



Implementation and Administration

# City of Downey

Downtown Specific Plan



## 7. Implementation and Administration

### 7.1 Downtown Strategy

This section identifies key steps to implement the Specific Plan and recommends actions to achieve the vision for Downtown.

#### 7.1.1 Market Analysis

A market analysis should be undertaken to identify businesses for which focused attraction/retention efforts should be made. The market analysis would evaluate socio-economic demographics and employment trends and look closely at regional retail, office, and residential real estate markets (including mixed-use). The market analysis would determine the level of retail, office, and residential development that may be supported within the Specific Plan area through 2015 and thereby help the City to attract desirable uses, develop an economic development strategy, and generate more infill design strategies for Downtown.

#### 7.1.2 Return on Investment Analysis

In addition to a market analysis, a return-on-investment (ROI) analysis may be helpful in evaluating and testing prototype developments at different sites and/or scales of development. The ROI can illustrate project returns based on current and expected market conditions and highlight potential financial gaps that may require public investment to catalyze development.

#### 7.1.3 Infrastructure Analysis and Financing Strategy

A detailed infrastructure study is needed to provide rough order of magnitude costs associated with Downtown infrastructure improvements. For roadways, this entails estimating the approximate street improvement areas and applying a per-square-foot unit cost factor. The City should set up specific financing plans for major capital improvements required to support development in the Downtown Specific Plan area. Detailed financing plans shall be prepared and made a part of any project approval. The financing plan shall identify the necessary capital improvements including public facilities, streets, and utilities, and assure their timely financing.

The Downtown Downey Specific Plan identifies opportunities, programs and projects to support and enable redevelopment in Downtown Downey. These projects range from street and infrastructure enhancements to shared parking structures and long term retail strategies. To implement the Downtown Downey

Specific Plan, the City of Downey and Downey Redevelopment Agency should initiate the following recommendations:

**Table 7.1: Implementation Recommendations**

Opportunities	Recommendations
<b>Chapter 2 - Land Use Districts</b>	
<b>LU-1. BIDs</b>	Formalize a Business Improvement District or Merchants Association to unite existing business owners and facilitate improvement of the appearance and overall health of Downtown.
<b>LU-2. Residential Development</b>	Introduce residential uses into mixed-use developments in conjunction with retail and office development. The City should initiate the development of new units in Downtown, encouraging good design and quality materials.
<b>LU-3. Underutilized Lots</b>	Use vacant lots, City-owned lots, and underutilized parking lots to develop a wide range of mixed-use development.
<b>LU-4. Park-Once Structure</b>	Construct a Park-Once Parking Structure on both the east and west areas of Downtown utilizing existing surface parking lots or City-owned land.
<b>LU-5. Utilize Parking Areas</b>	Line or wrap parking garages with retail and commercial uses which are compatible with surrounding buildings.
<b>LU-6. Safe &amp; Clean Parking Garages</b>	Maintain a safe and clean environment in the existing parking structure on the west side of Downtown.
<b>LU-7. Third Street</b>	Establish Third Street as a primary open space in Downtown – adding wide sidewalks, parkway improvements (landscaping & street trees), street furnishings, and improved materials, to transform the avenue into the primary east-west pedestrian corridor and people space that encourages vibrant, mixed-use activities.
<b>LU-8. Open Space</b>	Open Spaces for gathering and for recreation should be provided including a number of pocket parks, plazas, paseos, and a large, central gathering space in Downtown.
<b>LU-9. Bike Routes</b>	Bicycle lanes should be provided throughout Downtown where possible including striped lanes and route signs.

Opportunities	Recommendations
<b>LU-10. Walkability</b>	The pedestrian realm should be enhanced through street improvements along existing streets and a series of paseos that provide connections between major public spaces within Downtown.
<b>LU-11. Religious Institutions</b>	Religious institutions are active community members and property owners that should be encouraged to develop properties as a cohesive planned campus rather than isolated structures with parking in between.
<b>LU-12. A Sense of Arrival</b>	Identify the gateways into Downtown by designing landmarks and special pavings at major intersections.
<b>LU-13. Landscaping</b>	Increase the amount and quality of the landscaping in Downtown by planting more street trees and adding new parks and public gathering spaces.
<b>LU-14. Citywide Events</b>	Program events, festivals, and fairs within the Specific Plan area, particularly along Downey Avenue and Third Street, to attract people to Downtown.
<b>LU-15. Parkland Acquisition</b>	Establish a Parkland Acquisition Program to assemble spaces to establish multiple open space areas throughout Downtown. The Program will allow developers to develop higher density and intensity projects requiring that each development contribute an in lieu fee to the City to finance larger central public spaces.
<b>Chapter 3 – Urban Design Standards and Guidelines</b>	
<b>UD-1. Landscape Parkways</b>	In lieu of landscape parkway requirements, the City should implement in-lieu parkway fees that contribute to the funding of Downtown parkway improvements.
<b>UD-2. Open Space</b>	In lieu of private open space requirements, the City should implement in-lieu open space fees that contribute to the funding of Downtown streetscape and open space improvements.
<b>UD-3. Way-finding Signs</b>	Implement a way-finding program to brand Downtown and assist people seeking their way to and from Downtown Downey businesses, resources, and amenities.

Opportunities	Recommendations
<b>UD-4. Public Art Program</b>	Downey’s public art program provides for “outdoor artworks that are easily accessible to the general public.” A total of 1% of construction costs for qualifying projects or maximum of \$150,000 must be reserved for this use. In lieu fees collected from projects within the Downtown shall be utilized in the Downtown Specific Plan area.
<b>Chapter 4 – Mobility Plan</b>	
<b>MP-1. Metro Green Line Access</b>	The City should adjust the Downey Link local service routes to provide direct access to the Metro Green Line stations to encourage and facilitate use of light rail services.
<b>MP-2. Multi-Modal Study</b>	To better understand and plan for future circulation and mobility in the City a multi-modal study is encouraged to look at ways to reduce automobile traffic and increase use of alternative forms of transport.
<b>MP-3. Relocate Downey Depot</b>	To increase visibility and access, the Downey Depot should be relocated from the fringe of the downtown area to a more centralized location in vicinity of the Civic Center.
<b>MP-4. Pedestrian Network</b>	Sidewalks shall be provided along all of the roadways within Downtown to establish a pedestrian network that emphasizes safe routes to schools and connections to transit. The routes should include walkways that connect schools, parks, neighborhoods, and commercial districts throughout Downtown.
<b>MP-5. Street Design Features</b>	To promote pedestrian activity, enhance pedestrian safety and calm traffic, street design features such as intersection curb extensions and raised crosswalks are recommended at most intersections within Downtown.
<b>MP-6. Bicycle Plan</b>	Develop and implement a city-wide bicycle facilities plan including access from the greater City of Downey community into the Downtown.
<b>MP-7. Bicycle Facilities</b>	Bicycle facilities including bicycle lockers, bicycle racks, locker rooms, and shower rooms should be provided at various destination points within Downtown such as the Downey Depot.

