

(O-88-165)

ORDINANCE NUMBER O-17066 (NEW SERIES)

ADOPTED ON APR 18 1988

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISIONS 3 and 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 102.0301.1 and 102.0402.1 RELATING TO SUBDIVISION REGULATIONS.

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

Section 1. That Chapter X, Article 2, Divisions 3 and 4, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 102.0301.1 and 102.0402.1, to read as follows:

**SEC. 102.0301.1 TENTATIVE MAPS AND TENTATIVE PARCEL  
MAPS - COASTAL ZONE REQUIREMENTS**

Within the Coastal Zone, where a Coastal Development Permit is sought for any commercial, industrial or residential subdivision or other land division situated within the Hillside Review Overlay, Sensitive Coastal Resource Overlay, Floodway or Floodplain Fringe Zones, the application requirements, special regulations, required findings of fact and approval requirements of those overlays or zones shall be incorporated into the land division or subdivision review.

**SEC. 102.0402.1 LOT DESIGN - COASTAL ZONE HILLSIDE  
AREAS**

Within that portion of the Coastal Zone located westerly of Interstate Freeway 5 no tentative map or

preliminary map which proposes a division of a lot, as defined in Municipal Code SEC. 101.0101.34, located within a Residential Zone, shall be approved unless a portion, as specified herein, of each lot to be created contains an area with a slope gradient of less than twenty-five percent (25%) at the time of submission of the map. The portion of each lot which must contain a slope gradient of less than twenty-five percent (25%) shall be an area the size of which is not less than the product obtained from multiplying the minimum lot area requirement of the applicable zone by either the basic floor area ratio of such zone or .75, whichever is less.

The requirement set forth herein shall not apply to a lot to be created on which lot one or more dwelling units exist at the time of submission of the map.

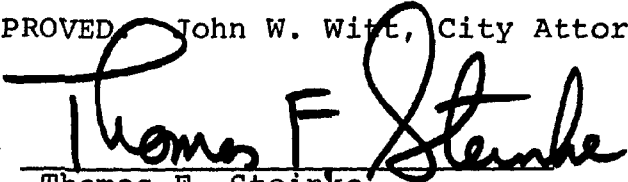
Within the Coastal Zone those areas with slopes of less than twenty-five percent (25%) gradient and those areas with slopes of twenty-five percent (25%) gradient and above shall be separately shown for all lots on the tentative or preliminary map.

Where it is in the interest of the public safety or welfare to restrict the development of slopes with gradients of twenty-five percent (25%) and over in order to mitigate erosional and geologic problems, to preserve an area's scenic and visual amenities, or to protect native vegetation, such slopes which remain undeveloped as part of a new subdivision approval shall be preserved through a permanent open space easement.

Section 2. This ordinance shall become effective on October 17, 1988, provided that by such date the Local Coastal Program of The City of San Diego (including Coastal Commission recommended rezonings) has been: (i) accepted by the Executive Director of the Coastal Commission; (ii) is finally and effectively certified by the Coastal Commission; and (iii) coastal development permit issuing responsibility is authorized by the Coastal Commission to be undertaken by The City of San Diego. In the event the aforesaid conditions are not met, this ordinance is null and void.

APPROVED John W. Witt, City Attorney

By

  
Thomas F. Steinke  
Deputy City Attorney

TFS:wk  
03/31/88  
Or.Dept:Plan.  
O-88-165  
Form=o.none

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APR 18 1988

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

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

APR 5 1988

APR 18 1988

, 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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-17066**

APR 18 1988

Adopted .....

RECEIVED  
CITY CLERK'S OFFICE  
1988 APR - 1 PM 3: 23  
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: ELLEN BOVARD

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISIONS  
3 and 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING  
SECTIONS 102.0301.1 and 102.0402.1 RELATING TO  
SUBDIVISION REGULATIONS.

NO.

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The amendments to the Subdivision Ordinance are designed to ensure that all newly created residential parcels in the steep slope areas of the Coastal Zone, west of I-5, will have a relatively level area (natural slopes below twenty-five percent (25%) gradient) of sufficient buildable size as to avoid the need for extensive grading when the parcel is developed.  
Additional amendments require the application requirements, special regulations, and required findings of the Coastal Development Permit Ordinance, Hillside Review Overlay Zone, Sensitive Coastal Resource Zone, Floodway and Floodplain Fringe Zone, where applicable, to be incorporated into the review of tentative subdivision maps and tentative parcel maps.  
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on April 5, 1988  
Passed and adopted by the Council of The City of San Diego on APR 18, 1988  
AUTHENTICATED BY: MAUREEN O'CONNOR  
Mayor of The City of San Diego, California  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California  
BY ELLEN BOVARD, Deputy  
Pub. May 2 107357

I, THOMAS D. KELLEHER, 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

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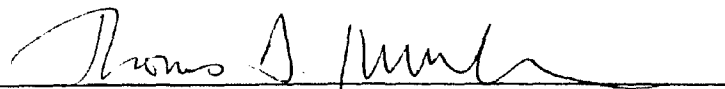
is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAY 2

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

2 MAY 88

Dated at San Diego, California this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.



(Signature)

31 lines x .98 = \$60.78

2 3/4" x 2 x 10.78 = \$59.30