



Planning Commission Agenda

Meeting of October 7, 2019 – 6:00 p.m.
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950



The Planning Commission requests that all cellphones, pagers, and/or smart devices be turned off during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Welcome to the Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

Roll Call

Pledge of Allegiance by Commissioner Baca

Approval of Minutes

1. Approval of Minutes from the Meeting of September 9, 2019

Approval of Agenda

2. Approval of the Agenda for the Meeting on October 7, 2019

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.

PRESENTATIONS

CONTINUED PUBLIC HEARINGS

PUBLIC HEARINGS

3. Resolution Taking Action on a Code Amendment amending Section 18.12.160 (Historic properties) of Title 18 (Zoning) of the National City Municipal Code. (Case File No. 2019-23 A)
4. Resolution Taking Action on a Code Amendment amending Section 18.29.070 (Floodway (-FW), floodway fringe (-FF-1), and floodway fringe-shallow flooding (-FF-2) zones) of Title 18 (Zoning) of the National City Municipal Code. (Case File No. 2019-24 A)

OTHER BUSINESS

5. Presentation related to the new Street Tree Ordinance (Engineering Department)

STAFF REPORTS

Senior Assistant City Attorney

Director of Community Development

Principal Planners

Commissioners

Chairperson

ADJOURNMENT

Adjournment to the next regularly scheduled meeting on October 21, 2019 at 6:00 p.m.



Planning Commission Minutes

Planning Commission
Meeting of September 9, 2019
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Vice Chair Flores at 6:00 p.m.

Roll Call

Commissioners Present: Yamane, Natividad, Baca, Flores, Dela Paz
(*arrived at 6:03 pm*), Garcia

Commissioners Absent: Sendt

Staff Also Present: Senior Assistant City Attorney Nicole Pedone, Principal Planner Martin Reeder, Principal Planner Ray Pe, Assistant Planner Chris Stanley

Pledge of Allegiance Presented by Vice Chair Flores

1. Approval of Minutes from the Meeting of August 19, 2019.

Motion by Baca, second by Yamane to approve the Minutes for the Meeting of August 19, 2019.

Motion carried by the following vote:

Ayes: Yamane, Natividad, Baca, Flores

Abstain: Garcia

Noes: None.

Absent: Sendt, Dela Paz

Commissioner Garcia abstained due to his absence at the meeting on August 19, 2019.

Commissioner Dela Paz arrived at the dais at 6:03 pm.

2. Approval of the Agenda for the Meeting of September 9, 2019.

Motion by Garcia, second by Baca to approve the Agenda for the Meeting of September 9, 2019.

Motion carried by the following vote:

Ayes: Yamane, Natividad, Baca, Flores, Dela Paz, Garcia

Abstain: None.

Noes: None.

Absent: Sendt

ORAL COMMUNICATION: Public Speaker Joan Rincon

PRESENTATIONS: None.

CONTINUED PUBLIC HEARINGS: None.

PUBLIC HEARINGS:

3. Resolution Taking Action on a Conditional Use Permit to Allow CPR Classes at 3142 East Plaza Boulevard Suite 'N' (Case File No. 2019-19 CUP)

Presented by Assistant Planner Chris Stanley.

Applicants, Ruthy Puzan and Johnny Lytle, confirmed that they have read, understand, and accept the conditions.

Motion by Natividad, second by Baca to close the public hearing and approve a Resolution Taking Action on a Conditional Use Permit to Allow CPR Classes at 3142 East Plaza Boulevard Suite 'N' (Case File No. 2019-19 CUP) with the caveat that hours of operation noted in Condition No. 4 be changed to 9:00 a.m. to 9:00 p.m.

Motion carried by the following vote:

Ayes: Yamane, Natividad, Baca, Flores, Dela Paz, Garcia

Abstain: None.

Noes: None.

Absent: Sendt

4. Resolution Taking Action on a Conditional Use Permit for a Bar (Over the Tap) to be Located at 2424 Hoover Avenue Suite 'A' (Case File No. 2019-21 CUP)

Presented by Assistant Planner Chris Stanley.

