

**AGENDA FOR THE
SPECIAL COUNCIL MEETING OF
MONDAY, JULY 24, 2017, AT 1:00 PM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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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, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-600: Informational Reports from the San Diego Housing Commission, the Mayor's Office, and Civic San Diego regarding programs and efforts to address housing needs. (Citywide.)

ITEM DESCRIPTION:

Accept the reports from the San Diego Housing Commission in Subitem-A, the Mayor's Office in Subitem-B, and Civic San Diego in Subitem-C.

TODAY'S ACTIONS ARE:

Subitem-A:

Accepting the report from the San Diego Housing Commission. The San Diego Housing Commission (Housing Commission) continues to collaborate with the City of San Diego, County of San Diego, Civic San Diego, nonprofit organizations and private sector partners to identify additional affordable housing opportunities for low-income and homeless San Diegans. Housing Commission initiatives are summarized in this report.

Subitem-B:

Accepting the report from the Mayor's Office. This presentation will cover the Mayor's Housing Initiative which includes several goals and strategies to be developed over the next year to help increase housing production in the City.

Subitem-C:

Accepting the report from Civic San Diego. Civic San Diego will be highlighting accomplishments to date, outlining upcoming development opportunities, and discussing new programs associated with financing affordable housing.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

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Primary Contact\Phone: Ralph Dimarucut\619-236-6644

Secondary Contact\Phone: Jimmie Slack\619-236-6644

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED:**

ITEM-601: Update City Council fees for Process Four and environmental appeals; amend the San Diego Municipal Code regarding Process Two-Process Four and environmental appeal scheduling and withdrawals of appeals. (Citywide.)

ITEM DESCRIPTION:

1. Increase the appeal fee for Process Four and Environmental Determination Appeals, so that appeals are cost recoverable, to \$1,000 for individual appellants wishing to appeal to the full City Council. This change would not apply to the current waiver for Community Planning Groups.
2. Clarify the Municipal Code to require appeal hearings to be held within 60 calendar days and to reflect that if all appellants withdraw their appeals, then no appeal hearing shall be conducted.

COUNCILMEMBER SHERMAN'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-2017-142)

Introduction of an Ordinance approving that appeal fees for appeals to the City Council of decisions made in accordance with CIP-Process Two and Process Four and of environmental determinations are increased from \$100 to \$1000;

Approving that appeal fees for appeals to the Planning Commission of decisions made in accordance with Processes Two and Three remain at \$100;

Declaring that recognized Community Planning Groups may continue to file appeals of decisions made in accordance with CIP-Process Two, Process Two, Process Three, Process Four, or of environmental determinations without payment of a fee;

Declaring that, if an appellant withdraws his or her appeal prior to the public hearing, the City Treasurer shall refund the appeal fee;

Declaring that, if multiple appellants withdraw their appeals prior to the public hearing, the City Treasurer shall refund the appeal fees to each appellant who withdraws his or her appeal.

Subitem-B: (O-2017-137)

Introduction of an Ordinance amending Chapter 11, Article 2, Division 5 of the San Diego Municipal Code by amending Sections 112.0504, 112.0506, 112.0508, and 112.0520; amending Chapter 11, Article 2, Division 6 by amending Section 112.0603, relating to Administrative Appeal Procedures.

SUPPORTING INFORMATION

FISCAL CONSIDERATIONS:

Increased revenue by \$900 per appeal.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Smart Growth and Land Use Committee meeting on May 17, 2017.

ACTION: Motion by Councilmember Alvarez, second by Councilmember Gomez, to recommend Council adopt the staff recommendation to raise the appeal fee for Process Four and Environmental Determination Appeals to \$1,000 for individual appellants wishing to appeal to the full City Council and to maintain the current waiver for Community Planning Groups, require that the appeal hearing occur within 60 days (with the exception of tentative maps which shall be heard within 30 days, pursuant to the Subdivision Map Act), and clarify the Municipal Code so that if all appellants withdraw their appeals, the last decision made is final and the hearing will not go before the full City Council.

VOTE: 4-0; Sherman-yea, Cate-yea, Alvarez-yea, Gomez-yea.

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Primary Contact\Phone: Sarah Jarman\619-533-3982

City Attorney Contact: Thomas, Shannon M.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-602: Amendments to the City's Municipal Code and Local Coastal Program to Expand and Improve The City's Affordable Housing/In-Fill Projects and Sustainable Building Development Regulations. (Citywide.)

ITEM DESCRIPTION:

Amendment to the City's Municipal Code and Local Coastal Program to Expand and Improve The City's Affordable Housing/In-Fill Projects and Sustainable Building Development Regulations

STAFF'S RECOMMENDATION:

Adopt the following resolution in subitem A; and introduce the ordinance in subitem B:

Subitem-A: (R-2018-24)

Adoption of a Resolution amending Council Policy No. 600-27 titled "Affordable/In-Fill Housing and Sustainable Buildings Expedite Program" as set forth in the Council Policy on file in the Office of the City Clerk;

This Resolution shall be effective when the Ordinance amending the San Diego Municipal Code to create regulations regarding affordable housing, in-fill development, and sustainable projects take effect;

Instructing the City Clerk to add the aforesaid to the Council Policy Manual.

