



## Legislation Text

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**File #:** 2018-0349, **Version:** 1

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**DATE:** August 14, 2018

**SUBJECT:**

**PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE -  
UPCOMING POLICY DISCUSSION TOPICS FOR THE REMAINDER OF 2018 AND A LOOK  
AHEAD TO NEXT YEAR**

### **EXECUTIVE SUMMARY:**

Since 2013, the District has been evolving and improving a process, which we have come to know as Integrated Planning. In short, Integrated Planning is a multi-faceted and comprehensive approach for managing and planning the uses of the District in a balanced way. Although Integrated Planning is an approach and philosophy that will permeate numerous plans and processes at the District, one critical and current focus area is an update to the District's Port Master Plan. The first comprehensive revision in the District's history, the Port Master Plan Update (PMPU) is a comprehensive, integrated, baywide approach that will modernize our method for land and water planning and serve as a guide for future uses and development of District tidelands. The PMPU will connect the tidelands through a series of networks and Planning Districts. It will control the allowable land and water uses, including the type and characteristics of development, recreation, and environmental conservation throughout the District's jurisdiction.

Through the course of 2017 and 2018, the Board conducted a series of workshops focusing on goals, policy concepts and draft land and water use maps for the baywide elements and the ten Planning Districts. During those workshops, several policy topics were noted for needing additional discussion and feedback to assist the team with completing the Discussion Draft of the PMPU.

For this item, staff is seeking Board feedback on the policy discussion topics planned for the remainder of this calendar year. These anticipated discussions involve two Special Board Meetings/Workshops: one in late October focusing on the topics of commercial fishing and environmental justice related policies, and the second in late November/Early December focusing on the Embarcadero Planning District policy concepts. Staff also anticipates seeking direction for next steps regarding the Discussion Draft of the PMPU at the last regular Board meeting of the year.

### **RECOMMENDATION:**

Receive staff's presentation and provide direction to staff on the Port Master Plan Update regarding upcoming policy discussion topics for the remainder of 2018.

### **FISCAL IMPACT:**

Funds for work associated with the Port Master Plan Update effort are budgeted in the Planning Department's FY 2019 budget within the Professional Services expense account (#620100). Funds required for future fiscal years will be budgeted for in the appropriate fiscal year and cost account subject to Board approval upon adoption of each fiscal year's budget.

### **COMPASS STRATEGIC GOALS:**

This agenda item supports the Strategic Goals adopted by the Board. The Integrated Planning efforts, including the PMPU, will bring the District's current practices into conformance with best management practices with considerations of sustainable fiscal growth for the District while proactively enhancing assets on tidelands and benefits to the public.

This agenda item supports the following Strategic Goals.

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A vibrant waterfront destination where residents and visitors converge.
- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A Port that is a safe place to visit, work and play.
- A financially sustainable Port that drives job creation and regional economic vitality.

### **DISCUSSION:**

#### **PMPU Background**

##### **Holistic Planning Through Public Engagement**

The PMPU process is in the third phase of a five-phase work plan. The five-phased work plan began with laying the foundation of the PMPU with acceptance of the Integrated Planning Vision Statement and Guiding Principles in the first phase, followed by acceptance of the Integrated Planning Framework in the second phase (collectively referred to as the "Integrated Planning Vision"). The phased work plan has allowed the PMPU team to continue to build a comprehensive update to the Port Master Plan from the ground up in a transparent and inclusive way that has included a balance of Board, stakeholder and public engagement throughout the planning process.

The summary below shows the five major phases of the work plan:

- **Vision Process: Guiding Principles (Completed).** The initial phase included a high-level assessment of District-wide assets and extensive public engagement resulting in a foundational Vision Statement and Guiding Principles for the entire Integrated Planning framework.
- **Framework Report (Completed).** The Vision Process was further refined through consideration of a core set of comprehensive ideas, memorialized in a Framework Report, that is informing the development of the Draft PMPU document.

