



CITY OF SAN DIEGO NOTICE OF PUBLIC HEARING

DATE OF MEETING: MONDAY, JULY 15, 2024
TIME OF MEETING: 2:00 P.M.
PLACE OF MEETING: COUNCIL CHAMBERS, 12th FLOOR,
CITY ADMINISTRATION BUILDING,
202 "C" STREET, SAN DIEGO, CALIFORNIA, 92101

PROJECT TYPE: MUNICIPAL CODE AMENDMENT AND LOCAL COASTAL
PROGRAM AMENDMENT, PROCESS 5

PROJECT NAME: CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO
THE HOUSING ACTION PACKAGE 1.0 AMENDMENTS TO THE
MUNICIPAL CODE AND LOCAL COASTAL PROGRAM

APPLICANT: CITY OF SAN DIEGO

COUNCIL DISTRICT: CITYWIDE

FOR ADDITIONAL INFORMATION, PLEASE CONTACT
Victoria Ortiz / OrtizV@sandiego.gov / 619-236-6091

PLEASE ACCEPT THIS AS A NOTICE TO INFORM YOU, as a property owner, tenant or interested citizen, that the Council of The City of San Diego, California will conduct a public hearing, as part of a scheduled City Council meeting, on the following project:

This action proposes the adoption of the California's Coastal Commission's modifications to the Housing Action Package 1.0 Amendments to the Municipal Code and Local Coastal Program. The City of San Diego adopted the Housing Action Package 1.0 on March 1, 2022. The Housing Action Package 1.0 is a part of the Homes for All of Us initiative that aims to incentivize and promote new housing opportunities throughout the city that San Diegans of all income levels can afford through incentives to the Land Development Code. The Land Development Code is part of the City's Local Coastal Program, and state law requires the California Coastal Commission certification of amendments to the Local Coastal Program before they can take effect in the Coastal Zone.

On June 7, 2022, the City of San Diego submitted the Housing Action Package 1.0 to the California Coastal Commission. City staff worked with the California Coastal Commission staff to revise the suggested modifications. The process involved numerous discussions, eventually leading to the California Coastal Commission conditionally certifying the Housing Action Package 1.0 amendments to the municipal code and the Local Coastal Program with five modifications on April 12, 2024.

The first modification proposes to amend San Diego Municipal Code (SDMC) Section 141.0305 by adding new language clarifying that Accessory Dwelling Units and Junior Accessory Dwelling Units within the Coastal Overlay Zone must comply with wetland regulations, sensitive coastal bluffs regulations, coastal beaches regulations, and the Supplemental Regulations of the Coastal Overlay Zone.

The second proposed modification amends SDMC Section 143.1310 Multi-Dwelling Units in a Single Dwelling Unit Zone Regulations, which implements SB9. The proposed modification would require any development located within the Transit Priority Area and the Beach Impact Area of the Parking Impact Overlay Zone to provide transportation amenities as required in Municipal Code Section 142.0528.

The third amendment clarifies that development constructed through SDMC Section 143.1310 that is located within the coastal zone must comply with wetland regulations, sensitive coastal bluffs regulations, coastal beaches regulations, and the Supplemental Regulations of the Coastal Overlay Zone.

The fourth proposed modification amends SDMC Section 143.1315 and clarifies that development within the coastal zone must comply with wetland regulations, sensitive coastal bluffs regulations, coastal beaches regulations, and the Supplemental Regulations of the Coastal Overlay Zone.

The fifth proposed modification amends SDMC Section 143.1315 and adds a requirement for urban lot splits within the Coastal Overlay Zone and in areas of future sea level rise to acknowledge certain actions would not be allowed to be taken should the property be affected by sea level rise in the future.

The Environmental Review Section of the City Planning Department has reviewed the proposed California Coastal Commission's modifications to the Housing Action Package 1.0 and conducted a consistency evaluation pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162. Implementation of the project would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the following certified or adopted environmental documents:

1. Final Environmental Impact Report (EIR) for the Land Development Code (DEP No. 96-0333/SCH No. 1996081056) which was certified by the San Diego City Council on November 18, 1997 (Resolution R-289458);
2. Final Program EIR (PEIR) for the General Plan (Project No. 104495/SCH No. 2006091032) which was certified by the San Diego City Council on March 10, 2008 (Resolution R-303472);
3. Addendum to the General Plan Program EIR for the Housing Element Update 2021-2029 (SCH No. 2006091032) which was adopted by the San Diego City Council on June 16, 2020 (Resolution R-313099); and
4. Final Program EIR for Complete Communities: Housing Solutions and Mobility Choices (SCH No. 2019060003) which was certified by the San Diego City Council on November 9, 2020 (Resolution R-313279).

The adoption of the proposed California Coastal Commission's modifications to the Housing Action Package 1.0 is a subsequent discretionary action and is not considered to be a separate project for the purposes of CEQA review pursuant to CEQA Guidelines Sections 15378(c) and 15060(c)(3). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action.

SB 9 also adds Government Code Sections 65852.21 and 66411.7 which include the provision that an ordinance adopted to implement these sections, "shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code." Thus, the proposed California Coastal Commission's modifications to the Housing Action Package 1.0 to implement SB 9 are not a project subject to CEQA.

The decision of the City Council is final.

COMMUNICATIONS

Instructions for providing testimony during the July 15, 2024, Council Meeting are posted on the City Clerk's website at <https://www.sandiego.gov/city-clerk/officialdocs/participate-council-meetings>. The amount of time allotted for each speaker will be determined at the discretion of the Chair, who will generally allow between one and three minutes per speaker depending on the number of speakers in the queue for that item.

Comments may also be submitted electronically using the City Clerk webform at <https://www.sandiego.gov/form/agenda-comment-form> by indicating the agenda item number for which you wish to submit your comment. Comments submitted using this form will be distributed to the City Council and made a part of the record but will not be read into the record. Please note that electronic comments submitted using this form are limited to 500 words, but attachments are allowed. If the size limitations are met, please send materials to cityclerk@sandiego.gov.

Additionally, you may write a letter to the Mayor and City Council, Attention: City Clerk, City Administration Building, 202 "C" Street, San Diego, CA 92101-4806, Mail Station 2A; OR you can reach us by FAX: (619) 533-4045. All communications will be forwarded to the Mayor and Council.

The public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Time Warner Cable or Channel 99 for AT&T, or view the meetings online, located at http://sandiego.granicus.com/player/camera/5?publish_id=1648.

In accordance with the Brown Act, the agenda will be posted 72 hours in advance of the City Council meeting. Please refer to the City Clerk's website to view the agenda, and for further instruction and applicable deadlines for submitting public comment or written materials.

If you wish to challenge the Council's actions on the above proceedings in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the City Council at or prior to the public hearing.

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above. This information will be made available in alternative formats upon requests.

To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call the City Clerk at (619) 533-4000 or via email cityclerk@sandiego.gov at least five (5) business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Notice date: 06-28-2024

**DIANA J.S. FUENTES
SAN DIEGO CITY CLERK**