

Propositions B & C: Barrio Logan Community Plan Update

May 2014

SDCTA Position:

OPPOSE

Rationale for Position:

The proposed measures negatively impact a number of businesses located within Barrio Logan by changing their land use designations from their current use. This change prevents their ability to expand their businesses unless they undergo an expensive and costly permitting process that may require City Council approval. Although the process to update the Plan has taken significant time and money to produce, City staff has a starting point to determine a compromise should voters oppose the Plan and once the Plan is legally allowed to be updated.

Title: Propositions B & C: City of San Diego Barrio Logan Community Plan Update

Jurisdiction: City of San Diego

Type: Referendum

Vote: Majority of public vote

Status: June 3, 2014 ballot

Issue: The measures ask voters to approve a resolution of the City Council that would provide for a new Barrio Logan Community Plan and the accompanying ordinances that would enact laws relating to the Plan.

Description: If approved, the measure would implement a new community plan for Barrio Logan. The Plan would guide future development, including separating residential and industrial land uses; designating certain land for industrial development in the future; setting new goals related to transit, housing and affordability, and industry and jobs; distinguishing five neighborhoods in the Community Plan area with goals for each area; and adding an "Urban Design Element."

Fiscal Impact: The City's Independent Budget Analyst was unable to quantify the measures' fiscal impact. Proponents have stated the Plan allows for an increase in Prime Industrial Acreage and anticipates a 47% increase in total jobs. Opponents have stated 1,749 jobs are related to ship repair business in Barrio Logan and businesses within the Transition Zone account for \$47 million in subcontracts, and are wanting to expand.

Proponents: The Honorable Todd Gloria (Council President), The Honorable David Alvarez (Councilman), Mel Katz (Fmr Chairman San Diego Regional Chamber of Commerce), Mark Steele (MW Steele Group, Inc.)

Opponents: Mayor Kevin Faulconer, Former Mayor Jerry Sanders, San Diego Regional Chamber of Commerce, San Diego Regional Economic Development Corporation

Background:

Barrio Logan Community

Barrio Logan is positioned between Downtown San Diego to the north, Interstate 5 to the east, as well as the Unified Port of San Diego and United States Naval Base San Diego along San Diego Bay to the west, and National City to the south. Barrio Logan comprises approximately 1,000 acres. The Port of San Diego and Naval Station San Diego comprise

562 acres or 52 percent of the approximately 1,000 acre land area contained within the community planning area. The population is approximately 3,600.¹

Community Plan Update

On September 17, 2013 the City Council approved an update to the Barrio Logan Community Plan (Plan). This concluded a multi-year effort to update the Plan. The Plan will guide future development, including separating residential and industrial land uses; designating certain land for industrial development in the future; setting new goals related to transit, housing and affordability, and industry and jobs; distinguishing five neighborhoods in the Community Plan area with goals for each area; and adding an “Urban Design Element.”

The process to update the Plan began in 2008, with a 25 voting-member stakeholder committee established as part of the process since Barrio Logan does not have an officially recognized community planning group.

Figure 1: Voting Members of Barrio Logan Community Plan Update Stakeholder Committee

Residential-Affiliated	
Residential Property Owner	Albert Dueñas
Residential Property Owner	Isidro Mendoza
Residential Property Owner	John Alvarado
Residential Tenant North of Evans	Antonia Garcia
Residential Tenant North of Evans	Hilda Valenzuela
Residential Tenant North of Evans	Norene Riveroll
Residential Tenant South of Evans	Ana Nayeli Castañeda
Residential Tenant South of Evans	Mary Alvarado
Environmental Representative	Georgette Gomez (Environmental Health Coalition)
Project Area Committee Representative	Rachel Ortiz (PAC Chairperson)
Housing Representative	Gloria Medina (Barrio Logan Senior Villas)
Social Service Agency Representative	Jennette Lawrence (Family Health Center)
Community Representative	Aida Castañeda (Barrio Station)
Business-Affiliated	
Non-Residential Property Owner	Evelyn Ruth Mitchell
Non-Residential Property Owner	Robert Leif
Non-Residential Property Owner	Jerry Gray
Business Owner/Representative	Ruben Andrews
Business Owner/Representative	David Ducea (Fire Etc)
Business Owner/Representative	Rudolph Pimentel (Pimentel Urban Design)
Business Owner/Representative	Eduardo Barrera, MAAC Project
Industrial Owner/Representative	James Gill (Nassco)
Industrial Owner/Representative	Lee Wilson (Continental Maritime)
Industrial Owner/Representative	Shaun Halvax (BAE Systems)
Community Representative	Matt Carr (San Diego Ship Repair Association)
Other	
Arts Representative	Ramon Chunky Sanchez (Chicano Park Steering Committee)