- **Draft the Port Master Plan Update.** The current phase involves direction from the Board for drafting of the “Draft PMPU” document, which will ultimately be comprised of goals, policies and maps.
  - Baywide Elements and Planning District Goals (**Completed**)
  - Policy Concepts and Land and Water Use Maps (**Completed**)
  - Additional Policy Discussion Topics (**In Progress**)
  - Public review of PMPU Discussion Draft (**Anticipated early 2019**)
- **California Environmental Quality Act (CEQA) Environmental Review (*In Progress*).** Creation of the draft PMPU will be followed by conducting the requisite “CEQA Environmental Review.” Preliminary environmental review work has begun.
- **California Coastal Commission Certification.** If the Board certifies the Programmatic Environmental Impact Report (PEIR) and adopts the PMPU, it will be processed for “California Coastal Commission Certification,” with minor approvals thereafter, including the Board’s approval of the PMPU as certified by the California Coastal Commission (Coastal Commission) and lastly, the Coastal Commission’s approval of the final PMPU after the Board’s approval of the PMPU as certified by the Coastal Commission.

All of these steps have or will require public input, stakeholder outreach, and agency coordination throughout.

### **Recap on the Draft PMPU Contents**

As a refresher, the draft PMPU is currently proposed to include six topical sections, or elements, that provide baywide guidance related to Land and Water Use, Mobility, Coastal Access and Recreation, Natural Resources, Resiliency and Safety, and Economic Development. Within each element, there are goals and policies being drafted consistent with the proposed draft table of contents endorsed by the Board at the July 22, 2015 Integrated Planning Study Session. The elements will also contain and address cross-connecting themes like environmental justice, climate change, and the Green Necklace. However, as detailed later, staff would like to revisit where and how environmental justice is addressed in the draft PMPU based on questions and issues raised during the PMPU workshops. The PMPU team has utilized the robust public feedback obtained during the Integrated Planning process as the basis for drafting the goals and policy language to be contained within the draft PMPU elements.

The PMPU is also proposed to contain ten Planning Districts, and application of the baywide goals and policies established by the six baywide elements will vary Planning District by Planning District, as appropriate. Each of the ten Planning Districts will contain more geographic-specific goals, policies, and land and water use maps intended to: 1) implement applicable baywide policies; 2) create development requirements tailored to the unique characteristics of each Planning District; and 3) implement the land and water use designations within those geographic areas. The draft policies for each Planning District will build on the corresponding goals and will be more granular in nature than the baywide element policies. The draft policies, both baywide- and Planning District-level will be available for the Board and public’s review during the Discussion Draft PMPU review period.

### **2017 PMPU Board Workshops**

**PMPU Baywide Elements and Planning District Goals:** The first in a series of Board workshops on

the draft PMPU was held on March 9, 2017. Workshop No. 1 focused on the proposed organizational structure of the updated Port Master Plan, the proposed consolidated land and water use designations, and the draft goals for the Land and Water Use Element.

Board Workshop No. 2 was held on April 27, 2017, and concentrated on draft goals for the Mobility Element, draft goals for the Economic Development Element, and draft goals and draft land and water use maps for the ten Planning Districts.

On May 25, 2017, during Workshop No. 3 draft goals for the Resiliency and Safety Element, draft goals for the Natural Resources Element, and draft goals for the Coastal Access and Recreation Element, were discussed. Staff also presented preliminary draft PMPU baywide recreation open space acreage allocations.

Staff received considerable feedback from the public, stakeholders, and Board during these workshops, which is being taken into account as the drafting of the PMPU continues. *Notably, completion of these three workshops resulted in clear direction to staff on all the draft PMPU goals, which set the stage and context for the current policy discussions.* Furthermore, as often mentioned during these workshops, drafting of PMPU materials discussed is iterative and the document will continue to be revised as staff receives public, stakeholder, and Board feedback.

PMPU Policy Concepts and Land and Water Use Maps: Based on the Integrated Planning Vision, including the Guiding Principles and Framework Report, and the draft PMPU Goals for the baywide elements and Planning Districts, staff presented draft policy concepts to illustrate strategies and priorities, as well as open space and development character, that may take the form of draft policy language to be contained within the PMPU.