Subitem-B: (O 2018-3)

Introduction of an Ordinance amending Chapter 11, Article 3, Division 1 of the San Diego Municipal Code by amending Section 113.0103; amending Chapter 12, Article 6, Division 4 by amending Sections 126.0402 and 126.0404; amending Chapter 12, Article 6, Division 5 by amending Section 126.0502, by adding new Section 126.0503, and by renumbering Section 126.0503 to Section 126.0504, and Section 126.0505 to Section 126.0506, and by renumbering and amending Section 126.0504 to Section 126.0505; amending Chapter 12, Article 6, Division 6 by amending Section 126.0602, by adding new Section 126.0603, by renumbering Section 126.0603 to Section 126.0604, and Section 126.0605 to Section 126.0605 to Section 126.0606, and by renumbering and amending Section 126.0604 to Section 126.0605; amending Chapter 12, Article 6, Division 7 by amending Section 126.0708; amending Chapter 13, Article 2, Division 14 by amending Section 132.1402; amending Chapter 14, Article 3, Division 1 by amending Section 143.0110; amending Chapter 14, Article 3, Division 3 by amending Section 143.0302; amending Chapter 14, Article 3, Division 4 by amending Sections 143.0402 and 143.0450; amending Chapter 14, Article 3, Division 7 by amending Section 143.0745; amending Chapter 14, Article 3, Division 9 by retitling Division 9, and by retitling and amending Sections 143.0910, 143.0915, and 143.0920; and amending Chapter 15, Article 5, Division 2 by amending Section 155.0253, relating to affordable housing, in-fill projects, and sustainable buildings.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of an Ordinance would be covered by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Murphy\Graham\eg

Primary Contact\Phone: Edith Gutierrez\619-236-6521, MS 413

Secondary Contact\Phone: Jeff Murphy\619-236-6057, MS 413

City Attorney Contact: Thomas, Shannon

ITEM-603: Amendments to the Land Development Code and Local Coastal Program to Modify the Companion Unit Regulations and Add Junior Units. (Citywide.)

ITEM DESCRIPTION:

Amendments to the Land Development Code and Local Coastal Program to modify the Companion Unit Regulations and add Junior Units.

STAFF'S RECOMMENDATION:

Adopt the following resolution in subitem A; and introduce the ordinance in subitem B:

Subitem-A: (R-2018-10)

Adoption of a Resolution determining that the Council of the City of San Diego, using its independent judgement, has considered the written record and public comment for the requested authorization, and determines that the Project is exempt from the California Environmental Quality Act of 1970(CEQA) pursuant to CEQA Guidelines Section 15282(h);

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply;

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

Subitem-B: (O-2018-2)

Introduction of an Ordinance amending Chapter 11, Article 3, Division 1 of the San Diego Municipal Code by amending Section 113.0103; amending Chapter 12, Article 6, Division 3 by amending Section 126.0303; amending Chapter 12, Article 6, Division 7 by amending Section 126.0707; amending Chapter 13, Article 1, Division 1 by amending Section 131.0112; amending Chapter 13, Article 1, Division 2 by amending Section 131.0222; amending Chapter 13, Article 1, Division 3 by amending Section 131.0322; amending Chapter 13, Article 1, Division 4 by amending Section 131.0422; amending Chapter 13, Article 1, Division 5 by amending Section 131.0522; amending Chapter 13, Division 1, Article 6 By amending Section 131.0622; amending Chapter 13, Article 2, Division 15 by amending Sections 132.1510 and 132.1535; amending Chapter 14, Article 1, Division 3 by amending Section 141.0302; amending Chapter 14, Article 2, Division 6 by amending Section 142.0680; amending Chapter 15, Article 5, Division 2 by amending Section 155.0238, amending Chapter 15, Article 10, Division 3 by amending Section 1510.0303 relating to Companion Units(CU) and Junior Units(JU).

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of an Ordinance would be covered by Project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On June 15, 2017, the Smart Growth and Land Use Committee voted 4-0-0 to recommend approval with the following five amendments: 1. Allow for a detached CU to be up to 1,200 square feet and exceed the floor area ratio. 2. Eliminate the setback requirements for CUs above a garage. 3. Allow property owners in multi-family zones that allow up to two dwelling units, to build a CU without the requirement to meet the density first. 4. Create a two-year pilot program that sets a flat rate of \$2,000 in fees. These fees are to include impact fees, Public Utilities, and all other fees excluding school fees. 5. Ensure that the High Occupancy Single Dwelling Units Ordinance applies to the CU and JU Ordinance, specifically as it relates to the College Area, if legally allowed by state law.

Murphy\Graham\eg

Primary Contact\Phone: Edith Gutierrez\619-236-6521, MS 413

Secondary Contact\Phone: Jeff Murphy\619-236-6057, MS 413

City Attorney Contact: Neuffer, Corrine

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 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 Comment is taken toward the end of the Monday afternoon Council session.

PUBLIC NOTICES:

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

ITEM-604: **Notice** of Pending Final Map Approval - The Blvd Condominiums.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "The Blvd Condominiums" (V.T.M. No. 540163, PTS No. 436817) located on El Cajon Boulevard between "Florida Street and Alabama Street", in the RM-3-8 and CC-3-9 zones, within the Greater North Park Community Plan Area Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

ITEM-605: Qualcomm Stadium and Petco Park City Suites.

The list of ticket users for the City Suites at Qualcomm Stadium and Petco Park will be posted on the City Clerk's website quarterly. This information will also be available for viewing by the public in the Office of the City Clerk.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT