



THE CITY OF SAN DIEGO

PLANNING COMMISSION AGENDA

December 8, 2022 at 9:00 A.M.

City Administration Building, 12th Floor,
202 C Street, San Diego, California 92101

PLANNING COMMISSIONERS

- William Hofman – Chair
- Dennis Otsuji
- Ken Malbrough
- Matthew Boomhower
- Kelly Modén - Vice-Chair
- Ted Miyahara
- Carmen Vann

CURRENT PLANNING COMMISSION DOCKETS AND BROWN ACT COMPLIANCE - COVID-19 PUBLIC SERVICE ANNOUNCEMENT REGARDING MEETING ACCESS AND PUBLIC COMMENT.

Until further notice, Planning Commission meetings will be conducted pursuant to the provisions of California Government Code section 54953(e), added by Assembly Bill 361, which allows the Planning Commission to use teleconferencing and to provide the public an opportunity to address the Planning Commission via a call-in option or an internet-based service option, during a proclaimed state of emergency. On November 1, 2022, the San Diego City Council declared an existing proclaimed state of emergency and under amended Assembly 361 that their findings apply to all boards, commissions, and committees of the City of San Diego.

Members of the public in attendance at the Planning Commission meetings are encouraged to maintain social distancing in Chambers. Additionally, we are continuing to provide alternatives to in-person attendance for participating in Planning Commission meetings.

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

HYBRID MEETING

The link to join the webinar by computer, tablet, or smartphone is:

<https://sandiego.zoomgov.com/j/1602771962>

To join by telephone:

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

When prompted, input **Webinar ID: 160 277 1962**

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

Please fill out a speaker slip located at the entrance to Council Chambers. Indicate the item you wish to speak on as well as other requested information. Then submit it to the Chairperson at the box indicated near the speaker's lectern at the front of the room.

VIA VIRTUAL PLATFORM

When the Chairperson 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 Chairperson indicates it is your turn to speak, unmute your phone by tapping the Unmute button on your computer, tablet or Smartphone, or dial *6 on your phone.

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 received by 7:00 AM the day of the meeting will be distributed to the Planning Commission and posted online with the meeting materials. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please go to the Planning Commission website for further instructions.

Written Materials. Instead of submitting written materials as an attachment to the [webform](#), you may submit via U.S. Mail to the Planning Commission at 1222 First Avenue, MS 501 San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior for it to be distributed to the Planning Commission.

WATCH THE MEETING

If the meeting is being held in Council Chambers the public may view the meetings on public television (within the City of San Diego only) on City TV Channel 24 for Cox Communications and Spectrum or Channel 99 for AT&T U-Verse, or [view the meetings online \(link is external\)](#)

If the meeting is NOT being held in Council Chambers the public may view the meetings on their scheduled time on YouTube or within 24 to 48 hours of the meeting depending upon technical streaming issues.

GENERAL INFORMATION

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 calling 619-321-3208 or emailing planningcommission@sandiego.gov at least two business days before the meeting. The City is committed to resolving all accessibility requests swiftly.

Items Marked with Asterisks: Those items with an asterisk (*) will include consideration and adoption/approval of the appropriate environmental document. For additional information please

see [California Environmental Quality Act \(CEQA\) Notices and Documents](https://www.sandiego.gov/ceqa) at: <https://www.sandiego.gov/ceqa>.

Consent Agenda: The Commission may take one vote to approve one or more items identified as being part of a Consent Agenda. If an item is approved in that manner, the action approved is as stated in Staff's recommendation, which is normally set forth in the agenda and the Report to Planning Commission, and which Staff may modify prior to the vote by informing the Commission verbally or in writing.

The Consent Agenda may be voted on quickly, so if you wish to be heard, please submit your [webform](#) hour prior to the start of the meeting. Comments received by 7:00 AM the day of the meeting will be distributed to the Planning Commission and posted online with the meeting materials. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item.

ANNOUNCEMENTS/NON-AGENDA 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.

Comments may be submitted using the [webform](#) checking the appropriate box. Comments received by 7:00 AM the day of the meeting will be distributed to the Planning Commission and posted online with the meeting materials. All webform comments are limited to 200 words. Comments received after the start of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by the Commission on any issue brought forth under Announcements/Public Comment

REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN

REQUEST FOR ITEMS TO BE PLACED ON CONSENT AGENDA

APPROVAL OF THE MINUTES

- [September 29, 2022](#)
- [October 27, 2022](#)
- [November 3, 2022](#)
- [November 17, 2022](#)

APPROVAL OF THE AGENDA

DIRECTOR'S REPORT

COMMISSION COMMENT

AGENDA ITEMS

ITEM 1: *Appeal of Hearing Officer decision on 11/16/2022*
GATEWAY CANNABIS OUTLET – PROJECT NO. 1067659

City Council District: 9 **Plan Area:** Southeastern
Staff: Travis Cleveland

Appeal of the Hearing Officer's November 16, 2022 decision to approve a Conditional Use Permit (CUP) for a new Cannabis Outlet in an existing 2,996-square-foot suite within an existing three-story, 42,530-square-foot commercial building located at 995 Gateway Center Way. The 4.10-acre site is in the IL-3-1 zone, the Airport Influence Area (San Diego International Airport, Review Area 1), and the High Fire Severity and Brush Management Zone within the Southeastern San Diego Community Plan and Council District 9. This project is within the scope of [Negative Declaration 660383](#), adopted on August 18, 2021. This document adequately describes the activity for the purposes of CEQA.
[Report No. PC-22-070](#)

PROPOSED ACTION

Process 3. Grant or Deny the Appeal

DEPARTMENT RECOMMENDATION

Deny the Appeal

ITEM 2: *Continued from 10/27/2022*
2022 UPDATE TO THE SAN DIEGO MUNICIPAL CODE AND LOCAL COASTAL PROGRAM

City Council District: All **Plan Area:** Citywide
Staff: Liz Saidkhanian

The 84 items are separated into five categories; regulatory reforms, compliance with state law, corrections, clarifications, and amendments to align the code with the City's climate, equity, and housing goals. The topics of the amendments generally relate to the following areas of the Land Development Code: Housing and Housing Incentives, Sustainable Development Areas, Permit Procedures, Noticing, Development Impact Fees, Battery Energy Storage Facilities, Sea Level Rise Acknowledgements, Base Zone Regulations, Landscape Regulations, Historical Resources Regulations, Central Urbanized Planned District and the Downtown Planned District. The Environmental Policy Section of the Planning Department has reviewed the 2022 Update to the Land Development Code and the rezones and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified documents listed in the Report to the Planning Commission [Report No. PC-22-052](#), [Attachments 1-8](#).

PROPOSED ACTION

Process 5. Recommend that the City Council Approve or Deny approval of the ordinances for the 2022 Land Development Code Update.

DEPARTMENT RECOMMENDATION

Recommend that the City Council approval of the ordinances for the 2022 Land Development Code Update.

ADJOURNMENT