



Planning Entitlement & CEQA Compliance:

the Downtown San Diego Way

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The special process and regulations undertaken by Centre City Development Corporation (CCDC) for the City of San Diego and its Redevelopment Agency have allowed the city over the past thirty years to create a distinctive, world-class downtown benefiting from its many built and natural assets. These include the renowned Horton Plaza Shopping Center, the Historic Gaslamp Quarter restaurant and shopping district, the Little Italy neighborhood, several magnificent marinas, a bountiful cruise ship Port, many successful hotels, a waterfront lined with luxury high-rise residences, Petco Park for the Padres baseball team, and dozens of well-preserved historic buildings.

What has been created is a predominately mixed use, entirely public transit oriented, densely built downtown—the sixteenth most walkable in the U.S., according to www.walkscore.com. In addition to the outstanding climate, many international developers have been drawn to the consistency, predictability, and expedience of the Centre City’s entitlement process and have brought great architecture and economic benefit to downtown. This article discusses the distinctive components of the entitlement process that have facilitated this rich development.

The Difference

The entitlement process is the common denominator among architects, developers, property owners, and regulatory agencies. While primarily administered by city planning departments, in a few cases it is administered through a city’s local redevelopment agency. San Diego’s CCDC is one of these cases.

The second largest city in California, San Diego is the eighth largest in the U.S. by population, with approximately 1,367,000 residents. The greater city is made up of over 100 named neighborhoods, one of which is Centre City or Downtown, home of Petco Park, the County Seat, City Hall, the Historic Gaslamp District, and dozens of residential and commercial high-rise buildings. San Diego International Airport, Balboa Park, and the San Diego Zoo are immediately

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adjacent to Downtown. Throughout most of the 20th Century, Downtown primarily supported the adjacent Navy, Army, and Marine Corp bases. It evolved to become a fairly unsavory place to live or do business, and it began to deteriorate.

In the late 1970s, a Redevelopment Plan was put in place to reverse the downward trend, provide public improvements, rehabilitate buildings, preserve architecturally significant historic sites, provide for new low- and moderate-income housing, and attract new business enterprises. In 1992, the City Council gave CCDC direct authority over its two redevelopment areas.

Governed by a unique “Downtown Community Plan,” which is separate from the greater city’s General Plan, Downtown’s development goals, objectives, and quality of urban form have been clearly identified on a block-by-block basis. Centre City’s 1,455-acre footprint has boomed over the past decade as the fastest growing area in the county, with over 11,282 new residential units, 1,678 new hotel rooms, and over 1.6 million square feet of new commercial space. It is projected to reach its redevelopment build-out before 2040 while tripling its resident population, its hotel room count, and its commercial real estate to accommodate another 90,000 jobs.

CCDC is a quasi-public nonprofit corporation, created by the City Council, with its board members appointed by the Mayor and confirmed by the Council. Its purpose is to more expeditiously implement downtown redevel-

opment through entitlement. In addition, it is responsible for a wide range of activities affecting downtown, including planning, zoning administration, and property acquisition and disposition. CCDC works with qualified developers, property owners, and other public agencies on rehabilitation projects, new construction, and public improvements where tax increment dollars can be used to subsidize appropriate development.

Generally, the City’s other neighborhoods are subject to a five-tiered process for review and approval. This process ranges from a simple staff review and approval to full Planning Commission and City Council approvals. The latter process can take 12 to 24 months.

Within Downtown, however, development projects that contain less than 50 dwelling units and/or 100,000 square feet of development are subject to review and approval by the CCDC President only. Larger projects are subject to review and approval by the CCDC Board of Directors through a three-tiered design review process that generally takes 3 to 4 months. Those projects requiring variances or deviations from the Planned District Ordinances (or PDOs, of which there are separate ones for each of the Centre City, Marina, and Gaslamp Districts) or that possess unique characteristics such as historical resources are subject to extended city review processes and can take 3 to 6 months longer.

Entitlement Process

CCDC’s entitlement process is designed to

be more streamlined and supportive of the development process than the standard process, so as to better accommodate downtown’s smart growth while removing older, blighted built improvements. Starting with at least two strategic preliminary design meetings with CCDC Planning Department staff, the applicant is walked through the PDO requirements pertinent to the proposed project to determine Floor Area Ratio (FAR), solar plane setbacks, bulk, building heights, ground floor heights, parking, average daily trips (ADT), and streetscape activation.

After the project applicant has addressed the required project criteria and a complete application is formally submitted, the project is processed for review, usually within 30 days, and a noticing of neighbors within 300 feet of the project is disseminated. CCDC staff manage the noticing process, prepare a Project Staff Report, and present the merits of the project to the Pre-Design Subcommittee of the Centre City Advisory Committee (CCAC) and the Real Estate Subcommittee of the CCDC Board of Directors for preliminary design review and comment.

CCAC is made up of 28 leaders of downtown’s residential neighborhood and business community groups and acts as a traditional community planning group or architectural design review committee. CCDC staff will work with the applicants on refining the project before it is presented to the CCDC Board of Directors for final approval. If the applicant requests redevelopment funds, further approv-



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als must then be attained by the City Council and Redevelopment Agency.

Generally, a project receives an approved entitlement at the end of the architect's schematic design phase and does not come back to CCDC until routed through the City's building permit process. Legally, a Development Permit documents the entitlement terms and conditions. A Disposition and Development Agreement or Owner Participation Agreement is also used when Redevelopment Agency funds are a component of the project. Finally, the approved design is verified by CCDC during project construction against the approved entitlement drawings and color/materials board.

Unique benefits of proposing and processing a downtown project are the public relations and outreach done by CCDC Marketing and Communications staff. Notices, drawings, renderings, and project data are posted on the CCDC website and through press releases and interviews to the media. This service can be attractive to the developer, as the project's design, LEED goals, economic development attributes, and project statistics are clearly and accurately depicted to the public.

CEQA Review and Accountability

One of the most valuable aspects of Centre City's development process is a result of the 2006 Downtown Community Plan's Final Environmental Impact Report (FEIR), amended in 2008. This document, as a Program FEIR in accordance with California Environmental Quality Act (CEQA) guidelines, governs all

future developments within the integrated network of neighborhoods and districts under the downtown's ultimate build-out plan, which has been evaluated for environmental consequences and cumulative impacts. Mitigation measures have been established for identified impacts in such areas as land use, transportation, parking, cultural resources, geology and seismicity, aesthetics, noise, air quality, hydrology/water quality, hazardous materials, population/housing, and paleontological resources.

All proposed projects in the Civic/Core, Columbia, Convention Center, Cortez, East Village, Gaslamp Quarter/Horton Plaza, Little Italy, and Marina districts are considered a part of the overall Redevelopment Project evaluated under the FEIR. Development projects may utilize the approved FEIR, and the responsible agencies rely on it when reviewing and acting on permit applications downtown. As a result, CEQA requirements can be met for the development through an administrative Environmental Secondary Study that confirms the applicability of the FEIR to the project. The benefit to developers and their architects is that projects are informed at the start by the project review of applicable mitigation measures, and additional CEQA review is not necessary—greatly reducing processing time and potential legal challenges.

Footnote

In 2009, CCDC's Advanced Planning Team will complete an in-depth analysis of sustainable best practice policies being considered or

adopted by comparable U.S. cities. CCDC staff proposes to amend the Centre City entitlement requirements and process incrementally over time to make use of such strategic sustainable design criteria (based on LEED for Neighborhood Design and LEED for New Construction). Doing so will allow Downtown San Diego to approach entitlements in better alignment with the California "Green" Building Code, which becomes mandatory in 2010. It will also more proactively model the City's need to adopt measures to assure that future development in the region is designed for more sustainable site planning and higher environmental quality, water efficiency using grey and recycled water, renewable energy sources, and sustainable site and building materials and resources. Further, CCDC is considering development incentives for projects that demonstrate innovative approaches to these goals, in line with the City's 2050 Climate Initiative.

Resources

The CCDC regulatory documents, including the Community Plan, the FEIR, and the PDO, may be found at www.ccdc.com under Resources/Planning.

The City of San Diego's regulatory documents, including the General Plan, the Program EIR, and Land Use Code, may be found at www.sandiego.gov/planning.

The 1:50 Scale Model of the Centre City is located at the Downtown Information Center (DIC) at 193 Horton Plaza, San Diego.