

ORDINANCE NO. 10305  
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2  
OF THE SAN DIEGO MUNICIPAL CODE, RELATING  
TO SUBDIVISIONS.

BE IT ORDAINED, by the Council of The City of San Diego,  
as follows:

Section 1. That Chapter X, Article 2 of the San Diego  
Municipal Code be amended by amending Section 102.0205 to read  
as follows:

SEC. 102.0205 TENTATIVE MAP - PROCEDURE -  
GENERAL

1. Following receipt of a full set of tentative  
maps and the required fee or deposit, the Planning  
Director shall indicate the date of filing, (i.e. the  
date upon which the fee or deposit was received) upon  
all copies of the tentative map and the accompanying  
statements of data, if any. Thereafter, within five days  
of the date of filing, he shall transmit an appropriate  
number of prints of the tentative map and statements of  
data to the City Engineer, Utilities Director, Recreation  
Director, School Superintendent affected, or other  
department and public or semi-public agency which he  
deems to have a direct responsibility or interest in the  
consideration of said tentative map.

2. As soon as practicable following filing, the  
Planning Director shall determine whether the tentative  
map is to be considered at a meeting of the Subdivision  
Advisory Committee. (See Sec. 102.0208.)

3. As soon as practicable following filing, and  
after consultation with the subdivider, any member of

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the Subdivision Review Board may determine, according to provisions herein and policies established by the Commission, that the tentative map is possessed of sufficient public or community interest to justify the holding of a public hearing by the Subdivision Review Board prior to action being taken on the map. In the event that a public hearing is held, notice shall be mailed to the subdivider and to the owners of all property within 300 feet of the exterior boundaries of the property involved at least ten days prior to the date of the hearing. The last known name and address of each owner as shown on the records of the County Assessor may be used for the aforementioned notice.

4. Within a period of not more than 21 days from the receipt of a copy of the tentative map, each department or agency to whom such copy shall have been transmitted shall file with the Planning Director its approval of such tentative map or a report specifying the changes and improvements necessary to make such tentative map conform to the standards and policies of said department or agency.

5. Upon receipt of the detailed departmental and agency reports as prepared and submitted by each of the reporting departments or agencies, the Subdivision Review Board shall consider the tentative map and within 50 days after the date of filing, shall either approve, conditionally approve or disapprove the said tentative map. This time limit need not be observed if an extension of time has been agreed upon by the subdivider. In the event that the Subdivision Review Board fails to take action within the time stipulated, the tentative map shall be deemed approved.

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6. The Subdivision Review Board shall report the action taken on the tentative map to the subdivider within seven days following the taking of said action.

7. In the event that Subdivider is dissatisfied with any action of the Subdivision Review Board with respect to the tentative map, an appeal may be directed to the Commission within 15 days following such action. The notice of appeal shall be in writing and filed with the Planning Department.

The Commission shall hear the appeal within 15 days or at its next succeeding regular meeting unless the subdivider consents to a continuance.

At the hearing the Commission shall proceed to hear the testimony of the appellant or any witnesses in his behalf and the testimony of the Subdivision Review Board or any other witnesses.

Upon the conclusion of the hearing, unless the Commission and the subdivider mutually agree that additional time is needed for further consideration, the Commission shall within seven days declare its findings based on the testimony and documents placed before it. It may sustain, modify, reject or overrule the recommendations or rulings of the Subdivision Review Board and may make such findings as are not inconsistent with State or local laws.

8. In the event that Subdivider or Subdivision Review Board is dissatisfied with any action of the Commission with respect to the tentative map, an appeal may be

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directed to the Council within 15 days following such action. The notice of appeal shall be in writing and filed with the City Clerk.

The City Clerk shall thereupon place the matter on the Council Docket for a hearing within 15 days or at the next succeeding regular Council meeting unless the subdivider consents to a continuance. The Council may sustain, modify, reject or overrule any previous action. The City Clerk shall give written notice in the same manner as that of the Commission and in addition shall give the appellant, subdivider and the Commission written notice of the time so set.

