

# IMPLEMENTATION

## 11.1 CONVERSION FROM PLANNED DISTRICT TO CITYWIDE ZONING

## 11.2 FINANCING MECHANISMS

## 11.3 PRIORITY PUBLIC IMPROVEMENTS AND FUNDING

### Introduction

The community plan establishes policies to guide the growth of Uptown and provide for its quality of life. The adoption of a community plan is the first step in a two-step process. The second and equally important step is the implementation of the policies of the plan. The community plan will be implemented through different mechanisms which are outlined in this chapter. Implementing the public projects and improvements associated with the community plan will require the participation of City departments, regional agencies such as SANDAG and MTS, and the community.

The following key actions have been identified for the City and the community to pursue in order to implement the plan's policies and recommendations. These actions include, but are not limited to:

- Approve and regularly update an Impact Fee Study (IFS) identifying the capital improvements and other projects necessary to accommodate present and future community needs as identified throughout this Plan.
- Fund and construct facilities and other public improvements in accordance with the IFS.
- Pursue additional funding sources, such as grant funding, to implement unfunded needs identified in the IFS.
- Apply and implement the community plan's urban design policies and recommendations during review of development projects including administration of the Community Plan Implementation Overlay Zone (CPIOZ).
- Seek longer-term implementation strategies that could be considered towards meeting the community plan's identified improvement projects.

### 11.1 Conversion from Planned District to Citywide Zoning

In 2000, the City's development regulations went through a major revision and the regulations of the Planned District Ordinances (PDO's) were used to help guide the creation of the citywide development standards for residential and commercial uses contained in the Land Development Code (LDC). Part of the intent of the LDC update was to phase out the PDO's and use citywide zoning to implement community plans, which would happen as part of the community plan update process. As part of the Uptown Community Plan Update process, the Mid-City Planned District Ordinance (MCCPDO) and the West Lewis Street Planned District Ordinance (WLSPDO) regulations were rescinded with implementation of the community plan land uses carried out through by the LDC.

The implementation program for the community plan replaces the MCCPDO and WLSPDO with citywide zones (see below) and development regulations. The zoning implementation program was approved concurrently with the community plan update. The conversion from Planned District to Citywide zoning is summarized in the Table 11.1 –

Planned District Zones and Compatible Citywide Zones and demonstrates compatibility largely based on dwelling units per acre allowed and permitted uses. In instances where land uses were changed, appropriate zones were utilized. Certain commercial PDO zones listed in the table show multiple compatibility with Citywide zones as a result of varying densities allowed based on lot size.

<b>Table 11-1 – Planned District Zones and Compatible Citywide Zones</b>	
<b>MID-CITY COMMUNITIES PLANNED DISTRICT</b>	<b>COMPATIBLE CITYWIDE ZONES</b>
MR-3000	RM-1-1
MR-1500	RM-2-5
MR-1000	RM-3-7
MR-800B	RM-3-9
MR-400	RM-4-10
CV-4, CL-5, CL-6	CN-1-3
CN-3, CN-4, CN-2A, CV-3, CL-2	CN-1-4
NP-3	CC-3-1
NP-3	CC-3-4
NP-2	CC-3-6
CN-1, CN-1A, CL-2, NP-1	CC-3-8
CN-1, CN-1A, CV-1	CC-3-9
<b>WEST LEWIS STREET PLANNED DISTRICT</b>	<b>COMPATIBLE CITYWIDE ZONE</b>
WLSPD	CN-1-1

## Community Plan Implementation Overlay Zone (CPIOZ)

The Community Plan Implementation Overlay Zone (CPIOZ) is applied within the boundaries of the Uptown community per Chapter 13, Article 2, Division 14 of the Municipal Code. The purpose of the overlay zone is to supplement the Municipal Code by providing development regulations that are tailored to specific locations within the community to regulate building height. These CPIOZ height limits establish the maximum structure height in areas identified within the CPIOZ. The CPIOZ applicable areas are identified on Figure 4-13 CPIOZ A – Building Heights by Right and Figure 4-14 CPIOZ B – Building Heights with Public Review in the 4.4 Development Form of the Urban Design Element.

