

CITY of SAN DIEGO
MEMORANDUM

URGENT
EXPEDITE

FILE NO. :

DATE : June 13, 1984

TO : City Attorney

FROM : City Clerk

SUBJECT: ITEM 333 - Council Meeting of Tuesday, June 12, 1984

ITEM-333: (0-84-236)

Introduction of an Ordinance establishing the Hillcrest Business Improvement District pursuant to the Parking and Business Improvement Area Law of 1979 and levying an assessment and charge therein for upgrading and promoting the area.

(Uptown Community Area. Districts-2 and 8.)

COUNCIL ACTION WAS: Introduce as amended with a yearly review to be brought before Council.

COUNCIL VOTE WAS: 7-0. Not present-4, M.

Please prepare an amended Ordinance using the appropriate language and return to the Clerk's Office for docketing. This item will be scheduled for adoption on the docket of June 25, 1984.

Charles G. Abdelnour
City Clerk

By *Barbara Baxter*
Barbara Baxter, Deputy

Encl: Clerk's File Folder

(O-84-236)
REV. 6/18/84

ORDINANCE NUMBER O- 16230 (New Series)

Adopted on JUN 25 1984

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE HILLCREST BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1979 AND LEVYING AN ASSESSMENT AND CHARGE THEREIN FOR UPGRADING AND PROMOTING THE AREA.

WHEREAS, under and pursuant to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code, herein called "said Law," this Council on May 21, 1984, adopted Resolution No. R- 260752, a resolution declaring an intention to form a parking and business improvement area known as "Hillcrest Business Improvement District," providing for the levy of an assessment and charge to be imposed therein, fixing the time and place for hearing and giving notice thereof; and

WHEREAS, said Resolution No. R- 260752 was duly published, and copies thereof were mailed, as provided by said Law; and

WHEREAS, as specified in said Resolution No. R- 260752, a hearing concerning the formation of said area was held before this Council on June 12, 1984 at the hour of 2:00 p.m. o'clock in the Council Chambers in the City Administration Building located at Second Avenue and "C" Street in the City of San Diego; and

WHEREAS, at said hearing, all protests, both written and oral, made or filed, were considered and duly overruled and denied and this Council determined that there was no majority protest within the meaning of Section 36523 of said Law; NOW, THEREFORE,

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

Section 1. Pursuant to said Law, a parking and business improvement area is hereby established, to be known as "Hillcrest Business Improvement District," herein called "District." The area to be included in the District includes the Hillcrest community area within the following address ranges:

Street Name	Address Range	Business Improvement District Zone No.
Washington Street	400 - 599	Zone 1
University Avenue	400 - 599	Zone 1
Robinson Avenue	400 - 599	Zone 1
4th, 5th and 6th Avenues	3800 - 3999	Zone 1
Lewis Street	0100 - 0999	Zone 2
Washington Street	0100 - 0399	Zone 2
Washington Street	0600 - 0999	Zone 2
Washington Street West	0100 - 0199	Zone 2
Lewis Street West	0100 - 0199	Zone 2
University Avenue West	0100 - 0199	Zone 2
University Avenue	0100 - 0399	Zone 2
University Avenue	0600 - 0899	Zone 2
Robinson Avenue West	0100 - 0199	Zone 2
Robinson Avenue	0100 - 0399	Zone 2
Robinson Avenue	0600 - 0899	Zone 2
Pennsylvania West	0100 - 0199	Zone 2
Pennsylvania Avenue	0100 - 0899	Zone 2
Evans Place	0100 - 0699	Zone 2
Anderson Place	0100 - 0699	Zone 2
Front Street	3700 - 4099	Zone 2
First Avenue	3700 - 4099	Zone 2
3rd, 4th, 5th and 6th Avenues	3600 - 3799	Zone 2
3rd, 4th, 5th and 6th Avenues	4000 - 4149	Zone 2

7th, 8th and 9th Avenues	3600 - 4099	Zone 2
Brookes Avenue	0300 - 0699	Zone 3
Walnut Avenue	0300 - 0699	Zone 3
Upas Street	0300 - 0699	Zone 3
Ivy Lane	0300 - 0699	Zone 3
4th, 5th, 6th and 7th Avenues	3400 - 3599	Zone 3
Cleveland	0900 - 1299	Zone 3
University Avenue	0900 - 1299	Zone 3
Essex	0900 - 1299	Zone 3
Robinson Avenue	0900 - 1299	Zone 3
10th Avenue	3800 - 3999	Zone 3
Vermont Street	3800 - 3999	Zone 3

A map depicting the District is attached hereto as Exhibit A, and is on file in the office of the City Clerk as Document No. 00-16230.

