

HISTORICAL TIMELINE OF FOOTNOTE 7

MAYOR: KEVIN FAULKNER

1. **September 11, 2019** – The Code Monitoring Team (CMT) reviewed the proposed 12th Code Update, Phase 2, which included Footnote 7. CMT approved the footnote language which passed by a vote of 9-0-1.

Due to alleged Brown Act violations and in an abundance of caution all items of September 11, 2019, were re-noticed and re-heard on November 13, 2019. The vote was 11-0-1 to approve, the abstaining votes were for people who did not attend the previous meetings.
2. **October 22, 2019** – The Community Planners Committee (CPC) discussed the 12th Code Update, Phase 2 which included the Footnote 7 language. The Chollas Valley Community Planning Group (CVCPG) Chair attended the meeting.
3. **October 24, 2019** – The Planning Commission reviewed, discussed, and voted to approve the proposed 12th Code Update, including Footnote 7 (vote 5-0).
4. **November 6, 2019** – The Land Use and Housing (LU&H) Committee reviewed and advanced the 12th Code Update, including Footnote 7, to the City Council.
5. **December 17, 2019** – The San Diego City Council approved the 12th Code Update, Phase 2, introducing Footnote 7 as part of Item 335 on the agenda. Footnote 7 was included in the Development Regulations Table for Residential Zones and specified:
“In the Encanto and Southeastern San Diego Community Planning areas, the lot size shall be a minimum of 5,000 square feet.”
6. **January 7, 2020** – The 12th Code Update, Phase 2, received its second reading by the City Council, finalizing the adoption of Footnote 7. The item was included on the Consent Agenda.

MAYOR: TODD GLORIA

7. **December 13, 2021** – The City Council approved the 2021 Land Development Code Update, which amended Footnote 7 as part of Item 204 on the agenda. The amendment added the following clarification:
“...and all development regulations of the RS-1-7 zone shall apply to subdivisions.”
8. **January 11, 2022** – The second reading of the 2021 Land Development Code Update was conducted, finalizing the amendment to Footnote 7. The item was included on the Consent Agenda.
9. **November 7, 2022** – District 4 office staff, Tiffany Harrison and Eric Henson, met with Evelyn Smith and Martha Abraham and provided a comprehensive overview of the land use code and Footnote 7. **See Attachment A** for email confirmation dated November 8, 2022.
10. **November 12, 2024 (Footnote 7 Origins)** – Heidi Vonblum, the Director of the Planning Department for the City of San Diego, stated during the afternoon session of City Council that the City does not know the origins of Footnote 7. City Staff reviewed City records and emails but could not conclusively determine the original intent of Footnote 7 or its subsequent amendment. However, City Staff believes that the initial addition of Footnote 7 was intended to align density regulations with the Encanto Community Plan’s designation of 4 dwelling units per acre and existing lot sizes in Encanto with RS-1-2 zoning. Per City Staff, the amendment to Footnote 7 likely sought to clarify development standards for lots smaller than 20,000 square feet. See Webcast for the 11/12/24 Council Session for the Klauber Development CEQA Appeal Item 334 at 4:00:33 – https://sandiego.granicus.com/player/clip/9029?view_id=3&redirect=true.
11. **January 28, 2025 – First Read:** San Diego City Council unanimously voted to remove Footnote 7 from the San Diego Municipal Code (SDMC).
12. **March 2025 – Second Read:** San Diego City Council unanimously voted to remove Footnote 7 from the SDMC.
13. Any projects currently in process will proceed under the regulations in place when their applications were submitted, per State Law. See Housing Crisis Act of 2019. Cal. Gov’t Code §§ 65864-65869.5, 66498.1; Cal. Stats. 2019, ch. 654 (Sen. Bill 330).

ATTACHMENT A

From Eric Henson • ehensonsd@gmail.com

To ebbosmith@yahoo.com
martha.abraham86@yahoo.com

Cc Tiffany Harrison •
tiffanygharrison@yahoo.com

Date Nov 8, 2022, 5:59 PM

[View security details](#)

Hi Miss Evelyn and Martha,

Attached are the resources that were shared last night about the Development Processes, CEQA and Land Use Policies.

(PAC)	None
Complete	No
Communities Housing Solutions (CHS)	None
Complete	Yes
Communities Mobility Choices (CMC)	Metrolink Zone 3
Communities of Concern (COC)	Yes
San Diego Planning Zone (SDPZ)	No
Central Urbanized Planned District (CUPD)	No
Base Zone	
Zone Designation	RS-1-7 RS-1-7 RS-1-2
Overlay Zones	
Airport Land Use Compatibility Overlay Zone (ALUCOZ)	Yes San Diego International Airport
Claremont Mesa Heights Land Overlay Zone (CMHLOZ)	No

