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San Diego Unified Port District

Document No. 53637

Filed JUN 27 2008

Office of the District Clerk

BPC Policy No. 725

SUBJECT: TRANSITION ZONE POLICY

PURPOSE: It is the mission of the San Diego Unified Port District in accordance with the Port Act and Coastal Act to sustain regional maritime capacity balanced with environmental stewardship of the tidelands. The purpose of this policy is to protect maritime industrial lands and provide a transition to adjoining residential areas by establishing general guidelines to encourage the creation of transition zones between industrial lands and residential neighborhoods.

POLICY STATEMENT:

In recognition of the need to protect maritime and maritime related uses and preserve thousands of jobs provided by businesses in the waterfront industrial zones, a balance needs to be established between the needs of these industrial businesses and historic residential areas along the waterfront. It is imperative that conflicts from incompatible land uses be minimized. A Transition Zone would provide the needed balance while promoting the goals and objectives of adjacent community planning activities. To this end, the District is committed to work with the City of San Diego, the City of National City and community stakeholders to develop long term planning and land use guidelines and/or community specific plans that create Transition Zones between the District's industrial properties and residential neighborhoods.

The District will work with appropriate member cities to incorporate Transition Zone land use zoning and appropriate principles contained in the attached Working Waterfront Group "Concept for Transition Zone and Distribution Zone Policy" into member cities' general and community plans. The District will also work with State and Federal legislators and other agencies as appropriate including but not limited to the Coastal Commission, Air Pollution Control District, San Diego Association of Governments, and California Air Resources Board to assist in implementing a transition zone. The District may also acquire property to support maritime industrial uses or easements to preclude development of incompatible land uses within desired Transition Zone areas as it deems appropriate with or without public private partnerships.

RESOLUTION NUMBER AND DATE: 2008-112, dated June 10, 2008

**Working Waterfront Group
Concept for Transition Zone and Distribution Zone Policy**

Under the Port Act, the mission of the San Diego Unified Port District includes the sustainment of regional maritime capacity *and* mandated service as the environmental steward of the tidelands. Today, we have the opportunity to effectively integrate our long term planning and land use objectives with the goals developed by the adjacent neighborhood community groups and residents.

The Residents and Community Stakeholders adjacent to our Port industrial properties deserve our utmost consideration as we formulate long-term strategies for the preservation of our waterfront jobs base and maritime economic engine. With environmentally sensitive planning, residential neighborhoods, green spaces and transportation corridors can be created and enhanced to achieve quality of life improvements for those that live and work in our tidelands community. Further, the opportunity exists to create graceful transitions between historic residential areas and the waterfront industrial zones that provide training and sustaining jobs to 42,000 families within the region.

In recognition of the need to preserve the thousands of jobs provided by those businesses in the waterfront industrial zones, we must achieve a balance between the needs of business, residential and recreational users of the waterfront. It is imperative that we prevent, as much as possible, conflicts that might result from incompatible land uses. A transition zone would provide the needed balance while promoting the goals and objectives of adjacent community planning activities.

To accomplish these objectives, the Unified Port of San Diego and the cities of National City and San Diego should establish transition zones between industrial land and residential neighborhoods. A properly planned transition zone is critical to the sustained growth and health of all the constituencies that make up the working waterfront. In furtherance of these objectives, the Unified Port of San Diego and the City of National City should also establish a distribution zone to address the area commonly known as the National Distribution Center.

The primary purpose in developing this long-term strategy is to create the balance necessary to protect the neighboring residential areas from the impacts of industrial uses. Striking this balance benefits the working waterfront by providing greater certainty over the future uses, and benefits the residences by providing greater protection to their quality of life. The development of transition zones for various areas within the cities of National City and San Diego will individually recognize the particular factors relevant to each city.

All parties recognize the unique considerations applicable to the City of National City, and will account for these considerations in developing that particular transition zone and distribution zone. Accordingly, the parties acknowledge the importance of preserving residential neighborhoods by preventing industrial creep, allowing the continuance of existing businesses that benefit the City of National City, enhancing economic opportunity and revenue generation which includes the opportunity for large-scale, economically beneficial businesses to establish themselves within the transition zone area of the City of National City, and, most importantly, enhancing the quality of life for residents of the City of National City by providing greater resident and visitor serving areas along or near the bay. These factors will drive the formation of both the transition zone area and distribution zone area for the City of National City.

