

ORDINANCE NUMBER O- 21289 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 01 2021

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 131.0622, AMENDING CHAPTER 14, ARTICLE 3, DIVISION 1 BY AMENDING SECTIONS 143.0110 AND 143.0145 RELATING TO ACCEPTING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS REQUIRED FOR CERTIFICATION OF THE USE REGULATIONS TABLE FOR INDUSTRIAL ZONES, APPLICATION OF ENVIRONMENTALLY SENSITIVE LANDS REGULATIONS, AND DEVELOPMENT REGULATIONS FOR SPECIAL FLOOD HAZARD AREAS AS PART OF THE 12TH UPDATE (PHASE TWO) OF THE LAND DEVELOPMENT CODE.

WHEREAS, as part of the 12th Update (Phase Two) to the Land Development Code, the Council of the City of San Diego (Council) modified the Use Regulations Table for Industrial Zones, Environmentally Sensitive Lands regulations, and the Flood Hazard Area regulations; and

WHEREAS, the Council adopted the amendments set forth in the 12th Update (Phase Two) to the Land Development Code on January 8, 2020, which were subsequently submitted to the California Coastal Commission as an amendment to the City of San Diego's certified local coastal program; and

WHEREAS, the California Coastal Commission approved the amendments set forth in the 12th Update (Phase Two) to the Land Development Code with modifications relating to reinstating a footnote to the Use Regulations Table for Industrial Zones that was deleted in error during the adoption of the 12th Update (Phase Two), clarifies the applicability of the Environmentally Sensitive Lands regulations inside the Coastal Overlay Zone, and clarifies the applicable definitions in the Flood Hazard Area regulations; NOW, THEREFORE,

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

Section 1. That Chapter 13, Article 1, Division 6 of the San Diego Municipal Code is amended by amending section 131.0622, to read as follows:

§131.0622 Use Regulations Table for Industrial Zones

The uses allowed in the industrial zones are shown in Table 131-06B.

Legend for Table 131-06B

[No change in text.]

**Table 131-06B
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>	1	1	1	1	1	1	1	1	1	1
Open Space through Commercial Services, Financial Institutions [No change in text.]		[No change in text.]									
Funeral & Mortuary Services		-	-	-	-	P ²¹	P	-	P	-	-
Instructional Studios through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]		[No change in text.]									

Footnotes for Table 131-06B

¹ through ²⁰ [No change in text.]

²¹ Funeral and Mortuary Services are not permitted within *floodplains* located in the Coastal Overlay Zone.

Section 2. That Chapter 14, Article 3, Division 1 of the San Diego Municipal Code is amended by amending sections 143.0110 and 143.0145, to read as follows:

§143.0110 When Environmentally Sensitive Lands Regulations Apply

This Division applies to all proposed *development* on a *premises* where *environmentally sensitive lands* are present. Outside the Coastal Overlay Zone, *development* on a *premises* that does not contain *environmentally sensitive lands*

but is located adjacent to a *premises* that contains *environmentally sensitive lands* is not subject to this Division, except that the *development* shall comply with Section 143.0110(d).

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

Table 143-01A

Applicability of Environmentally Sensitive Lands Regulations

[No change in text.]

Legend to Table 143-01A

[No change in text.]

Footnotes for Table 143-01A [No change in text.]

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

§143.0145 Development Regulations for Special Flood Hazard Areas

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

(e) The Floodplain Management FEMA Definitions in the Land Development Manual Appendix S apply to the provisions of this section 143.0145 and section 143.0146. For purposes of this section 143.0145 and section 143.0146, if there is a conflict between the definitions in Appendix S and any other definitions in the San Diego Municipal Code, all definitions shall apply separately and concurrently, including the standards and definitions contained in Chapter 12, Article 7, Division 1 of the Municipal Code.

(f) through (h) [No change in text.]

Section 3. 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 4. 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 /s/ Lindsey H. Sebastian
Lindsey H. Sebastian
Deputy City Attorney

LHS:als
11/19/2020
12/09/2020 Cor. Copy
Or.Dept:Planning
Doc. No.: 2514185_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 01/26/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Stacy D. Ready
Deputy City Clerk

Approved: 1/29/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

"The date of final passage is February 1, 2021, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval."

Passed by the Council of The City of San Diego on JAN 26 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 01 2021.

AUTHENTICATED BY: TODD GLORIA
Mayor of The City of San Diego, California.

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

By [Signature], 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 JAN 12 2021, and on FEB 01 2021.

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 [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21289</u>