

# CITY OF SAN DIEGO COUNCIL AGENDA



## COUNCIL PRESIDENT

**Georgette Gómez • Ninth District**

## COUNCIL PRESIDENT PRO TEM

**Barbara Bry • First District**

## COUNCILMEMBERS

**Jennifer Campbell • Second District**  
**Christopher Ward • Third District**  
**Monica Montgomery • Fourth District**  
**Mark Kersey • Fifth District**  
**Chris Cate • Sixth District**  
**Scott Sherman • Seventh District**  
**Vivian Moreno • Eighth District**

**Andrea Tevlin**  
**Independent**  
**Budget Analyst**

**Mara W. Elliott**  
**City Attorney**

**Elizabeth Maland**  
**City Clerk**

**Council Chambers, 12<sup>th</sup> Floor, City Administration Building**

**Monday, July 29, 2019**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, JULY 29, 2019, AT 2:00 PM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

**ALTERNATE FORMATS**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

**SENATE BILL 343 (LATE-ARRIVING MATERIALS)**

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**MAYOR, COUNCIL, CITY ATTORNEY, INDEPENDENT BUDGET ANALYST, CITY CLERK  
COMMENT**

**REQUESTS FOR CONTINUANCE BY COUNCILMEMBERS**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**ADOPTION AGENDA, DISCUSSION ITEMS**

ADOPTION AGENDA

DISCUSSION, RESOLUTIONS TO BE ADOPTED:

**Item 200:        **Annual Special Tax Levy – Community Facilities Districts No. 1, No. 2,  
No. 3, and No. 4.****

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost to the City, all costs are borne by the respective Districts.

Council District(s) Affected: 2, 5.

Proposed Actions:

Subitem-A: (R-2020-17)

Resolution authorizing the annual levy of special taxes within the City's  
Community Facilities District No. 1.

Subitem-B: (R-2020-18)

Resolution authorizing the annual levy of special taxes within the City's  
Community Facilities District No. 2.

Subitem-C: (R-2020-19)

Resolution authorizing the annual levy of special taxes within the City's  
Community Facilities District No. 3.

Subitem-D: (R-2020-20)

Resolution authorizing the annual levy of special taxes within the City's Community Facilities District No. 4.

Committee Actions Taken: N/A

*Debt Management: Richard Eyre, (619) 236-6899*

*City Attorney Contact: David Powell*

## ADOPTION AGENDA

DISCUSSION, NOTICED HEARINGS:

### **Item 201: Mixed-Use Zoning - Municipal Code Amendment and Local Coastal Program Amendment.**

Total Estimated Cost of Proposed Action and Funding Source:

There is no cost to the City with this action. Costs associated with implementation of the regulations in the future will be borne by project applicants through the existing project permitting process.

Council District(s) Affected: Citywide.

Proposed Actions:

The Planning Department is proposing code amendments to the Land Development Code and Local Coastal Program including amendments to; Chapter 12, Article 6, Division 4; Chapter 13, Article 1; Chapter 14, Article 3, Division 7; and Chapter 15, Article 1, Division 1.

The proposed project includes a new division within Chapter 13, Article 1 that includes six new mixed-use zones, three RMX (Residential Mixed-Use) zones and three EMX (Employment Mixed-Use) zones, and amendments to other Land Development Code sections to ensure consistency with this new Division. The zones allow primary and secondary uses, as defined, with increased density and heights. The ordinance streamlines the project process and provides flexibility to design development with a variety of uses by right. These new zones apply within transit priority areas citywide and would be allowed with future rezoning actions. The new zones do not replace existing zones.

This ordinance is not a project under California Environmental Quality Act (CEQA) Guidelines Section 15378 as this ordinance does not involve the application of the new zones to any land and therefore could not result in any development, and therefore, would not result in any significant

environmental impacts. A separate rezoning action would be required to apply the zones to any land before any new development would occur. Pursuant to CEQA Guidelines Section 15004, adoption of the new zones are not the appropriate time to conduct environmental review. This ordinance would not foreclose review of alternatives or mitigation measures by the public as part of the CEQA process when the zones are applied to any land within the City.

Subitem-A: (R-2020-16)

Resolution determining that the adoption of the Mixed Use Zones is not a project as defined by CEQA.

Subitem-B: (O-2020-5)

Introduction of an ordinance amending the San Diego Municipal Code to include Mixed Use Zones.

Committee Actions Taken:

This item was heard at the Land Use and Housing Committee meeting on May 23, 2019.

ACTION: Motion by Vice Chair Ward, second by Councilmember Sherman to recommend Council approval of staff's proposed action.

VOTE: 4-0; Moreno-yea, Ward-yea, Campbell-yea, Sherman-yea.

*Planning: Brian Schoenfisch, 619-533-6457*  
*City Attorney Contact: Shannon M. Thomas*

**Item 202: Lumina TM (Tentative Map) - Project No. 555609.**

Total Estimated Cost of Proposed Action and Funding Source:

No City expenditures are being approved with this action. All costs associated with processing of this project are paid through a deposit account by the applicant.

Council District(s) Affected: 8.

Proposed Actions:

Subitem-A: (R-2020-26)

Resolution granting Neighborhood Development Permit No. 2106744 and Site Development Permit No. 2287794 for Lumina TM - Project No. 555609.

**Subitem A is not subject to the Mayor's veto.**

Subitem-B: (R-2020-25)

Resolution adopting Tentative Map No. 1972222 and Public Right of Way Vacation No. 2103455 for Lumina TM - Project No. 555609.

**Subitem B is not subject to the Mayor's veto.**

Subitem-C: (R-2020-27)

Resolution adopting addendum No. 30330/304032/SCH No. 2004651076 and adopting the Mitigation, Monitoring, and Reporting Program for Lumina TM - Project No. 555609;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the project.

**Subitem C is not subject to the Mayor's veto.**

Committee Actions Taken: N/A

*Development Services: Paul Godwin, (619) 446-5190*

*City Attorney Contact: Noah Brazier*

**NON-AGENDA PUBLIC COMMENT**

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

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two (2) minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is taken toward the end of the Monday afternoon Council session.

**PUBLIC NOTICES**

Items are listed under Public Notices as a matter of public record only. These items do not require Council action and there is no public testimony.

**Item 250: Submission of Ballot Proposals for the March 3, 2020 Ballot.**

City Council Policy 000-21 establishes a procedure for submittal of ballot proposals, other processes -including citizen initiatives- may come before the City Council for consideration at other times. The Council Policy states that members of the public, Councilmembers, the Mayor or mayoral departments, independent department directors, or a public agency shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment.

Therefore, the City Clerk's Office has established the following calendar for the March 3, 2020 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Wednesday	7/24/19	223	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	7/31/19	216	Initial Committee review Measures that advance from initial review proceed to a second Committee review, where the Committee will decide if they will be presented to the full Council for consideration
Monday-	October-	154-	Council discusses measures and adopts ordinances prepared by City Attorney to place measures on the ballot
Friday	November 2019	94	
Friday	12/6/19	88	Last day for City Clerk to file with Registrar of Voters election material (ordinances and resolutions related to the calling of election and measure(s), if any)



Thursday 12/19/19 75

Last day to file ballot arguments with  
City Clerk

Please check posted agendas for additional information.

**Please note: A separate Public Notice will be posted with the required submission date for submittal of ballot proposals for the November 3, 2020 election, upon the approval of the 2020 Legislative Calendar.**

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

**NON-AGENDA ITEMS**

**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES**

**ADJOURNMENT**