



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: November 12, 2015

REPORT NO. PC-14-078

ATTENTION: Planning Commission
Agenda of November 20, 2014

SUBJECT: Initiation of an Amendment to the University Community Plan to change the existing Scientific Research land use on a 3.9 acre site to allow greater flexibility in allowable uses and to increase development intensity.
PTS NO. 291342

**OWNER/
APPLICANT:** Kilroy Realty, LP.

SUMMARY

Issue: Should the Planning Commission INITIATE an amendment to the University Community Plan change the adopted land use from Scientific Research to an appropriate land use designation to allow industrial and office use and to increase allowable development intensity on a 3.9acre site owned by Kilroy Realty, LP.? The project site is located at 9455 Towne Centre Drive.

Staff Recommendation: DO NOT INITIATE the plan amendment process.

Community Planning Group Recommendation: The University Community Planning Group has scheduled this item on their agenda for November 18, 2014. Their recommendation will be presented at Planning Commission on November 20, 2014.

Environmental Impact: This activity is not a "project" under the definition set forth in CEQA Guidelines Section 15378. Should initiation of the community plan amendment be approved, environmental review would take place at the appropriate time in accordance with CEQA Guidelines Section 15004.

Fiscal Impact: Processing costs would be paid by the applicant.

Code Enforcement Impact: None

Housing Impact: None

Approval of this initiation request does not constitute an endorsement of the project proposal. A staff recommendation will be developed once the project has been fully analyzed. This action will allow the staff analysis to proceed.

BACKGROUND

University Community Plan. The site is located at 9455 Towne Centre Drive within the University Community Planning Area (Attachment 1). The site is designated Scientific Research by the University Community Plan (UCP) (Attachment 2), is located within the Community Plan Implementation Zone (CPIOZ) Type A, is identified as Prime Industrial Lands in the General Plan, and is regulated by the Eastgate Technology Park PID (PID 90-0892). There is an existing 45,000 square foot research and development (R&D)/Flex building on the subject property.

The uses contemplated by the UCP within areas designated for Scientific Research are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities.

The UCP's goals for industrial development are to:

- A) Ensure that industrial land needs as required for a balanced economy and balanced land use are met consistent with environmental considerations.
- B) Protect a reserve of manufacturing land from encroachment by non-manufacturing uses.
- C) Develop and maintain procedures to allow employment growth in the manufacturing sector.
- D) Encourage the development of industrial land uses that are compatible with adjacent non-industrial uses and match the skills of the local labor force.
- E) Emphasize the citywide importance of and encourage the location of scientific research uses in the North University area because of its proximity to the University of California at San Diego (UCSD).

The Industrial Element of the UCP specifically prohibits commercial encroachment into industrial and scientific research areas with the exception of commercial services which are clearly accessory uses to the primary use. Examples of these accessory commercial services would include a restaurant or deli, mail or copy center, conference rooms and small athletic clubs. The UCP provides additional guidelines for accessory commercial uses which address location, orientation, size, and signage. Section IV of the UCP's Industrial Element specifically identifies that Eastgate Technology Park is designated for scientific research development. Section IV goes on state that scientific research uses supportive of UCSD and related scientific uses should be encouraged to develop in this area of the city and that multi-tenant office development is prohibited.

The main purpose of CPIOZ A within the UCP is to ensure implementation of the Development Intensity Element and to limit uses and development intensity to the levels specified in the Land use and Development Intensity Table (Table 3) provided as Attachment 3. The subject property is located in Subarea 12 as depicted in Figure 26 of the Development Intensity Element (Attachment 4). Subarea 12 is allocated a total of 2,356,990 square feet of Scientific Research use by Table 3. The Land Use and Development Intensity Table is meant to ensure a balance of land uses in the community while helping to also ensure a workable circulation system. Projects that would differ significantly from the land uses or development intensities in Table 3 would be

found to be inconsistent with the community plan. Such projects would require a community plan amendment.

General Plan Prime Industrial Land. The site is included in the General Plan's Economic Prosperity Element as Prime Industrial Land on Figure EP-1 which identifies areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, or research and development uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The General Plan includes several policies which are intended to protect, maintain and encourage the growth of base sector industrial uses and those areas have been identified as Prime Industrial Land. These include policies EP-A.1 through A.5, EP-A.12 through A.15 and EP-E.1 (Attachment 5).

Pueblo Lands. On June 29, 1979, the City of San Diego City Council approved Ordinance No. 12685 (O-12685) which authorized the lease or sale of certain portions of Pueblo Lots consisting of a total area of approximately 400 acres (Attachment 6). In September of 1979, the citizens of San Diego approved Proposition B and thereby ratified the ordinance which authorized the lease or sale of several Pueblo Lands (Attachment 7). This ordinance provided that all proceeds from such lease or sales be utilized to finance police substations and other permanent improvements for police purposes. In addition, it was stipulated that the Pueblo Lots must be occupied by *"scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like manufacturing activities, and related or similar uses."* Subsequent to analysis of various development alternatives, the City Council approved a financial plan that called for Parcels A (283 acres) and D (115 acres) to be subdivided and public improvements installed. Several development plans for Parcel A (Eastgate Technology Park) were prepared and one plan was selected and a tentative map was submitted to the Planning Department for review. It was determined that the proposed subdivision be processed as a Planned Industrial Development Permit (PID) so that conditions could be incorporated into the plan to guide development of the site. The permit was ultimately approved by City Council on December 7, 1982, and has been amended several times since that time.

The PID originally permitted development of 2,543,655 square feet of Scientific Research use on 32 industrial lots on approximately 233 acres (Attachment 8). Each lot was assigned a specific square footage for development of Scientific Research use. The project site is located on Lot 9 and is assigned 45,000 square feet of Scientific Research use. The PID area is near build out, and a reduction of square footage on several lots within the PID area associated with the La Jolla Centre III project has limited the availability to transfer development intensity to the subject site.

Prior Amendment Proposal. In December 2011, Kilroy Realty Corporation (Kilroy) submitted a letter requesting initiation of an amendment to the University Community Plan to increase the allowable square footage and to amend the land use designation to allow medical office uses. City staff reviewed the request and determined that the amendment to change the land use designation to allow medical office uses at this site would not be consistent with University Community Plan Industrial Element and General Plan Economic Prosperity Element goals and policies. After discussing with Kilroy, the initiation request was revised to only request the increase in allowable development intensity for site and keep the existing Scientific Research land use designation. City staff was supportive of the revision and recommended approval of the

initiation request.

On June 14, 2012, the applicant appeared before the Planning Commission to request the initiation of a community plan amendment to the UCP to increase the total square footage within Subarea 12 to allow an increase in development intensity on the subject property. Planning Commission approved the initiation request as presented in Planning Commission Report No. PC-12-068, by Resolution No. 4812-PC.

The proposed community plan amendment and associated development project to increase the allowable development intensity of Scientific Research use on the subject property from 45,000 square feet of Scientific Research use to approximately 150,000 square feet of Scientific Research use was submitted in September of 2012. Subsequent to city staff's third review of the proposed project, the applicant requested a revision to the project scope to identify medical office as a permitted use in the development intensity table and include a rezone from the existing more restrictive IP-1-1 zone (Industrial Park) to the more permissive IL-2-1 zone (Light Industrial).

The purpose of the IP zones is to provide for high quality science and business park development. The property development standards of this zone are intended to create a campus-like environment characterized by comprehensive site design and substantial landscaping. Restrictions on permitted uses and signs are provided to minimize commercial influence. The IP-1-1 zone allows corporate headquarters uses, research and development uses, and most high technology manufacturing uses. The purpose of the IL zones is to provide for a wide range of manufacturing and distribution activities. The development standards of this zone are intended to encourage sound industrial development by providing an attractive environment free from adverse impacts associated with some heavy industrial uses. The IL zones are intended to permit a range of uses, including nonindustrial uses in some instances. The IL-2-1 zone allows a mix of light industrial and commercial office uses with limited commercial services and retail uses.