Section 2. The purpose of forming the District is to provide revenue to defray the cost of any of the following:

A. The acquisition, construction, or maintenance of parking facilities for the benefit of the area.

B. Decoration of any public place in the area.

C. Promotion of public events which are to take place on or in public places in the area.

D. Furnishing of music in any public place in the area.

E. The general promotion of business activities in the area.

The specific services and programs to be provided are those listed in Exhibit B, which is attached hereto and by this reference made a part hereof, and the services and programs listed thereon are the uses to which the revenue generated by the charges to be levied will be put.

Section 3. All businesses operating in the above-described area will be charged a share of the costs of the aforesaid services and programs according to the type of the business and benefit received determined as follows:

A. Description of the District Zones:

1. Zone 1 is the central core of the Hillcrest area most impacted by parking and traffic circulation problems. Businesses in this area will receive the greatest benefit from the parking and traffic circulation and pedestrian improvement programs of the District listed in Exhibit B.

2. Zone 2 immediately surrounds the central core area of Hillcrest. Businesses in this area are within easy walking distance of the central core area and will benefit from the programs as listed in Exhibit B although to a lesser extent than those in Zone 1.

3. Zone 3 businesses are the farthest from the central core area, but they will benefit from the improved community identity and public exposure resulting from the programs listed in Exhibit B. Zone 3 businesses will be included equally in community coordination and government liaison programs of the District.

4. Businesses which overlap zone boundaries will be considered in the zone of greatest benefit.

B. Descriptions of the District Categories of Benefit:

1. CATEGORY A. Includes those businesses which will benefit significantly from increased interaction with the public, increased visibility, and pedestrian/parking improvements to be provided by the District. This category includes but is not limited to the following:

- Restaurants
- Grocery Stores
- Pawn Shops
- Hotels and Motels
- Exercise Studios
- Retail Stores
- Arcades
- Galleries
- Health Clubs
- Dance Schools
- Theatres
- Bars and Taverns
- Gasoline Stations
- Banks and Savings Institutions

2. CATEGORY B. Includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased visibility, pedestrian and parking facility improvements to be provided by the District. This category includes but is not limited to the following:

- Medical Doctors
- Dentists
- Attorneys
- Architects
- General Contractors
- Auto Dealers and Repair
- Nursery Schools
- Psychologists
- Optometrists
- Advertising Agencies
- Engineers

Investment Companies
 Real Estate Offices
 Pet Grooming
 Social Workers
 Dispensing Opticians
 Designers
 Interior Decorators
 Business Management Firms
 Photography Studios
 Utility Companies

3. CATEGORY C. Includes those businesses which are less dependent on pedestrian interaction and parking facilities than CATEGORY B but which will benefit from the general enhancement of the business activity and area identity to be generated by the District. This category includes but is not limited to the following:

Accountants/Secretarial Services
 Wholesale Manufacturing/Distributors
 Film and Video Production Companies
 Laboratories
 Storage Facilities
 Nonprofit Organizations
 Hair Salons and Barbers
 Apartments of Six or More Units

4. Businesses not specifically identified in CATEGORIES A, B or C above shall be categorized by the City Treasurer upon application for a City general business license.

C. The charges to be imposed for those District businesses by zone and Category of Benefit are as follows:

	CATEGORY A	CATEGORY B	CATEGORY C
Zone 1	\$70	\$50	\$30
Zone 2	\$50	\$35	\$20
Zone 3	\$30	\$20	\$10

The above-described charge is an annual charge and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the general business license. For those businesses licensed for other than an annual license period, the City Treasurer shall determine the charge to be levied upon issuance of the City business license.

