

ORDINANCE NO. _____
(New Series)

12718

O.79-224
REVISED

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 9 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 101.0920 RELATING TO
PLANNED INDUSTRIAL DEVELOPMENTS.

AUG 6 1979

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

Section 1. That Chapter X, Article 1, Division 9 of
the San Diego Municipal Code be, and it is hereby amended
by amending Section 101.0920 to read as follows:

SEC. 101.0920 PLANNED INDUSTRIAL DEVELOPMENTS

[No amendment to subsections A through H.]

I. DECISION ON APPLICATION

[No amendment to subsections 1 and 2.]

3. The Planning Director shall not approve any
Planned Industrial Development Permit unless the proposed
development, in conjunction with the Environmental
Review process, was publicly noticed at least 30 days
prior to the decision of the Planning Director in the
official city newspaper and by mail to all property
owners within 300 feet of the proposed development,
to the affected community planning groups and any
other group or organization which has requested
notification by written request to the Planning
Department.

[No amendment to subsections 4 through 6 except
for renumbering.]

J. DECISION OF THE PLANNING COMMISSION

..[No amendment to this subsection.]

K. APPEAL FROM DECISION OF THE PLANNING COMMISSION

The decision of the Planning Commission shall be final on the 15th day following action by the Planning Commission unless an appeal is filed in the office of the City Clerk. An appeal shall not be accepted by the City Clerk unless it is approved for filing by a Council member or the Mayor.

When an approved appeal is filed with the City Clerk, it shall be placed on the Council docket for the limited purpose of determining whether the City Council will hear the appeal. The City Council will accept an appeal for hearing when any of the following situations are found to exist:

1. The appellant was denied the opportunity to make a full and complete presentation to the Planning Commission;

2. New evidence is now available that was not available at the time of the Planning Commission hearing;

3. The Planning Commission decision was arbitrary because no evidence was presented to the Planning Commission that supports the decision;

4. The development presents a City-wide planning issue on which guidance of the City Council is required and the matter is of City-wide significance;

5. The decision of the Planning Commission is inconsistent with applicable community plans or the General Plan for those areas not having a community plan; or

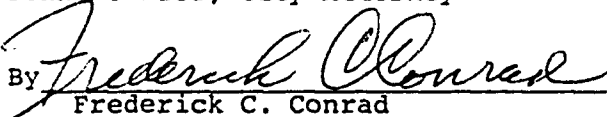
6. The Planning Commission decision was in conflict with adopted Council policy or the Municipal Code.

The City Council shall rely upon the record of the proceedings before the Planning Commission and the written appeal. No oral presentations shall be made to the City Council by proponents or opponents of the project. A vote on a motion to set the appeal for hearing shall not constitute a vote on the merits of the appeal. If at least five (5) members of the Council vote in favor of hearing the appeal, the City Clerk shall set the appeal for hearing before the City Council and give notice of the appeal in the manner required by the Municipal Code.

[No amendment to subsections L through S.]

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
3/20/79
Rev. 7/20/79
640
Or.Dept.:Clerk

NEW LANGUAGE - Underlined
OLD LANGUAGE - Crossed Out

(No amendments to subsections A. through H.)

I. DECISION ON APPLICATION

(No amendments to subsections 1. and 2.)

3. The Planning Director shall not approve any Planned Industrial Development Permit unless the proposed development, in conjunction with the Environmental Review process, was publicly noticed at least 30 days prior to the decision of the Planning Director in the official city newspaper and by mail to all property owners within 300 feet of the proposed development to the affected community planning groups and any other group or organization which has requested notification by written request to the Planning Department.

(No amendments to subsections 4. through 6. except for renumbering.)

(No amendment to subsection J.)

12718

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Passed and adopted by the Council of The City of San Diego on AUG 6 1979
 by the following vote:

| Councilmen | Yeas | Nays | Not Present | Ineligible |
|---------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Bill Mitchell | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Lowery | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt | <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"/> |
| Larry Stirling | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lucy Killea | <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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Berridge, 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

JUL 24 1979, and on AUG 6 1979.

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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Berridge, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 19 JUL 23 11:15
 SAN DIEGO, CALIF.

| | | |
|---|--------------|---------------------------|
| Office of the City Clerk, San Diego, California | | |
| Ordinance Number | 12718 | Adopted AUG 6 1979 |

CERTIFICATE OF PUBLICATION

NO

City of San Diego
City Admin. Bldg., 12th fl.
San Diego, CA 92101
Attn: Barbara Berridge

PLANNED INDUSTRIAL DEVELOPMENTS

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ORDINANCE NO. 12718
(New Series)

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SEC. 101 0920 PLANNED INDUSTRIAL DEVELOPMENTS

(No amendment to subsections A through H.)

I. DECISION ON APPLICATION

(No amendment to subsections 1 and 2.)

3 The Planning Director shall not approve any Planned Industrial Development Permit unless the proposed development, in conjunction with the Environmental Review process, was publicly noticed at least 30 days prior to the decision of the Planning Director in the official city newspaper and by mail to all property owners within 300 feet of the proposed development, to the affected community planning groups and any other group or organization which has requested notification by written request to the Planning Department.

(No amendment to subsections 4 through 6 except for renumbering.)

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(No amendment to this subsection.)

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Paula J. Santonocito

ORDINANCE NO. 12718
(New Series)

August 20, 1979

24th Aug. 79

Paula J. Santonocito

