



THE CITY OF SAN DIEGO
DATE OF NOTICE: August 25, 2021

NOTICE OF PUBLIC HEARING NOTICE OF AVAILABILITY PLANNING COMMISSION RECOMMENDATION

DATE OF HEARING: September 9th 2021
TIME OF HEARING: 9:00 A.M.
LOCATION OF HEARING: VIRTUAL HEARING

PROJECT TYPE: MUNICIPAL CODE AMENDMENT AND LOCAL COASTAL PROGRAM
PROCESS FIVE

PROJECT NAME: SPACES AS PLACES

APPLICANT: CITY OF SAN DIEGO, PLANNING DEPARTMENT

COMMUNITY PLAN AREA: CITYWIDE

COUNCIL DISTRICT: CITYWIDE

CITY PROJECT MANAGER: Sameera Rao, Development Project Manager
PHONE NUMBER/E-MAIL: srao@sandiego.gov

Until further notice, Planning Commission 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, all Planning Commissioners will be participating in Planning Commission meetings by teleconference and/or videoconference. In accordance with the Executive Order, 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 form 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.

Please note: Comments submitted using the public comment form (which will be read into the record) are **limited to 200 words**. Comments received after the start of the Planning Commission will not be read into the record but, will be distributed to the Commission for consideration and made part of the meeting record. If you submit more than one form, only one will be read into the record.

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 of a proposed code amendment to the Land Development Code and Local Coastal Program including, but not limited to, amendments to:



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Chapter 12, Article 9, Division 7;
Chapter 14, Article 1, Division 6;
Chapter 13, Article 1, Division 2;
Chapter 13, Article 1, Division 3;
Chapter 13, Article 1, Division 4;

Chapter 13, Article 1, Division 5;
Chapter 13, Article 1, Division 6;
Chapter 13, Article 1, Division 7;
Chapter 14, Article 2, Division 6;
Chapter 12, Article 6, Division 2;

Chapter 12, Article 6, Division 7;
Land Development Manual
(Spaces as Places Design
Manual)

“Spaces as Places” is the City of San Diego’s proposed program to transition temporary outdoor spaces, which were allowed to replace indoor capacity in response to the COVID-19 pandemic which significantly restricted indoor operations, to permanent places that safely bring people together to dine, play and gather in public spaces. The Spaces as Places program includes a menu of options to allow for the creation of a variety of quality outdoor places for dining, walking, biking, public artwork, and other enjoyable public interaction for the post-pandemic world.

While originally conceived as an emergency response to the pandemic, outdoor dining proliferated for over the past year, often in ways that have resulted in more active and enjoyable use of public spaces not previously experienced prior to the pandemic. In response to this, the Planning department has been developing the “Spaces as Places” initiative to provide permanent options for outdoor dining that simultaneously provide flexibility for business owners to use the public right-of-way while contributing to the enjoyment of the public space, and increasing opportunities for more enjoyable pedestrian travel. This package includes regulations and design standards to allow for the activation of the public right of way in a manner that ensures public health and safety, and improves upon the existing conditions we see today.

The City of San Diego conducted an environmental review under the California Environmental Quality Act (CEQA) and determined that the Spaces as Places program is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301(c)(Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304(h)(Minor Alterations to Land), and 15311 (Accessory Structures). An exception to the exemptions as listed in CEQA Guidelines Section 15300.2 would not apply. The Spaces as Places program is also consistent with the Final Program Environmental Impact Report for Complete Communities: Housing Solutions and Mobility Choices (SCH No. 2019060003) certified by the San Diego City Council on November 9, 2020 (Resolution R-313279). This activity is a subsequent discretionary action and is not a separate project for the purposes of CEQA review pursuant to CEQA Guidelines Sections 15378(c) and 15060(c)(3). Pursuant to CEQA Statute Section 21166 and CEQA Guidelines Section 15162, there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action.

Items in the Spaces as Places package regarding the Airport Overlay Zone would be consistent with the Airport Land Use Compatibility Plan (ALUCP) FEIRs for the San Diego International Airport (SDIA), the Naval Air Station North Island (NASNI).

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 Spaces as Places 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 2020 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: Sameera Rao, Project Manager, 9485 Aero Drive, MS 413, San Diego, CA 92123 or srao@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.



Development Services Department
Sameera Rao / Project No. 21003876 Spaces as Places
9485 Aero Drive, MS 413 · San Diego, California 92123

RETURN SERVICE REQUESTED