The Council shall hear the appeal on the date set unless such time is extended by agreement with the subdivider.

At the hearing the Council shall proceed to hear the testimony of the appellant or any witnesses in his behalf and the testimony of the representative of the Subdivision Review Board or any other witnesses.

Upon conclusion of the hearing, unless the Council and the subdivider mutually agree that additional time is needed for further consideration, the Council shall within seven days declare its findings based on the testimony and documents placed before it. It may sustain, modify, reject or overrule the recommendations or the rulings of the Commission and may make such findings as are not inconsistent with State or local laws.

9. The Subdivision Review Board, Commission or Council may extend the approval of a tentative map not to exceed two years. Failure to record a final map within the approved time period shall terminate all proceedings. Before a final map may thereafter be recorded a new

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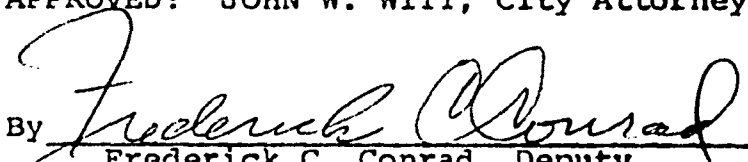
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tentative map shall be submitted and approved. In the event the Subdivision Review Board denies the subdivider's application for an extension, the subdivider may appeal to the Commission and City Council in the manner set forth in this Section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad, Deputy

FCC:mk  
4/13/70

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Passed and adopted by the Council of The City of San Diego on JUN 2 1970,  
 by the following vote:

RECEIVED  
 1970 APR 13 PM 2:13  
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN  
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD  
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 19 1970, and on JUN 2 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD  
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <b>10305</b>	Adopted <u>JUN 2 1970</u>

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77 018

Strike-out Ordinance

NEW LANGUAGE: Underlined  
OLD LANGUAGE: Strike-out type

SEC. 102.0205 TENTATIVE MAP - PROCEDURE - GENERAL

1. No change.

2. No change.

3. As soon as practicable following filing, and after consultation with the subdivider, any member of the Subdivision Review Board may determine, according to provisions herein and policies established by the Commission, that the tentative map is possessed of sufficient public or community interest to justify the holding of a public hearing by the Subdivision Review Board ~~or Planning Commission~~ prior to action being taken on the map; ~~provided, however, that a hearing shall be held by the Commission in all cases involving a petition to rezone which is to be heard concurrently with a tentative map or variance to the zoning regulations of the particular zone or zones in which the property is located except variances authorized without hearing.~~ In the event that a public hearing is held, notice shall be mailed to the subdivider and to the owners of all property within 300 feet of the exterior boundaries of the property involved at least ten days prior to the date of the hearing. The last known name and address of each owner as shown on the records of the County Assessor may be used for the aforementioned notice.

4. No change.

5. Upon receipt of the detailed departmental and agency reports as prepared and submitted by each of the reporting departments or agencies, the Subdivision Review Board, ~~or Commission~~ ~~in any case requiring Commission action;~~ shall consider the tentative map and within 50 days after the date of filing, shall either approve, conditionally approve or disapprove the said tentative map. This time limit need not be observed if an extension of time has been agreed upon by the subdivider. ~~or if the tentative map has been submitted in conjunction with a petition for change of zone.~~ In the event that the Subdivision Review Board ~~or Commission~~ fails to take action within the time stipulated, the tentative map shall be deemed approved.

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6. ~~The Planning Director, or Commission through the Planning Director, Subdivision Review Board shall report the action taken on the tentative map to the subdivider and his representative within seven days following the taking of said action. The Commission resolution approving or conditionally approving the tentative map submitted in conjunction with a petition for change of zone shall state that such approval does not become effective until the effective date of the concurrent ordinance rezoning the property.~~

7. In the event that any person Subdivider is dissatisfied with any action of the Subdivision Review Board with respect to the tentative map, an appeal may be directed to the Commission within 15 days following such action. The notice of appeal shall be in writing and filed with the Planning Department.