Definition of Transition Zone

The Working Waterfront Group proposes that the Port, the City of San Diego, the City of National City and community stakeholders develop land use guidelines and community or specific plans that create transition zones from the Port's industrial properties to the bordering residential neighborhoods. The specific area under consideration should include those lands from the northern boundary of the Tenth Avenue Marine Terminal south to the Sweetwater Channel, bounded on the west by the Port tidelands, extending east from the existing tidelands to the adjacent residential neighborhoods. The transition zone is defined in maps identified as Exhibits A and B, attached to this policy document. The width of the Transition Zone shall vary to accommodate community plans, city development plans, existing structures, and zoning, forming an irregular, tailored, eastern boundary.

The transition zone should be a sequence of graduated land uses that serve to insulate and protect the integrity and environmental health of residential areas and concurrently preserve the maritime industrial jobs cluster. Typically this could be accomplished by a "transition zone" comprised of uses including but not strictly limited to, office space and greenbelt area adjacent to residential areas, bordering streets, transit corridors and boulevards, parking and high-quality maritime administrative office facilities. In regard to the City of National City, the factors identified in the above section will drive the uses in the transition zone. Use of those factors will achieve the objectives of the Working Waterfront Group, protect National City residents, and enhance the economic sustainability and quality of life for National City.

The transition zone areas are delineated on the maps attached as Exhibits A (San Diego) and B (National City). These maps delineate the intended boundaries of the transition zones and shall not be affected by land purchases by the Port within these zones.

Definition of Distribution Zone

The Working Waterfront Group proposes that the Port, the City of National City and community stakeholders develop land use guidelines and land use plans that create a distribution zone for that property commonly known as the National Distribution Center. The specific area under consideration should include the following uses, which strive to balance the needs of the Working Waterfront Group, the Port, the City of National City, and National City residents: tourist and visitor serving, retail, commercial, recreational, maritime industrial staging, intermodal transfer, warehousing, and cargo assembly,

The distribution zone area is delineated on the map attached as Exhibit B (National City). This map delineates the intended boundaries of the distribution zone.

Key Principles

A transition zone policy should adhere to the following key principles:

- Transition zones should provide mandated separation between industrial and residential land uses, safeguarding the environmental health of the regional neighborhoods and residents.
- Transition zones should protect and enhance the existing and prospective operations of the businesses governed by City plans, Community Group plans, and the Port Master Plan to include visitor serving, commercial, retail, industrial, working-waterfront, and maritime-related, job-producing industries.
- Transition zones should only permit uses that do not pose a health risk to sensitive receptor land uses adjacent to or in the near proximity.

WWG Transition Zone Concept Policy
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- Transition zones should incentivize measures that reduce health risks, noise, traffic, and non-renewable energy consumption.
- Transition zone development in San Diego should be limited to the following uses: parking, office buildings and greenbelt areas.
- The Transition Zone areas of National City may also include existing industrial areas, existing businesses, and other appropriate land use designations including retail/commercial businesses, recreational areas and visitor serving business uses designated by the City of National City.
- Consistent with the above principles, transition zones should make the highest and best use of land.

A distribution zone policy should adhere to the following key principles:

- The distribution zone area should include the following uses: tourist and visitor serving, retail, commercial, recreational, maritime industrial staging, intermodal transfer, warehousing, and cargo assembly.
- The distribution zone should only permit uses that do not pose a health risk to sensitive receptor land uses adjacent to or in the near proximity.

