

ORDINANCE NUMBER O- 15838 (New Series)

Adopted on OCT 25 1982

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 102.0301 AND 102.0311 RELATING TO TENTATIVE AND FINAL MAPS.

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

Section 1. That Chapter X, Article 2, Division 3 of the San Diego Municipal Code be, and it is hereby amended by amending Sections 102.0301 and 102.0311 to read as follows:

SEC. 102.0301 TENTATIVE MAPS AND TENTATIVE PARCEL MAPS FILING

Tentative maps and tentative parcel maps shall be filed with the Planning Department. The Planning Director shall make available to the subdivider public instructional material which will define the requirements for submittal of tentative maps or tentative parcel maps.

The content and form for such maps and the data to be submitted therewith shall be as specified by Sections 66418 and 66419 of the Subdivision Map Act, and to the satisfaction of the Planning Director and the City Engineer.

Tentative maps and tentative parcel maps of property in the planned urbanizing area (as defined by and as specified in the Progress Guide and General Plan) shall not be recommended for approval by the Subdivision Board unless and until the subject property is within the boundaries of

a specific, community or precise plan that has been adopted by the Planning Commission and City Council and otherwise meets the requirements of Chapter X, Article 1, Division 2, Section 101.0205.3 of the San Diego Municipal Code.

Tentative maps and tentative parcel maps of property in the planned urbanizing area shall be approved only if the following conditions are met prior to final map approval: (1) an Implementation Program for Financing Public Improvements (in "developing" communities), or a Financing Plan for Public Facilities, and Development Phasing Program (in "new" communities) have been approved by the Planning Commission and City Council; (2) if assessment districts or facilities benefit assessments (FBA) have been proposed to finance necessary public improvements, and that confirmation of 1911-13 Act Assessment Districts or the Resolution of Designation for FBA shall have been adopted by the City Council. Notwithstanding the above, however, tentative maps and tentative parcel maps of property in the developing communities in planned urbanizing areas may be approved prior to development of an Implementation Program for Financing Public Improvements if: (a) the Planning Commission, pursuant to Section 101.0205.3, or the Subdivision Board pursuant to this section, has made a determination that the granting of tentative map approval on the subject property and/or the proposed timing and phasing of such development will not jeopardize the achievement of Progress Guide and General Plan objectives

of assuring adequate public facilities at the time of development; and (b) the applicant enters into a binding development agreement with the City by which he consents to future establishment of any necessary assessment districts covering the subject community financing plan area and by which he consents to payment of an "estimated" facilities benefit assessment fee at the time of building permit issuance. The development agreement shall provide for the possibility of an under or over payment of such "estimated" fee and for reimbursement of a portion of or supplementation of such fees as may be required. The resolution approving the tentative map shall specify all such conditions.

SEC. 102.0311 FINAL MAPS

After the approval or conditional approval of the tentative map, the subdivider may cause the land to be surveyed and a final map prepared and presented to the City Engineer. Such presentation may occur far enough in advance of the expiration of the tentative map approval to allow sufficient time for processing and recording. Maps submitted shall be accompanied by such other data as are required by the Subdivision Map Act, this Article or the conditions of approval of the tentative map.

Final maps in the planned urbanizing area shall not be approved unless and until all conditions of the tentative map approval have been met.

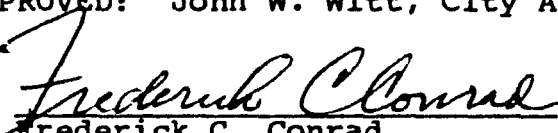
In the case of final maps in the planned urbanizing area in which assessment districts or facilities benefit

assessments have been proposed, final map approval shall not be granted until the confirmation of 1911-13 Act Assessment Districts or Resolution of Designation has been adopted by the City Council in accordance with conditional approval of the tentative map.

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:630
7/26/82
REV. 9/2/82
Or.Dept:Plan.
Form=O.none
O-83-36

NEW LANGUAGE - Underlined

SEC. 102.0301 TENTATIVE MAPS AND TENTATIVE PARCEL MAPS
FILING

Tentative maps and tentative parcel maps shall be filed with the Planning Department. The Planning Director shall make available to the subdivider public instructional material which will define the requirements for submittal of tentative maps or tentative parcel maps.

The content and form for such maps and the data to be submitted therewith shall be as specified by Sections 66418 and 66419 of the Subdivision Map Act, and to the satisfaction of the Planning Director and the City Engineer.

