

**THE COMMITTEE ON LAND USE AND HOUSING
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**Councilmember Sherri S. Lightner, Chair
Councilmember Todd Gloria, Vice Chair
Council President Pro Tem Kevin Faulconer
Councilmember David Alvarez**

**ACTIONS FOR
WEDNESDAY, NOVEMBER 16, 2011, AT 1:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR),
CITY ADMINISTRATION BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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All Committee members present.

NON-AGENDA PUBLIC COMMENT: None.

COMMITTEE COMMENT: None.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

SPECIAL ORDER OF BUSINESS

Approval of the Record of Action Items for October 26, 2011

ACTION: Motion by Councilmember Gloria, second by Councilmember Alvarez, to approve.

VOTE: 3-0; Lightner-yea, Gloria-yea, Alvarez-yea. Faulconer-not present

CONSENT AGENDA

ITEM-1: [Report from the Public Works/Engineering Department](#) regarding PORT OF SAN DIEGO FREEWAY ACCESS PROJECT: CO-OPERATIVE AGREEMENT WITH CALTRANS

ITEM-2: [Report from the Development Services Department](#) regarding NAKANO REORGANIZATION (Annexation from Chula Vista)

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ACTION: Motion by Councilmember Alvarez, second by Gloria, to approve Item 1 and Item 2.

VOTE: 3-0; Lightner-yea, Gloria-yea, Alvarez-yea, Faulconer-not present

ADOPTION AGENDA

ITEM-3: [Report from the Development Services Department](#) regarding PROPOSED REVISIONS TO COUNCIL POLICY 600-27/600-XX, SUSTAINABLE DEVELOPMENT INCENTIVE PROGRAM (**Continued from October 5, 2011**)
[Sustainable Energy Advisory Board 11/01/11, memo](#)

UPDATED [Report from the Development Services Department](#) regarding PROPOSED REVISIONS TO COUNCIL POLICY 600-27/600-XX, SUSTAINABLE DEVELOPMENT INCENTIVE PROGRAM

ACTION: Motion by Councilmember Gloria, second by Councilmember Alvarez, to approve. Direct the following:

1. That staff ensure that sustainability levels are consistent with the Centre City Development Corp. Centre City Green Sustainable Building Incentives;
2. Under Future Incentives, remove the first paragraph of the section, and remove the listed table of future incentives to state:

“Future incentives to be reviewed may include, but are not limited to the following:”

- Density and parking bonuses
- Permit exemptions
- Parking incentives for sustainable transportation options such as low emission, electric, carpool and shuttle vehicles.
- Adaptive reuse
- Deviations
- Permit extensions

VOTE: 3-0; Lightner-yea, Gloria-yea, Alvarez-yea, Faulconer-not present

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ITEM-4: Memo from the Development Services Department regarding 2010 BUILDING CODE UPDATE

[Development Services Department 11.8.11 Memorandum Issues Matrix](#)
[Board of Appeals and Advisors Report and Attachments](#)
[Draft Ordinance, dated 11-8-11](#)
[Fire Code Strikeout Draft Ordinance](#)

ACTION: Motion by Councilmember Alvarez, second by Councilmember Gloria, to forward to Council without a recommendation. Direct that City Attorney staff work with Development Services Department staff to bring the item to the City Council.

VOTE: 4-0; Lightner-yea, Gloria-yea, Faulconer-yea, Alvarez-yea

ITEM-5: [Informational Memorandum from the Development Services Department](#), Historical Resources regarding "AN UPDATE ON HISTORICAL RESOURCES FOLLOW-UP TO 'HISTORY DAY'"

ACTION: Information only. No action taken. Direct as follows:

- Request staff return in approximately six months with a progress report on the "Updated Table of Recommended Actions and Responses" provided in the 11/10/11 Development Services Department Informational Memo to the Committee;
- Identify necessary amendments for satisfying Mills Act agreement requirements if a property is designated on a national registry, and if a minimal processing fee would be required;
- Provide online posting of information, including online posting of demolition permits for potentially historic properties, and return with a request for additional funding for improving online database, if needed;
- Regarding the motion of LU&H Committee on 9/23/2009 which stated: "*Clarify the process so that if there is a disagreement between staff and the public as to whether a specific property is potentially historic, based on valid documentation, the decision should be forwarded to the full Historic Resources Board for determination;*" request that staff track disagreements, and the outcome of those disagreements, for

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approximately the next six months and report back to the Committee with results and any recommendations;

- Work on Issue 12: *“Require environmental documents under CEQA fair argument rule before demolition permits are issued when consultant reports leave out facts or conclusions are unjustified”* and report back on why not pursuing this recommended action;
- Report back on how to codify fines for the destruction of historic property(ies) equal to the value of replacing the historic property.

ITEM-6: [Report from the Development Services Department, Historical Resources](#) regarding “MUNICIPAL CODE AMENDMENTS RELATED TO CIVIL PENALTIES FOR CODE VIOLATIONS IMPACTING HISTORICAL RESOURCES”

ACTION: Motion by Councilmember Gloria, second by Councilmember Alvarez, to approve. Direct City Attorney to determine if Proposition 26 applies in this case. Request that staff bring to the City Council an analysis of the appropriateness of \$250,000 as a maximum fine.

VOTE: 4-0; Lightner-yea, Gloria-yea, Faulconer-yea, Alvarez-yea

ITEM-7: [Informational Report from the Transportation and Storm Water Department](#) regarding STREET CONDITION ASSESSMENT REPORT

ACTION: Information only. No action taken.

ITEM-8: [Informational Report from the Development Services Department](#) regarding AFFORDABLE HOUSING PARKING STUDY [PowerPoint](#)
[San Diego Affordable Housing Parking Study](#)

ACTION: Motion by Councilmember Alvarez, second by Chair Lightner, to direct the following: 1) Finalize report; 2) work with the City Attorney’s Office to draft appropriate code amendment language; 3) present report results to the Community Planners Committee; 4) begin Technical Advisory Committee and Code Monitoring Team review; and 5) if there are no substantive changes throughout this process, proceed to Planning Commission and then the City Council.

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Direct staff to bring forward recommendations for existing developments that have a surplus of parking and ways in which that parking could be utilized.

Direct staff to present report to any community planning group if the planning group requests to hear the item and provide input.

VOTE: 3-0; Lightner-yea, Gloria-yea, Faulconer-not present,
Alvarez-yea

ITEM-9: **NOTE: To be heard at time certain, 4:00 p.m.**
[Report from the San Diego Housing Commission](#) regarding 2011 AFFORDABLE
HOUSING BEST PRACTICES TASKFORCE RECOMMENDATIONS

ACTION: No action taken. The report was accepted and referred to the
Chair Lightner and Councilmember Alvarez Working Group on Affordable
Housing.

Sherri S. Lightner
Chair