Areas of Engagement

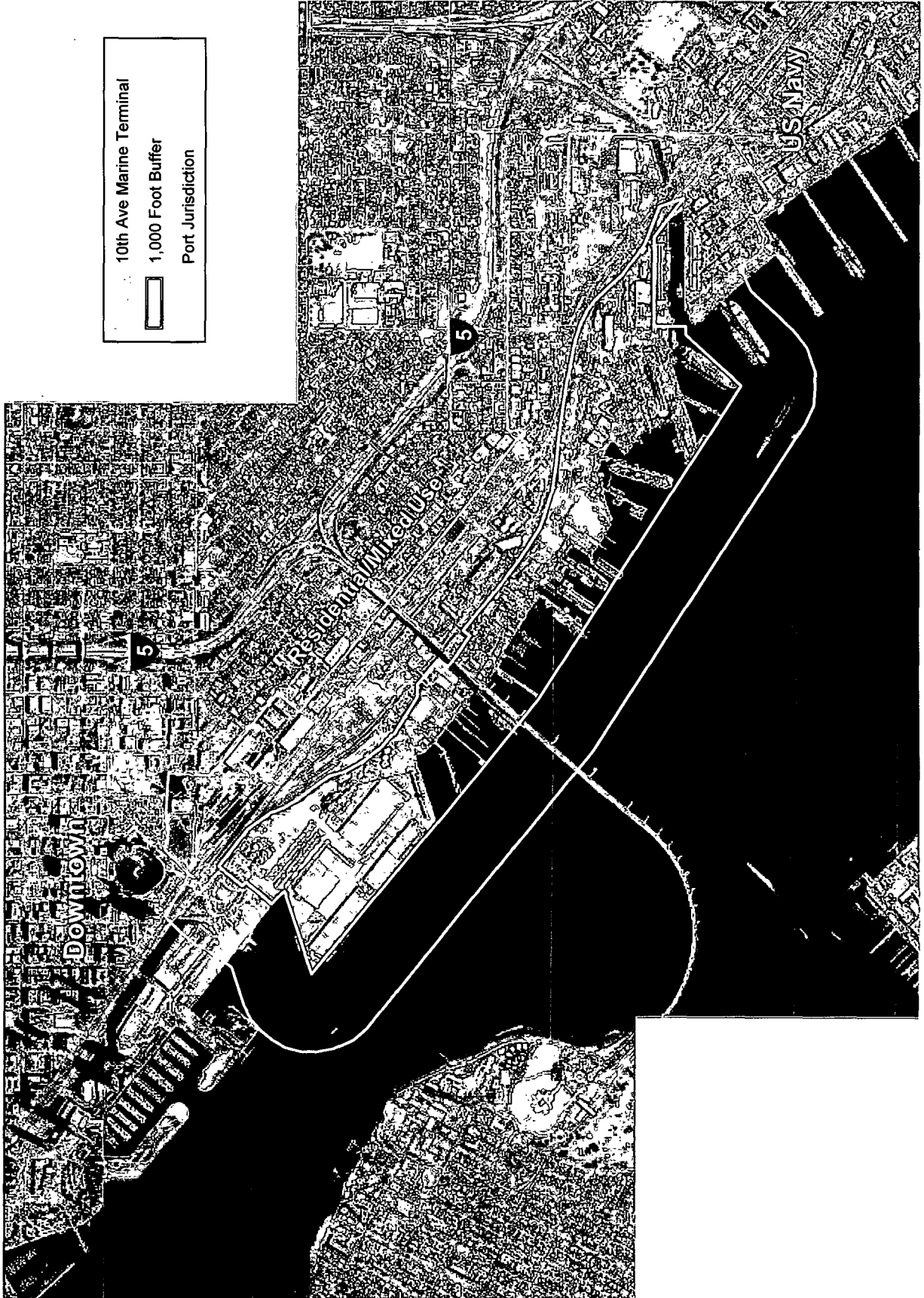
The Working Waterfront Group's primary strategy is to work with Port cities to establish zoning regulations and planning policies that incorporate the stated transition zone and distribution zone principles.

While this document is not a land use planning document, the Working Waterfront Group does seek to encourage the adoption of land use policies and plans consistent with this document. In addition, the Working Waterfront Group's proposed policy is limited to those areas specifically discussed in this document, and does not propose to affect or modify those areas outside of the transition zone or distribution zone.