Tentative maps and tentative parcel maps of property in the planned urbanizing area (as defined by and as specified in the Progress Guide and General Plan) shall not be recommended for approval by the Subdivision Board unless and until the subject property is within the boundaries of a specific, community or precise plan that has been adopted by the Planning Commission and City Council and otherwise meets the requirements of Chapter X, Article 1, Division 2, Section 101.0205.3 of the San Diego Municipal Code.

Tentative maps and tentative parcel maps of property in the planned urbanizing area shall be approved only if the following conditions are met prior to final map approval: (1) an Implementation Program for Financing Public Improvements (in "developing" communities), or a Financing Plan for Public Facilities, and Development Phasing Program (in "new" communities) have been approved

by the Planning Commission and City Council; (2) if assessment districts or facilities benefit assessments (FBA) have been proposed to finance necessary public improvements, and that confirmation of 1911-13 Act Assessment Districts or the Resolution of Designation for FBA shall have been adopted by the City Council. Notwithstanding the above, however, tentative maps and tentative parcel maps of property in the developing communities in planned urbanizing areas may be approved prior to development of an Implementation Program for Financing Public Improvements if: (a) the Planning Commission, pursuant to Section 101.0205.3, or the Subdivision Board pursuant to this section, has made a determination that the granting of tentative map approval on the subject property and/or the proposed timing and phasing of such development will not jeopardize the achievement of Progress Guide and General Plan objectives of assuring adequate public facilities at the time of development; and (b) the applicant enters into a binding development agreement with the City by which he consents to future establishment of any necessary assessment districts covering the subject community financing plan area and by which he consents to payment of an "estimated" facilities benefit assessment fee at the time of building permit issuance. The development agreement shall provide for the possibility of an under or over payment of such "estimated" fee and for reimbursement of a portion of or

supplementation of such fees as may be required. The resolution approving the tentative map shall specify all such conditions.

SEC. 102.0311 FINAL MAPS

After the approval or conditional approval of the tentative map, the subdivider may cause the land to be surveyed and a final map prepared and presented to the City Engineer. Such presentation may occur far enough in advance of the expiration of the tentative map approval to allow sufficient time for processing and recording. Maps submitted shall be accompanied by such other data as are required by the Subdivision Map Act, this Article or the conditions of approval of the tentative map.

Final maps in the planned urbanizing area shall not be approved unless and until all conditions of the tentative map approval have been met.

In the case of final maps in the planned urbanizing area in which assessment districts or facilities benefit assessments have been proposed, final map approval shall not be granted until the confirmation of 1911-13 Act Assessment Districts or Resolution of Designation has been adopted by the City Council in accordance with conditional approval of the tentative map.

OCT 25 1982

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<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 Raymond G. Portocarrero, 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

OCT 05 1982

OCT 25 1982

, and on _____

~~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 Raymond G. Portocarrero, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

0-15838'

Adopted

OCT 25 1982

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1982 NOV 10 AM 11:30
SAN DIEGO, CALIF. *MA*

CITY OF SAN DIEGO
12th floor, 202 C ST.
San Diego, CA 92101
ATTN: PONTECORVO

IN THE MATTER OF

NO.

ORDINANCE NO. O-15838

ORDINANCE NO. O-15838
(New Series)
AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,
DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 222.01 AND 222.02 TO
TERMINATE AND FINAL MAPS.
The amendment shall terminate all Subdivision Regula-
tions of the City of San Diego which specify the provisions to be
utilized in subdivisions of lands within the general planning area
of the City.
A complete copy of the Ordinance is available for inspection in
the Office of the City Clerk of the City of San Diego, 12th Floor, Ci-
ty Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on OCTOBER 5, 1982
Passed and adopted by the Council of The City of San Diego
on OCTOBER 28, 1982.
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 MAYBEL L. PONTECORVO, Deputy
Published November 8, 1982

I, Charlene Casselman, am a citizen
of the United States and a resident of the County aforesaid; I am over the
age of eighteen years, and not a party to or interested in the above- entitled
matter. I am the principal clerk of the San Diego Daily Transcript, a
newspaper of general circulation, printed and published daily, except
Saturdays and Sundays, in the City of San Diego, County of San Diego, and
which newspaper has been adjudged a newspaper of general circulation by
the Superior Court of the County of San Diego, State of California, under
the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-15838
(New Series)

is a true and correct copy of which the annexed is a printed copy and was
published in said newspaper on the following date(s), to wit:

November 8, 1982

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 8th day of Nov, 19 82.

2 1/8" x 2 x 8-87 =
34.70

Charlene Casselman

(Signature)

01263