



(4)

## BPC Policy No. 752

**SUBJECT:** GUIDELINES FOR CONDUCTING PROJECT CONSISTENCY REVIEW RELATED TO THE INTEGRATED PORT MASTER PLAN UPDATE

**PURPOSE:** To establish a project consistency review process that ensures current and future development proposals are considered as the San Diego Unified Port District (District) conducts a comprehensive and integrated update to the Port Master Plan.

**POLICY STATEMENT:** The District is committed to promoting wise land and water use development practices in accordance with the San Diego Unified Port District Act of 1962 and the California Coastal Act. Charged with the planning and development of California State tidelands around San Diego Bay, the District is responsible for overseeing public and private investments on the tidelands in a manner consistent with the Public Trust for the people of the State of California.

It is the policy of the District to ensure that project development proposals be reviewed and/or implemented consistent with the Port Master Plan and other guiding documents and policies while the Port Master Plan undergoes periodic updates. As the Port Master Plan Update is under development, the District shall manage current and future development initiatives in a manner that allows for ongoing project review, environmental compliance and/or entitlement approvals. Proposed project developments may include, but are not limited to, tenant improvements, development expansion, new development, and redevelopment within the District's jurisdiction.

**BACKGROUND:** The District has invested billions of dollars in public infrastructure, waterfront assets, environmental enhancements, and public amenities intended to support development of a world-class waterfront for decades into the future. Additionally, since long-term agreements, such as leases up to 66 years, are required to amortize the private investments on waterfront properties, it is imperative that the District plan for both short-term needs and for the long-term on the order of 20 to 50 years into the future.

Recognizing that the District may undertake a comprehensive Port Master Plan Update every 10 to 20 years, it is the responsibility of the District to take into consideration individual tenant and development initiatives that require ongoing review and/or approval, as the Port Master Plan Update is under review. As such, the Board of Port Commissioners (Board) recognizes the need to address ongoing development concurrent with the Integrated Port Master Plan Update process (see Exhibit A).

BPC Policy No. 752 acknowledges that project initiatives range from straightforward tenant operation agreements to more detailed site, structural and/or asset improvements associated with both proposed minor and major redevelopment and new development. The District also recognizes that project proposals should be processed for review as normal and be evaluated against guiding principles and guidelines established by the Integrated Port Master Plan Update process, as well as acceptable and legal planning principles and decision-making authority.

**PROCEDURE:** BPC Policy No. 752 is only applicable during the beginning phases of the Integrated Port Master Plan Update process. In order to address project proposals initiated during this time, the policy identifies *two project development categories*:

- A. Development projects in this category include project initiatives that are *consistent with the current certified Port Master Plan*. Existing and proposed projects must be consistent with the following<sup>1</sup>:
- General statewide purpose, for the physical development of the tide and submerged lands conveyed and granted in trust to the District;
  - Current planning policies, objectives and criteria; and,
  - Current land use designations and Precise Plans, as outlined in the Port Master Plan.

If **NO** Port Master Plan Amendment (PMPA) is required, the development proposal may advance as part of the normal project review, permitting and entitlement process.

Examples include, but are not limited to the following:

- Routine tenant operation, repair, and maintenance or minor alterations of existing private or public structures.
- Existing structures and facilities where proposed new structures will be located on the same site and will have the same footprint, purpose, and capacity as the structure being replaced.
- Construction of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures, and conversion of existing small structures with minor modifications to the exterior of the structure.
- Minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, or sensitive resources.
- Construction or placement of minor structures accessory to existing facilities, such as;
  - Minor mooring facilities, floats, buoys or similar structures.
  - Minor structures or equipment accessory to existing airport or marine terminal facilities.

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<sup>1</sup> This is not intended to be an exhaustive list and such proposals may also be consistent with other items (e.g., California Coastal Act, California Environmental Quality Act, etc.).

- On-premise signs.
- Small parking lots.
- Placement of temporary portable rest rooms.
- New and renewed open space contracts or the acceptance of easements or fee interests to maintain the open space character of an area.
- Enforce or revoke a lease, permit, license, certificate or other entitlement for the use issued.
- Leasing of new facilities.

Note that the above list includes examples and the facts of each proposal or unique circumstances may place the proposed project in the second category described below.

- B. Development proposals in this category include project initiatives that are currently in progress and/or future development projects that *may require a PMPA*. Review of development proposals will be conducted as part of the normal review, permitting and entitlement process. However, proposed projects will be evaluated against the guiding principles and guidelines resulting from the initial phases of the Integrated Port Master Plan Update process, along with all current applicable and legal regulations and procedures (as stated under "A" above). Applicants are encouraged to engage with staff as early as possible during the review process to ensure projects conform to the guidelines prior to the project's consideration by the Board.

Exhibit(s):

Exhibit A: Integrated Port Master Plan Update Process Timeline

RESOLUTION NUMBER AND DATE: 2013-221, dated December 10, 2013

# BPC Policy No. 752 – Project Consistency Review Policy

## INTEGRATED PORT MASTER PLAN UPDATE PROCESS

**Vision Plan**  
(approx. 9 months)

★ Board endorses - Phase I Guiding Principles / Vision Plan  
Board directs staff to proceed with Draft Port Master Plan Update

**Draft Port Master Plan Update**  
(approx. 2 years)

Phase I:  
Goals and Objectives

Phase II:  
Implementation Policies

★ Board directs staff to initiate CEQA Process

**Environmental Impact Report (EIR)**  
(approx. 2 + years)

Board certifies EIR / Approves Port Master Plan Update ★

**Coastal Commission Certification**

Certified Port Master Plan Update ★

Exhibit A to BPC Policy No. 752

## Project Development Categories

### Category A

Projects are consistent with the current certified Port Master Plan and do NOT require a Port Master Plan Amendment.

### Category B

Projects require a Port Master Plan Amendment and are evaluated against guidelines established by the Integrated Port Master Plan Update process, along with all current applicable and legal regulations and procedures.