



THE CITY OF SAN DIEGO

**MARCH 22, 2023 at 9:00 A.M.
HEARING OFFICER AGENDA
HYBRID MEETING**

**City Operations Building, 5thFloor,
1222 First Avenue, San Diego, California 92101**

PUBLIC SERVICE ANNOUNCEMENT REGARDING MEETING ACCESS

Until further notice, Hearing Officer meetings will be conducted pursuant to the provisions of California Government Code section 54953(a), as amended by Assembly Bill 2249.

Effective February 10, 2023, the Hearing Officer will be in person and the meeting will be open for in-person testimony. Additionally, we are continuing to provide alternatives to in-person attendance for participating in Hearing Officer meetings.

The public is encouraged to [subscribe](#) to receive meeting agendas.

In lieu of in-person attendance, members of the public may also participate and provide comment via telephone, ZOOM, using the Hearing Officer [webform](#), or via U.S. Mail of written materials, as follows:

The link to join the webinar by computer, tablet, or smartphone is:

<https://sandiego.zoomgov.com/j/1603558740>

To join by telephone:

Dial 1-669-254-5252 or (Toll Free) 1-833-568-8864

When prompted, input **Webinar ID: 160 355 8740**

HOW TO SPEAK TO A PARTICULAR ITEM DURING PUBLIC COMMENT:

In Person for Agenda Items and Non-Agenda Public Comment: Please fill out a speaker slip located at the entrance to the meeting. Indicate the item you wish to speak on as well as other requested information. Then submit it to City staff.

Via Virtual Platform for Agenda Items and Non-Agenda Public Comment: When the Hearing Officer introduces the item (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by

dialing *9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item.

When the Hearing Officer indicates it is your turn to speak, unmute your phone by tapping the unmute button on your computer, tablet or Smartphone, or dial *6 on your phone.

Please Note: Members of the public who wish to provide virtual testimony must enter the virtual queue by raising their hand before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

Those participating virtually may NOT cede time to others participating in person or virtually.

HOW TO PROVIDE WRITTEN COMMENTS:

For Agenda Items and Non-Agenda Public Comment: Submit using the [webform](#), indicating the comment type and item number (if relevant). Comments must be the business day prior for it to be distributed to Hearing Officer. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please go to the Hearing Officer [website](#) for further instructions.

Written Materials: Instead of submitting materials as an attachment to the [webform](#), you may submit via U.S. Mail to the Hearing Officer at 1222 First Avenue, MS 501 San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior for it to be distributed to the Hearing Officer.

HOW TO WATCH THE MEETING:

The public may view the meetings on their scheduled time-on the [City of San Diego Public Hearings](#) YouTube channel or within 24 to 48 hours of the meeting depending upon technical streaming issues.

GENERAL INFORMATION:

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 calling 619-321-3208 or emailing hearing_officer@sanidiego.gov at least two business days before the meeting. The City is committed to resolving all accessibility requests swiftly.

Items Marked with Asterisks: Those items with an asterisk (*) will include consideration and adoption/approval of the appropriate environmental document. For additional information please see **California Environmental Quality Act (CEQA) Notices and Documents at:** <https://www.sandiego.gov/ceqa>.

Consent Agenda: The Hearing Officer may vote to approve one or more items identified as being part of a Consent Agenda. If an item is approved in that manner, the action approved is as stated in Staff's recommendation, which is normally set forth in the agenda and the Report to the Hearing Officer, and which Staff may modify prior to the vote by informing the Hearing Officer verbally or in writing.

The Consent Agenda may be voted on quickly, if you wish to be heard, please submit your [webform](#), the business day prior for it to be distributed to Hearing Officer. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item.

HEARING OFFICER ASSIGNED TO TODAY'S HEARING: Patricia Bautista

ANNOUNCEMENTS/NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Hearing Officer on items of interest within the jurisdiction of the Hearing Officer. Comments relating to items on today's docket are to be taken at the time the item is heard.

Comments may be submitted using the [webform](#) checking the appropriate box. All webform comments are limited to 200 words but may include attachments. Comments received after the start of the meeting but before Non-Agenda comment is called will be submitted into the written record for the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by the Hearing Officer on any issue brought forth under Announcements/Public Comment.

REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN

REQUEST FOR ITEMS TO BE PLACED ON CONSENT AGENDA

AGENDA ITEMS

~Continued from March 8, 2023

ITEM 1: 5220 ANNA AVENUE CANNABIS OUTLET – PROJECT NO. 1074123

Staff: Francisco Mendoza

City Council District: 7

Plan Area: Linda Vista

Conditional Use Permit application for a 975-square-foot cannabis outlet within an existing 5,620-square-foot commercial building located at 5220 Anna Avenue. The 0.33-acre project site is in the IL-3-1 Zone, the Airport Influence Area (San Diego International Airport (SDIA) review Area 2, NAS North Island Review Area 2), Airport Land Use Compatibility Overlay Zone (NAS North Island and San Diego International Airport), the Coastal Overlay Zone (Non-Appealable Area 2), the Parking Impact Overlay (Coastal and Campus), and the Parking Standards Transit Priority Area (TPA) and TPA within the Linda Vista Community Plan area and Council District 7. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15332 (Infill Development). Report No. [HO-23-011](#).

DEPARTMENT RECOMMENDATION

Approve the project.

ITEM 2: 4909 PACIFIC HIGHWAY CANNABIS OUTLET – PROJECT NO. 1070598

Staff: Tyler Sherer
City Council District: 7
Plan Area: Linda Vista

Conditional Use Permit (CUP), amendment to an existing CUP to convert 464-square-feet of an existing, 32,829-square-foot, Cannabis Production Facility (CPF) into a new Cannabis Outlet, on a 1.02-acre site in the IL-3-1 Base Zone of the Linda Vista Community Plan, Council District Seven. This project is exempt from the California Environmental Quality Act (CEQA). Report No. [HO-23-012](#), [Attachment 9](#)

DEPARTMENT RECOMMENDATION

Approve the project.

ITEM 3: *1851 SPINDRIFT DRIVE – PROJECT NO. 693529

Staff: Xavier Del Valle
City Council District: 1
Plan Area: La Jolla

Coastal Development Permit and Site Development Permit for the demolition of an existing 1,863 square-foot single family residence with garage and construction a new two-story, 2,674 square-foot single family residence with 1,574 square-foot basement, and attached 458 square-foot garage with 382 square-foot accessory dwelling unit above garage and associated site improvements. The 0.10-acre site is located at 1851 Spindrifft Drive and is in the La Jolla Shores Planned District Single Family Zone and Coastal (Appealable and Non-Appealable) Overlay Zone within the La Jolla Community Plan area. A Mitigated Negative Declaration has been prepared for the project to reduce any potential impacts to archaeological resources and tribal cultural resources to a less than a significant level. Mitigated Negative Declaration No. [693529](#). Report No. [HO-23-013](#).

DEPARTMENT RECOMMENDATION

Approve the project.

ADJOURNMENT