Opportunities	Recommendations
<b>MP-8. Bicycle Amenities</b>	Rest amenities such as drinking fountains, benches, picnic tables and lawn areas that directly serve users of the on-street and off-street bikeway system should be provided within the various parks and open space areas.
<b>MP-9. Neighborhood Electric Vehicle (NEV) Plan</b>	To encourage the use of Neighborhood Electric Vehicles (NEVs) as a valued transportation component within Downtown, the city should develop and implement a NEV plan for Downtown and surrounding areas. Requirements for NEV facilities such as signage, parking spaces, and charging stations should be incorporated into the NEV plan.
<b>MP-10. Transit Amenities</b>	Additional transit amenities in the form of bus shelters and turn outs should be provided for the bus routes that serve Downtown.
<b>Chapter 5 – Parking Plan</b>	
<b>PP-1. Parking Structures</b>	The City should initiate a long range planning and property acquisition program for additional parking structures located in both the east and west area of Downtown. A potential east end site is the Civic Center complex where surface parking could be converted to a parking structure. A potential west end site could be the existing Post Office surface parking lot, which appears large enough to allow conversion to a parking structure.
<b>PP-2. Parking Management and Operations</b>	It is important to encourage employees to park in less convenient locations allowing visitors access to the more convenient parking.
<b>PP-3. Parking Facilities for NEVs</b>	Future parking facilities should include provisions such as charging stations and reduced sized parking spaces for neighborhood electric vehicles (NEVs). Initially, 2-5% of the overall parking should be designed to accommodate NEVs.
<b>Chapter 7– Implementation</b>	
<b>IMP-1. Market Analysis</b>	A market analysis should be undertaken to identify businesses for which focused business attraction/retention efforts should be made.

Opportunities	Recommendations
<b>IMP-2. Return on Investment Analysis (ROI)</b>	A return-on-investment analysis (ROI) is recommended for Downtown catalyst/opportunity sites. An ROI may be helpful in evaluating and testing prototype development at different sites and/or scales of development.
<b>IMP-3. Infrastructure Analysis</b>	A detailed infrastructure study should be prepared to provide rough of order of magnitude costs associated with Downtown infrastructure improvements such as roadways, public open spaces, landscaping, lighting and signage improvements.
<b>IMP-4. Financing</b>	The City should identify and regularly monitor potential funding sources for implementation of Downtown improvements and programs.

## 7.2 Specific Plan Implementation

The City will follow these steps to execute the Downtown Downey Specific Plan:

- ▶ Certify the City of Downey Downtown Specific Plan Environmental Impact Report;
- ▶ Adopt findings, mitigation measures, and monitoring program as required by California Environmental Quality Act;
- ▶ Adopt General Plan Amendments to allow for establishment of residential development within the Downtown Downey Specific Plan and to change land use to Mixed Use; and adopt the Downtown Downey Specific Plan concurrently;
- ▶ Prepare specific financing plans for major capital improvements required to support development in the Downtown Specific Plan area; and
- ▶ Specific Plan administration through approval of projects in accordance with the intent of the Downtown Downey Specific Plan.

### 7.2.1 General Plan Amendments and Specific Plan Approval

The General Plan will be amended concurrently with the adoption of the Specific Plan to ensure the Specific Plan is consistent with the City's General Plan. The General Plan text and land use map will be amended to 1) allow for the establishment and implementation of the Downtown Specific Plan, and 2) accommodate the types and densities of development envisioned in the Downtown Specific Plan land use designations.

## 7.3 Financing and Fees

California Government Code Section 65451 sets forth the basic content of specific plans and one of the requirements is to include information relating to project financing and fees. This section summarizes a variety of potential funding sources available at the time the Specific Plan was written. This list is not inclusive, but is intended to provide a starting point to fund Downtown improvements and programs.

The listing of potential funding sources is organized into three categories:

- ▶ Federal and State
- ▶ City and County
- ▶ Private Involvement

## 7.3.1 Federal and State Funding Sources

### 7.3.1.A Community Development Block Grant (CDBG)

Established in 1974, the Community Development Block Grant (CDBG) is one of the oldest programs of the Department of Housing and Community Development (HUD). The CDBG provides annual grants based on a formula. The grants can be used for downtown revitalization projects, infrastructure improvements, low income housing, and reduction of blight.

### 7.3.1.B California Department of Housing and Community Development (HCD) Loans and Grants

The California Department of Housing and Community Development (HCD) administers more than 20 programs that award loans and grants for the construction, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, homeless shelters and transitional housing, public facilities and infrastructure, and the development of jobs for lower income workers. These loans and grants are available to local public agencies, nonprofits and for-profit housing developers, and service providers. In many cases, these agencies then provide funds to individual end users. These loans and grants can be used for construction, acquisition, rehabilitation, and preservation of affordable rental and owner-occupied housing.