The total charge collected from any business under the provisions of the ordinance shall not exceed \$70 per annum.

Section 4. That the Council hereby finds and determines that the public convenience and necessity require the establishment of the area hereinbefore described and that all of the businesses lying within the area will be benefited by the expenditure of the funds raised by the assessments or charges proposed to be levied.

Section 5. That all protests, both written and oral, are overruled and denied and the Council finds that there is not majority protest within the meaning of Section 36523 of said Law.

Section 6. That all of the businesses in the area established by this ordinance shall be subject to any amendments to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code.

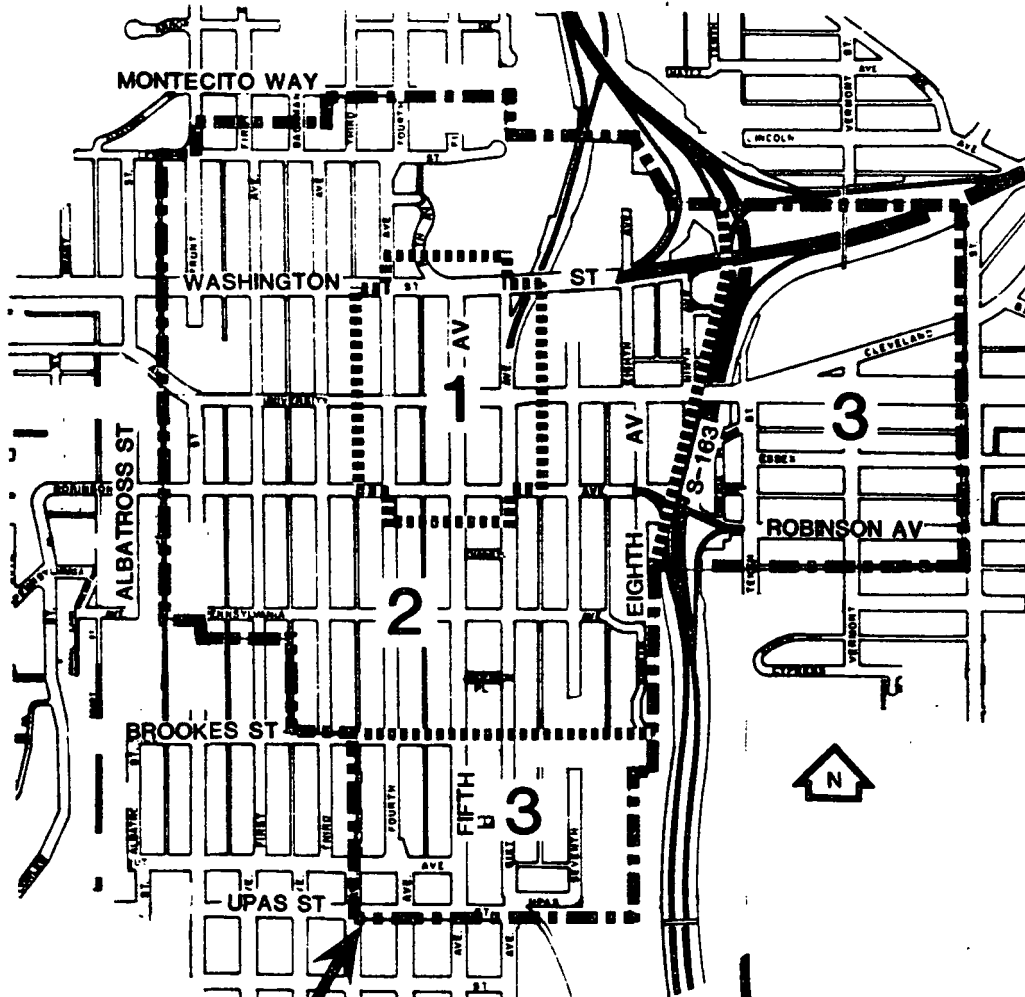
Section 7. That all of the charges imposed pursuant to this ordinance be reviewed by the Council annually.