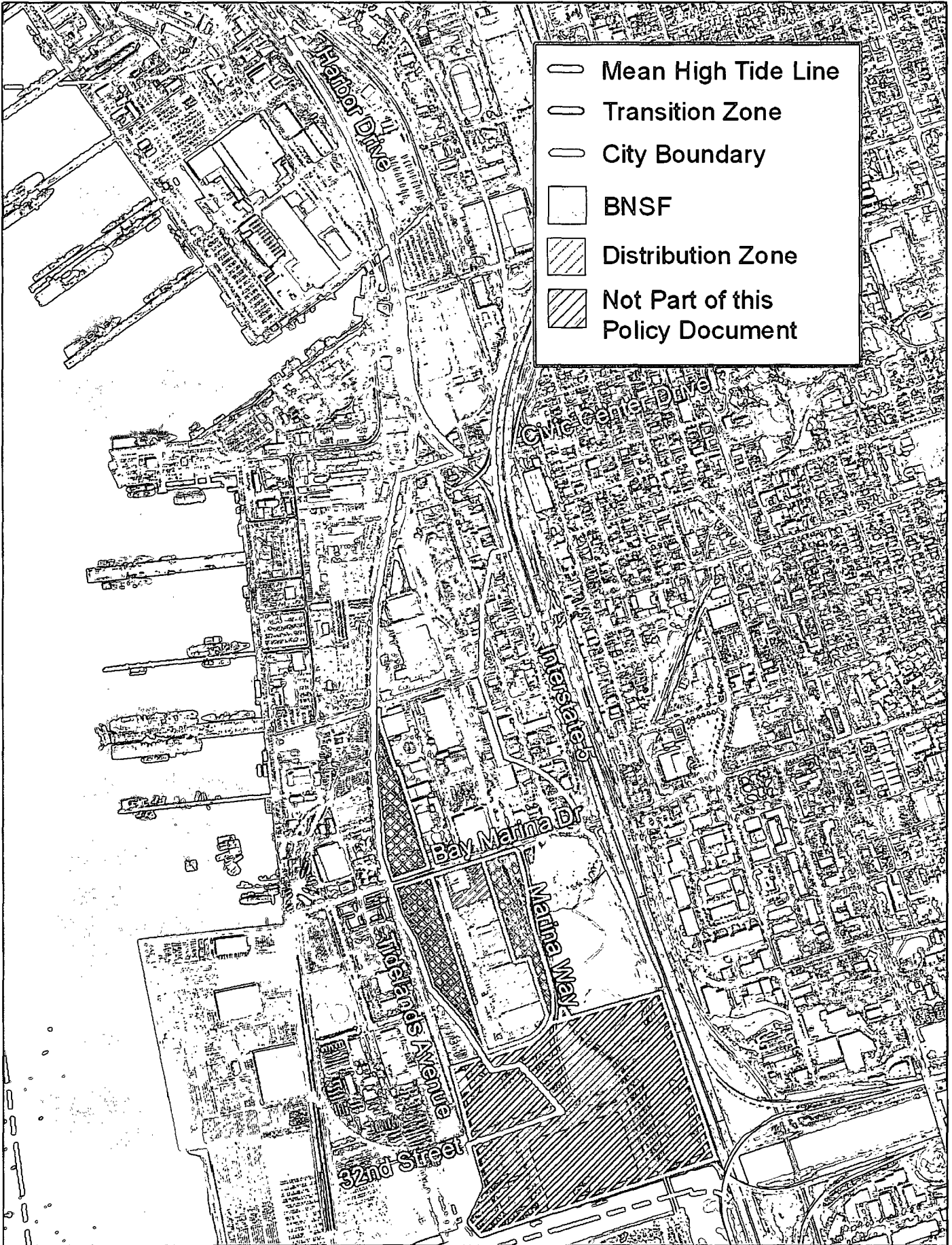
Specifically, the WWG will participate in the following decision making bodies and processes:

- Request that the Board of Port Commissioners adopt the concept stated in this white paper.
- Request that language be added to the San Diego General Plan Update to institutionalize the principles outlined above.
- Request that community or specific plan updates for neighborhoods near the working waterfront reflect these principles.
- Request that the Air Pollution Control District consider these principles in its decision making process.
- Request that the California Air Resources Board consider these principles in its decision making process.
- Meet with city council members from Port member cities to brief them on the transition zone policy.

The Port is encouraged to secure parcels within the desired transition zones with the concurrence of the affected cities and apply the standards inherent to the Port's Charter, thereby allowing not only sustained maritime use on existing Port lands but promoting development that will constitute environmentally compatible, non-residential land uses from the industrial zone to the eastern boundary of the transition zone. The San Diego Unified Port District shall encourage public / private partnerships in order to secure and develop these parcels.



National City
Harbor District



(1)

REFERENCE
COPY

53637

Re Adoption of BPC Policy 725,]
Transition Zone Policy]
_____]

RESOLUTION 2008-112

BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified
Port District, as follows:

That Board of Port Commissioners Policy No. 725, Transition Zone Policy, a copy
of which shall be placed on file in the office of the District Clerk, is hereby adopted.

ADOPTED this 10th day of June, 2008.

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6/10/08

(9)

AGENDA ITEM 41

SAN DIEGO UNIFIED PORT DISTRICT

REFERENCE

COPY

53637

DATE: June 10, 2008

SUBJECT: RESOLUTION ADOPTING BPC POLICY NO. 725 - TRANSITION ZONE POLICY

EXECUTIVE SUMMARY:

At the Board of Port Commissioners' Workshop of September 6, 2005, the Board directed Staff to facilitate the creation of a transition zone around the working waterfront, where appropriate, and to develop a plan to address gentrification of the working waterfront. As a continuation of that effort, the Working Waterfront Group (WWG) met with community stakeholders and representatives of the Cities of San Diego and National City to develop a Transition Zone Concept white paper.

Based on broad stakeholder consensus, the WWG has proposed a concept for a Transition Zone Policy to be adopted by the Board. The Maritime Advisory Committee (MAC) reviewed a draft of the proposed concept and recommended adoption. The provisions recommended by the MAC were incorporated into the concept paper and additional stakeholder meetings and discussions were conducted.

