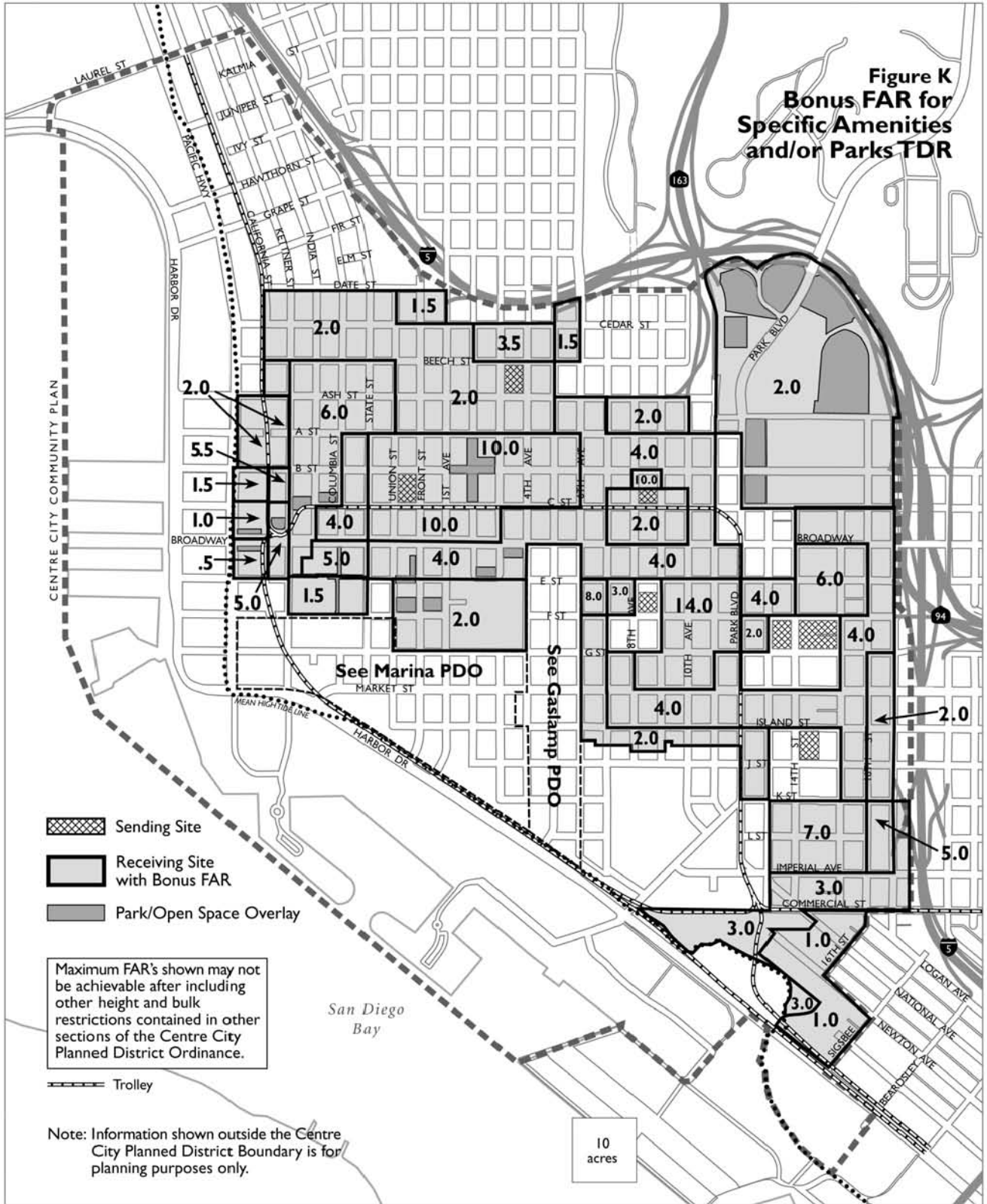
- a. The request for the acquisition of additional FAR shall be made as part of the Centre City Development Permit application.
- b. The price-per-square-foot of the FAR Bonus Payment was set at \$15 per-square-foot in 2007 and shall be adjusted annually for inflation on July 1st of each subsequent year based on the Consumer Price Index (CPI) for urban San Diego County.
- c. The price-per-square-foot of the FAR Bonus Payment shall be set at the time that the Development Permit application for the project is deemed complete. The Development Permit application shall not be deemed complete until all the requisite information, including the additional amount of FAR requested, has been submitted by the developer to the City and/or its designee.
- d. The FAR Bonus Payment for a Development Project must be submitted prior to issuance of a construction permit for the Development Project (not including demolition permits for existing onsite structures). No construction permit shall be issued to the developer for a proposed Development Project until the FAR Bonus Payment is received by City and/or its designee.
- e. The City and/or its designee shall deposit all FAR Bonus Payments received in connection with the Program into the FAR Bonus Fund.

5. FAR BONUS FUND

The FAR Bonus Payments collected by the City and/or its designee under the Program shall be deposited into a dedicated FAR Bonus Fund. The fund shall be operated and maintained by the City and/or its designee. The fund shall be used for the acquisition, design and development of Public Parks and enhanced public right-of-way improvements within the DCP area.

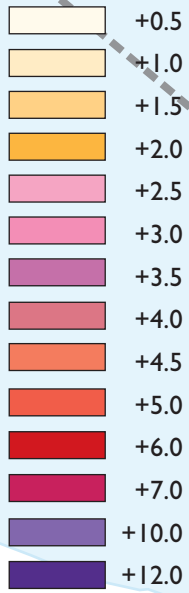
6. GENERAL REQUIREMENTS

The City and/or its designee shall establish an accounting of all FAR Bonus Payments collected, and funds expended under the Program. The City and/or its designee shall maintain a record of the Bonus FAR obtained by each Development Project utilizing the Program, the FAR Bonus Payments collected for each Development Project, and other records as may be necessary and desirable to provide an up-to-date accounting of the Bonus FAR within the DCP area. The City and/or its designee shall maintain an accounting of all expenditures of funds derived from the Program. All records shall be available for public inspection.



**Figure 3-11
Total Bonus
FAR Available
(including through
bonus payment)**

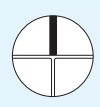
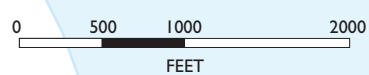
CENTRE CITY COMMUNITY PLAN



Maximum FAR shown may not be achievable after including other height and bulk restrictions contained in other sections of the Centre City Planned District Ordinance.

- TDR Sending Site
- Park/Open Space Overlay
- Trolley

Note: Information shown outside the Centre City Planned District Boundary is for planning purposes only. The Downtown Community Plan does not apply to lands within the jurisdiction of the San Diego Unified Port District.



10 acres

San Diego Bay