Source: Barrio Logan Community Plan Update Stakeholder Committee Seats Updated: 3/11

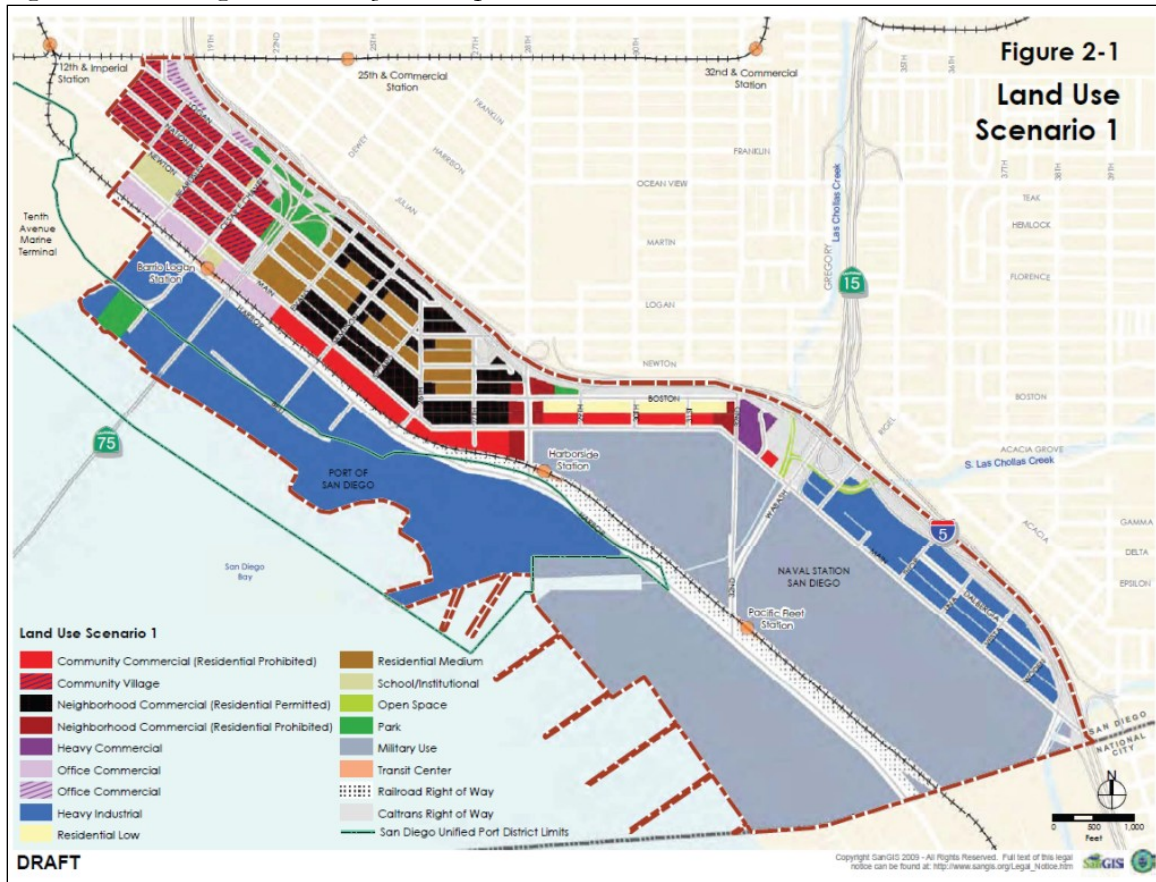
¹ City of San Diego Community Profile.

Two alternatives were developed in an attempt to resolve land use conflicts resulting from the collocation of uses while preventing future occurrences.² A primary focus of the draft plan is to provide adequate separation of uses principally through the establishment of a formal “Transition Zone” which separates predominantly industrial uses from residential uses.

Studied Scenarios

Two separate scenarios were studied under the Environmental Impact Report (EIR). City staff conducted a parcel-by-parcel analysis and recommended the adoption of Scenario 1.

