

**SAN DIEGO PLANNING COMMISSION
DOCKET FOR PLANNING COMMISSION MEETING
9:00 A.M., JANUARY 29, 2015
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS
202 C STREET, 12TH FLOOR**

NOTE: *If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ALD's) are required, please contact the Planning Department at (619) 321-3208 at least five (5) working days prior to the meeting to insure availability.*

Those items with an asterisk () will include consideration of the appropriate environmental document.*

To listen to the "live" broadcast of a Planning Commission meeting, dial 619-533-4001. Note: Rancho Bernardo and Rancho Penasquitos residents dial 619-484-7711 and ask the Citizen's Assistance operator to connect you.

Members of the Public should realize and understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing.

When it is determined that the Planning Commission will adjourn for lunch, the Planning Commission will adjourn to Conference Room A, located on the 12th floor next to the Council Chambers.

Any agenda-related materials distributed to the Planning Commission after an agenda is posted for a regular meeting may be inspected upon request in the official project file which is maintained by the City's Project Manager, located at the Development Services Department's offices at 1222 First Avenue, San Diego, 92101

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - This portion of the agenda provides an opportunity for members of the public to address the Commission on items of interest within the jurisdiction of the Commission. Comments relating to items on today's docket are to be taken at the time the item is heard.

Time allotted to each speaker is determined by the Chair; however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the Commission Secretary **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Announcements/Public Comment."

ITEM – 2: REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN.

ITEM – 3: **REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA.**
 The Chair may entertain a motion by a Commissioner to approve certain non-controversial agenda items as consent agenda items at the beginning of the meeting. Items approved on consent are in accordance with Staff’s recommendation as stated in the Report to Planning Commission.

ITEM – 4: **DIRECTOR’S REPORT.**

ITEM – 5: **COMMISSION COMMENT.**

ITEM – 6: *Continued from December 18, 2014; Appeal of Hearing Officer’s decision on October 15, 2014*

A GREEN ALTERNATIVE MMCC– PROJECT NO. 368304

City Council District: 8 Plan Area: Otay Mesa

Staff: Edith Gutierrez

The proposed project is a request for a Conditional Use Permit (CUP) to operate a Medical Marijuana Consumer Cooperative (MMCC) in a vacant 1,406 square foot, tenant space, within an existing 14,090 square foot, one story, commercial building on a 2.47-acre site. The MMCC site is located at 2335 Roll Drive, Suite 4 and is in the IL-3-1 Zone and Airport Influence Area (Brown Field) within the Otay Mesa Community Plan Area.

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 14, 2014, circulated for public review and the opportunity to appeal that determination ended on August 28, 2014. Report No. PC-14-083

TODAY’S ACTION IS:

Process 3. Approve or deny the appeal.

DEPARTMENT RECOMMENDATION:

Deny the appeal.

ITEM – 7: **SMALL LOT SUBDIVISION ORDINANCE - PROJECT NO. 12003223**

City Council District: All Plan Area: City-Wide

Staff: Dan Normandin

The small Lot Subdivision Ordinance amends the San Diego Municipal Code and the City's Local Coastal Program. It amends Municipal Code Chapter 12, Article 6, Division 5; Chapter 13, Article 1, Division 4; Chapter 14, Article 2, Divisions 4 and 5; Chapter 14, Article 3, Division 3; and Chapter 15, Article 1, Division 1. The ordinance will apply Citywide.

The ordinance would provide regulations for subdividing specified multi-family zones into small lots, at densities consistent with the community plan, for development of single family homes. The proposed development regulations include, but are not limited to setbacks, height, floor area ratio, parking, open space, landscape, and mutual maintenance and access agreements. A decision on a small lot subdivision would be made in accordance with a Site Development Permit Process Three.

An Environmental Impact Report (EIR No. 96-0333) was prepared and certified on November 18, 1997 for the original project, the adoption of the Land Development Code; and a Program EIR (No. 104495) was prepared and certified on March 10, 2008 for the General Plan Update. The proposed amendments to the Land Development Code were reviewed by the Environmental Analysis Section for consistency with the above referenced environmental documents and it was determined that, in accordance with Public Resources Code 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15162(a): (1) no substantial changes are proposed to the project which would require major revisions of the previous EIR; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous EIR; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous EIR's were certified. Therefore, no subsequent EIR or other environmental document is needed for the Small Lot Subdivision Ordinance, as all of the impacts were adequately addressed and disclosed in previously certified EIR No. 96-0333 (Land Development Code) and Program EIR No. 104495 (Draft General Plan). Report No. PC-15-003

TODAY'S ACTION IS:

Process 5. Recommend to City Council to approve or deny the project.

DEPARTMENT RECOMMENDATION:

Recommend to City Council to approve the project.

ITEM – 8: **9TH UPDATE TO THE LAND DEVELOPMENT CODE/LOCAL COASTAL PROGRAM AMENDMENT**

City Council District: All

Plan Area: City-Wide

Staff: Amanda Lee

The 9th Update is part of the code monitoring work program that was created with the adoption of the original Land Development Code. A total of 57 issues are included; the bulk of which are regulatory reform related.

The proposed amendments are intended to address past issues and minimize future conflicts by clarifying regulation applicability, removing burdensome requirements, and streamlining approval processes. The most significant changes would add greater certainty and predictability for future regulation of previously conforming structures and uses, including restaurants with drive-throughs. Other proposed changes would incorporate efficiencies into the processing of environmental documents and approval of minor work associated with non-designated historical resources.

The 9th Update also implements the City's economic development strategy by making the regulations more predictable and adding greater flexibility for manufacturing businesses to develop and expand. Examples include a lower process for permit modifications to accommodate new industrial development, more predictable zone code classification for brewery related uses, allowances for breweries and live entertainment in additional industrial zones, exemptions from screening requirements, a lower parking rate for capital intensive manufacturing, and streamlined sign permit approvals. Report No. PC-15-008

TODAY'S ACTION IS:

Process 5. Recommend to City Council to approve or deny the ordinance.

DEPARTMENT RECOMMENDATION:

Recommend to City Council to approve the ordinance.

ITEM – 9: **DISCUSSION AND ADOPTION OF PERMANENT RULES FOR THE PLANNING COMMISSION**

City Council District: N/A

Plan Area: N/A

Staff: Mike Westlake

Discussion and adoption of a set of permanent rules for the Planning Commission. On November 6, 2014, the Planning Commission discussed a first draft of the Permanent Rules of the Planning Commission, and made a variety of suggested modifications. This hearing will provide the Planning Commission with the opportunity to review and discuss those modifications, and to adopt a final set of permanent rules.

TODAY'S ACTION IS:

Approve, modify or deny the permanent rules of the Planning Commission.

DEPARTMENT RECOMMENDATION:

Approve the permanent rules of the Planning Commission.