

ORDINANCE NO. 11325 MAY 23 1974
(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 62.0207 RELATING TO PUBLIC IMPROVEMENTS INCIDENTAL TO A BUILDING OR STRUCTURE.

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

Section 1. That Chapter VI, Article 2, Division 2, of the San Diego Municipal Code be amended by adding Section 62.0207 to read as follows:

SEC. 62.0207 PUBLIC IMPROVEMENTS INCIDENTAL
TO A BUILDING OR STRUCTURE

A. No building or structure shall be erected or enlarged, and no building permit shall be issued therefor, on any R-1 or less restrictively-zoned lot (as such zones are set forth in Chapter X) unless the streets adjacent to such lot have been dedicated and improved along the abutting frontage with curbs, gutters, sidewalk and half-width paving to the then current standards of The City of San Diego for streets of their classification in accordance with the adopted street financing policy; provided, however, that where such improvements do not exist, a building permit may be issued under any of the following circumstances after any needed dedication has been granted:

1. When a public improvement or other permit for the required improvements has been

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issued in accordance with the provisions of this Code.

2. When improvements constructed to a lesser standard exist and the City Engineer finds that they are in substantial conformance with the requirements of this section.

3. When the required improvements do not exist or when existing improvements not to acceptable standards are to be relocated and the City Engineer determines that the amount of work associated with the requested building permit is of such limited scope that it should be deferred until such time as adjacent improvements are installed; provided, however, that no building permit shall be issued until the property owner executes a waiver of his, or any successor in interest, right to protest a future assessment project for installation of the required improvements. The waiver of the right to protest a future assessment project for installation of the required improvements shall be recorded against the property on which the building permit is issued.

B. The provisions of this section shall not apply to the construction of accessory structures and also shall not apply to the construction of accessory buildings or alterations to existing buildings and

structures where the proposed improvements have a total value, as estimated by the Building Official, of \$3,000.00 or less.

C. The requirements of this section may be waived or modified by the City Council upon appeal as provided for by Section 62.0413 after a finding that there are unusual circumstances which make its application an unreasonable burden upon the property or its owner.

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 J. S. Wiegand
J. S. Wiegand, Deputy

JSW:cav
4/9/74

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Passed and adopted by the Council of The City of San Diego on MAY 23 1974,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Yolanda Limón*, 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 9 1974

, and on

MAY 23 1974

~~_____~~

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.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Yolanda Limón*, Deputy.

RECEIVED
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MICROFILMED MAY 2 1978

Office of the City Clerk, San Diego, California	
Ordinance Number 11325	Adopted MAY 23 1974
61022	

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CITY CLERK'S OFFICE

1974 JUN -3 AM 10:02 *ey*

SAN DIEGO, CALIF.

ATTORNEY (S)

City of San Diego
12th Floor 202 C St.
San Diego, Ca 92101

CERTIFICATE OF PUBLICATION

No. ORD NO. 11325

IN THE MATTER OF

PUBLIC IMPROVEMENTS INCIDENTAL TO A
BUILDING OR STRUCTURE.

JUN 03 1974 *ey*

I, Patricia M. Applestill hereby certify that San Diego 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 said newspaper; that the

ORDINANCE NO. 11325

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

May 30, 1974

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

May 30, 1974

Patricia M. Applestill
(Signature)

11" @ 4.42

48.62 *ey*

ORDINANCE NO. 1238
(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 62.0207 RELATING TO PUBLIC IMPROVEMENTS INCIDENTAL TO A BUILDING OR STRUCTURE.

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

Section 1. That Chapter VI, Article 2, Division 2, of the San Diego Municipal Code be amended by adding Section 62.0207 to read as follows:

SEC. 62.0207 PUBLIC IMPROVEMENTS INCIDENTAL TO A BUILDING OR STRUCTURE

A. No building or structure shall be erected or enlarged, and no building permit shall be issued therefor, on any R-1 or less restrictively-zoned lot (as such zones are set forth in Chapter X) unless the streets adjacent to such lot have been dedicated and improved along the abutting frontage with curbs, gutters, sidewalk and half-width paving to the then current standards of The City of San Diego for streets of their classification in accordance with the adopted street financing policy; provided, however, that where such improvements do not exist, a building permit may be issued under any of the following circumstances after any needed dedication has been granted:

1. When a public improvement or other permit for the required improvements has been issued in accordance with the provisions of this Code.

2. When improvements constructed to a lesser standard exist and the City Engineer finds that they are in substantial conformance with the requirements of this section.

3. When the required improvements do not exist or when existing improvements not to acceptable standards are to be relocated and the City Engineer determines that the amount of work associated with the requested building permit is of such limited scope that it should be deferred until such time as adjacent improvements are installed; provided, however, that no building permit shall be issued until the property owner executes a waiver of his, or any successor in interest, right to protest a future assessment project for installation of the required improvements. The waiver of the right to protest a future assessment project shall be recorded against the property on which the building permit is issued.

B. The provisions of this section shall not apply to the construction of accessory structures and also shall not apply to the construction of accessory buildings or alterations to existing buildings and structures where the proposed improvements have a total value, as estimated by the Building Official, of \$3,000.00 or less.

C. The requirements of this section may be waived or modified by the City Council upon appeal as provided for by Section 62.0413 after a finding that there are unusual circumstances which make its application an unreasonable burden upon the property or its owner.

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

Introduced on May 9, 1974.

Passed and adopted by the Council of The City of San Diego on May 23, 1974.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of San Diego, California.

By YOLANDA LIMON, Deputy

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