



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: March 8, 2018

REPORT NO. PC-18-009

HEARING DATE: March 15, 2018

SUBJECT: Uptown Community Plan Amendments. Process 5

### **SUMMARY**

#### Issue:

The City Council as part of the Uptown Community Plan Update hearing, directed staff to bring back amendments to the Uptown Community Plan, associated rezones, and an amendment to the Community Plan Implementation Overlay Zone.

#### Requested Action:

Recommend to the City Council approval of the Uptown Community Plan amendments, associated zoning implementation actions, and amendment to the Community Plan Implementation Overlay Zone.

#### Staff Recommendation:

Staff recommends that the Planning Commission forward the Uptown Community Plan amendments (See ATTACHMENT 1), associated zoning actions, and amendment to the Community Plan Implementation Overlay Zone to the City Council with a recommendation of approval based on the information contained in this report and the evidence offered as part of the public hearing.

1. RECOMMEND the City Council **ADOPT** Addendum to PEIR 380611/SCH No. 2016061023 and **ADOPT** the Mitigation Monitoring and Reporting Program,
2. RECOMMEND the City Council **APPROVE** a resolution amending the Uptown Community Plan and amending the General Plan.
3. RECOMMEND the City Council **APPROVE** of an ordinance rezoning 2.1 acres (3.7 acres including public right-of-way) from RM-3-9 to RM-4-10 and 0.69 acres (1.2 acres including public right-of-way) from CC-3-8 to CC-3-9 for the St. Paul's Seniors site within the Bankers Hill neighborhood of Uptown Community Planning Area.

4. RECOMMEND the City Council APPROVE of an ordinance rezoning 1.1 acres (1.8 acres including public right-of-way) from CC-3-8 to CC-3-9 for the University Avenue and Park Boulevard site within Hillcrest neighborhood of the Uptown Community Planning Area.
5. RECOMMEND the City Council **APPROVE** of an ordinance amending the Land Development Code Chapter 13, Article 2, Division 14 and amending the City's certified Local Coastal Program (de minimis amendment).

Community Planning Group Recommendation:

On February 6, 2018, the Uptown Planners voted to recommend approval of the amendments related to the St. Paul's Seniors site and the Community Plan Implementation Overlay zone for University Heights 12-0-2 and voted to recommend rejection of the amendment related to the University Avenue and Park Boulevard site 9-4-1 since it was not subject to their review prior to the City Council voting on it (See ATTACHMENT 2).

City Strategic Plan Goal and Objectives:

The community plan update is in direct alignment with the following City of San Diego Strategic Plan goals and objectives; specifically, Goal 2 (Work in partnership with all of our communities to achieve safe and livable neighborhoods) and Goal 3: (Create and sustain a resilient and economically prosperous City).

Environmental Review:

The City of San Diego, as Lead Agency under CEQA has prepared and completed an Addendum, dated January 17, 2018, to Program Environmental Impact Report No. 380611/SCH No. 2016061023 for the Uptown Community Plan amendments, rezones, CPIOZ amendment, and a Mitigation, Monitoring and Reporting Program covering this activity (ATTACHMENT 3).

Housing Impact Statement:

The proposed amendments and rezoning actions would result in an increase of 101 additional dwelling units within the Bankers Hill/Park West neighborhood (St. Paul's Seniors site) and 40 additional dwelling units within the Hillcrest neighborhood (University Avenue/Park Boulevard site). No development is proposed with this action at this time.

**BACKGROUND**

On November 14, 2016, the City Council approved the update to the 1988 Uptown Community Plan and supported the following additional items as part of the plan's adoption:

1. Restore the proposed residential density associated with the St. Paul's Seniors site in the Bankers Hill/Park West neighborhood.
2. Address a zoning and land use inconsistency that would allow the community plan land use density match the higher density allowed in the former Planned District zone within the Hillcrest neighborhood.
3. Establish a Community Plan Implementation Overlay Zone for the largely residential areas within the areas of the former MR-1500 zone in the University Heights neighborhood in order to address neighborhood concerns over the maximum building height allowed by the new RM-2-5 zone.

These items which were raised during the City Council were not included in the environmental analysis of the community plan. As part of the motion to adopt the update to the community plan, the City Council directed staff to process these items as amendments to the community plan and return to the City Council for approval.

## **DISCUSSION**

### **St. Paul's Seniors Site**

The St. Paul's Seniors site is located in the Bankers Hill/Park West neighborhood of the Uptown Community consisting of a 2.79-acre site bounded by Nutmeg Street to the north, Fourth Avenue to east, 2<sup>nd</sup> Avenue to the west, and Maple Street to the south. The site currently occupies two city blocks on both sides of 3<sup>rd</sup> Avenue. Existing development at the site includes single and multi-story office, surface parking lot, a privately owned park, and a multi-story residential structure which currently houses St. Paul's independent senior living apartment complex and skilled nursing facility.

In 2009, A General/Community Plan Amendment was initiated by the Planning Commission to increase residential density and support opportunities for senior housing development in the Uptown community. Subsequently, staff incorporated this proposal into the lower density land use alternative for the Uptown Community Plan Update. Planning Commission recommended to reject the lower density land use alternative and instead modify the Community Plan Update to reflect the land use and densities of the 1988 Uptown Community Plan along with new policies. The St. Paul's Seniors site – which represented the only increase in density in the lower density land use alternative remained at the residential densities prior to the initiation of the plan amendment initiation. At the community plan adoption hearing, the City Council directed staff to include the proposed density increase for the St. Paul's site as part of a follow-up action associated with the adoption of the community plan update.

The following table shows the existing and proposed land use designations, dwelling units allowed, and the existing and proposed zoning associated with the proposed amendments:

Table 1: St. Paul's Seniors Site – Bankers Hill/Park West

| <b>Existing</b> |                                 |        |                        | <b>Proposed</b>                          |         |                        |
|-----------------|---------------------------------|--------|------------------------|--|---------|------------------------|
| Acreage         | Land Use                        | Zone   | Dwelling Units Allowed | Land Use                                 | Zone    | Dwelling Units Allowed |
| 2.1             | Residential High<br>45-73 du/ac | RM-3-9 | 95 to 153              | Residential<br>Very-High<br>74-109 du/ac | RM-4-10 | 153 to 229             |
| 0.69            | Office Commercial<br>0-73 du/ac | CC-3-8 | 0 to 50                | Office Commercial<br>0-109 du/ac         | CC-3-9  | 0 to 75                |

The proposed land use designations and associated rezones would have the potential to accommodate future senior housing opportunities, higher density residential, office, as well as mixed-use development in the Bankers Hill/Park West neighborhood (See ATTACHMENT 4 and 5).

#### University Avenue/Park Boulevard

The University Avenue and Park Boulevard site is located in the Hillcrest neighborhood of the Uptown Community consisting of a 1.1-acre site at the northwest corner of the intersection. Existing development on the site includes commercial buildings along Park Boulevard and the alley along the west site of the subject site. The site also includes 8 multifamily dwelling units consisting of a 4-unit, two story apartment structure and four single story units located to the rear of the site.

The former Mid-City Communities Planned District Ordinance (MCCPDO) zoning associated with a 1.1-acre site located at 3922 and 3906 Park Boulevard that was previously zoned CN-1. According to the MCCPDO, a higher density of 1 dwelling units per 400 square feet (109 du/ac) was allowed for lot sizes that exceeded 30,000 square feet. However, the 1988 community plan designated the subject site for a density of 73 dwelling units per acre. At the community plan adoption hearing, the City Council directed staff to increase residential density to 109 du/ac given the site's location along the Mid-City Rapid Bus route, that very-high density would be appropriate at this location, as part of a follow-up action.

The following table shows the existing and proposed land use designations, dwelling units allowed, and the existing and proposed zoning associated with the proposed amendments:

| Existing |                                    |        |                        | Proposed                            |        |                        |
|----------|------------------------------------|--------|------------------------|-------------------------------------|--------|------------------------|
| Acreage  | Land Use                           | Zone   | Dwelling Units Allowed | Land Use                            | Zone   | Dwelling Units Allowed |
| 1.1      | Community Commercial<br>0-73 du/ac | CC-3-8 | 0 to 80                | Community Commercial<br>0-109 du/ac | CC-3-9 | 0-120                  |

The proposed land use designations and associated rezones would have the potential to accommodate higher-density residential, office, as well as mixed-use development along the Mid-City Rapid Bus line along Park Boulevard (See ATTACHMENT 6 and 7).

#### Community Plan Implementation Overlay Zone

The Uptown Community Plan and Chapter 13, Article 2, Division 14 of the Land Development Code would be amended to include a Community Plan Implementation Overlay Zone (CPIOZ) within the University Heights neighborhood of the Uptown community (See ATTACHMENT 8). The CPIOZ would be applied to approximately 61.36 acres primarily within the current RM-2-5 zone, bounded generally by Adams Avenue to north, the alleys west of Park Boulevard and Campus Avenue on the east, Meade Avenue and Tyler Avenue to the south, and a half block east of Maryland Street on the west. Existing development within this area of the University Heights neighborhood generally includes a mix of single-family and multifamily development ranging from one to two stories.

The Uptown Community Plan Update process included converting the MCCPDO zones to Citywide zoning. With this effort, an emphasis was placed on selecting zones with compatible uses and densities. The RM-2-5 zone (Residential-Multiple Unit) was selected to be applied for a largely, residential area in the University Heights neighborhood of the Uptown community

previously zoned under the MCCPDO as MR-1500. Both the RM-2-5 and MR-1500 allow multifamily residential development at 29 dwelling units per acre as well as other similar uses and comparable development regulations; however, the RM-2-5 zone allows a maximum structure height of 40 feet whereas the MR-1500 only allows a maximum structure height of 30 feet. At the community plan adoption hearing, the City Council directed staff to establish a CPIOZ for the largely residential areas in the former MR-1500 zone that trigger would a discretionary review process for structures exceeding 30 feet in height, as part of a follow-up action.

The proposed CPIOZ would establish a 30 height limit threshold whereby any development exceeding a maximum structure height of 30 feet would require discretionary review and approval of a Site Development Permit in accordance with Process 3. Development with a maximum structure height of 30 feet or less without any deviations to the Land Development Code would be granted ministerial approval in accordance with Process 1.

#### Environmental Analysis

Based on the analysis conducted for the amendments, the City of San Diego prepared a Program Environmental Impact Report (PEIR) in accordance with the California Environmental Quality Act (CEQA). The analysis conducted identified that the amendments could result in significant impacts to the following issue areas: Transportation and Circulation, Noise (Ambient Noise and Construction), Historical Resources (Built Environment and Historic Districts), and Paleontological Resources (Ministerial Projects).

Based upon a review of the current project, it has been determined that:

- a. There are no new significant environmental impacts not considered in the previous PEIR;
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- c. There is no new information of substantial importance to the project.


Therefore, in accordance with Section 15164 of the State CEQA Guidelines this addendum has been prepared. No public review of this addendum is required.

#### **CONCLUSION**

The proposed Uptown Community Plan amendments would support future senior housing opportunities in the Uptown Community, opportunities for additional housing and mixed-use development along a high-frequency bus route, and formulate a means to assist in ensuring compatible development scale within an established residential neighborhood.

Respectfully submitted,

  
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Tait Galloway  
Program Manager  
Planning Department

  
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Marlon I. Pangilinan  
Senior Planner  
Planning Department

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Attachments:

1. Uptown Community Plan Amendment Package
2. Uptown Planners Recommendation
3. Addendum to PEIR 380611/SCH No. 2016061023
4. St. Paul's Seniors Site Proposed Community Plan Amendment Exhibit
5. DRAFT Ordinance approving rezones associated with the St. Paul's Senior site
6. University Avenue/Park Boulevard Proposed Community Plan Amendment Exhibit
7. DRAFT Ordinance approving rezones associated with the University Avenue/Park Boulevard site
8. DRAFT Ordinance amending the Uptown Community Plan Implementation Overlay Zone
9. DRAFT Resolution adopting the General/Community Plan Amendment – St.Paul's Seniors
10. DRAFT Resolution adopting the General/Community Plan Amendment – University Avenue/Park Boulevard
11. DRAFT Resolution adopting the General/Community Plan Amendment – Community Plan Implementation Zone in University Heights.
12. DRAFT Resolution adopting Addendum to PEIR 380611/SCH No. 2016061023

ADOPTION OF THE UPTOWN COMMUNITY PLAN

|                                  | DATE APPROVED<br>BY PLANNING<br>COMMISSION | DATE ADOPTED BY<br>CITY COUNCIL | RESOLUTION<br>NUMBER |
|----------------------------------|--|---------------------------------|----------------------|
| Adopted Uptown<br>Community Plan | October 06, 2016                           | November 14, 2016               | R-310767             |

## ADOPTION OF THE UPTOWN COMMUNITY PLAN

| <u>ACTION</u>  | DATE APPROVED BY<br>PLANNING<br>COMMISSION | DATE ADOPTED BY<br>CITY COUNCIL | RESOLUTION<br>NUMBER |
|--|--|---------------------------------|----------------------|
| Adopted Uptown<br>Community Plan   | October 06, 2016                           | November 14, 2016               | R-310767             |
| <ul style="list-style-type: none"> <li>• <u>Redesignated 2.1 acres from Residential High 45 to 73 du/ac to Residential Very-High 74 to 109 du/ac.</u></li> <li>• <u>Redesignated 0.69 acres from Office Commercial 0 to 73 du/ac to Office Commercial 0 to 109 du/ac.</u></li> <li>• <u>Redesignated 1.1 acres from Community Commercial 0 to 73 du/ac to Community</u></li> <li>• <u>Amended the Uptown Community Plan implementation Overlay Zone to include a 30-foot maximum building height threshold for discretionary review</u></li> </ul> | _____, 2018                                | _____, 2018                     | <u>R-XXXXXX</u>      |



FIGURE 2-1: COMMUNITY PLAN LAND USE MAP

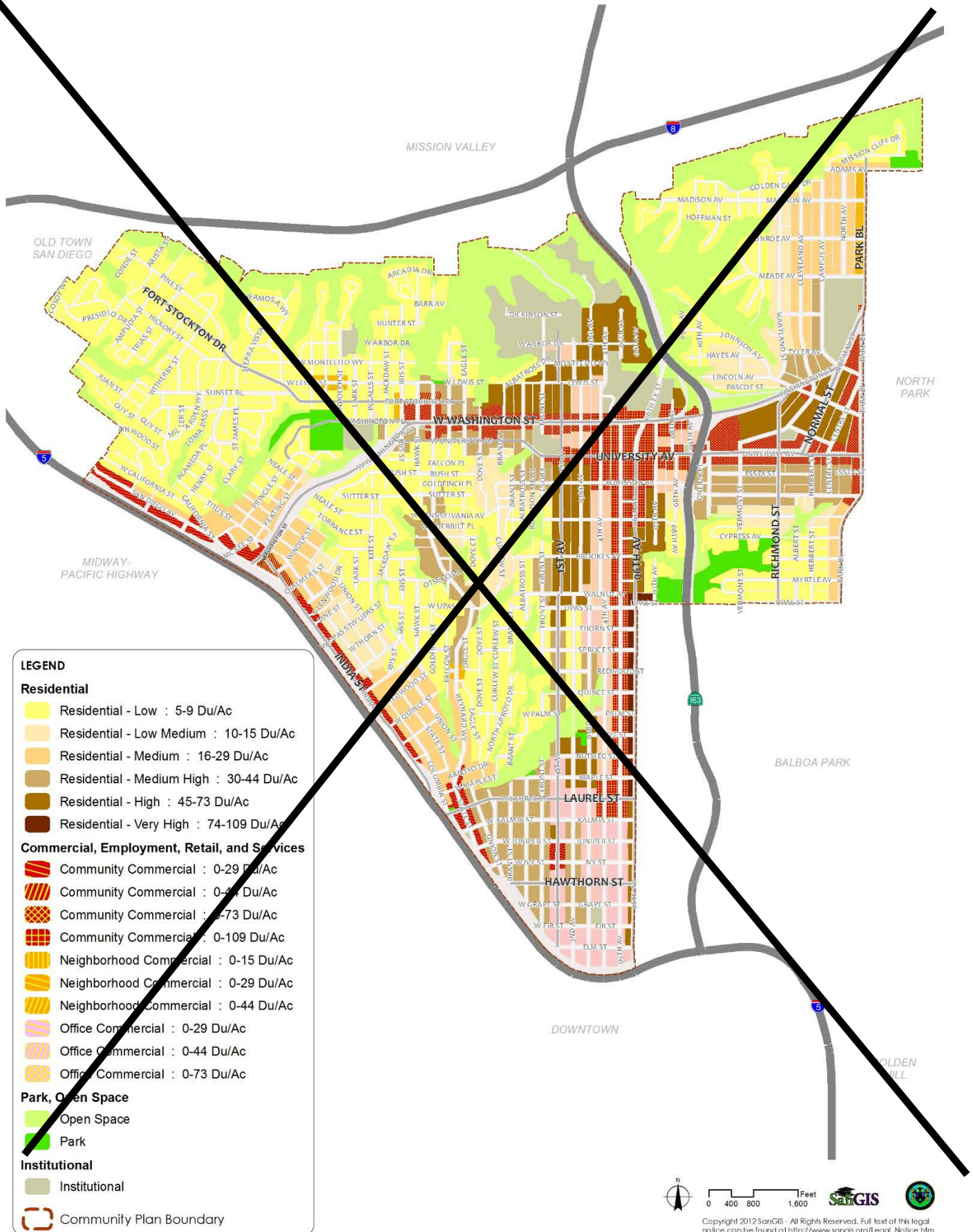


FIGURE 2-1: COMMUNITY PLAN LAND USE MAP

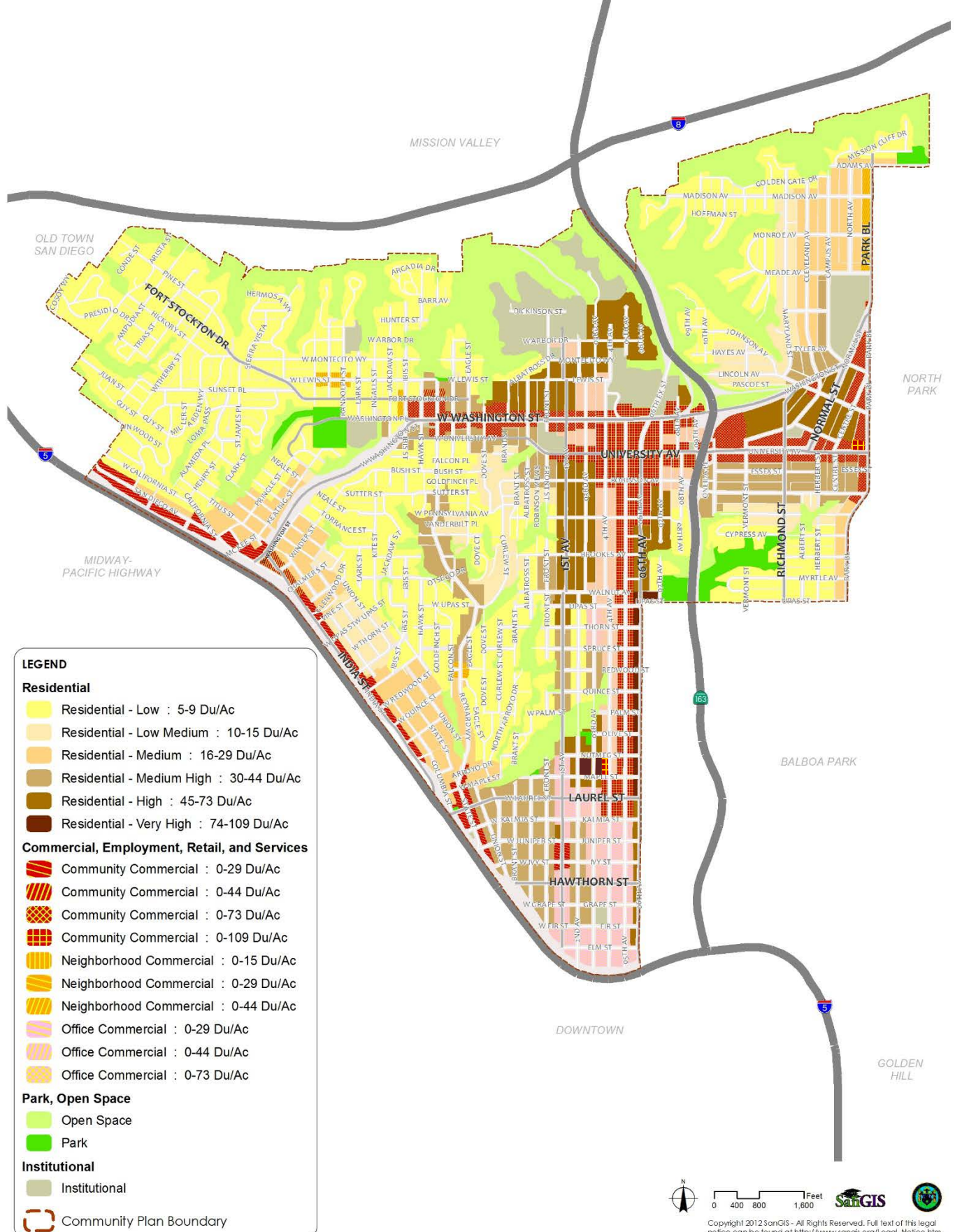




FIGURE 2-3: COMMUNITY PLAN LAND USE MAP – EAST

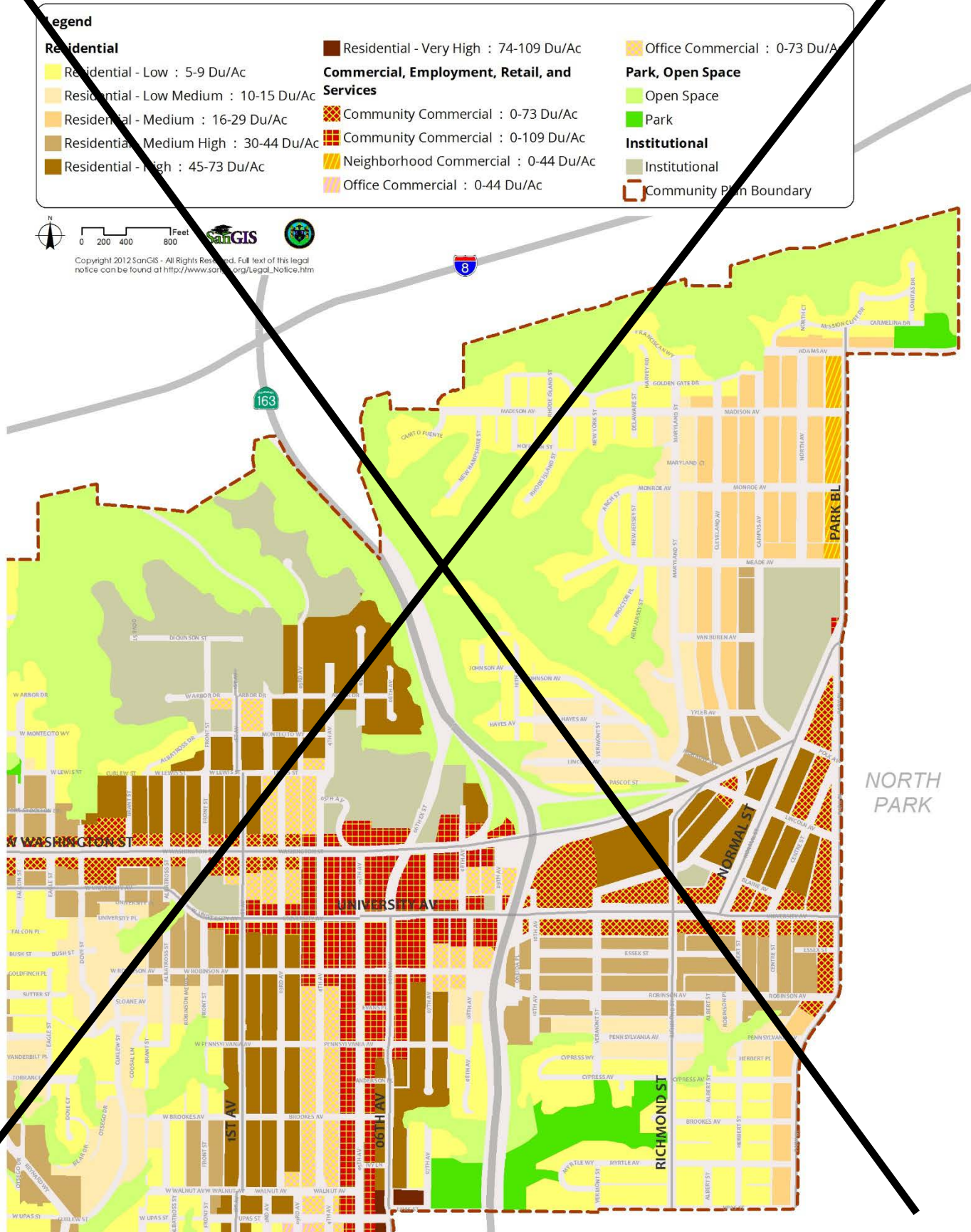


FIGURE 2-3: COMMUNITY PLAN LAND USE MAP - EAST

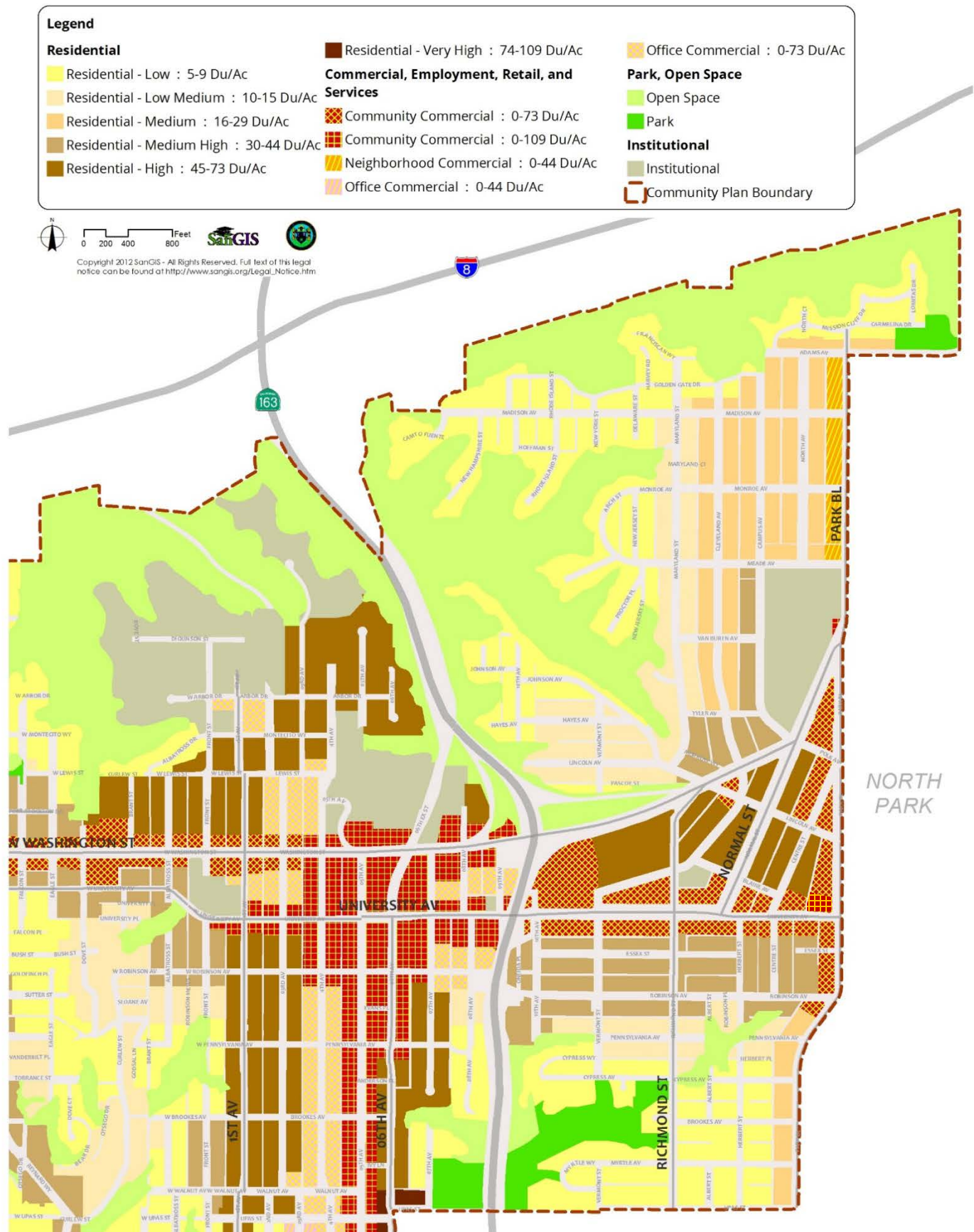




FIGURE 2-4: COMMUNITY PLAN LAND USE MAP - SOUTH

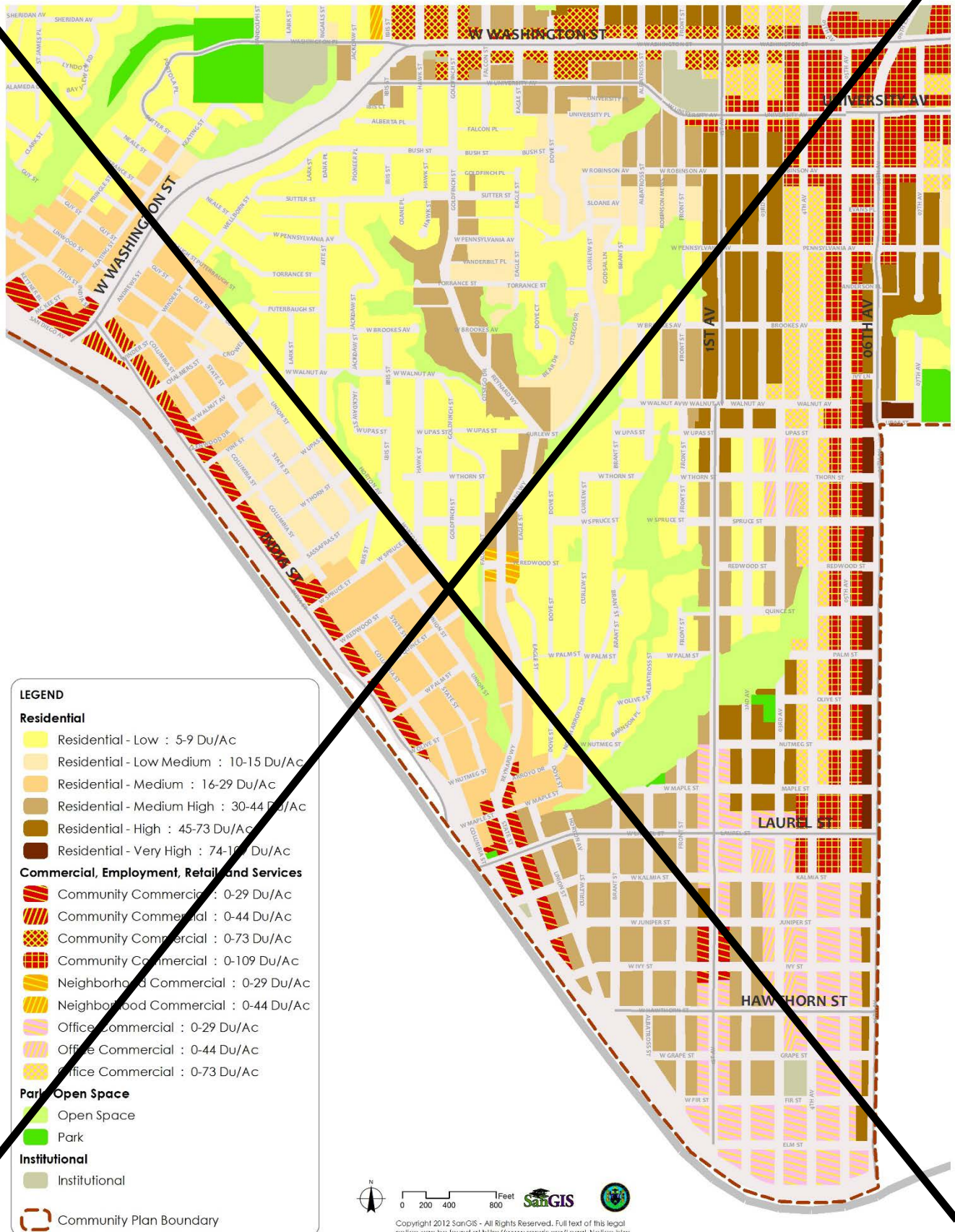
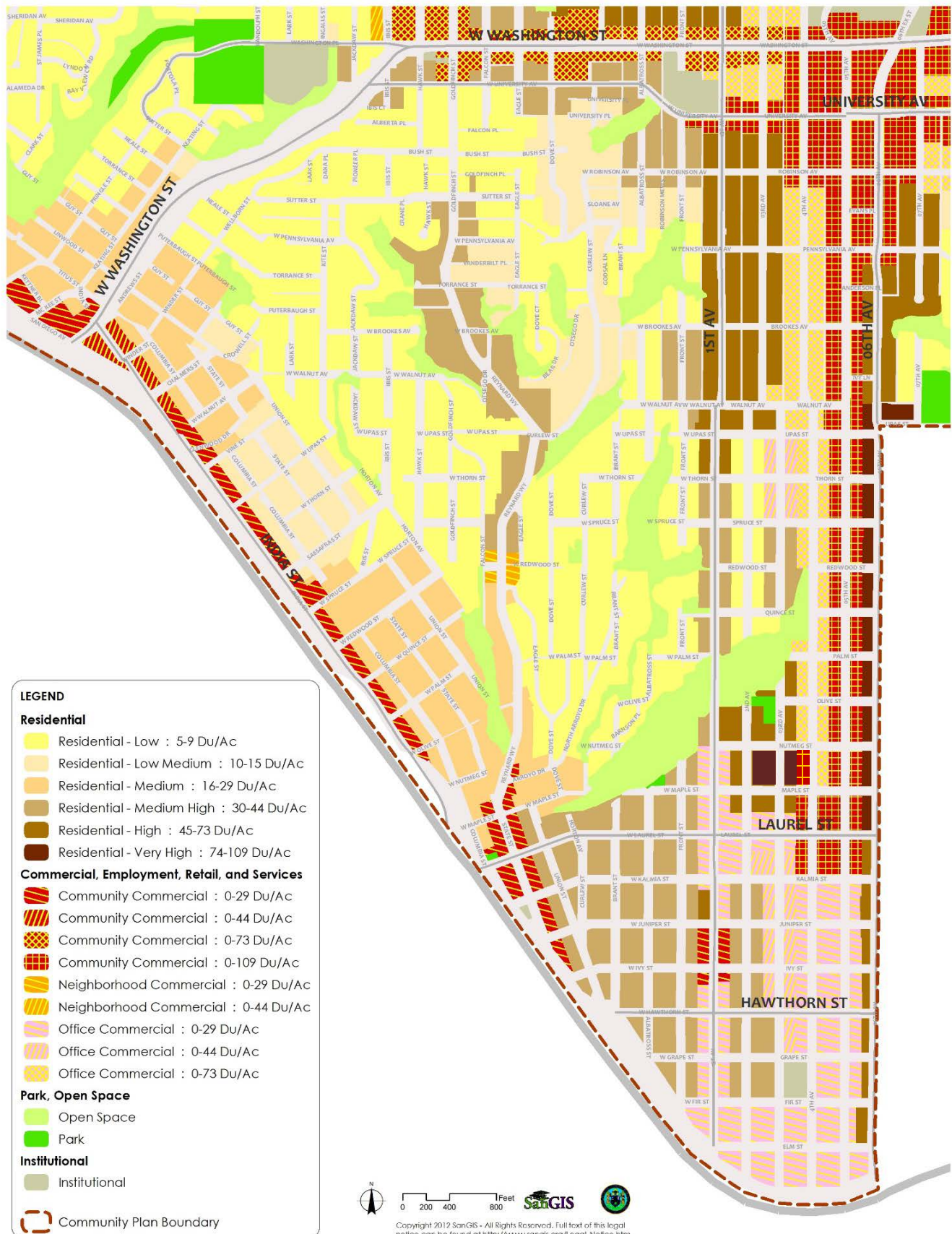




FIGURE 2-4: COMMUNITY PLAN LAND USE MAP - SOUTH



## 4.5 COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE (CPIOZ)

### BUILDING HEIGHTS

The Community Plan Implementation Overlay Zone (CPIOZ) is applied within the boundaries of the Uptown Community Plan per Chapter 13, Article 2, Division 14 of the Municipal Code to regulate specific building heights. Figure 4-12, CPIOZ Type A - Building Heights, identifies areas within the community where ministerial approval is granted for proposed development projects with buildings or structures that do not exceed:

- 30 feet in University Heights.
- 50 feet in Mission Hills, or
- 65 feet in Hillcrest and Bankers Hill/  
Park West

Proposed development projects that exceed the height limitations set forth in the Type A requirements may be approved to the maximum allowed height of the applicable base zone, or the maximum allowed floor area of the base zone for zones without a maximum height limit with a Site Development Permit per Chapter 13, Article 2, Division 14 of the Municipal code if they comply with the applicable regulations of the Municipal code and are consistent with the applicable policies in the General Plan and Uptown Community Plan.