### 7.3.1.C Environmental Protection Agency (EPA) Grants

The Environmental Protection Agency (EPA) offers federal grants for various purposes including State and local programs, research, demonstration projects, developments, and implementation of a wide range of environmental based programs including smart growth, water pollution, conservation, and solid waste disposal.

### 7.3.1.D National Endowment for the Arts Grant Programs

The National Endowment for the Arts is a public agency dedicated to supporting excellence in the arts, bringing the arts to all Americans, and providing leadership in arts education. Established by Congress in 1965 as an independent agency of the federal government, the Endowment is the nation's largest annual funder of the arts, bringing great art to all 50 states, including rural areas, inner cities, and military bases. Funding can be used for public art, preservation and conservation of cultural artifacts and sites, and art education.

### 7.3.1.E State Historic Restoration Incentives

The State of California Office of Historic Preservation manages both State and federal historic preservation programs. The following is a list of grants and programs funded by sources in the State of California:

- ▶ The California Register of Historic Places
- ▶ The Mills Act

- ▶ Heritage Fund Grants
- ▶ Federal Historic Restoration Incentives
- ▶ The National Register of Historic Places
- ▶ The Certified Local Government Program
- ▶ Historic Preservation Tax Credits

## 7.3.2 City and County Funding Sources

### 7.3.2.A Redevelopment Agency Tax Increment Financing

A majority of the Specific Plan Area is within the Downey Redevelopment Project Area. Within a redevelopment area, cities may use the increase in property tax revenues resulting from the increase in taxable valuation caused by development to provide businesses with economic development incentives such as land acquisition, parcel assembly, infrastructure, and other public improvements. This mechanism is known as tax increment financing. Tax increment financing revenues cannot be used for construction costs except for affordable housing.

### 7.3.2.B City General Fund

The City General Fund is the main source of City financing for ongoing operating, staffing, and maintenance costs. Occasionally, cities will use the City General Fund for major capital improvements, one-time purchases or commit a certain amount to a revitalization effort over a period of several years. A City's General Fund may be used for improvements and ongoing projects or programs which have general communitywide benefits. However, in light of the recent budget crisis affecting many California cities, the City's General Fund may not be a viable financing option.

### 7.3.2.C Debt Financing

Statutory authority empowers public entities to issue a variety of securities/bonds to incur debt. The proceeds can be used for any public improvement for which the City would otherwise be authorized to spend City funds, where that expenditure is greater than the amount generally available from the annual tax levy. Examples include General Obligation Bonds, Revenue Bonds, and Tax Allocation Bonds, amongst others. Use of this option will generally be limited to those improvements with a citywide benefit, where the desire is to install the improvement in advance of the City having the available cash for payment.

### 7.3.2.D Parking Revenues

Downtown parking can provide a source of public revenue from parking meters, paid parking in surface lots and parking structures, and paid permit parking for residential neighborhoods. Revenue from parking can be used for streetscape improvements, downtown management, downtown security and maintenance, and general downtown and neighborhood improvements.

### 7.3.3 Private Involvement

#### 7.3.3.A Special Assessment Districts

Special Assessment Districts, such as those created under the Improvement Act of 1911, or the Municipal Improvement Act of 1913, and funded pursuant to the Improvement Bond Act of 1915, provide a method for long-term financing of public infrastructure and facilities. The assessment district includes the area where the real property owners will benefit from the provision of the planned facilities. A lien based upon a formula for allocating benefit among the properties within the assessment district is placed against each parcel of property within the district. The public entity establishing the benefit assessment district issues and sells the bonds to finance the upfront costs of constructing the improvements. The bonds are then repaid over their term from assessments levied against the properties in the district in addition to the property taxes due. The assessments are collected with the property taxes on an annual basis and used to redeem the bonds that have been recorded as a lien against each property in the district.