On August 18, 2014, the Office of the City Attorney issued a Memorandum of Law at the request of the Planning Department regarding the ability to approve entitlements for uses of Pueblo Lands other than those approved by the electorate (Attachment 9). The Planning Department asked if the City may grant entitlements for uses of Pueblo Lands that are not specified in O-12865 authorizing the lease or sale of the Pueblo Lands, without a vote of the electorate. The Office of the City Attorney's answer, in short, states: *"Generally, no. Although Charter section 219 only requires that the electorate approve the lease or sale of the Pueblo Lands, this Ordinance sought the electorate's approval for the lease or sale on the basis of the specific use of the lands and proceeds. The Ordinance does allow some flexibility in the use of the Pueblo Lands, however, if the uses are for the "general-purpose" of the listed uses, or are "related or similar uses."*

DISCUSSION

The proposed amendment would make possible the development of medical offices and other professional office uses (e.g. accountancy, finance, insurance, etc.) on a site intended for Scientific Research uses. While many properties identified as Prime Industrial Land in the General Plan have IL-2-1 zoning, (e.g. Carmel Mountain Ranch, Kearny Mesa, Mira Mesa, and

Navajo) a redesignation which facilitates a rezoning from a more restrictive industrial zone (e.g. IP-1-1 or IP-2-1) to a less restrictive industrial zone (e.g. IL-2-1 or IL-3-1) would be contrary to General Plan Policies EP.A.1 and EP.A.12, because such an action could have no other effect than to potentially increase the amount of commercial encroachment into these industrial areas. Commercial encroachment into industrial areas is precisely what the SR designation, the IP-1-1 zone, O-12685, and PID 90-0892 sought to prevent. Therefore, staff has concluded that it would not be appropriate in this location due to those guiding policies and all of the following:

- Clear and specific community plan direction on the types of uses recommended for this area;
- Pueblo Lands restrictions calling for retention of scientific research or similar uses;
- Existing strong Prime Industrial lands characteristics of the site, per analysis using General Plan Appendix C, EP-1 “Prime Industrial Lands Criteria” and Appendix C, EP-2 “Collocation/Conversion Suitability Factors.” Note that the presence of “restrictive industrial zoning” was one of several criteria used to identify certain industrial tracts as Prime Industrial Land, and is an important factor in determining whether or not the City should grant new entitlements to a parcel, where the granting of such entitlements could result in land use conflicts stemming from collocation, or in negative economic impacts resulting from the loss of industrial space.
- The applicant has indicated a desire to obtain new entitlements and a more permissive IL-2-1 zoning in order to have the flexibility to lease or sell office space for medical uses. Medical uses are not considered “base sector uses” which generate new job opportunities by providing goods or services which are exported outside the local region. Medical office buildings function like retail uses, providing medical services to the local population. Because the retailers of medical services cannot relocate away from their patients, any employment created is simply shifted from other parts of San Diego County. The granting of new entitlements which would replace an existing industrial structure suitable for a wide variety of corporate headquarters, R&D, or high-tech/biotech manufacturing with a medical or professional office building would be contrary to General Plan Policy EP-A.1 which requires the City to “*Protect base sector uses that provide quality job opportunities including middle income job.....*”

Further elaboration of the distinction between the types of jobs created by healthcare services as compared to manufacturing/scientific research jobs is provided below.

In October 2014, the San Diego Workforce Partnership prepared a labor market analysis report on the Life Sciences sector in San Diego County. The Life Sciences sector, also referred to as Biotechnology or Biotech, accounted for nearly 1,400 businesses and 45,000 workers. From 2005-2013, Life Sciences employment in the county grew by more than 35% and is expected to grow by over 9% in the next 12 months. The subsectors and job titles included and analyzed in the Life Sciences sector can be seen below, and the report highlights have been provided as Attachment 10.

Subsectors	Job Titles
<ul style="list-style-type: none"> • Agricultural Feedstock & Chemicals • Drugs & Pharmaceuticals • Medical Devices & Equipment 	<ul style="list-style-type: none"> • Research associate or assistants • Quality control associate, assistant, or coordinators • Medical lab technician or clinical lab scientists

- Bioscience-related Distribution
- M-Health or Wireless Health
- Research, Testing & Medical Laboratories
- Materials handler or supply-chain technicians
- Regulatory affairs specialist or analysts
- Manufacturing or production technician or assemblers
- Lab assistant, technician, or specimen accessioners or processors
- Sales representatives or business development specialists

The average annual wage of the occupations analyzed in the report is approximately \$73,000. These occupations are representative of the middle- and high-income jobs which policies related to Prime Industrial Land are trying to preserve and grow in these areas. The latest joint state-Department of Labor Quarterly Census of Employment and Wages reported that the county's Biotech industry has added 1,465 pharmaceutical and medicine manufacturing jobs and weekly wages have increased since the beginning of 2009.

The San Diego Workforce Partnership and Department of Labor Quarterly Census of Employment and Wages also identify an increase in jobs and wages associated with the Health Care Industry. However, these increases are linked in part, to the increase in other job market sectors which create the demand for additional medical services. This trend is apparent in the recent approval of a new campus master plan for the Scripps La Jolla Memorial Hospital in 2013. Located in the University Community at Genesee Avenue and Interstate 5, the master plan includes an increase in Medical Office square footage from approximately 330,000 square feet to nearly 800,000 square feet. The master plan also includes construction of three hospital towers housing 531 beds as well as space for onsite scientific research uses.

The UCSD East Campus, located in the western portion of the University Community, is also in the midst of new construction and/or planning for several projects which will expand its health care capacity at the UC Medical Center to serve the San Diego Region. The first project is construction of the 510,000 square foot Jacobs Medical Center due to be completed in Summer of 2016. After completion of the project, the Medical Center on the East Campus will offer a full spectrum of primary and specialty services, emergency and urgent care services, expanded cardiac and oncology services and new inpatient perinatal services which will enable UC San Diego to expand inpatient and outpatient services to meet the needs of San Diego's growing population. The second project is the Outpatient Pavilion which will consolidate and centralize several outpatient surgical services and integrate them with diagnostics and physical therapy to support all elements of patient care within the East Campus Health Sciences Neighborhood. This project is scheduled to be complete in summer of 2017. The third project is the 330,000 square foot Altman Clinical and Translational Research Institute. This project will provide the space necessary to consolidate and expand the "bench to bedside" translational research. It encompasses clinical research space including dry and wet laboratories, human subject research space, administrative support spaces and faculty physician offices for the cardiovascular center. This project is due to be completed in summer of 2015. Though these projects would provide a wide spectrum of health care services, they also include the medical office space needed to support these services as well as office space for physicians working at these facilities.

In short, the City and UCSD has already granted many new entitlements for hospital and medical office developments in the locations which are consistent with General Plan and community plan land use designations and policies. The redesignation of lands identified as Prime Industrial

Lands for non-base sector commercial uses imposes opportunity costs upon the City and its residents.

The General Plan's Economic Prosperity Element acknowledges that the City's industrial land availability has been impacted by the intrusion of non-industrial uses and in order to maintain an adequate supply of land to accommodate base sector employment uses, such as those associated with the Biotech Industry, residential, and most commercial and institutional uses should be excluded from prime industrial areas. As described above, the Biotech Industry is continuing to grow, and preserving land to accommodate these uses is as important as ever.

The project site is an area identified as Prime Industrial Lands, is designated for Scientific Research use, and is zoned IP-1-1 which limits permitted uses to those most closely associated with base sector uses such as those included in the Biotech Industry. The proposed initiation of a community plan amendment to allow more flexibility in allowable uses, such as medical office, would further degrade the availability of land and industrial space suitable for base sector employment uses in an area that is surrounded by land designated for Scientific Research use and zoned IP-1-1, and is thus not supported by City staff.

The City's process to amend the General Plan and/or a community plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may actually proceed. The staff recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan. Due to the request of the applicant for a rezone subsequent to the original initiation to only increase intensity, and staff's determination that the rezone would result in an inconsistency with the existing Scientific Research land use designation, the Planning Department has determined that the two of the following initiation criteria cannot be met:

(1) **The amendment request appears to be consistent with the goals and policies of the General Plan and University Community Plan:**

The site is designated Scientific Research by the University Community Plan. The proposed amendment would increase the allowable development intensity on-site and would result in a change from the existing Scientific Research land use designation to allow greater flexibility in allowable uses. The Industrial Element of the UCP emphasizes the City-wide importance of and encourages the retention and growth of Scientific Research use in the community because of its proximity to UCSD. The proposed initiation of a community plan amendment to allow more flexibility in allowable uses, such as medical office, would further degrade the availability of land suitable for base sector employment uses in an area that is surrounded by land designated for Scientific Research use and zoned IP-1-1.

The site was identified in the General Plan's Economic Prosperity Element as Prime Industrial Land on Figure EP-1 which identifies areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, or research and development uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The General Plan includes several policies which are intended

to protect, maintain and encourage growth of base sector industrial uses and those areas identified as Prime Industrial Land. These include policies EP-A.1 through A.5, EP-A.12 through A.15 and EP-E.1 (Attachment 5). Maintaining the existing Scientific Research land use designation and IP-1-1 zoning would preserve land for the base sector industrial uses and would restrict encroachment by non-base sector industrial uses such as medical office.

- (2) **The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design; and**

The proposed community plan amendment to increase allowable development intensity could help provide additional job opportunities and services to the community. However, the site has been specifically identified through ordinance, land use planning and zoning for scientific research activities, manufacturing research and development activities, corporate headquarters, and high technological-like manufacturing activities. The existing land use designation preserves land for base sector employment which creates wealth for our city by exporting products and services primarily to national and international markets outside of the local area. Allowing a change in land use and subsequent rezone to the IL-2-1 zone could allow non-base sector uses which do not stimulate the economy and create the middle-income jobs which the existing land use and zoning are meant to implement. Additionally, the change in land use and subsequent rezone would not be consistent with existing General Plan and UCP policies regarding base sector industrial uses, nor would the change in land use be allowed by O-12685 without a vote of the electorate.

