

RESOLUTION No. 212656

Adopted on FEB 20 1975

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

1. That Council Policy 600-13 entitled "Zoning Applications, Refiling" be, and it is hereby amended as set forth in the form of Council Policy filed in the office of the City Clerk as Document No. 750305.

2. That the City Clerk be, and he is hereby instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By Frederick Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:mmb
2-5-75
011.1 (X631)
Orig Dept - Council

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
ZONING APPLICATIONS, REZONING	600-13		1 of 1

BACKGROUND

Section 101.0205, San Diego Municipal Code, provides in part as follows:

"...No application from one or more owners of property, for zoning or rezoning the same property or essentially the same parcel of land, which has been denied by the City Council, shall be accepted by the Planning Commission within twelve months of such denial; provided, however, that the City Council may permit the processing of such application by the affirmative vote of the majority of its members."

The above quoted section was adopted by the City Council on December 8, 1953, amended November 10, 1966, in order to maintain the peace and tranquility of the affected community, avoid duplicative and unnecessary hearings and promote finality of decisions of Council determinations.

PURPOSE

The purpose of this policy is to establish criteria to be used by the Council in determining whether or not a second application within twelve months after the first application for rezoning should be approved; In order to accomplish the intent of Section 101.0205 of the San Diego Municipal Code, permission to reapply within a twelve month period should be granted only under extraordinary circumstances.

POLICY

The That Council may approve an application for refileing within a twelve month period only upon finding that one or more of the following criteria can be met:

1. A substantial change in the zoning or land use pattern in the area has taken place subsequent to the previous denial to rezone the property.
2. Regulations, plans or formal policies of the City or a governmental agency have been modified after the original application in a manner which could significantly affect the use of the applicant's property or the land surrounding the applicant's property.
3. The new application requests zoning or zoning boundaries that could not be considered at the original hearing because of the legal requirements of the Municipal Code. (Sections 101.0206 and through 101.0208)
4. ~~Anytime~~ there are other unusual or extraordinary circumstances not known at the time of the original hearing which in the judgment of the Council would merit a new application to be filed pursuant to Section 101.0205.

Adopted by Resolution No. 192555 1/9/68

DOCUMENT NO. 750305

FILED FEB 25 1975

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA 212656

Passed and adopted by the Council of The City of San Diego on FEB 20 1975,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Jess D. Haro	<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.

(Seal)

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

By Patricia Tolson, Deputy.

1975 FEB 12 PM 1:07

Office of the City Clerk, San Diego, California

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