The Commission shall hear the appeal within 15 days or at its next succeeding regular meeting unless the subdivider consents to a continuance.

At the hearing the Commission shall proceed to hear the testimony of the appellant or any witnesses in his behalf and the testimony of the Subdivision Review Board or any other witnesses.

Upon the conclusion of the hearing, unless the Commission and the subdivider mutually agree that additional time is needed for further consideration, the Commission shall within seven days declare its findings based on the testimony and documents placed before it. It may sustain, modify, reject or overrule the recommendations or rulings of the Subdivision Review Board and may make such findings as are not inconsistent with State or local laws.

8. In the event that any person Subdivider or Subdivision Review Board is dissatisfied with any action of the Commission with respect to the tentative map, an appeal may be directed to the Council within 15 days following such action. The notice of appeal shall be in writing and filed with the City Clerk.



The City Clerk shall thereupon place the matter on the Council Docket for a hearing within 15 days or at the next succeeding regular Council meeting unless the subdivider consents to a continuance. ~~If the tentative map was submitted in conjunction with a petition for a change of zone, it may be considered at such time as the latter is scheduled to be heard by the Council,~~ and The Council may sustain, modify, reject, or overrule any previous action. The City Clerk shall give written notice in the same manner as that of the Commission and in addition shall give the appellant, subdivider and the Commission written notice of the time so set.

The Council shall hear the appeal on the date set unless such time is extended by agreement with the subdivider.

At the hearing the Council shall proceed to hear the testimony of the appellant or any witnesses in his behalf and the testimony of the representative of the ~~Commission~~ Subdivision Review Board or any other witnesses.

Upon conclusion of the hearing, unless the Council and the subdivider mutually agree that additional time is needed for further consideration, the Council shall within seven days declare its findings based on the testimony and documents placed before it. It may sustain, modify, reject or overrule the recommendations or the rulings of the Commission and may make such findings as are not inconsistent with State or local laws; ~~or it may refer the matter to the Commission for further report.~~

9. The Subdivision Review Board, ~~Commission~~ or Council may extend the approval of a tentative map not to exceed two years. Failure to record a final map within the approved time period shall terminate all proceedings. Before a final map may thereafter be recorded a new tentative map shall be submitted and approved. In the event the Subdivision Review Board denies the subdivider's application for an extension, the subdivider may appeal to the ~~Commission and~~ City Council in the manner set forth in this Section.

ATTORNEY (S)

- City of San Diego  
Community Concourse  
San Diego, California 92101

**CERTIFICATE OF PUBLICATION**

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2  
OF THE SAN DIEGO MUNICIPAL CODE, RELATING  
TO SUBDIVISIONS

RECEIVED  
1970 JUN 16 AM 11:58  
SAN DIEGO, CALIF.

I, Patricia M. Applestill hereby certify that **The Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

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to a true and correct copy of which this certificate is annexed was published in said newspaper on

June 11, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on June 11, 1970

*Patricia M. Applestill*  
(Signature)

18 5/8" \$ 74.50

**ORDINANCE NO. 10305**  
(NEW SERIES)

**AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2 OF THE SAN DIEGO MUNICIPAL CODE, RELATING TO SUBDIVISIONS, BE IT ORDAINED, by the Council of the City of San Diego, as follows:**

Section 1. That Chapter X, Article 2 of the San Diego Municipal Code be amended by amending Section 102.0205 to read as follows:

**PROCEDURE—**

**GENERAL**

1. Following receipt of a full set of tentative maps and the required fee or deposit, the Planning Director shall indicate the date of filing, (i.e. the date upon which the fee or deposit was received) upon all copies of the tentative map and the accompanying statements of data. If any, thereafter, within five days of the date of filing, he shall transmit an appropriate number of prints of the tentative map and statements of data to the City Engineer, Utilities Director, Recreation Director, School Superintendent affected, or other department and public or semi-public agency which he deems to have a direct responsibility or interest in the consideration of said tentative map.

2. As soon as practicable following filing, the Planning Director shall determine whether the tentative map is to be considered at a meeting of the Subdivision Advisory Committee. (See Sec. 102.0208.)

3. As soon as practicable following filing, and after consultation with the Subdivision Review Board may determine, any member of the Subdivision Review Board may determine, according to provisions herein and policies established by the Commission, that the tentative map is possessed of sufficient public map interest to justify the holding of a public hearing by the Subdivision Review Board prior to action being taken on the map. In the event that a public hearing is held, notice shall be mailed to the Subdivider and to the owners of all property within 300 feet of the exterior boundaries of the property involved at least ten days prior to the date of the hearing. The last known name and address of each owner as shown on the records of the County Assessor may be used for the aforementioned notice.

4. Within a period of not more than 21 days from the receipt of a copy of the tentative map, each department or agency to whom such copy shall have been transmitted shall file with the Planning Director its approval of such tentative map or a report specifying the changes and improvements necessary to conform to the standards and policies of said department or agency.

5. Upon receipt of the detailed departmental and agency reports as prepared and submitted by each of the reporting departments or agencies, the Subdivision Review Board shall consider the tentative map and within 50 days after the date of filing, shall either approve, conditionally approve or disapprove the said tentative map. This time limit need not be observed if an extension of time has been agreed upon by the Subdivider. In the event that the Subdivision Review Board fails to take action within the time stipulated, the tentative map shall be deemed approved.

6. The Subdivision Review Board shall report the action taken on the tentative map to the Subdivider within seven days following the taking of said action.

7. In the event that Subdivider is dissatisfied with any action of the Subdivision Review Board with respect to the tentative map, an appeal may be directed to the Commission within 10 days following such action. The notice of appeal shall be in writing and filed with the Planning Department.

8. The Subdivision Review Board shall report the action taken on the tentative map to the Subdivider within seven days following the taking of said action.

9. The Subdivision Review Board, Commission or Council may extend the approval of a tentative map not to exceed two years. Failure to record a final map within the approved time period shall terminate all proceedings. Before a final map may thereafter be recorded a new tentative map shall be submitted and approved. In the event the Subdivision Review Board denies the Subdivider's application for an extension, the Subdivider may appeal to the Commission and City Council in the manner set forth in this Section.

10. This ordinance shall take effect from and after its passage and adopted on May 19, 1970.

11. Introduced on June 2, 1970.

12. Passed and adopted by the Council of the City of San Diego on June 2, 1970.

13. AUTHENTICATED BY:

FRANK CURRAN,  
Mayor of the City of San Diego, California.

JOHN LOCKWOOD,  
City Clerk of the City of San Diego, California.

BY ELVA F. HAMEL,  
Deputy.

(SEAL)

Published June 11, 1970

4-433

The Commission shall hear the appeal within 15 days of its next meeting unless a continuance is requested.

At the hearing the Commission shall proceed to hear the testimony of the appellant or any witnesses in his behalf and the testimony of the Subdivision Review Board or any other witnesses.

Upon the conclusion of the hearing, unless the Commission and the Subdivider mutually agree that additional time is needed for further consideration, the Commission shall, in seven days declare its findings based on the testimony and documents placed before it. It may sustain, modify, reject or overrule the Subdivider's application for an extension, the Subdivider may appeal to the Commission and City Council in the manner set forth in this Section.

Section 2. This ordinance shall take effect from and after its passage and adopted on May 19, 1970.

11. Introduced on June 2, 1970.

12. Passed and adopted by the Council of the City of San Diego on June 2, 1970.

13. AUTHENTICATED BY:

FRANK CURRAN,  
Mayor of the City of San Diego, California.

JOHN LOCKWOOD,  
City Clerk of the City of San Diego, California.

BY ELVA F. HAMEL,  
Deputy.

(SEAL)

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