

(O-85-220)

ORDINANCE NUMBER O- 16168 (NEW SERIES)

ADOPTED ON JUL 22 1985

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,  
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 101.0508, RELATING TO  
REVOCATION PROCESS FOR CONDITIONAL USE PERMIT.

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

Section 1. That Chapter X, Article 1, Division 5, of the San Diego Municipal Code be, and the same is hereby amended by amending Section 101.0508 to read as follows:

SEC. 101.0508 FAILURE TO UTILIZE ZONE VARIANCE OR  
CONDITIONAL USE PERMIT OR FAILURE TO CONFORM  
TO OR COMPLY WITH CONDITIONS

1., 2. and 3. - No change.

4. Except as provided in SEC. 101.0509, during the 36-month period referred to in paragraph "1." of this section, the property covered by a Conditional Use Permit granted by the Zoning Administrator, Board of Zoning Appeals, Planning Commission or City Council shall not be used for any purpose other than that authorized by the permit. Any change in use requires a new or amended Conditional Use Permit to be obtained.

5. The Planning Director shall determine whether the conditions and requirements of a Conditional Use Permit or variance granted by the Planning Commission or City Council have been met by the permittee or grantee of a variance.


6. The Planning Director may refer a variance or Conditional Use Permit to the Planning Commission for purposes of instituting revocation proceedings or modification of conditions when violations are present relating to the conditions of approval. The Planning Commission shall conduct a noticed public hearing in accordance with Section 101.0220 upon receipt of the referral.

7. The Zoning Administrator shall determine whether the conditions and requirements of a Conditional Use Permit or variance granted by the Zoning Administrator or Board of Zoning Appeals have been met by the permittee or grantee of the variance.

8. The Zoning Administrator may revoke a variance or Conditional Use Permit, modify or establish new conditions after conducting a public hearing in accordance with Section 101.0503 C. when violations are present relating to an approved variance or Conditional Use Permit granted by the Zoning Administrator or Board of Zoning Appeals.

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:ib:632  
06/12/85  
Or.Dept:Plan.  
O-85-220  
Form=o.code

Passed and adopted by the Council of The City of San Diego on JUL 22 1985,  
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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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"/>
District 7-vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**ROGER HEDGECOCK**

Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, 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 9 1985

, and on JUL 22 1985

~~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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16468 Adopted JUL 22 1985