

Civic San Diego

DATE ISSUED: March 11, 2013

REPORT NO. PC-13-036

ATTENTION: Planning Commission, Agenda of March 28, 2013

SUBJECT: PROPOSAL TO INITIATE AMENDMENTS TO THE CENTRE CITY
PLANNED DISTRICT ORDINANCE

**OWNER/
APPLICANT:** Solar Turbines, Inc.

SUMMARY

Issue(s): Should the Planning Commission (“Commission”) initiate consideration of amendments to the Centre City Planned District Ordinance (CCPDO) and Local Coastal Program (LCP)?

Staff Recommendation: Civic San Diego (“CivicSD”) staff recommends that the Commission initiates CCPDO Amendment 2013-01 for the consideration of potential amendments to the CCPDO establishing a transition zone prohibiting residential and other sensitive land uses within a specified distance from the Solar Turbines Industrial Complex (“Solar Turbines”) located at 2200 Pacific Highway within the Coastal Zone in the northern portion of the Little Italy Neighborhood in the Downtown Community Plan (DCP) Area.

Community Planning Group Recommendation: None. If the initiation is approved, the proposed amendments will go forward for consideration before the Downtown Community Planning Council (DCPC) and CivicSD prior to being scheduled for a public hearing by the Commission.

Environmental Review: This activity is not a “project” under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378. Therefore, pursuant to CEQA Guidelines Section 15060(c)(3), the activity is not subject to CEQA. The appropriate environmental review will be completed as part of the amendment study and presented at later hearings for the proposed amendments.

Fiscal Impact Statement: None.

Code Enforcement Impact: None.

Housing Impact Statement: None with this action.

The initiation of a plan amendment in no way confers adoption of a plan amendment, that neither the Commission nor City of San Diego City Council (“City Council”) is committed to adopt or deny the proposed amendments.

BACKGROUND

In 2006, the City Council adopted a new DCP and major amendments to the CCPDO for the Centre City Planned District. The 1992 Community Plan and CCPDO remain in effect in the Coastal Zone. However, the 2006 DCP and CCPDO received conditional Coastal Certification in November, 2012 and is currently pending adoption by the City Council. Upon adoption by City Council, the 2006 DCP and CCPDO will govern the development of all Coastal Zone areas within the boundaries of the Centre City Planned District.

During the adoption of the 2006 DCP, issues of industrial and residential adjacencies were discussed, but specific regulatory frameworks for downtown industrial uses were not enacted due to the on-going preparation of the City of San Diego's (“City”) General Plan (“General Plan”) update and the key discussions that were underway regarding potential City-wide policies that would be adopted as part of the future General Plan Economic Prosperity Element. Upon adoption of the DCP, policies reflecting the intent to address land use adjacencies were included and further expanded through the adoption of the 2008 General Plan.

In 2011, CivicSD received a controversial application for the Fat City Lofts residential project, a residential mixed-use project located on the east side of Pacific Highway between Hawthorne and Ivy streets in the northern Little Italy neighborhood. Solar Turbines is located directly to the west of the site where the Fat City Lofts project was proposed. The main issue surrounding the proposed development was related to industrial and residential adjacencies and the potential impacts to the regulatory framework under which Solar Turbines operates. After an extensive review of the proposed development, it was determined that the project was not consistent with the goals and policies of the General Plan, DCP and CCPDO and was therefore denied. During the Fat City Loft's discussion, CivicSD acknowledged the need to address these land use adjacency issues and implement the relevant goals and policies of the General Plan, DCP and CCPDO in a more comprehensive definitive manner.

DISCUSSION

On December 7, 2012, CivicSD received an application from Solar Turbines requesting consideration of an amendment to the CCPDO to establish a transition zone around the Solar Turbines industrial site, which would prohibit residential and other sensitive land uses within a specified distance from the complex. The State of California Air Resources Board (CARB) recommends a 1,000-foot separation between industrial and residential and other sensitive receptor uses. However, CARB recognizes that land use decisions are the responsibility of local agencies and that many factors, including land use and housing goals, need to be evaluated prior to the establishment of such a separation. As part of its evaluation of the proposed amendments, CivicSD will consider whether a proposed transition zone is appropriate given the adopted land

use goals and policies listed below. Any transition zone will also be evaluated with respect to the appropriate distance for any such buffer. A map showing a 500-foot and 1,000-foot buffer has been provided for reference.

