

ORDINANCE NUMBER O- 21033 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 11 2019

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 142.0412, RELATING TO COASTAL COMMISSION'S MODIFICATIONS TO THE 11TH UPDATE TO THE LAND DEVELOPMENT CODE OF THE CITY'S MUNICIPAL CODE AND LOCAL COASTAL PROGRAM REGARDING BRUSH MANAGEMENT ZONE TWO.

ITEM # 53
1/8/19

WHEREAS, on November 30, 2017, the Planning Commission recommended approval of the 11th Update to the Land Development Code (11th Update); and

WHEREAS, on March 20, 2018, pursuant to Ordinance No. O-20917, the City Council adopted the 11th Update; and

WHEREAS, the 11th Update contained numerous changes to the Land Development Code, which serves as the Implementation Plan to the City's certified Local Coastal Program (LCP); and

WHEREAS, as an amendment to the City's certified LCP, the 11th Update must be certified by the California Coastal Commission (CCC) as consistent with Coastal Act policies prior to being effective in the Coastal Zone; and

WHEREAS, on September 14, 2018, the CCC considered certification of the 11th Update; and

WHEREAS, one of the proposed amendments in the 11th Update would modify the existing brush management regulations; and

WHEREAS, the CCC, concerned about potential conflict with coastal resource protection policies in the City's certified land use plans, such as the community plans for the City's coastal

areas, certified the 11th Update contingent on the City allowing the Zone Two width for brush management to be reduced by no more than 30 feet in the Coastal Overlay Zone; and

WHEREAS, the City desires to accept the CCC's suggested modifications; NOW,
THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 14, Article 2, Division 4 of the San Diego Municipal Code is amended by amending section 142.0412, to read as follows:

§142.0412 Brush Management

Brush management is required in all base zones on publicly or privately owned *premises* that are within 100 feet of a *structure* and contain native or naturalized vegetation.

(a) through (e) [No change in text.]

(f) The Zone Two width may be decreased by 1 ½ feet for each 1 foot of increase in Zone One width, however, within the Coastal Overlay Zone, a maximum reduction of 30 feet of Zone Two width is permitted.

(g) through (o) [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall not take effect until the date the California Coastal Commission unconditionally certifies these provisions as a Local Coastal Program amendment, or until the thirtieth day from and after its final passage, whichever occurs later.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
10/15/2018
Or.Dept:Planning
Doc. No.: 1845039_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 08 2019.

ELIZABETH S. MALAND
City Clerk

By Corrie Peterson
Deputy City Clerk
Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 1/11/19
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: Double Underline

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SMT:als
10/15/2018
Or.Dept:Planning
Doc. No.: 1845038

Passed by the Council of The City of San Diego on JAN 08 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 11 2019.

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 11 2018, and on JAN 11 2019.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- **21033**