FIGURE 4-12: CPIOZ TYPE A - BUILDING HEIGHTS

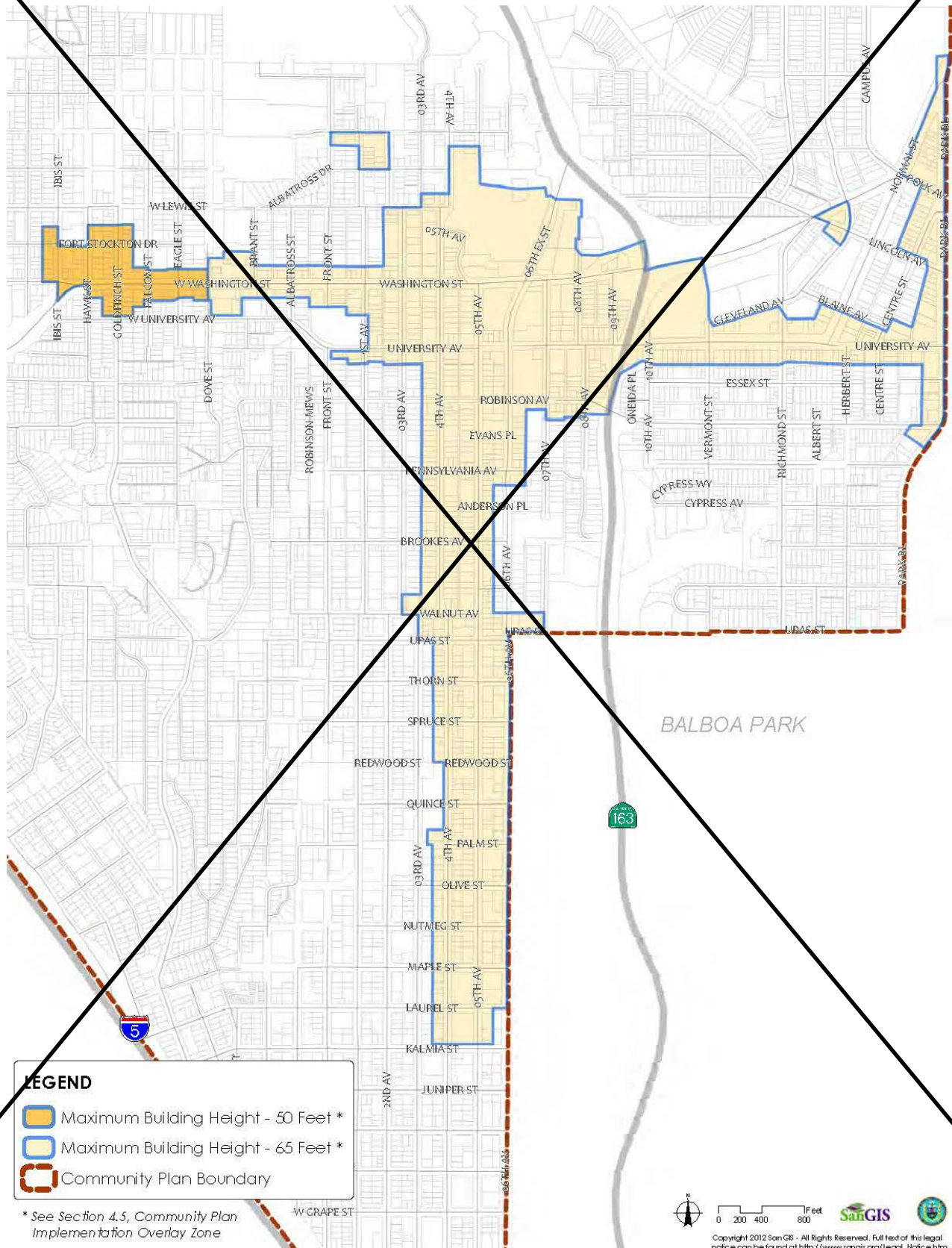
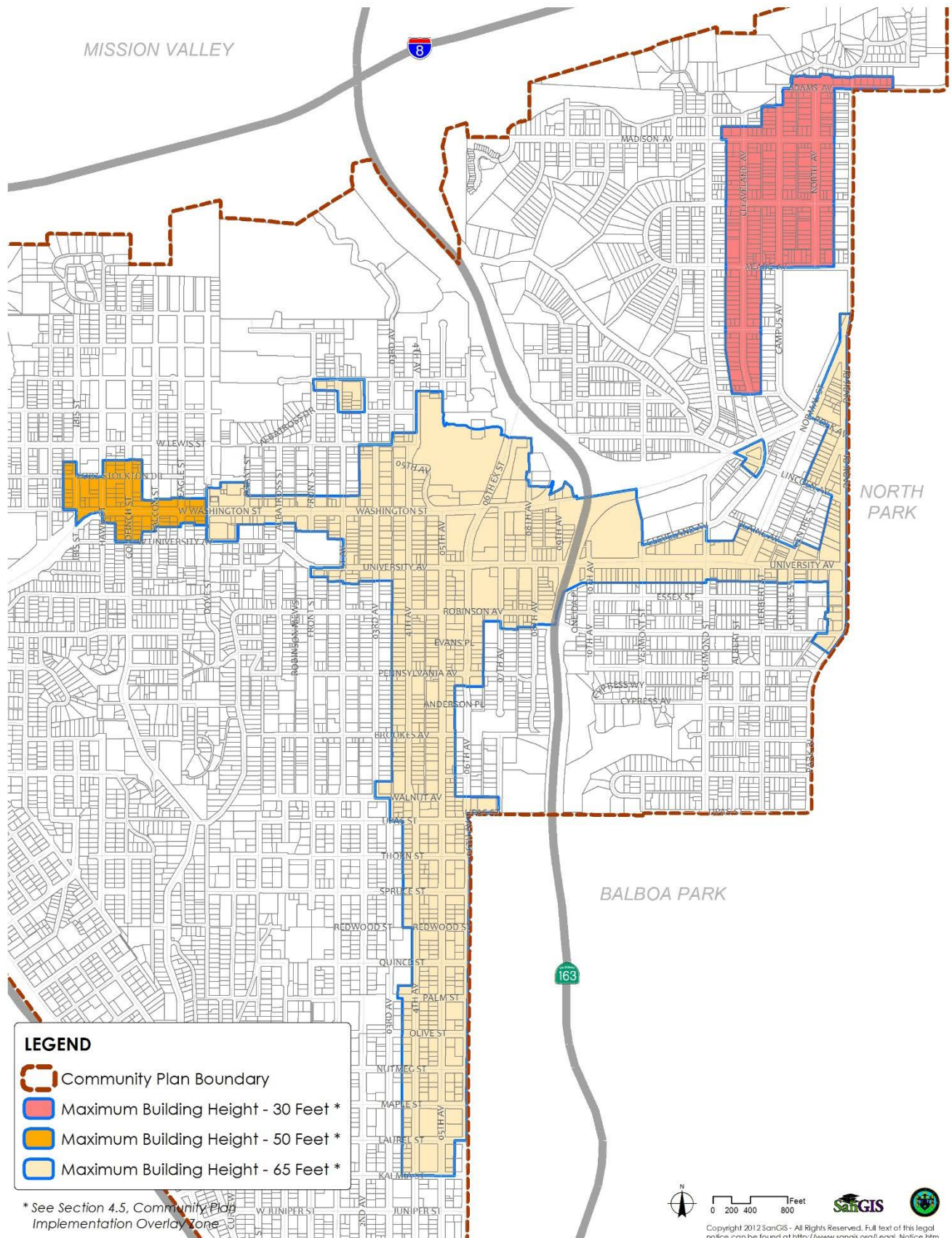
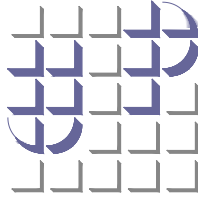




FIGURE 4-12: CPIOZ TYPE A - BUILDING HEIGHTS





**UPTOWN PLANNERS**  
**MEMORANDUM OF MOTION**  
**MOTION APPROVED ON FEBRUARY 6, 2018**

Motion Approved By Uptown Planners on February 6, 2018:

Uptown Planners passed the following motions at its February 6, 2018 meeting regarding proposed draft plan amendments for three areas in Uptown. The Planning Department had been directed to prepare the proposed amendments by the City Council when it approved the Uptown Community Plan update in late 2016. The item was described on the Uptown Planners agenda for February 6, 2018 as follows:

- a. **St. Paul's Manor Retirement Community Site** –Bankers Hill/Park West: Redesignate the density of the 2.1 acres on both sides of Third Avenue between Maple Street and Nutmeg Street from previous Residential High Density: 45-73 dwelling units -- to Residential Very High 74 - 109 dwelling units per acre. Redesignate the 0.69 acres located along the west side of Fourth Avenue, between Maple Street and Nutmeg Street, from Office Commercial 0-73 dwelling units per acre to Office Commercial 0-109 dwelling units per acre;
- b. **University Avenue/Park Boulevard Site**– Hillcrest: Redesignate 1.1 acres located at the northwest corner of University Avenue and Park Boulevard from Community Commercial 0-73 dwelling units per acre, to Community Commercial 0-109 dwelling units per acre;
- c. **University Heights 30- Foot Height Limit Overlay Zone**–Apply a Community Plan Implementation Overlay Zone (CPIOZ) to allow ministerial review for development projects that do not exceed a maximum building height of 30-feet within the residential areas of the RM-2-5 zone of the University Heights neighborhood located west of Park Boulevard, east of Maryland Street, south of Mission Cliffs Drive, and north of Tyler Avenue, within the Uptown Community. Within this area development projects that exceed 30- feet would be subject to a Process 3 Site Development Permit.

At the Uptown Planners meeting, a presentation was made by Marlon Pangilinan, Senior Planner for the City of San Diego, regarding the proposed plan amendments. Several members of the public made comments regarding the proposed amendments; which was followed by board discussion. The board then voted on each of the three proposed amendments individually.

**St. Paul's Manor Retirement Community Site:**

- a.) Motion to approve the proposed St. Paul's Manor Retirement Community Site plan amendment approved by a 12-0-2 vote, with non-voting chair and board member Bonner abstaining:

Voting YES 12      Voting NO 0      Abstain 2 (including non-voting chair)

**University Heights 30- Foot Height Limit Overlay Zone:**

c.) Motion to approve the proposed the University Heights 30-foot Height Limitation Overlay Zone plan amendment approved by a 12-0-2, with none voting chair and board member Bonner abstaining:

Voting YES 12      Voting NO 0      Abstain 2 (including non-voting chair)

**University Avenue/Park Boulevard Site**

b.) Motion to deny approval of the University Avenue/ Park Boulevard site proposed plan amendment was approved by a 9-4-1 vote, with non-voting chair abstaining. The majority of the board felt the proposed amendment had not been subject to proper review prior to the City Council voting on it, and was instead granted at the request of one property owner at the meeting, who individually benefited from it.

Voting YES 9      Voting NO 4      Abstain 1 (non-voting chair)

Respectfully submitted,

*Leo Wilson*

Leo Wilson  
Chair, Uptown Planners



**REVISED ADDENDUM TO  
ENVIRONMENTAL IMPACT REPORT  
Project No. 380611/SCH No. 2016061023**

**SUBJECT: Amendments to the Uptown Community Plan Update**

**I. PROJECT DESCRIPTION:**

The proposed amendments include:

- St. Paul's – Redesignating 2.1 acres located along both sides of 3rd Avenue between Maple Street and Nutmeg Street from Residential High 45–73 dwelling units per acre to 109 dwelling units per acre and 0.69 acre located along the west side of 4th Avenue between Maple Street and Nutmeg Street from Office Commercial 0–73 dwelling units per acre to Office Commercial 0–109 dwelling units per acre;
- Park and University – Redesignating 1.1 acres located at the northwest corner of University Avenue and Park Boulevard from Community Commercial 0–73 dwelling units per acre to Community Commercial 0–109 dwelling units per acre; and
- Applying a Community Plan Implementation Overlay Zone (CPIOZ) Type **A B** requiring a Process 3 Site Development Permit for development that exceeds a maximum building height of 30 feet within areas in the RM-2-5 zone of the University Heights neighborhood located west of Park Boulevard, east of Maryland Street, south of Mission Cliffs Drive, and north of Tyler Avenue within the Uptown Community.

**II. ENVIRONMENTAL SETTING:**

See Final Program Environmental Impact Report (PEIR) No. 380611/SCH No. 2016061023.

**III. PROJECT BACKGROUND:**

The update to the Uptown Community Plan was adopted by City Council on November 14, 2016 and provides detailed policy direction to implement the General Plan with respect to the distribution and arrangement of land uses (public and private), the local street and transit network, the prioritization and provision of public facilities, community and site specific urban design guidelines, and recommendations to preserve and enhance natural open space and historic and cultural resources within the Uptown community.

The Uptown Community Plan Update (CPU) can be found on the Planning Department's website at:

<https://www.sandiego.gov/planning/community/profiles/uptown>

Following adoption of the plan update it was determined an amendment to the plan was required to address the above mentioned land use density changes and CPIOZ ~~A-B~~ proposal.

#### IV. DETERMINATION:

Based on the analysis conducted for the project described above, the City of San Diego prepared a PEIR in accordance with the California Environmental Quality Act (CEQA). The analysis conducted identified that the project could result in significant impacts to the following issue areas: Transportation and Circulation, Noise (Ambient Noise and Construction), Historical Resources (Built Environment and Historic Districts), and Paleontological Resources (Ministerial Projects).

The City of San Diego previously prepared a Program Environmental Impact Report for the Uptown Community Plan Update and has attached the conclusions of the Final Environmental Impact Report to this Addendum.

Based upon a review of the current project, it has been determined that:

- a. There are no new significant environmental impacts not considered in the previous EIR;
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- c. There is no new information of substantial importance to the project.

Therefore, in accordance with Section 15164 of the State CEQA Guidelines this addendum has been prepared. No public review of this addendum is required.

#### IV. MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

This Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Program Environmental Impact Report (PEIR) SCH No. 2016061023; PROJECT NUMBER 380611 shall be made conditions of future development within the Uptown CPU area as further described below.

#### **I. Transportation and Circulation**

##### **Roadway Segments**

##### **a. Impacts**

Implementation of the Uptown CPU and associated discretionary actions would have a cumulatively significant impact at 25 roadway segments. The impacts at these roadway segments would occur because the Level of Service (LOS) would degrade to an unacceptable E



or F, or because the v/c ratio increase would exceed the allowable threshold at a location operating at LOS E or F.

### **b. Mitigation Framework**

The Traffic Impact Study identified several roadway segment improvements that would reduce potentially significant impacts. As discussed in the Findings, a number of mitigation measures are infeasible due to conflicts with the overall mobility vision and other policies of the Uptown CPU and are precluded by surrounding development. These measures are not included in this MMRP. Only measures TRANS 6.3-7d, TRANS 6.3-24a, and TRANS 6.3-27 are included in the proposed IFS and this MMRP.

**TRANS 6.3-7d:** First Avenue from Laurel Street to Hawthorn Street (Impact 6.3-7d): Restripe the roadway to a 2 lane collector with continuous left-turn lane.

**TRANS 6.3-24a:** Richmond Street From Cleveland Avenue to Robinson Avenue (Impact 6.3-24): Restripe the roadway to a 2-lane collector with continuous left-turn lane.

**TRANS 6.3-27:** State Street from Laurel Street to Juniper Street (Impact 6.3-27): Restripe the roadway to a 2-lane collector with continuous left-turn lane.

### **c. Mitigation Funding, Timing, and Responsibility**

Funding sources for implementation of the mitigation measures would include the Impact Fee Study (IFS) fees required of future development and may also include grants from SANDAG and/or Caltrans. As discussed in the Findings, these impacts were ultimately determined to be significant and unavoidable based on the lack of full funding and lack of assurance of implementation of the measure prior to occurrence of an impact. Mitigation timing would be driven by the timing of individual, project-level development related to impacts within the proposed Uptown CPU area. However, the City would be responsible for collecting development fees associated with future development and coordinating with SANDAG and Caltrans regarding prioritization and implementation of improvements.

## **Ramp Meters**

### **a. Impacts**

As described in Section 6.3 of the PEIR, implementation of the Uptown CPU would result in three significant cumulative ramp meter impacts.

### **b. Mitigation Framework**

As discussed in the PEIR and Findings, the ramp meter impacts would be significant and unavoidable because the City does not have approval authority over freeways and there is uncertainty as to the timing of implementation of improvements and whether they will occur prior to the occurrence of impacts. Additionally, none of the impacted ramp meters are included in SANDAG's San Diego Forward: The Regional Plan (RP); thus, fair share funding for the impacted ramps would be infeasible at this time. However, the following measure is proposed to partially mitigate the significant impact:

**TRANS 6.3-39:** The City of San Diego shall coordinate with Caltrans to address ramp capacity at impacted on-ramp locations. Improvements could include additional lanes, interchange reconfiguration, etc.; however, specific capacity improvements are still undetermined, as these are future improvements that must be defined more over time. Furthermore, implementation of freeway improvements in a timely manner is beyond the full control of the City since Caltrans has approval authority over freeway improvements. At the project level, significant impacts at locations outside of the jurisdiction of the City could be partially mitigated in the form of fair share contribution or TDM measures that encourage carpooling and other alternative means of transportation consistent with proposed CPU policies. Fair share contributions may be provided at the project level for impacted ramps where the impacted facility is included in the SANDAG RP; however, at this time none of the impacted ramps are included in the SANDAG RP. (Impacts 6.3-39 – 6.3-41)

### **c. Mitigation Funding, Timing, and Responsibility**

As discussed above and in the Findings, specific funding and timing of ramp improvement is not known at this time because no improvements to these ramps are identified in the SANDAG RP. Potential funding sources may include SANDAG and/or Caltrans, as noted. Thus, the impacts to freeway ramps would be significant and unavoidable. However, the City will coordinate with Caltrans regarding ramp improvements on an ongoing basis.

## **II. Noise**

### **Temporary Construction Noise**

#### **a. Impacts**

Construction activities related to implementation of the proposed Uptown CPU and associated discretionary actions would potentially generate short-term noise levels in excess of 75 dB(A)  $L_{eq}$  at adjacent properties. While the City regulates noise associated with construction equipment and activities through enforcement of noise ordinance standards (e.g., days of the week and hours of operation) and imposition of conditions of approval for building or grading permits, there is a procedure in place that allows for a permit to deviate from the noise ordinance. Due to the highly developed nature of the Uptown CPU area with sensitive receivers potentially located in proximity to construction sites, there is a potential for construction of future projects to expose existing sensitive land use to significant noise levels.

Vibration impacts during construction could be avoided by scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby properties. However, pile driving within 95 feet of existing structures has the potential to exceed 0.20 inch per second, and would be a potentially significant.

#### **b. Mitigation Framework**

In order to mitigate impacts related to construction noise, the following mitigation measures would be implemented.

**NOISE 6.6-1:** At the project level, future discretionary development projects will be required to incorporate feasible mitigation measures. Typically, noise can be reduced to comply with City standards when standard construction noise control measures are enforced at the project site and when the duration of the noise-generating construction period is limited to one construction season (typically one year) or less.

- Construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Construction is not allowed on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays. (Consistent with Section 59.5.0404 of the San Diego Municipal Code).
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise-generating equipment (e.g., compressors) as far as possible from adjacent residential receivers.
- Acoustically shield stationary equipment located near residential receivers with temporary noise barriers.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.

In order to mitigate impacts relative to vibration during construction, the following mitigation measure would be implemented.

**NOISE 6.6-2:** For discretionary projects where construction would include vibration-generating activities, such as pile driving, within 95 feet of existing structures, site-specific vibration studies shall be conducted to ensure the development project would not adversely affect adjacent properties to the satisfaction of the Chief Building Official. Such efforts shall be conducted by a qualified structural engineer and could include the following:



- Identify sites that would include vibration compaction activities such as pile driving and have the potential to generate groundborne vibration and the sensitivity of nearby structures to groundborne vibration.
- Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approach the limits.
- Monitor vibration during initial demolition activities and during pile-driving activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

#### **c. Mitigation Funding, Timing, and Responsibility**

Funding for the described noise mitigation would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the Uptown CPU, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for noise-related mitigation monitoring, enforcement, and reporting would be with the City of San Diego.

### **III. Historical Resources**

#### **Historic Structures, Objects, or Sites**

##### **a. Impacts**

As described in Section 6.7, Historical Resources, of the PEIR, implementation of the proposed Uptown CPU and associated discretionary actions could result in an alteration of a historic building, structure, object, or site where an increase in density is proposed beyond the adopted Community Plan or current zoning and could adversely impact prehistoric archaeological and tribal cultural resources including religious or sacred use sites and human remains. These impacts are potentially significant.

## **b. Mitigation Framework**

The following mitigation measure (HIST 6.7-1) provides a framework that would be required of all future development projects with the potential to impact significant historical resources.

### **HIST 6.7-1: Historic Buildings, Structures, and Objects**

Prior to issuance of any permit for a future development project implemented in accordance with the proposed Uptown CPU that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

- Preparing a historic resource management plan;
- Adding new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- Screening incompatible new construction from view through the use of berms, walls and landscaping in keeping with the historic period and character of the resource;
- Shielding historic properties from noise generators through the use of sound walls, double glazing and air conditioning; and
- Removing industrial pollution at the source of production.

Specific types of historical resource reports, outlined in Section III of the Historical Resources Guidelines, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance,

where possible. If required, mitigation programs can also be included in the report.

### **c. Mitigation Funding, Timing, and Responsibility**

Funding for the described mitigation related to historical resources would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation Measure HIST 6.7-1 would be implemented prior to issuance of any permit for a future development project under the proposed Uptown CPU that could directly affect historic structures, objects or sites including a building/structure in excess of 45 years of age that has been determined to be historically significant by the City. Responsibility for mitigation monitoring, enforcement, and reporting related to historical resources would be with the City of San Diego.

### **Prehistoric Resources, Sacred Sites, and Human Remains**

#### **a. Impacts**

As described in Section 6.7 of the PEIR, prehistoric resources, sacred sites, and human remains could occur within the Uptown CPU area. As a result, future development pursuant to the Uptown CPU could have a significant impact on important prehistoric resources, human remains, religious or sacred resources.

#### **b. Mitigation Framework**

Implementation of Mitigation Measure HIST 6.7-2, would minimize program-level (and project-level) impacts to prehistoric resources, sacred sites, and human remains, but not to below a level of significance.

#### **HIST 6.7-2: Archaeological and Tribal Cultural Resources**

Prior to issuance of any permit for a future development project implemented in accordance with the proposed Uptown CPU that could directly affect an archaeological or tribal cultural resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological or tribal cultural resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

#### **Initial Determination**

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g. Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and

People in San Diego”) and may conduct a site visit, as needed. If there is any evidence that the site contains archaeological or tribal cultural resources, then an archaeological evaluation consistent with the City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

#### Step 1:

Based on the results of the Initial Determination, if there is evidence that the site contains a historical resource, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coast Information Center at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeology Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance, based on the City Guidelines, must be performed by a qualified archaeologist.

#### Step 2

Where a recorded archaeological site or Tribal Cultural Resource (as defined in the Public Resources Code) is identified, the City would be required to initiate

consultation with identified California Indian tribes pursuant to the provisions in Public Resources Code Section 21080.3.1 and 21080.3.2., in accordance with Assembly Bill 52. It should be noted that during the consultation process tribal representative(s) will be directly involved in making recommendations regarding the significance of a tribal cultural resource which also could be a prehistoric archaeological site. A testing program may be recommended which requires reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). The archaeological testing program, if required shall include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.

The results from the testing program shall be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. However, this process would not proceed until such time that the tribal consultation has been concluded and an agreement is reached (or not reached) regarding significance of the resource and appropriate mitigation measures are identified. When appropriate, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate Department of Parks and Recreation (DPR) site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

### Step 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review

and approval. When tribal cultural resources are present and also cannot be avoided, appropriate and feasible mitigation will be determined through the tribal consultation process and incorporated into the overall data recovery program, where applicable or project specific mitigation measures incorporated into the project. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to distribution of a draft CEQA document and shall include the results of the tribal consultation process. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American tribal cultural resource or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of Public Resources Code Section 5097 must be followed. In the event that human remains are discovered during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 50987.98) and State Health and Safety Code (Section 7050.5), and in the federal, state, and local regulations described above shall be undertaken. These provisions will be outlined in the MMRP included in a subsequent project-specific environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

#### Step 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources;



to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and tribal cultural resources containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

Step 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards, unless otherwise determined during the tribal consultation process. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project MMRP. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 [Coto] and California Native American Graves Protection and Repatriation Act of 2001 [Health and Safety Code 8010-8011]) and federal (i.e., Native American Graves Protection and Repatriation Act [U.S.C. 3001-3013]) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation of all recovered artifacts must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance. When tribal cultural resources are present, or non-burial-related artifacts associated with tribal cultural resources area suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal consultation process. This information must then be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, Title 36 of the Code of Federal Regulations, Part 79. Additional information regarding curation is provided in Section II of the Guidelines.

#### **c. Mitigation Funding, Timing, and Responsibility**

Funding for the described mitigation related to religious and sacred resources would be provided on a project-specific basis by the associated property owners and/or developers. Mitigation Measure HIST 6.7-2 would be implemented prior to issuance of any permit for a future development project under the proposed Uptown CPU that could directly affect archaeological resources. Responsibility for mitigation monitoring, enforcement, and reporting related to archaeological resources would be with the City of San Diego.

### **IV. Paleontological Resources**

#### **a. Impacts**

Because of high sensitivity for paleontological resources within the San Diego, Pomerado Conglomerate, and Mission Valley Formations, grading into these formations could potentially destroy fossil resources. Therefore, implementation of future discretionary and ministerial projects within the proposed Uptown CPU area within these formations has the potential to result in significant impacts to paleontological resources (Impacts 6.10-1 and 6.10-2).

#### **b. Mitigation Framework**

In order to reduce the potential adverse impact to paleontological resources associated with discretionary projects (Impacts 6.10-1), the project would incorporate the mitigation measure identified in the General Plan PEIR addressing paleontological resource impacts. The following measure would apply to any discretionary project that proposes subsurface disturbance within a high sensitivity formation. If no subsurface disturbance is planned, then paleontological resources would not be impacted and development of a project-specific paleontological monitoring and discovery treatment plan would not be necessary. The following mitigation measure would reduce impact 6.10-1 to less than significant.

**PALEO 6.10-1:** Prior to the approval of subsequent discretionary development projects implemented in accordance with the proposed Uptown CPU, the City shall determine the potential for impacts to paleontological resources within a high sensitivity formation based on review of the project application submitted, and recommendations of a project-level analysis completed in accordance with the



steps presented below. Future projects shall be sited and designed to minimize impacts on paleontological resources in accordance with the City's Paleontological Resources Guidelines and CEQA Significance Thresholds.

Monitoring for paleontological resources required during construction activities shall be implemented at the project-level and shall provide mitigation for the loss of important fossil remains with future subsequent development projects that are subject to environmental review.

I. Prior to Project Approval

A. The environmental analyst shall complete a project-level analysis of potential impacts on paleontological resources. The analysis shall include a review of the applicable USGS Quad maps to identify the underlying geologic formations, and shall determine if construction of a project would:

- Required over 1,000 cubic yards of excavation and/or a 10-foot, or greater, depth in a high resources potential geologic deposit/formation/rock unit.
- Require over 2,000 cubic yards of excavation and/or 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.
- Require construction within a known fossil location or fossil recovery site. Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.

B. If construction of a project would occur within a formation with a moderate to high resource potential, monitoring during construction would be required.

- Monitoring is always required when grading on a fossil recovery site or a known fossil location.
- Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).
- Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.
- Monitoring is not required when grading documented artificial fill. When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

### c. Mitigation Funding, Timing, and Responsibility

Funding for the described mitigation related to paleontological resources would be provided on a project-specific basis by the associated property owners and/or developers. As noted in Mitigation Measure PALEO 6.10-1, applicable elements of this measure would be implemented prior to issuance of any construction permits, during construction, and post-construction. Responsibility for mitigation monitoring, enforcement and reporting related to paleontological resources would be with the City of San Diego.

### VI. SIGNIFICANT UNMITIGATED IMPACTS:

There are no new significant impacts identified for the current project. However, the Final PEIR for the original project identified significant unmitigated impacts relating to Transportation and Circulation, Noise (Ambient Noise and Construction), Historical Resources (Built Environment and Historic Districts), and Paleontological Resources (Ministerial Projects). Because there were significant unmitigated impacts, associated with the original project approval required the decision maker to make specific and substantiated CEQA Findings which stated that: a) specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, and b) these impacts have been found acceptable because of specific overriding considerations. No new CEQA Findings are required with this project.



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**Rebecca Malone, AICP**  
Senior Planner  
Planning Department

November 16, 2017  
Date of Final Report

January 17, 2018  
Date of Final Revised

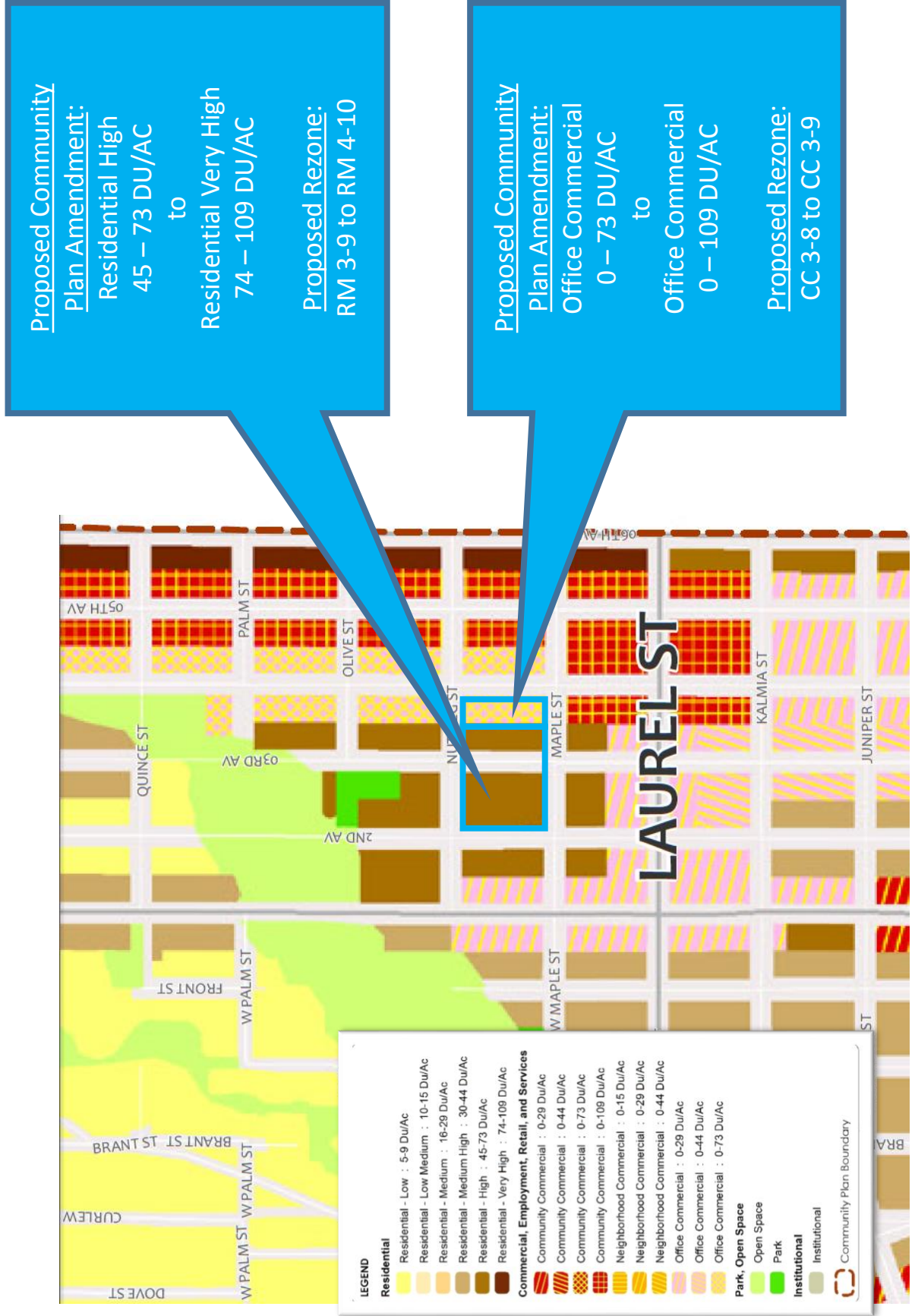
Analyst: **Malone**

### DISTRIBUTION:

The Addendum to Environmental Impact Report No. 380611/SCH No. 2016061023 was not distributed for public review pursuant to San Diego Municipal Code (SDMC) Chapter 6, Article 9, Paragraph 69.0211 (Addenda to Environmental Reports). The SDMC requires that addenda to environmental documents certified more than three years previously are to be distributed by the Planning Department for a fourteen calendar-day public review period, along with the previously certified environmental document. Therefore, because the original PEIR was certified on November 14, 2016, which is within the three year timeline, no additional public review is required. The final Addendum was distributed to the following groups and individuals for public disclosure in accordance with CEQA Section 15164.

Copies of the addendum, the Final PEIR, the Mitigation Monitoring and Reporting Program, and any technical appendices may be reviewed in the office of the Planning Department, or purchased for the cost of reproduction.

# St. Paul's Seniors Site - Bankers/Hill/Park West



ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO  
REZONING 2.1 ACRES LOCATED AT 2635 SECOND AVENUE,  
210 MAPLE STREET, 2606 THIRD AVENUE, 328 MAPLE STREET,  
2655 THIRD AVENUE, AND 311 MAPLE STREET FROM RM-3-9  
TO RM-4-10; AND 0.69 ACRES LOCATED AT 2664 FOURTH  
AVENUE, 2655 THIRD AVENUE, AND 2652 FOURTH AVENUE  
FROM CC-3-8 TO CC-3-9 WITHIN THE UPTOWN COMMUNITY  
OF ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE  
SAME CONFLICT HEREWITH.

WHEREAS, Resolution No. R-\_\_\_\_\_, which was considered along  
with this Ordinance, proposes to redesignate 2.1 acres from Residential High 45 to 73  
dwelling units per acre to Residential Very High 74 to 109 dwelling units per acre and 0.69  
acres from Office Commercial 0-73 dwelling units per acre to Office Commercial 0-109  
dwelling units per acre in the Uptown Community Plan; and

WHEREAS, rezoning the land within the Uptown planning area is proposed to be  
consistent with the land use designation set in the Uptown Community Plan; and

WHEREAS, on March 15, 2018, the Planning Commission of the City of San Diego  
considered the Uptown rezone; and voted X-X-X recommend City Council  
\_\_\_\_\_ of the Uptown rezone; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 2018, testimony having  
been heard, evidence having been submitted and the City Council having fully considered  
the matter and being fully advised concerning the same, NOW THEREFORE,

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

Section 1. That 2.1 acres located at 2635 Second Avenue, 210 Maple Street, 2606 Third Avenue, 328 Maple Street, 2655 Third Avenue, and 311 Maple Street; and 0.69 acres located at 2664 Fourth Avenue, 2655 Third Avenue, and 2652 Fourth Avenue in Uptown and legally described as in the appended boundary description file in the office of the City Clerk under Document No. OO-\_\_\_\_\_, within the Uptown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-XXX, filed in the office of the City Clerk, are rezoned from RM-3-9 to RM-4-10 and CC-3-8 to CC-3-9 respectively, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 4, 5, and 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport (Airport), this Ordinance shall take effect and be in force as of the date of the finding of consistency by SDCRAA, provided that and not until at least 30 days have passed from the final date of passage.

That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airport, the Ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCP for the Airport, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage.