At the December 8, 2007 Board Meeting, the WWG presented their concept to the Board as public comment. Staff has reviewed the latest concept paper presented by the WWG and has drafted a proposed Policy for the Board's consideration. The WWF's concept paper is crafted to protect both industrial and residential uses, even going so far as to call for the protection of residential uses. The WWF found mutual interest in a transition zone from those interested in protecting industrial uses and those interested in protecting residential uses.

The intent of the proposed Board Policy is to establish a position on this issue and to provide guidance to District representatives working with the entities that have regulatory and land use planning jurisdiction within those areas. The Policy is also intended to provide a framework for implementation of other gentrification strategies relating to acquisition of properties, easements and legislative actions regarding these buffer areas.

The latest version of the WWG's concept creates a separate classification category for the National Distribution Center defining that parcel as a "Distribution Zone". In addition, a portion of the National City waterfront adjacent to Pepper Park is excluded from classification under the Transition Zone Concept.

The Policy does not, in any way, subordinate the Port's rights, circumvent the planning process or establish any specific use for the area. The properties owned by the Port have current land use designations in the Port Master Plan and in some cases in National City's Local Coastal Plan. National City staff has been advised that maritime

ACTION TAKEN: 06-10-08 - Resolution 2008-112

use of waterfront property has the highest priority under the Coastal Act and that conversion of any lands currently utilized for maritime to other uses will require changes in the appropriate land use planning document and will require assurance that current and future maritime capacity and uses are being appropriately accommodated. It is with these understandings that Staff is recommending approval of the proposed Transition Zone Policy.

RECOMMENDATION:

Adopt a Resolution approving a BPC Policy No.725 Transition Zone Policy supporting compatible land uses between District industrial properties and residential neighborhoods in the Cities of San Diego and National City with the understandings outlined in this Agenda and specifically the following:

- Maritime use remains the highest priority
- The Policy does not change land uses nor commit the Port to changing land uses within the Port's jurisdiction.
- The Port does not relinquish any rights or powers to any other entity by virtue of this policy.

FISCAL IMPACT:

No fiscal impact at this time.

DISCUSSION:

Since the September 2005 BPC Workshop on gentrification up to the present, Staff has engaged in the following efforts as part of an overall gentrification strategy:

- Educated the public and stakeholders on the important role of the working waterfront to the region through creation of the Marine Terminal Community Committee and the WWG.
- Partnered with the port industry, businesses, and stakeholders by developing coalitions of support for the working waterfront through the American Association of Port Authorities, California Association of Port Authorities, and the Northwest Marine Terminals Association to build national, state, and regional strategies.
- Pursued the power of partnerships with member cities and local legislators to develop education and outreach programs for local policy makers and their staff.
- Built relationships with city planning staffs in order to monitor general plan and community plan updates.

- Worked with regional planning agencies on gentrification issues, infrastructure funding, and environmental issues.
- Continuing to work on preserving land use issues in industrial areas to develop buffers of compatible land uses adjacent to the working waterfront.
- Worked with policy makers/elected officials from both cities of San Diego and National City to reach consensus on a prospective Transition Zone Policy.

A Transition Zone Policy is one component of an overall gentrification strategy. The overall strategy is composed of the following elements:

- Direct Port efforts include land or easement acquisition when the opportunity arises and maintenance of marine related industrial land uses.
- Local efforts or working with member city planning agencies include monitoring and providing input into General and Community Plan Updates.
- State and Federal efforts include working with legislators to identify opportunities for State and Federal assistance in preserving marine industrial facilities and properties and improving direct freeway access to the waterfront through tax incentives, land use oversight, and capturing grants and bond funding.
- Public outreach includes continuing to support working waterfront groups and engaging in public outreach efforts.

The proposed policy is focused on commercial and industrial development to enhance job opportunities, designating and retaining sufficient industrial and commercial land to sustain District growth and a strong economic base, and creating areas of separation between the District's related activities and residential and mixed-use land uses adjacent to the District tidelands.

Port Attorney's Comments:

The Port Attorney has reviewed and approved the requested document for form and legality.

Environmental Review:

Not applicable.

Equal Opportunity Program:

Not applicable.

PREPARED BY: Dirk Mathiasen
Vice President



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RESOLUTION NUMBER AND DATE: 2008-XX, dated June XX, 2008

WWG Transition Zone Concept Policy
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Areas of Engagement

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EXHIBIT A



National City Harbor District

