

ORDINANCE NUMBER O- 22117 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 14 2026

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 3,
DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 143.0740 AND 143.0743 RELATING
TO THE CALIFORNIA COASTAL COMMISSION'S
MODIFICATIONS FOR CERTIFICATION OF THE 2024 LAND
DEVELOPMENT CODE UPDATE.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

- A. The Council adopted the 2024 Land Development Code Update (2024 LDC Update) by San Diego Ordinance O-21836 (Jul. 22, 2024).
- B. The 2024 LDC Update amended the City of San Diego's Land Development Code, which serves as the Implementation Plan for the City's certified Local Coastal Program (LCP).
- C. As an amendment to the City's certified LCP, the 2024 LDC Update must be certified by the California Coastal Commission (Commission) as consistent with Coastal Act Policies prior to becoming effective in the Coastal Overlay Zone.
- D. On February 5, 2026, the Commission considered certification of the 2024 LDC Update.
- E. The Commission conditionally approved the 2024 LDC Update with modifications correcting a grammatical error in San Diego Municipal Code section 143.0740(c)(1)(B) to clarify the intended application of the regulation, and clarifying that projects that have been granted incentives or waivers through a density bonus are exempt from certain discretionary requirements except as may be required to comply with the California Coastal Act.

F. The City desires to accept the Commission's modifications.

G. The Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

ACTION ITEM

Be it ordained by the Council of the City of San Diego:

Section 1. Chapter 14, Article 3, Division 7 of the San Diego Municipal Code is amended by amending sections 142.0740 and 142.0743, to read as follows:

§143.0740 Incentives in Exchange for Affordable Housing Dwelling Units

An *applicant* proposing a *density* bonus shall be entitled to incentives as described in this Division for any *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission. The City shall process an incentive requested by an *applicant* as set forth in this section.

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

(c) An incentive requested as part of a *development* meeting the requirements of Section 143.0720 shall be processed according to the following:

(1) Upon an *applicant's* request, *development* that meets the applicable requirements of Section 143.0720 shall be entitled to incentives pursuant to Section 143.0740 unless the City makes a written *finding* of denial based upon substantial evidence, of any of the following:

(A) [No change in text.]

(B) The incentive would have a specific adverse impact upon public health and safety as defined in Government Code section 65589.5, on *environmentally sensitive lands*, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the *development* unaffordable to *low income* and *moderate income* households;

(C) through (D) [No change in text.]

(2) [No change in text.]

(3) The granting of an incentive shall not require a *land use plan* amendment, zoning change, study, or other discretionary approval, except as may be required to comply with the California Coastal Act.

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

Table 143.07A
Very Low Income Density Bonus Households

[No change in text.]

Table 143.07B
Low Income Density Bonus Households

[No change in text.]

Table 143.07C
Moderate Income Density Bonus Households

[No change in text.]

§143.0743 Waivers in Exchange for Affordable Housing Units

An *applicant* proposing *density* bonus shall be entitled to a waiver as described in this Division for any residential *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission.

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

(c) The granting of a waiver shall not require a General Plan amendment, zoning change, *development permit*, or other discretionary approval, except as may be required to comply with the California Coastal Act.

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

Section 2. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 3. This Ordinance will 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 after its final passage, whichever occurs later.

Section 4. The Council recently considered San Diego Ordinances O-22049 (Jan. 21, 2026), O-22050 (Jan. 21, 2026), O-22031 (Jan. 21, 2026), O-22042 (Jan. 29, 2026), O-22076 (Mar. 13, 2026), O-22080 (Mar. 23, 2026), O-2026-108, and O-2026-109, which amend Municipal Code sections also amended by this Ordinance. Therefore, the City Clerk, with the written approval and concurrence of the City Attorney, is authorized to reconcile the numbering

of sections and placement of text within these sections upon the final passage of the ordinances,
without further action by the Council, pursuant to San Diego Charter section 275.

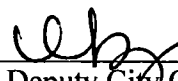
APPROVED: HEATHER FERBERT, City Attorney

By 
Lindsey H. Sebastian
Deputy City Attorney

LHS:nja
April 23, 2026
Or. Dept: Planning Department
Doc. No. 4407304

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
JUN 30 2026.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 7/14/26
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

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

LHS:nja
April 23, 2026
Or. Dept: Planning Department
Doc. No. 4407309

Passed by the Council of The City of San Diego on June 30, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☐	☐	☒	☐
Marni von Wilpert	☐	☐	☒	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☒	☐	☐	☐
Vivian Moreno	☐	☐	☒	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage JUL 1 4 2026.

AUTHENTICATED BY:

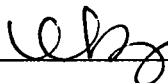
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , 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

JUN 1 5 2026

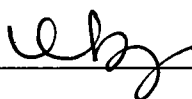
, and on JUL 1 4 2026.

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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number **O-22117**