- (3) **Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.**

If the plan amendment is initiated, an analysis of public services and facilities would be conducted with the review of the amendment.

As outlined above, staff has determined that the proposed plan amendment does not meet the first two above criteria as described; therefore, staff recommends that the amendment to the University Community Plan not be initiated.

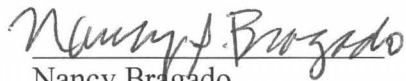
. If the Planning Commission chooses to initiate the request, staff recommends that the following issues be analyzed and evaluated through the community plan amendment review process:

- Evaluate applicability of the Prime Industrial Land Criteria as provided in General Plan Appendix C, EP-1
- Evaluate consistency with the Guidelines for the Regional Center and Subregional Employment Area as provided in General Plan Appendix C, EP-3
- Evaluate consistency with the Miramar Airport Land Use Compatibility Plan
- Evaluate the Air Quality and Noise Impacts from I-805 and MCAS Miramar
- Evaluate traffic generation and circulation

- Evaluate the accessibility of transit
- Evaluate the ability of the project to incorporate sustainable design features

If the Planning Commission supports initiation of the community plan amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.

Respectfully submitted,



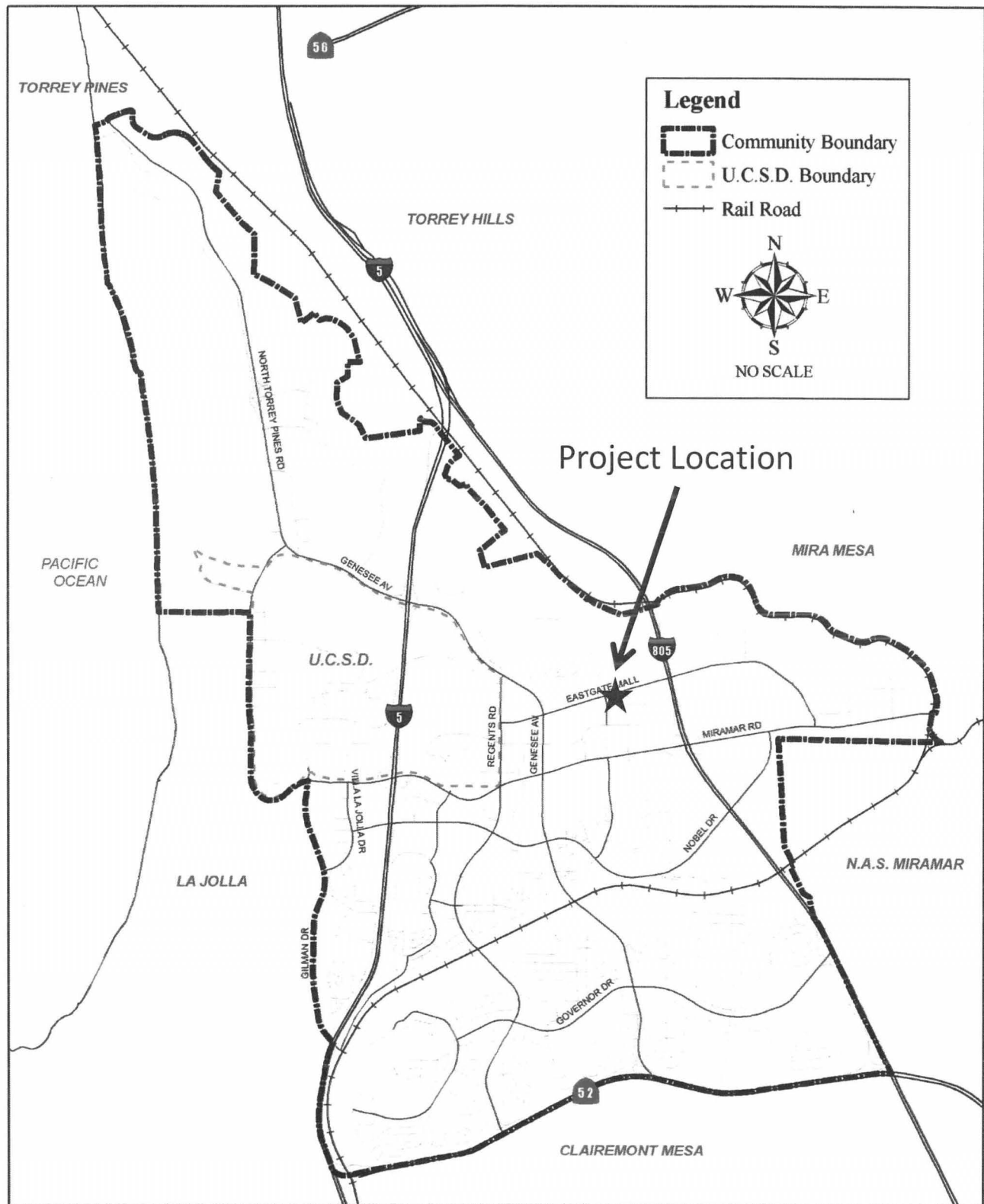
Nancy Bragado
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Attachments:

1. Vicinity Map
2. University Community Plan Generalized Land Use Map
3. University Community Plan Development Intensity Element – Table 3
4. University Community Plan Development Intensity Element – Figure 26
5. General Plan Economic Prosperity Element Policies
6. Sale of Pueblo Lands Map – Parcels A and D
7. City of San Diego Ordinance No. 0-12685
8. Eastgate Technology Park Lot Map
9. Office of the City Attorney Memorandum – August 18, 2014
10. San Diego Workforce Partnership Life Sciences Labor Market Analysis Report Highlights
11. Ownership Disclosure Statement