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the Airport; and the City Council shall hold a second hearing not less than 45 days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and any final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MARA ELLIOT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

CN:

02/\_\_/2018  
Or. Dept: Planning  
Doc No. \_\_\_\_\_

Attachment:

Exhibit A – Rezone B-4333 with Uptown Parcel Information

I hereby certify that the foregoing Ordinances were passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor



# University Avenue/Park Boulevard - Hillcrest





ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO  
REZONING 1.10 ACRES LOCATED AT 3922 AND 3906 PARK  
BOULEVARD FROM CC-3-8 TO CC-3-9 WITHIN THE UPTOWN  
COMMUNITY OF ORDINANCES OF THE CITY OF SAN DIEGO  
INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, Resolution No. R-\_\_\_\_\_, which was considered along  
with this Ordinance, proposes to redesignate 1.10 acres from Community Commercial 0 to  
73 dwelling units per acre to Community Commercial 0 to 109 dwelling units per acre in the  
Uptown Community Plan; and

WHEREAS, rezoning the land within the Uptown planning area is proposed to be  
consistent with the land use designation set in the Uptown Community Plan; and

WHEREAS, on March 15, 2018, the Planning Commission of the City of San Diego  
considered the Uptown rezone; and voted X-X-X recommend City Council  
\_\_\_\_\_ of the Uptown rezone; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 2018, testimony having  
been heard, evidence having been submitted and the City Council having fully considered  
the matter and being fully advised concerning the same, NOW THEREFORE,

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

Section 1. That 1.10 acres located in Uptown and legally described as in the  
appended boundary description file in the office of the City Clerk under Document No. OO-  
\_\_\_\_\_, within the Uptown Community Plan area, in the City of San Diego, California, as  
shown on Zone Map Drawing No. C-XXX, filed in the office of the City Clerk, are rezoned from  
CC-3-8 to CC-3-9, as the zones are described and defined by San Diego Municipal Code

Chapter 13, Article 1, Divisions 4, 5, and 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport (Airport), this Ordinance shall take effect and be in force as of the date of the finding of consistency by SDCRAA, provided that and not until at least 30 days have passed from the final date of passage.

That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airport, the Ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCP for the Airport, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage.

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and

require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the Airport; and the City Council shall hold a second hearing not less than 45 days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and any final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: MARA ELLIOT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

CN:  
02/\_\_/2018  
Or. Dept: Planning  
Doc No. \_\_\_\_\_

Attachment:

Exhibit A –Rezone B-4332 with Uptown Parcel Information

I hereby certify that the foregoing Ordinances were passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 132.1402; TABLE 132-14A, AND DIAGRAM 132-14K ALL RELATING TO A COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE FOR THE UNIVERSITY HEIGHTS NEIGHBORHOOD IN THE UPTOWN COMMUNITY.

WHEREAS, the Uptown Community is located in the City of San Diego bounded by Interstate 5 to the west, Mission Valley to the north, Balboa Park and the community of North Park to the east, and Downtown to the south, and the planning area encompasses 2,700 acres; and

WHEREAS, the Uptown Community Plan was initially adopted in 1975, and subsequently updated and adopted in 2016; and

WHEREAS, the boundaries of the Uptown Community Plan Implementation Overlay Zone (CPIOZ) are proposed to be amended and to regulate building height per the Uptown Community Plan and the proposed amendment is a de minimis amendment to the City's certified Local Coastal Program; and

WHEREAS, the proposed CPIOZ A identifies areas within the Uptown community where ministerial approval would be granted for development not exceeding 30 feet in University Heights; and

WHEREAS, changes to the Land Development Code of the San Diego Municipal Code are required to implement those changes; NOW, THEREFORE,

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

Section 1. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Section 132.1402, Table 132-14A, and Diagram 132-14K, to read as follows:

**§132.1402 Where the Community Plan Implementation Overlay Zone Applies**

(a) [No change in text.]

**Table 132-14A**

**Community Plans with Property in the Community Plan Implementation Overlay Zone**

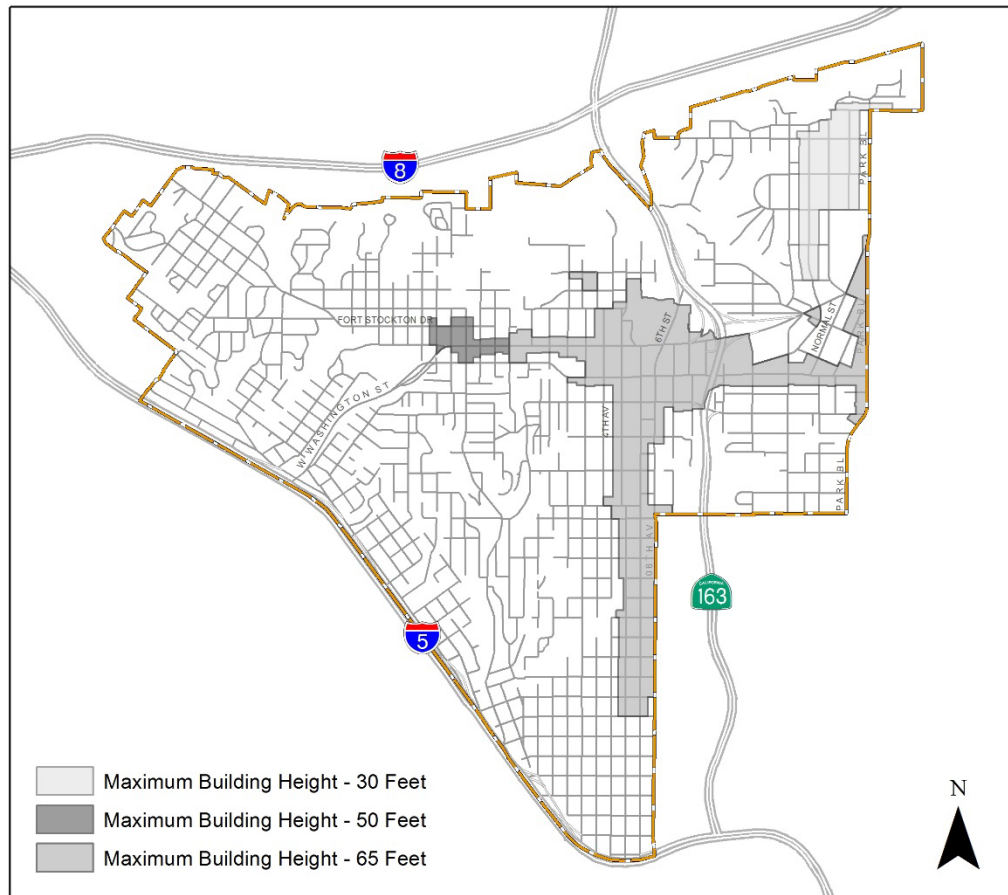
| <b>Community Plan</b>   | <b>Map Number Showing Boundaries of CPIOZ Area</b> |
|---|--|
| Clairemont Mesa (See Diagram 132-14A) through University (See Diagram 132-14J) [no change in text.] | [No change in text.]                               |
| Uptown (See Diagram 132-14K)  | C-989  |

(b) [No change in text.]

**§132.1403 Exception to the Community Plan Implementation Overlay Zone**

[No change in text.]

**Diagram 132-14A through Diagram 132-14J** [No change in text.]

**DIAGRAM 132-14K****Uptown Community Plan Implementation Overlay Zone**

This is reproduction of Map No. C-989 for illustration purposes only.

**DIAGRAM 132-14L** through **DIAGRAM 132-14P** [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That prior to becoming effective, this ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.



That if the SDCRAA finds this ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport, Marine Corps Air Station (MCAS) Miramar, Gillespie Field, Montgomery Field, and Brown Field Airports (collectively, Airports), this ordinance shall take effect and be in force as of the date of the finding of consistency by SDCRAA, provided that and not until at least thirty days have passed from the final date of passage, except that the provisions of this ordinance inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies these provisions as a local coastal program amendment.

That if the SDCRAA determines that this ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airports, the ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCPs for the Airports, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance as amended inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program Amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the Airports; and the City Council shall hold a second hearing not less than forty-five days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and any final decision to overrule a determination of inconsistency shall require a two-thirds vote.

If the City Council makes a final decision to overrule a determination of inconsistency, this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

Section 4. That no permits shall be issued for development that is inconsistent with the provisions of this ordinance unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this ordinance become effective, which date is determined in accordance with Section 3, above.

APPROVED: MARA ELLIOTT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

MP:mp  
8/15/2016  
Or. Dept: Planning  
Doc No. \_\_\_\_\_

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**STRIKEOUT ORDINANCE****OLD LANGUAGE: ~~Struck Out~~****NEW LANGUAGE: Double Underline**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO  
 AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN  
 DIEGO MUNICIPAL CODE BY AMENDING SECTION 132.1402;  
 TABLE 132-14A, AND DIAGRAM 132-14K RELATING TO A  
 COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE FOR  
 THE UNIVERSITY HEIGHTS NEIGHBORHOOD IN THE UPTOWN  
 COMMUNITY.

**§132.1402 Where the Community Plan Implementation Overlay Zone Applies**

(a) [No change in text.]

**Table 132-14A****Community Plans with Property in the Community Plan Implementation Overlay Zone**

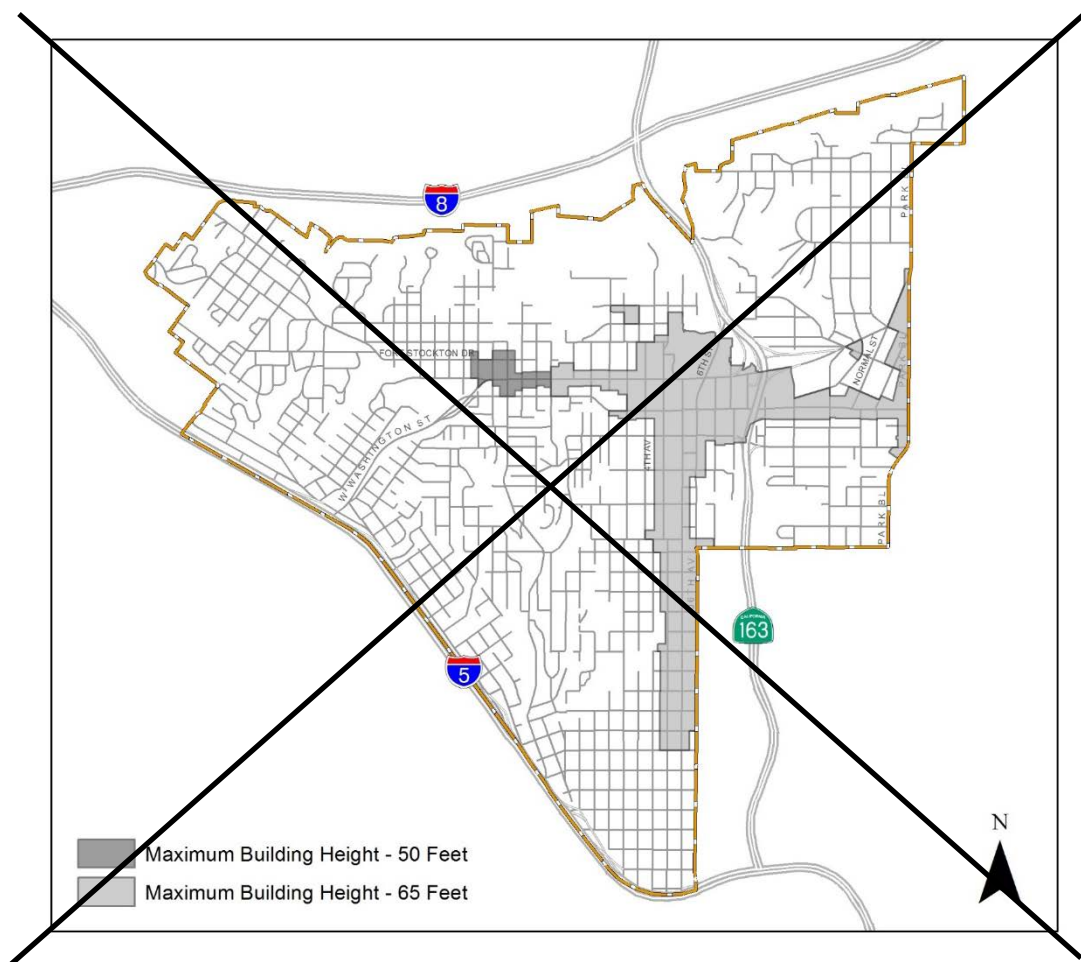
| <b>Community Plan</b>   | <b>Map Number Showing<br/>Boundaries of CPIOZ Area</b> |
|---|--|
| Clairemont Mesa (See Diagram 132-14A) through University (See Diagram 132-14J) [no change in text.] | [No change in text.]                                   |
| Uptown (See Diagram 132-14K)  | <del>C-968</del> <u>C-989</u>                          |

(b) [No change in text].

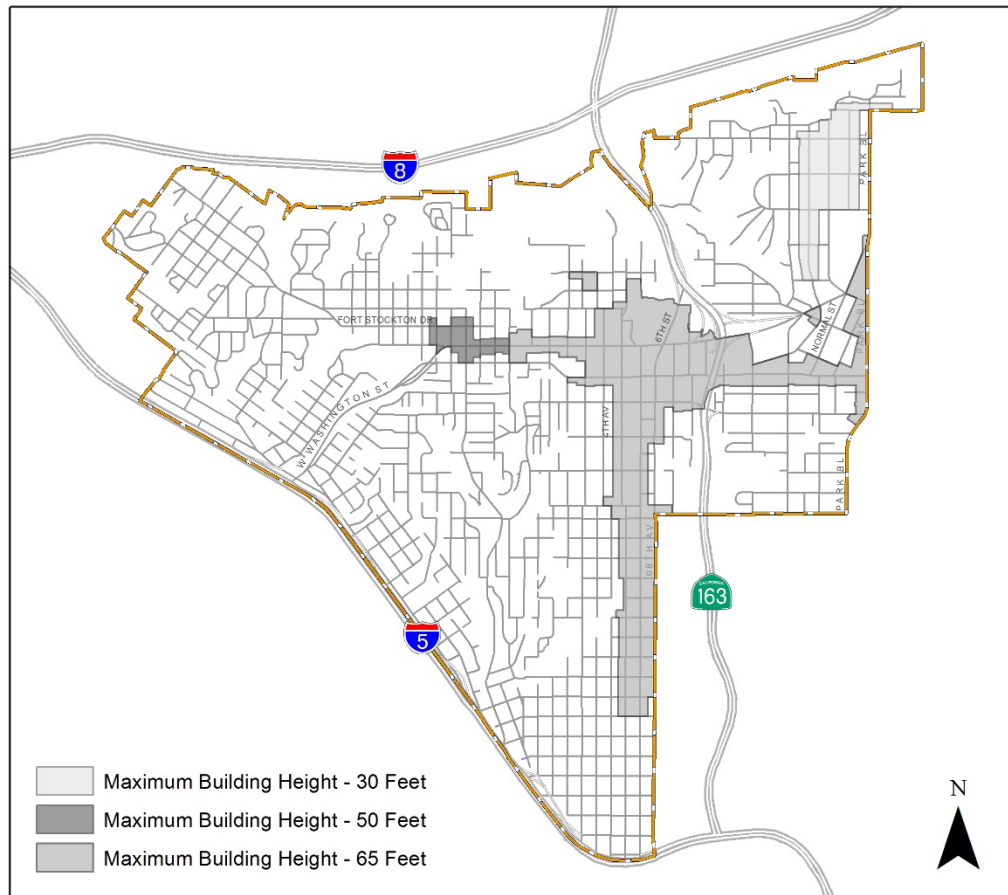
**§132.1403 Exception to the Community Plan Implementation Overlay Zone**

[No change in text.]

**Diagram 132-14A** through **Diagram 132-14J** [No change in text.]

**DIAGRAM 132-14K****~~Uptown Community Plan Implementation Overlay Zone~~**

~~This is reproduction of Map No. C-968 for illustration purposes only.~~



# **DIAGRAM 132-14K**

## **Uptown Community Plan Implementation Overlay Zone**

This is reproduction of Map No. C-989 for illustration purposes only.

**DIAGRAM 132-14L through DIAGRAM 132-14P** [No change in text.]

MP:mp  
February 9, 2018  
Or. Dept: Planning  
Doc No. \_\_\_\_\_

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
ADOPTING AN AMENDMENT TO THE UPTOWN COMMUNITY PLAN,  
AND THE GENERAL PLAN TO REDESIGNATE A 2.1-ACRE SITE FROM  
RESIDENTIAL HIGH 45 TO 73 DWELLING UNITS PER ACRE TO  
RESIDENTIAL VERY-HIGH 73 TO 109 DWELLING UNITS PER ACRE AND  
A 0.69-ACRE SITE FROM OFFICE COMMERCIAL 0 TO 73 DWELLING  
UNITS PER ACRE TO OFFICE COMMERCIAL 0 TO 109 DWELLING UNITS  
PER ACRE IN THE BANKERS HILL/PARK WEST NEIGHBORHOOD OF  
THE UPTOWN COMMUNITY.

WHEREAS, on November 14, 2016, the City Council of the City of San Diego held a public hearing for the purpose of considering the approval and adoption of an update to the Community Plan; and

WHEREAS, the action includes an amendment to the 2008 General Plan (General Plan) due to the Uptown Community Plan being part of the Land Use Element of the 2008 General Plan; and

WHEREAS, the Planning Commission recommended adoption of the Addendum to the Program Environmental Impact Report 380611/SCH NO. 2016061023 and mitigation, monitoring and reporting program regarding this project; and

WHEREAS, on November 14, 2016, in addition to the motion to adopt the Uptown Community Plan, the City Council directed staff to analyze and restore the proposed land use designations of Residential Very-High for the 2.1-acre site and Office Commercial 0 to 109 dwelling units per 0.69-acre site to accommodate potential senior housing opportunities; and

WHEREAS, the amendment to the Uptown Community Plan updates the community plan to revise text and figures within the Land Use Element of the community plan; and



WHEREAS , the City Council has considered the Planning Commission record and recommendation, as well as the maps, exhibits, and written documents contained in the file for this amendment on record in the City of San Diego, and has considered the oral presentation given at public hearing; and

WHEREAS, the amendment retains internal consistency with the Uptown Community Plan and the General Plan and helps achieve long-term community and citywide goals; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that the amendment to the Uptown Community Plan and General Plan is approved, a copy of which is on file in the office e of the City Clerk as Document No. RR-\_\_\_\_\_.

APPROVED: MARA ELLIOTT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

IBL: mm  
April XX, 2018  
Or.Dept: Planning  
Doc. No.: XXXXX

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
ADOPTING AN AMENDMENT TO THE UPTOWN COMMUNITY PLAN,  
AND THE GENERAL PLAN TO REDESIGNATE A 1.1-ACRE SITE FROM  
COMMUNITY COMMERCIAL 0 TO 73 DWELLING UNITS PER ACRE TO  
COMMUNITY COMMERCIAL 0 TO 109 DWELLING UNITS PER ACRE IN  
THE HILLCREST NEIGHBORHOOD OF THE UPTOWN COMMUNITY.

WHEREAS, on November 14, 2016, the City Council of the City of San Diego held a public hearing for the purpose of considering the approval and adoption of an update to the Community Plan; and

WHEREAS, the action includes an amendment to the 2008 General Plan (General Plan) due to the Uptown Community Plan being part of the Land Use Element of the 2008 General Plan; and

WHEREAS, the Planning Commission recommended adoption of the Addendum to the Program Environmental Impact Report 380611/SCH NO. 2016061023 and mitigation, monitoring and reporting program regarding this project; and

WHEREAS, on November 14, 2016, in addition to the motion to adopt the Uptown Community Plan, the City Council directed staff to analyze and rectify a zoning and land use inconsistency whereby the former Mid-City Communities Planned District Ordinance zoning allowed very-high residential density at 0 to 109 dwelling units per acre for lots exceeding 30,000 square feet but the former 1988 Uptown Community Plan and current version of the Uptown Community Plan does not; and

WHEREAS, the amendment to the Uptown Community Plan updates the community plan to revise text and figures within the Land Use Element of the community plan; and

WHEREAS , the City Council has considered the Planning Commission record and recommendation, as well as the maps, exhibits, and written documents contained in the file for this amendment on record in the City of San Diego, and has considered the oral presentation given at public hearing; and

WHEREAS, the amendment retains internal consistency with the Uptown Community Plan and the General Plan and helps achieve long-term community and citywide goals; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that the amendment to the Uptown Community Plan and General Plan is approved, a copy of which is on file in the office e of the City Clerk as Document No. RR-\_\_\_\_\_.

APPROVED: MARA ELLIOTT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

IBL: mm  
April XX, 2018  
Or.Dept: Planning  
Doc. No.: XXXXX

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
ADOPTING AN AMENDMENT TO THE UPTOWN COMMUNITY PLAN,  
AND THE GENERAL PLAN TO INCLUDE A COMMUNITY PLAN  
IMPLEMENTATION OVERLAY ZONE (CPIOZ) FOR THE UNIVERSITY  
HEIGHTS NEIGHBORHOOD.

WHEREAS, on November 14, 2016, the City Council of the City of San Diego held a public hearing for the purpose of considering the approval and adoption of an update to the Community Plan; and

WHEREAS, the action includes an amendment to the 2008 General Plan (General Plan) due to the Uptown Community Plan being part of the Land Use Element of the 2008 General Plan; and

WHEREAS, the Planning Commission recommended adoption of the Addendum to the Program Environmental Impact Report 380611/SCH NO. 2016061023 and mitigation, monitoring and reporting program regarding this project; and

WHEREAS, on November 14, 2016, in addition to the motion to adopt the Uptown Community Plan, the City Council establish a Community Plan Implementation Overlay Zone (CPIOZ) in the University Heights Neighborhood of the Uptown Community that would create a building height threshold whereby development exceeding a building height of 30 feet would be subject to discretionary review; and

WHEREAS, the amendment to the Uptown Community Plan updates the community plan to revise text and figures in the community plan to identify the location of CPIOZ within the University Heights neighborhood; and

WHEREAS , the City Council has considered the Planning Commission record and recommendation, as well as the maps, exhibits, and written documents contained in the file for this amendment on record in the City of San Diego, and has considered the oral presentation given at public hearing; and

WHEREAS, the amendment retains internal consistency with the Uptown Community Plan and the General Plan and helps achieve long-term community and citywide goals; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that the amendment to the Uptown Community Plan and General Plan is approved, a copy of which is on file in the office e of the City Clerk as Document No. RR-\_\_\_\_\_.

APPROVED: MARA ELLIOTT, City Attorney

By \_\_\_\_\_  
Corrine Neuffer  
Deputy City Attorney

IBL: mm  
April XX, 2018  
Or.Dept: Planning  
Doc. No.: XXXXX



I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

RESOLUTION NUMBER R- \_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
ADOPTING THE ADDENDUM TO PROGRAM ENVIRONMENTAL IMPACT  
REPORT (PEIR) 380611/SCH. NO. 2016061023 AND ADOPTING THE  
MITIGATION MONITORING AND REPORTING PROGRAM FOR  
AMENDMENTS TO THE UPTOWN COMMUNITY PLAN UPDATE.

WHEREAS, on November 14, 2016, the City Council of San Diego considered an  
comprehensive update to the Uptown Community Plan, and

WHEREAS, as part of that consideration, the City of San Diego City Council adopted  
Resolution No. 310766, certifying Program Environmental Impact Report 380611/SCH. NO.  
2016061023, a copy of which is on file in the Office of the City Clerk in accordance with California  
Environmental Quality Act of 1970 (CEQA) (Public Resources Section 21000 et seq.), as amended, and  
State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et  
seq.); and

WHEREAS, in addition to the adoption of the Uptown Community Plan Update, the City  
Council included additional changes to the community plan; and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an  
Addendum to a Program Environmental Impact Report, if such Addendum meets the requirements  
of CEQA; NOW THEREFORE,

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

1. That the information contained in the Program Environmental Impact Report No.  
380611/SCH. NO. 2016061023 along with the Addendum thereto, including comments received

during the public review process, has been reviewed and considered by this City Council prior to making a decision on the Project.

2. That there are no substantial changes proposed to the Project and not substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Environmental Impact Report for the Project due to significant environmental effects or a substantial increase in the severity of previously identified environmental effects.

3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Program Environmental Impact Report or that any significant effects previously examined will be substantially more severe than shown in the Program Environmental Impact Report.

4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the City Council adopts Addendum to Program Environmental Impact Report 380611/SCH. NO. 2016061023 with respect to the Project, a copy which is on file in the office of the Development Services Department.

6. That pursuant to CEQA Section 21081.6, the City Council adopts the Mitigation, Monitoring, and Reporting Program, or alterations to implement the changes to the project as required by this Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

7. That City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project

APPROVED: MARA ELLIOTT, CITY ATTORNEY

By: \_\_\_\_\_

Deputy City Attorney

CN:

April xx, 2018

Or. Dept: Planning

Doc. No.:

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN FAULCONER, Mayor