Policy concepts for each of the baywide elements were presented to the Board on August 8 and November 14, 2017. In August, the Mobility, Economic Development, Resiliency and Safety, and Natural Resources elements were presented and discussed. The Land and Water Use and Coastal Access and Recreation elements were presented in November. Work on each baywide element and associated policy concepts have been used to inform preparation of policy concepts and maps for the Planning District components of the draft PMPU.

On November 14, 2017, the Board held a workshop focusing on the Coronado Bayfront, Silver Strand, Imperial Beach Oceanfront and South Bay Planning Districts. The National City Bayfront and Working Waterfront Planning Districts, as well as the Chula Vista Bayfront, Harbor Island and Shelter Island Planning Districts, were discussed during workshops held on December 5, 2017 and December 12, 2017, respectively. Additionally, on March 28, 2018, a workshop focusing on the Embarcadero Planning District was held by the Board. During those workshops, the Board heard feedback from the public and stakeholders regarding issues specific to each of these areas, and provided guidance to staff for drafting of the PMPU policies and land and water use maps.

### **PMPU Policy Discussion Topics for 2018**

Through the course of the PMPU workshops focusing on baywide and planning district policy concepts, several policy topics were noted as needing additional discussion and feedback to assist the team with completing the Discussion Draft of the PMPU. The first of these discussions was held at the July 17, 2018 Board meeting, during which staff received direction with respect to the PMPU

regarding small format informational and wayfinding signage, including digital integration and paid advertising.

As staff refined the work plan for upcoming PMPU workshops, it was determined that many policy topics previously anticipated for Board discussion were no longer necessary. Staff will be able to proceed with completing the associated policies on these topics in the Discussion Draft of the PMPU because either sufficient Board direction has been received or policy guidance from other state agencies has prescribed the approach staff will take. Staff is now seeking feedback on the remaining topics planned for Board discussion later this year, as described below.

### **Late October - Special Board Meeting / Workshop**

In late October, staff would like to schedule a dedicated workshop to focus on two PMPU policy topics: 1) follow up on commercial fishing related policies; and, 2) environmental justice related policies.

Based on feedback provided by the Board, stakeholders and public at the March 28, 2018 PMPU workshop, staff intends to present refined policies addressing allowable secondary uses and their ratios within the Commercial Fishing land and berthing designations, along with refinements to the draft Central Embarcadero overlay policies that apply to the Tuna Harbor basin.

In addition, staff will seek the Board's feedback and direction with respect to the topic of environmental justice. During the PMPU workshop held on December 5, 2017, questions and issues raised on this topic pointed to the need for a more focused discussion. Staff anticipates providing an update on recent actions by other state agencies on environmental justice, as well as presenting draft PMPU policies relevant to this topic to potentially be contained within a stand-alone Environmental Justice element.

### **Late November/Early December - Special Board Meeting / Workshop**

Staff would also like to schedule a dedicated PMPU workshop in late November/early December to follow up on the policy concepts for the Embarcadero Planning District. As directed by the Board at the March 28, 2018 PMPU workshop, staff is working with an urban planning consultant with expertise in the public realm to prepare a comprehensive review of all past and current concepts for the Embarcadero area. This review will also incorporate the mobility concepts to be included in the District's North Harbor Drive Mobility and Access Study, currently underway. *Consideration of both the public space and mobility concepts together is intended to provide a holistic view of the public realm within the Embarcadero and will help staff form a recommendation to present the Board for an additional land and water use map configuration for the North Embarcadero sub-district to include in the PMPU Discussion Draft and subsequent PEIR.*

### **December 11<sup>th</sup> - Regular Board Meeting**

At the last Board meeting of this year, staff intends to seek the Board's direction regarding next steps for the PMPU. Specifically, staff anticipates obtaining confirmation from the Board that the PMPU policy discussions have concluded, along with direction to complete the drafting of the PMPU Discussion Draft.

### **Looking Ahead to Next Year**

Public Review of PMPU Discussion Draft: After the conclusion of the Additional Policy Discussions

with the Board, staff will complete the Discussion Draft PMPU. In keeping with the transparent and proactive approach to planning consistently taken throughout the Integrated Planning process, the Discussion Draft PMPU will be made available for a 45-day review period to provide the Board and the public an opportunity to review the entire draft PMPU document, including the introduction, element goals and policies, and Planning Districts, in a holistic manner. Note that written comments received on the Discussion Draft will be transmitted to the Board and reviewed by the PMPU team. These public comments and Board feedback may result in revisions to the Draft PMPU, which will form the project description for the PMPU Draft PEIR.

