

**SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT**

P.O. BOX 120488
SAN DIEGO, CA 92112-0488
(619) 686-6419

COASTAL DEVELOPMENT PERMIT AMENDMENT NO. 1

Date: **DATE** (signature date)

Applicant: Kristine Love
Department Manager, Parking @ The Port
San Diego Unified Port District
3165 Pacific Highway
San Diego, CA 92101

Project: CDP 2016-01 New Market-Based Parking Rates at Tidelands Public Parking Lot and Garages

Location: Convention Center Public Parking Garage (underground at the Convention Center), Convention Center (adjacent to the Hilton) Public Parking Garage ("Bayfront Public Parking Garage (adjacent to Hilton Bayfront Hotel)"), and B Street Pier Public Parking Lot

You are hereby granted an amendment to Coastal Development Permit (CDP) CDP-2016-01. The original CDP, Clerk Document No. 65285, was issued on May 27, 2016, in conformance with the California Coastal Act of 1976 and the CDP Regulations of the San Diego Unified Port District.

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and is between the nearest public road and the sea or the shoreline of a body of water located within the California coastal zone. The Project constitutes development pursuant to Coastal Act Section 30106 as it would result in amending the existing market-based parking rates at Tidelands public parking lot and garages. The Project is a non-appealable development pursuant to Section 30715 of the Coastal Act as it does not constitute any of the development listed therein and amending the existing market-based parking rates at Tidelands public parking lot and garages is considered a "non-appealable" category of development.

The District has determined that this amendment to the original CDP 2016-01 is a material change to the permit. The Project, as conditioned, is fully consistent with the public access and public recreation policies of Chapter 3 and Chapter 8 of the Coastal Act and the District's certified Port Master Plan. On **BOARD DATE**, the Board of Port Commissioners approved Amendment No. 1 to CDP-2016-01.

This amendment is limited to the modifications described below in ~~strikeout~~/underline and

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 2 of 9

set forth in material on file with the District.

DEVELOPMENT

The proposed project (project) is to allow the Executive Director of the District to establish new flexible market-based parking rates at the following District public parking lot and garages:

- B Street Pier Public Parking Lot
- Convention Center Public Parking Garage (underground at the Convention Center)
- Convention Center (adjacent to the Hilton) Public Parking Garage (“Bayfront Public Parking Garage (adjacent to Hilton Bayfront Hotel)”)

The project would create flexibility for public parking rates and allow pricing to better match parking demand and increase turnover and therefore, increase public access. At times of low occupancy, prices could be reduced to increase demand. At times when parking is in high demand, prices could be increased to increase turnover and improve public access. In addition, flexible rate ranges would enable the District to shift demand to less popular parking lots and garages in conjunction with a shuttle operation, or shuttle alternative.

The project includes an Amendment to Article 8, Section 8.21 of the Port Code to allow for new flexible rate ranges at the tidelands public parking at the B Street Pier Public Parking Lot, Convention Center Public Parking Garage (underground at the Convention Center), and ~~Convention Center (adjacent to the Hilton)~~ Bayfront Public Parking Garage (adjacent to Hilton Bayfront Hotel). As stated in Article 8, Section 8.21, the Executive Director of the District would have the ability to change the rate up to the Board-approved maximum rate at each respective location. Any changes to the parking rates as established by the Executive Director shall be posted at each respective parking lot or garage for the duration of the time such parking rates are in effect. The new rate ranges would enable the District's Parking Operator to adjust rates to allow for affordable parking on tidelands at or slightly below the market rates of nearby downtown lots and garages.

This amendment would update the existing rates/rate range with new rates/rate range, as shown below.

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 3 of 9

B STREET PIER PUBLIC PARKING LOT

RATE TYPE	EXISTING RATES	PROPOSED RATE CHANGES
Transient, Up to 1 Hour	\$6.00 to \$8.00	\$6.00 to \$15.00
Transient Over 1 Hour	\$12.00 to \$16.00 (1 to 12 Hours)	\$10.00 to \$25.00 (1 to 7 Hours)
Transient, Daily Max Rate	\$18.00 to \$24.00 (13 to 20 Hours)	\$12.00 to \$40.00 (7 to 20 Hours)
Special Events	\$20	\$20.00 to \$40.00
Valet Parking	\$6.00 to \$10.00	\$10.00 to \$15.00
Bus/RV/Oversized Vehicles	\$20.00 for up to 4 Hours	\$20.00 for up to 4 Hours

<u>RATE TYPE</u>	<u>EXISTING RATE RANGE</u>	<u>PROPOSED RATE RANGE</u>
<u>Public Rate, 1 Hour</u>	<u>\$6.00 to \$15.00</u>	<u>\$6.00 to \$15.00</u>
<u>Public Rate, 1 to 3 Hours</u>	<u>N/A</u>	<u>\$8.00 to \$25.00</u>
<u>Public Rate, 3 to 5 Hours</u>	<u>N/A</u>	<u>\$12.00 to \$35.00</u>
<u>Public Rate, 5 to 8 Hours</u>	<u>N/A</u>	<u>\$14.00 to \$40.00</u>
<u>Public Daily Max Rate, 8 to 12 Hours</u>	<u>\$12.00 to \$40.00 (7 to 20 Hours)</u>	<u>\$16.00 to \$50.00</u>
<u>Special Events Rate</u>	<u>\$20.00 to \$40.00</u>	<u>\$20.00 to \$50.00</u>
<u>Valet Parking Rate</u>	<u>\$10.00 to \$15.00</u>	<u>\$10.00 to \$50.00</u>
<u>Bus/RV/Oversized Vehicles Flat Rate</u>	<u>\$20.00 for up to 4 Hours</u>	<u>\$20.00 to \$80.00 (Time Limit Flexible)</u>