VICINITY MAP

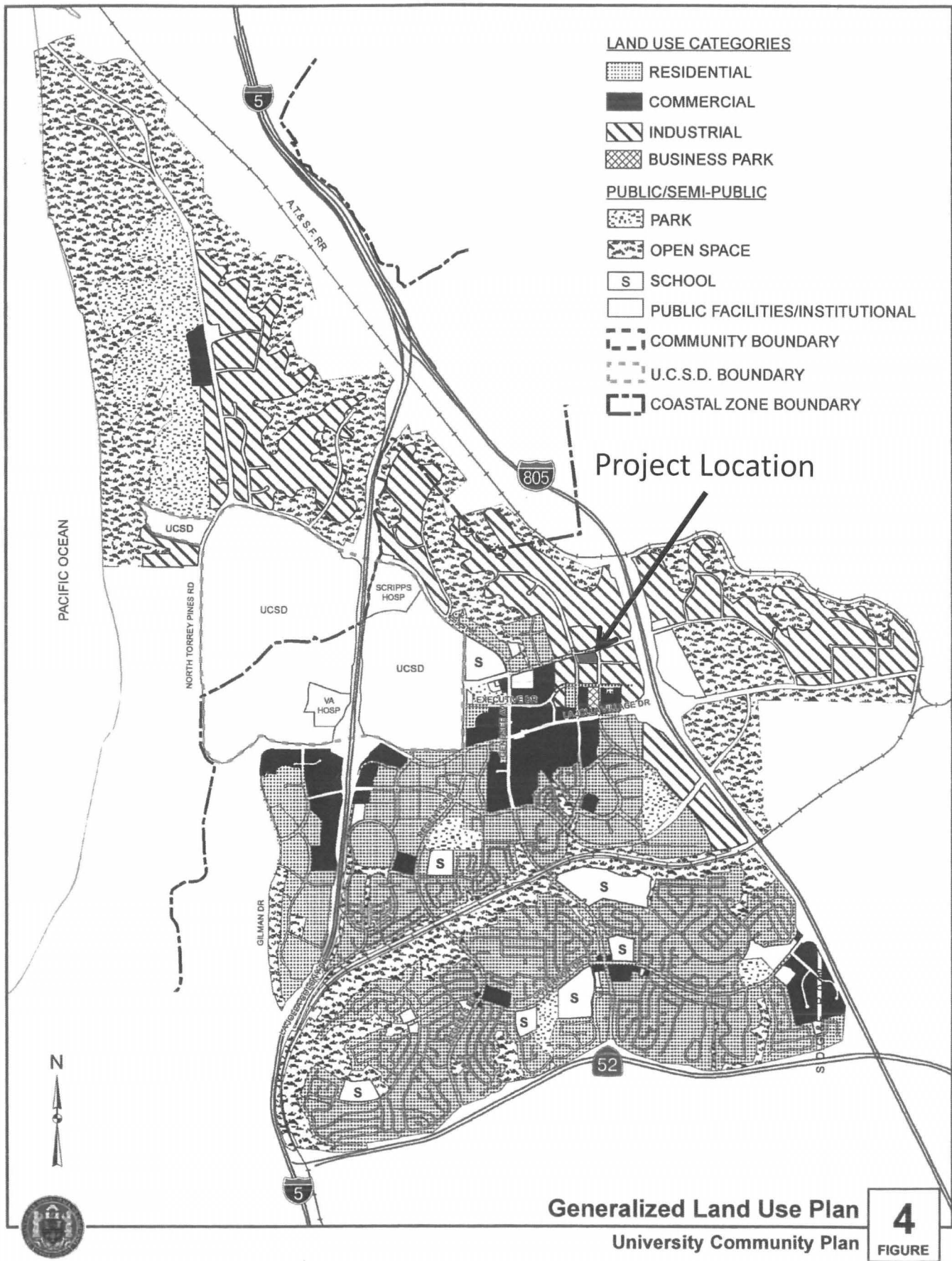
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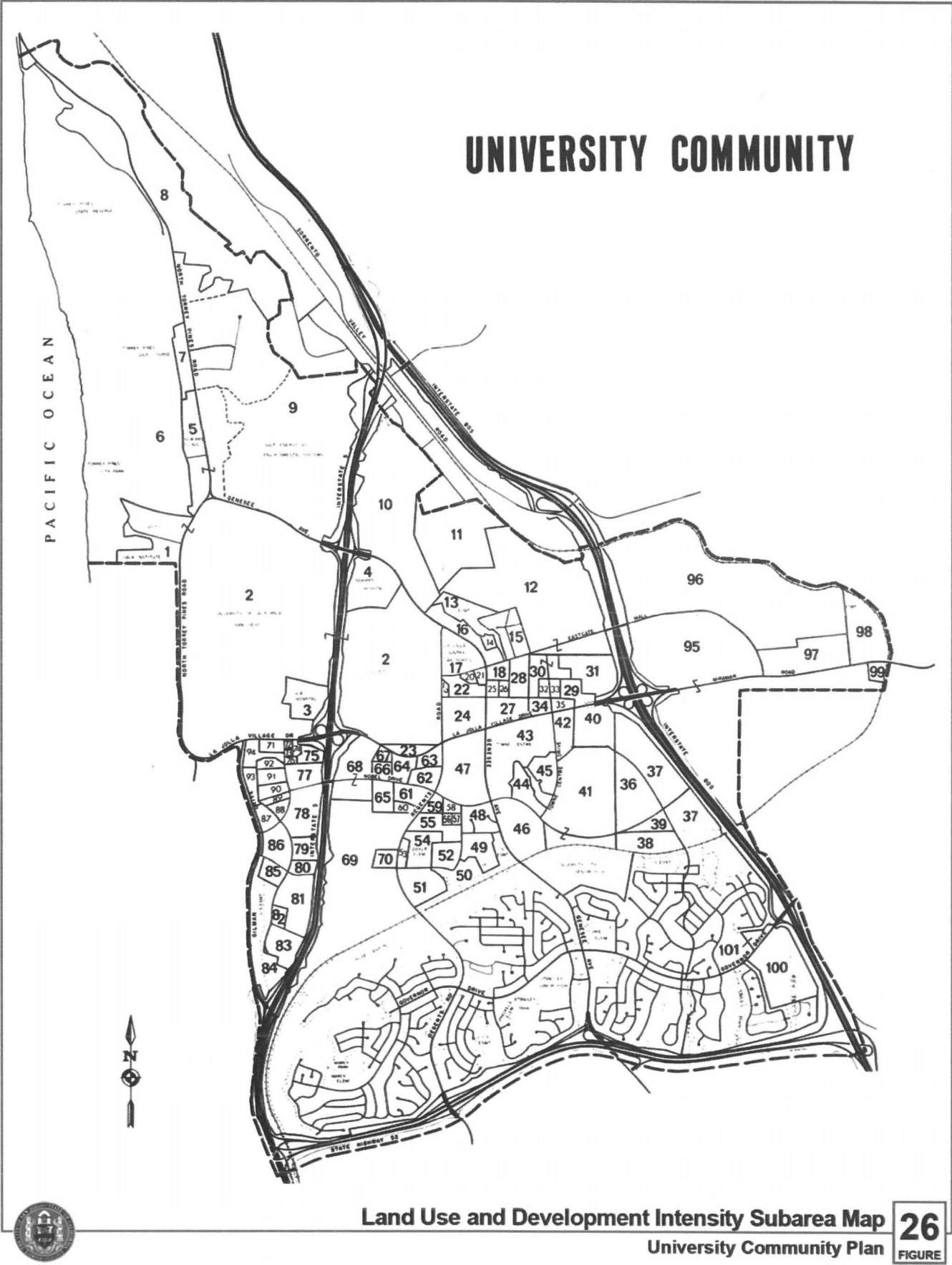
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**TABLE 3
LAND USE AND DEVELOPMENT INTENSITY**

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program		
Subarea/Name	Gross Acres	Land Use and Development Intensity
1. Salk Institute	26.88	500,000 SF - Scientific Research
2. UCSD	915.00	UCSD Long Range Development Plan (110,000 ADT)
3. VA Hospital	29.95	725 Beds
4. Scripps Memorial Hospital Medical Offices	41.38	682 Beds 31,500 SF - Scientific Research 793,580 SF - Medical Office
5. Scripps Clinic	25.17	320 Beds 567,000 SF - Scientific Research 404,000 SF - Medical Office 52,000 SF - Aerobics Center
6. Torrey Pines Golf Course/ City Park/State Reserve	728.05 ⁽¹⁾	
7. Sheraton Hotel Lodge at Torrey Pines	11.38 6.00 ⁽¹⁾	400 Rooms - Hotel 175 Rooms - Hotel
8. Torrey Pines State Reserve	233.92	
9. Chevron	303.60	20,000 SF/AC - Scientific Research ⁽²⁾
Scallop Nuclear (Gentry)	56.41	Existing or approved development, Exceptions:
Torrey Pines Science Park	145.74	Spin Physics - 550,000 SF
Signal/Hutton	25.79	Lot 10B (2.7 AC) - 15,500 SF/AC
Torrey Pines Business and Research Park	15.89	23,000 SF/AC ⁽²⁾ Scientific Research
La Jolla Cancer Research	4.87	Open Space
State Park	14.25	
10. Campus Point	158.78	Existing or approved development, Exceptions: IVAC and SAIC - 30,000 SF/AC ⁽³⁾ and Lot 7 (3.6 AC) - 18,000 SF/AC - Scientific Research 25.00 Open Space
11. Private Ownership	55.93	18,000 SF/AC - Scientific Research ⁽⁴⁾
City Ownership	47.48	(Development intensity transferred from Subarea 37 for all of Subarea 11)
12. Eastgate Technology Park (PID) ^(4a)	218.50	2,356,990 SF - Scientific Research

- (1) A minimum of 187 public parking spaces is to be retained on public land for golf course uses; in addition, at the adjacent Lodge at Torrey Pines, there are 40 parking spaces reserved daily for golfers and 94 parking spaces reserved during tournaments.
- (2) Chevron, Scallop Nuclear, and La Jolla Cancer Research Foundation shall be required to mitigate their peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Mitigation shall be achieved through a Transportation System Management (TSM) program to be approved by the City Council and the California Coastal Commission as a Local Coastal Program amendment. The proposed TSM program must specify the maximum development intensity of the project site and include supported findings. This Plan encourages the development of these parcels through a master plan.
- (3) SAIC and IVAC shall be required to mitigate their peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Mitigation shall be achieved through a Transportation System management (TSM) program to be approved by the City Council.
- (4) This Plan encourages the development of this subarea through a master plan
- (4a) ADT's from Irvine Company owned parcels 343-122-40-43, 45-52, & 60-64 Subarea 12 (PID) 90-0892) have been shifted to La Jolla Centre III Subarea 29 APN 345-012-10.





Economic Prosperity Element

Policies

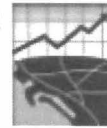
Base Sector Industrial Uses

- 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.
- EP-A.2. Encourage a broader geographic distribution of high technology businesses throughout the City.
- EP-A.3. Encourage large regional employers to locate and expand in the Regional Center or Subregional Employment Areas.
- EP-A.4. Include base sector uses appropriate to an office setting in Urban Village and Community Village Centers.
- EP-A.5. Consider the redesignation of non-industrial properties to industrial use where land use conflicts can be minimized. Evaluate the extent to which the proposed designation and subsequent industrial development would:
 - Accommodate the expansion of existing industrial uses to facilitate their retention in the area in which they are located.
 - Not intrude into existing residential neighborhoods or disrupt existing commercial activities and other uses.
 - Mitigate any environmental impacts (traffic, noise, lighting, air pollution, and odor) to adjacent land.
 - Be adequately served by existing and planned infrastructure.

Non-Base Sector Employment Uses

- EP-A.6. Provide for the establishment or retention of non-base sector employment uses to serve base sector industries and community needs and encourage the development of small businesses. To the extent possible, consider locating these types of employment uses near housing. When updating community plans or considering plan amendments, land use designations contained in the Land Use and Community Planning Element should be appropriately applied to provide for non-base sector employment uses.

Economic Prosperity Element



- EP-A.7. Increase the allowable intensity of employment uses in Subregional Employment Areas and Urban Village Centers where transportation and transit infrastructure exist. The role of transit and other alternative modes of transportation on development project review are further specified in the Mobility Element, Policies ME-C.8 through ME-C.10.
- EP-A.8. Concentrate more intense office development in Subregional Employment Areas and in Urban Villages with transit access.
- EP-A.9. Efficiently utilize employment lands through increased intensity in "urban villages" and Subregional Employment Areas.
- EP-A.10. Locate compatible employment uses on infill industrial sites and establish incentives to support job growth in existing urban areas.
- EP-A.11. Encourage the provision of workforce housing within employment areas not identified as Prime Industrial Land that is compatible with wage structures associated with existing and forecasted employment.

Prime Industrial Land

- EP-A.12. Protect Prime Industrial Land as shown on the Industrial and Prime Industrial Land Map, Figure EP-1. As community plans are updated, the applicability of the Prime Industrial Land Map will be revisited and changes considered.
 - a. Amend the boundaries of Figure EP-1 if community plan updates or community plan amendments lead to an addition of Prime Industrial Lands, or conversely, a conversion of Prime Industrial Land uses to other uses that would necessitate the removal of properties from the Prime Industrial Land identification.
 - b. Amend the boundaries of Figure EP-1 if community plan updates or community plan amendments/rezones lead to a collocation (the geographic integration of residential uses and other non-industrial uses into industrial uses located on the same premises) of uses.
 - c. Justification for a land use change must be supported by an evaluation of the prime industrial land criteria in Appendix C, EP-1, the collocation/conversion suitability factors in Appendix C, EP-2, and the potential contribution of the area to the local and regional economy.
- EP-A.13. In areas identified as Prime Industrial Land as shown on Figure EP-1, do not permit discretionary use permits for public assembly or sensitive receptor land uses.



Economic Prosperity Element

- EP-A.14. In areas identified as Prime Industrial Land as shown on Figure EP-1, child care facilities for employees' children, as an ancillary use to industrial uses on a site, may be considered and allowed when they: are sited at a demonstrably adequate distance from the property line, so as not to limit the current or future operations of any adjacent industrially-designated property; can assure that health and safety requirements are met in compliance with required permits; and are not precluded by the applicable Airport Land Use Compatibility Plan.
- EP-A.15. The identification of Prime Industrial Land on any property does not preclude the development or redevelopment of such property pursuant to the development regulations and permitted uses of the existing zone and community plan designation, nor does it limit the application of any of the Industrial Employment recommended community plan land use designations in Table LU-4, provided that residential use is not included.

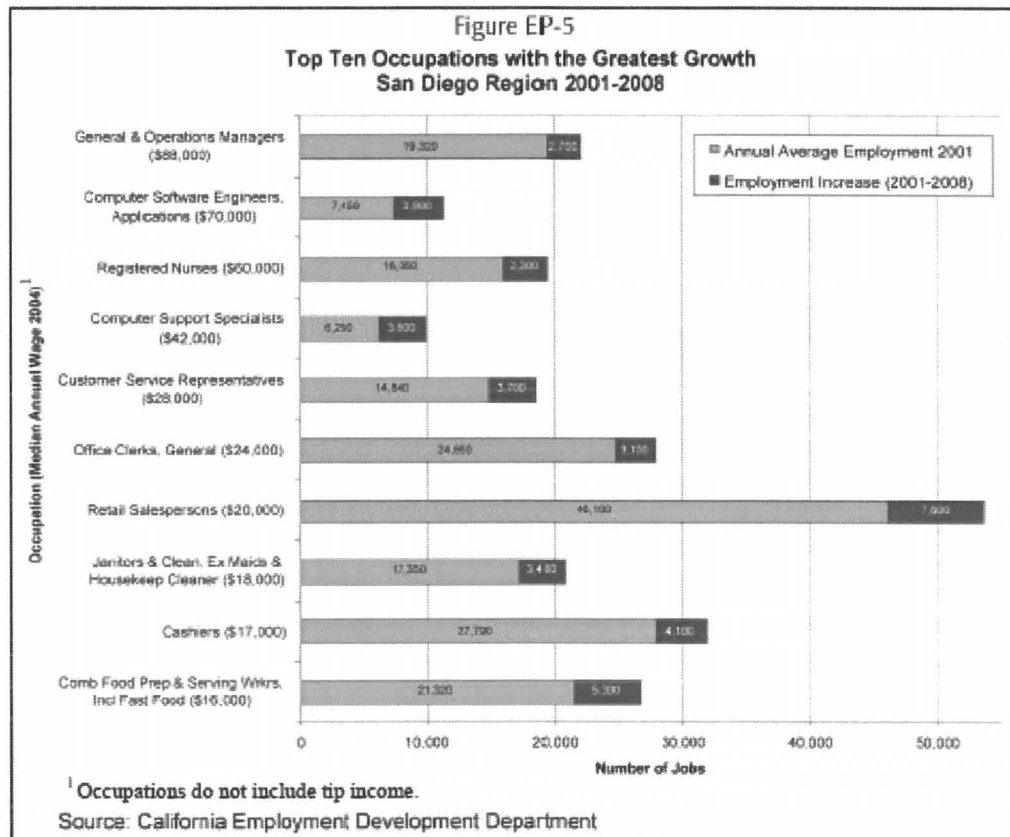
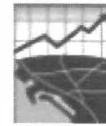
Other Industrial Land

- EP-A.16. In industrial areas not identified as Prime Industrial Lands on Figure EP-1, the redesignation of industrial lands to non-industrial uses should evaluate the Area Characteristics factor in Appendix C, EP-2 to ensure that other viable industrial areas are protected.
- EP-A.17. Analyze the collocation and conversion suitability factors listed in Appendix C, EP-2, when considering residential conversion or collocation in non-prime industrial land areas.
- EP-A.18. Amend the Public Facilities Financing Plan concurrently to identify needed facilities if residential uses are proposed in industrially designated areas.
- EP-A.19. Encourage child care facilities in employment areas not identified as prime industrial land where health and safety can be ensured and where not precluded by the applicable Airport Land Use Compatibility Plan.

All Industrial Areas

- EP-A.20. Meet the following requirements in all industrial areas as a part of the discretionary review of projects involving residential, commercial, institutional, mixed-use, public assembly, or other sensitive receptor land uses:
- Analyze the Collocation/Conversion Suitability Factors in Appendix C, EP-2.
 - Incorporate pedestrian design elements including pedestrian-oriented street and sidewalk connections to adjacent properties, activity centers, and transit.
 - Require payment of the conversion/collocation project's fair share of community facilities required to serve the project (at the time of occupancy).

Economic Prosperity Element



Policies

EP-E.1. Encourage the retention and creation of middle-income employment by:

- Preserving employment land and capacity for base sector export industries that generate opportunities for middle-income wage earners as discussed in Section A.
- Investing in infrastructure, educational and skill development, and quality of life assets that support middle-income employment development.
- Encouraging the development of measures that facilitate expansion of high technology business facilities that have the potential to create middle-income jobs likely to be filled by local residents.



ORDINANCE NO. 12685
(New Series)

O. 79-305
JUN 29 1979

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1316, 1317, 1318, 1321, 1351, 1353 AND 1355 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

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

Section 1. The City of San Diego be and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unratified portions of Pueblo Lots 1316, 1317, 1318, 1321, 1351, 1353 and 1355 consisting of a total area of approximately 400 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City area southerly of Sorrento Valley Boulevard, as more particularly shown on that plat on file in the office of the City Clerk as Document No. 766676.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital

Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to elections is of the kind and character authorized for passage on its introduction by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:930.40
6/20/79
Or. Dept.: Manager

Passed and adopted by the Council of The City of San Diego on JUN 29 1979
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Betty Gooding, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on JUN 29 1979, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Betty Gooding, Deputy.

Office of the City Clerk, San Diego, California

CC-1222-B (REV. 10-78)

Ordinance Number 12685 Adopted JUN 29 1979

City of San Diego
12th floor, City Admin. Bldg.
300 S St.
San Diego, CA 92101

Attn: Betty Goldberg

RECEIVED

1979

JUL 20 11 4 04

CITY OF SAN DIEGO

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

FINANCE POLICE SUBSTATIONS

ORDINANCE NO. 12685
(New Series)

AN ORDINANCE AUTHORIZING THE LEASE OR SALE OF CERTAIN PORTIONS OF PUEBLO LOTS 1216, 1217, 1218, 1219, 1220 AND 1221 OF THE PUEBLO LANDS OF SAN DIEGO, PROVIDED THAT ALL PROCEEDS FROM SUCH LEASES OR SALES BE UTILIZED TO FINANCE POLICE SUBSTATIONS AND OTHER PERMANENT IMPROVEMENTS FOR POLICE PURPOSES.

BE IT ORDAINED, by the Council of the City of San Diego, as follows:
Section 1. The City of San Diego do and it is hereby authorized and empowered to lease or sell all or any portion of the remaining unleased portions of Pueblo Lots 1216, 1217, 1218, 1219, 1220 and 1221 comprising a total area of approximately 400 acres more or less. The aforementioned Pueblo Lots are located generally in the area of Interstate 805 in the University City and southern of Sorrento Valley Boulevard, as more particularly shown on that plan on file in the office of the City Clerk as Document No. 76879.

Section 2. All leases or sales of the above described Pueblo Lots shall be made for the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological manufacturing activities and related or similar uses.

Section 3. All proceeds from lease or sales of the above described Pueblo Lots shall be placed into a Capital Outlay Fund to be used solely and exclusively for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes.

Section 4. This ordinance requires ratification by the voters and being related to election of the land and character authorized for passage on its ratification by Sections 16 and 17 of the Charter.

Section 5. This ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of the City of San Diego voting at a Special Municipal Election to be held in said City on the 18th day of September 1979, at which a proposition to ratify this ordinance shall be submitted.

Passed and adopted by the Council of the City of San Diego on June 28, 1979, by the following vote:

YEAS: Michael O'Connor, Gabe Spring, Lissa Wilson

NAYS: None.

ABSENT: Lewery, Williams, Schmalzer.

AUTHENTICATED BY:

PETE WILSON

Mayor of the City

of San Diego, California

CHARLES S. ARDELACAP

City Clerk of the City

of San Diego, California

By BETTY GOLDBERG

Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on June 28, 1979, said ordinance being of the land and character authorized for passage as so authenticated by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members electing to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES S. ARDELACAP

City Clerk of the City

of San Diego, California

By BETTY GOLDBERG

Published July 18, 1979

68745

1 Paula J. Santonocito

of the United States and a resident of the County afore-said; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 29, 1969, Decree No. 14594; and the

ORDINANCE NO. 12685
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

July 12, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 16th day of July, 1979.

Paula J. Santonocito
Signature

93/4" - 8 59.18

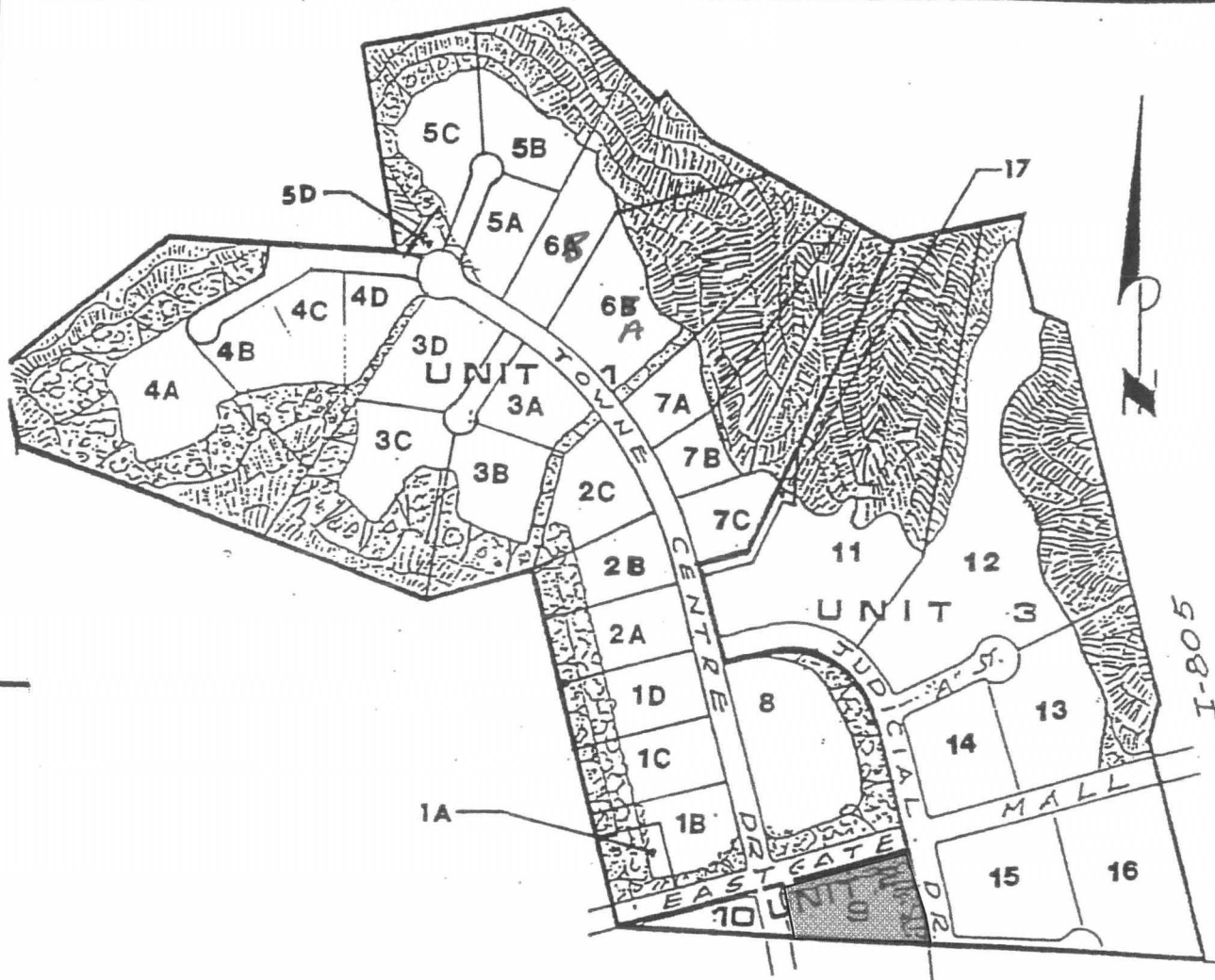
7/20/79



SAN DIEGO

DEPARTMENT

1222 First Avenue • M.S. 407 • SAN DIEGO, CA 92101 TELEPHONE: (619) 236-6001



EASTGATE TECHNOLOGY PARK

EXHIBIT "A"

Office of
The City Attorney
City of San Diego

MEMORANDUM
MS 59

(619) 533-5800

DATE: August 18, 2014
TO: Bill Fulton, Director, Planning Department
FROM: City Attorney
SUBJECT: Ability to Approve Entitlements for Uses of Pueblo Lands Other Than Those Approved by the Electorate

INTRODUCTION

The sale or lease of City-owned Pueblo Lands is protected by San Diego Charter section 219. Charter section 219 requires that any lease of Pueblo Lands in excess of 15 years or sale of Pueblo Lands first be approved by an ordinance of the San Diego City Council and subsequently ratified by the electorate.¹ San Diego Charter § 219. In 1979, the City Council approved San Diego Ordinance O-12685 (Ordinance) allowing the lease or sale of various portions of Pueblo Lands, and the electorate ratified the Ordinance. Prop. B., Special Municipal Elec. (Sept. 18, 1979). The Ordinance approved by the electorate stated that the leases or sales would be for “the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like [sic] manufacturing activities and related or similar uses.”² *Id.* The Ordinance also stated that the proceeds from the lease or sale would be used to finance police facilities. *Id.* The Office of the City Attorney has been asked whether entitlements may be granted by the City for uses other than those specified in the Ordinance, such as professional offices or retail sales.

¹ For a summary of the history of Pueblo Lands and Charter section 219, see 1999 Op. City Att’y 40 (99-2; July 15, 1999).

² The argument in support reads “high technology light manufacturing.” Ballot Pamp., Special Municipal Elec., (Sept. 18, 1979), argument in favor of Prop. B at 6.

Bill Fulton, Director
 August 18, 2014
 Page 2

QUESTION PRESENTED

May the City grant entitlements for uses of Pueblo Lands that are not specified in the Ordinance authorizing the lease or sale of the Pueblo Lands, without a vote of the electorate?

SHORT ANSWER

Generally, no. Although Charter section 219 only requires that the electorate approve the lease or sale of the Pueblo Lands, this Ordinance sought the electorate's approval for the lease or sale on the basis of the specific use of the lands and proceeds. The Ordinance does allow some flexibility in the use of the Pueblo Lands, however, if the uses are for the "general purpose" of the listed uses, or are "related or similar uses."

ANALYSIS

Ballot measures are subject to the same rules of statutory interpretation as other statutes. *Robert L. v. Superior Court*, 30 Cal. 4th 894 (2003). The intent of the legislature, in this case, the electorate, is to be ascertained. *Hi-Voltage Wire Works, Inc. v. City of San Jose*, 24 Cal. 4th 537 (2000). If the intent cannot be ascertained by the plain meaning of the measure, for example, if the plain meaning is absurd or the language permits more than one reasonable interpretation, then extrinsic aids may be used to determine the intent. *Sanders v. Pacific Gas & Electric Co.*, 53 Cal. App. 3d 661 (1975); *Shaw v. People ex rel. Chiang*, 175 Cal. App. 4th 577 (2009). In the case of ballot measures, those extrinsic aids include the ballot arguments. *Robert L.*, 30 Cal. 4th 894; *Shaw*, 175 Cal. App. 4th 577.

The Ordinance states that the Pueblo Lands are to be used for "the general purpose of accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, high technological-like [sic] manufacturing activities and related or similar uses." Ballot Pamph., Special Municipal Elec. at 5 (Sept. 18, 1979).³ Although the intent of the Ordinance to limit the uses of these Pueblo Lands seems clear, in the event that a court found the Ordinance to be ambiguous, such that resort to the extrinsic aids was necessary to determine the electorate's intent, this Memorandum also reviews the arguments in support and opposition.

The argument in support of the Ordinance presents the benefits of increased police services, job creation, and reduced tax burdens. Relevant to the issue of the use of the Pueblo Lands, the argument states that the proposed uses are "consistent with the adopted community plan and

³ Council Policy 900-03, Management and Marketing of City-Owned Industrial Property, adopted on October 2, 1989, requires purchasers of the City's industrial properties to agree to "appropriate reversionary rights or other penalties" if the disposition agreement is violated. Council Policy 900-03, Policy 2, Reversion. The Council Policy applies to Pueblo Lands referenced in the Ordinance. Council Policy 900-03, Policy 5.b, Disposition of Proceeds. It is not known whether any use restrictions were placed on any lease or sale of these Pueblo Lands; any such restrictions may also affect the ability of owners to use the Pueblo Lands for other purposes, but is not within the scope of this Memorandum.

Bill Fulton, Director
 August 18, 2014
 Page 3

include scientific research activity, manufacturing research and development, corporate headquarters and high technology light manufacturing.”⁴ Ballot Pamp., Special Municipal Elec., (Sept. 18, 1979), argument in favor of Prop. B at 6. This argument also states that the Ordinance will “permit the kind of clean industry that has proven to be advantageous to our environment and economy.” *Id.* The argument in opposition to the Ordinance only discusses the fiscal shortcomings of any potential sale of City-owned property, as opposed to the benefits of leasing the property, and therefore, does not provide any information relevant to this issue. *Id.*, argument against Prop. B at 6-7. Therefore, relevant to this discussion, the ballot argument simply echoes the uses set forth in the Ordinance, and then characterizes them as “clean industry” and “advantageous to our environment and economy.” *Id.*, argument in favor of Prop. B at 6.

As summarized herein, the acceptable use of these Pueblo Lands has been the subject of previous memorandums by this Office and actions by the City Council. Soon after the ratification of the Ordinance, this Office issued memorandums addressing the ability to use these Pueblo Lands for other uses.⁵ One memorandum analyzed the acceptability of a check printing operation and concluded that this use was not within those approved by the electorate. 1980 City Att’y Memorandum 391 (July 15, 1980). Another memorandum concluded that commercial uses such as barber shops, twenty-four hour automated banking tellers, restaurants, and small food markets could be allowed, if the uses were support services to those uses otherwise permitted. 1982 City Att’y MOL 48 (May 26, 1982). The limitation was that the proposed commercial use must be one needed to service the industrial and other authorized uses. *Id.* However, in 1990, the City Council authorized a Request for Proposals for a lease of a portion of these Pueblo Lands for uses permitted in the M1-A zone, which included retail commercial uses, and which the City Council determined to be “related or similar” to the uses in the Ordinance.⁶ San Diego Resolution R-275697 (May 14, 1990). The recitals stated that the parcel, because of its size and configuration, was not appropriate for the development and use specified in the Ordinance. *Id.* Lastly, this Office has opined that when the City uses these Pueblo Lands, the use is not restricted by the provisions of the Ordinance, because the Ordinance “authorizes, with restrictions, the alienation of these lands,” and so would not govern the use of the lands by the City. 1989 City Att’y MOL 201, 202 (89-50; May 23, 1989).

The electorate approved the lease or sale of these Pueblo Lands for the “general purpose” of allowing the listed uses, along with “related or similar uses.” The use of the qualifying language

⁴ Staff has indicated that these Pueblo Lands are within the University and Mira Mesa Community Plans. The University Community Plan in effect at the time stated that the City should “continue to reserve publicly owned land for the use of such life-science and other research facilities appropriate for the area.” University Community Plan, at 20 (1971). The Mira Mesa Community Plan in effect at the time stated that the M-1A zone or any zone which allowed commercial zoning should not be used in the Mira Mesa industrial area, with the exception of small parcels for which commercial uses could serve the surrounding industrial community. Mira Mesa Community Plan, at 62 (1977).

⁵ Although this Office prepared a memorandum and draft ordinance prior to the adoption of the Ordinance by the City Council, the memorandum discusses the ability to restrict the use of the proceeds, but does not discuss the ability to or purpose of restricting the use of the lands. 1979 City Att’y MOL 103 (May 18, 1979).

⁶ No M1-A zone was found in the San Diego Municipal Code History Table; however, there was an M-1A zone in use in 1990, when R-275697 was passed.

Bill Fulton, Director
 August 18, 2014
 Page 4

such as “general purpose” and “related or similar uses” allows some flexibility to allow other uses. As was discussed in one of this Office’s earlier memorandums, uses that support the listed uses are acceptable as falling within the “general purposes” as well as “related or similar uses” to the specific listed uses. For example, a small convenience store or restaurant close to a scientific research facility serving mostly those employees would be within the general purpose of the specific uses listed in the Ordinance.

However, in order to ensure that any entitlements for the limited uses that fall within the “general purpose” or are for “related or similar uses” to those listed in the Ordinance are actually limited to these uses, the City must have the ability to place greater restrictions on some of the uses than is currently provided for in the San Diego Municipal Code. For example, when property has been zoned for offices uses, such the CR-2-1 and the CC zones, that office use is then permitted by right and the City does not have any opportunity or ability to place conditions on the future use or development such that any uses would be limited to offices related to “accommodating scientific research activities, manufacturing research and development activities, corporate headquarters, [and] high technological-like [sic] manufacturing activities.” San Diego Municipal Code § 131.0522, Table 131-05B; Ballot Pamp., Special Municipal Elec. at 5 (Sept. 18, 1979). The City could consider amendments to the San Diego Municipal Code that would create new office uses for those uses that fall within the “general purposes” of the ordinance or are “related or similar uses.”

If the City would like greater flexibility to lease or sell the Pueblo Lands than was allowed by the approval of the Ordinance, an amendment to the conditions in the Ordinance must be approved by the electorate. There is no authority in the Ordinance for the City to amend the Ordinance. An initiative may be amended only by the electorate, unless the initiative itself allows for amendment by the legislature. *Shaw*, 175 Cal. App. 4th at 596. The electorate has absolute power to decide whether the legislature may amend an initiative subject to conditions attached by the electorate.⁷ *Id.* As more than one court has said, “[w]e may not properly interpret the measure in a way that the electorate did not contemplate: the voters should get what they enacted, not more and not less.” *People v. Park*, 56 Cal. 4th 782, 798 (2013) (quoting *Hodges v. Superior Court*, 21 Cal. 4th 109 (1999)).

⁷ The courts may judicially reform legislation, including an initiative measure, to preserve its constitutionality if the reformation effectuates policy judgments articulated by the approving body and the approving body would have preferred the reformation to any invalidation. *Kopp v. Fair Political Practices Comm’n*, 11 Cal. 4th 607 (1995). However, application of the Ordinance consistent with the legislative intent as discussed in this Memorandum does not appear to present any issues of constitutionality, such that judicial reformation would be appropriate.

Bill Fulton, Director
August 18, 2014
Page 5

CONCLUSION

The City Council sought and obtained the electorate's approval of an Ordinance to sell or lease certain Pueblo Lands based on the use of those lands for limited purposes. The approved Ordinance allowed some flexibility in the use of the lands for these general purposes, and for related or similar uses. If the City would like greater flexibility in the use of the lands, an amendment to the Ordinance must be approved by the electorate.

