



DATE OF NOTICE: ~~December 2, 2021~~ December 2, 2021

NOTICE OF PUBLIC HEARING

NOTICE OF AVAILABILITY

PLANNING COMMISSION RECOMMENDATION

DATE OF HEARING: December 16, 2021
TIME OF HEARING: 9:00 A.M.
LOCATION OF HEARING: VIRTUAL HEARING

PROJECT TYPE: MUNICIPAL CODE AND LOCAL COASTAL PROGRAM AMENDMENT

PROCESS FIVE

PROJECT NAME: HOMES FOR ALL OF US: HOUSING ACTION PACKAGE

APPLICANT: CITY OF SAN DIEGO, PLANNING DEPARTMENT

COMMUNITY PLAN AREA: CITYWIDE

COUNCIL DISTRICT: CITYWIDE

CITY PROJECT MANAGER: Renee Mezo, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 236-6033 rmezo@san Diego.gov

Until further notice, Planning Commission meetings will be conducted pursuant to the provisions of California Government Code section 54953(b), as amended by Assembly Bill 361 which suspends certain requirements of the Ralph M. Brown Act during a proclaimed state of emergency when measures to promote social distancing are in effect or the City has determined meeting in person would present imminent risks to the health or safety of attendees.

During the current State of Emergency related to the COVID-19 pandemic and in the interest of public health and safety, all Planning Commissioners will be participating in Planning Commission meetings by teleconference and/or videoconference. There will be no members of the public in attendance at the Planning Commission Meetings. We are providing alternatives to in-person attendance for participating in Planning Commission meetings. Updated information is available on the Planning Commission webpage: <https://www.sandiego.gov/planning-commission>.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment [webform](#) found on the Planning Commission webpage: <https://www.sandiego.gov/planning-commission>. If you have an attachment to your comment, you may send it to planningcommission@san Diego.gov and it will be distributed to the Planning Commissioners.

As a property owner, tenant, or person who has requested notice, please be advised that the Planning Commission will hold a public hearing to **recommend** approval, conditional approval, or denial to the City Council for proposed amendments to the Municipal Code and Local Coastal Program.

The Housing Action Package will address the following:



Affordable Housing in All Communities will allow 100% affordable housing and density bonus units in areas near transit, identified as Highest and High Resource Communities by the State of California, in communities with less than 5% deed-restricted affordable housing.

Employee Housing Incentive Program will allow non-residential development near transit to receive incentives if pays into the Affordable Housing Trust Fund or builds affordable homes.

Live/Work Flexibility will amend requirements for Live/Work units to encourage more opportunities for residents to work from home

Housing at City Facilities will allow for by-right housing development on City-owned sites

Housing Accessibility Program will incentivize the construction of accessible housing for residents with disabilities

Housing for Families will incentivize the construction of housing units with three or more bedrooms.

Multi-Dwelling Unit and Urban Lot Split Regulations for Single Family Zones. [Senate Bill 9](#) (SB9) is also known as the California Housing Opportunity & More Efficiency (HOME) Act and is part of the Senate housing package called Building Opportunities for All.

SB9 requires a city to ministerially approve the following:

(1) A housing development of no more than two units on certain single-family zoned parcels and

(2) The subdivision of a parcel zoned for residential use, into two approximately equal parcels

SB9 specifies several requirements local jurisdictions must impose on projects that seek to use its provisions, as well as prohibits local jurisdictions from imposing certain requirements or standards on such projects. It leaves various items up to the local jurisdiction for determination. SB9 has the potential to provide new housing opportunities throughout the city and the City of San Diego proposes to implement requirements on SB9 projects.

Accessory Dwelling Units Regulations will be amended, primarily in light of and to provide consistency with specific provisions of SB 9 implementing action.

Other minor and related code amendments, such as related to timelines for residential master planned housing projects to improve processing of such projects and not requiring a Planned Development for development utilizing the affordable housing regulations.

The following chapters are proposed to be amended but other chapters could be included to ensure consistency and to achieve the intent of the amendments:

The addition of a new division; Chapter 14, Article 3, Division 13, amendments to Chapter 9, Article 8, Division 5; Chapter 12, Article 9, Division 2; Chapter 13, Article 1, Division 6; Chapter 14, Article 1, Division 3; Chapter 14, Article 1, Division 3; Chapter 14, Article 2, Division 6; Chapter 14, Article 2, Division 13; Chapter 14, Article 3, Division 4; Chapter 14, Article 3, Division 7; Chapter 14, Article 5, Division 40; Chapter 15, Article 1, Division 4; Chapter 15, Article 5, Division 2; Chapter 15, Article 16, Division 1

For additional information you can visit the Homes for All of Us website at

<https://www.sandiego.gov/planning/programs/homes-all-us-implementation-proposal>

The Environmental Policy Section of the Planning Department has reviewed the Housing Action Package 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 following certified environmental documents:

1. Final Environmental Impact Report (EIR) for the Land Development Code (DEP No. 96-033/SCH No. 1996081056) certified by the San Diego City Council on November 18, 1997 (Resolution R-289458);

2. Final Program EIR (PEIR) for the General Plan (Project No. 104495/SCH No. 2006091032) certified by the San Diego City Council on March 10, 2008 (Resolution R-313099);
3. Addendum to the General Plan PEIR for the Housing Element Update (SCH No. 2006091032) certified by the San Diego City Council on June 18, 2020 (Resolution R-313099); and
4. Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (SCH No. 2019060003) certified by the San Diego City Council on November 9, 2020 (Resolution R-313279).

Pursuant to CEQA Section 21166 and CEQA Guidelines Section 15162 there is no change in circumstance, additional information, or project changes to warrant additional environmental review.

SB 9 also adds Government Code Sections 65852.21 and 66411.7, which include the provision that an ordinance adopted to implement these sections, "shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code." Thus, the proposed amendments to adopt the provisions of SB 9 are not a project subject to CEQA.

The decision to adopt, modify, or not adopt the ordinance will be made by the City Council at a future public hearing. You will also receive a separate notice of public hearing provided 10 business days prior to the City Council hearing. Following City Council action, the City will submit the Housing Action Package to the Airport Land Use Commission for a consistency determination. The code amendments will not be effective until the Airport Land Use Commission determines the ordinance is consistent with adopted ALUCPs, or the City processes an overrule.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

Notice of Availability of Local Coastal Program Amendment:

The ordinance could apply to property located in the Coastal Zone; therefore, the City Council's decision requires amending the City's Local Coastal Program. The final decision by the City Council will occur no sooner than six weeks after the date of mailing of this notice. The final decision on the portions of this ordinance that are the City's Local Coastal Program will be with the California Coastal Commission. The City of San Diego will submit the Housing Action Package to the California Coastal Commission for certification following City Council and Airport Land Use Commission action. The ordinance will not be effective in the coastal zone until the Coastal Commission unconditionally certifies the amendment.

If you wish to be noticed of the Coastal Commission hearing on this issue, you must submit a request in writing to the City of San Diego Planning Department, Attention: Renee Mezo, Project Manager, 9485 Aero Drive, MS 413, San Diego, CA 92123 or rmezo@sandiego.gov before the close of the City Council public hearing. If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice or written in correspondence to the City at or before the public hearing.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.



Development Services Department

Renee Mezo / Project No. 21003876- Homes for All of Us – Part One
9485 Aero Drive, MS 413 · San Diego, California 92123

RETURN SERVICE REQUESTED