



THE CITY OF SAN DIEGO
DATE OF NOTICE: October 14, 2021

NOTICE OF PUBLIC HEARING

NOTICE OF AVAILABILITY

PLANNING COMMISSION RECOMMENDATION

DATE OF HEARING: October 28, 2021
TIME OF HEARING: 9:00 A.M.
LOCATION OF HEARING: VIRTUAL HEARING

PROJECT TYPE: MUNICIPAL CODE AMENDMENT, LOCAL COASTAL PROGRAM AMENDMENT
AND REZONE, AND OTHER IMPLEMENTING POLICIES
PROCESS FIVE

PROJECT NAME: 2021 CODE UPDATE

APPLICANT: CITY OF SAN DIEGO, PLANNING DEPARTMENT

COMMUNITY PLAN AREA: CITYWIDE

COUNCIL DISTRICT: CITYWIDE

CITY PROJECT MANAGER: Renee Mezo, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 236-6033 rmezo@san Diego.gov

Until further notice, Planning Commission meetings will be conducted pursuant to the provisions of California Government Code section 54953(b), as amended by Assembly Bill 361 which suspends certain requirements of the Ralph M. Brown Act during a proclaimed state of emergency when measures to promote social distancing are in effect or the City has determined meeting in person would present imminent risks to the health or safety of attendees.

During the current State of Emergency related to the COVID-19 pandemic and in the interest of public health and safety, all Planning Commissioners will be participating in Planning Commission meetings by teleconference and/or videoconference. There will be no members of the public in attendance at the Planning Commission Meetings. We are providing alternatives to in-person attendance for participating in Planning Commission meetings. Updated information is available on the Planning Commission webpage:

<https://www.sandiego.gov/planning-commission>.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment [webform](#) found on the Planning Commission webpage: <https://www.sandiego.gov/planning-commission>. If you have an attachment to your comment, you may send it to planningcommission@sandiego.gov and it will be distributed to the Planning Commissioners.

As a property owner, tenant, or person who has requested notice, please be advised that the Planning Commission will hold a public hearing to **recommend** approval, conditional approval, or denial to the City Council for proposed amendments to the Municipal Code and Local Coastal Program.

The 2021 Code Update is part of the code monitoring work program created to help maintain the Land Development Code (LDC), simplify the City's development regulations, make the code more adaptable, eliminate redundancies and contradictions, standardize the code framework, and increase predictability in application of regulations. The proposed amendments streamline regulatory requirements, reduce constraints, and provide additional incentives to increase the supply of housing.

The issue items are separated into three categories; regulatory reforms, compliance with state law and corrections/clarifications. The topics of the amendments generally relate to the following areas of the Land Development Code: Housing and Housing Incentives, Environmentally Sensitive Lands, Noticing, Building Heights, Development Impact Fees, Refuse regulations, La Jolla Shores, Centre City and Old Town Planned Districts, Greenways and associated implementing plans in the Centre City Planned District, Childcare Facilities, Artisan Food uses, Incompatible uses, Community Gardens, Parking/Mobility, Outdoor lighting, and Fiber Optics. In addition to other implementing policies and guidelines, the following chapters of the Land Development Code are proposed to be amended, but other chapters and divisions could be included to ensure consistency and to achieve the intent of the amendments in the above listed topic areas:

Chapter 11, Article 2, Division 3;	Chapter 13, Article 2, Division 14;	Chapter 14, Article 3, Division 4;
Chapter 11, Article 2, Division 6;	Chapter 14, Article 1, Division 1;	Chapter 14, Article 3, Division 7;
Chapter 11, Article 3, Division 1;	Chapter 14, Article 1, Division 2;	Chapter 14, Article 3, Division 10;
Chapter 11, Article 3, Division 2;	Chapter 14, Article 1, Division 3;	Chapter 14, Article 3, Division 11;
Chapter 12, Article 6, Division 4;	Chapter 14, Article 2, Division 5;	Chapter 14, Article 3, Division 12;
Chapter 12, Article 6, Division 1;	Chapter 14, Article 2, Division 6;	Chapter 15, Article 6, Division 3;
Chapter 12, Article 9, Division 7;	Chapter 14, Article 2, Division 7;	Chapter 15, Article 10, Division 1;
Chapter 13, Article 1, Division 4;	Chapter 14, Article 2, Division 8;	Chapter 15, Article 10, Division 3;
Chapter 13, Article 1, Division 5;	Chapter 14, Article 2, Division 10;	and
Chapter 13, Article 1, Division 6;	Chapter 14, Article 2, Division 13;	Chapter 15, Article 16, Division 1.
Chapter 13, Article 1, Division 7;	Chapter 14, Article 3, Division 1;	
Chapter 13, Article 2, Division 12;	Chapter 14, Article 3, Division 2;	