Applicant requested extended hours on Thursday thru Saturday from 10:00 a.m. to 12:00 a.m.

Commissioner Natividad suggested that the applicant heighten the wall on the patio to prevent alcoholic beverages from being passed to minors.

Public Speakers:

Jacqueline Reynoso, National City Chamber of Commerce President & CEO, spoke in support of the item.

Joan Rincon was neutral on the item.

Applicant Jorge Ramirez, confirmed that he has read, understands, and accepts the conditions.

Motion by Yamane, second by Natividad to close the public hearing and approve the Resolution Taking Action on a Conditional Use Permit for a Bar (Over the Tap) to be Located at 2424 Hoover Avenue Suite 'A' (Case File No. 2019-21 CUP) with the caveat that the hours of operation be extended to 10:00 a.m. to 12:00 am on Thursday thru Saturday.

The Commissioners also recommended that the City Council waive the requirements for the sale of alcohol with food (City Council Policy No. 707, conditions 14 and 15).

Motion carried by the following vote:

Ayes: Yamane, Natividad, Baca, Flores

Abstain: None.

Noes: Garcia, Dela Paz

Absent: Sendt

5. Resolution Taking Action on the Designation of Historic Properties Citywide (Case File No. 2019-20 HL)

Presented by Principal Planner Raymundo Pe.

Commissioner Natividad left the dais at 6:59 pm and returned at 7:03 pm.

Public Speakers

Richard Sherman
Mr. and Mrs. Overby

Motion by Dela Paz, second by Yamane to close the public hearing and approve the Resolution Taking Action on the Designation of Historic Properties Citywide (Case File No. 2019-20 HL) with the caveat that the property located at 110 D Avenue be removed from the list.

Motion carried by the following vote:

Ayes: Yamane, Natividad, Baca, Flores, Dela Paz, Garcia

Abstain: None.

Noes: None.

Absent: Sendt

OTHER BUSINESS: Commissioner Dela Paz asked staff to contact a representative from the Historical Society and request that they attend the City Council meeting when Item No. 5 goes forward for consideration.

STAFF REPORTS:

Senior Assistant City Attorney: None.

Armando Vergara, Director of Community Development: Absent.

Principal Planners: Principal Planner Martin Reeder and Ray Pe introduced the Planning Dept. Intern Megan Do to the Commissioners and thanked her for her work.

COMMISSIONER REPORTS:

Natividad: Thanked staff for their hard work.

Baca: None.

Dela Paz: None.

Garcia: Thanked staff for their work and encouraged everyone to participate in the upcoming Census.

Yamane: Thanked the Historical Society for their work.

Flores: None.

Sendt: Absent.

ADJOURNMENT by Vice Chair Flores at 7:55 p.m. to the meeting of October 7, 2019.

CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of October 7, 2019.



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

TITLE: PUBLIC HEARING – CODE AMENDMENT AMENDING SECTION 18.12.160 (HISTORIC PROPERTIES) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.

Case File No.: 2019-23 A

Staff report by: Martin Reeder, AICP – Principal Planner

Project location: Citywide

Applicant: City-initiated Land Use Amendment

Environmental review: Not a project per CEQA

Staff recommendation: Recommend approval of the amendment to the City Council

BACKGROUND

Staff Recommendation

Staff recommends that the Planning Commission recommend approval of the amendment to sections 18.12.160 to the City Council.

Overview

Chapter 18.12.160 of the Land Use Code makes specific reference to the National City Historic Society (“the Society”). While the Society is an important resource in the City for information on applications for historic designation and demolition of historic structures, it is not the only resource. This has led to confusion with regard to prioritizing comments or recommendations.

Proposed Changes

In order to avoid the appearance of favoring one organization or resource over another, staff suggests removing the term “National City Historical Society” from chapter 18.12.160. Staff will still be able to solicit comments and recommendations from the

Society, as well as other resources (e.g. National City Library History Room staff, State Historic Preservation Office, Save Our Heritage Organization, etc.).

Staff will refer to the National Register Criteria for Evaluation, which is published by the National Park Service, Office of Historic Preservation. The standards can be used for evaluation of both state and nationally-significant structures.

Criteria generally focus on the quality of significance in local history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- D. that have yielded, or may be likely to yield, information important to prehistory or history.

A strikethrough/underline version of the changes are attached to this staff report.

Findings

There are two findings required for approval of a Code Amendment, one related to General Plan consistency and one related to compliance with the California Environmental Quality Act (CEQA).

General Plan Conformance

The requested amendments to this section are consistent with the General Plan, as both the Land Use and Open Space Elements encourage the preservation of historic structures. Three policies and one goal apply in this case:

Land Use

Policy LU-7.2: Support historic preservation, adaptive reuse, and refurbishing of existing buildings and structures.

Open Space

Goal OS-8: The identification, preservation, and enhancement of the city's historic, cultural, and paleontological resources.

Policy OS-8.1: Establish formal criteria to be used in the identification, restoration, and preservation of locally significant historic structures.

Policy OS-8.4: Consult with property owners and land developers early in the development review process to minimize potential impacts to historic and cultural resources.

CEQA Compliance

These amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. Any applications for historic designation or demolition of historic structures would still require the same level of CEQA review as before.

Summary and next steps

Staff is recommending changes to the City's Municipal Code related to the review of permits involving historic structures, and recommends that the Planning Commission support the amendment. The Commission's recommendation will be provided to the City Council at a subsequent public hearing at the City Council.

OPTIONS

1. Recommend approval of the amendments to Chapter 18.12.160 of the Land Use Code based on the attached findings or findings to be determined by the Planning Commission; or
2. Recommend denial of the amendment to Chapter 18.12.160 of the Land Use Code based on findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date.

ATTACHMENTS

1. Findings
2. Proposed Code changes
3. Public Hearing Notice (published in the Star News)
4. Resolution



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

1. That the proposed amendment to section 18.12.160 is consistent with the General Plan, as Land Use and Open Space Policies LU-7.2, OS-8.1, and OS-8.4 encourage historic preservation of the City's historic resources.
2. That the proposed amendment has been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the amendment is not considered to be a project under CEQA as there would be no physical impact as a result of the change. Any applications for historic designation or demolition of historic structures would still require the same level of CEQA review as currently. The change is solely related to removing a specific entity's name in the Municipal Code and replacing with a generic term.

18.12.160 - Historic properties.

- A. Intent and Purpose. It is the intent and purpose of this section to protect, preserve and, where damaged, restore National City's historic resources by:
1. Establishing a procedure whereby properties of historical significance are identified and appropriate notice is provided in the event demolition, significant alteration, or conversion is proposed.
 2. Protecting the educational, cultural, economic, and general welfare of the public, while employing regulations that are consistent with sound historical preservation principles and the rights of private property owners.
 3. Utilizing State Historic Preservation Office standards for identifying and preserving properties of historical significance in the City to ensure appropriate categorization and disposition of historic resources.
- B. Designation of Historic Properties.
1. A list of historic properties shall be maintained and periodically updated.
 2. Changes to the historic properties list may be initiated by resolution of the city council or on the verified application of the owner(s) of the property to be designated or their authorized agents.
 3. Any application or resolution that proposes changes to the historic properties list shall be accompanied by an evaluation of the historic character of the property and shall be reviewed by the planning division.
 4. The planning division, after reviewing such application for completeness, ~~shall notify the historical society of~~ may solicit comments from local, state, or federal historic resources, as necessary, related to the proposed changes to the historic properties list. ~~Any comments or recommendations provided by the historical society must be received within twenty days of the notice of proposed changes.~~
 5. Once the planning division has completed review of the application and considered any comments or recommendations ~~from the historical society,~~ it shall prepare a report and recommendation to the planning commission.

6. The planning commission shall hold a public hearing on the proposal and shall provide a recommendation to the city council.
7. The city council shall hold a public hearing and may approve, modify and approve, or deny the proposed changes to the historic properties list.

C. Review of Ministerial Permits.

1. The building official or designee shall review each request for a non-discretionary building or demolition permit to determine if it involves any structure identified on the list of historic properties. If a property proposed for demolition or significant alteration or conversion is determined to be on the historic properties list, the building official or designee shall withhold issuance of the permit for a period of thirty days.
2. The building official shall immediately notify the planning division and the city council of the pending permit.
3. The planning division shall review the permit and solicit comments from local, state, or federal historic resources, as necessary, to determine consistency with this chapter. ~~Within five days, the planning division shall provide notice to the historical society of the pending permit and may request comments and recommendations. Any comments or recommendations provided by the historical society must be received within twenty days of the notice of pending permit.~~
4. Once the planning division has reviewed the permit application and considered any comments or recommendations ~~from the historical society~~, it shall provide a recommendation to the city council. The recommendation may include approval of the permit, no recommendation, recommendation that the permit be denied, or a request for additional time to evaluate the permit.
5. The city council, at its sole discretion, may approve the permit, deny the permit if a finding is made that such permit may result in an adverse effect on the public welfare, or withhold the issuance of the permit until such time as all alternative measures are thoroughly evaluated.

D. Review of Discretionary Permits. All discretionary permits involving a historic resource shall be reviewed in compliance with the California Environmental Quality Act.

NOTICE OF PUBLIC HEARING
CODE AMENDMENT AMENDING SECTION 18.12.160 (HISTORIC PROPERTIES)
OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.
CASE FILE NO.: 2019-23 A

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, October 7, 2019**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: City-initiated)

The amendment intends to modify existing Municipal Code language related to review of permits involving historic structures.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **October 7, 2019**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA, RECOMMENDING ADOPTION TO THE CITY COUNCIL OF A CODE AMENDMENT AMENDING SECTION 18.12.160 (HISTORIC PROPERTIES) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.

APPLICANT: CITY-INITIATED.

CASE FILE NO. 2019-23 A

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code, per Chapter 18.12.150; and,

WHEREAS, the Planning Commission of the City of National City, California, considered said proposed amendment at a duly advertised public hearing held on October 7, 2019 at which time the Planning Commission considered evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report provided for Case File No. 2019-23 A, which is maintained by the City and incorporated herein by reference; along with any other evidence presented at said hearing; and,

WHEREAS, the Planning Commission recommends adoption to the City Council of the City of National City amendment to Chapter 18.12.160 (Historic properties) of Title 18 (Zoning) of the National City Municipal Code; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, this action is taken in an effort to comply with applicable State and Federal law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Planning Commission of the City of National City, California, that the evidence presented to the Planning Commission at the public hearing held on October 7, 2019, support the following findings:

1. That the proposed amendments to section 18.12.160 are consistent with the General Plan, as Land Use and Open Space Policies LU-7.2, OS-8.1, and OS-8.4 encourage historic preservation of the City's historic resources.
2. That the proposed amendments have been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. Any applications for historic designation or demolition of historic structures would still require the same level of CEQA review as currently. The change is solely related to removing a specific entity's name in the Municipal Code and replacing with a generic term. In addition, secondhand dealing is a commercial use that is typically permitted by right without CEQA review.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of October 7, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

TITLE: PUBLIC HEARING – CODE AMENDMENT AMENDING SECTION 18.29.070 (FLOODWAY (-FW), FLOODWAY FRINGE (-FF-1), AND FLOODWAY FRINGE-SHALLOW FLOODING (-FF-2) ZONES.) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.

Case File No.: 2019-24 A

Staff report by: Martin Reeder, AICP – Principal Planner

Project location: Citywide

Applicant: City-initiated Land Use Amendment

Environmental review: Not a project per CEQA

Staff recommendation: Recommend approval of the amendment to the City Council

BACKGROUND

Staff Recommendation

Staff recommends that the Planning Commission recommend approval of the amendments to section 18.29.070 to the City Council.

Overview

Chapter 18.29 (Overlay Zones) establishes overlay zones to provide supplemental regulations that have been tailored to specific geographic areas of the city. Overlay zones are applied in conjunction with a base zone and modify or add to the regulations of the base zone to address specific issues such as development within the coastal zone, special height restrictions, or supplemental processing requirements.

Section 18.29.070 of the Land Use Code makes specific reference to areas subject to flooding in the City. These areas are classified as Floodway (-FW), floodway fringe (-FF-1), and floodway fringe-shallow flooding (-FF-2) zones. These zones tie directly to flood-prone areas identified on Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA) and on file with the City's Engineering Department.

Proposed Changes

In a letter dated June 20, 2019, FEMA directed the City to make modifications to its Municipal Codes related to floodplain development to make them in conformance with FEMA regulations. Section 18.29.070 (F) currently states as follows:

- F. Lands to which Chapter applies. This chapter shall apply to all areas of special flood hazards within the jurisdiction of National City.

In order to be compliant with FEMA regulations, the following section should be added:

- 1. No structure or land shall hereafter be constructed, located, extended, converted or altered without first submitting an application for a flood hazard area development permit to the flood plain administrator*.

* The Floodplain Administrator is already defined in Section 18.29.070 and is "the individual appointed to administer and enforce the floodplain management regulations. This individual shall be the city engineer of the city."

In addition to the amendment to subsection (F), the City Attorney is suggesting the following change to Section 18.29.070 (G) as follows (suggested addition noted in **bold**):

- G. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard as shown on the special flood hazard map as floodway (FW), floodway fringe (FF-1), and floodway fringe-shallow flooding (FF-2) zones and conforming with the areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the flood insurance study (FIS) for National City dated August 4, 1988, and accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated August 4, 1988, and all subsequent

amendments and/or revisions, are adopted by reference and declared to be a part of this chapter **without any further action**. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the planning commission by the floodplain administrator. The study, FIRMs and FBFMs are on file at the office of the floodplain administrator at 1243 National City Boulevard, National City, California, 91950.

A strikethrough/underline version of the changes are attached to this staff report.

Findings

There are two findings required for approval of a Code Amendment, one related to General Plan consistency and one related to compliance with the California Environmental Quality Act (CEQA).

General Plan Conformance

The requested amendments to this section are consistent with the General Plan, as both the Land Use and Safety Elements require the minimization of flood hazards through the following goals/policies:

Land Use

Policy LU-3.4: Regulate development in areas with a high threat to life and property, such as floodplains, to minimize adverse impacts. Areas covered by the General Plan that are subject to flooding are identified in Figures LU-4a and LU4b and will be reviewed annually.

Safety

Goal S-2: Minimized hazards relating to flooding and inundation.

Policy S-2.4: Adopt regulations that limit the risk of loss to reasonable levels within mapped floodplain hazard areas or areas subject to potential inundation by levee failure, dam failure, or as the result of a tsunami.

CEQA Compliance

These amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. The regulations prohibit construction within any flood-prone areas (FW, FF-1, and FF-2).

Summary and next steps

Staff is recommending changes to the City's Municipal Code related to construction of buildings in flood hazard areas and recommends that the Planning Commission support the amendments. The Commission's recommendation will be provided to the City Council at a subsequent public hearing at the City Council.

OPTIONS

1. Recommend approval of the amendments to Chapter 18.29.070 of the Land Use Code based on the attached findings or findings to be determined by the Planning Commission; or
2. Recommend denial of the amendment to Chapter 18.29.070 of the Land Use Code based on findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date.