## 11.2 Financing Mechanisms

This section discusses various financing mechanisms that could be used to encourage public and private development and investment in the community. Implementing improvement projects will require varying levels of funding. A variety of funding mechanisms are available depending on the nature of the improvement project:

- Updated impact fees for new development.
- Requiring certain public improvements as part of new development.
- Establishing community benefit districts, such as property-based improvement and maintenance districts for streetscape, lighting, sidewalk improvements, etc.

Table 11-2, City of San Diego Financing Methods describes the Capital Improvement Program (CIP), Deferral of Permits/Fees, and Community Development Block Grants (CDBG) as potential financing strategies that can be pursued by the City of San Diego along with their eligible uses, and parameters in which they can be applied.

Funding Mechanism	Capital Improvement Program (CIP)	Deferral of Permits/Fees	Community Development Block Grants (CDBG) / section 108
Description	The CIP is the City's multi-year planning instrument used to facilitate the timing and financing of capital improvements. The CIP identifies the sources of funds available for capital improvement projects	Deferral of select permits and fees that results in upfront development cost reductions	<ul style="list-style-type: none"> <li>• Annual grants for use towards economic development, public facilities, and housing rehabilitation</li> <li>• Section 108 loans provide front-end financing for large-scale community and economic development projects that cannot be financed from annual grants</li> </ul>
Eligible Uses	<ul style="list-style-type: none"> <li>• Lease or purchase of land and rights-of-way</li> <li>• Construction of buildings or facilities</li> <li>• Public infrastructure construction</li> <li>• Purchase of major equipment and vehicles</li> <li>• Studies and plans associated with capital projects</li> <li>• Projects requiring debt obligation and borrowing</li> </ul>	Permit and fee charges payable to the City	<ul style="list-style-type: none"> <li>• Acquisition and disposition of property</li> <li>• Clearance and demolition</li> <li>• Public facilities and site work</li> <li>• Funds must be targeted to specific areas benefiting low- and moderate-income persons or to eliminate "blight"</li> </ul>
Funding Parameters	Additionally, the City can elect to dedicate portions of specific General Fund revenues, e.g., TOT, sales tax, etc. to targeted capital improvements if the City determines that sufficient benefit exists for the assistance	An application must request fee deferral as part of their project	<ul style="list-style-type: none"> <li>• Varies, funds are provided by HUD and administered by cities</li> </ul>

Table 11-3, Local, State and Federal Financing Methods describes the California Infrastructure and Economic Development Bank (I-Bank), TransNet, and Proposition 1B as potential state and federal funding program along with their eligible uses, and parameters for application.

<b>Table 11-3: Local, State And Federal Financing Methods</b>			
<b>Funding Mechanism</b>	<b>California Infrastructure And Economic Development Bank (I-Bank)</b>	<b>TransNet</b>	<b>Proposition 1B</b>
<b>Description</b>	Low cost financing to public agencies for a wide variety of infrastructure projects	<ul style="list-style-type: none"> <li>• Half-cent sales tax for local transportation projects that has been instrumental in expanding the transportation system, reducing traffic congestion, and bringing critical transit projects to life. Over the next 40 years, TransNet will generate \$14 billion for transportation improvement projects and programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006</li> <li>• Approved in 2006, made available \$20 billion for state and local improvement projects</li> </ul>
<b>Eligible Uses</b>	<ul style="list-style-type: none"> <li>• City streets</li> <li>• Educational facilities</li> <li>• Environmental mitigation measures</li> <li>• Parks and recreational facilities</li> <li>• Public transit</li> </ul>	<ul style="list-style-type: none"> <li>• The local half-cent sales tax pays for upgrades to streets, highways, and transit systems, as well as environmental protection.</li> <li>• It is expected to raise \$14 billion for important upgrades – such as adding high occupancy vehicle lanes and transit facilities – to Interstates 5 and 15, and 805, as well as State Route 94.</li> <li>• The TransNet extension also funds local roads, bike and pedestrian paths, smart growth projects, and habitat preservation, as well as new Rapid bus lines and rail service expansion.</li> </ul>	<ul style="list-style-type: none"> <li>• Congestion relief</li> <li>• Improve air quality</li> <li>• Enhance safety and security of transportation systems</li> </ul>
<b>Funding Parameters</b>	The infrastructure State Revolving Fund Program offered by the I-Bank offers loans ranging between \$250,000 to \$10,000,000 with eligible repayment sources including General Fund revenues, tax increment revenues, and property assessments.	<ul style="list-style-type: none"> <li>• Each local agency shall biennially develop a five-year list of projects to be funded with revenues made available for local street and road improvements under Section 4(D).</li> <li>• All projects to be funded with revenues made available under must be consistent with the Regional Transportation Plan (RTP). Project priorities or phasing shall also be consistent with the RTP.</li> </ul>	<ul style="list-style-type: none"> <li>• Varies, competitive application process</li> <li>• The program currently contains \$1.5 million in funds available</li> </ul>

