

**AGENDA FOR THE CITY OF SAN DIEGO
HEARING OFFICER MEETING
WEDNESDAY, FEBRUARY 8, 2023
9:00 A.M.
VIRTUAL HEARING**

**COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING
HEARING OFFICER MEETING ACCESS AND PUBLIC COMMENT:**

Until further notice, Hearing Officer meetings will be conducted pursuant to the provisions of [California Government Code section 54953\(e\), 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, the Hearing Officer will be participating in Hearing Officer meetings by teleconference and/or videoconference. There will be no members of the public in attendance at the Hearing Officer meetings.

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

JOINING THE WEBINAR AND OFFERING PHONE IN TESTIMONY:

Starting February 10, 2021, the Hearing Officer meetings will be held virtually using the Zoom Webinar platform. Members of the public can offer public comment on agenda items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or landline phone.

THE LINK TO JOIN THE WEBINAR BY COMPUTER, TABLET OR SMARTPHONE IS:

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

TO JOIN BY USING IPHONE ONE-TAP:

US: 1-669-254-5252 or 1-646-828-7666 or 1-669-216-1590 or 1-646-828-7666

TO JOIN BY TELEPHONE:

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

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

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HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:

When the Hearing Officer introduces the item you would like to comment on (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, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial *6 on your phone

Providing Written Comment Through Webform

Comment on Agenda Items, Non-Agenda Public Comment may be submitted using the [webform](#) indicating the Comment type and item number (if relevant) for which you wish to submit your comment. Comments need to be received the business day prior for it to be distributed to Hearing Officer. All webform comments are limited to 200 words. Comments received after the start of the meeting 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

If you wish to submit written materials for submission into the record or have an attachment to your comment, you may submit via U.S. Mail to 1222 First Avenue, MS501 San Diego, CA 92101. Materials submitted via U.S. Mail will need to be received the business day prior for it to be distributed to the Hearing Officer.

Watch the Meeting

The public may view the meeting at their scheduled time on [YouTube](#) or within 24 to 48 hours of the meeting depending upon technical streaming issues.

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 Support Services at (619) 321-3208 at least two business days prior to the meeting to insure availability or by email to: hearingofficer@sandiego.gov. The City is committed to resolving accessibility requests swiftly to maximize accessibility.

Each item presented on this docket is a Process 3 under the Land Development Code Section 112.0501. ***Those items with an asterisk (*) will include consideration of the appropriate environmental document.*** For additional information please see **California Environmental Quality Act (CEQA) Notices and Documents** at: <https://www.sandiego.gov/ceqa>.

HEARING OFFICER ASSIGNED TO TODAY’S HEARING: Patricia Bautista and Antoinette Gibbs

ANNOUNCEMENTS/PUBLIC COMMENT

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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.

In lieu of in-person attendance, members of the public who would like to comment on a Non-Agenda Public Items may submit comments via [webform](#). All comments are limited to 200 words.

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 CONTINUANCES OR WITHDRAWALS

ITEMS TO BE PLACED ON CONSENT AGENDA

DISCUSSION ITEMS:

ITEM – 1: ***Continued from February 1, 2023***
5386 CALUMET - PROJECT NO. 696586
City Council District: 1 Plan Area: La Jolla

Staff: Oscar Galvez III

Site Development Permit for stabilization of coastal bluff with erodible concrete fill at residence located at 5386 Calumet Avenue. The 0.16-acre site is in the RS-1-7 Zone, Coastal Overlay (Appealable), Coastal Height Limit, and Sensitive Coastal Bluff Zones within the La Jolla Community Plan area and Council District 1. Categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301, Existing Facilities. [Report No. HO-23-002](#).

RECOMMENDATION:

Approve

ITEM – 2: **DORADO COURT - PROJECT NO. 698729**
City Council District: 1 Plan Area: La Jolla

Staff: Hector Rios

Site Development Permit to amend La Jolla Shores Permit No. 91-0473 to add 721 square feet to the existing house located at 7981 Dorado Court. The .48-acre site is zoned LJSPD-SF and is within the Coastal (Non-Appealable) Overlay Zone, Coastal Height Limit and Transit Overlay Zones in the La Jolla Community Plan area and Council District 1. Categorically exempt from CEQA per Section 15301 (Existing Facilities). [Report No. HO-23-003](#).

RECOMMENDATION:

Approve

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level totaling approximately 187,355 SF, and associated site improvements. The project is requesting an allowable deviation to driveway width where a 25-foot wide driveway is the maximum permitted while a 30-foot driveway is proposed at three locations and a deviation from the Community Plan Implementation Overlay Zone Type B regulations for a required setback from North Torrey Pines Road where a 50-foot setback is required while a variable setback ranging from 25-feet to 50-feet is proposed. The 11.4-acre project site is located at 11255 and 11355 North Torrey Pines Road within the Torrey Pines Subarea of the University Community Plan area. The site is designated Industrial-Scientific Research within the University Community Plan, and within the following overlay zones: Airport Land Use Compatibility Overlay Zone for Marine Corps Air Station (MCAS) Miramar, Airport Influence Area (MCAS Miramar-Review Area 1), Airport Safety Zone MCAS Miramar (Accident Potential Zone II), the Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appellable Area 1), Community Plan Implementation Overlay Zone Type B (CPIOZ-B), Very High Fire Severity Zone, Parking Impact Overlay Zone (Beach and Campus Impact), First Public Roadway, and Prime Industrial Lands Overlay Zone as identified in the General Plan's Economic Prosperity Element. The project is requesting the ADOPTION of [Tiered Mitigated Negative Declaration \(MND\) No. 691942](#)/State Clearinghouse (SCH) No. 2019060003 and ADOPTION of a Mitigation Monitoring and Reporting Program (MMRP). The MND has been prepared in accordance with California Environmental Quality Act (CEQA) Section 15152 and 15168 of the CEQA State Guidelines. This development is within the Coastal Overlay zone and the application was filed on September 23, 2021. [Report No. HO-23-007](#).

RECOMMENDATION:

Approve

ITEM – 6:

8039 BALBOA AVE NEW CANNABIS OUTLET - PROJECT NO. 1052799

City Council District: 2

Plan Area: Kearny Mesa

Staff: Francisco Mendoza

Conditional Use Permit (CUP) application for a new 3,296-square-foot Cannabis Outlet in an existing 17,351-square-foot building at 8039 Balboa Avenue. The 0.34-acre site is in the CC-2-5 Zone, the Airport Land Use Compatibility overlay Zone (MCAS Miramar and Montgomery Field), Airport Influence Area (MCAS Miramar Review Area 2 and Montgomery Field Review Area 1), Airport Safety Zone (Montgomery Field Safety Zones 1 and 2), the Parking Standards Transit Priority Area (TPA), the TPA, within the Kearny Mesa Community Plan and Council District 6. Categorically exempt the California Environmental Quality Act (CEQA) State Guidelines Section 15332 (Infill Development). [Report No. HO-23-008](#).

RECOMMENDATION:

Approve