#### 7.3.3.B Business Improvement Districts

In California, Business Improvement Districts (BIDs) date back to 1965 with the approval of the “Parking and Business Improvement Area Law.” BIDs are a type of assessment district in which business owners within a defined area choose to be assessed a fee, which is collected on their behalf by the City, for use in promoting and improving the business area.

BIDs can provide a business area with the resources to develop marketing campaigns, enhance public improvement and beautification projects in partnership with the City, and secure additional funding. Events, programs, and improvements range from farmers’ markets to business promotions to installing street lighting and decorative banners, to washing sidewalks and removing graffiti. By pooling private resources, businesses collectively pay for activities they could not afford individually. Further, since a BID fee is a benefit assessment and not a tax, BIDs can consistently provide activities without having to rely on public funding.

#### 7.3.3.C Property and Business Improvement Districts

Enacted by the Parking and Business and Improvement Area Law of 1989, Property and Business Improvement Districts (PBIDs) provide for an assessment on owners of commercial property within a defined geographic area. The proceeds from this assessment are used to provide services that offer a specific benefit to those properties within the district.

Similar to BIDs, PBIDs can fund marketing and economic development, security, sanitation, graffiti removal, street cleaning, and other municipal services ,yet funds may also be used for the closing, opening, widening and narrowing existing streets, the rehabilitation or removal of existing structures, and facilities or equipment.

Streets and Highways Code 36610 defines acceptable “improvements” as “the acquisition, construction, installation or maintenance of any tangible property with an estimated useful life of five years or more...” Therefore, the use of the PBID does not appear to be limited to specific types of infrastructure, although it is commonly used to finance street and lighting improvements. The formation of a PBID is initiated by a petition signed by the property and business owners who will pay more than 50 percent of the proposed assessment. It therefore requires significant public support with the benefitting area.

#### **7.3.3.D Maintenance Assessment District**

Maintenance Assessments Districts (MADs) are authorized in the Landscape and Lighting Act of 1972.” MADs usually fund maintenance services, construction and installation, open space and mini or pocket parks, street medians and street lighting, security, and flood control and drainage.

#### **7.3.3.E Parking Assessment District**

The Parking District Law of 1943 (streets and Highways Code Section 31500) authorizes a city or county to finance acquisition of land for parking facilities (including the power of eminent domain), improvement and construction of parking lots and facilities, issuance of bonds, and employee salaries. For example, a City could use a small amount of property tax revenues and parking meters revenues to enforce and maintain the meters and build and improve surface parking lots.

#### **7.3.3.F Community Services District**

A Community Services District can be used within a specific area to finance services and facilities associated with such items as traffic and circulation, street lighting, law enforcement, fire protection, and facility maintenance. They offer the opportunity to ensure the payment obligation rests with the area utilizing the infrastructure improvements.

#### **7.3.3.G Landscaping and Lighting Districts**

The Landscaping and Lighting Act of 1972 provides for the creation of assessment districts to finance the cost of installing and/or maintaining landscaping, lighting facilities, and ornamental structures. Like a benefit assessment district, properties within the district are assessed a share of the costs to the district on the basis of the benefit provided to the real property.

#### **7.3.3.H Impact Fees and Exactions**

Impacts fees are exactions that lessen the impacts of new development resulting in population or demand on services. In lieu of payment of all or a portion of development fees, developers may dedicate land to the City for other purposes such as parks or affordable housing. Whenever a developer determines to dedicate land in lieu of payment, the value of the property to be dedicated must

be determined in the same manner as the then current calculation of the average cost of, for example, parkland for the Park Development Fee. These funds may be used for dedication of land and fees in lieu of dedication, subdivision reservation for public uses, and development architectural review and fees.

### **7.3.3.1 Adopt-a-Light Program (Tree, Bench, etc.)**

As a unique method for paying for street light fixtures, or any other streetscape element, a small projected plaque sign could be affixed to the light pole with the name or logo of the local merchant/business/person/entity who purchased the fixtures. This program can also be applied to historic plaques, benches, trees, paving surfaces, and banners.

## **7.4 Specific Plan Administration**

The Specific Plan serves as the implementation tool for the General Plan as well as the zoning for the Specific Plan area. The Specific Plan addresses general provisions, permitted uses, development and design standards, and design guidelines. All development proposals within the Specific Plan area are subject to the procedures established herein.

### **7.4.1 Applicability**

The development and design standards contained herein provide specific standards for land use development within the Specific Plan area. The Specific Plan supersedes the otherwise applicable Development Code regulations. Whenever the provisions and development standards contained herein conflict with those contained in the Development Code, the provisions of the Specific Plan shall take precedence. Where the Specific Plan is silent, the Development Code shall apply.

### **7.4.2 Interpretation**

The administrative process described below provides mechanisms for review and approval of development projects within the Specific Plan area consistent with the Specific Plan objectives.

As specified in Section 9116 of the Downey Municipal Code, unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan is resolved by the City Planner or his/her designee in a manner consistent with the goals, policies, purposes, and intent established in this Specific Plan.

### 7.4.3 Environmental Review

The Environmental Impact Report (EIR) for the Specific Plan area may reduce the need for project-specific environmental review in those areas analyzed by the EIR, subject to findings that there are no submittal changes in conditions. It is possible that additional specific environmental review on a project-by-project basis may be necessary. This could include focused studies on one or more identified environmental concerns. The City will make these determinations and environmental review may be incorporated into the development approval process.

### 7.4.4 Specific Plan Revisions

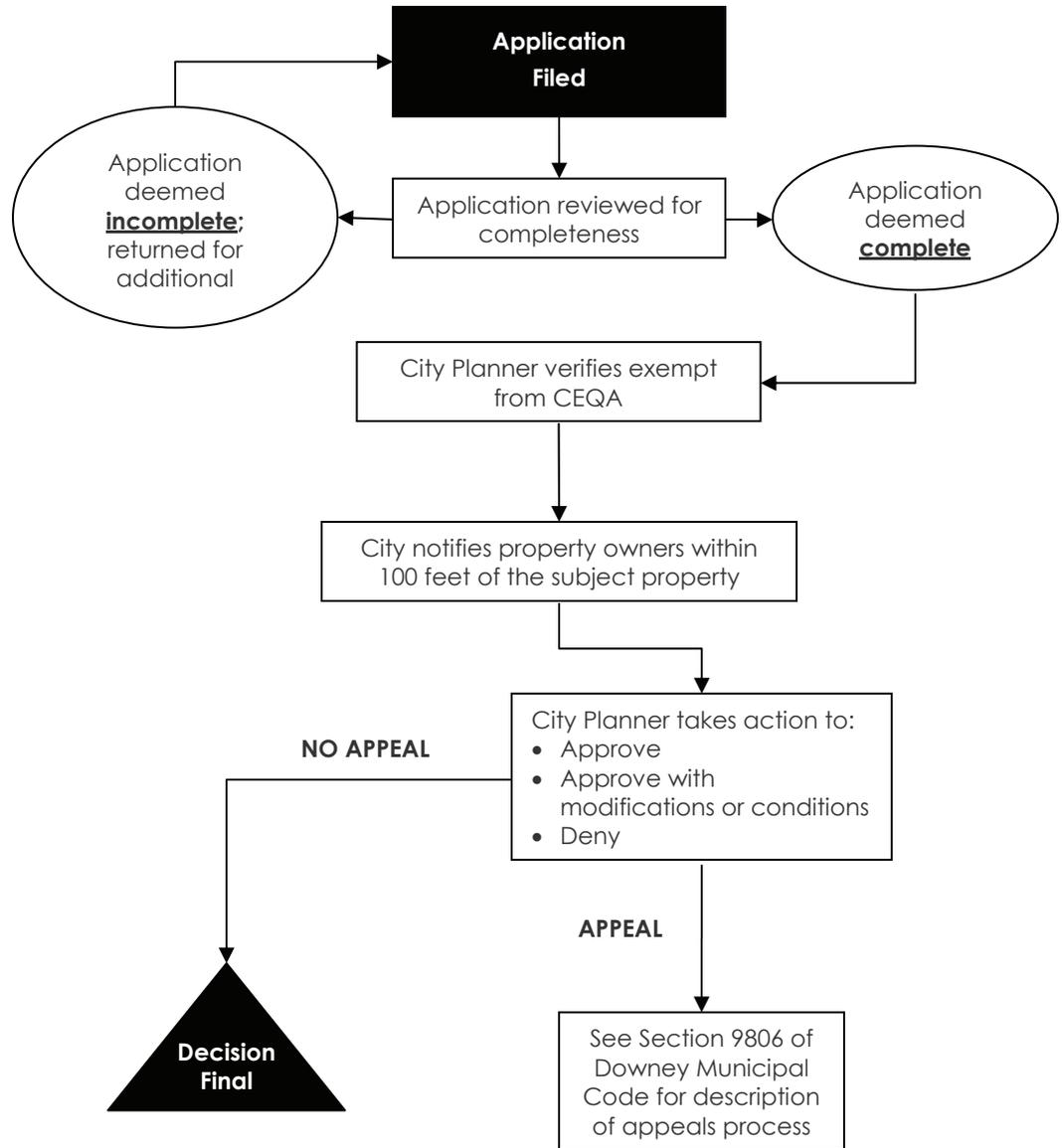
Revisions to the Specific Plan may only be initiated by the City Council or Planning Commission at any time pursuant to Section 65453(a) of the Government Code and Section 9836.06 of the Downey Municipal Code. All Specific Plan revisions shall be found consistent with the Downey General Plan, or a General Plan Amendment and Zoning Code revision may be required. All revisions to this specific plan shall be processed pursuant to Section 9836 of the Downey Municipal Code.