2008 General Plan Economic Prosperity Element

- EP-A.1 – Protect base sector uses that provide quality job opportunities including middle-income jobs; provide for secondary employment and supporting uses; and maintain areas where smaller emerging industrial uses can locate in a multi-tenant setting. When updating community plans or considering plan amendments, the industrial land use designations contained in the Land Use and Community Planning Element should be appropriately applied to protect viable sites for base sector and related employment uses.

2006 DCP and CCPDO

- Land Use and Housing Policy 3.3-P-2: Allow residential activity in all land use classifications (with exception of tidelands pursuant to the Port Master Plan and lands classified as Industrial). Allow for higher standard of review for residential development adjacent to industrial land use districts.
- Land Use and Housing Policy 3.3.-P-6: Within six months of adoption of the DCP, and in collaboration with adjacent community members, residents, and business owners, fund and hold planning/urban design meetings(s) to develop guidelines for land uses on properties within the Centre City Planned District adjacent to industrial areas, the working waterfront, and Barrio Logan.
- Economic Development Element Policy 11.3-P-6: Establish an inventory of targeted industry clusters and identify locational characteristics and determine the effects of CivicSD/City policy and regulation on the operation and continued success of these clusters; work closely with industry contacts to identify specific needs to be addressed.

The development entitlement process within downtown has been very effective for establishing clear regulations and procedures in order to encourage and facilitate appropriate and well-designed developments that comply with all goals, policies and regulations of the General Plan, DCP and CCPDO. Specific policies and regulations related to the issue of separation between industrial land uses and sensitive receptor uses will be established through a very deliberate public process. The following is a tentative schedule for processing the proposed amendments:

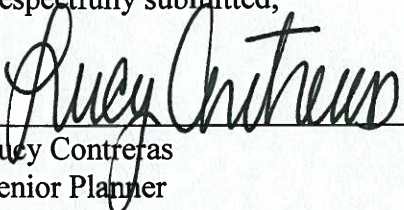
Date of Approval	Action or Approval
March 2013	Commission consideration of initiation
April 2013	DCPC and CivicSD consideration of proposed amendments
May 2013	Land Use and Housing Committee consideration/Commission Public Hearing
June/July 2013	City Council Public Hearing

The above timeline reflects the determination that the proposed amendments do not require additional environmental review beyond the previously certified 2006 Final Environmental Impact Report (FEIR) for the DCP. The FEIR includes language related to land use compatibility issues between future residential uses and existing industrial uses. However, if additional environmental review is warranted, additional time would be required for the preparation of the appropriate environmental documents.

Conclusion:

CivicSD staff recommends that the Commission approves the initiation of CCPDO Amendment 2013-01 for consideration of potential amendments to the CCPDO considering the establishment of a transition zone which would prohibit residential and other sensitive land uses within a specified distance from Solar Turbines.