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 4 of 9

CONVENTION CENTER PUBLIC PARKING GARAGE (UNDERGROUND AT THE CONVENTION CENTER)

RATE TYPE	EXISTING RATES	PROPOSED RATE CHANGES
Convention Center Event Rate	\$15.00	\$15.00 to \$20.00
Special Event Rate (Non Convention Center Events)	\$15.00 to \$20.00	\$15.00 to \$35.00
Daily Employee Rate	\$4.00	\$6.00
Monthly Parking Rate (Convention Center Staff)	\$50	\$75 to \$100
Monthly Parking Rate (Non Convention Center Staff)	N/A	\$150 to \$200
SD Bay Park & Shuttle	N/A	\$5.00 to \$20.00

<u>RATE TYPE</u>	<u>EXISTING RATE RANGE</u>	<u>PROPOSED RATE/RATE RANGE</u>
<u>Convention Center Event Rate</u>	<u>\$15.00 to \$20.00</u>	<u>\$15.00 to \$25.00</u>
<u>Special Event Rate (Non-Convention Center Events)</u>	<u>\$15.00 to \$35.00</u>	<u>\$15.00 to \$50.00</u>
<u>Daily Employee Rate</u>	<u>\$4.00 to \$6.00</u>	<u>\$4.00 to \$6.00</u>
<u>Monthly Parking Rate (Convention Center Staff)</u>	<u>\$50.00 to \$100.00</u>	<u>\$50.00 to \$100.00</u>
<u>Monthly Parking Rate (Non-Convention Center Staff)</u>	<u>\$150.00 to \$200.00</u>	<u>\$100.00 to \$200.00</u>
<u>Shuttle Program</u>	<u>\$5.00 to \$20.00</u>	<u>\$5.00 to \$20.00</u>
<u>Public Twilight Rate – after 6 PM (Subject to demand and advance purchase)</u>	<u>N/A</u>	<u>\$7.00 (Sun thru Thurs)</u> <u>\$10.00 (Fri thru Sat and Holidays)</u>

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 5 of 9

CONVENTION CENTER (ADJACENT TO HILTON) PUBLIC PARKING GARAGE

RATE TYPE	EXISTING RATES	PROPOSED RATE CHANGES
Transient Rate Up to 1 Hour	N/A	\$8.00
Transient Rate 2 to 12 Hours	N/A	\$15.00 to \$20.00
Transient Rate 13 to 24 Hours	N/A	\$20.00 to \$30.00
Convention Center Event Rate	\$15.00	\$15.00 to \$20.00
Special Event Rate (Non-Convention Center Events)	\$20.00 to \$25.00	\$15.00 to \$35.00
Monthly Parking Rate	\$180	\$60 to \$200
SD Bay Park & Shuttle	N/A	\$5.00 to \$20.00

BAYFRONT PUBLIC PARKING GARAGE (ADJACENT TO HILTON BAYFRONT HOTEL)

<u>RATE TYPE</u>	<u>EXISTING RATE/RATE RANGE</u>	<u>PROPOSED RATE/RATE RANGE</u>
<u>Public Rate Up to 1 Hour</u>	<u>\$8.00</u>	<u>\$11.00</u>
<u>Convention Center Event Rate</u>	<u>\$15.00 to \$20.00</u>	<u>\$15.00 to \$25.00</u>
<u>Public Daily Rate, to include Special Event Rate (Non-Convention Center Events)</u>	<u>\$15.00 to \$35.00</u>	<u>\$15.00 to \$50.00</u>
<u>Monthly Parking Rate</u>	<u>\$60.00 to \$200.00</u>	<u>\$60.00 to \$200.00</u>
<u>Shuttle Program</u>	<u>\$5.00 to \$20.00</u>	<u>\$5.00 to \$20.00</u>
<u>Public Twilight Rate – after 6 PM (Subject to demand and advance purchase)</u>	<u>N/A</u>	<u>\$7.00 (Sun thru Thurs)</u> <u>\$10.00 (Fri thru Sat and Holidays)</u>

STANDARD PROVISIONS

1. Permittee shall adhere strictly to the current plans for the Project as approved by the District and the Project features, described above, for the Project.
2. Permittee shall notify District of any changes in the Project and herein described. Notification shall be in writing and be delivered promptly to the District. District

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 6 of 9

approval of the Project change may be required prior to implementation of any changes.

3. Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state and federal agencies.
4. Permittee shall conform to, and this permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District's Coastal Development Permit Regulations.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.
6. Permittee shall commence development within two (2) years following the date of the permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The permit amendment is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This permit shall not be valid until two copies have been returned to the Real Estate-Development Services Department of the District, upon which copies the Permittee has signed a statement agreeing that the Permittee will abide by the terms, conditions, limitations and provisions of the permit.
9. The Permittee and contractor shall perform all best management practices (BMPs) during construction and maintenance operations. No non-stormwater (irrigation, wash water, etc.) may discharge to the District's storm drains. Storm water discharges to storm drains or to Pacific Ocean are allowable, if they do not contain pollutants.
10. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, as amended by Order Nos. R9-2015-001 and R9-2015-0100, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction/operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://pantheonstorage.blob.core.windows.net/environment/JRMP-document->

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 7 of 9

[and-appendices-January-2019.pdf](#) or by contacting the Stormwater Planning & Green Port Department, (619) 686-6254.

11. This Project may be subject to the District post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). If required, the Permittee shall implement all post-construction structural and non-structural BMPs in perpetuity.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District approved SWQMP, including the specific BMPs contained therein, may be considered a violation of the permit and a violation of District Code.

SPECIAL PROVISIONS

1. Permittee shall comply with the Project Description under the above “DEVELOPMENT” section of this permit.
2. The identification and location of all free District parking areas shall be posted on the District’s website.
3. Signage with information regarding the Big Bay Shuttle or comparable mobility solution, including hours of operation and the nearest shuttle stop, shall be posted on the District’s website and at the free District parking areas.
4. A new shuttle service shall be established to take garage patrons to the Embarcadero if and when any agreements are entered into for remote parking. The shuttle will be available to both the remote parking users and groups of the public. A number of Big Bay Shuttle stops are available within walking distance of the parking lot and garages. Signage informing parking lot and garages patrons of the location of the stops and the schedule of the shuttle, or comparable mobility solution, shall be provided at the parking lot and garages that are subject to this permit.
5. The District shall continue to implement the bayside shuttle system (aka the Big Bay Shuttle) in accordance with the conditions of approval for the North Embarcadero Visionary Plan (NEVP) Phase 1 Project, unless replaced by a comparable mobility solution in consultation with Coastal Commission staff.
6. Implementation of this permit does not preclude the District from implementing any future parking program. In the event that any future parking program conflicts with this permit, the future parking program shall prevail and the inconsistent

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 8 of 9

condition in this permit shall be voided or amended.

7. Parking rates may be reduced or eliminated at any time, without amending or revoking this permit.
8. All provisions of this permit may be subject to review by the District six months after going into effect, and yearly thereafter. At any time in the future, the Board of Port Commissioners may review this permit for the purposes of revocation to mitigate or alleviate impacts to adjacent land uses.
9. Parking quantities and locations will not be changed or affected by this permit.
10. Parking shall be reserved for the use of the general public and available on a first-come, first-served basis, with the exception of parking that was reserved prior to the date of ~~this permit~~ CDP-2016-01.
11. As new development is proposed, the District will ensure that parking is addressed and is consistent with any approved parking generation rates and parking plan in place at the time that the new development is considered by the Board of Port Commissioners or District staff.
12. Any proposed changes to the approved Project, including but not limited to a fee increase of 25% or more in a given year or 50% or more on a cumulative basis over any three consecutive year period or new development, shall require an amendment to this permit or a new permit.
13. Any operating agreement to private operators for the parking lot and garages that are the subject of this permit shall explicitly incorporate provisions for public use, public access, employee parking, parking rates and management practices consistent with all conditions contained herein.
14. No more than 20% of the available public parking spaces in the tideland parking lot and garages subject to this permit shall be issued monthly parking passes. This permit allows non-preferential use of available parking spaces within each parking garage or parking lot. No parking stalls can be reserved for monthly permit holders. All monthly permits shall be cancellable within 30-days' notice.
15. Public outreach shall be conducted to inform the public of parking opportunities and pricing, including, but not limited to, signage ~~and~~ on the District's or its operator's website. If and when a smart phone application is developed, public outreach will also be conducted to inform the public of the capabilities of the smart phone application in identifying parking opportunities and pricing.

Exhibit:

1. Project Location Map

AMENDMENT NO. 1 TO COASTAL DEVELOPMENT PERMIT NO. CDP-2016-01
Page 9 of 9

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6419.

JOE STUYVESANT
President/Chief Executive Officer

By: _____
WILEEN. C. MANAOIS
Director, Development Services Department

I have read and understand the reasonable terms, conditions, limitations, and provisions of this permit and agree to abide by them. I further understand that the reasonable terms, conditions, limitations, and provisions of the permit are material to its issuance by the District, and that such terms, conditions, limitations, and provisions are included to ensure consistency with applicable laws and regulations, including the Coastal Act. Any failure to abide by the reasonable terms, conditions, limitations, and provisions may result in enforcement by the District and/or the California Coastal Commission, including revocation, as may be warranted.

Signature of Permittee
Kristine Love
Department Manager, Parking @ The Port
San Diego Unified Port District

Date



Tideland Parking Lots and Garages Location Map