### 7.4.5 Administrative Permits

As identified in Section 9814 of the Downey Municipal Code an Administrative Permit process is required for applications seeking a minor land use modification. A modification is deemed to be minor if it has little potential for affecting surrounding properties; has no significant environmental effect under the California Environmental Quality Act; or is not subject to discretionary or other review requirements of the Municipal Code.

All Administrative Permits shall be applied for and processed pursuant to Municipal Code Section 9814. The City Planner shall approve, approve with conditions, or deny an Administrative Permit. An application fee shall be paid in accordance with a schedule established by resolution of the Council. Exhibit 7.1 illustrates the general process to obtain an Administrative Permit.

Exhibit 7.1: Administrative Permitting Process

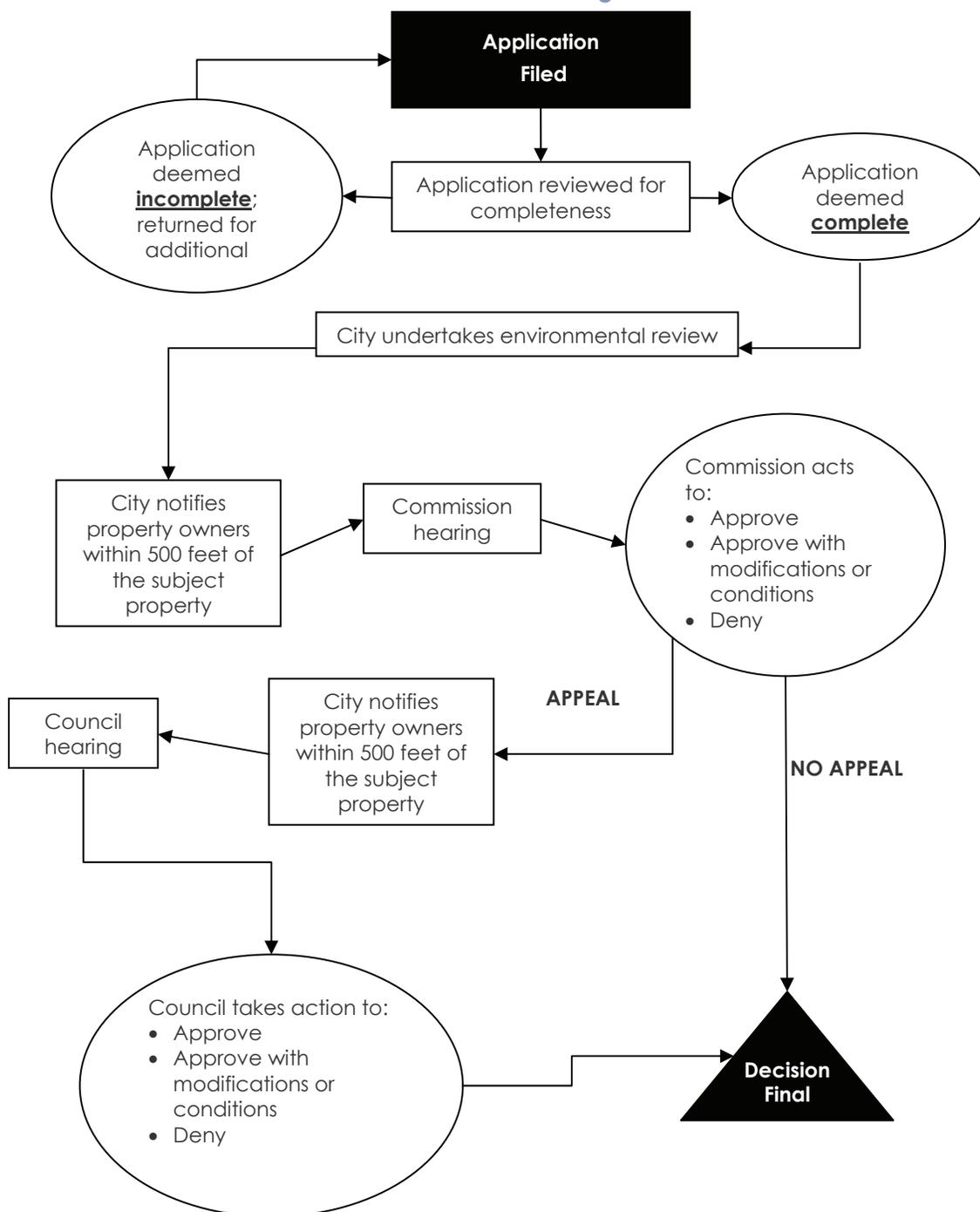


**Exhibit 7.1**  
**Administrative Permitting Process**  
Section 7 Implementation and Administration

## 7.4.6 Land Use Permits

Any Conditional Use Permit, Site Plan Review, and other discretionary applications shall be approved in conformance with the Specific Plan. They shall be processed in accordance with Chapter 8 of Article IX of the Downey Municipal Code, unless otherwise directed in the Specific Plan. Exhibit 7.2 illustrates the general process to obtain an Land Use Permit.

Exhibit 7.2: Land Use Permitting Process



# Exhibit 7.2 Land Use Permitting Process Section 7 Implementation and Administration

### **7.4.7 Tentative and Final Subdivision Maps**

The Subdivision Map Act and City Subdivision Ordinance shall govern the subdivision process.

### **7.4.8 Appeals**

All appeals pertaining to the Downtown Downey Specific Plan shall be made in conformance with section 9806 of the Downey Municipal Code. Decisions of the Planning Commission are final unless appealed to the City Council. The applicant or any other entity shall have the right to appeal by filing an application on forms provided by the City of Downey.