

ORDINANCE NO. 11812  
(New Series)

0.76-123

MAR 17 1976

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTION 101.0206 RELATING TO PROCEDURE FOR  
ZONING - HEARING BEFORE PLANNING COMMISSION

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

Section 1. That Chapter X, Article 1, of the San  
Diego Municipal Code be, and it is hereby amended by  
amending Section 101.0206 to read as follows:

SEC. 101.0206 PROCEDURE FOR ZONING - HEARING BEFORE  
THE PLANNING COMMISSION

The Planning Commission shall set a date for public  
hearing and give notice of the time, place, and purpose  
of such hearing in the following manner:

1. By at least one publication thereof in a  
newspaper of general circulation that is published  
on five or more days in a calendar week in the City  
of San Diego, not less than ten days prior to the  
date of the hearing; and by either "2." or "3." as  
follows:

2. By depositing in United States mail, postage  
prepaid, at least ten days prior to the date of such  
hearing, a notice addressed to the owner or owners of  
each parcel of land within 300 feet of the exterior  
boundaries of the property to be zoned. The last  
known name and address of each owner as shown on the  
records of the County Assessor may be used for this  
notice.

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MAY 8 1978

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3. By posting notices not less than ten days prior to the date of the hearing in at least three public places within the proposed district or zone.

The notice required under "2." or "3." above shall be headed "Notice of Public Hearing" in letters not less than one-quarter inch in height and shall recite in legible characters:

1. The boundaries either by diagram, plat or brief description of the area proposed to be zoned.

2. The zone into which said area is sought to be placed.

3. A statement that the Planning Commission reserves the right to make any of the following recommendations to the City Council:

a. The property may be placed in the zone proposed in the notice.

b. The property may not be rezoned.

c. The property be placed in any land use zone falling between the existing and proposed land use zones, as classified by Section 101.0209 of this Code, which in the opinion of the Planning Commission best serves the public interest.

4. The date, time and place of hearing before the Planning Commission.

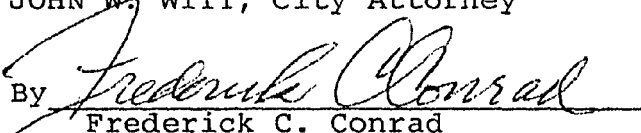
5. A statement that any property owner may appear and be heard before said Planning Commission.

After conducting the public hearing, the Planning Commission may recommend by the affirmative vote of not less than a majority of its total voting members the adoption of an ordinance incorporating the property set forth in said notice, or a portion thereof, into the proposed land use zone or into any land use zone falling between the existing and proposed land use zones as classified by Section 101.0209, which in the opinion of the Planning Commission best serves the public interest, or it may deny the proposed land use zone change.

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  
Chief Deputy City Attorney

FCC:clh  
1/30/76  
Or.Dept. Planning  
630

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MAY 8 1978

11812 01346

NEW LANGUAGE - Underlined  
OLD LANGUAGE - Strike-out

All paragraphs in this section remain the same  
except the following:

The notice required under "2." or "3." above shall be  
headed "Notice of ~~Zoning~~ Public Hearing" in letters not  
less than ~~one~~ one-quarter inch in height and shall recite  
in legible characters:

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MAY 8 1978

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11812

Passed and adopted by the Council of The City of San Diego on MAR 17 1976  
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"/>
Tom Gade	<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.

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

(Seal)

By Kathleen Mastenig 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

MAR 3 1976, and on MAR 17 1976

~~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.

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

By Kathleen Mastenig Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1976 FEB 23 PM 1:33  
SAN DIEGO, CALIF.

MICROFILMED  
MAY 8 1978

CC-1255-A (REV. 12-75)

Office of the City Clerk, San Diego, California

Ordinance Number 11812 Adopted MAR 17 1976

C1348

ATTORNEY(S)

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

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

ORDINANCE AMENDING CHAPTER X, ARTICLE 1

ORDINANCE NO. 11812

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0206 RELATING TO PROCEDURE FOR ZONING HEARING BEFORE PLANNING COMMISSION

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

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code, and it is hereby amended by amending Section 101.0206 to read as follows:

SEC. 101.0206. PROCEDURE FOR ZONING HEARING BEFORE THE PLANNING COMMISSION

1. The Planning Commission shall set a date for public hearing and give notice of the time, place and purpose of such hearing in the following manner:

1. By at least one publication in a newspaper of general circulation that is published on five or more days in a calendar week in the City of San Diego, not less than ten days prior to the date of the hearing; and by either "2." or "3." as follows:

2. By depositing in United States mail, postage prepaid, at least ten days prior to the date of such hearing, a notice addressed to the owner or owners of each parcel of land within 300 feet of the exterior boundaries of the property to be zoned. The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice.

3. By posting notices not less than ten days prior to the date of the hearing in at least three public places within the proposed district or zone.

The notice required under "2." or "3." above shall be headed "Notice of Public Hearing" in letters not less than one-quarter inch in height and shall recite in legible characters:

- 1. The boundaries either by diagram, plat or brief description of the area proposed to be zoned.
- 2. The zone into which said area is sought to be placed.

3. A statement that the Planning Commission reserves the right to make any of the following recommendations to the City Council:

- a. The property may be placed in the zone proposed in the notice.
- b. The property may not be rezoned.
- c. The property be placed in any land use zone falling between the existing and proposed land use zones, as classified by Section 101.0209 of this Code, which in the opinion of the Planning Commission best serves the public interest.

4. The date, time and place of hearing before the Planning Commission.

5. A statement that any property owner may appear and be heard before said Planning Commission.

After conducting the public hearing, the Planning Commission may recommend by the affirmative vote of not less than a majority of its total voting members the adoption of an ordinance incorporating the property set forth in said notice, or a portion thereof, into the proposed land use zone or into any land use zone falling between the existing and proposed land use zones as classified by Section 101.0209, which in the opinion of the Planning Commission best serves the public interest, or it may deny the proposed land use zone change.

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

Introduced on March 3, 1976. Passed and adopted by the Council of The City of San Diego on March 17, 1976.

AUTHENTICATED BY:  
PETE WILSON,  
Mayor of The City of San Diego, California,  
EDWARD NIELSEN,  
City Clerk of The City of San Diego, California,  
By KATHLEEN MARTINEZ,  
Deputy

(SEAL)  
Pub. Apr. 1, 1976 I.S. 0383

I, JOYCE M. BRIDGES 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; and the

ORDINANCE NO. 11812

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

April 1, 1976

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

April 1, 1976

*Joyce M. Bridges*  
(Signature)

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11" @ 4.84 = 53.24  
(Copies) 2040 1.20 57.44 ✓