JAN I. GOLDSMITH, CITY ATTORNEY

By/s/ Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:als
MS-2014-17
Doc. No.: 829925_3

PRIORITY SECTOR



Life Sciences

**LABOR MARKET ANALYSIS
REPORT HIGHLIGHTS**

San Diego County
October 2014

For the full report, please visit:
workforce.org/industry-reports

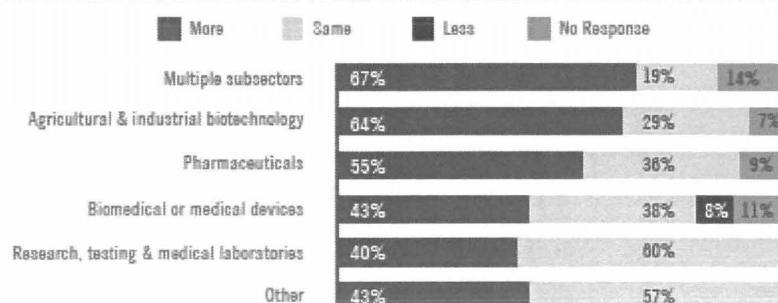


San Diego County is ranked as one of the top 10 regions in the nation for Life Sciences. While the sector boasts high employment growth, it often demands workers with advanced education and skills that rapidly adapt to changing technologies. This study serves to inform the workforce development system—educational training institutions, Workforce Investment Boards and community organizations—on how to best prepare the future workforce for the Life Sciences sector. The full report analyzes data on job growth, training gaps, hiring challenges and skills in demand from employers.

OVERVIEW OF LIFE SCIENCES IN SAN DIEGO COUNTY

The Life Sciences sector accounts for more than 1,372 establishments¹ and 45,000 workers. From 2005 to 2013, Life Sciences employment in San Diego County grew by more than 35%, which is considerably faster than the nation or California as a whole. More than 130 firms were surveyed and interviewed for this report. Companies that are diversified and engaged in multiple subsectors expect the most employment growth between 2014 and 2015 compared to businesses that focused on only one subsector.

LIFE SCIENCES FIRMS THAT EXPECT TO INCREASE EMPLOYMENT IN 12 MONTHS BY SUBSECTOR



The nine occupations selected for in-depth analysis in this study have an average annual wage of approximately \$73,000 and are projected to have a large number of job openings in the region.

1. Lab assistants, technicians or specimen accessioners/processors
2. Manufacturing or production technicians or assemblers
3. Materials handlers or supply-chain technicians
4. Medical lab technicians or clinical lab scientists
5. Quality assurance analysts, auditors or specialists
6. Quality control associates, assistants or coordinators
7. Regulatory affairs specialists or analysts
8. Research associates or assistants (preclinical, research & development or clinical)
9. Sales representatives or business development specialists

EMPLOYER-DESIRED KNOWLEDGE, SKILLS AND ABILITIES

Job postings and employment data indicate that the following knowledge, skills and abilities (KSAs) are the most commonly associated KSAs in the nine occupations:

- Chemistry
- Inspection
- Good manufacturing practices
- Biology
- Validation
- Laboratory equipment
- Good lab practices
- Calibration
- Quality assurance and control
- Oral and written communication
- Bioinformatics
- Organization
- Research
- Detail-oriented
- Problem-solving
- Troubleshooting

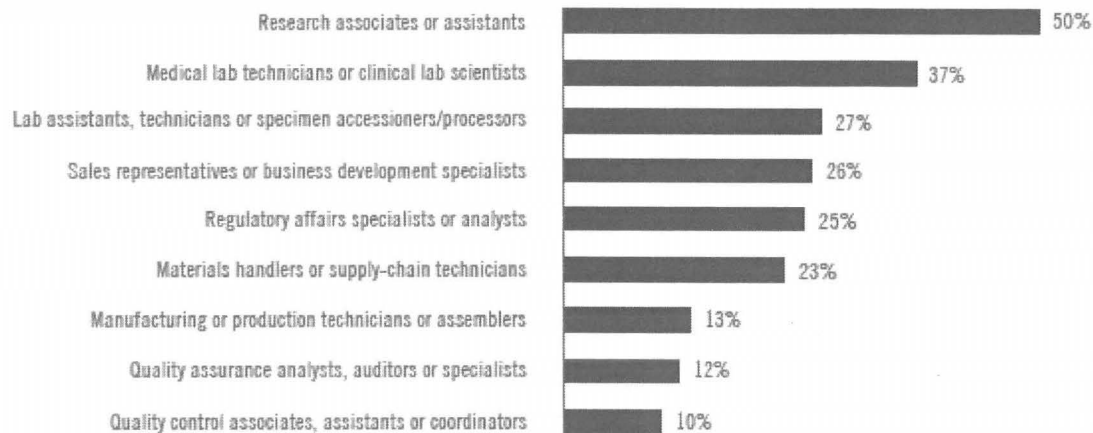
EMPLOYER PROJECTED 12-MONTH EMPLOYMENT GROWTH



1. An "establishment" is a single physical location of a business used for reporting purposes in government data sources. A single company may have multiple establishments.

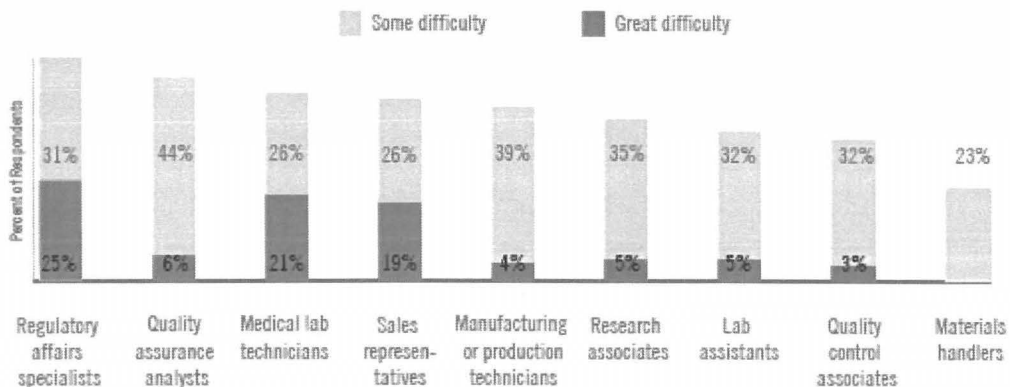
All occupations in this research are expected to increase in employment. The following depicts the percentage of employers who expect to hire more employees in each occupation from 2014 to 2015.

LIFE SCIENCES FIRMS THAT EXPECT TO INCREASE EMPLOYMENT IN 12-MONTHS BY OCCUPATION PERCENT OF RESPONDENTS



Employers reported at least some difficulty in finding qualified applicants for all nine occupations. This information can assist educational institutions in developing and refining programs to meet their needs.

EMPLOYER REPORTED DIFFICULTY IN HIRING QUALIFIED CANDIDATES



RECOMMENDATIONS FOR WORKFORCE DEVELOPMENT

- Focus on programs that expose and educate youth of the employment opportunities in Life Sciences
- Emphasize key areas in Life Sciences such as bioinformatics, bioengineering, data mining and analysis and biochemistry in training programs
- Develop workforce tools that continually inform educators about the changing needs of employers due to technological developments and innovation
- Inform job seekers that employment opportunities are available to those who are willing and able to learn as well as adapt and respond quickly in a rapidly changing environment
- Incorporate communication skills in training programs to combine a scientific background with the ability to communicate complicated scientific information

For complete details, view full report at workforce.org/industry-reports

Acknowledgements

This report is the product of a regional collaboration in San Diego County. The San Diego Workforce Partnership (SDWP) commissioned, edited and designed the report.

SDWP would like to thank everyone who contributed to this project:

- Phil Jordan and Josh Williams — BW Research Partnership, Inc.
- Tina Ngo and Kelley Ring — San Diego Workforce Partnership
- Zhenya Lindstrom — California Community Colleges Center of Excellence for Labor Market Research, San Diego-Imperial Region
- Mary Wylie — California Community Colleges San Diego/Imperial Counties Regional Consortium
- Sandra Slivka, Ph.D. — California Life Sciences Initiative
- Andrea Yoder Clark and Marco Castillo — YourBecause.is and anacommedia
- The 130+ San Diego-based employers who participated in the surveys, interviews and focus groups for this report. This study could not have been produced without their participation.

Funded by the U.S. Department of Labor through the San Diego Workforce Partnership



W / myworkforceconnection.org



W / doingwhatmatters.cccco.edu



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 [sdworkforce](https://www.facebook.com/sdworkforce)  [@SDWorkforce](https://twitter.com/SDWorkforce)



W / coeccc.net



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☒ Land Use Plan Amendment • ☐ Other

Project Title

9455 Towne Centre Redevelopment

Project No. For City Use Only

266919

Project Address:

9455 Towne Centre Drive, San Diego, California

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:


Project Title:	Project No. (For City Use Only) 266919
----------------	--

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☐ Limited Liability -or- ☐ General) What State? _____ Corporate Identification No. _____
☒ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** ☐ Yes ☒ No

Corporate/Partnership Name (type or print): Kilroy Realty, L.P., a Delaware Limited Partnership <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 3611 Valley Centre Drive, Suite 550 City/State/Zip: San Diego, CA 92130 Phone No: (858) 523-0300 Fax No: (858) 523-0310 Name of Corporate Officer/Partner (type or print): Steve Scott Title (type or print): Senior Vice President Signature :  Date: _____	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: _____
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: _____	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: _____
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: _____	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date: _____