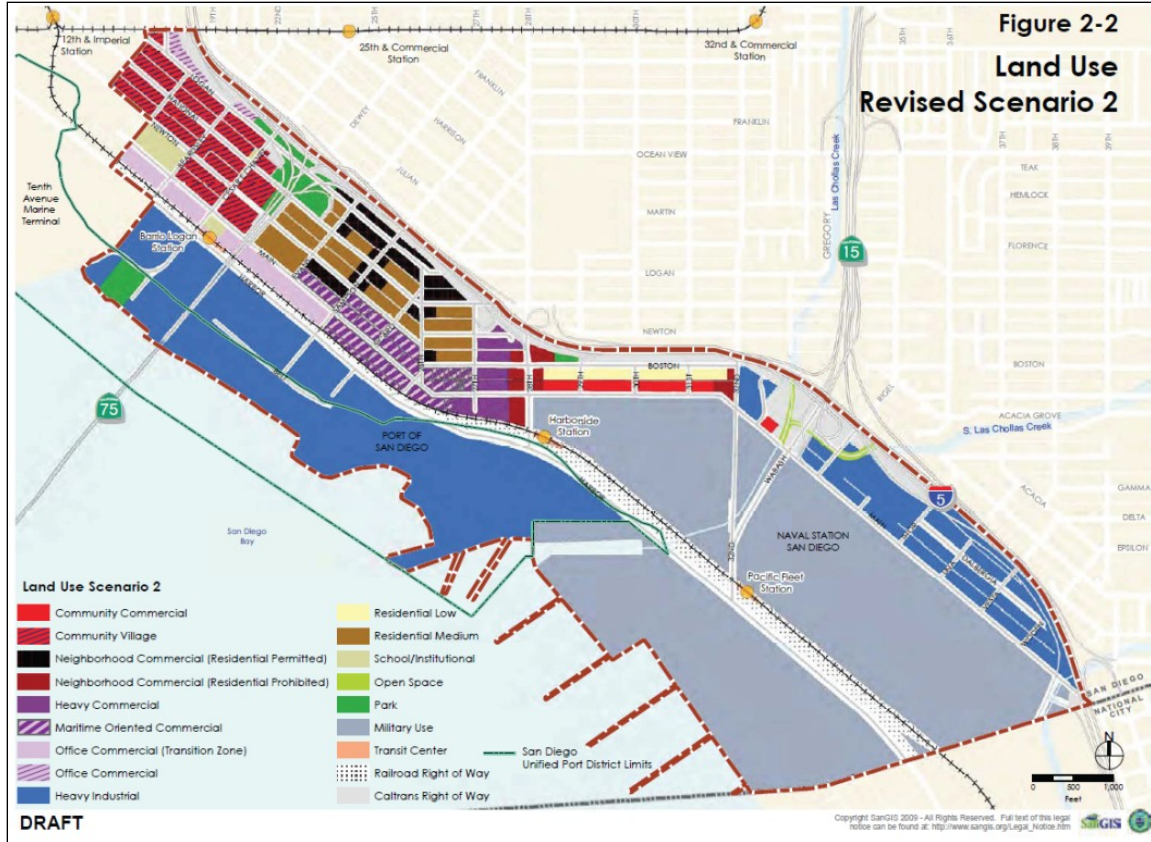
Figure 2: Barrio Logan Community Plan Update Scenario 1



Source: City of San Diego Barrio Logan Community Plan Update EIR

² Report to the Planning Commission. Barrio Logan Community Plan and Local Coastal Program Update. Process 5. May 22, 2013.

Figure 3: Barrio Logan Community Plan Update Scenario 2



Source: City of San Diego Barrio Logan Community Plan Update EIR

Both scenarios are identical with the exception of the Transition Zone and area at 32nd Street and Main Street. The Transition Zone is outlined in the purple shaded area in Figure 4. Figure 3 outlines the differences between each scenario in regards to the land use designations for parcels within the Transition Zone and required actions necessary for development of those parcels.

Figure 4: Barrio Logan Community Plan Transition Zone and Zoning Changes

	Transition Zone	32nd & Main Street Area	Discretionary Actions
Scenario 1	Designated for community & neighborhood commercial uses.	Heavy commercial	Coastal Development Permit and Conditional Use Permit for maritime-oriented uses.
Scenario 2	Designated for maritime-oriented commercial as well as heavy commercial uses.	Heavy industrial	Coastal Development Permit for maritime-oriented uses.

Figure 5: Barrio Logan Community Plan Update Proposed Transition Zone



Source: City of San Diego Barrio Logan Community Plan Update

Referendum

Following the approval of the Plan update by the City Council, opponents began collecting signatures to place on the ballot a referendum of the approved Plan. On February 10, 2014, the City Council certified that the necessary amount of signatures were collected, and approved the placement of two on the June 3, 2014 ballot.

Proposal:

The question of approving the Plan update will appear as two ballot measures on the June 3, 2014 ballot.

Proposition B asks voters to approve a resolution of the City Council that would provide for a new Barrio Logan Community Plan, replacing the existing Community Plan. The ballot language will read:

“PROPOSITION B. REFERENDUM OF RESOLUTION RELATED TO BARRIO LOGAN COMMUNITY PLAN UPDATE. Shall Resolution No. R-308445, which provides for a comprehensive update to the Barrio Logan Community Plan, be approved?”

Proposition C asks voters to approve two ordinances of the City Council that would enact City laws related to the Barrio Logan Community Plan, and affect the zoning of approximately 1,000 acres located within the Plan area. The ballot language will read:

“PROPOSITION C. REFERENDUM OF ORDINANCES RELATED TO BARRIO LOGAN COMMUNITY PLAN UPDATE.

Shall Ordinances O-20312 and O-20313, which amend the San Diego Municipal Code related to the Barrio Logan Community Plan Update, and affect the zoning of 999.61 acres located within the Barrio Logan Community Plan Area, be approved?”

The proposal would alter zoning as described in the following figure. The information provided in the EIR does not reflect the reality that much of the existing zoning (as described in the 1978 Community Plan) allows for multiple uses. The analysis does however demonstrate a potential change in zoning that would allow significantly more commercial and multi-family dwelling units than previous zoning while dramatically reducing industrial use from previous zoning.

Figure 6: Existing and Zoned Land Uses

Land Use	Units	Existing (Actual 2010)	1978 Zoning Community Plan	2014 Council-Adopted Community Plan
Commercial	Square Feet	1,234,490	1,741,210	2,191,310
Educational	Students	634	529	529
Educational	Square Feet	8,700	61,300	61,300
Hotel	Rooms	67	0	0
Industrial	Square Feet	2,482,850	6,590,300	3,300,500
Park	Acres	0	9	9
Retail	Square Feet	194,900	194,600	194,600
Retail	Pumps	16	0	0
Multi-family	Dwelling Units	518	3,191	4,203
Single-family	Dwelling Units	477	31	69

Source: City of San Diego Environmental Impact Analysis Table 4.3-6

Opponents of the plan have cited the National University Institute for Policy Research which found 90 businesses within the Community Planning Area and that 30 businesses would be rezoned by the plan.

The National University Institute for Policy Research identified 27 businesses within the “buffer zone,” also known as the “transition zone.” Twenty-four of those businesses directly service the shipyards – 20 of which are industrial and would be directly affected by the rezoning. The transition zone houses 11 residential lots which are either single-family homes or duplexes – all of which would be rezoned as well. Just outside the transition zone is a development called Mercado Apartments which was built in 1994 and houses 142 subsidized housing units.

Policy Implications:

Reduction in Acreage Zoned Industrial

The Plan update allows increased multifamily residential and commercial development, and reduces acreage zoned for industrial uses from 230 (most of which also permit commercial and residential uses) to 170 (zoned solely for industrial use). Existing developments on rezoned lots could remain and expand up to 20 percent, although significant expansion would require discretionary permits.³ Non Port of San Diego related industrial acreage available to suppliers would be reduced from 121 acres to 60 acres.

Previously Conforming Use and Conditional Use Permits

According to opponents of the Plan, 25 maritime and industrial businesses would be rezoned. Under the adopted plan, these businesses would be subjected to a designation of Previously Conforming Uses (PCU's). PCU's can continue as they currently exist, be maintained, be bought and sold, and be enlarged by up to 20 percent with a Neighborhood Use Permit (NUP). An NUP requires public notice and requires staff to make specific findings, and is appealable to the Planning Commission.

Any expansion beyond what is allowed under a PCU designation would require the approval of a Process 4 Conditional Use Permit (CUP). This means that the decision would fall to the Planning Commission, with the decision appealable to the City Council. According to Municipal Code Section 127.0109(b), any expansion of a PCU is, "presumed to be detrimental to public health, safety, and welfare."