Table 11-4 Developer/Property Owner/User Financing Methods describes Landscaping & Lighting Districts/Parking Districts, Business Improvement Districts (BID's), Developer Impact Fees (DIF), and Exactions as financing programs

that can be provided in partnership with the City and/or applied directly to developers, property owners, and users. Eligible uses and the parameters for the application of these financing programs are included below.

**Table 11-4: Developer/Property Owner/User Financing Methods**

Funding Mechanism	Landscaping & Lighting Districts/Parking Districts	Business Improvement Districts (BIDS)	Developer Impact Fees	Exactions
Description	<ul style="list-style-type: none"> <li>Assessment on properties located within a specific district that benefit from landscaping and/or parking</li> <li>Alternatively, collection of parking in-lieu fees on new development in lieu of on-site parking</li> </ul>	Annual fees paid by business owners and/or property owners to fund activities and programs intended to enhance the business environment in a defined area	Fees paid by developers to pay all or a portion of the costs of any public facility that benefits their development	<ul style="list-style-type: none"> <li>Payments made by developers or property owners in addition to, or in lieu of, development impact fees</li> <li>Funds contributed are used to install selected public improvements.</li> <li>Alternatively, developers are required to construct and deliver specific improvements</li> </ul>
Eligible Uses	<ul style="list-style-type: none"> <li>Landscaping districts allow for the funding of lights, recreational equipment, landscaping, and/or parking</li> <li>Parking districts allow for the acquisition, improvement, and operation of shared parking facilities</li> </ul>	<ul style="list-style-type: none"> <li>Marketing and promotion</li> <li>Security</li> <li>Streetscape improvements</li> <li>Operating and maintenance of public improvements</li> <li>Special events</li> </ul>	Capital facilities or ongoing services, such as: School impact fee, Mitigation fee (police, fire, park), Water meter installation, Sanitation capacity charge, Water system, facility/backup facility charge	<ul style="list-style-type: none"> <li>Dedication of right-of-way streets and utilities</li> <li>Provision of open space</li> <li>Parks or landscape improvements</li> <li>Schools and community facilities</li> </ul>
Funding Parameters	Funds are typically collected concurrently with property tax bill Parking in-lieu fees can be based on cost of off-site parking facilities	<ul style="list-style-type: none"> <li>Once established, annual BID fees are mandatory for businesses/ properties located within the BID boundary</li> <li>Business-based BID fees are collected with business license fees; property-based BID assessments are collected on property tax bills</li> </ul>	Fees are paid in the form of a specified amount as a condition to the issuance of building permits, an occupancy permit, or subdivision map approval	Typically paid or committed as part of the development approval process

## 11.3 Priority Public Improvements and Funding

Public improvements associated with the implementation of this plan vary widely in range and scope. Some can be implemented incrementally as scheduled facilities and infrastructure maintenance occurs, and others will require significant capital funding from the city, state, regional, and federal agencies, or sufficient collection of development impact fees. Grants and other sources of funding should be pursued wherever possible. A list of projects is included in the community's Impact Fee Study which also provides a scope, responsible city department, and funding sources. This list of projects is generated by the policies and recommendations within the plan. In undertaking these projects, the City will be making a significant and visible economic commitment to realize the plan's vision. These projects will add value to the community and improve its quality of life.

The projects within the list are assigned a priority determined through a public process by members of the community planning group, the Uptown Planners. This process will help City decision makers and staff understand the immediate and long term needs of the community. The Uptown Planners will be asked to periodically review their list of priorities. This approach is intended to provide staff a mechanism to establish annual programmatic and budgeting priorities and monitor progress in achieving the Plan's vision. In conjunction with the City's annual budget process, the identified projects and their priority may be adjusted given funding availability, feasibility of implementation, timing of private development, or as new funding opportunities present themselves over time.