ATTACHMENTS

1. Findings
2. Proposed Code changes
3. Public Hearing Notice (published in the Star News)
4. Resolution



MARTIN REEDER, AICP
Principal Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

1. That the proposed amendments to section 18.29.070 are consistent with the General Plan, as Land Use and Safety Policies LU-3.4, S-2.4, and Safety Goal S-2 require the minimization of flood hazards through the following goals/policies.
2. That the proposed amendments have been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. The regulations prohibit construction within any flood-prone areas (FW, FF-1, and FF-2).

18.29.070 - FLOODWAY (-FW), FLOODWAY FRINGE (-FF-1), AND FLOODWAY FRINGE-SHALLOW FLOODING (-FF-2) ZONES.

F. Lands to which Chapter Applies. This chapter shall apply to all areas of special flood hazards within the jurisdiction of National City.

1. No structure or land shall hereafter be constructed, located, extended, converted or altered without first submitting an application for a flood hazard area development permit to the flood plain administrator.

G. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard as shown on the special flood hazard map as floodway (FW), floodway fringe (FF-1), and floodway fringe-shallow flooding (FF-2) zones and conforming with the areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the flood insurance study (FIS) for National City dated August 4, 1988, and accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated August 4, 1988, and all subsequent amendments and/or revisions, are adopted by reference and declared to be a part of this chapter without any further action. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the planning commission by the floodplain administrator. The study, FIRMs and FBFMs are on file at the office of the floodplain administrator at 1243 National City Boulevard, National City, California, 91950.

NOTICE OF PUBLIC HEARING

CODE AMENDMENT AMENDING SECTION 18.29.070 (FLOODWAY (-FW), FLOODWAY FRINGE (-FF-1), AND FLOODWAY FRINGE-SHALLOW FLOODING (-FF-2) ZONES.) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.

CASE FILE NO.: 2019-24 A

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, October 7, 2019**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: City-initiated)

The amendment intends to modify existing Municipal Code language related to construction of buildings in flood hazard areas.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 12:00 p.m., **October 7, 2019**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

RESOLUTION NO. 2019-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA, RECOMMENDING ADOPTION TO THE CITY COUNCIL OF A CODE AMENDMENT AMENDING SECTION 18.29.070 (FLOODWAY (-FW), FLOODWAY FRINGE (-FF-1), AND FLOODWAY FRINGE-SHALLOW FLOODING (-FF-2) ZONES.) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE.
APPLICANT: CITY-INITIATED.
CASE FILE NO. 2019-24 A

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code, per Chapter 18.12.150; and,

WHEREAS, In a letter dated June 20, 2019, FEMA directed the City to make modifications to its Municipal Codes related to floodplain development to make them in conformance with FEMA regulations; and,

WHEREAS, the Planning Commission of the City of National City, California, considered said proposed amendment at a duly advertised public hearing held on October 7, 2019 at which time the Planning Commission considered evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report provided for Case File No. 2019-24 A, which is maintained by the City and incorporated herein by reference; along with any other evidence presented at said hearing; and,

WHEREAS, the Planning Commission recommends adoption to the City Council of the City of National City amendment to Chapter 18.29.070 (Floodway (-FW), Floodway Fringe (-FF-1), and Floodway Fringe-Shallow Flooding (-FF-2) zones) of Title 18 (Zoning) of the National City Municipal Code; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, this action is taken in an effort to comply with applicable State and Federal law; and,

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Planning Commission of the City of National City, California, that the evidence presented to the Planning Commission at the public hearing held on October 7, 2019, support the following findings:

1. That the proposed amendments to section 18.29.070 are consistent with the General Plan, as Land Use and Safety Policies LU-3.4, S-2.4, and Safety Goal S-2 require the minimization of flood hazards through the following goals/policies.
2. That the proposed amendments have been reviewed and been found to comply with the California Environmental Quality Act (CEQA); the amendments are not considered to be a project under CEQA as there would be no physical impact as a result of the change. The regulations prohibit construction within any flood-prone areas (FW, FF-1, and FF-2).

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of October 7, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON