



THE CITY OF
SAN DIEGO
CITY ADMINISTRATION BUILDING
202 C STREET, M.S. 2A
SAN DIEGO, CALIFORNIA 92101-4806

OFFICE OF THE CITY CLERK

NOTICE OF PUBLIC HEARING



CORRECTED NOTICE OF CITY COUNCIL PUBLIC HEARING

DATE OF MEETING: TUESDAY, AUGUST 4, 2020
TIME OF MEETING: 11:00 A.M
PLACE OF MEETING: COUNCIL CHAMBERS, 12th FLOOR,
CITY ADMINISTRATION BUILDING,
202 "C" STREET, SAN DIEGO, CALIFORNIA, 92101

PROJECT TYPE: INTERIM EMERGENCY ORDINANCE

PROJECT NAME: CITYWIDE INTERIM URGENCY ORDINANCE TO ALLOW TEMPORARY BUSINESS OPERATIONS TO EXPAND INTO PRIVATE PARKING LOTS, THE PUBLIC RIGHT-OF-WAY INCLUDING ADJACENT SIDEWALKS AND PUBLIC PARKING SPACES ALLOWING FOR SOCIAL DISTANCING GUIDELINES; TO ALLOW WHOLESALE AND DISTRIBUTION SALES DIRECT TO CONSUMERS; TO ALLOW TEMPORARY SIGNS FOR BUSINESSES; AND TO ALLOW THE WAIVER OF FEES AND ASSESSMENTS ASSOCIATED WITH SPECIAL EVENT PERMITS FOR THE CLOSURE OF PUBLIC STREETS DUE TO THE LOCAL ECONOMIC IMPACT AND DECLARATION OF A STATE OF EMERGENCY RESULTING FROM THE NOVEL CORONAVIRUS, COVID-19.

APPLICANT: City of San Diego

COUNCIL DISTRICT: Citywide

FOR ADDITIONAL INFORMATION, PLEASE CONTACT: Chris Larson, Acting Assistant Deputy Director, 619-446-5368 / clarson@sandiego.gov

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:

The Development Services Department is proposing the introduction and adoption of an interim urgency ordinance pursuant to Government Code section 65858, temporarily amending portions of the San Diego

Municipal Code to allow outdoor dining and retail sales in the public right of way and in parking lots; to allow temporary modifications to sign regulations; to allow temporary wholesale and distribution sales direct to consumers; and to temporarily waive fees (including late fees) and assessments associated with Special Event permits to allow the closure of public streets for the expansion of business operations allowing for compliance with social distancing guidelines.

Authorize the Mayor or his designee to waive the following fees for the purposes outlined above:

- a. Right of Way Permit Fee
- b. General Plan Maintenance Fee
- c. Mapping Fee
- d. Records Fee

Extending the ordinance previously approved by City Council on July 14, 2020 for a total of 365 calendar days. This ordinance is intended to be in effect during time of required social distancing. The City may elect to cancel the temporary outdoor business operation regulations with a ten-day notice to the applicant.

This action is exempt pursuant to CEQA Guidelines sections 15269(c), Emergency Project, and 15359, Emergency. This action is necessary to prevent or mitigate an emergency, and is also necessary to address a sudden and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services related to the Novel Coronavirus (COVID-19) pandemic. This Ordinance will allow the City to implement actions needed to prevent or mitigate the adverse effects to public health, safety, and welfare related to the spread of COVID-19 by allowing the use of public spaces for COVID-19 safety and economic recovery. Specifically, the use of these public spaces is immediately necessary to ensure that restaurant and retail uses, which are critical to the City's economy, and therefore, ability to provide essential services, have sufficient physical areas to ensure social distancing to prevent or mitigate the spread of COVID-19. If additional spaces cannot be made available for these uses, social distancing would be physically constrained, and could therefore, could result in the spread of COVID-19.

The decision of the City Council is final.

COVID-19 STATE OF EMERGENCY COMMUNICATIONS

Until further notice, City Council meetings will be conducted pursuant to the provisions of California Executive Order 29-20, which suspends certain requirements of the Ralph M. Brown Act.

During the current State of Emergency and in the interest of public health and safety, most, if not all, City Council members will be participating in the City Council meetings by teleconference. In accordance with the Executive Order, there will be no members of the public in attendance at the City Council meetings. We are providing alternatives to in-person attendance for participating in City Council meetings.

Due to the COVID-19 state of emergency, public comment will not be taken in person. However, members of the public may provide public comment telephonically during the August 4, 2020 City Council meeting. We strongly encourage members of the public who wish to provide telephonic public comment on this item to call the Office of the City Clerk at 619-533-4000 no later than 12 pm on Monday, August 3, 2020. The Office of the City Clerk will then contact you on Monday, August 3, 2020 after 12 pm with detailed instructions for providing telephonic testimony during the City Council meeting. Instructions for providing telephonic testimony will also be posted on the City Clerk's website at <https://www.sandiego.gov/city-clerk/officialdocs/council-agendas-minutes-results> prior to the hearing, and on the meeting agenda. The amount of time allotted for each speaker will be determined by the chair, with a maximum of three minutes per speaker, and may be limited to one minute 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](https://www.sandiego.gov/form/agenda-comment-form) 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 200 words.

In addition, if you wish provide attachments to electronic comments or to submit written materials for submission into the record that exceed 200 words, you may send them to cityclerk@sandiego.gov.

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, may be made by contacting the City Clerk at (619) 533-4000 or [mail to: cityclerk@sandiego.gov](mailto:cityclerk@sandiego.gov). The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Notice Date: 073020

**ELIZABETH MALAND
SAN DIEGO CITY CLERK**