Respectfully submitted,



Lucy Contrefas
Senior Planner

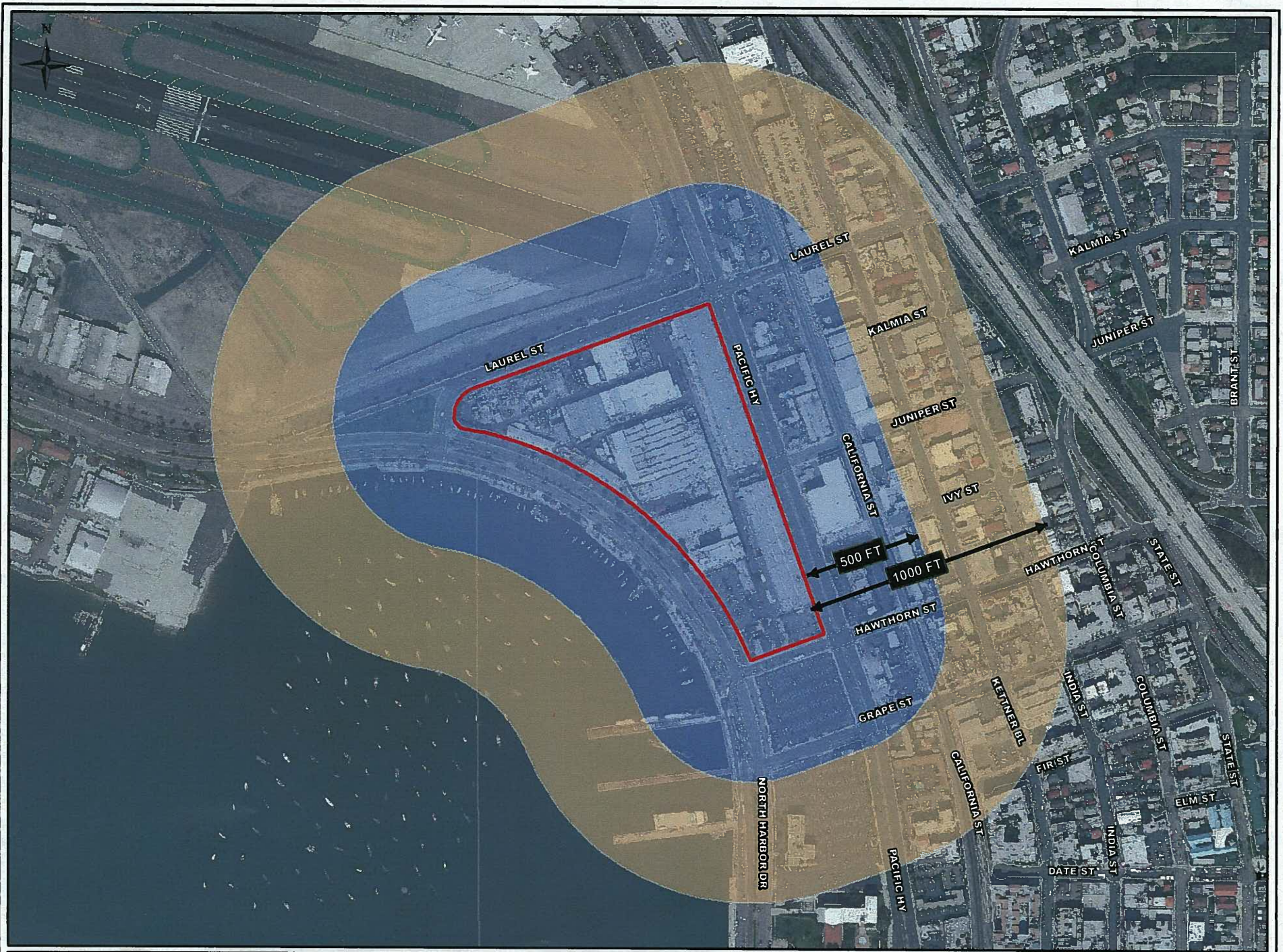


Jeff Graham
President



Brad Richter
Assistant Vice President, Planning

Attachment: A – 500-foot and 1,000-foot Buffer Map



500' & 1000' Buffer

3.12.13

PLANNING COMMISSION RESOLUTION NO. PC-13-036

INITIATING AMENDMENT NO. 2013-01 TO THE
CENTRE CITY PLANNED DISTRICT ORDINANCE (CHAPTER 15, ARTICLE 6,
DIVISION 3)

WHEREAS, the City of San Diego City Council (“Council”) adopted the Downtown Community Plan by Resolution No. R-301264 on March 14, 2006; and

WHEREAS, in order to implement the goals of the Downtown Community Plan, the Council adopted amendments to the Centre City Planned District Ordinance by Ordinance 19471 on April 3, 2006; and

WHEREAS, on March 28, 2013, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering a request to initiate amendments to the Centre City Planned District Ordinance; and

WHEREAS, consideration of the proposed amendments will include evaluating polices within the Downtown Community Plan and the Economic Prosperity Element of the 2008 City of San Diego General Plan related to 1) minimizing incompatible land uses; and 2) protecting base sector industries and industrial lands from encroachment on non-base sector uses; and

WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, and written documents presented for this project, and had considered the oral presentations given at the public hearing; NOW, THEREFORE:

BE IT RESOLVED by the Planning Commission of the City of San Diego, that the initiation of the amendments in no way confers adoption of the amendments, that neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendments, and the City Council is not committed to adopt or deny the proposed amendments

BE IT FURTHER RESOLVED, by the Planning Commission of the City of San Diego, that the Planning Commission hereby initiates potential amendments to the Centre City Planned District Ordinance to consider the potential establishment of a transition zone between industrial and residential and other sensitive land uses in the northern Little Italy neighborhood.