Section 8. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: John W. Witt, City Attorney

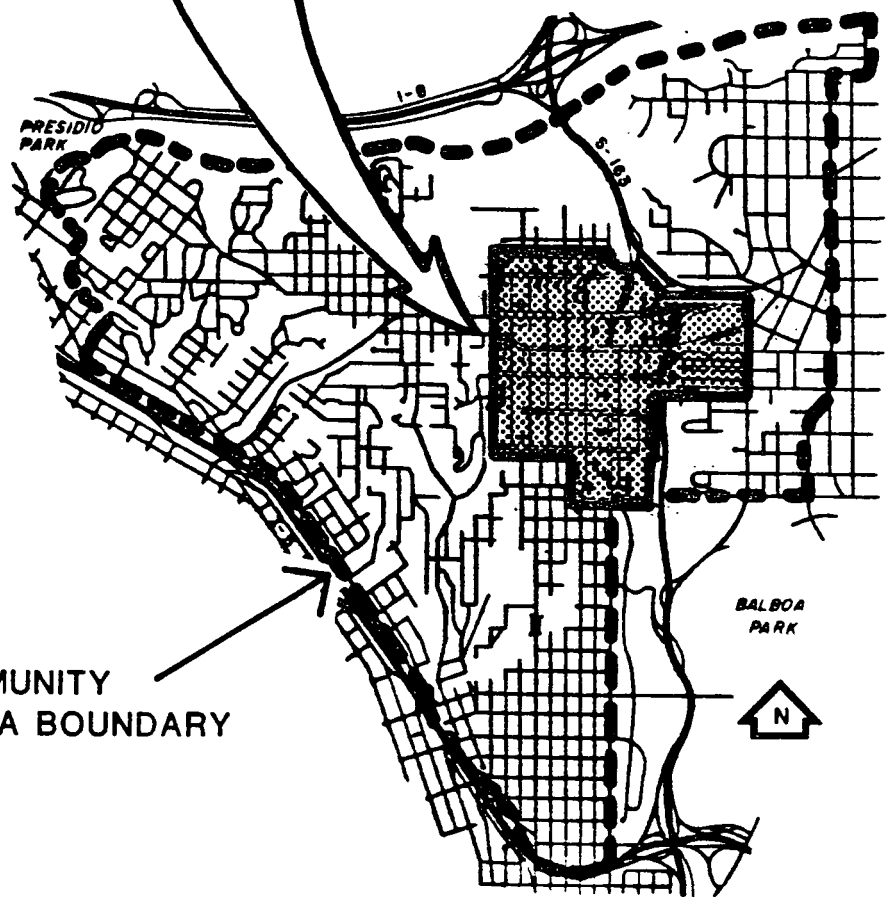
By 
Janis Sammartino Gardner
Deputy City Attorney

JSG:ta:235.2
5/31/84
REV. 6/18/84
Or.Dept:Plan.
O-84-236
Form=o.none



NOTE:
3 DOES NOT INCLUDE
RICHMOND ST.

HILLCREST
BUSINESS
IMPROVEMENT
DISTRICT BDRY.



UPTOWN COMMUNITY
PLANNING AREA BOUNDARY

DOCUMENT NO. 00-16230

FILED JUN 25 1984

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

PROPOSED PROGRAMS FOR HILLCREST IMPROVEMENTS

The following priority listing of improvement programs was developed from a survey of area businesses.

1. **Parking and Traffic Circulation Improvements**
More efficient use of existing facilities
Development of new facilities
2. **Pedestrian and Urban Amenities Improvements**
Landscape improvements (trees, planters)
Sidewalk improvements to encourage walking
Improved facilities for transit passengers
Improved parking for bicycles
3. **Community Coordinator and Government Liaison**
Coordinate safety programs with Police Department
Represent Hillcrest at City Council hearings
Liaison with City Departments providing services to Hillcrest
Hillcrest business information and promotion
Maintain the Hillcrest Sign

PRELIMINARY BUDGET OUTLINE

The following general categories of expenditures are recommended by the Hillcrest Association for the first year of operation of the Hillcrest Parking and Business Improvement District.

