

(O-88-167)

ORDINANCE NUMBER O- 17068 (NEW SERIES)

ADOPTED ON APR 18 1988

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISIONS 1 AND 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 62.0107, 62.0401 AND 62.0405, AND BY ADDING SECTION 62.0417.1 RELATING TO LAND DEVELOPMENT.

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

Section 1. That Chapter VI, Article 2, Divisions 1 and 4, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 62.0107, 62.0401 and 62.0405, to read as follows:

**SEC. 62.0107 PERMITS FOR PROJECTS WITHIN THE COASTAL ZONE**

No land development permit, public improvement permit or encroachment permit will be issued by the City Engineer for projects or developments within the California Coastal Zone as established by the California Coastal Act of 1976 as amended until such time as a Coastal Development Permit or certificate of exemption has been obtained from the City Planning Director or the California Coastal Commission except that the repair of curbs, streets, and sidewalks will not be subject to this provision. Procedures to be followed when an application is submitted for a permit in the Coastal Zone are: the application, plans and specifications

filed by an applicant for a permit shall be reviewed by the City Engineer. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the City Engineer is satisfied that the work described in the application for a permit, and the plans and specifications filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, he shall give notice that he is prepared to issue a permit, when the appropriate fees specified in SEC. 62.0108 have been paid and the applicant presents an approved permit or certificate of exemption granted by the City Planning Director or the California Coastal Commission.

**SEC. 62.0401 PURPOSE AND INTENT**

It is the purpose of this Division to regulate grading on both public and private property as necessary to protect persons, property and the environment. All land development performed within the City of San Diego shall comply with the provisions of this Division.

In addition to the specific requirements of this Division, all persons performing grading shall take all due care to provide safe and stable slopes, and to protect water quality in bays and lagoons and other bodies of water by reducing the effect of erosion, siltation, and pollution.

**SEC. 62.0405 APPLICATIONS FOR PERMITS**

Applications for Land Development Permits shall be made in accordance with SEC. 62.0105 of this Article. Applications shall be accompanied by detailed plans and specifications including but not limited to:

(a) A suitable topographic map showing present contours as well as proposed finished grade elevations.

(b) A plot plan showing as a minimum the boundaries of the proposed development, lot lines, public and private right-of-way lines, and an indication of the intended use of the property.

(c) An erosion control plan for projects within the Hillside Review Overlay Zone or when otherwise required by the City Engineer.

(d) A soils report prepared by a soils engineer, including an assessment of seepage characteristics.

(e) A seepage study whenever blasting is to be performed or bedrock is to be exposed.

(f) A geologic report prepared by a certified engineering geologist shall be required in any area of high geologic risk (Zone "D") as defined by the Seismic Safety Element of the General Plan.

(g) A revegetation plan.

(h) The final environmental document which addresses the proposed grading; or an application for an environmental initial study; or a statement certifying that the project is exempt from environmental review

requirements in accordance with the California Environmental Quality Act.

(i) Within the Coastal Zone, as shown on the map filed in the office of the City Clerk as Document No. 00-17067-1, the erosion control plan referred to in Subsection (c) of this section shall include temporary procedures to control erosion during project development. Where necessary to minimize sediment from runoff waters draining from the land undergoing development, sediment basins (debris basins, desilting basins, or silt traps) shall be installed in conjunction with initial grading operations and maintained by the developer.

All soils and geologic reports shall consist of a preliminary report and a final as-built report.

Applications for agriculture permits are required one time only for lands or portions thereof not used for agriculture during the five (5) year period after the permit is granted.

Applications require a description of the area, statement of crop to be planted, and method of irrigation. Agriculture permits are limited to plowing along the natural surface only or to the making of embankments or excavations within the scope of SEC. 62.0403 "Exemptions from Permit Requirements." Environmental clearance is required for endangered species and natural environmental features.

Applications for clearing and grubbing to be performed as part of a City required or approved weed abatement or fire preventive program require only a description of the site and nature of the work.

Section 2. That Chapter VI, Article 2, Division 4, of the San Diego Municipal Code be and the same is hereby amended by adding Section 62.0417.1, to read as follows:

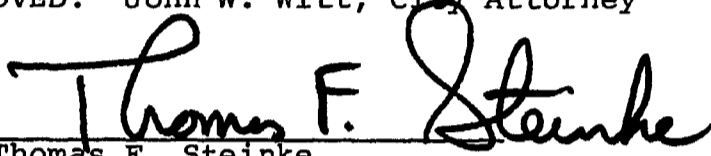
**SEC. 62.0417.1 PROTECTING WATER QUALITY IN COASTAL LAGOONS**

In addition to compliance with other requirements of this Division, land development for properties within the Coastal Zone which drain into Los Penasquitos Lagoon or San Dieguito Lagoon requires compliance with erosion control measures specified in the document, "Erosion Control Measures for North City Areas Draining to Los Penasquitos or San Dieguito Lagoons," on file in the office of the City Clerk as Document No. 00-17068.

Section 3. 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-88-167  
Form=o.none

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 Struiksma	<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 Boward*, 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

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, 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 Boward*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *1-17068* Adopted APR 18 1988

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

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1706



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 VI, ARTICLE 2, DIVISIONS  
1 AND 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTIONS 62.0107, 62.0401 AND 62.0405, AND BY ADDING  
SECTION 62.0417.1 RELATING TO LAND DEVELOPMENT.

NO.

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The amendments to the Land Development Ordinance add specific erosion control measures for the North City Local Coastal Program Segment areas draining into Los Penasquitos or San Diego Lagoons. Among other requirements these erosion control measures establish procedures (in a separate document) governing the grading of land during the November 15 through March 31 rainy season. This document also outlines a monitoring program to ensure the effective operation of required runoff control measures, both individually and cumulatively.

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 April 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 107355

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

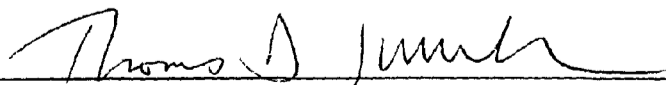
ORDINANCE NUMBER O-17068 (NEW SERIES)

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:

MAY 2

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

Dated at San Diego, California this 2 day of MAY, 19 88.



(Signature)

29 lines x .98 = \$56.84  
2 5/8" x 2 x 10.78 = \$56.60