PMPU PEIR Project Description: After the completion of the Discussion Draft public review period, staff plans to provide an overview presentation on the updated Draft PMPU based on public review comments and Board input to date. Staff will also request the Board's direction to use the Draft PMPU as the project description for the PEIR to be prepared for the PMPU pursuant CEQA.

CEQA and Coastal Commission Processing: As a part of the environmental review process, it is anticipated the Draft PEIR will be circulated for public review in the second half of 2019 with the Board's targeted consideration of the certification of the Final PEIR and approval of the PMPU in spring of 2020. Processing of the PMPU with the California Coastal Commission is expected to take place through the remainder of 2020.

As these anticipated milestones are dependent upon the direction received by the Board and the volume and complexity of comments received, the timeline may require adjustment as the PMPU process progresses.

Upcoming Public Engagement Events: District staff is planning a Public Open House event to occur in association with the release of the PMPU Discussion Draft. Attachment A, the PMPU Public Engagement Timeline and Drafting Process, depicts the anticipated milestones for the completion of the PMPU.

On-going Stakeholder and Agency Involvement: Throughout the planning process, the PMPU team has held, and will continue to hold, targeted stakeholder and agency meetings to gain feedback on the District's balanced approach to planning and policy development. The PMPU team has met on regular intervals to discuss the draft PMPU with internal District subject matter experts and staff from several local and regional agencies, including adjacent jurisdictions. Staff will continue proactive engagement with the Board, stakeholders, and the public as a way to advance a well-informed plan and to keep the PMPU on track; although, planning processes are not always predictable. As such, staff will keep the Board informed of any new or unanticipated issues as they arise, along with necessary updates or adjustments to the work plan.

### **General Counsel's Comments:**

The General Counsel's Office has reviewed the agenda sheet and attachments as presented to it and approves them as to form and legality.

### **Environmental Review:**

This item provides a presentation on the upcoming policy discussion topics related to the PMPU. This

presentation is informational in nature and is intended to give staff initial and preliminary feedback on the topics being presented. The item and any Board feedback do not constitute an “approval” or a “project” under the definitions set forth in CEQA Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. While the Board may request certain policy concepts, uses and other project components be included, alternatives studied or other direction, such direction to staff will not bind the District to a definite course of action prior to CEQA review. Additionally, Board endorsement of the policy concepts presented does not constitute a binding commitment to approve the PMPU or its contents prior to consideration of the PEIR. These components may be altered through the public engagement process, future Board feedback, and the CEQA process. Full CEQA analysis will be completed prior to the District’s commitment to the PMPU of components thereof, in whole or in part. Moreover, the Board reserves its discretion to adopt any and all feasible mitigation measures, alternatives to the PMPU, including a no project alternative, a statement of overriding consideration, if applicable, and approve or disapprove the PMPU. Those decisions may be exercised in the sole and absolute discretion of the Board. Based on the totality of the circumstances and the entire record, the Board’s direction and action do not commit the District to a definite course of action prior to CEQA review being conducted. Therefore, no further CEQA review is required.

In addition, this informational report allows for the District to implement its obligations under the Port Act and/or other laws. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, this informational report is consistent with the Public Trust Doctrine.

Finally, this informational report to the Board does not allow for “development,” as defined in Section 30106 of the Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit (CDP) Regulations because it will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a CDP or exclusion is not required. However, the District’s projects require processing under the District’s CDP Regulations. If a project is formulated as a result of the informational report, the Board will consider approval of the project and any improvements associated after the appropriate documentation under District’s CDP Regulations has been completed and authorized by the Board, if necessary. The Board’s direction in no way limits the exercise of the District’s discretion under the District’s CDP Regulations.

### **Equal Opportunity Program:**

Not applicable.

### **PREPARED BY:**

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### **Attachments:**

Attachment A: Port Master Plan Update Public Engagement Timeline and Drafting Process