Final budget recommendations for City Council approval will be made by the Hillcrest Business Improvement Association Board of Directors who will be elected by all businesses included in the District immediately after the formation of the District.

Operating Expenses	\$ 9,000.00
Rent, telephone, utilities and insurance	
Office supplies and mailing expenses	
Accounting and secretarial services	
Consultant - 20 hours per week	\$10,000.00
Will be responsible for:	
Member communication and government liaison	
Coordination of improvement programs	
Implementation of Improvement Programs	\$18,000.00
Parking development	
Parking facility feasibility and location studies	
Traffic circulation studies	
Pedestrian amenities	
Planning for pedestrian improvements	
Hillcrest business promotion	
Reimbursement to City for District Start Up Costs	\$ 3,000.00
For district start up costs \$11,000.00	
to be prorated over four years	
Estimated Funds Available Annually	-----\$40,000.00
To the District as Proposed	

extra

(R-84-1737)
REV. 5/15/84

RESOLUTION NUMBER R- 260752

Adopted on JUN 12 1984

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO ESTABLISH THE HILLCREST BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1979.

WHEREAS, the Council of The City of San Diego desires to form a parking and business improvement area to be know as "The Hillcrest Business Improvement District" pursuant to the Parking and Business Improvement Area Law of 1979 (Streets and Highways Code Section 36500, et seq.), in accordance with the wishes of the many businesses in the area; NOW, THEREFORE,

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

1. The Council hereby declares its intention to form a parking and business improvement area to be known as "Hillcrest Business Improvement District" (the "District") pursuant to the Parking and Business Improvement Area Law of 1979 (Streets and Highways Code Section 36500, et seq.).

2. The area to be included in the District includes the Hillcrest community area within the following address ranges:

Street Name	Address Range	Business Improvement District Zone No.
Washington Street	400 - 599	Zone 1
University Avenue	400 - 599	Zone 1
Robinson Avenue	400 - 599	Zone 1
4th, 5th and 6th Avenues	3800 - 3999	Zone 1
Lewis Street	0100 - 0999	Zone 2
Washington Street	0100 - 0399	Zone 2

Washington Street	0600 - 0999	Zone 2
Washington Street West	0100 - 0199	Zone 2
Lewis Street West	0100 - 0199	Zone 2
University Avenue West	0100 - 0199	Zone 2
University Avenue	0100 - 0399	Zone 2
University Avenue	0600 - 0899	Zone 2
Robinson Avenue West	0100 - 0199	Zone 2
Robinson Avenue	0100 - 0399	Zone 2
Robinson Avenue	0600 - 0899	Zone 2
Pennsylvania West	0100 - 0199	Zone 2
Pennsylvania Avenue	0100 - 0899	Zone 2
Evans Place	0100 - 0699	Zone 2
Anderson Place	0100 - 0699	Zone 2
Front Street	3700 - 4099	Zone 2
First Avenue	3700 - 4099	Zone 2
3rd, 4th, 5th and 6th Avenues	3600 - 3799	Zone 2
3rd, 4th, 5th and 6th Avenues	4000 - 4149	Zone 2
7th, 8th and 9th Avenues	3600 - 4099	Zone 2
Brookes Avenue	0300 - 0699	Zone 3
Walnut Avenue	0300 - 0699	Zone 3
Upas Street	0300 - 0699	Zone 3
Ivy Lane	0300 - 0699	Zone 3
4th, 5th, 6th and 7th Avenues	3400 - 3599	Zone 3
Cleveland	0900 - 1299	Zone 3
University Avenue	0900 - 1299	Zone 3
Essex	0900 - 1299	Zone 3
Robinson Avenue	0900 - 1299	Zone 3
10th Avenue	3800 - 3999	Zone 3
Vermont Street	3800 - 3999	Zone 3

A map depicting the District is attached hereto as Exhibit A and incorporated herein by reference.

3. The purpose of forming the aforementioned District as a parking and business improvement area under the aforementioned Business and Improvement Area Law is to provide revenue to defray the costs of services and programs which will benefit businesses in the area. The services and programs to be provided are those listed in Exhibit B, which is attached hereto and by this reference made part hereof, and the services and programs listed thereon are the uses to which the revenue generated by the charges to be levied will be put.

4. All businesses operating in the above-described area will be charged a share of the costs of the aforementioned services and programs according to the type of business and the benefit to be received as determined by the following:

A. Description of the District Zones:

1. Zone I is the central core of the Hillcrest area most impacted by parking and traffic circulation problems. Businesses in this area will receive the greatest benefit from the parking and traffic circulation and pedestrian improvement programs of the District listed in Exhibit B.

2. Zone II immediately surrounds the central core area of Hillcrest. Businesses in this area are within easy walking distance of the central core area and will benefit from the programs as listed in Exhibit B although to a lesser extent than those in Zone I.

3. Zone III businesses are the farthest from the central core area, but they will benefit from the improved community identity and public exposure resulting from the programs listed in Exhibit B. Zone III businesses will be included equally in community coordination and government liaison programs of the District.

4. Businesses which overlap zone boundaries will be considered in the zone of greatest benefit.

B. Descriptions of the District Categories of Benefit:

1. CATEGORY A. Includes those businesses which will benefit significantly from increased interaction with the public, increased visibility, and pedestrian/parking improvements to be provided by the District. This category includes but is not limited to the following:

Restaurants, Grocery Stores, Pawn Shops, Hotels and Motels, Exercise Studios;

Retail Stores, Arcades, Galleries, Health Clubs, Dance Schools;

Theatres, Bars and Taverns, Gasoline Stations, Banks and Savings Institutions.

2. CATEGORY B. Includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased visibility, pedestrian and parking facility improvements to be provided by the District. This category includes but is not limited to the following:

Medical Doctors, Dentists, Attorneys, Architects, General Contractors, Auto Dealers and Repair, Nursery Schools;

Psychologists, Optometrists, Advertising Agencies, Engineers, Investment Companies, Real Estate Offices, Pet Grooming;

Social Workers, Dispensing Opticians, Designers, Interior Decorators, Business Management Firms, Photography Studios and Utility Companies.

3. CATEGORY C. Includes those businesses which

are less dependent on pedestrian interaction and parking facilities than CATEGORY B but which will benefit from the general enhancement of the business activity and area identity to be generated by the District. This category includes but is not limited to the following:

Accountants/Secretarial Services, Wholesale Manufacturing/Distributors, Film and Video Production Companies;

Laboratories, Storage Facilities, Nonprofit Organizations, Hair Salons and Barbers, Apartments of Six or More Units.

4. Businesses not specifically identified in CATEGORIES A, B or C above shall be categorized by the City Treasurer upon application for a City general business license.

C. The charges to be imposed for those District businesses by zone and CATEGORY OF BENEFIT are as follows:

	CATEGORY A	CATEGORY B	CATEGORY C
Zone I	\$70	\$50	\$30
Zone II	\$50	\$35	\$20
Zone III	\$30	\$20	\$10

The above-described charge is an annual charge and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the general business license. For those businesses licensed for other than an annual license period, the City Treasurer shall determine the charge to be levied upon issuance of the City business license.

The total charge collected from any business under the provisions of the ordinance shall not exceed \$70 per annum.

5. The City will advance an amount not to exceed \$10,000 from the General Fund Unallocated Reserve which will be reimbursed when the District is established.

6. Notice is hereby given that June 12, 1984 at the hour of 2:00 p.m., in the Council Chambers of the City Administration Building, 202 "C" Street, San Diego, California, is fixed as the time and place when and where any and all persons having any desire to be heard may appear and state their views for or against the formation of the aforementioned parking and business improvement area.

7. The City Clerk is hereby directed to give notice of the mentioned hearing by both publication and mailing pursuant to Section 36522 of the Streets and Highways Code.

APPROVED: John W. Witt, City Attorney

By


Janis Sammartino Gardner
Deputy City Attorney

JSG/ta:235.2
4/13/84
REV. 5/15/84
Or.Dept:Plan.
R-84-1737
Form=r.none

This resolution by law supersedes
Resolution R-260614 adopted on
May 7, 1984.