

Article 2: Land Use Plans
(Added 12-9-1997 by O-18451 N.S..)

Division 1: Adoption And Amendment Procedures for Land Use Plans
(Added 12-9-1997 by O-18451 N.S.)

§122.0101 Purpose of Procedures for Adoption and Amendment of Land Use Plans

The purpose of these procedures is to standardize the review process for the adoption of new *land use plans* and the privately or publicly initiated amendment of adopted *land use plans*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§122.0102 When Review of Land Use Plans Is Required

Any planning or *development* proposal that would require adoption or amendment of a *land use plan* shall be reviewed in accordance with this division.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§122.0105 Decision Process for Land Use Plans

- (a) *Land use plans* and *land use plan* amendments shall be initiated in accordance with the General Plan Land Use Element.
- (b) Once initiated in accordance with Section 122.0105(a), a decision on a *land use plan* or a *land use plan* amendment shall be made in accordance with Process Five.
- (c) The City Council may make a minor change to a proposed *land use plan* during the public hearing.
- (d) The City Council shall refer any material change to a proposed *land use plan* to the Planning Commission for its recommendation. The failure of the Planning Commission to provide a recommendation on the material change within 45 calendar days of the date of the conclusion of the Commission hearing shall be deemed a recommendation for approval.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

§122.0106 Certification Requirements for Local Coastal Program Amendments

- (a) Any new *land use plan* or amendment to an applicable land use plan that applies to property in the Coastal Overlay Zone constitutes an amendment to the *Local Coastal Program*.
- (b) Notice of availability. At least 6 weeks before the City Council hearing to approve or deny an amendment to the *Local Coastal Program*, the City Manager shall distribute a notice of availability in accordance with the applicable provisions of the California Coastal Act and Guidelines and shall make available to the public a review draft of the amendment language.
- (c) *Certification of Local Coastal Program Amendments*. An amendment to the City's *Local Coastal Program* must be certified by the California Coastal Commission in accordance with Coastal Commission regulations. If the Coastal Commission certifies the amendment with modifications, the City Council shall conduct a public hearing, noticed in accordance with Sections 112.0301(c) and 112.0305, to consider the modifications, no later than 6 months after the Coastal Commission action.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§122.0107 Required Contents of Specific Plans

- (a) Specific plans adopted on or after January 1, 2000 shall be prepared pursuant to the California Government Code.
- (b) The specific plan shall include the required contents listed in California Government Code Section 65451. The required contents shall be formulated into a policy element and a regulatory element. The policy element shall contain detailed land use policies for the area covered by the specific plan and the decision process and permit type for subsequent *development* proposals that will implement the specific plan. The specific plan shall not establish new decision processes or permit types, but shall use the decision process established in Chapter 11 and the permit types described in Chapter 12. The zoning regulations shall consist of either:
 - (1) Application of existing base zones of Chapter 13; or
 - (2) Proposed base zones that shall be adopted into Chapter 13 as well as applied to the area covered by the specific plan. These zones shall become base zones that could be applied to other property in the City.

- (c) Zoning or rezoning to implement the specific plan shall be adopted by ordinance of the City Council.
- (d) The specific plan may include supplemental development regulations that are tailored to specific sites located within the specific plan area. The intent of supplemental development regulations is to ensure that *development* proposals are reviewed for consistency with the use and *development* criteria that have been adopted as part of the specific plan. If there is a conflict between the supplemental development regulations and the base zone regulations, the specific plan regulations shall apply.

(“Adoption and Amendment of Specific Plans” added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Retitled to “Required Contents of Specific Plans” and amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

(Amended 7-22-2024 by O-21836 N.S.; effective 10-5-2024.)

[Editors Note: Amendments as adopted by O-21836 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language
http://docs.sandiego.gov/municode_strikeout_ord/O-21836-SO.pdf