Encroachment

Opponents of the plan have said they believe the limits put on industrial expansion and increased residential use allowed by the Council-adopted plan could ultimately lead to the closure of the shipyards. They have argued that encroachment has previously led to diminished use of other shipyard in California including in Long Beach and in San Francisco.

A 2000 Environmental Impact Statement for the disposal and reuse of Hunters Point Shipyard in San Francisco stated that the facility's "low military value because of significant encroachment" resulted in "the Defense Base Closure and Reglement Commission recommend[ing] in its 1991 Report to the President that the Hunters Point facility be closed."

Air Quality

Proponents of the plan have cited abnormally high asthma rates in the Barrio Logan community and poor air quality as reasons to limit industrial uses in the community. The City of San Diego report entitled "Air Quality and Health Risk Technical Analyses for the Barrio Logan Community Plan Update performed by RECON Environmental, Inc. warns that "because the proposed CPU [Community Plan Update] alternatives designate more residential uses than does the adopted community plan, the relative cancer risk associated with the proposed CPU alternatives is generally considered to be more than that under the adopted community plan due to the larger exposed residential population."

³ City of San Diego Independent Budget Analyst Fiscal Impact Statement.

Overturn of Plan

If a majority of voters vote “No” on Propositions B & C, no similar update could be adopted for 12 months. Should the City wish to develop a revised Plan after that period, additional staff time and resources would be required, and reallocation of existing resources may delay completion of other Community Plan Updates.⁴

Passage of Proposition B would update the General Plan to include the update of the Barrio Logan Community Plan. Proposition C updates the zoning within Barrio Logan to recognize the Plan Update. If voters only pass Proposition B, then the Update would be adopted but the zoning would not. And if voters only pass Proposition C, then the zoning would be updated but the Plan Update would not be adopted. Projects would still be able to be completed under this situation, only specific approvals would be needed to do so should only one of the measures be approved by voters.

Fiscal Impact:

Proponents and opponents of the Plan argue different impacts to businesses should the Plan be adopted.

Proponents of the Plan state that the Update allows for a 163% increase in Prime Industrial Acreage, from 19 acres to 50 acres. Additionally, the Plan anticipates a 47% increase in the number of jobs, from 10,105 to 14,893.

Opponents of the plan have cited findings from an economic impact study of the shipbuilders and ship repairers in Barrio Logan produced by the National University Institute for Policy Research. The most recent December 2013 update to the study found that there are 80 separate subcontractors located in Barrio Logan that received more than \$245 million in subcontracts during 2012. They estimated these subcontracts supported 1,749 jobs throughout San Diego County.

In 2012, businesses located in the “Transition Zone” received subcontracts totaling \$46.9 million. A survey of 26 businesses was conducted as a part of the study, with 12 respondents indicated their intent to expand if the current zoning were to remain in place.

The City of San Diego’s Independent Budget Analyst’s Fiscal Impact Statement states that the measures’ fiscal impact, “cannot be quantified, as the timing, nature, and amount of development and business activity attributable to the Update is difficult to accurately project.”

⁴ Ibid.

List of Proponents:

- The Honorable Todd Gloria (Council President)
- The Honorable David Alvarez (Councilman)
- Mel Katz (Fmr Chairman San Diego Regional Chamber of Commerce)
- Mark Steele (MW Steele Group, Inc.)

Proponent Arguments:

- Shops that mold plastic or paint auto parts using cancer-causing chemicals do not belong next to playgrounds and homes.
- Businesses that emit toxic fumes do not belong next door to our schools.
- For 10 years, residents and small business owners in Barrio Logan worked to develop a Community Plan that protects community residents and businesses.
- The plan is projected to add 5,000 jobs providing a huge economic boost.

List of Opponents:

- Mayor Kevin Faulconer
- Former Mayor Jerry Sanders
- San Diego Regional Chamber of Commerce
- San Diego Regional Economic Development Corporation

Opponent Arguments:

- Measures would harm our local economy, jeopardize thousands of middle-class jobs, and impact decisions affecting national security.
- Encroachment by urban development is a major reason why military facilities are closed.
- Prop. B & C would put thousands of new residents too close to critical ship building and repair facilities.
- Measures would eliminate industrial land that suppliers need to support the shipyards and the Pacific Fleet.