For additional information you can visit the 2021 Code Update website at <https://www.sandiego.gov/planning/programs/ldc-updates>

The Environmental Policy Section of the Planning Department has reviewed the 2021 Update to the Land Development Code and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified Environmental Impact Report (EIR) for the Land Development Code EIR No. 96-0333/SCH No. 96081056; the 2008 General Plan EIR No. 104495/SCH No. 2006091032, certified by the City Council on March 10, 2008, Resolution No. R-303473; the 2020 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Housing Element Update, certified by the City Council on June 18, 2020, Resolution No. R-313099; the 2021 Addendum to the 2008 General Plan EIR No. 104495/SCH No. 2006091032 for the General Plan Recreation Element Update, certified by the City Council on August 3, 2021, Resolution No. R-313686; the Final Environmental Impact Report (FEIR) for Complete Communities: Housing Solutions and Mobility Choices, certified by the City Council on November 9, 2020, Resolution No. R-313279; the FEIR for the San Diego Downtown Community Plan, Centre City Planned District

Ordinance, and 10th Amendment to the Centre City Redevelopment Plan, certified by the former Redevelopment Agency ("Former Agency") and the City Council on March 14, 2006 (Resolutions R-04001 and R-301265, respectively); subsequent addenda to the FEIR certified by the Former Agency on August 3, 2007 (Former Agency Resolution R-04193), April 21, 2010 (Former Agency Resolution R-04510), and August 3, 2010 (Former Agency Resolution R-04544), and certified by the City Council on February 12, 2014 (City Council Resolution R-308724) and July 14, 2014 (City Council Resolution R-309115); and the Final Supplemental Environmental Impact Report for the Downtown San Diego Mobility Plan certified by the City Council on June 21, 2016 (Resolution R-310561). Amendments are also covered under the following documents, all referred to as the "CAP FEIR": FEIR for the City of San Diego Climate Action Plan (CAP), certified by the City Council on December 15, 2015 (City Council Resolution R-310176), and the Addendum to the CAP, certified by the City Council on July 12, 2016 (City Council Resolution R-310595). The Downtown FEIR and CAP FEIR are both "Program EIRs" prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15168. The information contained in the Downtown FEIR and the CAP FEIR reflects the independent judgement of the City of San Diego as the Lead Agency.

The decision to adopt, modify, or not adopt the ordinance will be made by the City Council at a future public hearing. You will also receive a separate notice of public hearing provided 10 business days prior to the City Council hearing. Following City Council action, the City will submit the 2021 Code Update package to the Airport Land Use Commission for a consistency determination. The code amendments will not be effective until the Airport Land Use Commission determines the ordinance is consistent with adopted ALUCPs, or the City processes an overrule.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

Notice of Availability of Local Coastal Program Amendment:

The ordinance could apply to property located in the Coastal Zone; therefore, the City Council's decision requires amending the City's Local Coastal Program. The final decision by the City Council will occur no sooner than six weeks after the date of mailing of this notice. The final decision on the portions of this ordinance that are the City's Local Coastal Program will be with the California Coastal Commission. The City of San Diego will submit the 2021 Code Update package to the California Coastal Commission for certification following City Council and Airport Land Use Commission action. The ordinance will not be effective in the coastal zone until the Coastal Commission unconditionally certifies the amendment.

If you wish to be noticed of the Coastal Commission hearing on this issue, you must submit a request in writing to the City of San Diego Planning Department, Attention: Renee Mezo, Project Manager, 9485 Aero Drive, MS 413, San Diego, CA 92123 or rmezo@sandiegogov before the close of the City Council public hearing. If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No: 21003876



Development Services Department

Renee Mezo / Project No. 21003876- 2021 Code Update
9485 Aero Drive, MS 413 • San Diego, California 92123

RETURN SERVICE REQUESTED